

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: October 12, 2018

Time: 1:30 p.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st 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")
Krishna Jayaram, Esq. Deputy Attorney General ("DAG")
Susan A. Reyes, Secretary

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

Guest: Christopher Fernandez, EO

Call to Order: There being a quorum present, the meeting was called to order by Chairperson Sutherland-Choy at 1:35 p.m.

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

It was moved by Dr. Adam-Terem, seconded by Dr. Oliveira Gray to approve the minutes of the September 21, 2018 meeting with the following amendment:

Executive Officer's Report: b. paragraph 4 should read as:

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

Amendments to
Agenda:

EO Ferrer proposed to delete the following agenda item:

4. b. Nadia Webb, applicant for a temporary permit; non-payment of license fee.

EO Ferrer proposed to correct the spelling of the last name to Morera in:

4. c. ii. a.

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 August 26, 2018 – September 29, 2018, there were four candidates who took the EPPP exam; zero passed and four failed.

Executive Session:

It was moved by Dr. Oliveira Gray, seconded by Dr. Pedro, and unanimously carried to enter into executive session at 1:41 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 2:11 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. Genevieve Brunet
 - ii. Rachel Huxel
 - iii. Hannah Im
 - iv. Eduardo Jones
 - v. Ashley Levan

It was moved by Dr. Pedro, seconded by Dr. Oliveira Gray, and unanimously carried to defer the applications of Drs. Brunet, Huxel and Jones pursuant to HRS § 465-7 and HAR §§ 16-98-8 and 16-98-9.

It was moved by Dr. Oliveira Gray, seconded by Dr. Adam-Terem, and unanimously carried to approve the applications of Drs. Im and Levan pursuant to HRS § 465-7 and HAR §§ 16-98-8 and 16-98-9.

b. Examination Waiver

- i. Jung Kim
- ii. Luke Hadge

It was moved by Dr. Oliveira Gray, seconded by Dr. Pedro, and unanimously carried to defer the application of Dr. Kim 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.

It was moved by Dr. Adam-Terem, seconded by Dr. Pedro, and unanimously carried to ratify the application of Dr. Hadge 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. Senior Psychologist
 - a. Monica Ng

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

- ii. Certificate of Professional Qualification
 - a. Carrie Ann Champ Morera

It was moved by Dr. Pedro, seconded by Dr. Oliveira Gray, and unanimously carried to approve the application of Dr. Morera pursuant to HRS § 465-7.

New Business:

a. Board member Disaster Preparedness

EO Ferrer requested to defer this item until the next meeting.

b. Email dated October 2, 2018 regarding activities subject to licensure

After a brief discussion, it was moved by Dr. Pedro, seconded by Dr. Oliveira Gray, and unanimously carried to have EO Ferrer respond back to Mr. Whelan's email referring him to HRS § 465-3(a)(1), HRS, which provides:

- “(a) This chapter shall not apply to:
 - (1) Any person teaching, lecturing, consulting, or engaging in research in psychology insofar as the

activities are performed as part of or are dependent upon employment in a college or university; provided that the person shall not engage in the practice of psychology outside the responsibilities of the person's employment[.]”

Pursuant to section 16-201-90 of the Hawaii Administrative Rules, this is an informal interpretation for informational and explanatory purposes only. It is not an official opinion or decision, and therefore is not to be viewed as binding on the board or the Department of Commerce and Consumer Affairs.

Announcements: a. EPPP2 – Latest information

EO Ferrer informed the Board that she sent an email to Matthew Turner from Association of State and Provincial Psychology Boards (“ASPPB”), and that he is open to participating in the Board meeting scheduled for December 14, 2018.

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.

EO Ferrer informed the Board that Hawaii Psychological Association (“HPA”) wants to amend the exemption for psychologists in HB 2271, HD2, SD1, CD1 using a tiered system. This, however, would make it difficult for RICO to enforce.

After some discussion, EO Ferrer proposed to review the supervision requirements of other states.

Dr. Oliveira Gray recommended to invite Julie Takashima-Lacasa from the HPA to next meeting to clarify HPA's concern regarding restrictions on supervision by licensed psychologists.

Delegation of Authority: a. License reactivation applications

EO Ferrer requested to defer this item until the next meeting.

b. License renewal/restoration applications

EO Ferrer requested to defer this item until 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, November 9, 2018
1:30 p.m.
Princess Likelike Conference Room
King Kalakaua Building
335 Merchant Street, 3rd Floor
Honolulu, Hawaii 96813

Adjournment:

There being no further business to discuss, it was moved by Dr. Pedro, seconded by Dr. Oliveira Gray, and unanimously carried to adjourn the meeting at 3:01 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

10/18

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