

**MINUTES OF THE MEETING OF THE
BOARD OF PSYCHOLOGY**

May 17, 2019

These minutes were approved by the Board on 9/20/2019

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 10:08 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
Mary Fran Flood, PhD - Secretary
Connie Petersen, PhD - Member
Stacy Waldron, PhD – Vice-Chair

MEMBERS ABSENT

Karen Billingsley - Member
Jennifer Dreibelbis – Member
Mark Lukin, PhD - Member

OTHERS PRESENT

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

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Flood moved, seconded by Waldron, to adopt the agenda. A voice vote was taken. Voting aye: Bruhn, Flood, Petersen, Waldron (4). Voting nay: None (0). Absent: Billingsley, Dreibelbis, Lukin (3). Motion carried.

3. APPROVAL OF MINUTES (3-15-19)

On page 3 of the minutes the number of psychologists was corrected to 523.

MOTION: Flood moved, seconded by Waldron, to approve the minutes of 3-15-19 as corrected. A voice vote was taken. Voting aye: Bruhn, Flood, Petersen, Waldron (4). Voting nay: None (0). Abstain: None (0). Absent: Billingsley, Dreibelbis, Lukin (3). Motion carried.

Petersen asked about the regulation items discussed at the last meeting. Chiles reported the regulation process includes the following steps:

- Obtain Board input and support of the regulation revisions.
- Draft forwarded to Legal for the attorney to do a first review.
- If there are questions from Legal, will be forwarded to Board via e-mail to respond.
- Back to Legal for further review.
- Draft to the Public Health Director for approval.
- Draft to the Governor's office for review and approval to hold a public hearing.
- Upon approval for public hearing, hearing notice must be published 30 days prior to hearing date.
- After hearing, Board review testimony and determine if any changes needed.
- Board of Health review and approval.
- Public Health Director review and approval.
- Attorney General review and approval.
- Governor review and approval.
- File with the Secretary of State and becomes effective 5 days after filing.

If the review results in 'non-approval' at any step listed above, the process starts over.

Chiles discussed that the goal was to move Chapter 155 forward. She commented that Chapters 156 and 157 had no statutory duplication so they may not need to be revised at this time as part of the Governor's Executive Order follow-up.

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

There were no items for discussion.

5. REVIEW AND RECOMMENDATIONS – OPEN SESSION

a. Applications, Education and Reinstatement Review and Recommendations

Chiles stated the Department received an application from a person who attended Walden University (which is not accredited by the American Psychological Association - APA) and the number of hours the applicant completed during her program year in residency was requested. The statutes require that an applicant meet the following:

- (1) Possess a doctoral degree from a program of graduate study in professional psychology from an institution of higher education. The degree shall be obtained from a program of graduate study in psychology that meets the standards of accreditation adopted by the American Psychological Association.

Chiles reported that APA does require a 1 year residency as part of the doctoral program, however, APA does not define the number of hours required for the 1 year residency. She indicated that perhaps the Board may want to discuss setting a specific number of hours for those programs that are not accredited by the American Psychological Association.

Moved to agenda item 7.

7. NEW BUSINESS

a. ASSOCIATION CORRESPONDENCE

- Association of State Provincial Psychology Boards

Chiles stated there were now 7 states in the PSYPACT. Following are the states and when their legislation was activated:

Arizona – 5-16
Utah – 3-17
Nevada – 5-17
Colorado – 4-18
Nebraska - 4-18
Missouri - 6-18
Illinois - 8-18
Georgia - 4-19

Chiles reported the first PSYPACT Commission meeting would be July 22-23, 2019, in Tyrone, Georgia, and she would be attending.

- American Psychological Association

There was no report.

- Nebraska Psychological Association

Chiles reported the spring conference was held May 10, 2019, and the topic was “Innovations in Cognitive Behavioral Therapy for Anxiety and Suicide Prevention.” Flood stated she attended and the information presented was pretty basic CBT and unfortunately the presenter did not have time to finish her suicide prevention content.

Chiles reported that on April 25, 2019, there was an online presentation on prescription training. The program presented was through New Mexico State University with a face-to-face practicum, to be completed.

8. UPDATES/REPORTS

a. 2019 Legislative Bills

LB 112 – The bill waiving initial licensing fees for low income, military families, and young workers was signed by the Governor on March 21, 2019, and will be effective in September.

Chiles was asked if licensing fees would be going up. Chiles responded that fees were in Chapter 2 and it will also be going through the regulatory process so it is unknown at this time if fees will change or not. Chiles explained that the cost associated with licensing all professions under the Uniform Credentialing Act are currently set using the system defined in statutes (38-151 through 38-155), which includes the total of the base costs, the profession specific costs, and any adjustments. Some fees are set higher depending on the additional profession specific costs for that license type. See statutes 38-151 through 38-155.

LB 167 – Prohibits advertising or providing conversion therapy to anyone under 18 years of age. The bill hearing was February 19, 2019 and has not moved.

LB 499 – Proposes to adopt the APA code of ethics. The bill hearing was March 27, 2019 and the bill is not likely to move this session.

LB 627 – Bill relates to discrimination and labor laws. The bill was placed on general file February 19, 2019 and has not moved.

Waldron asked about a Federal bill that says CBD is legal if it contains only a certain concentration of TCH. It was discussed the position of the Nebraska’s Attorney General is that CBD is not legal in Nebraska.

11:04 a.m. - 1 public person entered meeting
11:09 a.m. - Break
11:29 a.m. - Meeting resumed

Moved to agenda item 6.

6. REGULATION CONTINUED REVIEW AND DISCUSSION (172 NAC 155, 156 AND 157)

Major Mental Disorder - The Board discussed a revised major mental disorder definition that was revised by Department legal for the Board of Mental Health Practice and was approved by the Board of Mental Health Practice to go into their regulations. After review, the psychology board supported the same definition.

There was some discussion about consistency in determining major mental disorder hours completed by a supervisee. It was discussed that the diagnosis list was removed as the diagnoses listed were not the only diagnoses because it is based on severity and impact. It was discussed that supervisors will need to be diligent as they supervise and educate on major mental disorders and what is accepted for supervisee hours.
003.01(b) Internship – The Board reviewed the proposed language and accepted the internship language.

Program Equivalency - The Board supported the inclusion of standards in the regulations for psychology program equivalency when a program was not APA accredited. The Board reviewed the current Program Equivalency Criteria form and the current APA program accrediting standards. APA has broad statement which they liked. Chiles agreed that she would put together a document with the broad statements which would be sent to the Board and then each member would need to individually respond back to her regarding their review.

Residency Hours in Doctoral Program – While APA does not list a specific number of hours that a student must be in residence at a program, the Board felt listing hours would make it clearer to applicants seeking an equivalency. The Board supported 600 face-to-face hours.

MOTION: Flood moved, seconded by Waldron, to move Chapter 155 to legal as soon as the board completed updating the section on APA program equivalency which would include 600 residency hours. A roll call vote was taken. Voting aye: Bruhn, Flood, Petersen, Waldron (4). Voting nay: None (0). Absent: Billingsley, Dreibelbis, Lukin (3). Motion carried.

Moved back to agenda item 8.

b. Justice Behavioral Health Committee

There was no report.

c. Licensure and Examination Statistics, Administrative Penalties, Disciplinary and Non-Disciplinary Action Reports.

EPPP Examination results beginning January 2019: 6 pass, 6 fail

Statistics: 30 Days Temporary Practice – 3
 Provisionally Licensed Psychologist – 34
 Psychological Assistant – 107
 Psychologist – 526
 Psychologist Associate – 3
 Special Psychologist – 6

1:20 p.m. - 1 public person departed

9. ADJOURNMENT

There being no further business, Bruhn, Chair, declared the meeting adjourned at 1:27 p.m.

Respectfully submitted, _____ Mary Fran Flood, PhD, Secretary Board of Psychology
--

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