



PSYCHOLOGY EXAMINING BOARD MEETING
Room 121C, 1400 East Washington Avenue, Madison, WI
Contact: Dan Williams (608) 266-2112
August 6, 2015

Notice: The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Board.

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-2)

B. Approval of Meeting Minutes of May 13, 2015 (3-5)

C. Administrative Matters – Discussion and Consideration

- 1) Staff Update
- 2) Board member – term expiration date
 - a. Rebecca Anderson – 7/1/2018
 - b. Marcus Desmonde – 7/1/2017
 - c. Daniel Schroeder – 7/1/2015 (reappointed, not yet confirmed)
 - d. David Thompson – 7/1/2018
 - e. Public Member 1: Vacant since 2011
 - f. Public Member 2: Vacant since 2012

D. Legislation and Administrative Rule Matters – Discussion and Consideration (6-10)

- 1) Psy 2 Relating to Applications
- 2) Psy 3 Relating to Practice of School Psychologists
- 3) Scope for Psy 5 Relating to Unprofessional Conduct
- 4) Update on Psy4 Relating to Continuing Education
- 5) Update on Legislation and Pending or Possible Rulemaking Projects

E. Speaking Engagement(s), Travel, or Public Relation Request(s)- Discussion and Consideration

- 1) ASPPB Annual Meeting **(11)**
- 2) Dr. Marcus Desmonde’s Visit to the Minnesota Psychology Board **(12)**

F. Informational Items – Discussion and Consideration

G. Items Received After Preparation of the Agenda

- 1) Introductions, Announcements and Recognition
- 2) Administrative Matters
- 3) Presentations of Petition(s) for Summary Suspension
- 4) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
- 5) Presentation of Proposed Final Decision and Order(s)
- 6) Division of Legal Services and Compliance Matters

- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Practice Questions/Issues
- 10) Legislation/Administrative Rule Matters
- 11) Liaison Report(s)
- 12) Speaking Engagement(s), Travel, or Public Relation Request(s)

H. Consulting with Legal Counsel

I. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

J. **Deliberation on Order Fixing Costs In the Matter of the Disciplinary Proceedings Against Randi Erickson, Psy.D., Respondent (ORDER0002282)(DHA case # SPS-14-0078)(DLSC case # 14 PSY 024) (13-44)**

K. **Deliberation of Division of Legal Services and Compliance Matters**

- 1) **Monitoring**
 - a. Brian D. Mamott, Ph.D. – Requesting the Board Accept Petition for Voluntary Surrender (Impairment) **(45-61)**
- 2) **Case Closing(s)**

L. **Application Review**

M. Deliberation of Items Received After Preparation of the Agenda

- 1) Application Issues and/or Reviews
- 2) Administrative Warnings
- 3) Monitoring Matters
- 4) Professional Assistance Procedure (PAP) Matters
- 5) Orders Fixing Costs/Matters Related to Costs
- 6) Proposed Final Decisions and Orders
- 7) Petitions for Summary Suspension
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Petitions for Re-hearings
- 10) Education or Examination Matters
- 11) Credential Issues
- 12) Motions
- 13) Appearances from Requests Received or Renewed

N. Consulting with Legal Counsel

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Vote on Items Considered or Deliberated on in Closed Session, If Voting is Appropriate

ADJOURNMENT

The next scheduled meeting is October 14, 2015.

**PSYCHOLOGY EXAMINING BOARD
MEETING MINUTES
May 13, 2015**

PRESENT: Rebecca Anderson, Ph.D.; Marcus Desmonde, Psy.D.; Daniel Schroeder, Ph.D.; David Thompson, Ph.D.

STAFF: Dan Williams - Executive Director; Sharon Henes – Administrative Rules Coordinator; Nilajah Madison-Head - Bureau Assistant; and other Department Staff

CALL TO ORDER

Daniel Schroeder, called the meeting to order at 9:05 a.m. A quorum was confirmed.

ADOPTION OF AGENDA

MOTION: Marcus Desmonde moved, seconded by Rebecca Anderson, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MEETING MINUTES OF FEBRUARY 4, 2015

MOTION: David Thompson moved, seconded by Rebecca Anderson, to approve the minutes of February 4, 2015 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Delegation of Authority

MOTION: Marcus Desmonde moved, seconded by David Thompson that Board Counsel or another Department attorney is formally authorized to serve as the Board's designee for purposes of Wis. Admin. Code SPS § 1.08(1). Motion carried unanimously.

MOTION: Rebecca Anderson moved, seconded by Marcus Desmonde, to delegate credentialing authority to DSPS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Board or Board liaison review. Motion carried unanimously.

LEGISLATION AND ADMINISTRATIVE RULE MATTERS

Scope for Psy 5 Relating to Conduct

MOTION: Rebecca Anderson moved, seconded by Marcus Desmonde, to designate the Chair to approve the Scope Statement on Psy 5 relating to conduct for submission to the Governor's Office and publication, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

CLOSED SESSION

MOTION: David Thompson moved seconded by Rebecca Anderson, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Daniel Schroeder. read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Rebecca Anderson, Ph.D.-yes; Marcus Desmond-yes; Daniel Schroeder-yes; David Thompson-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:53 p.m.

RECONVENE TO OPEN SESSION

MOTION: Marcus Desmonde moved, seconded by David Thompson, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:30 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Marcus Desmonde moved, seconded by Rebecca Anderson, to affirm all motions made in closed session. Motion carried unanimously.

PROPOSED FINAL DECISION AND ORDER

Randi Erickson, Respondent (DHA case # SPS-14-0078)(DLSC case # 14 PSY 024)

(Rebecca Anderson recused herself and left the room for deliberation in the matter concerning Randi Erickson, respondent (DHA case #SPS-14-0078)(DLSC case # 14 PSY 024).)

MOTION: Marcus Desmonde moved, seconded by David Thompson, to delegate final decision making authority in the disciplinary proceedings against Randi Erickson, Respondent (DHA case number SPS-14-0078)(DLSC case number 14 PSY 024) to DSPS Chief Legal Counsel. Motion carried unanimously.

DIVISON OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions And Orders

14 PSY 017 – D.L.J

MOTION: David Thompson moved, seconded by Marcus Desmonde, to adopt the Findings of Fact, Conclusions of Law, and Order in the matter of disciplinary proceedings against Denver L. Johnson, Ph.D., DLSC case number 14 PSY 017. Motion carried unanimously.

14 PSY 048 – G.M.M.

MOTION: Marcus Desmonde moved, seconded by David Thompson, to adopt the Findings of Fact, Conclusions of Law, and Order in the matter of disciplinary proceedings against Gary M. Major, Ph.D., DLSC case number 14 PSY 048. Motion carried unanimously.

Administrative Warning(s)

13 PSY 001 and 12 PSY 041 – D.R.

MOTION: Marcus Desmonde moved, seconded by Rebecca Anderson, to issue an Administrative Warning in the matter of DLSC case numbers 13 PSY 001 and 12 PSY 041 – D.R. Motion carried unanimously.

Case Closing(s)

14 PSY 035

MOTION: David Thompson moved, seconded by Marcus Desmonde, to close DLSC case number 14 PSY 035 for Prosecutorial Discretion (P2). Motion carried unanimously.

CREDENTIALING MATTERS

MOTION: Marcus Desmonde moved, seconded by David Thompson, to affirm the denial dated January 23, 2015 for a Psychologist license regarding application number 498580 (S.A.). Motion carried unanimously.

ADJOURNMENT

MOTION: Rebecca Anderson moved, seconded by Marcus Desmonde, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:35 p.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Sharon Henes Administrative Rules Coordinator		2) Date When Request Submitted: Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Psychology Examining Board			
4) Meeting Date: August 6, 2015	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislation and Rule Matters – Discussion and Consideration 1. Psy 2 Relating to Applications 2. Psy 3 Relating to Practice of School Psychologists 3. Scope for Psy 5 Relating to Unprofessional Conduct 4. Update on Psy 4 Relating to Continuing Education	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
<i>Sharon Henes</i>		<i>8 July 2015</i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

TEXT OF RULE

SECTION 1. Psy 2.01 is repealed and recreated to read:

Psy 2.01 Application procedure. An applicant for licensure as a psychologist shall submit all of the following:

- (1) The application form and fee under 44.05.
- (2) Evidence of one of the following:
 - (a) Official transcript indicating a doctoral degree in psychology from a college or university accredited by a regional accrediting agency approved by the state board of education in the state in which the college or university is located.
 - (b) Academic training or specialized experience which in the opinion of the board is equivalent to a doctoral degree in psychology.
 - (c)
- (3) Documentation of at least one year experience in psychological work meeting the requirements in Psy 2.10
- (4) Evidence of passing an examination on the practice of psychology approved by the board.
- (5) Evidence of passing the written examination on the elements of practice essential to the public health, safety or welfare approved by the board.
- (6) Verification of the applicant's licensure in all states or countries in which the applicant has ever held a license.
- (7) For applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the board to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the practice of psychology.

SECTION 2. Psy 2.013 is created to read:

Psy 2.013 Reciprocity. An applicant who holds an active license in another state, territory, foreign country or province whose license standards are deemed by the board to be equivalent to the standards in this state may apply for license by submitting the following:

- (1) The properly completed and signed application form.
- (2) The application fee authorized by s. 440.05 (1), Stats.
- (3) Evidence of one of the following:
 - (a) Evidence of successful completion of an examination on the practice of psychology approved by the board.
 - (b) Evidence of completion of at least 40 board approved continuing education hours obtained within 2 years prior to application.
- (4) Evidence of successful completion of the written examination on the elements of practice essential to the public health, safety or welfare approved by the board.

SECTION 3. Psy 2.018 is created to read:

Psy 2.018 American Board of Professional Psychology diploma. An applicant who holds a diploma of the American Board of Professional Psychology may apply for a license by submitting the following:

- (1) The properly completed and signed application form.
- (2) The application fee authorized by s. 440.05 (1), Stats.
- (3) Evidence of successful completion of an examination on the practice of psychology approved by the board.
- (4) Evidence of successful completion of the written examination on the elements of practice essential to the public health, safety or welfare approved by the board.

SECTION 4. Psy 2.03 and 2.04 are repealed.

SECTION 5. Psy 2.05(1) is amended to read:

Psy 2.05 Passing scores. (1) ~~The passing scores set grade on each examination is determined by the board to represent minimum competency required to protect public health and safety competence.~~

SECTION 6. Psy 2.05(2) and (3) are repealed.

SECTION 7. Psy 2.05(2m) is created to read:

(2m) The board may adopt the recommended passing score of the examination provider for the examination for professional practice of psychology.

SECTION 8. Psy 2.05(3) is amended to read:

~~(3) To pass the examination on the elements of practice essential to the public health, safety or welfare, the applicant shall receive a score determined by the board to represent minimum competence to practice.~~ The board shall make the determination of the passing score of the elements of practice essential to the public health, safety or welfare after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics.

SECTION 9. Psy 2.09 is repealed and recreated to read:

Psy 2.09 Education and experience equivalent to a doctoral degree in psychology. A doctorate degree is deemed equivalent to a doctorate in psychology by meeting all of the following requirements:

- (1) The curriculum shall contain all of the following content:
 - (a) Scientific psychology, including all of the following:
 1. Biological aspects of behavior.
 2. Cognitive and affective aspects of behavior.
 3. Social aspects of behavior.
 4. History and systems of psychology.
 5. Psychological measurement.
 6. Research methodology.
 7. Techniques of data analysis.

(b) Scientific, methodical and theoretical foundations of practice in the substantive area of professional psychology in which the program has its training emphasis including all of the following:

1. Individual differences in behavior.
2. Human development.
3. Dysfunctional behavior or psychopathology.
4. Professional standards and ethics.

(c) Diagnosing or defining problems through psychological assessment and measurement and formulating and implementing intervention strategies including all of the following:

1. Theories and methods of assessment and diagnosis.
2. Effective intervention.
3. Consultation and supervision.
4. Evaluating the efficacy of interventions.

(d) Issues of cultural and individual diversity.

(e) Attitudes essential for lifelong learning, scholarly inquiry and professional problem-solving as psychologists in the context of an evolving body of scientific and professional knowledge.

(2) The doctorate degree shall include a practicum, internship, field or laboratory training supervised by a person with a doctorate degree in psychology.

SECTION 10. Psy 2.10 is created to read:

Psy 2.10 Supervised Psychological Experience. A one year experience in psychological work under conditions satisfactory to the examining board shall include all of the following:

(1) Completion of 2000 hours of the supervised psychological experience in no less than 24 months after obtaining a doctoral degree in psychology or its equivalent.

(2) Clients shall be informed that the psychological trainee is receiving supervision and that the client's case will be discussed in the context of required supervision. The trainee must inform potential clients in writing of his or her trainee status and lack of license.

(3) A total of 65% of the experience required shall consist of face-to-face client contact and direct service for the purpose of providing psychological service. For the purposes of this subsection direct service means those activities a psychologist performs that are directly related to providing psychological services to a client, including note and report writing, studying test results, case consultation and reviewing published works relating to the client's needs.

(4) The primary supervisor shall be a licensed psychologist and shall have adequate training, knowledge and skill to render competently any psychological service that a psychological trainee undertakes. The primary supervisor shall have post-licensure experience and shall have had training or experience in supervision of psychological work. Supervisors shall not be a relative by immediate blood or marriage.

(5) The supervisor's responsibilities include all of the following:

(a) Permit a trainee to engage in only psychological practice the supervisor can competently perform.

(b) Have sufficient knowledge of the trainee's clients to ensure effective service. This may include ongoing face-to-face contact with the client.

(c) Monitor the progress of the work on a regular basis.

(d) Determine the adequacy of the trainee's preparation for the tasks to be performed.

- (e) Provide a written evaluation of the supervised experience. Prepared evaluations or reports of progress, including strengths and weakness, shall be written and discussed with the trainee on at least a quarterly basis and shall be made available to the board upon request.
- (f) Be available or make appropriate provision for emergency consultation and intervention.
- (g) Be legally and ethically responsible for the professional activities of the trainee.
- (h) Be able to interrupt or stop the trainee from practicing in given cases.
- (i) To terminate the supervised relationship if necessary.

SECTION 11. Psy 2.12 and 2.13 are repealed.

SECTION 12. Psy 2.14 is repealed and recreated to read:

Psy 2.14 Temporary Practice. In this section, “working days” is defined as any day in which the psychologist provides services.

- (1) A psychologist who is licensed by another state or territory of the United States or a foreign country or province whose standards, in the opinion of the board, are equivalent to or higher than than the requirements for licensure as a psychologist in s. 455.04(1) may offer services as a psychologist in this state for not more than 60 working days in any year without holding a license issued under s. 455.04(1).
- (2) The psychologist shall report to the board the nature and extent of his or her practice in this state if it exceeds 20 working days within a year.
- (3) A psychologist provides psychological services in this state whenever the patient or client is located in this state regardless of where the psychologist is located.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Dan Williams		2) Date When Request Submitted: Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 	
3) Name of Board, Committee, Council, Sections: Wisconsin Psychology Examining Board			
4) Meeting Date: 8/6/15	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? ASPPB ANNUAL MEETING– Discussion and Consideration	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing? <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: <p>In accordance with Article VII, Section 3.A. of the Bylaws of the Association of State and Provincial Psychology Boards, notice is hereby given that the 55th Annual Meeting of the Association will be held October 7-11, 2015 at Tempe Mission Palms Hotel, Tempe, Arizona. This year's theme is, "Five Decades of Change in Psychology: Regulatory, Training and Practice Trends and Directions". The registration fee for one delegate from each jurisdiction to attend the ASPPB Annual Meeting has been waived. A registration fee of \$290 is required for all other attendees. The hotel room rate is \$164 US for single or double occupancy, per night, plus city and state taxes. Please make your hotel reservation prior to September 13, 2015 by calling the Tempe Mission Palms Hotel at 1-800-547-8705. Please be sure to ask for the ASPPB room block rate.</p> <p>We are working in tandem with Delta Airlines and they will be offering a discount on your air travel to this meeting. The discount code will be posted on our website within the online meeting registration information.</p> <p>Another money saving peak at this meeting is the complimentary airport shuttle to/from the hotel. The full details will also be posted within our meeting registration information starting in July.</p> <p>The ASPPB Online Meeting Registration will be open by July 1, 2015 at www.asppb.net. You will need your UserID and password to access the registration page.</p> <p>An agenda overview will be available on our website by July 1, 2015. Full meeting information will be added to the website throughout the next few weeks, so please check it often for news, learning objectives, topics and updates.</p> <p>We look forward to seeing you and the representative(s) from your jurisdiction at this year's Annual Meeting.</p> <p>If you have any questions, please contact Anita Scott, ASPPB Central Office, (ascott@asppb.org), 678-216-1175.</p>			

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3) Name of Board, Committee, Council, Sections: Wisconsin Psychology Examining Board			
4) Meeting Date: 8/06/2015	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Dr. Marcus Desmonde's visit to the Minnesota Psychology Board – Discussion and Consideration	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing? <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed:			
11) Authorization			
Signature of person making this request			Date
Supervisor (if required)			Date
Executive Director signature (indicates approval to add post agenda deadline item to agenda)			Date
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Executive Assistant prior to the start of a meeting.			