

**State Of Alaska**  
**DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT**  
**DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING**

**BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE EXAMINERS**  
**January 31, 2019 & February 1, 2019**

**Thursday, January 31, 2019**

**Agenda Item – Call to order and Roll call**

Board Chair Al Levy called the meeting to order at 9:04 am.

Those present constituting a quorum of the Board:

Al Levy, Psychological Associate

Joel Wieman, Psychologist

Suzanne Dutson, Public Member

Richard Lazur, Psychologist

In attendance from the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing were:

Renee Hoffard, Records and Licensing Supervisor

Sara Chambers, Director

Lacey Bartlett, Occupational Licensing Examiner

Erika Prieksat, Investigator III

**Agenda Item – Review & Approve Agenda**

The board reviewed the drafted agenda of the meeting. Suzanne Dutson stated agenda item #17.C – Telepsychology Website – was covered adequately by the last board meeting. She requested to amend item #17 to be able to discuss SB 74 and some concerns she had with it.

**In a motion duly made by Joel Wieman and seconded by Suzanne Dutson, with unanimous consent, it was resolved to approve the agenda as amended.**

Renee Hoffard noted due to being unable to schedule future meetings at this time, the Annual Report had been added to the agenda for review if the board would like. The report needs submitted by June 1<sup>st</sup>, 2019 so it needs to be reviewed and approved to the division. Board Chair Al Levy brought up challenges with the annual review as there has been a large turnover of new board members.

Board Chair Levy, discussed the upcoming meetings with legislators that have been scheduled while in Juneau. The meetings scheduled were with Mia Costello, Matt Claman, Elvi Gray-Jackson, Tom Begich, and Cathy Giessel. It will be discussed later who will attend what meeting. Board Chair Levy requested to have the Exam Drafting removed from the agenda due to board staff turnover. It would be too difficult to start that process and then start it over again with 2 new board members.

**In a motion duly made by Suzanne Dutson and seconded by Richard Lazur, with unanimous consent, it was resolved to amend the agenda to remove item #21 – Exam Question Drafting – and replace it with Legislative Meetings.**

**Agenda Item – Ethics Report**

Board Chair Al Levy gave a brief overview of the requirements of ethics reporting as a board member. Hearing no violations or reports, Mr. Levy moved the board onto the next agenda item.

*Director Sarah Chambers joined at 9:10am.*

**Agenda Item – Board Training**

Division Director, Sara Chambers joined the meeting to provide board training. Director Chambers discussed how well the board is able operate and work through conflict. Questions arose in regards to how to interpret what is written in statute and regulation, how to work through gray areas, and what is the board's authority to deviate/make decisions on what is written. The regulations had fallen behind the times and how is the board supposed to respond?

Director Chambers assisted in explaining the elements to consider: you are erring in favor of the applicant, you are not raising the bar ABOVE the current standards, and you are doing it consistently. When a statute is outdated and causes issues to the process, it is the authority of the board to address it and can take the steps to address the issue. And in the interim, what are the requirements to be more attainable? The board was advised to identify the effect of the unintended consequences (outdated standards) and come up with a more adaptive standards to achieve our professionals being able to work in Alaska.

The Board and Director Chambers all agreed working together, communication, and monitoring needs of our licensees are essential in supporting our professionals. Our collective goals are to get our professionals to work. If regulations changes are necessary, the Board could start a regulations project to address those needs. It was also agreed that with the new board members coming in, Director Chambers would join additional meetings as needed for continued Board Training.

**In a motion duly made by Richard Lazur and seconded by Suzanne Dutson, with unanimous consent, it was resolved to amend the agenda to move Division Update to 9:45am to make best use of time.**

**Agenda Item – Division Update**

Board Chair Al Levy addressed Director Chambers and a few concerns he had regarding Board Member turnover and administrative staffing turn over. Board Chair Levy was concerned current members haven't been notified their term has been ended by the current administration or have been replaced. Chair Levy stated it's the Governors prerogative to appoint anyone he wants for his administration but HOW it is done and how it impacts the board are matters for concern. Director Chambers addressed those concerns by stating she's receiving the same information as it comes in. She has expressed the concern as a division to the Director of Boards and Commissions, and we would like to find out sooner

rather than later when board members are being replaced. It has been affecting our boards negatively and how they're able to conduct business. The discussion continued around ensuring the productivity of the board and to effectively pass leadership training onto new members. It was agreed that all will do their best to communicate upcoming changes and work to manage the steep learning curve of our incoming members.

*Erika Prieksat joined at 9:56am*

**Agenda Item – Investigative Report**

Investigator Erika Prieksat addressed the board with current investigation. There was 1 opened matter, 4 closed matters, and 4 remain ongoing. Information was relayed to Investigator Prieksat regarding board member turnover and open investigations. It was advised to Investigator Prieksat any items previously assigned to Dr. Chris Reynolds or Dr. Richard Lazur would need to be reassigned. Additional training was also planned for future meetings when our new board members have joined so they fully understanding their roles in investigations.

**Break 10:06am – 10:22am.**

**Agenda Item – Division Update**

Fiscal Year 2018 (FY18):

The board took in just over \$17,000, however the expenses were almost \$100,000. With a surplus from past years, the program can remain in a positive fiscal position with a balance of \$318,694.

Fiscal Year 2019 (FY19) 2<sup>nd</sup> Quarter:

At the end of the 2<sup>nd</sup> quarter of FY19, the board income was approximately \$16,400 and the outgoing has been just over \$45,500. Total revenue will increase as we're in a renewal cycle. The board was informed it is tracking right along with previous years and overall is maintaining well. Ms. Chambers reviewed the indirect vs direct expenses, how these expenses are figured, and what the boards past trends have looked like.

Administrative staff changes were also extensively discussed. It was asked if there was a way to reimburse the psychology board or shift cost from the board for administrative changes, such as, removing the licensing examiner to another program. Could the financial responsibility be shifted to the program that's receiving the licensing examiner? Director Chambers explained the division is focused on maintaining work and the state's needs. The best is being done to mitigate costs and anticipate the needs of all the boards. Director Chambers advised the board if they do have a remedy to the situation, to please let her know. Board Chair Al Levy stated he would collect some information from other boards and see what type of proposal could be submitted.

**Proposed License Fees**

Director Chambers discussed the proposed license fee decrease. Both the board and the division have been working toward a more balanced income to expenditure ratio. The major concern raised regarded having enough funds to cover unforeseen expenses, such as investigations. After extensive discussion

regarding the boards desire to maintain an adequate surplus, while also adapting to a more suitable license fee based on income vs. expenditure, a \$500.00 license fee was proposed by the board.

**In a motion duly made by Richard Lazur, and seconded by Suzanne Dutson, with unanimous consent, it was resolved to recommend a fee of \$500 for initial licensing.**

**Break 11:27am – 11:36am**

**Agenda Item – Public Comments**

There were no members of the public present that wished to provide public comments to the board.

**Lunch 11:40pm – 1:06pm**

**Agenda Item – Review & Approve Meeting Minutes**

The previous meeting minutes were reviewed by the board.

**In a motion duly made by Richard Lazur, and seconded by Suzanne Dutson, with unanimous consent, it was resolved to approve the November 30, 2018 meeting minutes as written.**

**Agenda Item – Application Review**

The board reviewed 3 applications for licensure and 1 supervision extension request via OnBoard; ballots were signed using electronic signature per division policy. Applicants will be notified of the board's decision within 10 business days of the board meeting.

**Break 2:38pm - 2:48pm**

**Agenda Item – Exam Scoring**

**Upon a motion made by Richard Lazur, seconded by Suzanne Dutson, and approved unanimously, it was resolved to enter into Executive Session in accordance with AS 44.62.310(c), and Alaska constitutional right to privacy provisions for the purpose of discussing matters involving matters which by law, municipal character, or ordinance are required to be confidential. Board staff Renee Hoffard and Lacey Bartlett to remain in the room.**

**Off record at 2:49pm**

**On record at 3:58pm**

Board Chair Levy stated they have all done good work for the day and accomplished many items. Not hearing any additional information to be discussed on the record, meeting was recessed.

**Recess at 3:59pm until 9:00 am on Friday, February 1, 2019.**

**Friday, February 1, 2019**

Board Chair Al Levy called the meeting to order at 9:08am

Those present, constituting a quorum of the Board:

Al Levy, Psychological Associate  
Joel Wieman, Psychologist  
Suzanne Dutson, Public Member  
Richard Lazur, Psychologist

In attendance from Department of Commerce, Community, and Economic Development, Division of Corporations, Business, and Professional Licensing were:

Lacey Bartlett, Licensing Examiner  
Renee Hoffard, Records & Licensing Supervisor  
Sarah Chambers, Division Director

Members of the Public in attendance:  
Jana Zeedyk,

**Reconvene at 9:08am.**

Roll Call, present Al Levy, Joel Wieman, Suzanne Dutson, and Richard Lazur.

Board Staff Renee Hoffard and Lacey Bartlett.

**Agenda Item – Correspondence**

No correspondence was provided to the board for this meeting. Renee Hoffard addressed the board regarding a question on a courtesy license compliance reporting. A psychologist had completed his permanent license since receiving his courtesy license. Ms. Hoffard's question was to clarify if the individual needed to submit his courtesy license report OR if his permanent license replaced the need for the license report. It was requested to notate the file of his upgrade to permanent licensing and the applicant submit a letter requesting early expiration of his courtesy license (as he was issued a permanent license). Board Chair Levy requested this information be added to our procedure manual as this situation will likely arise again and it was agreed to add to the division's training manual.

**In a motion duly made by Richard Lazur, seconded by Suzanne Dutson, with unanimous consent, it was resolved to amend the agenda to move Old Business up to make best use of time.**

**Agenda Item – Old Business**

Board member Suzanne Dutson presented her license category analysis. State of Alaska currently holds 4 license statuses. Ms. Dutson spoke of other states and their licensing categories. The goal would be to add "Retired" status to the licensing categories, in order to reflect a more accurate status than an

individual who retires and their license goes to "Inactive". Concerns have been raised regarding inactive licenses and a potential negative connotation on them when reality is the professional has retired or moved on from practice. Supervisor Hoffard advised the board that changes to add a license status would require legislative action as the board only has authority to make changes on what is currently written in statute. It was discussed how an individual would be able to go into retired status and how that process would look. All changes and procedures would be included in a regulations project.

*Director Sarah Chambers entered 9:31am*

Board member Suzanne Dutson went on to discuss the PSYPact Interstate Agreement and how it could benefit Alaska. PSYPact is a contract for specific, limited purpose, or particular policy issue - telehealth and temporary in-person, face-to-face practice of psychology across jurisdictional boundaries. After presenting the PSYPact information, questions were raised regarding how it would financially effect the State. Overall the project would have positive benefits to Alaska and serving our rural population. Additional questions requiring research are going to be addressed and clarified before presenting the information to Legislators. Specifically questioned were annual fees to the state, what fees are collected for processing PSYPact applications, how are investigations handled/funded, and what is the specific time scope of practice for both telehealth and face-to-face practice under PSYPact.

Chair Al Levy notified Director Chambers of the 2 items the board is currently working on for the current legislative session which were: 1. adding another licensing category and 2. pursue background checks for applicants.

**Upon a motion made by Joel Wieman, seconded by Suzanne Dutson, and approved unanimously, it was resolved to enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to privacy provisions for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion. Board staff Renee Hoffard, Lacey Bartlett, and Sarah Chambers to remain in the room.**

**Off Record at 10:18am**

**On Record at 10:43am**

**Break 10:43am – 10:55am.**

**In a motion duly made by Suzanne Dutson, seconded by Richard Lazur, with unanimous consent, it was resolved to amend the agenda to move AKPA call to 1:00pm.**

Board Chair Levy advised the board of their goals for speaking with legislators while in Juneau. The board is seeking to require applicants to pass a background check to practice psychology in Alaska. It was advised the board keep it simple when speaking to legislators and their staff. The board does not have authority to require background checks and they are seeking authority to do so. Mr. Levy stated they're trying to find a sponsor for the background legislation through these meetings. Member Suzanne Dutson brought up SB74, instructing boards to implement things such as background checks. Supervisor Renee Hoffard helped clarify what was written in SB74 and how the board can make only make changes based on the diagnoses, prescriptions, treatments, or delivery of service. The Board imposing background checks would be outside the scope of the items currently written.

The Editing of Supervised Practice Plan Forms was tabled to the next meeting when the 2 new board members can be present.

**Agenda Item – New Business**

The board reviewed the updated regulations language for 12 AAC 60.010 & 12 AAC 60.030. The recommended language was to correct and clarify needs for Courtesy Licenses and Letters of Reference. After a brief discussion, the board decided to table 12 AAC 60.010 for further clarification and move forward with 12 AAC 60.030.

**In a motion duly made by Richard Lazur, seconded by Suzanne Dutson, with a roll call vote, it was resolved to amend add section B: 12 AAC 60.030. APPLICATION FOR LICENSURE BY CREDENTIALS.** (a) An applicant for licensure by credentials as a psychologist will be licensed without examination if the applicant  
(1) if applying under AS 08.86.150(1),  
(A) complies with the application requirements of 12 AAC 60.010(a)(1), (2), (4), and (6)  
***(B) submits 5 letters of recommendation from three licensed psychologists, members of the American Psychological Association, or diplomates of the American Board of Professional Psychology; and two from other persons not related to the applicant; and***  
***(C)***

**Al Levy – Yes**

**Joel Wieman – Yes**

**Suzanne Dutson – Yes**

**Richard Lazur – Yes**

Recap of the ASPPB October 2018 Meeting was tabled by Board Chair Al Levy for the next board meeting. Member Joel Wieman did not have his notes with him to present.

**In a motion duly made by Suzanne Dutson, seconded by Richard Lazur, with unanimous consent, it was resolved to amend the agenda to move agenda item Board Admin. Business up to make best use of time.**

**Agenda Item – Board Admin Business**

The courtesy license report was presented to the board by Supervisor Renee Hoffard. Of the 5 Courtesy Licenses addressed, 1 was out of compliance and the individual has been contacted. It was asked by Board Chair Levy if there was a place online to file the courtesy report and the answer was no. There is however potential in the future to add such a function to the division website.

In order to include the 2 new board members coming in, it was suggested by Board Chair Al Levy to schedule the next meeting only so new members can have input for future meeting dates. The next meeting was set for May 9<sup>th</sup> & 10<sup>th</sup>, 2019. Once administrative staff can be contacted, the SLEE will be confirmed for some time during the week of April 15-19<sup>th</sup>, 2019.

The board discussed the upcoming ASPPB Midyear Meeting. Because board member Suzanne Dutson has been working diligently on the PSYPact Compact and Licensing Categories, it was requested she attend the ASPPB Midyear Meeting in April, 2019. It was also requested new Licensing Examiner Lacey Bartlett attend to gain knowledge and training for her position, as well as the 2 new board members.

After discussing the upcoming annual reports due date to the division, it was requested by Chair Al Levy to have the annual report review as its own agenda item for the May meeting. This would allow the new board members to be present and provide input into the annual review.

Before recessing for lunch, the board discussed what board members would meet with which legislators. It was also directed the board members would discuss seeking a legislative sponsor for the additional licensing category and for seeking background checks for applicants.

**Lunch 11:37am – 1:03pm**

*Michael Reed & Jana Zeedyk joined 1:00pm.*

**Agenda Item – AKPA**

Michael Reed and Jana Zeedyk from AKPA reviewed the APA Licensing Act for the board. Dr. Zeedyk explained they were working on finalizing the wording and information for the updated Model Licensing Act (MLA). She was hoping to have the finalized product ready for submission in the very near future. Dr. Zeedyk described how AKPA is proposing a revision to modernize the evolving opportunities of licensure. The main areas of revision were additions for action on reciprocity using ASPPB, CPQ as the credential. It was also presented, the hope to have applicants licensed after internship. Based on recent research, its viewed applicants are reaching their required internship hours prior to reaching their supervised post-doctoral internship. It was explained as a “resequencing of training hours”. Finally, Dr. Zeedyk presented the additional licensing categories being sought: Federal/Tribal Personnel, Inactive, Senior Psychologist, and Senior Psych. Associate. When questioned when they would like to present the proposal to the legislature, the hope is to possibly make the current session but it is still unclear at this time. After clarification of some details, Dr. Zeedyk and Mr. Reed were thanked for their time. They also agreed to join the May board meeting to address our new board members and bring everyone current with where the project currently stands.

**Agenda Item - Adjourn**

After a brief review of the legislative meetings which have already been held, Chair Al Levy thanked the board for their hard work and completing very important tasks. Hearing no additional comments or concerns from the board, it was moved to adjourn.

**Upon a motion made by Richard Lazur, seconded by Suzanne Dutson, and approved unanimously, it was resolved to adjourn the meeting.**

**Chair Levy Adjourned the meeting at 1:26pm**

**Off record at 1:26pm**



Alaska Board of Psychologist and Psychological Associate Examiners  
January 31 & February 1, 2019

<b>Date Board approved minutes:</b>  <input checked="" type="checkbox"/> <b>Meeting</b> <input type="checkbox"/> <b>Onboard</b>	<b>May 10, 2019</b>
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