

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: March 5, 2021

Time: 1:30 p.m.

Place: Virtual Videoconference Meeting – Zoom Webinar
(use link below)
<https://dcca-hawaii-gov.zoom.us/j/92356825384>

Present: Sherry Sutherland-Choy, Chair
Marty Oliphant, Vice Chair
Don Pedro, Psy.D., Member
James Spira, Member, Ph.D., Member
Christopher Fernandez Executive Officer (“EO”)
Susan A. Reyes, Secretary
Daniel Jacob, Esq. Deputy Attorney General (“DAG”)
Stephanie Karger, Office Assistant (Technical Support)
Christine Dela Cruz, Office Assistant (Technical Support)

Excused: Jill Oliveira Gray, Ph.D., Member

Guests: Kerrie Shahan, Executive Officer
James Skizewski, Executive Officer
Ali Doman
Amanda Mathias

Call to Order: Chair Sutherland-Choy gave directional information for the public to participate if they wanted to provide a testimony. They were also informed that testimonies will be limited to five minutes.

Chair Sutherland-Choy confirmed by roll call that she, Vice Chair Oliphant, Drs. Pedro and Spira were present, and that Dr. Oliveira Gray was excused. With roll call complete Chair Sutherland-Choy brought the meeting to order at 1:44 p.m.

Chair Sutherland-Choy asked if there was any public person who wished to provide oral testimony on the agenda item; there was one raised hand from Ali Doman.

Dr. Alicia Doman wanted to make sure that all her documents were received for the Board’s approval.

Chair Sutherland-Choy said that the Board will be reviewing her application today.

EO Fernandez asked if she received the email stating that he had received her new letters.

Dr. Doman said yes, she did.

Approval of the
Meeting Minutes:

Approval of January 8, 2021 and February 17, 2021 Minutes

Chair Sutherland-Choy asked members if there were any amendments to the January 8, 2021 meeting minutes.

It was moved by Vice Chair Oliphant, seconded by Dr. Pedro, and by roll call vote, members present voted unanimously to approve the minutes (open and executive) for January 8, 2021.

Chair Sutherland-Choy asked members if there were any amendments to the February 17, 2021 meeting minutes.

It was moved by Vice Chair Oliphant, seconded by Dr. Spira, and by roll call vote, members present voted unanimously to approve the minutes (open) for February 17, 2021.

Executive Officer's
Report:

a. Record of Candidates Examined: For the Examination for
Professional Practice in Psychology ("EPPP")

EO Fernandez reported that from January 3, 2021 to February 27, 2021 there was (3) EPPP exam, (2) passed and (1) failed.

b. DCCA Disciplinary Actions Through December 2020

EO Fernandez also reported that there were no disciplinary actions up to December 2020.

Applications:

Chair Sutherland-Choy asked if there was any public testimony on the agenda item; there was one raised hand from Amanda Mathias.

Dr. Mathias wanted to know the status of her application that she submitted through the National Registry.

EO Fernandez stated that he has the delegated authority to approve the National Registry applications, and he approved her effective September 23, 2020. He apologized for the delay and he will be checking with the clerk today to complete the process. He further stated to please allow 5-10 business days for the clerk to send her notice, and by then she will be able to check the "my pvl" account for the update.

Dr. Mathias thanked EO Fernandez.

Executive Session: Chair Sutherland-Choy announced that the Board will go into executive session at 1:58 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).

Dr. Spira motioned to go into executive session, which was seconded by Dr. Pedro, and unanimously carried by roll call vote.

EXECUTIVE SESSION

At 3:05 p.m., it was moved by Vice Chair Oliphant, seconded by Dr. Pedro, and unanimously carried by roll call vote to return to open session.

Applications:

a. Applications for Board Review

i. Examination

- a. Alicia Doman
- b. Lyndsey Tom
- c. Kristen Williams
- d. Lennon Tyler
- e. Susan Nastase
- f. Tiffany Wilson-Landrum
- g. Catherine Gallahue

Upon motion by Chair Sutherland-Choy, seconded by Dr. Pedro, the Board voted unanimously by roll call vote to approve the applications of Drs. Doman, Williams, Tyler, Nastase and Gallahue pursuant to HRS §465 and HAR §16-98.

Upon motion by Chair Sutherland-Choy, seconded by Dr. Spira, the Board voted unanimously by roll call vote to conditionally approve the application of Dr. Lyndsey Tom pursuant to HRS §436B-10a(9), and based on inconsistent graduation/conferral date on application versus transcripts. It requests clarification of the actual date of graduation on the application form.

Upon motion by Chair Sutherland-Choy, seconded by Dr. Pedro, the Board voted unanimously by roll call vote to conditionally approve the application of Dr. Tiffany Wilson-Landrum pursuant to HRS §436B-10a(9), and based on inconsistent graduation/conferral date on application

versus transcripts, and commencing post-doctoral experience prior to the confer date of her degree. It requests clarification of the actual date of graduation on the application form, and a signed letter from the Program Director of her school that she completed all program requirements and course work prior to the start of Dr. Wilson-Landrum's post-doctoral experience

ii. Examination Waiver

- a. Brian Pysh
- b. Eunice Kwon
- c. Nancy Bottorff

Upon a motion by Dr. Spira, seconded by Dr. Pedro, the Board voted unanimously by roll call vote to approve the applications of Drs. Pysh and Kwon, pursuant to HRS §465-7.

Upon a motion by Chair Sutherland-Choy, seconded by Dr. Spira, the Board voted unanimously by roll call vote to defer the application of Dr. Bottorff, pursuant to and HRS §465-10a(9) to receive clarification of her post-doctoral experience.

b. Ratification(s)

i. Examination

- a. Jodi Bell
- b. Shoko Burkett
- c. Angelina Horner
- d. Molly Winterrowd

ii. National Register of Health Service Psychologists

- a. Krystle Berkoski
- b. Elisabeth Fountain
- c. Tracee Moore
- d. Heather Tahler
- e. Jonnie Williams
- f. Elizabeth Preston Cisneros

iii. Senior Psychologist

- a. Melody London

It was motioned by Chair Sutherland-Choy, seconded by Vice Chair Oliphant, and unanimously carried by roll call vote to ratify

the examination and national register applicants, and to delete senior psychologist Melody London as she was already ratified at The Board's January 8, 2021 meeting.

Legislative Session: The Board will review 2021 Hawaii State Legislative Session bills.

Chair Sutherland-Choy asked if there was any public testimony on the agenda item; there was none.

EO Fernandez updated the Board and stated that today is the final decking day for the first half of the legislative session before cross-over, which means all bills must have passed their final committees and be transmitted to the Senate or House for a final vote on the floor, otherwise they will die. All the bills on this agenda, it appears to him will be dead.

a. SB131: Relating to Psychologists

Requires the board of psychology to establish a pilot program to grant prescriptive authority to qualified psychologist applicants in counties with a population of less than one hundred thousand persons. Repeals on 8/31/2026.

This bill was deferred by the Senate Committees on Commerce and Consumer Protection ("CPN") and Health ("HTH") on 2/9/21.

b. SB1295: Relating to Prescriptive Authority for Certain Clinical Psychologists

Authorizes and establishes procedures and criteria for prescriptive authority for clinical psychologists who meet specific education, training, and registration requirements. Requires the Board of Psychology to accept application for prescriptive authority privilege beginning 7/1/2023. Requires the Board of Psychology to report to the Legislature prior to the Regular Session of 2022. Sunsets on 8/31/2026.

This bill was introduced, passed first reading, but was not scheduled for hearing.

c. SB1274: Relating to Psychology

Establishes licensure requirements for school psychologists to be administered by the board of psychology. Requires all school psychologists to be licensed by July 1, 2024. Increases the composition of the board of psychology to include two school psychologists.

This bill was introduced, passed first reading, but was not scheduled for hearing.

d. HB0472: Relating to Telehealth

Exempts telehealth-related gifts from procurement requirements. Makes permanent certain telehealth-related exemptions for licensed Health professions issued by recent gubernatorial proclamation.

EO Fernandez stated on February 19, 2021 this bill was referred to the Finance ("FIN") committee in the House, but there was no scheduled hearing. Since it did not go through to its final committee, it does not look like it will go any further and will die.

Chair Sutherland-Choy stated that there were concerns about telephone calls that would not be covered by insurance and it will make permanent certain telehealth-related exemptions for license health professions from the Governor's Emergency Proclamations.

EO Fernandez clarified that currently the proclamations allow out-of-state licensed psychologists to continue to provide services to their pre-established clients who come to Hawaii or move to Hawaii. This language was put in place so that patients would not be placed in vulnerable positions during the COVID-19 pandemic response. The proclamations are extended periodically and the language within is only good until the expiration date or the Governor declares and end to the emergency. This bill would codify that language and make permanent this exemption so that there is no time limit for those out-of-state licensed psychologists to continue seeing their patients indefinitely. HRS §465 currently states that you can get a temporary permit for 90 days and then request for another 90 days extension. Because these psychologists would be exempted, RICO is concerned that it may not be possible to regulate these individuals who are not licensed under the chapter.

Dr. Pedro asked if we have reciprocity to do telehealth in other states.

EO Fernandez said that he could ask for ASPPB to put out a general question to other jurisdictions how they handle these types of situations.

Dr. Pedro said that the Emergency Proclamation language would help when there is a pandemic, but not the permanent change to the statutes.

The Board chose to defer further discussion since the bill has died.

Supervision and
Telehealth:

The Board to discuss the effect of telehealth on the supervision of psychological assistants, interns, and postdoctoral fellows, by licensed Psychologists.

Chair Sutherland-Choy asked if there was any public testimony on the agenda item; there was none.

Chair Sutherland-Choy said that people have asked her whether they need special approval from the Board if they are supervising interns, but everyone is doing telehealth and not physically in the same room.

Dr. Spira stated that he is fine with this. The issue is that APA does not want even practicum students doing telehealth, even during the pandemic. He is not sure about the internship or postdoc. He personally thinks that if a supervisor is attending a telehealth session with an intern, that this is the same as the supervisor doing the session.

Chair Sutherland-Choy said she agrees.

EO Fernandez stated that in our rules HAR §16-98-4 Direction of an individual. Only a licensed psychologist in the State shall be considered eligible to direct the services of an individual. The supervision should be in person, pursuant to HAR §16-98-4(6) which states that the supervisor is to work in the same physical setting as the person being directed, unless other arrangements are approved by the board.

Vice Chair Oliphant asked how is remote supervision vetted.

EO Fernandez said that based on the Board's last determination from a previous meeting it would have to make sure that the client's safety is being protected as if the supervising licensed psychologist was physically present and emergency procedures have been implemented. And also, that the supervising psychologist has fully disclosed and is transparent with the insurance company about their arrangements, and is abiding by the standards and requirements of the insurance company. They will have to disclose that to, according to the Board's informal opinion.

Chair Sutherland-Choy stated that this would be cumbersome for people and restrict services that they can provide.

Chair Sutherland-Choy suggested to add this to the next agenda for further discussion.

Administrative
Updates:

- a. The Board to review application requirements, application forms, and application review procedures, including, but not limited to the creation of supervisor summary check off list to accompany internship and postdoctoral experience verification forms.

Chair Sutherland-Choy is deferring this until the next meeting.

- b. The Board will begin planning and preparing for rule revisions for Hawaii Administrative Rules §16-98.

Chair Sutherland-Choy is deferring this until the next meeting.

Next Meeting: May 7, 2021
1:30 a.m.
Virtual Videoconference Meeting -- Zoom Webinar

Adjournment: There being no further business to discuss, the meeting was adjourned by Chair Sutherland-Choy at 3:40 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

3/10/21

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