



## NOTICE OF MEETING and AGENDA Psychology

This meeting will be held in-person. The public is welcome to attend any Open Session discussion in the Lower Level, Goldenrod Room. This meeting will also be available to the public to participate by WEBEX using this link:

<https://sonvideo.webex.com/sonvideo/j.php?MTID=ma7555af6c1e89cb4db7e4b758d809981>

or call in information is 1-408-418-9388 using meeting number of 2498 153 6531

<p><b>Date:</b> Friday <b>May 31, 2024</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) Lower Level, Goldenrod Room Lincoln, Nebraska</p> <p><b>For Information Contact:</b> Carrie Oldehoeft 402-471-2117 or dhhs.licensure2117@nebraska.gov</p>	<p><b>AGENDA **Revision</b></p> <p><b>Posted: 5.14.2024, 5.20.2024</b></p>
	<ol style="list-style-type: none"> <li>1. Roll Call and Call Meeting to Order <b>Announcement: 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.</b></li> <li>3. Adoption of Agenda</li> <li>4. Approval of Minutes</li> <li>5. <b>Closed Session (approx. 11:00 am):</b> Investigative and Confidential Information <b>Purpose: To hear discussions of investigative and confidential nature, and for the prevention of needless injury to the reputation of the individuals</b></li> <li>6. <b>Open Session (approx. 11:30am):</b> Review, Recommendations and Report Out (Applications, Mail Ballot Summary Report, and Reinstatements)</li> <li>7. FAQ'S related to the Let Them Grow Act ( 181 NAC 8) <a href="https://dhhs.ne.gov/Pages/CMO-Communications.aspx">https://dhhs.ne.gov/Pages/CMO-Communications.aspx</a> (attached)</li> <li>8. Nebraska Psychological Association regarding legislation guidance (approx. 11:45am)</li> <li>9. Nishma Ramos Gonzalez: Online programs and requirements (approx. 12:00pm)</li> <li>10. Public Comment/Questions</li> <li>11. Updates/Reports             <ol style="list-style-type: none"> <li>a. 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>b. Justice Behavioral Health Committee</li> <li>c. Statistics: Examinations, Licensing, Disciplinary/Non-Disciplinary Information, Renewal (attached to agenda)</li> </ol> </li> <li>12. Adjournment (approx. 12:30 pm)</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.

2024 Meeting Dates:	
	1.19.2024
	3.15.2024
	5.17.2024
	7.19.2024
	9.13.2024
	11.15.2024

**Agenda Item 5c**

**Active Licenses:**

		<b>SUMMARY COUNT OF LICENSES B</b>	
<b>Profession</b>	<b>License Statuses: License Types</b>	<b>Active</b>	<b>Active-Military</b>
Psychology	30 Days Temporary Practice	7	
	EO 20-10 Temp Provisional Psychologist		
	EO 20-10 Temporary Psychologist		
	EO 20-27 Provisional Psychologist		
	Original Psychology License		
	Provisionally Licensed Psychologist	55	
	Psy Courtesy Exam Candidate		
	Psychological Assistant	121	
	Psychologist	591	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>805</b>	<b>3</b>

**Examination Stats:**

<b>EXAMINATION STATISTICS SUMMARY REPORT</b>			
Profession: Psychology		Run Date: 05/14/2024	
Date Range: 01/01/2024 to 5/14/2024		Page No: Page 1 of 1	
<b>Exam Battery</b>	<b>Exam Name</b>	<b>Result Status</b>	<b>Number of Candidates per Result Status</b>
Psychology	NE Jurisprudence (written)	Pass	1
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**Disciplinary and Non-Disciplinary Actions:**

No data at this time

### Agenda item 3

These minutes have not been approved by the Board

## MINUTES OF THE MEETING BOARD OF PSYCHOLOGY

March 15, 2024

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

The meeting of the Board of Psychology was called to order by the Chair, Stacy Waldron, at 10:00 a.m. in the State Office Building, 301 Centennial Mall S, Conference Room Lower Level, Goldenrod Room, 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 9/14/2024 and revised 1/8/2024.

The following members answered the roll call:

#### MEMBERS PRESENT (5)

Connie Petersen, PhD, Secretary  
Stacy Waldron, PhD, Chair  
Rebecca Schroeder, Member  
Tomeka Johnson, Member  
Stephanie Bruhn, PhD, Vice-Chair

#### MEMBERS ABSENT (1)

Jennifer Dreibelbis, Member

#### OTHERS PRESENT

Carrie Oldehoeft, DHHS Health Licensing Coordinator, Licensure Unit (via Webex)  
Mindy Lester, Assistant Attorney General  
Abigail Nissen, Assistant Attorney General  
Suzanna Glover-Ettrich, DHHS Attorney (via Webex)  
Anna Harrison, Compliance Monitor (via Webex)  
Larry Wiehn-investigations

A quorum was present and the meeting convened.

### **2. Introduction of new program manager-Sean Loving**

### 3. ADOPTION OF AGENDA

**MOTION:** Schroeder moved, seconded by Petersen, to adopt the agenda. A voice vote was taken. Voting aye : Bruhn, Johnson, Petersen, Schroeder, Waldron (5). Voting nay: None (0). Vacant: One (1) Absent: Dreibelbis (1). Motion carried.

### 4. APPROVAL OF MINUTES

**MOTION:** Petersen moved, seconded by Bruhn, to adopt the minutes with corrections for 1/19/2024. A voice vote was taken. Voting aye : Bruhn, Johnson, Petersen, Schroeder, Waldron (5). Voting nay: None (0). Absent: Dreibelbis (1). Abstain: Linder (1). Vacant: One (1) Motion carried.

### 5. INVESTIGATIVE AND CONFIDENTIAL INFORMATION – Closed Session

**MOTION:** Petersen moved, seconded by Schroeder, to enter into closed session at 10:14 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, Petersen, Schroeder, Waldron (5). Voting nay: None (0). Absent: Dreibelbis (1). Vacant: One (1) Motion carried.

Oldehoeft closed the public phone line and the open meeting sign on the door was moved to closed session

## **7. OPEN SESSION**

Verbal agreement to return to open session by all board members at 11:03 am

11:03am Harrison exited the call

11:03 am Wiehn exited room

### **Sarette Zecharia:**

**MOTION:** Petersen moved, seconded by Bruhn, to recommend issuance of the license without terms. A voice vote was taken. Voting aye : Bruhn, Johnson, Petersen, Schroeder, Waldron (5). Voting nay: None (0). Absent: Dreibelbis (1). Vacant: One (1) Motion carried.

### **Charles Darrow:**

**MOTION:** Bruhn moved, seconded by Waldron, to recommend denial of the application for EPPP exam. Based on not having an active Provisional Psychology License. A voice vote was taken. Voting aye : Bruhn, Johnson, Petersen, Schroeder, Waldron (5). Voting nay: None (0). Absent: Dreibelbis (1). Vacant: One (1) Motion carried.

## **4. Legislation 2024**

Loving updated the board regarding status of legislation.

LB 896 This pertains to telehealth with no movement at this time.

LB 16 This was signed March 5 and DHHS is reviewing and will present a plan in place to present to the board

LB 835 This pertains to School Psychologist Interstate Licensure Compact and doesn't impact this board,

### **Updates/Reports**

#### d. Association Updates/Correspondence

- Association of State Provincial Psychology Boards <http://www.asppb.org>
  - Dreibelbis bis is absent
  - Waldron updated the board, that mid year is in Boston April 25-28
  - Board discussion on exams (EPPP parts 1 & 2)
  - Waldron will update the board regarding the exams after the mid-year meeting.
- PSYPACT <https://www.asppb.net/page/PSYPACT>
  - Waldron updated the board with information, there are currently 40 states active.
  - Carrie Oldehoeft, Board Coordinator will represent the State at Psypact meetings.
- American Psychological Association <http://www.apa.org>
  - Schroeder updated that she sat in on the meeting regarding Master Level License information.
  - Waldron updated regarding a model act on master's license program from ASPPB, APA looking doing the same.
- Nebraska Psychological Association <http://www.nebpsych.org>
  - AI discussion and Ethics training
  - Spring conference is May 3

#### e. Justice Behavioral Health Committee

- No updates

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

**Public** No comments

**10. ADJOURNMENT**

Board adjourned at 11:40, the next board meeting is scheduled for May 17.

Submitted,

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

Summarized by the  
Licensure Unit



## Let Them Grow Act FAQ

### **When did the Let the Grow Act become operative?**

The Act has an operative date of October 1, 2023.

### **When was the public hearing held?**

The public meeting was held on November 28 from 7:00 AM to 7:00 PM at the Lancaster Event Center – Lincoln Room at 4100 N 84th St., Lincoln, NE 68507.

### **For those who have started pharmaceutical treatment prior to the October 1 operative date, can this treatment continue?**

Yes, but only for the treatment that has already begun prior to October 1. For example, a patient receiving treatment with puberty-blocking drugs may not begin cross-sex hormone therapy after October 1 without having met the requirements set forth in the regulations.

### **If a minor has gender-altering surgery outside of Nebraska and returns to Nebraska for recovery, can a Nebraska healthcare provider provide the necessary post-operative care?**

Yes. The act prohibits surgical procedures for youth under age 19 and regulates the use of pharmacological treatments. The act does not prohibit post-operative care.

### **Are gender-identity-focused behavioral health services allowed under the Act?**

The act prohibits surgical procedures for youth under 19 and regulates the use of pharmacological treatments. It does not prohibit behavioral therapy.

### **How does DHHS define gender-identity-focused therapeutic hours?**

Gender-identity-focused therapeutic hours would be defined as hours spent where the primary focus is to assess, diagnose, or treat the individual's gender dysphoria or gender nonconformity-related concerns. During these individual sessions, a therapist should ascertain the extent the individual's gender dysphoria or gender nonconformity is impacting the individual's functioning and general mental health and to rule out any other diagnosis that may be a confounding element in the longer-term care of the individual.

### **Must these hours be focused solely on gender identity or what is the line between a therapist's requirement to address other concerns?**

The primary emphasis must be related to the patient's gender dysphoria or gender nonconformity. In most therapy, it is nearly impossible to entirely separate out a specific symptom or illness from the rest of the concerns that are presented to the clinician in therapy.

If other complaints or concerns were to present themselves, the expectation would be that these would be evaluated and addressed within the context of the gender dysphoria or gender nonconformity-focused therapy, with emphasis placed on how these other concerns or complaints are relevant to the gender dysphoria or gender nonconformity and the proposed treatments.

A treating therapist will need to ascertain based upon their expertise and actual experience with the youth during therapeutic sessions as to whether session time with the youth is reasonably related to the youth's gender dysphoria or gender nonconformity.

### **How do you define a “contact hour” of therapeutic treatment?**

A “contact hour” is a period of time between 45 and 60 minutes of gender-identity-focused therapy.

### **Do the regulations prohibit treatment by telehealth?**

No, the regulations do not prohibit treatment by telehealth.

### **Is there a 40-hour treatment requirement limited to out-patient treatment?**

No, the 40 hours of gender-identity-focused contact hours required by the regulations can be received in an in-patient or out-patient setting.

### **Can the minor obtain 40-hours of gender-identity-focused contact hours from multiple providers?**

The regulations do not limit the number of providers the minor may see in order to achieve the 40-hours of gender-identity-focused contact hours. The regulations require the patient's medical record to reflect 40-hours of gender-identity-focused contact hours and an attestation from all non-prescribing practitioners who provide treatment.

### **For the 40 gender-identity-focused contact hours of therapeutic treatment, what does DHHS mean by clinically neutral and not gender affirming or conversion context?**

The regulations contained in the Act require a therapist to use their clinical expertise when conducting the gender-identity-focused therapeutic assessment and treatment, and not impose their own beliefs or simply amplify or parrot the client's or the client's parent's beliefs. It is important to remember the prescribing practitioner must be able to rely upon the therapist's attestation and underlying assessments. Thus, the attestation must be clinically neutral and unbiased and should reflect the therapist's own professional judgment and observations. A therapist may take a client-centered approach by using the person's preferred name, pronouns, validating their experience, or orienting them towards the best treatment outcome. When assessing, diagnosing, or treating gender dysphoria or gender nonconformity-related concerns, DHHS expects that it may be therapeutically necessary to either affirm or question a client's mental state. The regulations are not meant to be a prohibition or hindrance on what would otherwise be considered appropriate therapeutic care for clients or patients. The regulations are meant to ensure youth and prescribing practitioners receive the benefits from unbiased professional clinical

assessments, patient-centered therapy, and clinically sound recommendations as to whether medical intervention, puberty blockers or cross hormone treatment, would be appropriate for an individual youth at the time of the attestation.

**What is the reasoning behind requiring injectable medications be done at a medical office by a professional?**

This treatment requires the injection of complex hormonal medication regimens. It is important to ensure the proper dosage of each injection and to regularly monitor the effects and side effects of treatment. In-office injections also gives the patient the opportunity for education and consultation with a medical professional throughout the process.

**Do the regulations prohibit a pharmacy from sending medications directly to a physician?**

No, there is nothing in the regulations that would prohibit a pharmacy from sending medications directly to a physician. The regulations regulate how they are sent to the patient. The regulations do not prohibit wholesale distribution of medications. Nothing prohibits the direct dispensing to a physician or the ordering/dispensing of medication by the physician's office.

**What experts were utilized in drafting the regulations?**

The Department utilized medical, psychological, and behavioral health specialists within the Department. The Chief Medical Officer also consulted with external experts in related fields of practice.

**While developing the regulation, how much of the discussions was focused on ensuring the regulations don't create undue barriers to treatment?**

The regulations were written to provide a balanced approach to determine if this life-altering and life-changing treatment is the best option for minors while also not creating undue barriers.

**How will public comments be evaluated?**

Information provided through the regulation promulgation public comment process will be evaluated in accordance with the Administrative Procedure Act (Neb. Rev. Stat. §§ 84-901 et seq.). Per statute, all comments received must be reviewed and evaluated.

**Will the public comments received be available to the public?**

Yes.