

**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: February 14, 2020

Time: 1:30 p.m.

Place: Queen Liliuokalani 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  
Marty Oliphant, Vice Chairperson  
Rosemary Adam-Terem, Ph.D., Member  
Jill Oliveira Gray, Ph.D., Member  
Don Pedro, Psy.D., Member  
Christopher Fernandez Executive Officer (“EO”)  
Gregory Zambrano, Executive Officer (“EO”)  
Daniel Jacob, Esq. Deputy Attorney General (“DAG”)  
Susan A. Reyes, Secretary

Excused: None.

Guests: Lei Fukumura, Special Deputy Attorney General (“SDAG”)  
Sofya Alvarez-Schuster, Psychologist  
Julie Takishima-Lacasa, Hawaii Psychological Association (“HPA”)  
Raymond Folen, Hawaii Psychological Association (“HPA”)  
Jim Spira, Hawaii Psychological Association (“HPA”)

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 Vice Chairperson Oliphant, seconded by Dr. Pedro, and unanimously carried to approve the January 10, 2020 minutes as circulated.

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

Secretary Reyes reported that during the period of January 5, 2020 to February 8, 2020, one candidate took the EPPP exam; one passed.

b. DCCA Disciplinary Actions Through December 2019

EO Zambrano said that there were no disciplinary actions reported.

**The Board took a recess at 1:37 p.m. and reconvened at 1:41 p.m.**

Chapter 91, HRS  
Adjudicatory Matters:

a. In the Matter of the Psychologist's License of Phuong Thuy T. Tran, Psy.D.: PSY 2019-19-L

SDAG Fukumura briefed the Board on the settlement agreement.

It was moved by Dr. Oliveira Gray, seconded by Dr. Pedro, and unanimously carried to accept the settlement agreement.

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

Applications:

b. Examination Waiver

i. Sofya Alvarez-Shuster

Executive Session:

It was moved by Vice Chairperson Oliphant, 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 1:45 p.m., it was moved by Dr. Pedro, seconded by Dr. Oliveira Gray, and unanimously carried to return to open session.

It was moved by Dr. Adam-Terem, seconded by Dr. Oliveira Gray, and unanimously carried to approve the application of Dr. Alvarez-Shuster pursuant to HRS §§ 465-7 and 465-10 and HAR §§ 16-98-9 and 16-98-16, 16-98-23, 16-98-25, and 16-98-30.

**Guest Sofya Alvarez-Schuster left at 1:45 p.m.**

Executive Session:

It was moved by Vice Chairperson Oliphant, seconded by Dr. Adam-Terem, and unanimously carried to enter into executive session at 1:45 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 2:19 p.m., it was moved by Dr. Adam-Terem, seconded by Dr. Pedro, and unanimously carried to return to open session.

EO Fernandez requested to amend the agenda as follows:

Under Applications:

- b. Examination Waiver
- v. Nozanin Yusufbekova

should be moved to:

- a. Examination
- v. Nozanin Yusufbekova

#### Applications:

- a. Examination
  - i. Chun-Fang Kuo
  - ii. Jeffery Moore
  - iii. Maile Scarpino
  - iv. Tod-Casey Takeuchi
  - v. Nozanin Yusufbekova

It was moved by Dr. Adam-Terem, seconded by Dr. Pedro, and unanimously carried to approve the applications of Drs. Kuo, Moore, Scarpino, Takeuchi and Yusufbekova pursuant to HRS §§ 465-6, 465-7, HAR §§ 16-98-8 and 16-98-9.

- b. Examination Waiver
  - ii. Theodore Ciesinski
  - iii. Leslie Cohn
  - iv. Jung-Yun Kim

It was moved by Dr. Adam-Terem, seconded by Dr. Oliveira Gray, and unanimously carried to defer the application of Dr. Ciesinski pursuant to HRS §§ 465-7 and 465-10 and HAR §§ 16-98-9 and 16-98-16, 16-98-23, 16-98-25, and 16-98-30.

It was moved by Dr. Adam-Terem, seconded by Dr. Oliveira Gray, and unanimously carried to approve the application of Dr. Cohn pursuant to HRS §§ 465-7 and 465-10 and HAR §§ 16-98-9 and

16-98-16, 16-98-23, 16-98-25, and 16-98-30.

It was moved by Dr. Oliveira Gray, seconded by Dr. Pedro, and unanimously carried to approve tentatively the application of Dr. Kim pursuant to HRS §§ 465-7 and 465-10 and HAR §§ 16-98-9 and 16-98-16, 16-98-23, 16-98-25, and 16-98-30.

c. Senior Psychologist

i. Lori Lawrenz

It was moved by Dr. Pedro, seconded by Dr. Adam-Terem, and unanimously carried to approve the application of Dr. Lawrenz pursuant to HRS § 465-7.

d. Ratifications

i. National Register (“NR”)

- a. W. Carol Agar
- b. Laura Fitzpatrick

It was moved by Vice Chairperson Oliphant, seconded by Dr. Adam-Terem, and unanimously carried to ratify the applications of Drs. Agar and Fitzpatrick.

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

Legislative Matters: a. Board to review their positions on last year’s legislative session bills which may be re-heard in the 2020 legislative session.

i. SB818 SD2 HD1 / HB249 HD1 – Relating to School Psychologist

The Board maintained their support for SB818 SD2 HD1 and HB249 HD1 as described in their last testimony from last year’s legislative session. The Board believes that school psychologist would best be suited to be licensed by the Hawaii State Teachers Standards Board.

**Guest from HPA arrived at 2:34 p.m.**

ii. SB819 SD2 HD1 / HB1566 HD1 – Relating to Prescriptive Authority for Certain Clinical Psychologists

The Board maintained their support for the bills and stated that it supported them over and above SB3075 and SB884 listed below.

**Vice Chairperson Oliphant left the meeting at 3:01 p.m.**

Dr. Takishima-Lacasa said that they are not advocating for the Prescriptive Authority bill but will be supporting it.

Chairperson Sutherland-Choy commented that the Board is not in support of the pilot bill.

After discussion, it was moved by Dr. Pedro, seconded by Dr. Adam-Terem, and unanimously carried to support this bill.

iii. SB3075 / SB884 – Relating to Psychologists

The Board discussed the similarity these companion bills have to SB818 from last session. It noted that these bills include a pilot program as the major, if the only, difference between them.

EO Fernandez also stated that the effective date and the implementation dates in the bill are June 30, 2020 and June 30, 2022 respectively. He suggested that the dates be moved back to accommodate such things as creating the administrative documentation and processes necessary for licensing as well as time to draft rules and create a formulary.

Chairperson Sutherland-Choy asked Dr. Takishima-Lacasa if HPA is in support of this bill.

Dr. Takishima-Lacasa responded that they were.

EO Fernandez asked members if they supported the bill.

Dr. Oliveira Gray stated that she would be open to support the bill, for example, if the population size of the counties that psychologist would be eligible to be licensed in was increased from 100,000 to 500,000.

Dr. Sutherland-Choy stated that she had questions about the types of drugs that would be included in the formulary specifically drugs with “off label” uses. She stated that prescribing drugs “off label” means not using a drug for its original or intended purpose. An example would be using Gabapentin for anxiety.

Dr. Spira noted a similar concern.

After further discussion, the Board appreciated and supports the intent of the bill but noted its preference for SB819 SD2 HD1 instead, since it did not include a pilot program which it finds unnecessary. The Board voted, moved by Dr. Oliveira Gray, seconded by Dr. Adam-Terem and unanimously carried to suggest to change the effective date of the bills to 2022 and the pilot program community report date to 2024 to provide time to administratively prepare for the licensing of qualified psychologists under the new privilege, increase the county population size to 500,000, and clarify what drugs could be included on the formulary such as drugs used “off label”.

It was moved by Dr. Adam-Terem, seconded by Dr. Pedro, and unanimously carried to have Chairperson Sutherland-Choy act as a Board legislative committee member to represent and provide support with EO Fernandez in drafting testimony on this bill during the legislative session. The Board acknowledges that Dr. Sutherland-Choy’s position will represent the legislative committee’s position and not the Board as a whole.

iv. SB3145 / HB384 – Relating to Health School Psychologists Board of Psychology

Chairperson Sutherland-Choy asked Dr. Takishima-Lacasa if HPA’s preference was that the Board would oversee licensing vs. the Department of Education.

Dr. Takishima-Lacasa said, because school psychologists would be doing things that overlap with the practice of psychology, HPA supports the bill. They feel that the Board of Psychology should administer school psychologist licenses but also noted there was language that could be interpreted to mean that only school psychologists could treat clients under the age of 18. If the bill passes, HPA wanted to make sure that the language will be amended for it to be less open to that particular interpretation.

EO Fernandez reminded HPA and the Board that it would need to create two new license types as defined in the bills. This would take time to create and would include the administrative documents and processes. This would not be possible to accomplish before the effective date of the bill and the Board should consider pushing the date back. He also, reminded members that last year both HPA and the Hawaii Association of School Psychologists informed

them that most individuals practicing school psychology do so with a master's degree. The Board only licenses applicants with doctoral-level education and training and this includes doctoral school psychologists. This bill will be adding two school psychologists to the Board.

Dr. Adam-Terem said that there is a concern because there will be people that do not know about the whole spectrum of psychology and only their area and they will be voting on matters that will be affecting the general public in all areas, including the doctoral applicants.

Dr. Folen stated that they did not consider this.

After further discussion including the Board's interpretation that the bill suggests that licensed psychologists may not be exempt from the practice of school psychology, it was moved by Dr. Pedro, seconded by Dr. Oliveira Gray, and unanimously carried to oppose SB3145 / HB384 – Relating to Health School Psychologists Board of Psychology.

It was also moved by Dr. Adam-Terem, seconded by Dr. Pedro, and unanimously carried by the Board to have Dr. Oliveira Gray act as a Board legislative committee member to represent and provide support with EO Fernandez in drafting testimony on this bill during the legislative session. The Board acknowledges that Dr. Oliveira Gray's position will represent the legislative committee's position and not the Board as a whole.

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

**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. Takishima-Lacasa wanted to gather information on continuing education ("CE") expansion. They also wanted to add psychologists to the list of exemption to jury duty and to hear the Board's questions.

Dr. Folen said that he wanted to comment about the confusion of what constitutes a CE. He said that there is a CE provider called PESI and per his perspective, they are playing "fast and loose" in how they codify CEs.

He was providing a lot of information to their members about this issue.

Chairperson Sutherland-Choy asked what he meant by “fast and loose”?

Dr. Folen said that basically they are telling their members that when they ask if they can apply the PESI CEs towards licensure. PESI is saying that since they gave the same course in California two years ago and California said it was okay, it should be okay in Hawaii. He said that EO Zambrano stated that the course needs to be approved by the American Psychological Association (“APA”), the Hawaii Psychological Association (“HPA”) or by other state psychological associations.

Dr. Takishima-Lacasa said there has been interest by their members to take courses from PESI and she wanted to advocate for expanding beyond just APA approved CEs by this state and by this Board. She wanted to know how the Board would respond to these CEs, and also if the Board would be willing to consider expanding the statute to include CMEs because it would benefit their daily work.

EO Fernandez informed Dr. Takishima-Lacasa and Dr. Folen that because these topics are not on today’s agenda, the Board will not be able to discuss or comment on them. He stated that if HPA is requesting the Board discuss or provide informal opinions on the subject it can be added to one of the Board’s upcoming meeting agendas.

Dr. Takishima-Lacasa said she would like to know where the Board would stand on the issues for expanding CEs and PSYPACT at the next meeting.

Legislative Matters:

v. HB580 HD1 / SB538 – Relating to Mental Health

After discussion, it was moved by Dr. Pedro, seconded by Dr. Oliveira Gray, and unanimously carried to oppose this bill.

vi. HB584 HD1 / SB768 / HB2043 / SB 2277 – Relating to Adolescent Mental Health Services

After discussion, it was moved by Dr. Oliveira Gray, seconded by Dr. Pedro, and unanimously carried to support this bill.

vii. SB674 SD1 HD1 / HB664 – Relating to Gender Identity

After discussion, it was moved by Dr. Pedro, seconded by Dr. Adam-Terem, and unanimously carried by to not take a position and only track this bill.



viii. HB1614 / SB2588 – Relating to Jury Duty

After discussion, it was moved by Dr. Pedro, seconded by Dr. Adam-Terem, and unanimously carried to not take a position and only track this bill.

Next Meeting: Friday, March 13, 2020  
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, the meeting was adjourned by Chairperson Sutherland-Choy at 3:45 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

CF:sar

02/25/20

[ ] Minutes approved as is.  
[X] Minutes approved with changes; see minutes of 9/11/20.