

PSYPACT Commission

Meeting Minutes

July 22 – July 23, 2019



PSYPACT Commission Meeting Minutes

Monday, July 22nd, 2019 – Tuesday, July 23rd, 2019

ASPPB Central Office

215 Market Road

Tyrone, Georgia 30290

Commissioners Present

Bob Bohanske, Arizona

Jacqueline Arcelin, Colorado

David Mangler, Delaware (Proxy)

Don Meck, Georgia

Pam Groose, Missouri

Kris Chiles, Nebraska

Morgan Gleich, Nevada

Deborah Warner, New Hampshire*

Teanne Rose, Oklahoma*

Patrick Hyde, Texas*

Deborah Blackburn, Utah

** PSYPACT state with enacted but not yet effective legislation. If appointed, Commissioner present was non-voting.*

Commissioners Absent

Not Yet Appointed, Illinois*

** PSYPACT state with enacted but not yet effective legislation. If appointed, Commissioner present was non-voting.*

Ex-Officio Present

Mariann Burnett-Atwell, Association of State and Provincial Psychology Boards (ASPPB)

Legal Counsel Present

Rick Masters, Council of State Governments

Nahale Freeland Kalfas, Council of State Governments

Others

Daniel Logsdon, Council of State Governments

Meghan Lines, Delaware Board of Psychology

Taja Slaughter, Association of State and Provincial Psychology Boards (ASPPB)

Commission Staff Present

Janet Orwig, PSYPACT Executive Director

Lisa Russo, PSYPACT Manager

Monday, July 22nd, 2019

Welcome

- J. Orwig welcomed attendees to the first PSYPACT Commission meeting. Introductions were then held.

Call to Order

- J. Orwig called the meeting to order at 9:05 AM, ET.

Roll Call

- J.Orwig called the roll. A total of 11 Commissioners were present, including Colorado via teleconference. Illinois was not present.

Overview and Adoption of Agenda

- J.Orwig reviewed the agenda. D. Mangler (Delaware) agreed to serve as interim Chair until elections were held. Chair D. Mangler (Delaware) then called for a motion to adopt the agenda.
- **Motion:** D. Meck (Georgia) moved that the PSYPACT Commission adopt the agenda. B. Bohanske (Arizona) seconded the motion. All present voted yes. The motion carried.

Panel Discussion

- D. Logsdon, Manager, National Center for Interstate Compacts (NCIC), Council of State Governments (CSG) presented on the role of CSG in the development of interstate compacts and PSYPACT. He provided a history of PSYPACT and discussed PSYPACT states participation in the current occupational licensure compacts.
- N. Freeland Kalfas, Legal Counsel, NCIC, CSG, presented on the importance of compacts in today's regulatory environment.
- R. Masters, Special Counsel, NCIC, CSG, provided an overview of interstate compacts and discussed instructions to Commissioners.

Commission Administration & Operations Part 1: PSYPACT Governance and Structure

- Discussion of PSYPACT Statute
 - R. Masters reviewed the PSYPACT statute including Article X Establishment of the Psychology Interjurisdictional Compact Commission, Article XI Rulemaking, Article XII Oversight, Dispute Resolution and Enforcement, Article XIII Date of Implementation of Psychology Interjurisdictional Compact Commission and Associated Rules, Withdrawal, and Amendments, and Article XIV Construction and Severability.
- Review of Draft Bylaws
 - N. Kalfas reviewed a draft of proposed Bylaws.
- Adoption of Draft Bylaws
 - B. Bohanske (Arizona) moved that the PSYPACT Bylaws be approved. D. Blackburn (Utah) asked for friendly amendment to remove Section 4. B. Bohanske (Arizona) accepted the amendment.
 - **Motion:** Chair D. Mangler (Delaware) called for a motion to approve the Bylaws as amended by the Commission on July 22nd, 2019. All present voted yes. The motion carried.

Commission Administration & Operations Part 1: PSYPACT Governance and Structure

- R. Masters reviewed implementation requirements for PSYPACT and the Proposed Transition Timeline.
 - **Motion:** Chair D. Mangler (Delaware) called for motion to approve the Proposed Transition Timeline. B. Bohanske (Arizona) moved to adopt the Proposed Transition Timeline and D. Meck (Georgia) seconded the motion. Chair D. Mangler (Delaware) called for discussion.
 - T. Rose (Oklahoma) asked to move the November meeting from November 18-19,

- 2019 to November 21-22, 2019. B. Bohanske (Arizona) accepted the amendment.
 - All present voted yes. The motion carried.
- R. Masters reviewed the draft Rule on Rules document. The group reviewed the document and made edits.
 - **Motion:** B. Bohanske (Arizona) moved that the Rule on Rules be adopted as amended. M. Gleich (Nevada) seconded the motion. All present voted yes. The motion carried.

Commission Administration & Operations Part 1: PSYPACT Governance and Structure (continued)

- N. Kalfas led a discussion regarding the financial structure of the PSYPACT Commission.
- R. Masters reviewed a draft Memorandum of Understanding (MOU) between the PSYPACT Commission and ASPPB. The group determined to discuss this further on the following day.
- R. Masters discussed the location of the PSYPACT Commission headquarters.
 - **Motion:** Chair D. Mangler (Delaware) called for a motion. B. Bohanske (Arizona) moved to approve the PSYPACT Commission Headquarters at 210 Market Road Tyrone, D. Meck (Georgia) 30290. M. Gleich (Nevada) seconded the motion. All present voted yes. The motion carried.

Nominations

- R. Masters explained the nominations process for positions on the Executive Board of the PSYPACT Commission.

Opportunity for Public Comment and Questions

- Chair D. Mangler (Delaware) opened the floor for public comment. There were no comments.

Motion to Recess

- **Motion:** Chair D. Mangler (Delaware) moved to recess the PSYPACT Commission meeting for the day at 4:23 PM, ET.

Tuesday, July 23rd, 2019

Call to Order

- Chair D. Mangler (Delaware) called the meeting to order at 9:10 AM, ET.

Roll Call

- Chair D. Mangler (Delaware) called the roll. A total of 10 Commissioners were present. Colorado and Illinois were not present.

Agenda

- The PSYPACT Commission reviewed the agenda. It was determined that after the casting of ballots, the PSYPACT Commission will go into closed session (as authorized in PSYPACT language Article X.B.6c) to discuss the correspondence received from Fielding Graduate University and will resume the normal agenda after closed session.

Elections

- R. Masters opened the floor for nominations for positions within the PSYPACT Commission Executive Board including Chair, Vice Chair, Treasurer, Member at Large, Member at Large, and

Ex-Officio Member.

- M. Gleich (Nevada) moved to elect D. Meck (Georgia) as Chair by acclamation. P. Goose (Missouri) seconded the motion. All present voted yes. The motion carried.
- D. Meck (Georgia) moved to elect B. Bohanske (Arizona) as Vice Chair by acclamation. M. Gleich (Nevada) seconded the motion. All present voted yes. The motion carried.
- D. Meck (Georgia) moved to elect M. Gleich (Nevada) as Treasurer by acclamation. P. Goose (Missouri) seconded the motion. All present voted yes. The motion carried.
- D. Meck (Georgia) moved to elect P. Goose (Missouri) as Member at Large by acclamation. M. Gleich (Nevada) seconded the motion. All present voted yes. The motion carried.
- P. Goose (Missouri) moved to elect K. Chiles (Nebraska) as Member at Large by acclamation. M. Gleich (Nevada) seconded the motion. All present voted yes. The motion carried.
- For the position of Ex-Officio Member, the Association of State and Provincial Psychology Boards has named M. Burnetti-Atwell (ASPPB).
- All members of the Executive Board agreed their names and positions can be listed on the PSYPACT Commission's website.

Potential Legal Matters

- **Motion:** Pursuant to Article X.B.6c, Chair D. Meck (Georgia) moved for the PSYPACT Commission to convene into closed session. K. Chiles (Nebraska) seconded the motion. All present voted yes. The motion carried.
- The open meeting recessed at 9:18 AM.
- The open meeting reconvened at 10:15 AM.
- **Motion:** Chair D. Meck (Georgia) called for a motion that the PSYPACT Commission look further into information regarding Fielding Graduate University in conjunction with legal counsel and that all communication going forward should go through legal counsel. P. Goose (Missouri) moved for the PSYPACT Commission to further review information from Fielding Graduate University. M. Gleich (Nevada) seconded the motion. All present voted yes. The motion carried.

Dues/Financial Structure/Memorandum of Understanding (MOU)

- N. Freeland Kalfas reviewed the potential structures related to E.Passport fees, IPC fees, Authority to Practice Interjurisdictional Telepsychology fees, Temporary Authorization to Practice fees, and state dues.
- N. Freeland Kalfas discussed the components to be potentially included in the MOU between the PSYPACT Commission and ASPPB.
- **Motion:** Chair D. Meck (Georgia) called for a motion to approve the MOU as standing to send to ASPPB with the understanding that the PSYPACT Commission will pay ASPPB a fee of 40% per authorization for their services. B. Bohanske (Arizona) moved to accept the motion. P. Goose (Missouri) seconded the motion. All present voted yes. The motion carried.

Suggested Rules

- Rule on Annual Assessment for Compact States
 - The PSYPACT Commission reviewed several options related to the annual assessment PSYPACT states will pay.
 - **Motion:** B. Bohanske (Arizona) moved that the PSYPACT Commission adopt a structure in which PSYPACT states will be charged an assessment of \$10 (ten) per authorization holder

- licensed in their Home State per fiscal year to be no greater than \$6,000 annually. P. Goose (Missouri) seconded the motion. All present voted yes. The motion carried.
- Rule for Compact Privilege to Practice Telepsychology
 - The PSYPACT Commission reviewed requirements regarding the qualifications for an Authority to Practice Interjurisdictional Telepsychology as well as the E.Passport requirements. The definition for residency was removed from the draft rule.
 - **Motion:** B. Bohanske (Arizona) moved that the PSYPACT Commission adopt the draft rule for the Compact Privilege to Practice Telepsychology. P. Goose (Missouri) seconded the motion. The motion carried with one abstention by B. Bohanske (Arizona).
 - Rule for Compact Temporary Authorization to Practice
 - The PSYPACT Commission reviewed requirements regarding the qualifications for a Temporary Authorization to Practice as well as the IPC requirements. The definition for residency was removed from the draft rule.
 - **Motion:** P. Goose (Missouri) moved that the PSYPACT Commission adopt the draft rule for the Compact Temporary Authorization to Practice. M. Gleich (Nevada) seconded the motion. The motion carried with one abstention by B. Bohanske (Arizona).
 - Rule for Coordinated Licensure Information System
 - The PSYPACT Commission reviewed the proposed rule for the Coordinated Licensure Information System. The group determined the following:
 - Wording should be added to indicate information from investigations cannot be shared.
 - Significant investigatory information needs to be further defined by another rule.
 - A definition for minor infraction is needed.
 - A definition for alternative program is needed.
 - **Motion:** B. Bohanske (Arizona) moved that the PSYPACT Commission adopt the draft rule for the Coordinated Licensure Information System. K. Chiles (Nebraska) seconded the motion. All present voted yes. The motion carried.

Committee Structure and Function

- R. Masters reviewed the structure and function of potential committees and suggested that the entire Commission serve as an Operations Committee with the current voting members assigned to carry out all duties of all standing committee until such time this is no longer needed.
- **Motion:** P. Goose (Missouri) moved that the PSYPACT Commission establish an Operations Committee. B. Bohanske (Arizona) seconded the motion. All present voted yes. The motion carried.
- The PSYPACT Commission also discussed the establishment of the Requirements Review Committee whose duties shall be to review details of authorizations, to review requirements for standards of reasonableness and to interface with ASPPB as needed. This would require an amendment to the PSYPACT Commission Bylaws.
- **Motion:** B. Bohanske (Arizona) moved that the PSYPACT Commission amend the PSYPACT Commission Bylaws to include a Requirements Review Committee. D. Mangler (Delaware) seconded the motion. All present voted yes. The motion carried.

Fee for Authorizations

- The PSYPACT Commission discussed fees for the Authority to Practice Interjurisdictional Telepsychology and Temporary Authorization to Practice.

- **Motion:** P. Goose (Missouri) moved that the fee for the Authority to Practice Interjurisdictional Telepsychology and the fee for the Temporary Authorization to Practice each be set at \$40. B. Bohanske (Arizona) seconded the motion. All present voted yes. The motion carried.

Meetings and Next Steps

- Proposed draft rules must be posted for public comment on the PSYPACT website and on each effective PSYPACT states' websites. The wording and link for posting will be sent out to PSYPACT Commissioners.
- Chair D. Meck (Georgia) thanked non-voting Commissioners for attending the meeting and thanked D. Mangler (Delaware) for his work as interim Chair. He also thanked CSG for attending the meeting.
- All PowerPoint presentations will be shared with the Commission.

Opportunity for Public Comment and Questions

- Chair D. Meck (Georgia) opened the floor for public comment. M. Skrade (Missouri) made public comment.

Motion to Adjourn

- **Motion:** B. Bohanske (Arizona) moved to adjourn the PSYPACT Commission meeting at 4:23 PM, ET. P. Goose (Missouri) seconded the motion. All present voted yes. The motion carried.