

GEORGIA BOARD OF EXAMINERS OF PSYCHOLOGISTS
Meeting Minutes –December 18, 2015

The Georgia State Board of Examiners of Psychologists met Friday, December 18, 2015, at the Professional Licensing Division, 237 Coliseum Drive, Macon, Georgia 31217.

Members Present:

Marsha B. Sauls, Ph.D., Chair
Donald S. Meck, Ph.D
William F. Doverspike, Ph.D
Melton Strozier Jr., Ph.D.
Judy Grammer, Consumer Member

Absent:

Linda F. Campbell, Ph.D – Vice-Chair

Administrative Staff Present:

Mary Katherine Lindsey, BSS
Brig Zimmerman, Executive Director

Assistant Attorney General:

Reagan Dean, AAG (via Teleconference)

Dr. Sauls, Chair, established that a quorum was present and declared the meeting open at 8:45 a.m.

Agenda: Approved as presented.

Executive Session:

Ms. Grammer motioned, Dr. Doverspike seconded, and the motion carried for the Board to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k) (1) (2), §43-1-2-(k) (3) (4), §50-14-2(1) and §43-1-2 (k) (4) to administer the Board Oral Exams, receive the AAG's and Cognizant (complaints) reports, review the prior meeting executive session minutes and deliberate on applications. Voting in favor of the motion were Sauls, Strozier, Meck, Grammer, and Doverspike.

Board Administered Oral Exams:

Recommendation:

- D. G. Passed; issue license

Cognizant's – Complaints Report:

Recommend Closure:

PSYC160004, PSYC160010, PSYC160017, PSYC160020, PSYC160023, PSYC160027, PSYC160028, PSYC160029, PSYC160032

Recommend Pending:

PSYC060067, PSYC150004, PSYC160025, PSYC160026, PSYC160031

Conduct Investigative Interview:

PSYC160012, PSYC160013, PSYC160018, PSYC160019 and PSYC160030

Refer to AG's Office:

PSYC160024

Refer for Peer Review then to AG's Office:

PSYC160009

Investigative Interviews Conducted:

PSYC160023
PSYC160001
PSYC160016

Recommendation:

Close
No Show – Submit for a Peer Review
Pending receipt of additional information

Attorney General's Report:

A written status and activity report was provided for Board review and discussion of the current cases open in the AG's office.

Applications:

- W. C.
- A. W.
- N. M.
- K. S.
- J. L.
- E. K.
- N. S.

Recommendation:

Approved to sit for exam
Approved- pending
Approved to sit for exam
Approved to sit for exam
Approved to sit for exam
Issue license
Approved- pending

Executive Session Correspondence:

- C.H.
- D.M.

Executive Session Minutes:

- November 20, 2015

Recommendation:

Recommend approved as presented

At the conclusion of mornings Executive Session on Friday, December 18, 2015, Dr. Sauls declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No Board votes were obtained during Executive Session.

Public Rules Hearing:

- **510-7-.01 Renewal.**

Every psychology license will expire on December 31st of even numbered years, and will be renewable for two years if all requirements for renewal, including continuing education requirements are satisfied, and the renewal fee is paid. Psychologists practicing with an expired license are subject to disciplinary

action by the Board. Licenses may be renewed within ~~six months~~ thirty one (31) days after their expiration and are subject to a late renewal penalty fee in addition to the renewal fee. Licensees are NOT to practice after December 31st of each even numbered year until the license has been renewed and is in active status. See Separate Fee Schedule and Continuing Education Rule. Failure to renew a license within six months thirty one (31) days of its expirations, ~~shall have the effect of revocation of the license by operation of law and the license~~ the license shall be considered lapsed. ~~The Board in its sole discretion may reinstate a revoked license.~~ Reinstatement is at the sole discretion of the Board.

Authority: O.C.G.A. §§ 43-1-4; 43-1-19; 43-1-25; 43-39-5; 43-39-6; 43-39-7; 43-39-12; 43-39-13 and 43-39-15

- **510-8-.03 Reporting/Documentation.**

(1) Each licensee shall maintain for four years his/her own records of completed continuing education activities. The Board will not maintain continuing education files for licensees.

(2) Each licensee shall attest, on his/her biennial license renewal application, that he/she has satisfied the continuing education requirements. Documentation of these activities should be retained by the licensee and not sent to the Board unless so requested. False attestation of satisfaction of the continuing education requirements on a renewal application may subject to licensee to disciplinary action, including revocation.

(3) The Board will audit a fixed percentage of the renewal applications. Licensees whose applications are audited will be required to document the completion of his/her continuing education activities on the Continuing Education Report Form. Licensees will also be required to provide copies of the actual certificates earned for Area IV Approved Sponsored Continuing Education activities and also the documentation of any CE activities claimed from Areas I, II, III, and V as is required and specified in those areas.

(a) If an audited licensee fails to provide the Board with acceptable documentation of the credits attested to on his/her renewal application, the license will not be renewed. The licensee may obtain the required continuing education credits within six months thirty one (31) days; however, the license will not be renewed until the requirements have been met and approved by the Board. Failure to satisfy the continuing education requirement shall result in revocation of the license by operation of law.

(b) If, following the audit, the Board disqualifies any of the documented continuing education credits such that the licensee does not meet the continuing education requirements set out above, the license will not be renewed until the requirements have been met and approved by the Board. The licensee must obtain the required continuing education credits before the end of the late renewal period (~~June 30th~~ January 31st of every odd numbered year following the even numbered year renewal/expiration date) or the license shall be revoked by operation of law.

(c) Under conditions a or b, practicing without a renewed license subjects the licensee to penalties as set forth by the Board, and the licensee may be subject to disciplinary action,

including revocation of license. **A psychologist cannot practice psychology in the State of Georgia without an active, renewed license.**

Authority: O.C.G.A. §§ 43-1-2; 43-1-7; 43-1-19; 43-1-25; 43-39-5; 43-39-7; 43-39-8; 43-39-12; 43-39-13; and 43-39-14

Dr. Doverspike motioned, Dr. Strozier seconded, and the Board voted to adopt the proposed amendments to 510-7-.01 and 510-8-.03 as posted for the minimum 30 day requirement. None opposed, motion carried.

Ms. Grammer motioned, Dr. Meck seconded and the Board voted that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-2, 43-1-4; 43-1-7, 43-1-19; 43-1-25; 43-39-5; 43-39-6; 43-39-7; 43-39-8, 43-39-12; 43-39-13, 43-39-14 and 43-39-15.

In addition, Ms. Grammer motioned, Dr. Meck seconded and the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-2, 43-1-4; 43-1-7, 43-1-19; 43-1-25; 43-39-5; 43-39-6; 43-39-7; 43-39-8, 43-39-12; 43-39-13, 43-39-14 and 43-39-15 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Psychology.

Additional Board Rules – Proposed Amendments:

- **Rule 510-5-.07. Representation of Services**

- (1) Possession of License. The psychologist must possess a current, valid, Georgia license to practice psychology.
- (2) Practicing via Electronic Transmission. The provision of psychological services by electronic transmission (e.g. internet, telephone, computer.) must meet the same legal and ethical standards as psychological services provided in person. This rule applies to both psychologists who are licensed in Georgia and to other psychologists residing elsewhere who are providing psychological services to clients/patients in Georgia who must meet the requirements of section [510-9-.03](#). The Georgia Board will report out of state psychologists to their respective licensing boards for practicing psychology via these means in the state of Georgia without a Georgia license.
- (3) Psychologists do not exploit recipients of services or payers with respect to fees.

(4) Telepsychology Practice.

(a) Competence:

1. Psychologist assume responsibility to continually assess both their professional and technical competence when providing telepsychology services.
2. Psychologists are encouraged to examine the available evidence to determine whether specific telecommunication technologies are suitable for a client/patient, based on the current

literature, available, current outcomes research, best practice guidance, and client/patient preference. (a) Psychologists understand the need to consider their client/patient's ability to engage in and fully understand the risks and benefits of the proposed intervention utilizing specific technologies. (b) Psychologists understand the manner in which cultural, linguistic, socioeconomic, and other individual characteristics (e.g. medical status, psychiatric stability, physical/cognitive disability, personal preferences) may impact effective use of telecommunication technologies in service delivery.

3. Psychologists identify and learn how to access relevant and appropriate emergency resources in the client/patients' local area such as emergency response contacts.

4. Psychologists who use telepsychology for supervision consider and ensure a sufficient amount of in-person supervision time is included. Psychologists ensure at least 25% of the total number of supervision hours are in-person face to face supervision hours. These hours to be interspersed along the entire supervision experience.

(b) Standards of Care in Telepsychology Services:

1. Psychologists delivering telepsychology services apply the same ethical and professional standards of care and practice that are required when providing in-person psychological services.

2. Psychologists who are providing telepsychology services conduct an initial assessment to determine the appropriateness of the telepsychology service to be provided for the client/patient which includes the examination of potential risks and benefits for the client/patients' particular needs, the multicultural and ethical issues that may arise, and a review of the most appropriate medium (e.g., video teleconference, text, e-mail).

3. Psychologist are aware of such other factors as geographic location, technological competence, diagnosis, use of substances, treatment history, and therapeutic needs relevant to appropriateness of telepsychology services.

4. Psychologists communicate any risks and benefits of the telepsychology services in relation to in person services.

5. Psychologists assess carefully the remote environment in which services will be provided to determine what impact there might be on efficacy, privacy, or safety of the proposed intervention.

(c) Informed Consent:

1. Psychologists make efforts to offer a clear description of those telepsychology services they provide and they seek to obtain and document informed consent.

2. Psychologists document written informed consent from their clients/patients that specifically addresses the unique concerns relevant to services.

3. Psychologists make an efforts to use language that is understandable by their clients/patients and to be aware of cultural linguistic and other issues.

4. Psychologists discuss the billing documents with client/patients.

5. Psychologists include in the informed consent the manner in which telecommunication will be used and the boundaries they will establish, and the procedures for responding to electronic communications.

(d) Confidentiality of Data and Information:

1. Psychologists protect and maintain the confidentiality of the data and information relating to their clients/patients and inform them of the potentially increased risks of loss of confidentiality inherent in the use of the telecommunication technologies.

2. Psychologists become knowledgeable about the potential risks to confidentiality before utilizing such technologies.

3. Psychologists understand and inform their clients /patients of the limits to confidentiality and the risks of possible access to or disclosure of confidential data and information.

4. Psychologists are cognizant of the ethical and practical implications of researching online personal information about their clients/patients.

5. Psychologists who use social networking sites for both personal and professional purposes educate themselves about the potential risks to privacy and confidentiality and to utilize available privacy settings to reduce these risks.

(e) Security and Transmission of Data and Information.

1. Psychologists take reasonable steps to ensure that security measures are in place to protect data and information related to their clients/patients from unintended access or disclosure.

2. When keeping records of e-mail, online messaging, and other work using telecommunication technologies, psychologists are cognizant that preserving the actual communication may be preferable to summarization.

(f) Disposal of Data and Information and Technologies.

1. Psychologists make reasonable efforts to dispose of data and information and the technologies used in a manner that facilitates protection from unauthorized access and accounts for safe and appropriate disposal.

(g) Testing and Assessment

1. Psychologists are knowledgeable about the unique impact of tests, their suitability for diverse populations, and the limitations on test administration and on test and other data

interpretations when these psychological tests and other assessment procedures are conducted via telepsychology.

2. Psychologists strive to maintain the integrity of the application of the testing and assessment process and procedures when using telecommunication technologies.

3. When a psychological test or other assessment procedure is conducted via telepsychology, psychologists are encouraged to ensure that the integrity of the psychometric properties of the test or assessment procedure and the conditions of administration indicated in the test manual are preserved when adapted for use with such technologies.

4. Psychologists are cognizant of the specific issues that may arise with diverse populations when providing telepsychology and to make appropriate arrangements to address those concerns (e.g., language or cultural issues, cognitive, physical, or sensory skills or impairments, or age may impact assessment).

5. Psychologies use test norms derived from telecommunication technologies administration if such are available.

6. Psychologists recognize the potential limitations of all assessment processes conducted via telepsychology and to be ready to address the limitations and potential impact of those procedures.

- **Rule 510-5-.02. Definitions**

(1) **Patient or Client.** The term clients/patients may be defined through the following roles:

- (a) a recipient of psychological services,
- (b) a corporate entity or other organization when the professional contract is to provide services of benefit primarily to the organization rather than to individuals unless the contract specifies otherwise,
- (c) individuals including minors and legally incompetent adults who have legal guardians. The legal guardian shall be the client for decision-making purposes, except that the individual receiving services shall be the patient or client for:
 - (a) Issues directly affecting the physical or emotional safety of the individual, such as sexual or other exploitative dual relationships; and
 - (b) Issues specifically reserved to the individual, and agreed to by the guardian prior to rendering of services, such as confidential communication in a therapy relationship.

(2) **Student.** Students are individuals matriculating in a predoctoral training program or internship.

(3) **Confidential Information.** Confidential information refers to information for which a psychologist or other health professional is ethically obligated not to disclose without client

permission. This standard is protected by state statute except when compelled to disclose as a result of a court order.

(a) When a corporation or other organization is the client, rules of confidentiality apply to information pertaining to the organization, including personal information about individuals when such information is obtained in the proper course of that contract. Such information about individuals is subject to confidential control of the organization, not of the individual, and can be made available to the organization, unless there is an understanding between the psychologist and such individual that such information was obtained in a separate professional relationship with that individual and is, therefore, subject to confidentiality requirements in itself.

(4) **Court Order.** A court order is an action taken by a judge that compels disclosure unless appealed, in contrast to a subpoena which compels only a response and may be issued by an attorney.

(5) **Professional Relationship.** A professional relationship is a mutually agreed upon relationship between a psychologist and patients, clients, students, supervisees, or employees. The professional relationship status is not contingent upon nor defined by a payment transaction.

(6) Psychological Services are all actions of psychologists in the context of a professional relationship with client/patients, students, supervisees, or employees.

(7) **Supervisee.** Supervisees are individuals who are not authorized or licensed to practice psychology independently and who function under the extended authority of the psychologist, the internship/SWE supervisor or secondary supervisor in the provision of psychological services. Supervisees are individuals who are either:

- (a) employees of the supervisor,
- (b) employed by the supervisor's employer, or
- (c) in training.

(8) **Supervisor.** Supervisors are psychologists who have responsibility for the professional activities of individuals who are supervisees.

(9) Interjurisdictional Practice. Psychological service provision in which psychologists and client/patients are located in different state, territorial, or provincial governments. Psychologists make themselves aware of the out of state requirements to practice in states in which they are not licensed to practice. The requirements for licensed psychologists not licensed to practice in Georgia are listed in the rules 510-9-.03.

(10) Intrajurisdictional Practice. Psychological service provision in which psychologists are located in the same state, territorial, or provincial governments.

(11) Telepsychology. The provision of psychological services using telecommunication technologies. Telecommunication technologies include but are not limited to telephone, mobile devices, interactive videoconferencing, e-mail, chat, text, and Internet (e.g. self-help websites, blogs, and social media).

(a) The term in-person refers to interactions in which the psychologist and the client/patient are in the same physical space and does not include interactions that may occur through the use of technologies.

(b) The term remote refers to the provision of a service that is received at a different site from where the psychologist is physically located. The term remote includes no consideration related to distance and may refer to a site in a location that is in the office next door to the psychologist or at a distance.

Dr. Meck motioned, Dr. Doverspike seconded and the Board voted to refer the proposed amendments to rules 510-5-.02 and 510-5-.07 to the AG’s office for a Memo of Statutory Authority, and to post rule amendments upon receipt of memo for required 30 days to be followed by a public rules hearing next available meeting date. None oppose, motion carried.

Minutes:

- November 20, 2015

Ms. Grammer motioned, Dr. Doverspike seconded, and the Board voted to approve the November 20, 2015 meeting minutes as amended. None opposed, motion carried.

Petition for Waiver/Variance:

- Rossbach, K.- 510-2-.05

Dr. Meck motioned, Dr. Doverspike seconded, and the Board voted to grant the Petition for Rule Waiver for K. Rossbach as recommended. None opposed, motion carried.

GPA Liaison Report:

Dr. Michael Rose gave the GPA association update.

Application Ratify List- November 20, - December 17, 2015:

License No	Licensee	Profession
PSY003964	Scheinfield, Rachel Elizabeth	Psychology
PSY003965	Richardson, Heather Smith	Psychology
PSY003966	Ingerski, Lisa Marie	Psychology
PSY003967	Huddleston, Lillie Beatrice	Psychology
PSY003968	Crittendon, Julie A	Psychology
PSY003969	Wolfson, Molly Mary Carlisle	Psychology
PSY003970	English, Erin Michelle	Psychology
PSY003971	Byrne, Patricia Dalton	Psychology

Dr. Meck motioned, Dr. Strozier seconded, and the Board voted to accept the Application Ratify List as presented. None opposed, motion carried.

Dr. Meck motioned, Dr. Doverspike seconded, and the Board voted to accept the recommendations on oral examination candidate. None opposed, motion carried.

Ms. Grammer motioned, Dr. Strozier seconded, and the Board voted to accept the recommendations on the Cognizant's Report as presented. None opposed, motion carried.

Ms. Grammer motioned, Dr. Doverspike seconded, and the Board voted to refer PSYC160024 to the AG's office. None opposed, motion carried.

Dr. Meck motioned, Dr. Doverspike seconded, and the Board voted to accept the recommendations on the Investigative Interviews as presented. None opposed, motion carried.

Dr. Meck motioned, Dr. Strozier seconded, and the Board voted to accept the recommendations on the AG's Report as presented. None opposed, motion carried.

Dr. Doverspike motioned, Dr. Strozier seconded, and the Board voted to accept the recommendations on all applications as presented. None opposed, motion carried.

Dr. Strozier motioned, Ms. Grammer seconded and the Board voted to approve the November 20, 2015 Executive Session meeting minutes as presented. None opposed, motion carried.

There being no further business, Dr. Meck motioned, Dr. Strozier seconded and the Board voted to adjourn today's meeting at 2:27 p.m.

Minutes recorded by:

Mary Katherine Lindsey, BSS

Minutes reviewed and edited by:

Brig Zimmerman, ED

DR. MARSHA B. SAULS, Ph.D.

BRIG ZIMMERMAN

Chair

Executive Director Healthcare 1

These minutes were approved on: **January 22, 2016**