

# Maryland State Board of Examiners of Psychologists

## Open Board Meeting Minutes – February 10, 2012

The 571<sup>st</sup> Open Meeting of the Maryland State Board of Examiners of Psychologists was called to order at 9:05 a.m. by the Chairperson, Steven Sobelman, Ph.D.

### **Board members present:**

Joann Altiero, Ph.D.  
Jeffrey Barnett, PsyD, ABPP  
Robert Brown, Ph.D., ABPP  
Laurie Friedman Donze, Ph.D.  
Lydia McCargo-Redd, Consumer Member  
Neil R. Morris, Ed.D, ABPP  
Harriet Rakes, Consumer Member  
Myra Waters, Ph.D., Vice-Chairperson

### **Staff present:**

Lorraine Smith, Executive Director  
Dorothy Kutcherman, Licensing Coordinator  
Linda Bethman, AAG, Board Counsel  
Brett Felter, Staff Attorney

### **Public present:**

Paula Hollinger, DHMH Liaison  
Julie Bindeman, Psy.D. - MPA  
Robert B. Cohen, Ph.D. - MPA

#### **A. Minutes**

Minutes of the Open Meeting held on January 13, 2012 were reviewed and approved.

#### **B. Announcements**

*Executive Director* – Ms. Smith stated that of the 18 individuals that took the jurisprudence exam on January 27, 2012 four failed. The list of registrants for the February 17, 2012 exam was reviewed. **A motion was made, seconded, and unanimously carried to approve the list and to authorize the Licensing Committee to approve others eligible to take the exam that may register at a later date.**

Ms. Smith reported that the budget hearings were held on February 8 & 9, 2012. The Board was not named to have money taken from next year's budget. However, the legislators have proposed deleting out of state travel for next year. Ms. Smith testified in

support of leaving some travel funds in the budget for next year. Ms. Smith is the fiscal supervisor for all of the Boards.

Ms. Smith reported that she testified in favor of the Board's bill SB 262, *State Board of Examiners of Psychologists – Penalties and Fines* on Feb. 9, 2012. The Senate had concerns as to whether the penalty would apply to licensees that provide services on an expired license. After a discussion it was decided that the Board would address this concern in regulations and amend the bill to reflect this plan. **A motion was made, seconded, and unanimously carried to make the following amendment to §18-404(B)(1): A person who violates §18-401 of this subtitle is subject to a civil fine of not more than \$50,000 to be assessed by the Board in accordance with regulations (italics – new language).**

Ms. Smith reported that a hearing on the crossover bill to SB 262, HB 276 is scheduled for Tuesday, February 21, 2012. Dr. Sobelman and Ms. Smith will attend the hearing.

Ms. Smith stated that hearings on SB 140 *Crimes – Child Abuse and Neglect – Failure to Report* and SB 63 - *Child Abuse and Neglect – Failure to Provide Notice or Report – Civil 2 Liability and Criminal Penalty* were held on February 9, 2012. The Board submitted a Letter of Concern drafted by the legislative committee on both bills. SB 140 makes failing to report child abuse a criminal act (misdemeanor) and imposes a fine up to \$1,000 and imprisonment if a person is convicted. SB 63 adds a medical examiner and a parole or probation agent to the list of individuals who are specifically required to notify authorities of child abuse cases. Ms. Smith reported that Maryland was one of three states that do not impose a fine for failing to report child abuse.

The Secretary's bill, SB 866, *Health Occupations Boards – Regulations – Scope of Practice Advisory Committees* is scheduled for a hearing on February 22, 2012. The bill establishes an advisory committee to aid in the settlement of scope of practice issues between boards.

*Chairperson* – Dr. Sobelman reported that in complying with HB114 that passed in 2011, announcements of Board vacancies will be posted on the web site. However, the Maryland Psychological Association will continue to facilitate the process.

A draft response of the Board's opinion regarding the University System of Maryland's new policy that requires the President or the President's designee be informed of all child abuse reports was discussed. After a discussion **a motion was made, seconded, and unanimously carried to approve the response.** Dr. Water's gave a report on the child abuse training she attended.

**C. Question – Nevin Young**

An inquiry was received from Mr. Nevin Young of the law offices of Krause & Ferris in Annapolis asking whether "an unlicensed person with a doctoral degree in psychology would be engaging in the unlicensed practice of psychology if they offered an expert

opinion in a Maryland court proceeding.” After discussion, it was the consensus of the Board to ask Mr. Young to provide specific information about the situation.

**D. Psychology Associates**

Dr. Waters provided a summary of the retreat held on December 9, 2011 on psychology associates. The current and future structure and functions of psychology associates were examined with the focus on better protecting the public. The retreat was structured by opening with a general session and Dr. Sobelman providing a history of psychology associates and then forming three groups. Group I was facilitated by Dr. Altiero and they discussed the scope of practice, educational requirements, and experience of the psychology associate. Group II was facilitated by Dr. Waters and they discussed supervision requirements. Group III was facilitated by Dr. Brown and they discussed examination requirements and continuing education. The psychology associate committee members, Drs. Sobelman, Waters, Altiero and Donze will continue to work on this project. The committee may form a work group to assist them. Ms. Smith reminded the committee that a report on the future of psychology associates is due to the legislators in October.

**E. Committee Reports**

*Disciplinary* – Dr. Barnett reported that the committee would meet after the March Board meeting. Topics to be discussed included, the bench book, reviewing the list of supervisors/mentors, and reviewing correspondence sent to the complainants. An article for the spring newsletter that elicits licensees to become supervisors/mentors was distributed. Dr. Barnett asked for a sample of a good liaison report to train new board members and a monthly compliance spreadsheet.

*Licensing* – Dr. Brown stated that the committee would meet after the Board meeting to discuss the law exam and the number of times an individual can retake the jurisprudence exam. The committee continues to perform continuing education audits as well as reviewing applications.

*Public Affairs* – Dr. Donze asked that members review the draft of the newsletter and provide Ms. Smith with comments. Dr. Donze stated that the committee continues to assess ways to enhance the website. However, major changes will not be made until DHMH has finished upgrading the system.

**F. Public Comment**

Ms. Hollinger informed the Board that State Stats were posted on DHMH’s website. The address is <http://www.dhmf.maryland.gov/statestat/SitePages/Home.aspx>. She added that some areas are blank because definitions are still being developed. A customer service survey will be added to the site. Ms. Hollinger stated that a legislative bill was submitted that would eliminate requiring Sunset reviews for smaller boards.

Dr. Bindeman stated that the MPA will host its Annapolis Day on Thursday, February 16, 2012.

**G. Administrative Session/Adjournment**

**A motion was made, seconded, and unanimously carried to enter into administrative session at 11:55 p.m. to discuss disciplinary matters and to consult with Counsel.**

Unless recused, those attending the open session remained for the administrative session.

The Board came out of administrative session at 2:40 p.m. and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sobelman", with a long horizontal flourish extending to the right.

Steven A. Sobelman, Ph.D.  
Chairperson