



Examining Board of Psychology Meeting Minutes

September 30, 2022

Virtual Meeting via Microsoft Teams

Board members present: Florence Katz Burstein, Public Member, Chair
Patience McGinnis, Psy.D.
Phillip Hawley, Psy.D.
Cedar O'Donnell, Ph.D.
Elena Lopez, Psy.D.
Ruth Varkovitzky, Ph.D., ABPP, Vice Chair
Michelle Brandon, Ph.D.*
Jan Bleakney, Public Member

**Arrived after item #6*

Board members absent: None

Staff members present: James Chaney, Executive Director
Nancy Delgado, Program Manager
Karen Gohlsen, Program Support
Lilia Lopez, Assistant Attorney General
Bill Kellington, Supervising Staff Attorney
Melody Casiano, Policy Analyst
Tiffany Drake, Credentialing Supervisor
Jeff Orwig, Financial Analyst

Guests: None

On September 30, 2022, the Examining Board of Psychology met online via Microsoft Teams. Notice of the meeting was published on the Examining Board of Psychology [profession website](#) and was sent out through the GovDelivery listserv.

Open Session:

1. Opening of Public Meeting – Florence Katz Burstein, Public Member, Chair

- 1.1. Call to Order: The chair called the meeting to order at 9:02 a.m. followed by introductions of board members, department staff, and the Assistant Attorney General.
- 1.2. Approval of the Agenda: *Motion to approve the agenda, seconded, vote 7-0.*
- 1.3. Approval of July 22, 2022 Regular Meeting Minutes: *Motion to approve the minutes, seconded, vote 7-0.*

2. Public Comment – Ruth Varkovitzky, Ph.D., ABPP, Vice Chair

- 2.1. Vice Chair Ruth Varkovitzky read aloud the public comment statement:
“Thank you for taking the time to be with us today. We are eager to hear from you. We typically provide notice to our constituents and other interested parties before taking action on any topic, so we seldom take action on topics unexpectedly raised by the public or others if not on the agenda. While individual board members may ask questions or make comments about your presentation, please be aware that individual board members do not represent the board as a whole and that the subject of your comment may not be acted upon today or in the near future. We will include your comments in our meeting minutes for possible review if the matter you raise is brought up for formal discussion and/or a vote at a subsequent board meeting.”
- 2.2. There was no public comment.

3. Management Reports - Nancy Delgado, Program Manager

- 3.1. Budget – The board reviewed the budget numbers for June 2022. The current fund balance was \$706,944 (a decrease of over \$200,000 from the beginning of the biennium).
- 3.2. Credentialing Report – The board reviewed the current credentialing statistics as of June 2022. There were currently 3,414 active psychology licenses (368 pending applications) and 261 active temporary permits (89 pending applications).
- 3.3. Program Update – Program Manager Nancy Delgado provided an update to the board regarding the rules workshops that were held earlier in the month and informed the board that she would have draft language based on public comment to present at the next board meeting on November 18, 2022.
- 3.4. Policy Analyst Update – There were no updates for the board.

4. ESSB 5229 Update – Nancy Delgado, Program Manager

- 4.1. [ESSB 5229](#) requires all professions to include an equity training as part of continuing education requirements starting January 1, 2024. Now that the Department of Health has updated its rules regarding continuing education consistent with the new law, the board was asked to authorize the department to file a Preproposal Statement of Inquiry (CR-101) to begin the process of similarly updating the psychology rules pertaining to continuing education. *Motion to approve the filing, seconded vote 7-0.*

5. Policy Statement Review – Melody Casiano, Policy Analyst

- 5.1. The board was asked to consider withdrawing three policy statements that are now obsolete. WSR 15-01-108 (completion dates for CE regarding suicide assessment, treatment, and management) is now included in [WAC 246-924-230](#). *Motion to approve withdrawal, seconded, vote 7-0.* WSR 09-17-047 (extra practicum hours may qualify as preinternship hours) is now included in the [WAC 246-924-049](#) and policy statement [WSR 22-01-091](#) (application of supervised experience for applicants). *Motion to approve withdrawal, seconded, vote 7-0.*
- 5.2. There were two policy statements put in place during the pandemic to allow for virtual supervision. WSR 21-01-168 (use of telepsychology to fulfill direct experience requirements during COVID) and WSR 21-05-009 (virtual supervision for internships and preinternships during COVID) are both set to expire 180 days (April 30, 2023) after the governor’s declared state of emergency ends on October 31, 2022. It was requested to extend the expiration date to August 31, 2023 to allow students and programs to operate under consistent rules for the rest of the academic year. *Motion to amend WSR 21-05-009 to extend virtual supervision until August 31, 2023, seconded, vote 7-0. Motion to amend WSR 21-01-168 to extend virtual internships and preinternships, until August 31, 2023, seconded, vote 7-0.*

6. Lists & Labels Requests - Florence Katz Burstein, Public Member, Chair

- 6.1. [Oregon Mental Health CEU Consortium](#) – The board considered a request to provide list and label information to this entity so it can inform psychologists of continuing education trainings. *Motion to approve the request, seconded, vote 8-0.*

7. CE Indefinite Waiver and Extension Requests - Florence Katz Burstein, Public Member, Chair

- 7.1. The board was asked to consider the following requests for continuing education extensions or indefinite waivers:
 - Request #1 – Extension of CE due date for ten months due to illness. *Motion to approve, seconded, vote 8-0.*
 - Request #2 – An indefinite waiver was requested as the psychologist stated that she was not providing psychological services to consumers and that her activities were confined to research and education. The board determined that the psychologist is still considered practicing psychology according to [RCW 18.83.010](#). *Motion to deny request, seconded, vote 8-0.*
 - Request #3 – The board was asked to accept the continuing education credits earned in Oregon to count toward Washington State’s requirements. The board requested the program reach out to the psychologist for more clarification. *Motion to table the request, seconded, vote 8-0.*
 - Request #4 – An indefinite waiver was requested from a psychologist who is retired and not practicing. *Motion to approve, seconded, vote 8-0.*

8. ASPPB Board of Directors Election - Florence Katz Burstein, Public Member, Chair

- 8.1. The board was asked to rank candidates for the upcoming board of directors' elections that will be held during the annual meeting scheduled to take place October 26-30, 2022. Ruth Varkovitzky will serve as the delegate and vote on behalf of the board. *Motion to vote for Michelle Paul as president (there were no other candidates), seconded, vote 8-0. Motion to rank Ramona Mellott #1 and Cliff Johannsen #2 for the at-large position, seconded, vote 8-0.*

9. CLEAR 2022 Annual Educational Conference – James Chaney, Executive Director & Leslie Cohn, Ph.D., Board Member

- 9.1. The board was given a brief summary of the regulatory topics covered at the conference, including apprenticeships, free speech concerns, mental health in the wake of COVID, and the impact of social media.

10. Future Meeting Format – Nancy Delgado, Program Manager

- 10.1. The board discussed the format for future board meetings given that the state declaration of emergency for COVID-19 is set to expire at the end of October while one or more declarations of emergency remain in place at the federal level. The board elected to continue fully virtual meetings until the end of 2022 (as long as a federal declaration of emergency is still in effect). *Motion to approve, seconded, vote 7-0 with one abstention (Brandon).*

11. Ethics Training CE – Florence Katz Burstein

- 11.1. The board discussed the frequency and format for future ethics trainings that are provided to psychologists for CE credit. Dates for the 2023 training are to be determined pending the availability of board members and DOH staff. There was a suggestion that the board should require a fee for ethics training, however it is unclear if that would be possible to do and requires further research.

12. Subcommittee Work & Reports – Florence Katz Burstein, Public Member, Chair

- 12.1. Subcommittee membership - The board discussed membership on subcommittees and better defined the subject matter each subcommittee covers. Updating subcommittee membership was tabled until new board members have been appointed (there are currently three pending appointments with the governor's office).
- 12.2. Communications Subcommittee – The subcommittee continues to work on a newsletter and a draft will be presented to the board at the meeting on November 18, 2022.
- 12.3. Diversity Workgroup – The subcommittee will be working on drafting language for the continuing education health equity rules.
- 12.4. Applications Subcommittee – The subcommittee continues to work on draft licensure rules based on the public comment they have received.
- 12.5. Rules Subcommittee – Membership to be determined once new members are appointed.

12.6. Continuing Education Subcommittee - Membership to be determined once new members are appointed.

13. WAC Revisions regarding Telehealth – Nancy Delgado, Program Manager & Bill Kellington, Staff Attorney

13.1. The board was briefed on the [existing guidelines](#) regarding telehealth, which were created prior to COVID in 2016. It was suggested that the board adopt a policy statement to update its guidelines and provide a stronger means of addressing telehealth. DOH staff will work on the draft language to present at a future meeting.

14. Future Agenda Items – Florence Katz Burstein, Public Member, Chair

- Subcommittee appointments (pending the appointment of new board members)
- Application Subcommittee report (ongoing)
- DEI workgroup update (ongoing)
- Training for new and existing board members (pending new appointments)
- Ethics training CE (ongoing)
- Discussion to permanently change rules re the virtual supervision and training policy statements (November)
- Draft newsletter (November)
- Board training (pending new appointments)
- Technology guidance (HIPAA compliance, recordkeeping, etc.)
- Full administrative rules review
- EBOP-DOH operating agreement update (November)

15. Meeting Adjourned

The meeting adjourned at 1:02 p.m.

Submitted by:

Nancy Delgado, Program Manager
Examining Board of Psychology

Approved by:

Florence Katz Burstein, Chair
Examining Board of Psychology

Signature on file

SIGNATURE

DATE

Signature on file

SIGNATURE

DATE