

MINUTES

**UTAH
Psychologist Licensing Board
MEETING**

January 17, 2012

**Room 210 2nd Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:05 A.M.

ADJOURNED: 12:15 P.M.

**Bureau Manager:
Board Secretary:**

Richard J. Oborn
Lee Avery

Board Members Present:

Natalie J. Malovich, Ph.D.
Steven Christensen
Aaron P. Jackson, Ph.D.
Janiece Pompa, Ph.D.

Board Members Absent:

Valerie Hale, Ph.D.

Guests:

Kari Yurth
Eric Freeman
Kristy Ellzey
Kim Gunn
Kathy Farmer
Holly Cannon
Joseph Dennis
Jodi Ericson
Scott Cooper
Alex Runolfsson
Traci Hatch
Steve Peck
Erin Nibley
Daniel Solen
Christina Moore
Melinda Lake

DOPL Staff Present:

Neena Bowen, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

**ADMINISTRATIVE BUSINESS:
MINUTES:**

The minutes dated October 25, 2011 were reviewed.
Dr. Pompa motioned to accept the minutes, seconded

by Mr. Christensen. The motion carried unanimously.

Neena Bowen, Compliance Specialist:

#1. Dr. Barbara Ogden is in compliance with her stipulation. The Division received her quarterly supervision report from Steven Morris. Mr. Morris noted that he supports releasing Dr. Ogden from probation.

Discussion:

The Board discussed releasing Dr. Ogden from her probation. The Board noted that her probation term is 02/08/2007 to 02/08/2012; however, she was not working in the field from 09/16/2008 to 10/20/2010. The Board noted that Dr. Ogden has consistently been in compliance with her stipulation and has accepted responsibility for the charges that caused her license to be placed on probation.

#2. Dr. Elizabeth Firth is in compliance with her stipulation. The Division received positive quarterly reports from her supervisor, Robert Williams and her therapist, Ray Orbin.

#3. Dr. James Cloyd is in compliance with his stipulation. The Division received his quarterly therapy report and his supervisor report.

#4. Dr. Eric Hanson is in compliance with his stipulation. The Division received his therapy report, evaluation and his written practice plan. He has a new supervisor, Dr. Margo Miles. Dr. Miles needs to sign the MOU receipt form indicating she read Dr. Hanson's stipulation.

Discussion:

Dr. Miles wants to know if Dr. Hanson can do the work for which she bills because he has been removed from insurance panels. Dr. Pompa motioned to close the Board meeting at 9:30 A.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Mr. Christensen. The motion carried unanimously. There were no written notes. A recording was not made. The Board meeting was opened at 9:50 A.M.

APPOINTMENTS:

Dr. Barbara Ogden, probation interview

Dr. Barbara Ogden met with the Board. Dr. Pompa conducted the interview. Dr. Ogden stated she continues with her supervised private practice and continues working at the 4th Street Clinic. Dr. Ogden stated she opened eleven cases and three have continued to see her. Dr. Ogden requested her probation term be terminated early. She noted that she has benefited from the supervision and therapy and feels her experience and skills and knowledge are an asset to the profession. Her supervisor supports early termination of her probation term. The Board noted that Dr. Ogden has come a long way and agreed with her assessment. Mr. Christensen motioned to recommend early termination of Dr. Ogden's probation, seconded by Dr. Pompa. The motion carried unanimously.

Dr. Elizabeth Firth, probation interview

Dr. Firth met with the Board. Dr. Pompa conducted the interview. Dr. Firth stated things are going well. Her family and co-workers are her support system. She enjoys working with Dr. Williams. Ray Orbin is still her supervisor. Dr. Firth requested approval of early termination of her probation. The Board reviewed Dr. Firth's work history, noting that she has completed over ½ of her probation term. Mr. Christensen motioned that once the Division receives written confirmation from Dr. Firth's supervisor supporting early termination of her probation, Dr. Firth should be released from probation, seconded by Dr. Pompa. The motion carried unanimously.

Dr. James Cloyd, probation interview

Dr. Cloyd met with the Board. Dr. Jackson conducted the interview. Dr. Cloyd advised the Board that there have been no changes in his life. He continues to meet with Robert Williams. Dr. Cloyd stated that he completed the ethics course and changed his consent form and made other changes based on information he learned from the course. Mr. Cloyd gave the Board his essay. Mr. Oborn will e-mail a copy of the essay for the Board meeting on April 17, 2012. The Board determined Mr. Cloyd should meet with his therapist and have his therapist determine how often they need to meet. The Board requested that his therapist reports

be submitted quarterly. The Board asked to see Dr. Cloyd April 17, 2012. **Dr. Cloyd is in compliance with his stipulation.**

Dr. Eric Hanson, new probation interview

Dr. Hanson met with the Board for his probation interview. Dr. Pompa conducted the interview. Dr. Hanson stated he is trying to follow all areas of the stipulation. His supervisor is Dr. Margo Miles. He sees his therapist, Dr. Kelly Davis Garrett, once a week. Dr. Hanson stated he is working on completing his CEs and essay. He is having problems finding a peer supervision group. The Board suggested Dr. Hanson contact Teresa Bruce at UPA for help in locating a peer supervision group. The Board advised Dr. Hanson that there needs to be more details included in his supervisor reports. The Board wants to review a written agreement between him and his supervisor as was recommended by Dr. Kelly Davis Garrett. The Board requested that Dr. Hanson bring Dr. Davis Garrett with him to his next appointment with the Board. The Board reviewed Dr. Hansen's neuropsychological and psychological evaluation without discussing it. They considered the recommendations from Dr. Kelly Davis Garrett. Mr. Oborn informed Dr. Hanson that if he would like to bill under insurance panels that Dr. Miles' is on, he needs to ensure those arrangements are communicated to the insurance company. They need to be aware that he is on probation. Board asked to see Dr. Hanson April 17, 2012. **Dr. Hanson is in compliance with his stipulation.**

Dr. Richard Shingleton, request for release of license restriction

Dr. Shingleton met with the Board. Mr. Oborn shared a memo with the Board that outlines Dr. Shingleton's history. In 1995, Dr. Shingleton's psychologist license was revoked by the Division and Board due to his admission of a sexual relationship with a former client. Upon agency review, Dr. Shingleton was issued a license restricted to conducting clinical drug trials and research analysis for Pharmacology Research Corporation only. Dr. Shingleton is requesting that the restrictions placed on his license in 1996 be removed. The Board reviewed Dr. Shingleton's documentation supporting his request including a letter from Dr. Shingleton that outlines the reasons for his ethical violation, steps taken toward

rehabilitation, and his plans to maintain preventative measures to maintain appropriate boundaries with clients. A letter from Dr. Fares Arguello supporting Dr. Shingleton's request, Dr. Shingleton's current curriculum vitae and documentation verifying completion of CE's were also submitted and reviewed by the Board. Mr. Oborn stated that the following recommendations are options for the Board:

1. Recommend to the Division that Dr. Shingleton's license restrictions be removed;
or
2. Recommend to the Division that the restrictions on Dr. Shingleton's license not be removed.

Dr. Shingleton advised the Board that he would like the restriction removed because the drug companies he works with want to know why his license is restricted. Mr. Christensen motioned to close the Board meeting at 11:40 A.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Dr. Jackson. The motion carried unanimously. There were no written notes. A recording was not made. The Board meeting was opened at 11:50 A.M.

Dr. Jackson motioned to recommend to the Division that the restriction on his license be removed upon receipt of a formal letter from Dr. Shingleton covering the following:

1. What type of work he intends to do in the future;
2. If he ever does practice clinical psychotherapy again, what will he do to make sure that he is adequately prepared to practice competently.

The motion was seconded by Dr. Pompa and carried unanimously.

DISCUSSION:

1. Update regarding non-psychologist practice of neuro and biofeedback

Mr. Oborn advised the Board that there is a bill that the Utah Legislature will consider during the upcoming session that will clarify the ability of a LCSW, LPC, or MFT to practice neuro or biofeedback. There is currently a question of whether they have this authority under current Utah law. If the bill passes, there would be no question that these professions do indeed have the authority to provide neuro and biofeedback as long as they have obtained

adequate training and education.

2. Potential legislation to impact practice of psychologists

Mr. Oborn advised the Board that there is a bill being introduced during the upcoming session that would modify the scope of practice and license categories for LSACs.

3. Melanie Hermann, cease and desist order for practicing mental health therapy and psychology

Mr. Oborn reviewed the cease and desist order for Melanie Hermann with the Board.

4. Patricia Stephens, cease and desist order for practicing mental health therapy and psychology

Mr. Oborn reviewed the cease and desist order for Patricia Stephens with the Board.

5. Licensee proposal to amend experience requirement in rule

Mr. Oborn shared with the Board that a licensee had contacted him regarding a proposal to amend the experience requirement in rule. Mr. Oborn noted that this change would require the statute to be changed before the rule.

Place on agenda for the next meeting

Standards always to be in place for supervisors supervising probationers

CORRESPONDENCE:

None at this time

Next Board Meeting

April 17, 2012

2012 Board meetings have been tentatively scheduled:

April 17, July 17, October 23

ADJOURN:

Motion to adjourn at: 12:15 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.

April 17, 2012
Date Approved

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

April 17, 2012
Date Approved

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