

SOUTH DAKOTA BOARD OF EXAMINERS OF PSYCHOLOGISTS
BOARD MEETING MINUTES
Teleconference/Video Conference
January 12, 2024

Members Present: Thomas Stanage, Ph.D., (President); Matthew Christiansen, Ph.D. (Vice President); Trisha Miller, Ph.D., (Secretary); Rosalie Ball, Ph.D., Member; Jeffrey Ellison, Psy.D.; Robert Overturf, Lay Member; and Brian Roegiers, Lay Member

Members Absent: None.

Others Present: Brooke Tellinghuisen Geddes, Executive Administrator; Carol Tellinghuisen, Administrative Assistant; Greg Tishkoff, DSS Legal Services – Board Counsel; Tracy Mercer – DSS Special Projects Coordinator

Call to Order/Welcome and Introductions: Stanage called the meeting to order at 7:32 am CST.

Roll Call: Tellinghuisen Geddes called the roll. A quorum was present (Stanage, Christiansen, Miller, Ball, Ellison, Overturf, and Roegiers). All members were present.

Corrections or Additions to the Agenda: None.

Approval of the Agenda: Ellison motioned to approve the agenda as presented; Overturf seconded the motion. Motion carried on unanimous vote of board members; none absent.

Public Testimony/Public Comment Period (9:34am CST / 8:34am MST): None.

Approval of Minutes from September 8, 2023 Meeting: Tishkoff requested an amendment to the September 8, 2023 meeting minutes, desiring the second to last sentence in the PSYPACT Discussion/Financial Impact section to read “cites a capped fee of \$350 for licensure” instead of “cites a capped fee of \$300 for licensure.” Roegiers motioned and Christiansen seconded, to approve meeting minutes with this amendment made as Tishkoff requested. Motion passed unanimously; none absent.

FY Financial Update: Tellinghuisen Geddes reported 2023 year-end financials of \$66,481.92 for year-end revenue, \$63,110.19 for year-end expenditures, and \$128,978.02 cash balance, reported that as of November 30, 2023, revenue was at \$9,258.72, year-to-date expenditures were at \$34,332.30, and cash balance was at \$108,094.35. Christiansen motioned to accept the financial report as read; Ellison seconded. Motion passed unanimously; none absent.

Election of Officers: Ellison motioned to keep the current slate of officers in place for the board, wherein Stanage would remain Board President, Christiansen would remain Board Vice President, and Miller would remain Board Secretary. Overturf seconded the motion. Motion passed unanimously; none absent.

PsyPACT Legislation – Fee Increase: Tishkoff made the board aware there have been a number of instances in which concern has been expressed by the Board staff and legal counsel to legislative entities desiring to move forward with PsyPACT in South Dakota, primarily due to the primary concern of the anticipated revenue fall for this board due to likely non-renewed licenses of those current licensees who reside outside South Dakota. Tishkoff reported DSS initially suggested there be a statute (3627A-24)

change to allow an increase from the current \$350 annual license fee cap to a \$600 cap, but pushback from the Governor's office was received. At that point, DSS resubmitted the suggestion, this time suggesting an increased cap to \$500 but this was met with another rebuke stating Governor Noem does not support increases in licensure fees or licensure renewal fees. As a result, legislation to implement PsyPACT in South Dakota has been introduced but Tishkoff stated he was not aware of a date specified for it to be heard by the Health & Human Services Committee yet, though he suspects that may occur on January 18, 2024. Tellinghuisen Geddes stated she will be present but will not speak on it. Tellinghuisen Geddes did make the board aware the Social Work Compact was proposed recently and it passed unanimously. Stange stated more definitively that he had heard the PsyPACT proposed legislation will indeed be heard on January 18, 2024. Tellinghuisen Geddes and Tishkoff both made the board aware that despite the financial concerns expressed, SD DSS is in support of PsyPACT; Tishkoff stated the legislative body is treating the financial concern as speculative. Miller cited recent PsyPACT implementations by nearby states should provide us with some idea of what may occur here in SD, though their situations with out-of-state licensees may be different due to geographic location of our biggest cities being on our border with other states. Tellinghuisen Geddes reported knowledge that Wyoming lost 16 licensure renewals in the first year following enactment of PsyPACT. Stange reported that it may simply take showing our budget being low once it is enacted. Tishkoff agreed, explaining his perception that this legislation is moving forward regardless of financial impact to this board and that perhaps once this board has been operating under PsyPACT enactment for a year or two and can show actual financial impact rather than what the legislature currently sees as speculative data, that the board's financial impact may be taken more seriously. Tellinghuisen Geddes did make the board aware she spoke with ASPPB's PsyPACT director and was told psychologists are being encouraged to keep their individual state licenses.

Other Legislative Updates: Tishkoff also made the board aware of SB57, proposed legislation that could impact all boards, and pertains to creating uniform procedures for considerations of the individual aspects of convicted criminals who apply for licensure. The legislation proposes that criminal histories and convictions be considered in how their past relates to the career field they are applying for as well as creating a mechanism for when an adverse decision would be made with regard to licensing/relicensing the individual and the legislation cites specific steps to take. Tishkoff stated the bill appears unclear with regard to how a person already licensed could have an adverse action put on them based on their criminal history. Tellinghuisen Geddes also questioned this, as the complaint would have to be issued beforehand and this puts a lofty burden on the board to determine if a person had been rehabilitated or not prior to licensure; Stange voiced agreement and inquired further. Tishkoff clarified that the proposed bill requires a board to determine how long their preliminary opinion that an individual is not ready for licensure based on their criminal history would stand and his opinion is that is a 'hefty burden.' Miller inquired if these concerns about criminal history holding persons back from licensure are coming from a particular career field, as this has not been a concern for our board. Tellinghuisen Geddes stated recalling a similar bill proposed last year and Tishkoff stated this was the case, though it was not as specific, and read, for example, wording from the current bill proposal which states the agency must specify the length of time for which the agency considers the decision binding, if any, and the ruling must be available for inspection by the public. Tishkoff then made the group aware DSS has decided no bill analysis is warranted as of yet, but his understanding is that the Legislative Task Force is monitoring it; Mercer agreed, stating this is her understanding as well.

ASPPB Annual Meeting, Cleveland, OH, held September 27-October 1, 2023 - Miller: Miller attended the most recent ASPPB meeting, held in Cleveland, OH this fall. Miller made board members aware of several topics discussed at the meeting:

- 1) Regulation of Master's level training and licensing – Miller made board members aware it appears concrete that master's level licensure nationwide will occur, but the issues currently are in considering what the training should include for such licensure and what the individual's title would be (e.g., master's level psychologist, psychologist assistant, etc.).
- 2) Continuing Professional Development (CPD) vs. Traditional Continuing Education (CE) – Miller explained that psychologists in some jurisdictions have voiced concerns that the traditional CE model fits the learning style it was originally implemented for (white males) but is not the best learning model for others. Miller explained continuing professional development to involve more flexibility in what is "counted" for ongoing learning versus the must-have-a-certificate model of the traditional continuing education format. The CPD model has been implemented in some Canadian jurisdictions with reported success, but the majority of jurisdictions continue to have the CE model implemented.
- 3) Doctoral competencies & Re-specialization – There were presentations on licensure involving psychopharmacology, for example, and the requirements that differ across jurisdictions for certain specializations that have been enacted legislatively in those jurisdictions.

Stange inquired if EPPP-2 was discussed. Miller stated it was not a major focus but that data is being collected and analyzed on the first groups to take it and that the jurisdictions continue to express the cost issue with the addition of the second exam.

ASPPB Mid-Year Meeting – April 25-28, 2024 (Boston, MA) and ASPPB Annual Meeting – October 30-November 3, 2024 (Houston, TX): Board staff and Stange stated the importance of having a representative attend ASPPB meetings, as small states' vantage points tend to be easily overlooked if not voiced. Miller reiterated this and stated willingness to attend if others are not able to do so. Tellinghuisen Geddes encouraged all to look at their schedules and make the board office aware if able and desire to attend either of these upcoming meetings.

Schedule Next Meeting: Stange proposed an in-person meeting for the next meeting, as the group would like to celebrate the retirement of Carol Tellinghuisen. After group discussion, the next board meeting was tentatively set for Thursday, April 11, 2024 at 1:30pm MDT at The Lodge in Deadwood. Tellinghuisen-Geddes will look into the availability of The Lodge and make members aware of that availability so details can be confirmed.

Tishkoff and Mercer left meeting prior to executive session.

Executive Session – Pursuant to SDCL 1 – 25 – 2:

Christiansen motioned and Miller seconded to enter executive session at 10:27am CDT/9:27am MDT for purpose of completing a single Orals Examination (Applicant #727) and discussing the Executive Secretary Contract Renewal. There are no current active complaints. Motion carried unanimously; none absent.

Stange declared end of Executive Session at 8:55am CDT/9:55am MDT.

Vote on Executive Secretary Contract Renewal: Miller motioned to approval the renewal as presented, with no changes from the past contract. Christiansen seconded the motion. Motion carried unanimously; none absent.

Applicant Approval: Miller motioned to approve applicant #727 be approved for licensure per passing of the orals examinations today, pending any outstanding licensure requirements that are applicable. Ellison

seconded, to approve applicant #727 for licensure, pending any outstanding licensure requirements to complete. Motion carried unanimously, with no board members absent.

Other Business: None.

Adjourn: Motion to adjourn was made by Overturf; seconded by Ellison. Stanage adjourned meeting at 8:56am CST / 9:56am MST following unanimous vote to do so (no board members absent).

Respectfully submitted,

Trisha T. Miller, Ph.D.
Secretary

1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor. The unapproved, draft minutes of any public meeting held pursuant to § 1-25-1 that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of chapter 1-26.