

MINUTES

**UTAH
Psychologist Licensing Board
MEETING**

October 25, 2011

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

CONVENED: 9:18 A.M.

ADJOURNED: 12:30 P.M.

**Bureau Manager:
Board Secretary:**

Richard J. Oborn
Lee Avery

Board Members Present:

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

Board Members Absent:

Natalie J. Malovich, Ph.D.
Steven Christensen

Guests:

Nanci C. Klein, Director of Professional Affairs for
the Utah Psychological Association

DOPL Staff Present:

Ronda Trujillo, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

**ADMINISTRATIVE BUSINESS:
MINUTES:**

The minutes dated July 19, 2011 were reviewed. Dr. Hale motioned to accept the minutes, seconded by Dr. Pompa. The motion carried unanimously.

Ronda Trujillo, Compliance Specialist

#1. Dr. Barbara Ogden is in compliance with her stipulation. Her supervisor reports from Stephen Morris are current.

Discussion:

The Board discussed releasing Dr. Ogden from her probation in February 2012. The Board noted that Dr. Ogden has completed all requirements of her probation except she was not working in the field from 9/16/2008 to 10/20/2010. The Board made no decisions at this time.

#2. Dr. Elizabeth Firth is in compliance with her stipulation. Dr. Firth's monthly reports from Robert Williams are current and positive. Her monthly reports from Ray Orbin are current and positive. Dr. Firth submitted a personal update for the Board's review.

Discussion:

The Board discussed moving her supervisor and employer reports to quarterly. The Board noted that Dr. Firth practiced in the field 10/26/04 to 6/20/05 and started practicing again in late September 2010.

#3. Dr. James Cloyd is in compliance with his stipulation. He has not submitted his therapy report however, Dr. Cloyd is asking his therapy requirement be discontinued for financial reasons. His monthly supervisor reports from Robert Williams are current and informative. Dr. Cloyd needs to clarify which courses he has taken or is going to take and how many hours they are. The Board may want to remind Dr. Cloyd that he needs to submit his certificates when he completes the CE courses. His continuing education and essay are due by 12/28/2011.

Discussion:

Mr. Oborn reviewed a letter he received from Dr. Gentry regarding Dr. Cloyd. The Board would like to see Dr. Cloyd remain in therapy at least once a month.

#4. Dr. Eric Hanson is a new probationer. Dr. Hanson has not submitted an employee plan that was due one week prior to this meeting. Dr. Hanson's charges relate to confidentiality and inappropriate relationships with clients.

APPOINTMENTS:

Dr. Barbara Ogden, probation interview

Dr. Barbara Ogden met with the Board. Dr. Hale conducted the interview. Dr. Ogden advised the Board that things are going well. She is seeing 5 patients at this time. Only one is a paying customer at this time. The others are through the 4th Street Clinic. Dr. Ogden advised the Board that she talks with the APRN at the 4th Street Clinic regarding any medications her clients may need. She has signed a 2 way release agreement with her clients. Dr. Ogden advised the

Board that her supervisor helped with handling a customer who has not paid her. His guidance has been very helpful to her. Dr. Ogden stated she attended an eating disorder course approved by APA and read a book regarding assessing risk and took the test online for her continuing education requirement. Dr. Ogden noted that she has been on probation for 30 of the 60 months and she would like to be removed from probation. The Board noted that Dr. Ogden has not worked part of this time. The Board advised Dr. Ogden that the Board will consider releasing her at the January 2012 Board meeting. The Board encouraged her to have her supervisor include in his next report to the Board that he supports her being released from probation. The Board asked to see Dr. Ogden on January 17, 2012. **Dr. Ogden is in compliance with her stipulation.**

Dr. Elizabeth Firth, probation interview

Dr. Firth met with the Board. Dr. Pompa conducted the interview. Dr. Firth advised the Board that her hours have picked up. She has 23 clients and works on 2-4 evaluations a month. Dr. Firth stated that things are going well and she enjoys working with Front Line Services. The Board noted that her supervisor reports from Dr. Robert Williams are current and positive and her employer reports from Ray Orbin are current and positive. The Board reviewed the personal update Dr. Firth submitted. Dr. Hale motioned to have her supervisor and employer reports be submitted quarterly. Seconded by Dr. Pompa. The motion carried unanimously. The Board noted that her next reports are due January 1, April 1, July 1, and October 1. Dr. Firth advised the Board that she completed her continuing education for this renewal. She completed an ethics course and plans to take ethics courses yearly.

The Board asked to see Dr. Firth on January 17, 2012. **Dr. Firth is in compliance with her stipulation.**

Dr. James Cloyd, probation interview

Dr. Cloyd met with the Board. Dr. Jackson conducted the interview. Dr. Cloyd advised the Board that he enjoys supervision with Dr. Robert Williams. Dr. Williams has been very helpful. Dr. Cloyd stated that things are going well. His deployment has been placed on hold. If he held an unrestricted license in another state, he would have been deployed. With his

professional license on probation he cannot do the job they need him to do. The military is talking about discharging him due to medical reasons. Dr. Cloyd inquired if the Board would consider not requiring him to get therapy because of his financial difficulties. Dr. Cloyd stated he was attending therapy every week, then he began doing it every other week. Dr. Cloyd stated he feels he is receiving a lot of help from Dr. Williams. The Board advised Dr. Cloyd to attend therapy monthly for another quarter. The Board will then look at tapering off from there. There is a boundary concern in mixing supervision with therapy. The Board encouraged Dr. Cloyd to establish strong therapeutic goals with Dr. Gentry. The Board requested quarterly therapist reports, and that reports are on the monthly meetings. The Board encouraged Dr. Cloyd to have his therapist and supervisor address his request to stop therapy in their reports. The Board will revisit this in January 17, 2012. The Board asked to see Dr. Cloyd on January 17, 2012. **Dr. Cloyd is in compliance with his stipulation.**

Dr. Kevin O'Keefe, licensee interview

Dr. O'Keefe met with the Board. Mr. Oborn advised the Board that there was an investigation regarding unlicensed practice. Two individuals were cited for working without licenses and have since paid their fines and have been issued licenses. Dr. O'Keefe was their supervisor. The Division decided to have him meet with the Board instead of taking disciplinary action against his license. This decision was based on the fact that Dr. O'Keefe did tell the two residents to get their psychology license and both residents confirmed that he told them to get their psychology licenses, but he failed to follow up with them. The Board reviewed R156-61-302e. Duties and Responsibilities of a Supervisor of Psychology Training and Mental Health Therapist Training. Dr. O'Keefe advised the Board that he works in private practice doing assessments and works as a consulting psychologist at a wilderness program in southern Utah. He realizes that he should have followed up to ensure they received their psychology license.

Dr. Eric Hanson, new probation interview

Dr. Hanson met with the Board for his first probation interview. Dr. Pompa conducted the interview. Dr. Hale noted that she had a previous working

relationship with Dr. Hanson. Dr. Hale motioned to close the Board meeting at 10:58 A.M. to discuss the character, professional competence, or physical or mental health of an individual. The motion was seconded by Dr. Pompa. The motion carried unanimously. A recording was not made. Written notes were not taken. The Board meeting opened at 11:15 A.M. The Board reviewed Dr. Hanson's stipulation. The Board advised Dr. Hanson that he is not in compliance with his stipulation. The Board asked Dr. Hanson to complete the following before his next meeting with the Board:

1. *Develop a written plan, on how you are going to stay in compliance with his stipulation;*
2. *Get involved in a peer supervision group;*
3. *Propose a psychologist to complete the neuro/psych evaluation;*
4. *Propose a supervisor and submit the supervisors CV.*

The Board asked to see Dr. Hanson on January 17, 2011. **Dr. Hanson is not in compliance with his stipulation due to the fact that he never submitted a written plan.**

Dr. Alan Roe, applicant for reinstatement of his psychologist license

Dr. Roe met with the Board. Mr. Oborn advised the Board that April 1996, Dr. Roe's psychologist license was revoked by the Division and Board do to his admission of a sexual relationship with a former client. Dr. Roe is requesting removal of these restrictions. Dr. Roe advised the Board that in 2006 he stopped working in the field to write a book. He has completed 49 hours of continuing education in 2010 and 2011. Dr. Hale moved to allow Dr. Roe to reinstate his license without restrictions, seconded by Dr. Pompa. The motion carried unanimously.

Dr. Richard Shingleton, request for release of license restriction

Dr. Shingleton failed to keep his appointment with the Board. There may have been a misunderstanding about the date and time of the appointment. Mr. Oborn shared with the Board that Dr. Shingleton is requesting the removal of restrictions placed on his psychologist license that have been in place since April 1996. The Board would like to meet with him before taking a vote on his request.

DISCUSSION:

1. Practice of neurofeedback by LCSWs,

Mr. Oborn shared with the Board that LCSWs, LPCs

LPCs, MFTs

and MFTs are practicing neurofeedback. In reviewing the scope of practice for the above mental health therapists, only the psychology scope of practice includes neurofeedback. It is the Division's opinion that only psychologists can practice neurofeedback, regardless of the training LCSWs, LPCs and MFTs are obtaining. Mr. Oborn stated the Division will advise the LCSWs, LPCs and MFTs they cannot practice this modality until the statute is changed. Mr. Oborn noted that if the statute is not changed in the 2012 legislation, then DOPL will start investigating these complaints when brought to the Division's attention.

2. Potential legislation to modify substance abuse counselor scope of practice, license classifications, and licensee requirements.

Mr. Oborn shared with the Board that there is a group working on a proposal to change the LSAC scope of practice and to obtain a higher license. The higher license will allow the licensee to participate in the treatment plans, specific to substance abuse, with mental health therapists. They will not be able to modify a treatment plan. Mr. Oborn stated there may be more information at the January 17, 2012 Board meeting.

CORRESPONDENCE:

None at this time

The Next Board Meeting:

January 17, 2012

2012 Board meetings have been tentatively scheduled:

January 17, April 17, July 17 October 23

ADJOURN:

Motion to adjourn at: :12:30 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 17, 2012

Date Approved

(ss) Natalie Malovich, PhD.

Chairperson, Psychology Licensing Board

January 17, 2012

Date Approved

(ss) Richard J. Oborn

Bureau Manager, Division of Occupational & Professional Licensing