

**MINUTES OF THE MEETING OF THE
BOARD OF PSYCHOLOGY**
January 18, 2019

These minutes were
approved by the Board
on March 15, 2019

1. ROLL CALL and CALL MEETING TO ORDER

The meeting of the Board of Psychology was called to order by the Chair, Stephanie Bruhn, at 10:04 a.m. in Lower Level Conference Room B, State Office Building, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law. The following members answered the roll call:

MEMBERS PRESENT

Stephanie Bruhn, PhD - Chair
Jennifer Dreibelbis - Member
Mary Fran Flood, PhD - Secretary
Mark Lukin, PhD - Member
Connie Petersen, PhD - Member
Stacy Waldron, PhD – Vice-Chair

MEMBERS ABSENT

Karen Billingsley - Member

OTHERS PRESENT

Kris Chiles, Licensure Unit
Nancy Herdman, Licensure Unit
Mindy Lester, Assistant Attorney General
Larry Wiehn, Investigations

The Board members introduced themselves to the new Board member, Connie Petersen.

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Waldron moved, seconded by Flood, to adopt the agenda. A roll call vote was taken. Voting aye: Bruhn, Dreibelbis, Flood, Lukin, Petersen, Waldron (6). Voting nay: None (0). Absent: Billingsley (1). Motion carried.

3. APPROVAL OF MINUTES (11-16-18)

There was a correction to page 3, agenda Item 6, to remove the first sentence of the third paragraph.

MOTION: Lukin moved, seconded by Waldron, to approve the minutes of 11-16-18 as corrected. A roll call vote was taken. Voting aye: Bruhn, Flood, Lukin, Waldron (4). Voting nay: None (0). Abstain: Dreibelbis, Petersen (2). Absent: Billingsley (1). Motion carried.

4. INVESTIGATIVE REPORTS AND CONFIDENTIAL INFORMATION RELATING TO APPLICATIONS – CLOSED SESSION

MOTION: Waldron moved, seconded by Flood, to enter into closed session at 10:10 a.m. Waldron announced that the purpose was to hear discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Bruhn repeated the motion purpose. A roll call vote was taken. Voting aye: Bruhn, Dreibelbis, Flood, Lukin, Petersen, Waldron (6). Voting nay: None (0). Absent: Billingsley (1). Motion carried.

10:11 a.m. - Waldron departed meeting (conflict)
10:29 a.m. - Waldron entered meeting
10:31 a.m. - Wiehn departed meeting

MOTION: Dreibelbis moved, seconded by Petersen, to enter into open session at 11:10 a.m. A roll call vote was taken. Voting aye: Bruhn, Dreibelbis, Flood, Lukin, Petersen, Waldron (6). Voting nay: None (0). Absent: Billingsley (1). Motion carried.

11:11 a.m. - 2 public individuals entered meeting

5. REVIEW AND RECOMMENDATIONS – OPEN SESSION

a. Applications, Education and Reinstatements

Traci Campbell – Psychologist Applicant

MOTION: Waldron moved, seconded by Dreibelbis, to recommend denial of the license. Motion basis is misrepresentation of material facts on the application and conviction. A roll call vote was taken. Voting aye: Bruhn, Dreibelbis, Flood, Lukin, Petersen, Waldron (6). Voting nay: None (0). Absent: Billingsley (1). Motion carried.

6. REGULATIONS (172 NAC 155) – Continued Review and Discussion

Lori Lundquist Wall spoke about her years on the Board of Psychology and the Board's efforts to cleanup and update the regulations. She stated in spring of 2009 she was told by administration that the regulations needed review by the Catholic Conference which she believed to be unprecedented in terms of review. The Catholic Conference wanted a conscience clause. She stated there were several meetings with the Catholic Conference and others but to no avail. Lundquist Wall reported that in June 2010 the Board of Health approved the draft regulations 12 to 1 without a conscience clause. Lundquist Wall commented that while she was on the Board there had never been a complaint about discrimination. She talked about a training she attended that discussed when providing services to clients to consider 1) best interest of the client, 2) ethics and 3) legal. Lundquist Wall spoke about the care and compassion of Catholic practitioners.

Lundquist Wall was asked if she was representing NPA and what was their position. She responded that she was NPA Chair of Professional Affairs and NPA's position was inclusion, non-discrimination and uphold the entire APA code.

Waldron commented that the APA Code had a reference to statutes overriding the APA Code and she wondered if that was enough to adopt the APA Code. Bruhn asked Chiles if she had a response after the last meeting. Chiles responded the position was the APA code could not be adopted in the regulations.

Bruhn asked the Board if they wanted to move forward with the APA Code knowing the regulations would not be approved. Chiles commented sections of the APA Code could be included in the regulations.

Chiles reported the current regulations included:

- Chapter 155 – Licensure requirements
- Chapter 156 – Unprofessional Conduct
- Chapter 157 – Adopt APA Code

Chiles stated the draft copy of chapter 155 included all three chapters into one document. She commented that perhaps we could retain the separate chapters and move forward with 155. The Board discussed it was important to move the draft regulations forward because there were changes that were important. They want to move forward with 3 separate chapters starting with Chapter 155.

Tom Venzor of the Catholic Conference addressed the Board. Following is a summary of his comments:

- Expressed appreciation for Lundquist Wall's comments regarding the care and compassion of Catholic practitioners.
- Stated that Lundquist Wall's comment about the unprecedented review by the Catholic Conference and indicated that the Catholic Conference represented catholic providers and people of faith and the regulations affect them. He stated public hearings are open to all and that it was important to be a part of the process.

- Regulations were rejected because they were not compatible with the Catholic Conference view but that had been corrected in part.
- Agreed sexual orientation was in the 1992 APA ethics and referrals but the dynamics have changed over time and Catholic Conference voiced their concern.
- Made suggestion that splitting regulations into 3 chapters might not be considered streamlining which is what the Governor wants. Commented he understood the Board's desire to update the regulations.

Noon - Bruhn departed meeting
12:04 p.m. - Bruhn entered meeting

Venzor was asked about the Catholic Conference's position. He responded that their focus was on the referral language and what constituted a referral. Venzor stated they were in favor of the referral language drafted by the Board of Mental Health Practice. He stated sexual orientation and gender identity were a state administration issue. Bruhn asked him to provide the Board with the Catholic Conference position on sexual orientation and gender identity. Venzor commented he would need to confirm with his organization and would provide further information to the Board.

12:09 p.m. - Waldron departed meeting
12:11 p.m. - Waldron entered meeting

Lundquist Wall commented that she believed it was good to have these conversations. She stated that in regards to her comment about the unprecedented review by Catholic Conference she referred to earlier, the Board representatives talked with DHHS leadership and were told they needed to compromise or the regulations would not move forward.

12:16 p.m. - Break
12:32 p.m. - Meeting resumed
2 public individuals departed

7. NEW BUSINESS

a. Correspondence

- Association of State and Provincial Psychology Boards

Chiles reported dues in the amount of \$2045 were paid, 7 states have not yet adopted PSYPACT (7 is required to become effective), and there have been discussions relating to transferring APA to an advocacy organization.

- American Psychological Association

There was no report.

- Nebraska Psychological Association

The spring conference will be on May 10, 2019.

8. UPDATES/REPORTS

- 2019 Legislative Session

Chiles reported bills can be introduced thru 1-23-19.

LB 167 – Proposing disciplinary action for those under the UCA that provide conversion therapy for youth 18 years and under.

LB 112 – Proposing to waive initial license fees for low income, military and youth workers (18-25 years).

- Justice Behavioral Health Committee

Lukin stated they met in December and the following topics were addressed:

- Medical assisted treatment
 - Presentation by sex offender probation officer
 - Problem solving courts
 - Will be a conference in 2019
- Licensure and Examination Statistics / Administrative Penalties / Disciplinary and Non-Disciplinary Action Reports

Examination results beginning January 2019:

EPPP – 1 fail

Statistics:

30 Days Temporary Practice – 5
Provisionally Licensed Psychologist – 35
Psychological Assistant – 107
Psychologist – 512
Psychologist Associate – 3
Special Psychologist – 6
Temporary Psychologist - 1

9. ELECTIONS AND APPOINTMENTS

a. Elections of Officers

MOTION: Lukin moved, seconded by Waldron, to maintain the current slate of officers. A roll call vote was taken. Voting aye: Bruhn, Dreibelbis, Flood, Lukin, Petersen, Waldron (6). Voting nay: None (0). Absent: Billingsley (1). Motion carried.

b. Appointment of Investigative Consultant, APA Education Equivalency Reviewer and ASPPB Representative

The following were appointed:

Investigative consultant – Waldron
APA education equivalency reviewer – Lukin
ASPPB representative – Dreibelbis
PSYPACT representative – Bruhn

10. ADJOURNMENT

There being no further business, Bruhn declared the meeting adjourned at 1:20 p.m.

Respectfully submitted,

Mary Fran Flood, PhD, Secretary
Board of Psychology

Summarized by: Nancy Herdman, Health Licensing Coordinator – Licensure Unit