

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 4, 2022

Time: 12:30 p.m.

Place: Virtual Videoconference Meeting – Zoom Webinar
(use link below)
<https://dcca-hawaii-gov.zoom.us/j/91903182206>

Present: Sherry Sutherland-Choy Psy.D., Chair
Marty Oliphant, Vice Chair
Don Pedro, Psy.D., Member
James Spira, Member, Ph.D., Member
June Ching, Ph.D., Member
Christopher Fernandez Executive Officer (“EO”)
Susan A. Reyes, Secretary
John E. Cole, Esq. Deputy Attorney General (“DAG”)
Marc Yoshimura, Secretary (Technical Support)

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

Guests: Dr. Isaac Daryanani

From the Hawaii Psychological Association (“HPA”)
Dr. Ray Folen
Dr. Alex Lichton
Dr. Lesley Slavin
Dr. Sade Soares
Becky Gardner

Call to Order: Chair Sutherland-Choy provided instructions for public participation during the meeting including providing testimony, which will be limited to five minutes per testifier per agenda item.

Chair Sutherland-Choy confirmed by roll call that she, Vice Chair Oliphant, Drs. Pedro, Spira and Ching were present with Dr. Jill Cabbab excused. Chair Sutherland-Choy then brought the meeting to order at 12:51 p.m.

Review and

Approval of

Meeting Minutes:

Chair Sutherland-Choy asked if there was any public person who wished to provide oral testimony; there was none.

After Chair Sutherland-Choy asked members if there were any corrections to the meeting minutes for November 5, 2021, and upon a motion by Vice Chair Oliphant, seconded by Dr. Spira, the Board voted by roll call to approve the open session and executive meeting minutes for November 5, 2021 as circulated.

Executive Officer's

Report:

None.

Applications:

Chair Sutherland-Choy asked if there was any public person who wished to provide oral testimony and individually reminded testifiers that they had (5) minutes to provide testimony.

Dr. Issar Daryanani introduced himself as a current psychology resident with the windward district of the Department of Education on Oahu. He wanted to make himself available for questions that the Board may have on his application.

Dr. Spira thanked Dr. Daryanani for attending the meeting and would appreciate that he be available for any questions that the Board may have. He further stated that the letters he submitted for the Board's review will be very helpful.

Chair Sutherland-Choy announced that the Board would go into executive session at 12:57 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).

On a motion by Vice Chair Oliphant, seconded by Dr. Spira, the Board unanimously voted by roll call to enter executive session.

EXECUTIVE SESSION

At 2:56 p.m., it was moved by Dr. Spira, seconded Vice Chair Oliphant, and unanimously carried by roll call to return to open session.

a. Board Review

Examination

Issar Daryanani

Chair Sutherland-Choy invited Dr. Daryanani as a panelist, to be visible and provide the opportunity for him to speak as the Board issued its vote on his application.

Upon a motion by Chair Sutherland-Choy, seconded by Dr. Ching, the Board voted unanimously by roll call to approve the application of Dr. Daryanani with conditions pursuant to HRS §436B-19(1), (3), (7), and (12).

Sarah Novickis

Upon a motion by Chair Sutherland-Choy, seconded by Dr. Spira, the Board voted unanimously by roll call to defer the application of Dr. Novickis. It was further noted that the name on the agenda, Sara Novikis, was incorrectly spelled.

Examination Waiver

Mun Yee Kwan

Upon a motion by Dr. Pedro, seconded by Vice Chair Oliphant, the Board voted unanimously by roll call to defer the application of Dr. Kwan.

Susanna Epp

Upon a motion by Dr. Ching, seconded by Vice Chair Oliphant, the Board voted unanimously by roll call to approve the application of Dr. Epp pending receipt of further information.

DeAnna Waugh

Upon a motion by Chair Sutherland-Choy, seconded by Vice Chair Oliphant, the Board voted unanimously by roll call to approve the application of Dr. Waugh.

Stephanie Copeland

Upon a motion by Dr. Ching, seconded by Dr. Spira, the Board voted unanimously by roll call to defer the application of Dr. Copeland.

Jeremy Jenson

Upon motion by Chair Sutherland-Coy, seconded by Vice Chair Oliphant, the Board voted unanimously by roll call to approve the application of Dr. Jenson.

Senior Psychologist

Barbara Kalmanson

Upon motion by Dr. Ching, seconded by Dr. Spira, the Board voted unanimously by roll call vote to approve the application of Dr. Kalmanson.

b. Ratification List

PSY-1952	Debra Kessler	CPQ
PSY-1953	Karina Rodriguez	Exam Waiver
PSY-1954	Joseph R. Svec	Exam
PSY-1955	Shantha McKinlay	Exam
PSY-1956	Kyla E. Stueber	Exam
PSY-1957	Eric R. Henning	Exam
PSY-1958	Carol I. Skinner	Exam Waiver
PSY-1959	Anya Verriden	National Register
PSY-1960	Michelle M. Carcel	Exam Waiver
PSY-1961	Dennis F. Gardner	Senior Psychologist
PSY-1962	Kim M. Thompson	National Register
PSY-1963	Louis J. Formica	National Register
PSY-1964	Christina D. Wafer	Exam
PSY-1965	Sione M. Tafuna	Exam
PSY-1966	Kelsea A. Imose	Exam
PSY-1967	Keith E. Valone	National Register
PSY-1968	Daniel P. Wilkie	Exam
PSY-1969	Jessica I. Federowicz	Exam
PSY-1970	Janice D. Mill	Senior Psychologist
PSY-1971	Nancy R. Sobel	Senior Psychologist

Upon a motion by Vice Chair Oliphant, seconded by Dr. Ching, the Board voted unanimously by roll call to ratify the applications noted above, pursuant to HRS §465-7.

Dr. Pedro left the meeting at 3:04 p.m.

Legislative
Matters:

The Board reviewed the 2022 legislative session bills related to the practice of psychology.

Chair Sutherland-Choy asked if there was any public testimony.

Dr. Alex Lichton, the Legislative Chair of the HPA was recognized by Chair Sutherland-Choy to provide testimony. Dr. Lichton asked the Board for its support on (2) bills:

- The first bill amends the continuing education (“CE”) requirements required at biennium (bill number SB2830 and companion bill

HB2318). This bill would specify that (3) CE hours of the total 18 CE required each biennium be in the area of diversity as approved by HPA.

- The other bill changes some of the licensing laws for psychologists (bill number SB2829). Dr. Lichten identified its components:
 1. The bill would allow for a good cause exemption for a state psychologist (state-employed) who are unable to become licensed within the two-year deadline (HRS §465-7.6) through no fault of their own. The impetus for HPA proposing this amendment was: during the pandemic, a couple of psychologists from the State Hospital in the Child Adolescent Division were unable to obtain licensure before the 2-year deadline to obtain a license, and they lost their jobs. The psychologists were told that there was no flexibility in the statute to extend the deadline, and HPA wanted to do something so this type of thing does not happen. Dr. Lichten noted that it may help if applicants could be eligible to take the exam once they start their postdoctoral year.
 2. The bill would allow applicants to take the exam at the beginning of their postdoctoral year if they were approved.
 3. The bill would establish a provisional or temporary psychology license working under supervision. Dr. Lichten stated that this was something that was first proposed by the Marriage and Family Counselors, and they thought that it would be helpful for psychology. There are a handful of states that will grant a provisional or temporary psychology license where you continue to be under supervision, but for people that have their doctoral degrees and have begun their postdoctoral hours, perhaps an associate or temporary license could be granted. This would enable the supervisor to bill for insurance. Right now, some insurance companies will reimburse, and some will not. The idea is it will increase the pool of available practitioners and help the less affluent completing their postdoctoral experience relieving the financial burden. He stated that they propose a 2-year time limit.

Chair Sutherland-Choy recognized Becky Gardner, lobbyist for HPA, Hawaii Islands Association of Marriage and Family Therapist, and the National Association of Social Workers. Ms. Gardner stated she had a hand in drafting SB2829, which is the vehicle that houses a lot of the features on the psychology statutes that Dr. Lichten presented and offered to answer questions that the Board may have and if needed, review section by section. She added that there is a lot of support for the

bill and it is moving forward having been heard in committee during the Board's meeting.

Chair Sutherland-Choy then recognized Dr. Sade Soares, Diversity Chair of HPA, who requested the Board's support for the diversity CE bills (SB2830 and HB2318) to have (3) of the (18) CEs required every renewal biennium to be allocated to diversity. Right now, there are between 5 to 7 states that currently have enacted this into law. This is obviously something that is in-line with APA's continued efforts to increase diversity as well as their health equity resolutions that were recently put out. HPA decided to not add to the total number of CEs to reduce the burden on psychologists. They hope that the Board will support, and she is there to answer any questions that the Board may have.

Chair Sutherland-Choy recognized Dr. Lesley Slavin who stated that she is a clinical psychologist that recently retired from the Hawaii State Health, Mental Health Division. She wanted to say a few words about SB2829, which tries to fix issues in the current licensure statutes that make it difficult for young psychologists to obtain licensure. Dr. Slavin opined that statutes make it difficult to retain young psychologists trained in-State or from attracting other people who might want to practice here. Given the huge demand for mental health professionals, she thinks that it is really important to ease some of these difficulties. In her previous job as a Chief Psychologist for the Child and Adolescent Mental Health Division, Dr. Slavin helped develop a predoctoral training program, and hired a lot of young psychologists. She said a lot of them were struggling. She also noted that many apply to take the exam in other states where the exam can be taken prior to postdoctoral experience, because they can be licensed quicker. She stated that her department lost people that they struggled to hire because of the clause in the statute about state employed psychologists having to get licensed within two years. This badly impacts young women who frequently take maternity leave during their postdoctoral experience and there is no way to stop the clock. She asked the Board to please consider bill SB2829 and was happy to answer any questions.

Chair Sutherland-Choy recognized Dr. Ray Folen, Executive Director of HPA, who wished to provide additional comments on SB2829 and the three points that Dr. Lichton had mentioned in his testimony. He stated that HPA polled their membership, and regarding the provisional license component, they found that 84% of their membership were either in strong or moderate support. There is an overwhelming majority in strong support of establishing provisional licensure for people who have completed their internship and are in the process of completing their postdoctoral hours. With regards to the waiver of the 2-year period to obtain licensure for state-employed Psychologists, 86% of their membership strongly support or moderately support this component of the bill. With regard to being able to take the EPPP examination prior to completion of the postdoc, 73% of their membership strongly support or

moderately are in support. The reason it is lower is because a large number of members said they are neutral about it. Dr. Folen stated that he is available for any questions.

Chair Sutherland-Choy asked the Board members if they had any questions for testifiers.

Dr. Spira said that he had a few questions for clarification:

1. With regard, to bill SB2830 for the (3) CEs dedicated to the cross-cultural factors, is there language that would require local cultural factors? Can it be cultural factors in general, that is, could a Psychologist take an online class from North Carolina that may be talking in general about cultural factors, but not specific to Hawaii?
2. Why not (3) CEs in ethics or sexual diversity or geriatric etc.? He was wondering if this opens the door to issues of specification, for example, what is to stop others from saying we should have other topics not identified in the language.
3. There seems to be some language in this bill not mentioned before that gives the Board of Psychology some leeway in offering some exemption if a licensee does not fulfill their CE requirement prior to the renewal deadline. If so, what guidelines would the board have to determine when someone should receive leeway, when they were unable to fulfill the requirement within the two-year period that they had?

Dr. Soares wished to comment on the first two questions. On the first question, diversity should be interpreted broadly. With the word diversity, they are talking across the spectrum, such as: age, gender, race and ethnicity. If this is not explicit, they can go back to legislators to talk about that concern. As for the second question whether or not it is meant to focus on local subject matter, she said it is difficult to answer. She pondered whether this would mean CE only on native Hawaiian issues or issues for the people who have identified as a majority culture in Hawaii? There is already a lot of diversity in Hawaii, and it will be difficult to limit what is local and what is not.

EO Fernandez intervened in the conversation to remind the Board that that the meeting was scheduled to end at 3:30 p.m. and with Dr. Pedro already having left the meeting and Vice Chair Oliphant not being able to stay in the meeting beyond the end time, the Board will lose quorum. He suggested scheduling another meeting for Friday, February 11, 2022 at 12:30 p.m. He further stated that he already has an agenda set up to file before 4:30 p.m. if the Board decides to schedule the additional meeting.

The Board acknowledged EO Fernandez's update and prior to the meeting ending, Chair Sutherland-Choy asked for a motion to add herself

and Dr. Spira to the Board's legislative committee, joining Dr. Oliveira Cabbab.

It was so motioned by Dr. Ching, seconded by Vice Chair Oliphant, and unanimously approved by members present.

EO Fernandez addressed those attending the meeting representing HPA, stating they can keep in contact with him and also the legislative committee so that conversations about the legislative session can continue. He noted for record, that the Board did not form positions on the bills listed on the agenda, but also noted that the legislative committee can provide comments if the bills are heard prior to the next meeting.

With regards to scheduling the meeting for February 11th, the Board began the process of confirming members who could attend with the assistance of EO Fernandez.

Adjournment: Due to not having quorum to continue on after 3:30 p.m., the scheduled end, the meeting was adjourned by Chair Sutherland-Choy 3:33 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

2/17/22

Minutes approved as is.

Minutes approved with changes; see minutes of _____.