



## CONFERENCE CALL MEETING NOTICE

### Board of Psychology

This meeting will be held by telephone conference. The Board Members will be calling in from the following addresses and the public is welcome to attend any Open Session discussion at the State Office Building or at any of the locations listed below. A conference call phone line has also been established for the public to call in rather than visit one of the open meeting locations. Please use the following to attend the Open Session items of the Board meeting via telephone:

**PUBLIC CALL IN #: 888-820-1398**

**PARTICIPANT #: 8986450#**

	AGENDA	Posted: 3.6.2023
<p><b>Date:</b> Friday <b>March 31, 2023</b></p> <p><b>Meeting Time:</b> <b>10:00 a.m.</b></p> <p><b>Location:</b> State Office Building 301 Centennial Mall S (14<sup>th</sup> and M Street) 3<sup>rd</sup> floor , Room H Lincoln, Nebraska</p> <p><b>For Information Contact:</b> Carrie Oldehoeft 402-471-2117 or <a href="mailto:dhhs.licensure2117@nebraska.gov">dhhs.licensure2117@nebraska.gov</a></p>	<ol style="list-style-type: none"> <li>1. Roll Call and Call Meeting to Order <b>Announcement:</b> There is a current copy of the Open Meetings Act posted on the door to the meeting room and available at the link listed below.</li> <li>2. Adoption of Agenda</li> <li>3. Approval of Minutes</li> <li>4. Updates/Reports               <ol style="list-style-type: none"> <li>a. Executive Order 22-05 expires 12.31.2022 and 22-08 will expire on June 30, 2023 <a href="https://www.dropbox.com/s/199fzmwi1cjlq4/EO%20No.%2022-08%20-%20Cont%20Waivers%20to%20Facilitate%20Hospital%20Planning%20and%20Ensure%20Additional%20Healthcare%20Workforce%20Capacity.pdf?dl=0">https://www.dropbox.com/s/199fzmwi1cjlq4/EO%20No.%2022-08%20-%20Cont%20Waivers%20to%20Facilitate%20Hospital%20Planning%20and%20Ensure%20Additional%20Healthcare%20Workforce%20Capacity.pdf?dl=0</a></li> <li>b. Association Updates/Correspondence                   <ul style="list-style-type: none"> <li>• Association of State Provincial Psychology Boards <a href="http://www.asppb.org">http://www.asppb.org</a></li> <li>• PSYPACT <a href="https://www.asppb.net/page/PSYPACT">https://www.asppb.net/page/PSYPACT</a></li> <li>• American Psychological Association <a href="http://www.apa.org">http://www.apa.org</a></li> <li>• Nebraska Psychological Association <a href="http://www.nebpsych.org">http://www.nebpsych.org</a></li> </ul> </li> <li>c. Justice Behavioral Health Committee</li> <li>d. Statistics: Examinations, Licensing, Disciplinary/Non-Disciplinary Information, Renewal (attached to agenda)</li> </ol> </li> <li>5. <b>Closed Session (approx. 11:00 am):</b> Investigative and Confidential Information <b>Purpose:</b> To hear discussions of investigative and confidential nature, and for the prevention of needless injury to the reputation of the individuals</li> <li>6. <b>Open Session (approx. 11:30):</b> Review, Recommendations and Report Out (Applications, Mail Ballot Summary Report, and Reinstatements)</li> <li>7. Annual Business               <ol style="list-style-type: none"> <li>a. Elections and Appointments (officers, investigative consultant, ASPPB and PSYPACT delegates, and education reviewers)</li> <li>b. Approval of Method of Noticing Meeting Agendas <a href="https://ago.nebraska.gov/open-meetings">https://ago.nebraska.gov/open-meetings</a></li> <li>c. Per Diem Payments (Neb. Rev. Stat. §38-171 – attached to agenda)</li> </ol> </li> <li>8. Adjournment (<b>approx. **12:00 pm</b>)</li> </ol>	

All items known at the time of distribution of this agenda are listed. A current agenda is available at the Department of Health and Human Services, Division of Public Health, Licensure Unit and at the following website: <https://dhhs.ne.gov/Licensure/Pages/Agendas-and-Minutes.aspx> If auxiliary aids or reasonable accommodations are needed for attendance at a meeting, please call Carrie Oldehoeft at (402) 471-2117 (voice), or for persons with hearing impairments, please call the Nebraska Relay System, 711 TDD, prior to the meeting date. Advance notice of seven days is needed when requesting an interpreter.

**2023 Meeting Dates:**  
January 13  
March 10 (rescheduled)  
March 31  
May 12  
July 14  
September 15  
November 17

**Agenda Item 4d**

**Active Licenses:**

Profession	License Statuses: License Types	SUMMARY COUNT OF LICENSES	
		Active	Active-Military
Psychology	30 Days Temporary Practice	14	
	EO 20-10 Temp Provisional Psychologist		
	EO 20-10 Temporary Psychologist		
	EO 20-27 Provisional Psychologist		
	Original Psychology License		
	Provisionally Licensed Psychologist	35	
	Psy Courtesy Exam Candidate		
	Psychological Assistant	120	
	Psychologist	553	3
	Psychologist Associate	5	
	Psychology Post-Doctoral Supervision		
	Special License Supervisory Registration	2	
	Special Psychologist	3	
	Supervisory PLMHP Registration		
	Supervisory Registration Form	21	
	Temporary Psychologist		
	<b>Grand Total</b>	<b>753</b>	<b>3</b>

**Examination Stats:**

EXAMINATION STATISTICS SUMMARY REPORT			
Profession: Psychology		Run Date: 03/06/2023	
Date Range: 01/01/2023 to 3/6/2023		Page No: Page 1 of 1	
Exam Battery	Exam Name	Result Status	Number of Candidates per Result Status
Psychology	EPPP	Fail	1

**Disciplinary and Non-Disciplinary Actions:**

No reports

### Agenda item 3

These minutes have not been approved by the Board

## MINUTES OF THE VIRTUAL CONFERENCING MEETING BOARD OF PSYCHOLOGY

November 18, 2022

### 1. ROLL CALL and CALL MEETING TO ORDER

The Virtual Conferencing meeting of the Board of Psychology was called to order by the Chair, Stephanie Bruhn, at 10:09 a.m. in the State Office Building, 301 Centennial Mall S, Conference Room Lower Level, room A, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on 11.7.2022, updated 11.8.2022 and 11.9.2022.

The following members answered the roll call:

#### MEMBERS PRESENT (6)

Stephanie Bruhn, PhD, Chair (in room)  
Tomeka Johnson, Member (on call)  
Connie Petersen, PhD, Secretary (on call)  
Stacy Waldron, PhD, Vice-Chair (in room)  
Rebecca Schroeder, Member (in room)  
Mark Lukin, member (on call)

#### MEMBERS ABSENT (1)

Jennifer Dreibelbis, Member

#### OTHERS PRESENT

Kris Chiles, Program Manager, Licensure Unit (in room)  
Carrie Oldehoeft, Health Licensing Coordinator, Licensure Unit (in room)  
TJ O'Neill, Assistant Attorney General (in room)  
Teresa Hampton, DHHS Attorney (on call)  
Anna Harrison, Compliance Coordinator (on call)

A quorum was present and the meeting convened.

### 2. ADOPTION OF AGENDA

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

### 3. APPROVAL OF MINUTES

**MOTION:** Schroeder moved, seconded by Waldron, to adopt the minutes 09.16.2022. A voice vote was taken. Voting aye: Bruhn, Johnson, Lukin, Petersen, Waldron, Schroeder (6). Voting nay: None (0). Absent: Dreibelbis (1). Motion carried.

### 4. 172 NAC 155 REGULATION HEARING SCHEDULED FOR 9.28.2022 AND RESCHEDULED FOR 11.9.2022 (10am) [https://www.nebraska.gov/nesos/rules-and-regs/regtrack/details.cgi?proposal\\_id=2582](https://www.nebraska.gov/nesos/rules-and-regs/regtrack/details.cgi?proposal_id=2582)

\*\*Board Approval of Draft Regulations

Chiles reported that the Public hearing was held on November 9, 2022; there was 1 testimony provided in writing and no testimony presented at the hearing. Dan Ullman, with the Nebraska Psychological Association provided the following comments:

I believe there is a typo on page 4, 004.01(B)(i) which currently reads: "It was clearly identified and labeled as a psychology program and its intent was to education and train psychologists;". I believe

the word “education” should be “educate”?)

There may also be a typo on Page 5, 004.03(A)(2) which reads: “Included 1,500 or more hours in total duration, including 1,000 or more hours of direct service hours (earned in) not more than 48 months; and”. In the proposed draft, the words “earned in” have been removed but the removal was not notated.

Chiles requested approval of the regulations with the changes, so they can move forward to the Board of Health for their review and approval in January 2023. All members approved.

## **5. UPDATES/REPORTS**

- a. Examination for Professional Practice in Psychology - EPPP (Part 1- Knowledge) and (Part 2- Skills) Discussion Relating to concerns raised by stakeholder groups regarding the examination of an individual’s competence to practice psychology (Part 2)

<https://www.asppb.net/news/621595/Information-regarding-the-EPPP-Part-2-Skills-Required-112026.htm>

Waldron—ASPPB annual meeting presentation on EPPP, January 2024 the exam will be one (1) exam, can be taken as 2 parts or back-to-back.

- b. Executive Order 22-05 (Extends 22-02 until 12.31.2022):

<https://govdocs.nebraska.gov/docs/pilot/pubs/eofiles/22-05.pdf>

- a. FAQ’s: <https://dhhs.ne.gov/licensure/Documents/FAQ-Related-to-Executive-Order-22-05.pdf>

Chiles provided an update and a reminder that continuing education is suspended for this renewal period.

- c. Association Updates/Correspondence

- Association of State Provincial Psychology Boards <http://www.asppb.org>

Annual Meeting Report  
Master Degree Task Force

Waldron reported there was much conversation regarding the EPPP examination and supervision guidelines, and a master’s degree license.

Waldron is part of the master’s degree task force, which is a 2-year appointment.

There was also discussion relating to “Dobbs VS Jackson Women’s Health Organization”. Chiles reported this was also discussed during the last PSYPACT meeting, which she will share information when received.

Discussion also included postdoctoral experience, should it be required. APA believes it is not needed and ASPPB believes it is. ASPPB is looking for consistency.

Chiles provided information relating to the requirements and scope of a psychologist associate or psychological assistant – Neb. Rev. Stat. 38-3113.

An individual with a master’s degree in clinical, counseling, or educational psychology or an educational specialist degree in school psychology who administers and scores and may develop interpretations of psychological testing under the supervision of a psychologist.

The Board discussed Master Level licenses vs LMHP/LIMHP and the differences/similarities. The next Task force meeting is 11.20.2022 and will be sending out questions to stakeholders.

- PSYPACT <https://www.asppb.net/page/PSYPACT>

Chiles reported there are 33 state members and 1 joining in 2023. ASPPB staffs the commission but are clearly separated from ASPPB.

The Annual meeting is scheduled for November 2023, and the mid-year will be virtual in July. PSYPACT recommended increasing the fee assessed to states for each PSYPACT holder to \$20; commissioners approved the increase.

11:22 am Cue-investigations entered room

For the ASPPB E-pass, which is required to obtain PSYPACT privileges, the education obtained by the licensee must have been from an APA accredited program; ASPPB is discussing and other options, such as equivalency to APA (which is allowed by several states for licensure)

11:25 am Lester-entered room

11:27 am Meeting break

11:37 am Meeting resumed

- American Psychological Association <http://www.apa.org>

Waldon reported that the APA Code of Conduct is being revised.

It was suggested to NOT use the APA code of conduct in regulations. Waldron spoke with Alex Segal with ASPPB regarding whether states should or shouldn't, Alex offered to come talk with state about Code of Conduct.

- Nebraska Psychological Association <http://www.nebpsych.org>

No updates provided

d. Justice Behavioral Health Committee

Peterson reported the next meeting is 12.14.2022

e. Statistics: Examinations, Licensing, Disciplinary/Non-Disciplinary Information, Renewal (attached to agenda)

Chiles provided current to date renewal numbers

## **6. INVESTIGATIVE AND CONFIDENTIAL INFORMATION – Closed Session**

**MOTION:** Waldron moved, seconded by Lukin, to enter into closed session at 11:47 a.m. for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Waldron repeated the motion and purpose. A voice vote was taken. Voting aye: Bruhn, Johnson, Lukin, Petersen, Waldron, Schroeder (6). Voting nay: None (0). Absent: Dreibelbis (1). Motion carried.

Chiles closed the public phone line

11:48 am Johnson exited call

12:03 pm Teresa Hampton, DHHS Attorney entered call

12:07 am Johnson entered call

## **7. OPEN SESSION**

Verbal agreement to return to open session by all board members at 12:16 pm

12:17 pm Cue exited room

**8. SCHEDULE 2023 MEETING DATES:**

Meeting dates were scheduled for: Jan 13, March 10, May 12, July 14, Sept 15, Nov 17

12:20 pm Lester exited room

**9. BOARD MEMBER RECOGNITION:** Mark Lukin 5 years

Chiles presented Dr. Mark Lukin with a 5-year recognition plaque and thanked him for his service to the board. His term will expire November 30, 2022.

Chiles reported that the Board of Health appointed Johana Williams to fill his vacant position.

**10. ADJOURNMENT**

Board adjourned at 12:26pm, the next board meeting is scheduled for January 13, 2022.

Submitted,

\_\_\_\_\_  
Connie Petersen, PhD, Secretary - Board of Psychology

Summarized by the  
Licensure Unit

## Agenda Item 7

38-171. Board; advisory committee or body; compensation; limitation; expenses.

Each member of a board shall, in addition to necessary traveling and lodging expenses, receive a per diem for each day actually engaged in the discharge of his or her duties, including compensation for the time spent in traveling to and from the place of conducting business. Traveling and lodging expenses shall be on the same basis as provided in sections 81-1174 to 81-1177. The compensation per day shall not exceed fifty dollars and shall be determined by each board with the approval of the department. Persons serving on an advisory committee or body under section 38-161 shall receive remuneration of expenses as provided in sections 81-1174 to 81-1177, including compensation for time spent in traveling to and from the place of conducting business, and a per diem of fifty dollars.

### **For Board Consideration** (Per Diem approved by Board on 1.15.2021)

1. \$25 For 1 day of preparation for each meeting (investigations/applications).
2. \$50 Attending the Board meeting (in person or by conference call).
3. \$50 Each day of travel where overnight arrangements have been made (board meeting or national meeting).
4. \$50 Each day the member is representing the board at a national meeting of state licensing boards (ASPPB)
5. \$50 Each day the member is representing the board at the Justice Behavioral Health Meeting or PsyPACT, etc)
6. \$50 Regulation Hearing, legislative testimony, or other board related meetings when representing the Board (prior board approval required).
7. \$50 for the assigned education reviewer (when requested)
8. \$50 for each review by the Investigative Consultant

### **PUBLIC MEETINGS; NOTICE AND AGENDA REQUIRED**

<https://ago.nebraska.gov/open-meetings>

E. Section 84-1411 sets out several requirements for the notice which must be given for a public meeting and for the agenda which must be prepared: (1) the public body must give reasonable advance publicized notice of the time and place of each meeting, (2) that notice must be transmitted to all members of the body and to the public, (3) the notice must contain an agenda of subjects known at the time of the publicized notice, or a statement that such an agenda, which must be kept continually current, is readily available for inspection at the principal office of the public body during normal business hours.

1. **Notice.** 2020 Neb. Laws LB 148, § 3 placed restrictions on certain public bodies with respect to publication of meeting notices. Under § 84-1411(1)(b)(i)-(iii), governing bodies of political subdivisions and their advisory committees must publish notice in a newspaper of general circulation within the public body's jurisdiction and, if available, on the newspaper's web site. Governing bodies of cities of the second class or villages and their advisory committees must either publish notice in a newspaper of general circulation within the public body's jurisdiction and, if available, on the newspaper's web site, or by posting written notice in three conspicuous public places in the city or village. The posting locations shall remain the same for each meeting. **For all other public bodies, notice shall be given by a method designated by the public body.** Governing bodies of political subdivisions and their advisory committees may, in addition to the requirements set out above, provide notice of their meetings by any other appropriate method designated by the public body. Section 84-1411(1)(c). Section 84-1411(1)(d) requires each public body to record the method(s) and date(s) of such notice in its minutes. Public bodies holding meetings by videoconferencing and telephone conference call, as provided in § 84-1411(2) and (3) respectively, must follow the meeting notification requirements in § 84-1411(1).