

SOUTH DAKOTA BOARD OF EXAMINERS OF PSYCHOLOGISTS
BOARD MEETING MINUTES
Teleconference
March 29, 2019

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 member position.

Others Present: Carol Tellinghuisen, Executive Administrator; Jill Lesselyoung, Administrative Assistant; Marilyn Kinsman, Senior Policy Analyst for South Dakota DSS; Trevor Thielen, Legal Counsel for the Board

Stanage called the meeting to order at 9:32am CDT.

Welcome and Introductions: All were welcomed by Stanage. Attorney Thielen introduced himself to the board.

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

Conflicts to Declare: None.

Corrections or Additions to the Agenda: No modifications were made.

Approval of Agenda: Buri motioned, Christiansen seconded to approve the meeting agenda without additions or corrections. Motion carried unanimously via roll call vote. Stanage, yes; Christiansen, yes; Miller, yes; Buri, yes; Ellison, yes; Overturf, yes.

Public Testimony/Public Comment Period (8:35am MDT / 9:35am CDT): There were no persons from the public present for comment.

FY Financial Update: Lesselyoung reported on the year-to-date finances as of 02/28/2019. Lesselyoung reported that as of February 28, 2019, revenue was at \$8,736.76, expenditures were at \$42,264.62, and Cash Balance was at \$69,570.88. It was noted that majority of board revenue comes in the 11th month (May-June) due to licensure renewal at that time. Ellison moved and Buri seconded motion to accept the financial report. Motion carried on unanimous roll call vote. Stanage, yes; Christiansen, yes; Miller, yes; Buri, yes; Ellison, yes; Overturf, yes.

HB 1111: Lesselyoung provided an update on HB 1111, an act to provide for professional or occupational licensure for certain active duty military personnel and spouses. The bill was signed into law by Governor Noem.

HB 1155: Lesselyoung provided an update on HB 1155, an act to provide for certain privileged communication between social workers and students. This bill was signed into law by Governor Noem.

Any Other Bills That Could Affect the Board: Stanage made mention of HB 1047, an act to revise certain provisions regarding recommendations for treatment as a condition for probation. The bill was signed by

Governor Noem. Stange also mentioned SB136 and SB137. SB136 an act to provide for the utilization of telehealth by a health care professional was signed by Governor Noem. SB137 an act to provide for the payment of claims for covered services provided by a health care professional via telehealth was signed by Governor Noem.

Update on Rules Changes – Continuing Education: Board members reviewed proposed wording developed by Miller and board executive staff. Miller questioned whether board members desired to have mention of audit or not, explaining that inclusion could bind the board to specifications of audit. Attorney Thielen stated thought that inclusion of the phrase “for audit purposes” as is may add confusion if not done routinely and advised that if only planning to audit a certain percentage of licensees then would need the specifics written in Administrative Rules. Other discussion about the proposed wording included inquiries by Buri and Ellison about including wording about activities that would not provide traditional certificates (i.e., informal trainings, book readings) but that could be beneficial to continuing education of licensees. Tellinghuisen reminded that the Board at the June 1, 2018 meeting voted to move forward in developing a proposal for set minimal CEU hours. It was the consensus of the Board at that time that it would be the responsibility of the licensee to select quality programs that contribute to their knowledge and competence. Christiansen motioned that the words “for audit purposes” be removed from the current draft, and that Miller and board executive staff reword the current draft to produce a new draft written in Administrative Rules form wherein the new draft will contain language allowing for more general continuing education activity and clarifying that one CEU unit is equal to 10 hours of continuing education activity. Buri seconded the motion and the motion passed unanimously via roll call vote; Stange, yes; Christiansen, yes; Miller, yes; Buri, yes; Ellison, yes; Overturf, yes.

Mobility/CPQ/National Register: Lesselyoung made board members aware she received correspondence from CPQ staff member Taja Slaughter, Director of Member Services that if the board votes to recognize the CPQ, CPQ will provide documentation from the applicant for our files. In discussion, Miller sought to clarify that accepting the National Register would mean our board would not be obligated to license applicants approved through the National Register who do not meet our state licensure requirements; Stange clarified we would not be required to license an applicant who came with National Register approval unless they met our state licensure requirements, that both the CPQ and National Register only facilitate documentation and help applicants expedite the process. Miller motioned that the board recognize the CPQ and accept the National Register for future licensure applicants; motion passed unanimously via roll call vote. Stange, yes; Christiansen, yes; Miller, yes; Buri, yes; Ellison, yes; Overturf, yes.

ASPPB Annual Meeting October 16-20, 2019, Minneapolis: Buri and Christiansen voiced interest in attending and stated intent to review schedule to see if it is possible. Given ease of travel to nearby location, it may be possible to have two staff and two executive staff attend. Miller made motion, seconded by Ellison, to approve up to two board members and/or two executive staff members to attend the Annual ASPPB meeting in Minneapolis this fall. Motion passed unanimously via roll call vote. Stange, yes; Christiansen, yes; Miller, yes; Buri, yes; Ellison, yes; Overturf, yes.

Funding Available to Support Training and Education Events for Professionals around Opioid Abuse/Misuse in South Dakota: Lesselyoung made board aware SDPA Executive Director Kristin Bennett made her aware SDPA has an intent to pursue this training.

Discussion of complaint procedure – Overturf: Overturf explained discomfort with board’s current complaint procedure wherein only one board member is aware of full details of the complaint and also

that a single board member is set to recommend the outcome to the rest of the board. Stanage voiced similar discomfort with the current process and commended Overturf in bringing his topic up and researching this further. Overturf made the board aware he is examining other procedures being used elsewhere and has found some to include a specific form that must be completed for persons to submit complaints, as well as that some other procedures are involving a subcommittee of the board made up of more than one board member and a staff person, along with attorney consult. Thielen advised there is benefit to having more board members involved in the initial stages, but there would be concern about the small number on the board that would need to be factored in. Miller added that if a form is again pursued, consideration with regard to adding a statement about the board's jurisdiction (and limits to) should be taken as currently some complaints received are not within such limits. Overturf agreed to compile additional information and work with board executive staff to move the board further on this issue.

Thielen left the meeting amidst Executive Session, at 11:30am CDT. Kinsman left the meeting via teleconference at 10:57am CDT.

Executive Session- Pursuant to SDCL-1-25-2: Buri motioned and Miller seconded to enter executive session at 10:58am CDT for purpose of discussing four complaints/investigations. Motion carried by unanimous roll call vote. Stanage, yes; Christiansen, yes; Miller, yes; Buri, yes; Ellison, yes; Overturf, yes.

Overturf moved, Buri seconded to exit executive session at 11:37am CDT; motion carried by unanimous roll call vote. Stanage, yes; Christiansen, yes; Miller, yes; Buri, yes; Ellison, yes; Overturf, yes.

Complaints/Investigations: Miller reported #215 as pending. Buri reported #217-I as pending. Stanage reported #218-I as pending. Miller reported #219 as pending.

Next Meeting: The next meeting was set for Friday, June 21, 2019 in Pierre, SD. Any business that needs to be addressed prior to this date will take place via teleconference.

Motion to adjourn was made by Overturf, seconded by Miller. Stanage adjourned meeting at 11:47am CDT following unanimous vote to do so. Stanage, yes; Christiansen, yes; Miller, yes; Buri, yes; Ellison, yes; Overturf, 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.