

MINUTES

**UTAH
Psychologist Licensing Board
MEETING**

April 26, 2011

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

CONVENED: 9:15 A.M.

ADJOURNED: 11:15 A.M.

**Bureau Manager:
Board Secretary:**

Richard J. Oborn
Lee Avery

Board Members Present:

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

Board Members Absent:

Natalie J. Malovich, Ph.D., Chairperson

Guests:

Dr. Barbara Ogden

DOPL Staff Present:

Ronda Trujillo, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

**ADMINISTRATIVE BUSINESS:
MINUTES:**

The minutes dated January 18, 2011 were reviewed. Mr. Christensen motioned to accept the minutes, seconded by Dr. Jackson. The motion carried unanimously.

Ronda Trujillo, Compliance Specialist

#1. Dr. James Cloyd is in compliance with his probation. Dr. Cloyd completed his psychological evaluation. The Division received his therapy report from Steven Gentry. The Board needs to review his practice plan. He submitted a resume for his proposed supervisor. At 9:36 A.M. Mr. Christensen motioned to close the meeting to discuss the character, professional competence, or physical or mental health of an individual, seconded by Dr. Pompa. A written record was not made. A recording was not made. The meeting opened at 9:40 A.M.

#2. Dr. Elizabeth Firth is not in compliance with her stipulation. She is not getting her reports submitted on time. Robert Williams was approved as her supervisor on October 26, 2010. The forms stated that the reports are due monthly on the first day of the month. The January report was received late. The February report was not received. The March report was received on time. The April report was received late. The Division has not received a monthly employer report from Ray Orbin for February. The March and April reports were received. The April report was received late.

APPOINTMENTS:

Dr. James Cloyd, probation interview

Dr. Cloyd met with the Board. Dr. Pompa conducted the interview. Dr. Cloyd stated that his supervisor, Larry Dunning, could not meet with the Board today because of a conflict in schedules. He completed the psychological evaluation with Dr. Bruce Etringer. Mr. Cloyd stated that his therapist is Steve Gentry. The Board advised Dr. Cloyd that he needs to have a supervisor who is skilled in personality disorders. The Board noted that Mr. Dunning works mostly with children. Dr. Cloyd stated that he will look for a different supervisor. The Board asked him to forward this information to Ms. Trujillo. Dr. Cloyd stated that he contracts with pain clinics. He meets with patients, completes risk assessments and writes reports. Mr. Cloyd stated that he has not shared his Order with entities with which he contracts. The Board advised Mr. Cloyd that disciplinary action against a license is public information and encouraged Mr. Cloyd to submit a copy of his Order with entities with which he contracts. The Board noted that it would be better for them to hear about his probationary status from him than from the licensing Board and the Division. The Board requested that Ms. Trujillo give Dr. Cloyd the forms to have those agencies he contracts with confirm that they reviewed his stipulation. Dr. Pompa motioned to accept the practice plan with the exception of Section 2. Dr. Cloyd needs to advise the entities he holds contracts with to submit employer reports. After further discussion, the Board encouraged Dr. Cloyd to change his practice plan and submit the changes to Ms. Trujillo within a week. The Board will vote on it at the Board next meeting to be

held on July 19, 2011. The Board asked to see Dr. Cloyd on July 19, 2011. **Dr. Cloyd is in compliance with his stipulation.**

Dr. Elizabeth Firth, probation interview

Dr. Firth met with the Board. Dr. Jackson conducted the interview. Dr. Firth stated that her supervision is going well. The Board advised her that her reports have not been received. For this reason, she is not in compliance with her stipulation. Ms. Trujillo stated that the forms stated the reports are due monthly on the first day of the month. The January report was received late. The February supervisor report was not received. The March supervisor report was received on time. The April supervisor report was received late. The Division has not received a monthly employer report from Ray Orbin for February. The March and April employer reports were received. The April employer report was received late. The Board advised Ms. Firth that she may need to obtain someone else to supervise her. The Board stated it wants to see Ms. Firth on July 19, 2011 and will reconsider doing telephone interviews once she establishes a track record of compliance. The Board stated that once her reports are received on a regular basis, they will consider moving her reports to quarterly. The Board asked to see Dr. Firth on July 19, 2011. **Dr. Firth is not in compliance with her stipulation.**

Not on the agenda:

Dr. Barbara Ogden met with the Board. Dr. Ogden was not working in the field and was not scheduled to meet with the Board. The Board reviewed Dr. Ogden's proposal to do volunteer work at the 4th Street Clinic in Ogden. Dr. Morris volunteers there and is willing to supervise her. The Board encouraged Dr. Ogden to have representatives of the 4th Street Clinic submit a letter stating that they have reviewed Dr. Ogden's stipulation. The Board noted that this will need to be done only once. The Board advised Dr. Ogden that this is within her stipulation and encouraged her to move forward and keep the Board apprised.

DISCUSSION:

1. 2011 Legislative Session

Mr. Oborn advised the Board that Utah Legislature did not pass house bills 229, 249 and 298. HB 229 would

have allowed mental health supervisees, such as associate professional counselors, to be 1099 employees. HB 249 would have clarified online mental health therapy. HB 298 would have allowed qualified psychologists to have limited prescriptive authority. HB 243 did pass and it amended the DOPL Licensing Act. The Division now has fine and citation authority for the practice of unlicensed individuals and Board members with expiring terms may continue to serve for a limited period until the Governor appoints their replacement.

2. Neurofeedback standards

Out of order on the agenda

Lynn Hooper, DOPL investigator, met with the Board over the telephone. Mr. Hooper advised the Board that there is an ongoing investigation regarding a Utah company providing neurofeedback by unlicensed employees. Mr. Hooper stated that because the Division is in negotiations with people employed by the company, he cannot share a lot of information with the Board. The Board reviewed 2 articles regarding neurofeedback submitted to the Division by Dr. Cory Hammond.

3. Governor Herbert's proposal to create regulations that are more business friendly

Mr. Oborn shared the quote from Governor Gary R. Herbert's State of the State address on 01/26/2011 with the Board. Mr. Oborn noted that Governor Herbert has asked all state agencies to separate regulations that serve an important purpose from those regulations that serve no purpose at all. Mr. Oborn asked the Board to let him know when they believe a regulation enforced by DOPL is overly burdensome to the psychology profession that does not serve a purpose.

Not on the agenda:

Mr. Oborn advised the Board that ASPPB will hold their next convention in Chicago in October 2011. The exact date will be announced later. Dr. Hale stated that she is interested in attending.
None at this time

CORRESPONDENCE:

The Next Board Meeting:

July 19, 2011

2011 Board meetings have been tentatively scheduled:

July 19, October 25, 2011

ADJOURN:

Motion to adjourn at: 11:16 A.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.

July 19, 2011
Date Approved

(ss) Natalie Malovich, Ph.D
Chairperson, Psychology Licensing Board

July 19, 2011
Date Approved

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