

BOARD OF PSYCHOLOGY
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by §92-7(b), Hawaii Revised Statutes (HRS).

Date: March 15, 2013

Time: 1:30 p.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Present: Carol L. Nowak, Ph.D., Chairperson
Scott Hashimoto, J.D., Psy.D., Vice Chairperson
Rosemary Adam-Terem, Ph.D., Member
Lisa Chun Fat, Member
Brian B. Combs, Ph.D., Member
Frances P. Hackbarth, Member
Margo I. Peter, Psy.D., Member
Ahlani K. Quiogue, Executive Officer
Shari J. Wong, Deputy Attorney General ("DAG")
Faith Nishimura, Secretary

Guests: Alex Santiago, Hawaii Psychological Association
Gail Tice, Hawaii Psychological Association

Call to Order: There being a quorum present, the meeting was called to order by Chairperson Nowak at 1:40 p.m.

Approval of the Meeting Minutes: It was moved by Dr. Combs, seconded by Dr. Hashimoto, and unanimously carried to approve the meeting minutes of the February 15, 2013 meeting with the following corrections:

On page 2, under Legislation, a Senate Bill No. 1219 Relating to Psychologist, the third paragraph, last sentence, should read as follows:

"She indicated that in the last ten (10) years there have been no complaints filed against psychologists who prescribe in either jurisdictions or the military."

The eighth paragraph, first sentence, should read as follows:

"Mrs. Hackbarth asked what other communities are affected by the lack of mental health **services**."

On page 7, under Legislation, i. Senate Bill No. 548 Relating to Telemedicine, the first paragraph should read as follows:

“This measure exempts from licensing requirement to practice medicine in the State any commissioned medical officer or commissioned or civilian behavioral health professional employed by the U.S. Department of Defense, who is credentialed by Tripler Army Medical Center, while providing direct telemedicine support or services to neighbor island beneficiaries within a Hawaii national guard armory on the islands of Kauai, Hawaii, Molokai, or Maui.”

The third paragraph should read as follows:

“After discussion, the Board determined that clarification and/or a definition is required for the term “behavioral health professional.” Members indicated that a behavioral health professional can include psychologists, social workers, marriage and family therapists, etc.”

On page 7, under Correspondence, a. Email dated January 28, 2013 from Brad Nakamura, Assistant Professor, Department of Psychology, University of Hawaii, regarding In-State Psychological Services via videoconferencing, a new paragraph should read as follows:

“Dr. Hashimoto disclosed that he knew and worked with Dr. Nakamura, therefore, he recused himself from the discussion and abstained from the vote.”

It was moved by Dr. Peter, seconded by Dr. Hashimoto, and unanimously carried to approve the executive session minutes of the February 15, 2013 meeting as circulated.

Additions/Revisions to Agenda:

It was moved by Ms. Chun Fat, seconded by Dr. Peter, and unanimously carried to add the following to the agenda:

7. Applications

a. Examination

vi. Raj Kumar

10. Legislation

b. Senate Resolution No. 53

c. Senate Concurrent Resolution No. 87

d. House Resolution No. 162

e. House Concurrent Resolution No. 201

These measures urge the Department of Commerce and Consumer Affairs and the Hawaii Psychological Association to develop draft legislation establishing, implementing, and monitoring continuing education requirements for all licensed psychologists in Hawaii.

Chairperson's Report: None.

Dr. Adam-Terem entered the meeting room at 1:45 p.m.

Executive Officer's Report: a. Record of Candidates Examined: For the Examination for Professional Practice in Psychology (EPPP)

Executive Officer Quiogue reported that there were a total of three (3) candidates who took and passed the EPPP exam as of February 15, 2013.

Adjudicatory Matters: None.

The following agenda items were taken out of order.

Legislation:

- b. Senate Resolution No. 53
- c. Senate Concurrent Resolution No. 87
- d. House Resolution No. 162
- e. House Concurrent Resolution No. 201

Executive Officer Quiogue indicated that these resolutions are urging the Department of Commerce and Consumer Affairs and the Hawaii Psychological Association to develop draft legislation establishing, implementing, and monitoring continuing education ("CE") requirements for all licensed psychologists in Hawaii.

Alex Santiago and Gail Tice of the Hawaii Psychological Association ("HPA"), appeared before the Board to discuss the above mentioned measures.

Mr. Santiago indicated that Senator Rosalyn Baker and Representative Mele Carroll introduced the above measures.

Chairperson Nowak asked Mr. Santiago and Dr. Tice whether HPA was aware that these measures were going to be introduced and why the Board was not made aware of HPA's intent to have these measures introduced.

Chairperson Nowak asked Mr. Santiago whether HPA has completed the PVL Division Continuing Education Checklist ("Checklist").

Mr. Santiago indicated that HPA has not completed the Checklist, but is in the process of doing so.

Executive Officer Quiogue indicated that she would need to meet with Mr. Santiago to discuss the information contained on the Checklist. She went on to say for members' edification, that the Checklist is used to determine whether there would be any undue burdens placed on the licensees and staff if CEs were made a statutory requirement.

Mr. Santiago stated that he has met with HPA members and has taken a poll indicating their interest in whether CE would be beneficial. These polls have reflected that the majority of HPA members are willing to complete CE.

Executive Officer Quiogue asked Mr. Santiago how many members HPA has.

Mr. Santiago indicated that HPA has about 300 members across the State.

Chairperson Nowak stated that licensees located on the neighbors islands may have a difficult time in obtaining CE credits.

Mr. Santiago indicated that in 2012 he met with Celia Suzuki, Licensing Administrator of PVL, Keali'i Lopez, Director of DCCA, and Ahlani Quiogue, regarding establishing CE requirements for licensed psychologists. He indicated that Director Lopez was not opposed to the requirement.

Executive Officer Quiogue indicated that she was not in attendance at that particular meeting. She indicated further that while Director Lopez was not opposed, she had made it clear that the proponents of the measure must complete the Checklist.

Chairperson Nowak asked Mr. Santiago what is the intent of requiring CEs for licensed psychologists.

Mr. Santiago answered that CE would provide better consumer protection and consumer services. He also indicated that he would be working on drafting future legislation during the interim as he did with the National Association of Social Workers, Hawaii Chapter ("NASW-Hawaii").

Executive Officer Quiogue indicated that she is currently working with the NASW-Hawaii on legislation that would require CE for licensed social workers. She went on to say that the NASW-Hawaii completed the Checklist and both parties collaboratively submitted legislation to the Legislature.

Mr. Santiago indicated that the cost for CEs sponsored by HPA/APA would not be the same for non-HPA/APA members.

Chairperson Nowak stated that the Board would need advance notice of any future legislation.

Executive Officer Quiogue indicated that the Board must have a position if these measures are scheduled for upcoming hearings.

Dr. Peter supports the intent of these measures and indicated that completing CE is not time consuming for licensees.

Dr. Adam-Terem also supports the intent of these measures, whereby licensees would benefit from being mandated to complete CEs. She also stated that licensees should not be financially strapped to pay for the cost of completing CEs.

Dr. Adam-Terem asked how the Board would know if a licensee completed the appropriate amount of CEs.

Executive Officer Quiogue answered that the audited licensee would submit a certificate of completion from the continuing education provider.

DAG Wong asked members how completing CEs would assure clients that their psychologist is competent, ethical, etc.

Dr. Peter answered that the licensed psychologists would be making a statement that they have completed continuing education. She is also of the opinion that these measures should encourage a psychologist to complete CEs.

DAG Wong asked whether the Board is concerned with the competency of psychologists in the State.

Dr. Combs asked if the quality of care is better in states that have CE requirements.

Dr. Peter stated there would be client trust in the psychologist's who participate in CE and there is value in taking continuing education.

Dr. Adam-Terem stated that a licensed psychologist must be up to date on ethics and best practices including risk management of the profession.

After further discussion, the Board determined that it supports the intent of these measures with the provision that the proponents of these measures complete the Checklist.

Mr. Santiago and Dr. Tice left the meeting room at 2:49 p.m.

a. Senate Bill No. 548, S.D. 1 Relating to Telemedicine

Senate Bill No. 548, S.D. 1 exempts from the licensing requirements of §453, Hawaii Revised Statutes, civilian behavioral health professionals who are otherwise licensed as marriage and family therapists, mental health counselors, or psychologists, and who are employed by the Department of Defense and credentialed by Tripler Army Medical Center.

Executive Officer Quiogue informed members that Representative Takai has instructed the Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs ("Department") to draft language which would exempt from the appropriate licensing laws psychologists, marriage and family therapists, and mental health counselors employed by the United States Department of Defense and credentialed by Tripler from the licensing requirements to practice the respective scopes of practice in the State while providing direct telemedicine support or services to neighbor island beneficiaries within a Hawaii National Guard armory on the islands of Kauai, Hawaii, Molokai, or Maui.

Executive Officer Quiogue requested that the Board create a legislative committee to provide guidance for legislative issues and in order to testify at any hearings during the current legislative session.

The members decided that Drs. Peter, Nowak, and Combs would represent the Board as its legislative representatives.

Executive Session:

It was moved by Dr. Hashimoto, seconded by Ms. Chun Fat, and unanimously carried to enter into executive session at 2:50 p.m. pursuant to Section 92-5(a)(1), HRS, to consider and evaluate personal information relating to individuals applying for professional license cited in Section 26-9, HRS, and pursuant to Section 92-5(a)(4), HRS, to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities.

EXECUTIVE SESSION

At 3:35 p.m., it was moved by Dr. Combs, seconded by Ms. Chun Fat, and unanimously carried to return to open session. The room was reopened to the public.

Applications:

- a. Examination
- ii. Meghan K. McBrearty
 - iv. Christen N. Mullane

v. Melissa Vargo

It was moved by Dr. Combs, seconded by Dr. Adam-Terem, and unanimously carried to approve the applications of Drs. McBrearty, Mullane, and Vargo pursuant to HRS § 465-7 and HAR §§ 16-98-8 and 16-98-9.

i. Brian S. Kehoe

iii. Dawn E. Montgomery

It was moved by Dr. Hashimoto, seconded by Dr. Combs, and unanimously carried to defer the applications of Drs. Kehoe and Montgomery pursuant to HRS § 465-7 and HAR §§ 16-98-8 and 16-98-9.

vi. Raj Kumar

It was moved by Dr. Combs, seconded by Ms. Chun Fat, and unanimously carried to deny Dr. Kumar's request to extend his approval to take the EPPP exam.

As noted by Board staff, Dr. Kumar has until January 30, 2014 to complete the application process. If he is unable to register and take the EPPP by January 30, 2014, his application will become abandoned.

b. Examination Waiver

i. Judea L. McAnesby

It was moved by Dr. Adam-Terem, seconded by Dr. Hashimoto, and unanimously carried to defer the application of Dr. McAnesby pursuant to HRS §§ 465-7 and 465-10 and HAR §§ 16-98-9, 16-98-16, 16-98-23, 16-98-25 and 16-98-30.

c. ABPP Diplomate

None.

d. CPQ/NR

None.

e. Ratifications

i. National Register

- a. Susan E. Davis
- b. Anne-Marie D. Rohr

It was moved by Ms. Chun Fat, seconded by Dr. Peter, and unanimously carried to ratify the approval of the applications of Drs. Davis and Rohr pursuant to HRS § 465-7.

Unfinished Business: None.

New Business: a. ASPPB Competency Assessment Task Force Survey

Members reviewed the ASPPB Competency Assessment Task Force Survey.

Executive Officer Quiogue will submit to ASPPB the Board's responses to the survey.

Correspondence: a. Email dated March 6, 2013 from Kristy K. Sakai, PsyD, Director of Psychology Training, Waianae Coast Comprehensive Health Center, regarding postdoctoral fellowship

Members reviewed an email dated March 6, 2013 from Kristy K. Sakai, PsyD, regarding the Board's position on hiring a former graduate of its internship program in the roles of an APRN and a psychology postdoctoral fellow.

The Board informally opined the following with regards to Dr. Sakai's specific questions:

- "Would this arrangement be acceptable for psychology licensing (i.e. working as a postdoc 25% of the time and as an APRN 75% of the time)? Of course, she would only count the hours that she worked within her postdoctoral fellowship capacity toward licensure. Her role as an APRN would be a separate working capacity. We would also strive to provide her with diverse experiences and rotations throughout her approx. 4 year fellowship, to ensure quality of training. Her requirements would be the same as other postdocs, just spread over a longer period of time."

Yes, this arrangement would be acceptable provided that the employee only count the hours that she worked as a post-doctoral psychology fellow towards the Board's post-doctoral experience. Additionally, the postdoctoral fellow must be supervised in accordance with the Board's statutory and rule requirements.

- “Is the prolonged time frame for completing her licensure hours (i.e. approximately 4 years), given that she is only working 10 hours per week as a psychology postdoc, acceptable for licensure?”

The Board currently does not have a specific time frame in which an individual must complete their post-doctoral experience. The Board does require that both pre- and post-doctoral experiences be a minimum of one year and 1,900 hours.

Lastly, the Board advised that this response is an unofficial, nonbinding opinion in accordance with Hawaii Administrative Rules §16-20-90. It is not an official opinion or decision, and therefore, is not to be viewed as binding upon the Board or the Department of Commerce and Consumer Affairs.

Next Meeting: Friday, April 26, 2013
1:30 p.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss, it was moved by Dr. Combs, seconded by Ms. Chun Fat, and unanimously carried to adjourn the meeting at 3:40 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Ahlani K. Quiogue
Ahlani K. Quiogue
Executive Officer

/s/ Faith Nishimura
Faith Nishimura
Secretary

AKQ:fn

3/28/13

- [] Minutes approved as is.
[X] Minutes approved with changes; see minutes of April 26, 2013.