



Tennessee Board of Examiners in Psychology Meeting

Thursday, September 26, 2024

MINUTES

The Board meeting of the Tennessee Board of Examiners in Psychology was called to order at 9:12 a.m. in the Iris Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 on Thursday, September 26, 2024.

Board members present:	Alicia Victory, Vice Chair Timothy Arentsen John Tyler Overstreet Amy Nicholson Eboni Webb D. Malcolm Spica
Board member(s) absent:	Brittany Lett, Consumer Member Amanda Spiess, Ex-officio Member Neelam Jain Susan Douglas
Staff present:	Candyce Wilson, Board Director Katherine Trawick, JD, General Counsel

The Board members recognized Dr. Mark Fleming for his time spent serving on the Board and recognized that a new Board Chair will need to be selected. This will be added to the next meeting agenda.

The Board discussed the desire to allow Dr. Fleming to continue serving as the PSYPACT Commissioner for the Board. Additionally, the Board discussed allowing Dr. Fleming to continue serving as the continuing education consultant for the Board. Dr. Alicia Victory motioned to approve these continued roles for Dr. Fleming. Mr. John Tyler Overstreet seconded the motion, and it passed.

APPROVAL OF MINUTES

The meeting minutes have been tabled.

RATIFICATION OF NEW LICENSEES

The Board reviewed the newly licensed and reinstated psychologist, psychological assistants, and behavior analyst licensees since the last Board meeting. Mr. Overstreet motioned to ratify the psychology

and assistants list. Dr. Victory seconded the motion, and it passed. Mr. Overstreet motioned to approve the behavior analyst list. Dr. Victory seconded the motion, and it passed.

The Board took a moment introduce their two new Board members, Dr. D. Malcolm Spica and Dr. Eboni Webb.

CONFLICT OF INTEREST POLICY

Ms. Katherine Trawick reviewed the Board members conflict of interest policy.

OFFICE OF GENERAL COUNSEL REPORT

Ms. Katherine Trawick reviewed the following report.

Disciplinary Activity

As of September 10, 2024, there were three (3) cases open against three (3) of the Board's licensees. One of these is currently being tried.

Disciplinary Coordinator's Report

Summary: This report provides the total number of licensees currently being monitored for discipline.

The total number of psychologists being monitored for discipline is 6.

The total number on reprimand is 1 with terms. \$4,000.00 fines and fees. (AG's Office is collecting) The total number on probation is 2 with terms. \$0 fines and fees

The total number on suspension is 1 with terms. \$9,186.76 fines and fees (AG's Office is collecting) The total number unlicensed is 1 with terms. \$69,315.81 fines and fees (AG's Office is collecting)

The total number that has had their license revoked or surrendered is 1. \$2,098.00 fines and fees (AG's office is collecting)

Rule Activity

The board has three rulemaking packages in the works.

The emergency rules for the new professional category of Certified Psychological Testing Technician are in process.

The permanent rules for the new professional category are following along with the emergency rules.

The rulemaking for the new licensure route that is for experienced psychologists moving to Tennessee from another state in which they have been licensed for ten (10) of the last fifteen (15) years is also in process.

ADMINISTRATIVE OFFICE REPORT

Ms. Candyce Wilson provided the Board with administrative report.

OFFICE OF INVESTIGATIONS REPORT

The Board reviewed the current investigative report.

REVIEW AND DISCUSS TCAF UPDATE

Dr. Brian Wind, Executive Director of TCAF presented the following update to the Board:

- 1) TCAF has four active contracts, six pre-advocacy clients, and multiple administrative inquiries.
- 2) The foundation has been serving an Applied Behavior Analysis (ABA) Licensing Committee client in need.
- 3) TCAF has all of its RAMP-contracted clients in our digital monitoring platform, and continues to see excellent compliance with RAMP contracts - current contract adherence rate remains at 100%, and our connectivity rate with our clients also remains at 100%.

- 4) Virtual connectivity with TCAF's clients continues to demonstrate multiple benefits.
- 5) TCAF's Board has been active, is functioning quite well, and working on special projects (eg, boundaries screening tool, peer consultation program). Our board will have an active presence at the 2024 Tennessee Psychological Association (TPA) Conference.
- 6) All of TCAF's activities continue to be carried out well within the TCAF budget.
- 7) As always, thank you to the BOE for its continued support of TCAF.

CONSIDER DATES FOR CONTINUED HEARING

The Administrative Office will facilitate the establishment of the next trial date by contacting all panel members for the hearing.

CORRESPONDENCE

Sarah Wellman requested responses on several matters pertaining to the PSYPACT and telehealth. Dr. Fleming appeared before the Board and provided the answers to each question.

Jameice DeCoster holds an active provisional license. Her initial expiration date was October 22, 2024. At the March 14, 2024 Board meeting, the Board reviewed FMLA paperwork and granted a two (2) month extension. Dr. DeCoster has contacted the administrative office requesting the Board grant one more month to align with her full three (3) months of FMLA. Dr. Victory motioned to grant three (3) months. Mr. Overstreet seconded the motion and it passed.

DISCIPLINARY ORDER(S)

Consent Order

Savvas Katzos, LBA (license # 1465) – Ms. Kristen Moon, with the Office of General Counsel, presented the consent order before the Board. After review and consideration there was a motion and seconded to approve the order and the motion passed.

PRESENTATION AND DISCUSSION WITH ASPPB

Dr. Mariaan Burnetti-Atwell and Dr. Hao Song with the ASPPB appeared before the Board to address the EPPP-2 and concerns the Board members identified.

EPPP-2 DISCUSSION AND CONSIDERATION WITH THE TEXAS LICENSURE BOARD

The Board joined a call with Robert Romig and Jamie Becker, representatives from the Texas licensure board. They discussed their concerns with the EPPP-2 and push for jurisdictional autonomy.

PUBLIC COMMENT

Dr. Teresa Young appeared before the Board address concerns with the EPPP-2.

DISCUSSION AND CONSIDERATION ON ANY ACTION REGARDING THE EPPP-2

Dr. Pamela Auble identified the TPA's position, including the exams lack of validation, performance issues, lack of evidence of necessity of a new test, and increased costs and burdens for future licensees. Dr. Auble further explained that this exam will not serve as a solution to any problem in Tennessee. This Board has higher standards than several other states, to include a higher number of professional training hours.

The Board members reviewed the ASPPB by-laws. Dr. Victory motioned to accept the by-laws vote of approval. Dr. Spica seconded the motion, and it passed.

The Board discussed writing their own position statement letter regarding their concerns with the EPPP-2. Dr. Victory motioned to utilize similar language provided by the TPA's position and draft the position

statement to be provided to the ASPPB opposing the EPPP-2. Mr. Overstreet seconded the motion and it passed.

APPLICANT INTERVIEW

Femi Foloronsho appeared before the Board for consideration of his initial by examination application. The applicant was requested to appear due to the necessity of clarity on the documentation provided within his application for licensure. The validity of several documents within the file were questioned. With concern the documents may be fraudulent and not having enough supporting documentation to grant licensure based on current regulations the Board discussed denying the application for licensure. Mr. Overstreet motioned to deny the application for licensure of Mr. Femi Foloronsho pursuant to TCA § 63-11-215(b)(1), TCA § 63-11-215(b)(3), TCA § 63-11-215(b)(7), and TCA § 63-11-215(b)(8). The motion was seconded by Dr. Victory and the motion passed.

DISCIPLINARY ORDER(S)

Order of Compliance

Ms. Trawick presented the order of compliance for Ted Hagen, whose license was previously revoked. The Board also reviewed his application for reinstatement of licensure with his current licensure status being revoked expired. In 2011, the Board requested he obtain an evaluation, and they do not have the results of that evaluation. The Board permitted the reinstatement application to remain open for another six (6) months pending a TCAF evaluation.

UPDATE FROM DR. PAMELA AUBLE WITH TPA

Dr. Auble presented concerns regarding the function of CE Broker and it's ability to be set up in accordance with the Board's rules.

1. The ethics and law CE hours may be obtained together, as well as separately, for a total of three hours. CE Broker will add language to their website to make sure licensees are aware that the three hours they report in this one category will be further reviewed for compliance by the Board's administrative office to ensure both parts of the rule were completed.
2. The diversity continuing education requirement has been listed on CE Broker has it's own course but this is often combined within another course.
3. In the renewal advertisements provided by CE Broker, there are continuing education topics that aren't specific to Tennessee (to include not being specific to TN laws or to include topics not required).

TPA is working on legislation regarding prescriptive authority for psychologists in Tennessee.

DISCUSS AND CONSIDER CONTINUING EDUCATION REQUIREMENTS FOR CPTT

Mr. Overstreet recommended to err on the side of caution by requiring CPTT holders to complete continuing education hours on ethics. Other Board members opposed this recommendation and stated there is not a strong rationale to create this burden and the existing ethics courses will not relate to the duties of a CPTT.

Dr. Auble spoke on the matter by informing the Board that the consensus among CPA's is they were in favor of the new changing to require continuing education hours because it puts them in line with being considered more professional in the workforce. However, the same would not be best for CPTT's considering their limited scope of practice.

Mr. Overstreet motioned to require six (6) hours of continuing education for CPTT's. Without a second to the motion, it failed.

The meeting adjourned at 2:49pm CT.