

SOUTH DAKOTA BOARD OF EXAMINERS OF PSYCHOLOGISTS
BOARD MEETING MINUTES
Teleconference
January 18, 2021

Members Present: Thomas Stanage, Ph.D., (President); Matthew Christiansen, Ph.D. (Vice President); Trisha Miller, Ph.D., (Secretary; joined call at 12:07pm MDT); Chuck Sherman, Ph.D., Member; Brian Roegiers, Lay Member; Robert Overturf, Lay Member; Jeffrey Ellison, Psy.D., Member

Members Absent: None.

Others Present: Carol Tellinghuisen, Executive Administrator; Jill Lesselyoung, Administrative Assistant; Brooke Tellinghuisen Geddes, Administrative Assistant; Ryan Loker, Special Assistant Attorney General and New Legal Counsel for the Board; Dr. Kari Scovel, representing the South Dakota Psychological Association; Kristin Thayer, Executive Director of the South Dakota Psychological Association; Brenda Tidball-Zeltinger, Deputy Secretary – Department of Social Services.

Call to Order/Welcome and Introductions: Stanage called the meeting to order at 12:02pm MDT.

Roll Call: Lesselyoung called the roll. A quorum was present (Stanage, Christiansen, Sherman, Overturf, Roegiers, Ellison).

Conflicts to Declare: None.

Corrections or Additions to the Agenda: None.

Approval of the Agenda: Sherman motioned to approve the agenda as presented; Christiansen seconded the motion. Motion carried on unanimous roll call vote. Stanage, yes; Christiansen, yes; Miller - absent; Ellison, yes; Sherman, yes; Overturf, yes; Roegiers, yes.

Public Testimony/Public Comment Period (1:05pm CST / 12:05pm MST):

Stanage opened the public testimony and provided the background of the Board holding this meeting to get public input on the proposed PSYPACT legislation. He advised it is a model legislation which allows states to have licensees practice telepsychology under the compact and in person for 30 days in a calendar year. He advised the Mental Health of First Responders Task Force Committee has recommended to bring forth PSYPACT legislation this year. He advised PSYPACT is a 40-page document of model legislation which he understands would have to be adopted in total. Stanage stated a desire for input from other psychologists. Stanage made the group aware Tidball-Zeltinger would be presenting additional information later in the meeting.

Scovel presented the pros/cons of moving forward with PSYPACT in SD, from the perspective of SDPA board members. Scovel stated pros included a) the increased flexibility PSYPACT would allow psychologists in following patients who move out of state, go on vacation, leave for college in other states, etc., b) improved access to mental health care societally, c) improved access to specialists across providers in various states, etc. Scovel identified cons perceived were in regard to potential costs, cherry-picking by agencies or individuals and limited services provided to high-need, poverty populations, etc. Scovel stated SDPA board members were “pretty split” with regard to whether in favor of or against PSYPACT. Scovel acknowledged a mailed letter was sent to all licensed psychologists on Friday, as well as an electronic

letter/survey that was emailed on Friday (with input from Stanage as well). Results of the survey responses thus far are being tabulated to be presented later in the meeting. Scovel stated that regardless of whether enacting a telehealth compact or not, she feels strongly that a response to the concerns about a need for services for first responders must be formulated.

PSYPACT-Proposed Regional Compact Update: Miller stated agreement with Scovel that something, if not a compact, will need to be done in order to respond to the need the First Responders Task Force has brought up. Miller stated a more organized list of providers who could meet this need may be something that could be done regardless of what is decided in regard to PSYPACT. Stanage agreed the need must be addressed and thanked Scovel for the balanced presentation on the issue of PSYPACT. Tellinghuisen also commended Scovel's presentation of the pros/cons of PSYPACT.

Legislative Updates: Tidball-Zeltinger advised that SD DSS is supporting the proposed legislation in HB 1014, which proposes a consistent complaint procedure across state boards. DSS is assisting the Department of Labor and Regulation in the process of HB 1014 this legislative session. Tidball-Zeltinger stated the aim of HB 1014 is to establish more uniform guidelines and again consistency across the state's licensure boards. Stanage made Tidball-Zeltinger aware of the recent modifications to our board's complaint procedure (led by Robert Overturf), which are quite consistent with the proposals in HB 1014. Overturf provided feedback that in reviewing HB 1014, he questioned the wording of "one or more" persons making up a committee, wherein "one" individual does not seem to be a committee. Overturf stated that the rest of the bill appears consistent with our board procedures.

Tidball-Zeltinger advised board members of legislation "in the works" (but that has not officially been introduced to the legislature) for proposed licensure by endorsement for certain professions/occupations to aid in licensure mobility across states. Tidball-Zeltinger indicated some reasons for this legislation have come about due to lessons learned during the early phases of the pandemic; things that were put in place and are going well. Tidball-Zeltinger advised this legislation will allow for individuals licensed in other states who hold an equivalent license and are in good standing to be license-eligible in SD. She explained the legislation addresses a broad range of occupations, including but not limited to pharmacists, physicians, therapists, psychologists, etc. Stanage questioned that perhaps SD's counseling board does license by endorsement, but none present knew this for certain. Loker agreed to look into this.

Scovel provided results of the survey SDPA emailed to psychologists on Friday with regard to PSYPACT. A limited sample was acknowledged as seventeen psychologists have responded thus far. The majority (n=8) of the seventeen did respond stating they favored involvement in PSYPACT by SD and the majority indicated a willingness for licensure fees to increase to allow PSYPACT to be enacted, though specific items also did indicate some hesitance as well (concerns regarding costs of the e-passport required by the providers, responders were split with regard to favorability of a regional compact rather than involvement in a national compact). Survey responses cited both the reasons for being in support (e.g., affords the ability for psychologists to continue to provide services to patients who move due to military work commitments, college student moves, vacationers, etc.; ability to provide specialty services across states; ability for underserved populations to have greater mental health access; affords licensure equitability and standardization across state lines, etc.) as well as concerns (e.g., increased costs individually and to the state board, potential cherry-picking that could occur, potential for the underserved to continue to go underserved due to no regulation requiring service to the underserved, other states abusing power and not taking into account needs of rural populations, quality of care to SD residents by those out of state being questionable due to potentially not understanding the unique needs of rural culture, etc.).

Adjournment: Motion to adjourn was made by Ellison, seconded by Sherman. Stanage adjourned meeting at 1:54pm CST following unanimous roll call vote. Stanage, yes; Christiansen, yes; Miller, yes; Ellison, yes; Sherman, yes; Overturf, yes; Roegiers, yes.

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.

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