

SOUTH DAKOTA BOARD OF EXAMINERS OF PSYCHOLOGISTS
BOARD MEETING MINUTES
June 21, 2019
Holiday Inn Express, Ft. Pierre, SD

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

Members Absent: None. There is currently one vacant lay member position.

Others Present: Carol Tellinghuisen, Executive Administrator; Jill Lesselyoung, Administrative Assistant

Stanage called the meeting to order at 8:45am CDT.

Executive Session pursuant to SDCL 1-25-2: The board entered executive session at 8:46am CDT on a unanimous vote based on a motion by Christiansen and a second by Buri for the purpose of administering Orals Examination to Applicant #'s 585, 583, 584, and 388 and to discuss Licensure Applicants 2019-1 and 2019-2. The board exited executive session at 11:19am CDT following a unanimous vote based on a motion by Overturf and a second by Ellison.

Stanage called the meeting back to order at 11:20am CST.

Welcome and Introductions: All were welcomed by Stanage.

Roll Call: Christiansen called the roll. A quorum was present.

Conflicts to Declare: Ellison recused himself from the oral examination of applicant #585 due to conflict of interest.

Corrections or Additions to the Agenda: None

Approval of Agenda: Buri motioned, Christiansen seconded to approve the meeting agenda. Motion carried unanimously.

Approval of Minutes from March 29, 2019: Buri moved, Ellison seconded, to approve the minutes as written. Motion passed unanimously.

Public Testimony/Public Comment Period (10:23am MDT / 11:23am CDT): There were no persons from the public present for comment.

Applicant Approvals: Miller initiated a motion, which was seconded by Christiansen, to grant licensure to Applicant #'s 585, 583, 584, and 388. The motion passed unanimously with Ellison abstaining on applicant #585. Additionally, Miller recommended denial of licensure to Licensure Applicant 2019-1 due to not meeting SD licensure requirements. Christiansen moved, Ellison seconded, to deny licensure to Applicant 2019-1. Motion passed unanimously. Miller recommended that Applicant 2019-2 receive exemption from taking the Orals Examination, given ABPP status and verified licensure in another state. In discussion, Miller recommended that in the notification letter to Applicant 2019-2, the statutes covered by the Orals

Examination be cited to ensure Applicant 2019-2 is fully aware of her responsibilities as a SD psychologist. Ellison moved, Christiansen seconded, to exempt Applicant 2019-2 from the SD Orals Examination and to provide Applicant 2019-2 with the citation for the SD statutes the Orals Examination would cover. Motion passed unanimously.

FY Financial Update: Lesselyoung reported on the year-to-date finances as of 05/31/2019. Lesselyoung reported that as of May 31, 2019, revenue was at \$37,536.76, expenditures were at \$56,326.67, and Cash Balance was at \$84,308.83. It was noted that the annual licensure renewal period is currently underway, so the bulk of annual revenue will be reflected in the June financial statement. Ellison moved and Christiansen seconded motion to accept the financial report. Motion carried unanimously.

Executive Session- Pursuant to SDCL-1-25-2: Christiansen motioned, and Miller seconded to enter executive session at 11:26am CDT for purpose of discussing four complaints/investigations. Motion carried unanimously.

Buri moved, Ellison seconded to exit executive session at 11:55am CDT; motion carried unanimously.

Miller recommended the board to dismiss Complaint #215 due to lack of substantive evidence. Christiansen motioned, Buri seconded, to dismiss Complaint #215. Motion passed unanimously. Miller recommended the board to dismiss complaint #219 due to lack of substantive evidence and to expunge the complaint from the psychologist's record. Ellison moved to dismiss Complaint #219; Christiansen seconded; motion passed unanimously. Ellison moved to expunge Complaint #219 from the psychologist's record, Christiansen seconded; motion passed unanimously.

Discussion of complaint procedure: Overturf provided board members with information obtained since last meeting in his review of several other states' procedures, forms, and websites. Overturf suggested there are three main areas to consider modifying: the complaint form, the website in regard to our complaint form and process, and the actual complaint process itself. Overturf highlighted several things he discovered and stated there are several considerations to make, including whether to add a complaint form link on the board website, whether to require notarization of complaint form submissions, whether to use a paper complaint form vs. electronically submitted complaint form, etc. Overturf suggested the board consider revising the current process wording from "complaints or concerns" to simply "complaints" for clarity purposes. Overturf again suggested more than one board member's involvement in each complaint, with perhaps a model of using two board members and a staff person, who would make up a "resolution committee" and jointly offer a recommendation to the board after the initial investigation. Christiansen offered wording of "one or more" rather than specifying "two" in the procedures. Stange made the board aware that the current statute as read does not require a majority vote via quorum on investigation rulings unless the recommendation is to revoke or suspend a license. Stange also voiced that the terminology of "uncontested complaints" is used by other boards and this may be an important consideration as modifications to our current process are being determined. Overturf suggested that to move forward, he and at least one board member (both Miller and Stange volunteered) could work together to develop and propose something to the rest of the board. There was unanimous consensus in support of this.

Continuing Education Unit Rules Update: Board members reviewed proposed wording with edits from last meeting entered by Miller and board executive staff. Tellinghuisen made the board aware the wording agreed upon from the current meeting will be forwarded to the Department of Social Services for their review, then will need to go through the legislative process. Ellison expressed concerns with two specifics

in the current proposed wording: 1) Ellison felt specifying the continuing education activity must deal primarily with substantive “psychology” issues was too limiting and expressed it should instead read “practice relevant,” and 2) Ellison expressed that the proposed wording requiring a copy of the “original certificate” was also too limiting to activities in which a certificate is provided. In discussion of these, Stange proposed that the word “psychology” could be replaced with “practice relevant” to still ensure licensees are engaged in activities related to their work as a psychologist. Miller stated perception that some level of documentation of CE is needed, if even by third party when a specific certificate is not provided. Ellison voiced perception documentation by even a third party was not necessary for some activities. The board reached general consensus to modify the word “psychology” to “practice relevant” and the word “original certificate” to “third-party documentation” for initial submission to the Department of Social Services and then modify from feedback received at that point, if warranted.

Update on Training and Education Events for Professionals around Opioid Abuse/Misuse in South Dakota: Lesselyoung made board aware SDPA Executive Director Kristin Bennett is continuing to pursue possible funding options to offer such training.

Next Meeting: The next meeting was set for Friday, September 27, 2019 in Deadwood, SD. Any business that needs to be addressed prior to this date will take place via teleconference.

Motion to adjourn was made by Ellison, seconded by Christiansen. Stange adjourned meeting at 1:06pm CDT following unanimous vote to do so.

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.