

**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: March 23, 2018

Time: 1:30 p.m.

Place: King Kalakaua Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Present: Sherry Sutherland-Choy, Psy.D., APRN-Rx, Chairperson  
Rosemary Adam-Terem, Ph.D., Member  
Lisa Chun Fat, Member  
Jill Oliveira Gray, Ph.D., Member  
May Ferrer, Executive Officer ("EO")  
Krishna Jayaram, Esq. Deputy Attorney General ("DAG")  
Susan A. Reyes, Secretary

Excused: Marty Oliphant, Vice Chairperson  
Don Pedro, Psy.D., Member

Guest: Leahna Barton, applicant  
Kapualeinani Beyer Cavaco, applicant  
Teina Lucas, applicant

Call to Order: There being a quorum present, the meeting was called to order by Chairperson Sutherland-Choy at 1:41 p.m.

**The following agenda item was taken out of order:**

Executive Session: It was moved by Ms. Chun Fat, seconded by Dr. Adam-Terem, and unanimously carried to enter into executive session at 1:42 p.m. to consider and evaluate personal information relating to individuals applying for professional or vocational licenses in accordance with HRS §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 HRS §92-5(a)(4).

## EXECUTIVE SESSION

At 2:15 p.m., it was moved by Dr. Oliveira Gray, seconded by Ms. Chun Fat, and unanimously carried to return to open session. The room was reopened to the public.

### Applications:

#### a. Examination

##### i. Diana Pritzgintas

It was moved by Dr. Adam-Terem, seconded by Dr. Oliveira Gray, and unanimously carried to defer the application of Dr. Pritzgintas pursuant to HRS § 465-7 and Hawaii Administrative Rules ("HAR") §§ 16-98-8 and 16-98-9.

##### ii. Teina Lucas

##### iii. Michelle Tsuruda

##### iv. Kapualeinani Beyer Cavaco

It was moved by Dr. Oliveira Gray, seconded by Ms. Chun Fat, and unanimously carried to approve the applications of Drs. Lucas, Tsuruda, and Beyer Cavaco pursuant to HRS § 465-7 and HAR §§ 16-98-8 and 16-98-9.

#### b. Examination Waiver

##### i. Ilea Bain

##### ii. Leahna Barton

It was moved by Dr. Oliveira Gray, seconded by Ms. Chun Fat, and unanimously carried to approve the applications of Drs. Bain and Barton 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. Temporary Permit

##### i. Francis Abueg

It was moved by Dr. Adam-Terem, seconded by Dr. Oliveira Gray, and unanimously carried to defer the application of Dr. Abueg pursuant to HRS §§ 465-7 and 465-9 and HAR §§ 16-98-16 and 16-98-25.

d. Industrial/Organizational Psychologist

i. Patrick Powaser

It was moved by Dr. Adam-Terem, seconded by Dr. Oliveira Gray, and unanimously carried to approve the application of Dr. Powaser pursuant to HRS § 465-3(c).

e. Ratifications

i. Senior Psychologist

a. Richard Delaney

It was moved by Dr. Oliveira Gray, seconded by Ms. Chun Fat, and unanimously carried to defer the application of Dr. Delaney pursuant to HRS § 465-7.

ii. National Register

a. Bethyl Shepperson

It was moved by Dr. Oliveira Gray, seconded by Dr. Adam-Terem, and unanimously carried to ratify the application of Dr. Shepperson pursuant to HRS § 465-7.

**The following agenda item was taken out of order:**

Approval of the Meeting Minutes:

It was moved by Ms. Chun Fat, seconded by Dr. Oliveira Gray, and unanimously carried to approve the open session minutes of the February 16, 2018 meeting as circulated.

Amendments to Agenda:

EO Ferrer proposed to delete as a duplicate entry:

8. Legislative Matter

e. HB 2657, Relating to Behavior Analysis

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 28, 2018 – February 24, 2018, there were five candidates who took the EPPP exam; two passed and three failed.

- b. ASPPB Midyear Meeting, April 12 – 15, 2018, Savannah, Georgia

Chairperson Sutherland-Choy will attend this meeting.

- c. Information from Louisiana psychology board relating to disciplinary actions against licensed psychologists with prescriptive authority

EO Ferrer informed the Board of a disciplinary action against a medical psychologist licensed in the state of Louisiana. She reminded the Board that due to website issues she was not able to access the public record for the report made at the Board's January 19, 2018 meeting. The EO reported that the medical psychologist was indicted by the federal grand jury on charges of Conspiracy to Commit Health Care Fraud and Conspiracy to Make False Statements Related to Health Care Matters. The EO stated that the medical psychologist voluntarily surrendered his license. It was noted that the disciplinary action was not related to prescribing practices.

- d. Discussion on report of general examinee information and pass/fail results for the EPPP; preparation for exam; how institutions maintain standards for curriculum

EO Ferrer provided general information on this issue and informed the Board that she will provide more information at a later date.

- e. EPPP pass rates

EO Ferrer provided members with information on EPPP performance by doctoral program. The information was obtained from the ASPPB website.

- f. 2018 license renewal information

EO Ferrer informed the Board that online renewals will begin on May 7, 2018. Eighteen hours of continuing education must be approved by the American Psychological Association ("APA"), the Hawaii Psychological Association ("HPA"), or other state or provincial psychological associations and must be completed within the July 1, 2016 – June 30, 2018 biennial period.

New Business:

- a. Association of State and Provincial Psychology Boards ("ASPPB") Psychology Interjurisdictional Compact ("PSYPACT") National Summit, November 7 – 8, 2017, Washington, D.C.

In order for the Board to receive current information it was

discussed that Chairperson Sutherland-Choy would report on these matters after her return from the mid-year meeting.

b. EPPP2 – Latest developments

EO Ferrer proposed to defer this agenda item to the next meeting.

Announcements:

a. Appointment/re-appointment of Board members

EO Ferrer announced that Vice Chairperson Oliphant has been nominated for reappointment to the Board, and that Dr. Kenneth Tremayne has been nominated for appointment to the Board.

b. Discussion regarding the requirement for summary of duties for internship and postdoctoral experience verification forms

Members informed the EO that there were no concerns regarding this matter at this time.

c. EPPP2 – Latest developments

Dr. Adam-Terem informed the Board that ASPPB will be conducting a webinar on Tuesday, April 24, 2018 from 6:00 – 7:00 a.m. (HST) on the “Rules and Regulations, Part 2.”

EO Ferrer stated that she would email the Board a link to the registration information.

Legislative Matters:

a. SB 384, Relating to Prescriptive Authority for certain Clinical 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.

Chairperson Sutherland-Choy stated that SB 384, SD2, HD1 will not be moving forward.

b. SB 2496, Relating to Behavior Analysis – Allows adults with autism spectrum disorders to receive appropriate applied behavior analysis treatment, while simultaneously providing safeguards for consumer protection. Exempts from licensure requirements for behavior analysis certain individuals who implement applied behavior analysis services or plans under the oversight or direction of others. Updates and standardizes the terminology used to refer to behavior analysts.

The Board discussed SB 2496, SD1, HD1 and emphasized the importance of access to care. After discussion, it was moved by Dr. Oliveira Gray, seconded by Ms. Chun Fat, and unanimously carried that the Board will support this bill provided the verbiage proposed by the HPA is incorporated.

- c. HB 2143, Relating to Behavior Analysis Services – Clarifies the scope of practice of behavior analysis. Clarifies who may provide behavior analysis and applied behavior analysis services regardless of licensure status, including licensed individuals working within an overlapping scope of practice, individuals supervised by a licensed professional of an overlapping scope of practice, and caregivers.

After discussion, it was moved by Dr. Oliveira Gray, seconded by Ms. Chun Fat, and unanimously carried to support HB 2143, HD2.

- d. HB 2657, Relating to Behavior Analysis – Clarifies the scope of practice of behavior analysis to mean the practice of applied behavior analysis. Broadens and clarifies the exemption of licensed or credentialed practitioners practicing within their own recognized scopes of practice who are already exempt from the Behavior Analyst Law.

After discussion, it was moved by Dr. Oliveira Gray, seconded by Ms. Chun Fat, and unanimously carried to support HB 2657, HD1.

- f. SB 2925, Relating to the Practice of Behavior Analysis – Clarifies the licensing exemptions for certain individuals under certain conditions who provide behavior analysis services. Required the Department of Education to create and implement a plan to provide Medicaid billable applied behavior analysis services to all students diagnosed with autism spectrum disorder within the Department. Establishes reporting requirements.

After discussion, it was moved by Dr. Oliveira Gray, seconded by Ms. Chun Fat, and unanimously carried that the Board will support SB 2925, SD1, HD1 provided the verbiage proposed by the HPA is incorporated to help ensure access to care.

- g. SB 270, Relating to Minors – Prohibits specific state-licensed persons who are 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.

Chairperson Sutherland-Choy stated that the Board had

previously taken the position to support this bill and that it is consistent with the APA Ethical Principles of Psychologists and Code of Conduct.

It was moved by Dr. Oliveira Gray, seconded by Ms. Chun Fat, and unanimously carried that the Board will support SB 270, SD1.

- h. HB 1967 / SB 2298, Relating to Healthcare Preceptor Tax Credits - Allows advanced practice registered nurses, physicians, dentists, psychologists, pharmacists, and social workers to receive tax credits for acting as preceptors in volunteer-based supervised clinical training rotations provided to eligible students that enable the students to obtain an eligible healthcare professional degree or certificate. Establishes the Preceptor Credit Assurance Committee to issue certificates to volunteer preceptors upon verifying that the volunteer preceptors meet the requirements of the tax credit.

EO Ferrer said that HB 1967, HD2 is dead, however SB 2298, SD2, HD1, which includes members in the field of psychology, is moving forward.

After discussion, it was moved by Dr. Adam-Terem, seconded by Ms. Chun Fat, and unanimously carried to delete “nationally” on page 9, line 20.

- i. HB 1906 / SB 2491, Relating to Health Care Workers – Makes intentionally or knowingly causing bodily injury to a health care worker a Class C felony.

EO Ferrer said that HB 1906 is moving forward and SB 2491 is dead. EO Ferrer is tracking this bill.

Open Forum:

- a. (Public comment on issues not on the agenda, for consideration for Board’s agenda at a subsequent meeting.)

EO Ferrer will include registration requirements for Industrial/Organizational psychologists on the next meeting agenda.

Next Meeting:

Friday, April 20, 2018  
1:30 p.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Adjournment:            There being no further business to discuss, it was moved by  
Dr. Oliveira Gray, seconded by Ms. Chun Fat, and unanimously carried to  
adjourn the meeting at 3:00 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ May Ferrer \_\_\_\_\_  
May Ferrer  
Executive Officer

/s/ Susan A. Reyes \_\_\_\_\_  
Susan A. Reyes  
Secretary

MF:sar

04/12/18

[X]     Minutes approved as is.  
[ ]     Minutes approved with changes; see minutes of \_\_\_\_\_.