

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: November 9, 2018

Time: 1:30 p.m.

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

Present: Sherry Sutherland-Choy, Psy.D., APRN-Rx, Chairperson
Marty Oliphant, Vice Chairperson
Rosemary Adam-Terem, Ph.D., Member
Lisa Chun Fat, Member
Jill Oliveira Gray, Ph.D., Member
Don Pedro, Psy.D., Member
May Ferrer, Executive Officer ("EO")
Christopher Fernandez ("EO")
Daniel Jacob, Esq. Deputy Attorney General ("DAG")

Staff Excused: Susan Reyes, Secretary

Guest: Shawna Ueyama, Psy.D., applicant
Laura Ozak, R.N., J.D., Attorney for Nadia Webb, Psy.D.

Call to Order: There being a quorum present, the meeting was called to order by Chairperson Sutherland-Choy at 1:42 p.m.

EO Ferrer introduced Mr. Christopher Fernandez. EO Ferrer announced that her last day with the Professional and Vocational Licensing Division is Friday, November 30, 2018. Mr. Fernandez will be temporarily assigned to oversee the Board as its executive officer.

Chairperson Sutherland-Choy called for a recess at 1:43 p.m. to discuss a matter relating to the application of Dr. Nadia Webb.

At 1:47 p.m., Chairperson Sutherland-Choy announced that the Board was reconvening to its open meeting.

Approval of the Meeting Minutes: It was moved by Dr. Oliveira Gray, seconded by Dr. Adam-Terem, and unanimously carried to approve the minutes of the July 20, 2018 and the October 12, 2018 meeting as circulated.

Amendments to None.
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 September 30, 2018 – October 27, 2018, there were two candidates who took the EPPP exam; one passed and one failed.

EO Fernandez left the meeting at 1:50 p.m.

Executive Session: It was moved by Dr. Pedro, seconded by Mr. Oliphant, and unanimously carried to enter into executive session at 1:50 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 2:09 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.

Chairperson Sutherland-Choy called for a brief recess at 2:09 p.m.

At 2:15 p.m., Chairperson Sutherland-Choy announced that the Board was reconvening to its open meeting.

Applications: a. Examination

- i. Jillian Freitas
- ii. Rachel Huxel
- iii. Amada Jimenez
- iv. Joseph Kaela
- v. Jessica Murakami
- vi. Lorrie Starr
- vii. Michael Yap
- viii. Shawna Ueyama

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 Ms. Chun Fat, seconded by Mr. Oliphant, and

unanimously carried to approve the applications of Drs. Freitas, Huxel, Jimenez, Kaela, Murakami, Starr, Yap, and Ueyama pursuant to HRS § 465-7 and HAR §§ 16-98-8 and 16-98-9.

Dr. Sherry Sutherland-Choy recused herself from the decision regarding the applications of Drs. Freitas and Ueyama.

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

b. Examination Waiver

i. Mark Rauser

It was moved by Dr. Adam-Terem, seconded by Dr. Oliveira Gray, and unanimously carried to defer the application of Dr. Rauser 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. Stephen Holland

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

New Business:

a. Board Member Disaster/Emergency Preparedness:

The Board will view the AVOID/DENY/DEFEND training video developed by Advance Law Enforcement Rapid Response Training (ALERRT™): The intuitive, easy-to-remember three-step plan for survival in the event of an active shooter event or other public acts of violence. The training video may be viewed at: <https://youtu.be/j0lt68YxLQQ>.

Members watched the above training video.

b. Supervision Requirements of Other States

EO Ferrer provided general information from various jurisdictions regarding supervision requirements. Dr. Pedro asked about definitions of “supervisor” and “supervision” in statutes and/or rules of other states. EO Ferrer said that she would request EO Fernandez to research this information.

Announcements: a. EPPP2 – Latest information

The Board discussed the need to prepare questions in advance of a meeting with Matthew Turner of the Association of State and Provincial Psychology Boards (“ASPPB”) regarding the EPPP2.

Members suggested the possibility of the Board’s January 11, 2019 meeting. EO Ferrer said she would coordinate this with EO Fernandez.

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.

Ms. Ozak requested clarification regarding the application of Dr. Nadia Webb who had applied for a temporary permit, but had not paid the fee and consequently, did not receive a permit number. Ms. Ozak distributed a September 24, 2018 e-mail in which she states in part that, "Apparently, Dr. Webb applied for a temporary license/permit with the State of Hawaii, although it is not clear to me that this is required. I seem to recall this issue arising during my 8 year tenure on the BOP, and it was concluded that a temporary license/permit is NOT required under the circumstances I described . . ." Ms. Ozak requested the Board's informal opinion regarding this as well as information about the complaint that was made to the Department's Regulated Industries Complaints Office ("RICO").

DAG Jacobs informed Ms. Ozak that this matter was not on the agenda and that it is not appropriate to discuss the issue at this time. He added that as the matter had been forwarded to RICO, and that the Board can review the information submitted and address any questions at the next meeting as long as it was included on the agenda.

Next Meeting: Friday, December 14, 2018
1:30 p.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss, it was moved by Dr. Pedro, seconded by Mr. Oliphant, and unanimously carried to adjourn the meeting at 3:14 p.m.

Reviewed and approved by:

/s/ May Ferrer
May Ferrer
Executive Officer

MF:sar

12/18

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