

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: September 21, 2018

Time: 1:30 p.m.

Place: Prince Leleiohoku Conference Room
King Kalakaua Building
335 Merchant Street, 3rd Floor
Honolulu, Hawaii 96813

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

Excused: Marty Oliphant, Vice Chairperson
Lisa Chun Fat, Member

Guest: None.

Call to Order: There being a quorum present, the meeting was called to order by Chairperson Sutherland-Choy at 1:32 p.m.

Approval of the Meeting Minutes: It was moved by Dr. Oliveira Gray, seconded by Dr. Pedro, and unanimously carried to defer the open session minutes of the July 20, 2018 meeting as circulated.

Amendments to Agenda: EO Ferrer proposed to the Board to add applicants Kristen Eliason and Oscar Yan to 5. a. Examination.

EO Ferrer reminded the Board that, in general, applications should not be added to an agenda that has already been filed with the Lieutenant Governor's office for reasons of transparency, and to give the public an opportunity to voice their opinions or any concerns they may have about applicants who are applying for a professional license.

She explained that due to an internal miscommunication, the applications of Drs. Eliason and Yan had not been included on the agenda prior to the filing deadline. EO Ferrer proposed to include their applications on the agenda for the Board's consideration.

It was moved by Dr. Oliveira Gray, seconded by Dr. Pedro and unanimously carried to add this to the agenda.

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 July 1, 2018 – July 28, 2018, there were eight candidates who took the EPPP exam; five passed and three failed.

For the period of July 29, 2018 – August 25, 2018, there were three candidates who took the EPPP exam; one passed and two failed.

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

A member noted that, based on a review of the general information compiled and organized by EO Ferrer, it seems that one of the doctoral programs on Oahu is deficient in preparing its students for the EPPP. Members suggested notifying the institution about this problem.

Chairperson Sutherland-Choy stated that students pay a lot of money to receive their education and are left with a large debt.

EO Ferrer stated that the accrediting body is responsible for reviewing the program and questioned its requirements for educational standards.

Chairperson Sutherland-Choy said that there is a cap set in the number of times the nurses can take the NCLEX exam, because you have to be competent in administering care.

EO Ferrer said that if the Board would like to entertain the idea of having a maximum number of times that a person can take the exam, she could add it to the agenda for discussion.

c. CEC Bank (Credentials Bank)

Dr. Pedro indicated that individuals may bank their credentials for a fee of \$35.00 per year. He noted that this may help alleviate the

workload for the staff.

Dr. Pedro offered to request the Hawaii Psychological Association (“HPA”) to include information regarding credential banking in its newsletter.

The following agenda item was taken out of order.

- New Business:
- a. E-mail dated June 15, 2018 from Dr. Amelia Kotte regarding the federal Anywhere to Anywhere initiative and the Veteran Administration Mission Bill

EO Ferrer said that in June she had emailed this to the Board for their review. She briefed the Board that it has to do with telehealth. In short, this initiative will override all states licensing laws for telehealth, stating that wherever the patient or the provider is, that telehealth services can be provided. Currently, if a patient is located in Hawaii, the provider will need to be licensed in Hawaii.

EO Ferrer said that Dr. Kotte wanted the Board to review the information and asked for their thoughts.

After a brief discussion, the Board decided that it would take no position on this matter.

- b. Email dated August 3, 2018 from Joseph Acklin asking if there is a maximum number of unlicensed masters-level therapists that can be supervised by a licensed psychologist, and the amount and type of supervision that should be provided.

After a brief discussion, the Board requested that EO Ferrer respond to Dr. Acklin’s e-mail and refer him to HAR § 16-98-4 (Direction of an Individual) as well as the American Psychological Association (“APA”) or Hawaii Psychological Association (“HPA”) guidelines regarding supervision, and to address his concerns with the Department of Education.

The following agenda item was taken out of order.

- Executive Session: It was moved by Dr. Oliveira Gray, seconded by Dr. Pedro, and unanimously carried to enter into executive session at 2:16 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 2:47 p.m., it was moved by Dr. Pedro, seconded by Dr. Oliveira Gray, and unanimously carried to return to open session. The room was reopened to the public.

Applications:

a. Examination

- i. Anthony Arellano
- ii. Jaime Chang
- iv. Jo Shaw
- v. Erin Schuyler
- vi. Oscar Yan
- vii. Kristen Eliason

It was moved by Dr. Oliveira Gray, seconded by Dr. Pedro, and unanimously carried to approve the applications of Drs. Arellano, Chang, Shaw, Schuyler, Yan and Eliason pursuant to HRS § 465-7 and HAR §§ 16-98-8 and 16-98-9.

- iii. Rachel Huxel

Dr. Pedro recused himself from the decision regarding the application of Dr. Huxel.

It was moved by Dr. Oliveira Gray, seconded by Dr. Adam-Terem, and unanimously carried to defer the application of Dr. Huxel pursuant to HRS § 465-7 and HAR §§ 16-98-8 and 16-98-9.

b. Examination Waiver

- i. Krista DeVittore
- ii. Derrin Fukuda
- iii. Sean O'Hara

It was moved by Dr. Pedro, seconded by Dr. Oliveira Gray, and unanimously carried to approve the applications of Drs. DeVittore, Fukuda and O'Hara 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.

Announcements:

a. EPPP2 – Latest information

Chairperson Sutherland-Choy said that the EPPP2 was being deferred because there were a few states that were threatening to sue them. The Board will need to decide whether to add the EPPP2.

EO Ferrer informed the Board that ASPPB is unable to attend the Board meeting in October, but was open to a telecon discussion in the near future to discuss the latest developments on the EPPP2. She will check with EPPP for a future date to come in.

Legislative Matters: a. Act 205, SLH 2018 (HB 2271, HD2, SD1, CD1), Relating to the Practice of Behavior Analysis

Updates and standardizes the terminology used to refer to behavior analysts and applied behavior analysis. Clarifies the licensing exemptions for certain individuals who provide behavior analysis services. Requires 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.

The Board deferred this agenda item to the next meeting.

Delegation of Authority: a. License reactivation applications

The Board deferred this agenda item to the next meeting.

b. License renewal/restoration applications

The Board deferred this agenda item to the next meeting.

Public Comments for items Not on the Agenda:

Comments from the public are accepted at this time on topics not specifically addressed elsewhere on the agenda. The public may comment by signing-in before speaking during the Public Comment section. The Board is precluded from discussing or acting on items raised by Public Comment that are not already on the agenda, except to decide whether to place the matter on the agenda of a future meeting. ***Public Comment will be limited to 5 minutes per person at the discretion of the Chairperson.***

None.

Next Meeting: Friday, October 26, 2018
1:30 p.m.
King Kalakaua Conference room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

The next two Board meetings have been rescheduled as follows:

October 26, 2018 to October 12, 2018
November 16, 2018 to November 9, 2018

Adjournment: There being no further business to discuss, it was moved by Dr. Pedro, seconded by Dr. Adam-Terem, and unanimously carried to adjourn the meeting at 2:58 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

09/18

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