

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: June 21, 2019

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
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
Christopher Fernandez ("EO")
Daniel Jacob, Esq. Deputy Attorney General ("DAG")
Susan A. Reyes, Secretary

Excused: None.

Guests: Dr. Julie Takishima-Lacasa, Hawaii Psychological Association ("HPA")

Call to Order: There being a quorum present, the meeting was called to order by Chairperson Sutherland-Choy at 1:33 p.m.

Approval of the Meeting Minutes: It was moved by Dr. Adam-Terem seconded by Ms. Chun Fat, and unanimously carried to approve the minutes of the May 17, 2019 meeting with the following amendment:

Page 3, New Business, "a.", second paragraph, should read as:

"Chairperson Sutherland Choy stated that it is her current understanding that no, she does not think so".

The following agenda item was taken out of order:

Executive Officer's Report: a. Record of Candidates Examined: For the Examination for Professional Practice in Psychology ("EPPP")

Executive Officer Fernandez reported that during the period of April 21, 2019 to June 15, 2019 nine candidates took the EPPP exam; two passed and seven failed.

Dr. Oliveira Gray arrived at 1:36 p.m.

The following agenda item was taken out of order:

Amendments to Agenda:

EO Fernandez requested the Board to add Michelle Veliz (applying by examination) to the "Applications" section of the agenda since her application was reviewed in its entirety on June 21, 2019 at the Board's previous meeting, and she is merely correcting a post-doctoral experience hours deficiency by submitting further proof of hours completed for the Board to review.

With at least two-thirds (2/3) of the Board present, it was motioned by Ms. Chun Fat, seconded by Dr. Adam-Terem, and unanimously carried to add Dr. Veliz to the agenda to complete her application review.

Chapter 91, HRS, Adjudicatory Matters:

In the Matter of the Psychologist's License of Lisa A. Kaneshiro; PSY 2012—3-L. Board to review course information submitted by Dr. Kaneshiro for compliance with the settlement agreement.

Chairperson Sutherland-Choy asked the Board if they have any thoughts on the course that Dr. Kaneshiro is requesting to take.

Dr. Adam-Terem said that she has taken this course and believes that it is an adequate course for the purposes.

After some further discussion and review about the merits of the course and confirming that it would be adequate to complete Dr. Kaneshiro's settlement agreement, it was motioned by Vice Chairperson Oliphant, seconded by Ms. Chun Fat to accept the course for compliance with the settlement agreement.

Executive Session:

It was moved by Vice Chairperson Oliphant, seconded by Dr. Oliveira Gray, and unanimously carried to enter into executive session at 1:40 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 1:55 p.m., it was moved by Ms. Chun Fat, seconded by Vice Chairperson Oliphant, and unanimously carried to return to open session.

Applications:

a. Examination

- i. Elizabeth Glover
- ii. Alyssa Tao
- iii. Austin Whiting, Jr.
- iv. Michelle Veliz

It was moved by Dr. Adam-Terem, seconded by Vice Chairperson Oliphant, and unanimously carried to approve the applications of Drs. Glover, Tao and Veliz pursuant to HRS § 465-7 and Hawaii Administrative Rules (HAR) §§ 16-98-8 and 16-98-9.

It was moved by Vice Chairperson Oliphant, seconded by Dr. Pedro, and unanimously carried to defer the application of Dr. Whiting pursuant to HRS § 465-7 and HAR §§ 16-98-8 and 16-98-9.

b. Examination Waiver

- i. Heike Kholooci
- ii. Stephanie Milz

It was moved by Vice Chairperson Oliphant, seconded by Dr. Pedro, and unanimously carried to defer the application of Dr. Kholooci 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. Oliveira Gray, seconded by Vice Chairperson Oliphant, and unanimously carried to approve the application of Dr. Milz 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.

Vice Chairperson Oliphant left at 2:00 p.m.

New Business:

a. Letter from Dr. Daniel Zimbra requesting informal opinion of the Board

Would the requirements for a psychologist license in Hawaii be met by a candidate possessing a doctoral degree in educational psychology from the University of Hawaii at Manoa, and a certificate of doctoral re-specialization in clinical psychology?

In order to begin the discussion on what degree specializations are permissible for licensure, EO Fernandez cited HRS Chapter 465-7(a)(1), which states:

“The applicant for licensure shall possess a doctoral degree from:

- (A) An American Psychological Association approved program in clinical psychology, counseling psychology, school psychology, or programs offering combinations of two or more of these areas; or
- (B) A professional psychology training program, awarded by an institution of higher education, or from a regionally accredited institution”

He stated that it was important to note that the statute names specific doctorate degree specializations including clinical, counseling, and school psychology.

However, in the HAR §16-98-23(a), it states:

“The applicant shall submit a photostat or certified copy of a doctoral degree in psychology or educational psychology and an official transcript from an approved program or an accredited institution.”

EO Fernandez stated that there seems to be a difference between the statutes and rules regarding permissible specializations since “educational” psychology is not identified in the statutes. He contemplates if then a degree in educational psychology would be permissible for licensure.

Board members discussed the current trends in the various degree specializations of psychology, stating that it is common to see EdD licensed psychologists and that it is a separate degree from school psychology.

DAG Jacob asked if “Clinical Psychology”, “Counseling Psychology”, and “School Psychology” are broad or specific degree specializations.

Board members stated that the first two are generally considered broad, but that school psychology is specific. They also confirmed that all are considered “psychology” degrees.

DAG Jacob then asked what the difference is between “psychology” and “educational psychology”, since it is distinguished in the rules.

Dr. Adam-Terem stated that the educational psychology degree has a metric emphasis and is focused on methodology, assessment, developing assessment tools.

EO Fernandez asked if it was similar to Industrial Organizational Psychology.

Board members stated it is not.

After some discussion, DAG Jacob referred the Board to HRS Chapter 465-7(a)(1)(B) which states that:

“(1) The applicant for licensure shall possess a doctoral degree from:

(B) A professional psychology training program, awarded by an institution of higher education, or from a regionally accredited institution”

He stated that with the information the Board has, it appears that Dr. Zimbardo would qualify for licensure under this subparagraph (B) since it merely states that an applicant possesses a degree from professional psychology program.

Dr. Adam-Terem stated there may be still the issue of course work and whether someone with an educational psychology degree will have the curriculum to fulfill the application requirements.

Chair Sutherland Choy also added that there is still the internship and post-doc requirements, the clinical aspect, to think about when discussing if a degree would qualify for licensure.

EO Fernandez stated it would seem that if a degree did not have at least the proper curriculum and an internship of 1900 hours, then a re-specialization may be required. This is because one cannot go back and complete an internship once their degree has been conferred.

Board members agreed.

DAG Jacob suggested the Board informally opine that an education psychology doctoral degree qualifies for licensure pursuant to 465-7(a)(1)(B), however 465-7(a)(2) also states that an applicant must also complete an internship, and thus must be a part of the educational psychology degree program to qualify for licensure.

The Board requested that EO Fernandez send correspondence to Dr. Zimbardo providing their informal opinion as stated by DAG Jacob.

Legislative Matters: a. Research: possible future legislation planning

EO Fernandez requested to defer this to the next meeting.

Old Business: a. Enhanced EPPP
Discussion on EPPP part 2

EO Fernandez requested to defer this to the next meeting.

Dr. Adam-Terem left the meeting at 2:30 p.m.

The Board took a recess at 2:30 p.m. and reconvened at 2:36 p.m.

b. PSYPACT

Updates regarding ASPPB's Psychology Interjurisdictional Compact regarding telehealth and temporary in-person, face-to-face practice of psychology. HPA will be present as well to discuss PSYPACT with the Board.

Dr. Julie Takashima-Lacasa, from the Hawaii Psychological Association briefed the Board on HPA's plan to do a more involved detailed survey of their members to gather more information on the pros and cons about PSYPACT. She said they are having more informal discussions with their members on their listserv, and they also have had multiple in-depth conversations about the issue in the legislative community, and among their board members.

In their conversations, there have been significant concerns about the consumer and their protections. Those who were in conversations know the literature generally supports the effectiveness of telehealth interventions. However, what is not clear, in terms of the specific compact agreement, is how this will open up our state to providers, who may or may not be familiar with the unique culture of our islands and the needs we all serve here. She acknowledged that this is in part a training issue. For example, the 2016 agreement is a 40-page document, and from her recollection, it does not address whether the providers will be required to engage in any training unique to telehealth. HPA knows that per APA guidelines, it is acknowledged that telehealth provides unique opportunities. But, there are also unique considerations and challenges, such as safety concerns.

PSYPACT references APA guidelines from 2013. But, it does not establish any safeguards, requirements or ongoing monitoring of the competence of certain providers to be providing telehealth. It was also acknowledged that the training issues differ by state.

While the compact and the guidelines clearly indicate that the providers should ensure that they are familiar and knowledgeable about the ethical standards of states they practice in, it does not appear that there are any specific requirements or monitoring of that. In general, HPA has heard this concern from legislators; that PSYPACT relinquishes control over who is licensed in our state (PSYPACT will have its own disciplinary board and will not, require RICO). For example, Hawaii has a thorough RICO complaints process, but it is unclear if other states engaged in PSYPACT do.

HPA's understanding is that this compact agreement is not revisable and has already been adopted by several states as is. They feel that it raises more questions than answers. While they agree with the increased access to care premise, they are not sure it addresses enough of those questions to be a solution that they will be ready to get behind and support. They broached ASPPB several times with these questions and have not received any clear answers. They are hoping to have an ongoing dialog with the Board as we consider the merits of this agreement.

Chairperson Sutherland-Choy told Ms. Takashima-Lacasa that Matthew Turner from ASPPB will be calling in to next month's meeting to discuss the EPPP2 and the Board may be able to ask about PSYPACT too. She invited her to attend.

Dr. Takashima-Lacasa thanked the Board for the invite and said she will have someone attend if she is not able to.

Chairperson Sutherland-Choy added it was her impression when she attended the national ASPPB meeting in New Mexico, that jurisdictions are forced to adopt what PSYPACT already has in place. So, as a Board we would not have a lot of say so in anything PSYPACT.

EO Fernandez said that there is a possibility that we could update our statutes to not technically accommodate PSYPACT, but at least be able to interface with those who are within those jurisdictions that adopt it.

Dr. Takashima-Lacasa asked if it is like the service that National Register provides. If you are already licensed in one state and you are with National Register, then it would be easier to be licensed in another state.

EO Fernandez said yes, and he was wondering if it could be added to our application for CPQ and Diplomate type.

Dr. Pedro asked why California decided to not participate.

Chairperson Sutherland-Choy said it was her understanding that it was because they did not have the ability to discipline PYSYACT licensees.

Dr. Takashima-Lacasa said that when she last checked, all of the Western States have not adopted or strongly pursued this.

EO Fernandez asked if anyone that HPA spoke with brought up a specific concern about being disciplined by the PSYPACT disciplinary board versus the state board.

Dr. Takashima-Lacasa said not beyond just knowing that HI has a thorough and comprehensive process and not knowing if the PSYPACT disciplinary board would be comparable in being thorough and rigorous.

The Board thanked Dr. Takashima-Lacasa for her presentation of HPA's opinion and collected information.

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.***

Next Meeting:

Friday, July 19, 2019
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, the meeting was adjourned by Chairperson Sutherland-Choy at 2:50 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Christopher Fernandez
Christopher Fernandez
Executive Officer

/s/ Susan A. Reyes
Susan A. Reyes
Secretary

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CF:sar

06/28/19

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