

INDIANA STATE PSYCHOLOGY BOARD

MINUTES

May 7, 2021

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Ross called the meeting to order at 8:20 a.m. through video and audio conferencing at <https://IndianaEnhanced.Webex.com/join/PLAWebex> or by calling 1-240-454-0887 and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

Board Members Present:

Stephen G. Ross, Psy.D., Chair
Jere Leib, Ph.D., Member
Amber Finley, JD, Consumer Member
Gregory Hale, Ph.D., Member

Board Members Not Present:

Raymond W. Horn, Ph.D., Member

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Dana Brooks, Assistant Board Director, Professional Licensing Agency
Philip Gordon, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda as amended.

Hale/Ross
Motion carried 4-0-0

III. ADOPTION OF MINUTES

November 6, 2020, January 8, 2021 and March 5, 2021

A motion was made and seconded to adopt the November 6, 2020, January 8, 2021, and March 5, 2021 minutes as edited.

Ross/Hale
Motion carried 4-0-0

IV. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL

April Keaton, Deputy Attorney General, Office of the Attorney General, reviewed the consumer complaint report with the Board. Ms. Keaton stated their office has twenty-nine (29) open complaints. Ms. Keaton stated that the average time a complaint is open is eight (8) months. Currently there is one (1) new litigation case pending with two (2) current cases. The duration of the litigation cases is seventeen (17) months.

V. ADMINISTRATIVE RULE HEARING

A. LSA #19-449 Convictions of Concern

Adds 868 IAC 1.1-16. This rule implements the provisions of IC 25-1-1.1-6 requiring every board, commission, or committee under IC 25 to revise its licensing or certification requirement to explicitly list the convictions of concern that may disqualify an individual

from receiving a license; to establish criteria to determine whether an applicant should be denied a license if the applicant has a conviction of concern; and to establish a procedure for an individual to receive a pre-application determination as to whether the individual's criminal history would preclude the individual from obtaining a license.

Comments from the Public: None.

Comments from the Board: The Board inquired if there were concerns expressed in other Boards, and it is noted that there have been no concerns expressed from other Boards.

Board Action: A motion was made and seconded to adopt the proposed rules listed in LSA #19-449 Convictions of Concern and to direct the Executive Director of the Professional Licensing Agency to submit the adopted rules to the Attorney General for his approval.

Leib/Hale

Motion carried 4-0-0

VI. PERSONAL APPEARANCES

8:00 a.m.

A. Probation

1. Sanka Samardzija, Psy.D., License No. 20043349A
Cause No. 2020 ISBP 0001

Dr. Samardzija appeared as requested to discuss her ongoing probation that was initially placed on March 19, 2020. She has submitted a request in writing on April 21, 2021 requesting to withdraw the probation status on her license. Per her probationary terms, she is not eligible to lift the status until March 19, 2022. Dr. Samardzija has submitted copies of her certificates of completion for the courses she took. The Board stated that they cannot accept her request to withdraw the probation as there must have an administrative hearing scheduled for the Board to consider her request.

B. Reinstatement

1. Shana Beth Helmholdt, Ph.D., License No. 20041204A

Dr. Helmholdt submitted her request for reinstatement for her psychology license that expired on August 31, 2004. She stated that she has continued to practice and holds a current license in the states of Arizona and Illinois. She completed continued education credits, with the course content covering medical errors in best practices, and ethics for mental health professionals in category I. She informed the Board that she has taught Psychology in Arizona from 2010 to the present. The Board asked for clarification if Arizona accepts online training, and Dr. Helmholdt stated they do as they do not have an in-person requirement to complete their continuing education, but the State of Illinois does have an in-person requirement. Dr. Helmholdt stated that she does look for continuing education from nationally recognized providers. The Board inquired what her reason was to reinstate her Indiana license, and Dr. Helmholdt stated that she has been working with Doctor's on Demand since 2015 and would like to continue working with them as they are currently performing telehealth services.

Board Action: A motion was made and seconded to approve Dr. Helmholdt's reinstatement pending passing the jurisprudence exam.

Ross/Hale

Motion carried 4-0-0

C. Application

1. Mary Johnson, Ph.D.

Dr. Johnson appeared as requested to discuss her affirmative response to the question “Have you ever been admonished, censored, reprimanded or requested to withdraw, resign or retire from any hospital or health care facility in which you have trained, held staff membership or privileges or acted as consultation?” Dr. Johnson informed the Board that she was unjustly discharged from her Indiana Workforce Development employment at the Bowen Center. She was informed by them there was a breach of duty cause but was not provided with a more detailed clarification. She has contacted her lawyer on providing documents from her employer, but at this time she only has the notice of discharge. She stated that she is looking to retake the EPPP exam, as she last took the exam in 2018.

Board Action: A motion was made and seconded to approve Dr. Johnson’s application to retake the EPPP exam.

Ross/Hale
Motion carried 4-0-0

VII. ADMINISTRATIVE HEARINGS

8:00 a.m.

A. Reginal Murray, Ph.D.

Cause No. 2021 ISPB 0002

Re: Petition for Review of Denial of Licensure

Parties Present:

Petitioner was present, with Counsel Michael Roth
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Stephen G. Ross, Psy.D., Chair (Hearing Officer)
Jere Leib, Ph.D., Member
Amber Finley, JD, Consumer Member
Gregory Hale, Ph.D., Member

Case Summary: On or about March 25, 2021 Dr. Murray’s application for an Indiana Psychology license was denied by the Board. Dr. Murray submitted a Petition to Review the denial on April 1, 2021. Notice of the Denial and Dr. Murray’s request for appeal are now noted as Exhibit’s A and B respectively and accepted by the Board. Mr. Roth stated that Dr. Murray attended a school that is approved by Indiana statute, and he was aware that his program was approved prior to the submission of his Indiana application. Mr. Roth stated that Dr. Murray competed post-doctoral training with Dr. Stephan Dresser and another Indiana HSPP Psychologist. He stated that the Board is in error of their review as Dr. Murray did not get due notice to attend the March review of his Indiana psychology application. The Board explained that his file review at the March meeting did not require an appearance as it was a standard application review, and as such notice of appearance was not required to be sent. The Board asked Dr. Murray to explain with more detail on his program and how it was conducted. Dr. Murray stated that he attended Southern California University which is an online psychology program. He informed the Board that the program does meet all the educational requirements such as multicultural, psychopathology, ethics, research, cognitive behaviors, etc. Dr. Murray also stated that he attended Fielding Graduate school for his Master’s program. The Board inquired if his program has a residency. Dr. Murray stated that it did not have a residency as it was an online program. He stated that his doctoral practicum and internship was completed with Dr. Stephan

Dressor and Dr. Henry after he completed his psychology program. Both Dr. Dessor and Dr. Henry are licensed psychologist with the HSPP designation in the state of Indiana. He clarified that he was with Dr. Dessor for twenty-two (22) months and Dr. Henry for eight (8) months for a total of thirty (30) months between his practicum and internship. The Board stated that according to 868 IAC 1.1-4-1 Sec. 11 “The program shall require a minimum of a one (1) year residence. Residence requires personal attendance at the degree granting institution and interaction with psychology faculty and other matriculated psychology students...” Mr. Roth stated that the Administrative Rule was not part of the reason for denial of Dr. Murray’s application. Mr. Roth stated that based upon the letters submitted to Dr. Murray, it was due to his school being an unaccredited program. Mr. Roth submitted Exhibit D which is a letter from California Southern University verifying that the program Dr. Murray attended is accredited. The Board accepted the Exhibit. The Board stated that the reason for denial was not the accreditation, but due to the lack of residency. The Board stated that his program must be under the umbrella of his university and Dr. Murray cannot work as part of his residency. Dr. Murray stated that the work completed with Dr. Dessor and Dr. Henry occurred in Indiana and was under the umbrella of California Southern University. The Board inquired if there were other interns in the program while he worked with his HSPP supervisors, and Dr. Murray stated that he was the only intern. He explained that he had one (1) hour of supervision a week with a total of six (6) hours a week. The Board asked for clarification if there was a difference between the work he did as an intern versus the work he did as an employee. Dr. Murray stated that he did have face to face time with clients and he did go over cases with his supervisors. He also stated that his internship was conducted in a traditional way, and his supervisors where approved by his university. The Board inquired if his internship was sponsored or advertised by the APA (American Psychologist Association) or APPIC (Association of Psychology Postdoctoral and Internship Centers). Dr. Murray stated that his internship and practicum was arranged and approved by his school, so to his knowledge those entities did not sponsor the internship or practicum. Dr. Murray stated that he had to do the same arrangement when he attended Fielding University in that he had to secure an HSPP supervisor and complete hours. He stated that he had to complete all hours under a doctor, with the only exception being his dissertation. Dr. Murray also stated that he did training courses through PESI, Dr. David Burns, anger management, and other continuing education courses both online and in person. Mr. Roth stated that Dr. Murray has met all educational requirements and even exceeded a one (1) year requirement of the on-campus residency. He also stated that Dr. Murray did his hours under Indiana licensed HSPPs and attests that Dr. Murray met all the legal requirements for licensure.

Board Action: A motion was made and seconded that based upon consideration of the evidence, applicable authority, and argument presented by the Petitioner, the Board affirmed the denial of Dr. Murray’s application for psychology licensure. The decision to deny Dr. Murray’s application for psychology licensure by examination was based, in part, on Ind. Code § 25-33-1-5.1 and as supported by the Board’s administrative rules related to requirement of 868 IAC 1.1-4-1 Sec. 11.

Ross/Leib
Motion carried 4-0-0

VIII. DISCUSSION ITEMS

A. Multicultural Competence Psychology Continuing Education

Dr. Williams and Mr. Rhoades from the Indiana Psychology Association submitted an updated version of the proposed rule which would require completion of multicultural continuing education. The presented language covers additional definitions of what is considered multicultural training, and Dr. Williams presented additional information on what has been passed and presented in other states. Dr.

Williams stated that currently ten (10) states have passed similar rules, with Ohio and Illinois as examples. The Board expressed that they do prefer the outline that was passed by the State of New Mexico and found that the language of cultural competency that was used aligns with what they want to see. The Board noted also that the proposed rule as presented by Dr. Williams and Mr. Rhoades also has a better legal framework than what was previously submitted. Mr. Rhoades stated that he will be meeting with Kiera Heering from Governor Holcomb's and will be discussing the proposed rule. The Board noted that if the rule was implemented, it would not be required until the following 2022 renewal cycle, but that date can change if the rule making process takes longer. The multicultural criteria would not add to the total hour requirements for license renewal, but instead the requirements would be for one (1) year a total 20 hours of Category I with 3 hours have to be in ethics, and 2 hours would have to be in multicultural. In essence it would be 5 hours slotted to cover the ethics and multicultural criteria, and those criteria cannot overlap. The multicultural requirement would not be apart of the ethics requirement. The Board proposed language to make that separation clearer for Dr. Williams and Mr. Rhoades' proposed rule.

Board Action: A motion was made and seconded to approve the proposed rule as amended.

Ross/Finley
Motion carried 4-0-0

B. Christina Dean, Ph.D.

Re: Request to Renew/Extend Temporary License

Dr. Dean submitted a request in writing for either a new temporary permit or an extension of her current temporary permit. Dr. Dean stated that she has not had time to take the EPPP and her current temporary permit expires June 18, 2021. Dr. Dean had been approved and granted her first temporary permit, however due to military duty she ran out of time to take the exam. Dr. Dean stated that her inability to take her exam was due to caring for her parents during the COVID pandemic.

Board Action: A motion was made and seconded to approve Dr. Dean's request for an additional temporary permit upon submission of a new application for licensure.

Ross/Hale
Motion carried 4-0-0

C. Shane R. Brown, Ph.D.

Re: Request Extension to take EPPP

Dr. Brown submitted a request in writing to have additional time in order to register and take the EPPP examination. Dr. Brown stated that the COVID pandemic has been a mitigating factor in his ability to take his examination, and he has been unable to find employment in his field despite the fact he had been issued a temporary permit to work.

Board Action: A motion was made and seconded in order for Dr. Brown to receive a new approval to take the EPPP examination he will need to submit a new application.

Ross/Hale
Motion carried 4-0-0

IX. APPLICATIONS FOR REVIEW

A. Limited Scope Temporary Psychology Permit

1. Kristen McCrary, Psy.D.

Dr. McCrary submitted an application for a limited scope psychology permit. Dr. McCrary indicated that the request was to perform custodial evaluations for the courts. She is currently actively licensed in South Carolina and Kentucky with no discipline.

Board Action: A motion was made and seconded to approve Dr. McCrary's application for a limited scope psychology permit.

Ross/Leib
Motion carried 4-0-0

B. Psychology by Examination/Endorsement

1. Naomi Sugunasingha, Ph.D.

Dr. Sugunasingha's application for license by examination was reviewed by the Board. Dr. Sugunasingha graduated from Salomon Institute for Applied Psychology, Canterbury Christ Church University located in the United Kingdom. The College is not APA, CPA, or APPIOC accredited. Her education appears to mainly be researched focused and differs from the requirements needed from a United States institution. The Board did review the equivalency; however, based upon 868 IAC 1.1-1-1 it only references Canada and no other institutions.

Board Action: A motion was made and seconded to deny Dr. Sugunasingha's application based upon she has not graduated from a recognized institution of higher learning.

Ross/Leib
Motion carried 4-0-0

2. Danielle M. Bridges, Psy.D.

Dr. Bridges' application for licensure by endorsement was reviewed by the Board. Dr. Bridges requested that her military experience be used in lieu of the EPPP examination requirement. The statute and rules require the passing of the EPPP examination for licensure and the law does not allow for military experience in lieu of the examination requirement. The Board stated that Dr. Bridges must take and pass the EPPP examination. The Board did not deny her application but requested staff to notify Dr. Bridges that she must take and pass the EPPP examination in order to be licensed in the state of Indiana.

3. Tybytha Ryan, Ph.D.

Dr. Ryan's application for licensure by examination was reviewed by the Board. Dr. Ryan completed her internship during the COVID pandemic. Her school submitted information on how her internship was conducted during such time. After review of her application and information provided by the school, the Board determined that Dr. Ryan meets the requirements for licensure by examination upon taking and passing the examination.

Board Action: A motion was made and seconded to approve Dr. Ryan to sit for the for the EPPP examination.

Ross/Hale
Motion carried 4-0-0

4. Brook Frazer, Ph.D.

Dr. Frazer's application for licensure by examination was reviewed by the Board. Dr. Frazer completed her internship during the COVID pandemic. Her school submitted information on how her internship was conducted during such time. After review of her application and information provided by the school, the Board determined that Dr. Frazer meets the requirements for licensure by examination upon taking and passing the examination.

Board Action: A motion was made and seconded to approve Dr. Frazer to sit for the EPPP examination.

Ross/Hale
Motion carried 4-0-0

5. Karen Kay, Psy.D.

Dr. Kay's application for licensure by endorsement was reviewed by the Board. Dr. Kay graduated from Yeshiva University Ferkauf School of Psychology with a PsyD in 1984. They were the first graduating class. She passed the EPPP examination on October 26, 1984 and is currently licensed in the state of California and New York. Dr. Kay submitted additional documentation regarding her education and training that was approved by the educational bodies at that time. Her course content meets all criteria for the psychology program.

Board Action: A motion was made and seconded to approve Dr. Kay's application by endorsement based upon the school held a temporary accreditation at the time of graduation. She will be required to complete the jurisprudence exam.

Hale/Leib
Motion carried 3-0-0 *Ross not present

C. HSPP Endorsement

D. Continuing Education

1. Bryn Dungan
Re: IACP Networking and Educational Forum

Mr. Dungan submitted additional information on the seminars presented per the Board's request. The Board determined that based on the seminar descriptions of the classes presented, fifteen (15) hours of continuing education could be approved.

X. INDIANA PSYCHOLOGICAL ASSOCIATION REPORT

Mr. Rhoad stated that the PSYPACT legislation for the 2021 session did not pass. However, IPA will continue to pursue PSYPACT in the future.

Mr. Rhoad reported that SEA3, the Telehealth bill, has passed and will be in effect as soon as the Governor signs the bill. He informed the Board that the bill expands on the technology used to perform telehealth and the practice of telehealth. Mr. Rhoades stated that as part of the passing of the Telehealth bill, the current statute of telepsychology for psychologist has been repealed and rolled into the bill.

Mr. Rhoad reported that SEA82, which permits diagnosis for Behavioral health providers with defined education, passed and was signed by the governor. The bill allows those fully licensed under the Behavior Health and Human Services Licensing Board can now provide diagnosis.

Mr. Rhoad reported that HEA1516, which establishes the behavior analysts committee within the Medical Licensing Board, passed and was signed by the Governor. Requires licensees to comply with professional code of Behavioral Analysts Certification Board.

Mr. Rhoad stated that as the Governor is slowly rolling back his Executive Orders in regards to the pandemic. He expects that there will be an increase of Limited Scope Psychology applications for those that want to perform telehealth services.

Mr. Rhoad stated that home study continuing education was approved last year under the APA. There was Category I home study continuing education provided at their Fall Conference. He reported that it was found to be a nice convenience for those that needed additional continuing education. IPA will be holding an ethics CE program soon. Currently they are planning on providing 20 hours of continuing education at their fall conference. Mr. Rhoades also reported that the Indiana Black Psychologists and IPA are building a good relationship with their continuing education programs.

XI. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Psychology Board adjourned at 11:30 a.m.

Stephen G. Ross, Psy.D., Chair

Date