

BOARD OF PSYCHOLOGY
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by § 92-7(b), Hawaii Revised Statutes (HRS).

Date: February 17, 2017

Time: 1:30 p.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Present: Rosemary Adam-Terem, Ph.D., Chairperson
Scott Hashimoto, J.D., Psy.D., Member
Sherry Sutherland-Choy, Psy.D., APRN-Rx, Vice Chairperson
Jill Oliveira Gray, Ph.D., Member
Lisa Chun Fat, Member
Mana Moriarty, Esq. Deputy Attorney General (“DAG”)
May Ferrer, Executive Officer
Susan Reyes, Secretary

Excused: Marty Oliphant, Member

Guest: Troy N. Loker, Ph.D., NCSP – Hawaii Association of School Psychologists (HASP)
Doug Smith, M.D.

Call to Order: There being a quorum present, the meeting was called to order by Chairperson Adam-Terem at 1:30 p.m.

Approval of the Meeting Minutes: It was moved by Dr. Hashimoto, seconded by Dr. Sutherland-Choy, and unanimously carried to approve the open session and executive session minutes of the January 20, 2017 meeting, as circulated.

Revisions to the Agenda: Executive Officer Ferrer informed the Board that Dr. Janet Brito does not qualify for application by Examination Waiver. The executive officer therefore proposed to revise the agenda as follows:

5. Applications
 - a. Examination
 - i. Carinthia Armitage
 - ii. Elizabeth Hagen

- iii. Shannon Hayes
- iv. Janet Brito

- b. Examination Waiver
 - i. Bree Mullin
 - ii. Gregory Gisla

The executive officer noted a correction to the last name of Dr. David Forrest, an applicant who holds a current National Register of Health Service Providers in Psychology credential.

She also informed the Board that information to support Dr. Liana Phillips' application is still pending. As such, it was suggested to remove Dr. Phillips from the ratifications list.

The executive officer proposed to revise the agenda as follows:

- c. Ratifications
 - National Register (NR)
 - a. David Forrest
 - b. Catherine Moonshine

It was moved by Dr. Sutherland-Choy, seconded by Ms. Lisa Chun Fat, and unanimously carried to revise the agenda as proposed.

Chairperson's Report:

None.

Executive Officer's Report:

- a. Record of Candidates Examined: For the Examination for Professional Practice in Psychology (EPPP)

Executive Officer Ferrer reported that during the period of January 15, 2017 through February 11, 2017, there were three (3) candidates who took the EPPP exam of which one (1) passed and two (2) failed.
- b. The Association of State and Provincial Psychology Board (ASPPB) 2017 Mid-Year Meeting, April 27-30, 2017, Memphis, TN

Executive Officer Ferrer briefed the Board on the upcoming ASPPB 2017 Mid-Year Meeting. As she will not be able to attend, she requested Dr. Adam-Terem to attend and asked Dr. Sutherland-Choy to serve as the alternate. Dr. Adam-Terem indicated that she would be able to attend

the meeting. Dr. Sutherland-Choy indicated that she will serve as the alternate.

Executive Session:

It was moved by Dr. Hashimoto, seconded by Ms. Chun-Fat, and unanimously carried to enter into executive session at 1:37 p.m. to consider and evaluate personal information relating to individuals applying for professional or vocational licenses in accordance with Hawaii Revised Statutes §92-5(a)(1), and to consult with the board's attorney on questions and issues pertaining to the Board's powers, duties, immunities and liabilities in accordance with Hawaii Revised Statutes §92-5(a)(4).

EXECUTIVE SESSION

At 2:00 p.m., it was moved by Dr. Hashimoto, seconded by Ms. Chun-Fat, and unanimously carried to return to open session. The room was reopened to the public.

Applications:

- a. Examination
 - i. Carinthia Armitage
 - ii. Elizabeth Hagen
 - iii. Shannon Hayes
 - iv. Janet Brito

The Board deferred the applications of Drs. Armitage and Brito pursuant to HRS § 465-7 and HAR §§ 16-98-8 and 16-98-9.

It was moved by Dr. Sutherland-Choy, seconded by Dr. Hashimoto, and unanimously carried to approve the applications of Drs. Hagen and Hayes pursuant to HRS § 465-7 and Hawaii Administrative Rules ("HAR") §§ 16-98-8 and 16-98-9.

- b. Examination Waiver

- ii. Bree Mullin

It was moved by Dr. Sutherland-Choy, seconded by Dr. Hashimoto, and unanimously carried to approve the application of Dr. Mullin pursuant to HRS §§ 465-7 and 465-10 and HAR §§ 16-98-9, 16-98-16, 16-98-23, 16-98-25, and 16-98-30.

iii. Gregory Gisla

It was moved by Dr. Hashimoto, seconded by Dr. Oliveira Gray, and unanimously carried to deny the application of Dr. Gisla pursuant to HRS §§ 465-7 and 465-10 and HAR §§ 16-98-9, 16-98-16, 16-98-23, 16-98-25, and 16-98-30.

c. Ratifications

i. ABPP Diplomate

a. Richard Wihera

ii. Certificate of Professional Qualification in Psychology (CPQ)

a. James Nolan

b. Ronald Roberts

iii. National Register (NR)

a. David Forrest

b. Catherine Moonshine

c. Liana Phillips

It was moved by Dr. Sutherland-Choy, seconded by Dr. Hashimoto, and unanimously carried to approve the applications of Drs. Wihera, Nolan, Roberts, Forrest and Moonshine.

The Board deferred the application of Dr. Phillips pursuant to HRS § 465-7.

Legislation:

- a. HB 241/SB 224, Relating to Psychology– Establishes licensure and registration requirements for school psychologists to be administered by the board of psychology. Amends the composition of the board to include two school psychologists.

DAG Moriarty informed the Board that HB 241 has not been referred to its final committee and therefore, will not be moving forward. SB 224, however, was referred to its final committee and will be moving forward.

Dr. Loker from the HASP introduced himself to the Board and staff and indicated that he was in attendance to address any questions the Board may have with regard to the bill.

Executive Officer Ferrer informed the Board that there was a hearing with the Senate Committee on Education on February 10, 2017. The measure was passed with amendments in the form of a S.D. 1., which was provided to members for review in advance of the meeting.

Dr. Oliveira Gray noted that SB 224 should include the exemptions that were in House Bill 1937, H.D. 2 from the previous legislative session.

The executive officer stated that the Board had reviewed similar proposals during the previous legislative session and supported the intent; however, those measures proposed a new chapter for the regulation of school psychologists. She added that during the last session, the Board had recommended continuing education as a part of the licensing framework.

After discussion, the Board expressed its support of the intent of the regulation of school psychologists under a separate licensing area, and indicated that if the bill was to move forward as proposed under the Board, then the measure should address continuing education requirements; exemptions; code of ethics; and enforcement provisions.

Dr. Loker left the meeting at 2:35 p.m.

The following agenda items were taken out of order:

- Legislation:
- c. HB 916/HB 916, HD1/SB 1078, Relating to Loan Repayment for Health Care Professionals – Makes an appropriation for the health care professionals loan repayment program administered through the John A. Burns School of Medicine. (HB 916 HD1)

HB 916, HD1 was referred to the House Committee on Higher Education. There was a hearing on February 16, 2017. It passed the Committee unamended and was referred to the House Committee on Finance.

SB 1078 – There was a hearing on February 7, 2017 with the Senate Committees on Commerce, Consumer Protection, and Health, and Higher Education. Both Committees passed the measure with amendments and the measure was referred to the Senate Committee on Ways and Means.

The Board felt it was not necessary to take a position on these measures.

- d. SB 184, Relating to Health – Provides an income tax credit to primary health care providers that recruit and employ licensed nurse practitioners, physician assistants, and psychologists to provide primary health care services.

The Board felt it was not necessary to take a position on this measure.

- e. SB 191, Relating to Health Care Practitioner Transparency – Requires advertisements for health care services that name a health care practitioner to identify the type of license held by the health care practitioner and be free of deceptive and misleading information. Requires health care practitioners to conspicuously post and affirmatively communicate the practitioner’s specific license and related information.

- f. SB 726, Relating to Health Care Practitioners – Requires health care providers to conspicuously post and communicate their specific type of licensure in their offices, communicate that information to patients in their practices, and include that information in their advertising. Imposes penalties for licensed health care providers who include deceptive or misleading information about their qualifications in their advertising, or misrepresent their qualifications to patients.

A hearing with the Senate Committee on Commerce, Consumer Protection, and Health is scheduled for February 22, 2017.

- g. SB 738, Relating to Health Care Practitioners – Requires specified health care practitioners to disclose to patients the practitioner’s name, license, highest level of academic degree, and board certification, where applicable.

The Board felt it was not necessary to take a position on SB 191, SB 726 and SB 738 as the Board’s statutes and rules sufficiently address the elements of those measures.

- h. HB 800, Relating to Minors – Prohibits persons licensed to provide professional counseling from engaging in, attempting to engage in, or advertising sexual orientation change efforts on persons under eighteen years of age.

- i. HB 1266/SB 270, Relating to Minors – Prohibits persons licensed to provide professional counseling from engaging in, attempting to engage in, or advertising sexual orientation change efforts on persons under 18 years of age.

The Board stated that, at its meeting on January 23, 2015, the Board voted unanimously to incorporate the American Psychological Association's Ethical Principles of Psychologists and Code of Conduct ("APA Ethics Code") into section 16-98-34, Hawaii Administrative Rules ("HAR").

The Board made clear its commitment to the APA Ethics Code and expressed its support of HB 800, HB 1266, and SB 270.

- j. HB 1484, relating to Assault – Establishes that an offense is assault in the second degree if a person intentionally or knowingly causes bodily injury to a health care or human services professional. Defines health care or human services professional.

There was a hearing with the House Committee on Health on February 14, 2017. The measure passed with amendments in the form of a HD 1 and referred to the House Committee on Judiciary.

The Board expressed its desire to testify in support of this measure.

Recess: Chairperson Adam-Terem called for a brief recess at 3:21 p.m. The meeting reconvened at 3:30 p.m.

Legislation: b. HB 767/HB 767, HD1/SB 384, Relating to Prescriptive Authority for Certain Psychologists – Authorizes and establishes procedures and criteria for prescriptive authority for clinical psychologists who meet specific education, training, and registration requirements. Requires the Board of Psychology to report to the Legislature prior to the Regular Session of 2021. (HB 767 HD1)

HB 767 was scheduled for decision making by the House Committee on Health on February 9, 2017. The measure passed with amendments in the form of a HD 1 and referred to the House Committee on Consumer Protection & Commerce. The measure was later re-referred to the House Committees on Health and Finance.

SB 384 was scheduled for a hearing with the Senate Committee on Commerce, Consumer Protection, and Health. The measure was passed with amendments in the form of a SD 1 and referred

to the Senate Committees on Judiciary and Labor, and Ways and Means.

Dr. Smith introduced himself. He had coordinated psychopharmacology training for students at the University of Hawaii at Hilo for more than 10 years.

Dr. Smith noted that as the bills are currently written, there are concerns regarding the duration, content and quality of the training. He raised the question of whether continuity of care would become an issue upon change in insurance and indicated that issues may come before the Board if collaboration elements are not met.

Recess: Executive Officer Ferrer requested a recess at 3:38 p.m. The meeting reconvened at 3:50 p.m.

Dr. Smith left the meeting at 4:10 p.m.

Announcements: a. ASPPB Call for Nominations for ASPPB Board of Directors, Fellows and Other Awards

The executive officer deferred this matter to the next Board meeting.

Open Forum: a. (Public comment on issues not on the agenda, for consideration for Board's agenda at a subsequent meeting.)

None.

Next Meeting: Friday, March 17, 2017
1:30 p.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Recess: Due to the closing of the building, the meeting will continue on Monday, February 21, 2017 at 8:30 a.m. in the King Kalakaua Conference Room.

The meeting reconvened at 8:37 a.m.

Legislation:

- b. HB 767/HB 767, HD1/SB 384, Relating to Prescriptive Authority for Certain Psychologists – Authorizes and establishes procedures and criteria for prescriptive authority for clinical psychologists who meet specific education, training, and registration requirements. Requires the Board of Psychology to report to the Legislature prior to the Regular Session of 2021. (HB 767 HD1)

Executive Officer Ferrer summarized the measures.

Focusing first on HB 767, HD1, Dr. Sutherland-Choy noted that she found the language in the Illinois Act favorable and expressed the importance of clinical rotations. She suggested that the bill would be strengthened if language regarding rotations was added.

Dr. Oliveira Gray said that it would be difficult to put together specific rotations as the training programs are already established.

Dr. Adam-Terem indicated that there needs to be a balance between what is ideal and what is realistic, particularly for rural areas.

The Board expressed its support of HB 767, HD 1 with the following amendments:

- Supervision of 100 patients should include vulnerable populations, including pediatrics, geriatrics, and pregnant women.
- Modify the language on page 11, lines 11 – 16 as follows: “The applicant has successfully passed . . . American Psychological Association’s Practice Organization’s College of Professional Psychology, or other authority relevant to establish . . .”
- Include in the 800 hours of training experience a minimum of 8 weeks of rotation in each of the following areas:
1) internal medicine/family medicine; 2) women’s health;
3) pediatrics; and 4) geriatrics.
- Delayed implementation date to July 1, 2020 to allow for the development of forms and fees, implementation procedures to review the education and training credentials of an applicant for prescriptive authority and determining the

exclusionary formulary.

The Board expressed its support of SB 384, SD 1, noting that the measure should reflect the same amendments as proposed by the Board for HB 767, HD 1, including language regarding vulnerable populations; clarifying that the national psychopharmacology exam may be administered by the American Psychological Association's Practice Organization's College of Professional Psychology or other authority; addressing the minimum requirements for clinical rotations; and delaying the implementation date.

The Board further acknowledged that SB 384, SD 1 proposed a minimum of 400 hours of clinical experience, which the Board believed should be increased to a minimum of 800 hours as proposed in the house bill.

Adjournment: There being no further business to discuss, it was moved by Dr. Hashimoto, seconded by Ms. Chun-Fat, and unanimously carried to adjourn the meeting at 10:17 a.m.

Reviewed and approved by:

Taken and recorded by:

/s/ May Ferrer
May Ferrer
Executive Officer

/s/ Susan Reyes
Susan Reyes
Secretary

MF:sr

03/06/17

Minutes approved as is.
 Minutes approved with changes; see minutes of _____.