

MINUTES

**UTAH
Psychologist Licensing Board
MEETING**

October 20, 2009

**Room 475 – 4th Floor – 9:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:06 A.M.

ADJOURNED: 12:25 P.M.

**Bureau Manager:
Board Secretary:**

Richard J. Oborn
Lee Avery

Board Members Present:

Valerie Hale, Ph.D.
Janiece Pompa, Ph.D., Acting Chairperson
Aaron P. Jackson, Ph.D

Board Members Absent:

Natalie J. Malovich, Ph.D., Chairperson
Steven Christensen

Guests:

John Orvis

DOPL Staff Present:

Ronda Trujillo, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

**ADMINISTRATIVE BUSINESS:
MINUTES:**

The minutes dated July 21, 2009 were reviewed.
Dr. Hale motioned to accept the minutes, seconded by
Dr. Jackson. The motion carried unanimously.

Ronda Trujillo – Compliance Report

Update: Dr. Firth is in compliance with her stipulation. She is still residing in California. She continues looking for employment in Utah. She hopes to gain employment in the psychology field.

#1. Dr. Charles McCusker is in compliance with his Memorandum of Understanding. His reports are current and positive. His billing records for this last quarter have been received.

Discussion:

He completes his probation April 18, 2010. His last meeting with the Board will be January 19, 2010.

#2. Dr. Jamianna Gill is in compliance with her stipulation. The Division received her therapy and supervisor reports on time. Both reports indicate Dr. Gill has met the goals in her therapy and supervision.

#4. Dr. Barbara Ogden is in compliance with her stipulation. Dr. Ogden has not been working in the field since September 16, 2008. The Division received her supervisor reports stating she is not working in the field. Her therapist report was received and is positive.

Discussion:

The Board noted that her probation would be extended as long as she is not working in the field.

APPOINTMENTS:

Dr. Charles McCusker – Memorandum of Understanding Interview

Dr. McCusker presented himself to the Board. Dr. Pompa conducted the interview. Dr. McCusker stated that things are going okay. There have been no changes with his practice. Dr. McCusker stated that he contacts his supervisor, Vicky Burgess, when needed. McCusker stated that he does not charge clients for about seventy (70) percent of the work he does. The Board reviewed a handout regarding Cranial Electrotherapy Stimulation (CES), Homeostasis and Bioelectrical System. Charles McCusker, Ph.D., Nicholas Mason, Ph.D., Eldon Taylor, Ph.D., and Laurence Paros, PhD wrote the paper. Dr. McCusker stated that he has been using CES for about twenty (20) years. Dr. McCusker stated that Mr. Orvis continues helping him. The Board noted that Dr. McCusker's probation is due to end April 18, 2010. The Board noted that if all goes as anticipated and he stays in compliance, he would not have to meet with the Board after January 19, 2010. The Board asked to see Dr. McCusker on January 19, 2010. **Dr. McCusker is in compliance with his stipulation.**

Dr. Jamianna Gill - Probation Interview

Dr. Gill presented herself to the Board. Dr. Jackson conducted the interview. Dr. Gill stated that she is

working hard. She is very busy and things are going well. The Board noted that her therapist, Dr. Fordham and her supervisor, Dr. Dalrymple, submitted their reports. These reports are positive and support Dr. Gill being removed from probation early. Dr. Gill stated that she has learned a lot from this experience. She has established the boundaries and support system needed to help her. She also plans to continue seeing Dr. Fordham and Dr. Dalrymple for their help. Dr. Gill stated that she meets with Dr. Michael Lowery later today, after meeting with the Board. The Board noted that Dr. Gill has met conditions for early termination of her probation. The reports from her therapists and supervisor have been positive. Dr. Pompa motioned to remove Dr. Gill from probation, seconded by Dr. Jackson. The motion carried as follows. Dr. Pompa and Dr. Jackson voted for the motion. Dr. Hale abstained due to a prior relationship with Dr. Gill.

Dr. Barbara Ogden - Probation Interview

Dr. Ogden presented herself to the Board. Dr. Hale conducted the interview. The Board reviewed Dr. Ogden's stipulation and talked with her about being released early from probation. The Board noted that Dr. Ogden's probation started February 8, 2007. She stopped working in the field in September 2008. When she stopped working, the time on her probation stopped. She has completed nineteen (19) months of a five (5) year or 60 month probation. The Board noted that before this Board considers early release from probation, a probationer typically completes at least half of the probation term and is in full compliance with their stipulation. Dr. Ogden talked about starting a private practice. After reviewing her stipulation, the Board noted that she could not be in private practice. The Board discussed changing the terms of Dr. Ogden's probation to allow her to work in private practice with a supervisor. The Board meeting was closed at 11:24 A.M. to discuss Dr. Ogden's professional competence. The Board meeting was opened at 11:44 A.M.

Discussion for the next Board meeting:

Dr. Hale motioned that Dr. Ogden provide a record of facilities where she has applied for employment, including both paid and volunteer positions. This may help to show that she is trying to be in compliance

with her stipulation and obtain employment. With this record, the Board would review it and consider amending Dr. Ogden's stipulation to allow her to work in private practice, seconded by Dr. Pompa. The motion carried. The Board noted that Dr. Ogden could become an employee of any agency as long as the supervisor cannot be hired or fired by Dr. Ogden. The Board asked Dr. Hale to have her therapist, Dr. Poulton, submit a letter regarding his opinion of her having her own private practice. The Board asked to see Dr. Ogden on January 19, 2010. **Dr. Ogden is in compliance with her stipulation.**

Dr. Sydney Young – request to take the EPPP examination

Taken out of order on the agenda:

Mr. Oborn reviewed Dr. Young's request for approval to re-take the EPPP examination a fifth time. Dr. Young is also requesting to be issued a resident license. He was deployed by the military six (6) months before his resident license expired several years ago. His deployment in the military lasted for five (5) years.

Dr. Young met with the Board. After talking with Dr. Young in detail, Dr. Pompa motioned to grant Dr. Young a certified psychology resident license for six months, and approve him to take the EPPP exam, seconded by Dr. Jackson. The motion carried unanimously.

Dr. Young stated he will be self-employed and will have Dr. Chen as his supervisor. Dr. Young was advised that the Utah Psychologist Practice Act and Rule have changed and he will need to be an employee of a mental health agency and his employer will need to hire the psychologist supervisor.

Dr. Mickey J. Fuller – request to take the EPPP examination

Mr. Oborn reviewed Dr. Fuller's request to take the EPPP examination a fifth time. Dr. Fuller holds a certified professional counselor extern license. Mr. Oborn reviewed the minutes from the January 30, 2007 Board meeting at which Dr. Fuller had requested to take the EPPP.

Dr. Fuller was contacted telephonically. The Board introduced itself. Mr. Oborn reviewed Dr. Fuller's request with the Board. Mr. Oborn noted that Dr. Fuller failed the exam four (4) times. After further discussion, Dr. Pompa motioned to allow Dr. Fuller to

have a one-year extension to take the EPPP one more time, seconded by Dr. Hale. The motion was carried unanimously. The Board talked with Dr. Fuller about the advertisement from the www.healthguides.com website. The Board noted that this website shows him listed as a clinical psychologist. Dr. Fuller stated that this is an error and he will have this clarified.

DISCUSSION:

Conflicts between definitions of unprofessional conduct

Mr. Oborn reviewed the conflicts between definitions of unprofessional conduct in the Mental Health Professional Practice Act Rule and the Psychologist Licensing Practice Act Rule. Mr. Oborn noted that the Mental Health Professional Practice Act Rule applies to all mental health therapists. The Board discussed the concerns in detail. Dr. Jackson motioned to delete Section 502 from the Mental Health Professional Practice Act Rule (R156-60), seconded by Dr. Hale. The motion carried unanimously.

Minutes from ASPPB annual meeting

Taken out of order on the agenda:

Mr. Oborn reviewed the minutes from the ASPPB Board of Directors meeting.

Cease and desist order

Taken out of order on the agenda:

Mr. Oborn advised the Board that Mr. Gary Travis was engaged in the practice of psychology without a license. The Division required that he enter into a Cease and Desist Order.

Counting time spent teaching toward 4,000 hour experience requirement

The Board tabled this discussion for the January 19, 2010 Board meeting.

Governor's Ethics Policy for Executive Branch Employees

Taken out of order on the agenda:

Mr. Oborn reviewed the Governor's Ethics Policy handout with the Board.

Licensing by endorsement requirement in Mental Health Professional Practice Act

The Board tabled this discussion for the January 19, 2010 Board

CORRESPONDENCE:

None at this time

The Next Board Meeting:

January 19, 2010

2010 Board meetings have been tentatively scheduled:

January 19, April 27, July 27, October 26

ADJOURN: Motion to adjourn at 12:25 P.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

January 19, 2010
Date Approved

(ss) Natalie Malovich
Natalie Malovich, Chairperson, Psychology Licensing
Board

January 19, 2010
Date Approved

(ss) Richard J. Oborn
Richard Oborn, Bureau Manager, Division of
Occupational & Professional Licensing