

MINUTES

Regular Meeting of

The Alabama Board of Examiners in Psychology
100 N. Union Street, Suite 880
Montgomery, AL 36104

January 20, 2023

Members Present: Eliza M. Belle, Ph.D. – Chair
Edwin W. Cook, III, Ph.D. – Vice-Chair
Kimberley S. Ackerson, Ph.D., ABPP – Member
Nancy W. Berland, Ph.D. – Member
Michael A. Carlton, Ph.D. – Member
Carmen Douglas, SHRM-SCP, SPHR – Public Member
Candice Drinkard Lewis, M.S. – Psychological Technician Member
Dale Wisely, Ph.D. – Member

Others Present: Brice M. Johnston – Legal Counsel
Angela D. Ledbetter – Executive Assistant
Lori H. Rall – Executive Director
Ellen L. Spence, Ph.D. – Alabama Psychological Association Liaison
Rebecca Sheree Bodiford, Ph.D. – Licensee / Member of the Public

Opening by Belle: We are gathered in the Board Office and by Zoom for a regular meeting of the Alabama Board of Examiners in Psychology. A lawful quorum is present and sufficient prior notice has been given, as required by the Open Meetings Act. The time is 9:04 a.m.

BOARD MISSION STATEMENT:

The Alabama Board of Examiners in Psychology seeks to promote and protect the public's health, welfare, and quality of life by licensing and regulating the practice of psychology and by promoting access to psychological services delivered in a safe, competent, and ethical manner.

RENEWAL OF OATHS OF OFFICE

First Annual Renewal of standing Board Members' Oaths of Office to discharge the duties of office and service for Calendar Year 2023. Notary, Brice Johnston, Administered the Oath to Board members attending in person (Drs. Belle, Carlton, Cook, and Wisely, and Ms. Lewis and Douglas).

BOARD LEADERSHIP

New Board Chair and Vice-Chair - Nominations and elections. Motion by Belle to nominate Cook as Chair and Berland as Vice-Chair. Seconded by Douglas. Motion passed.

REVIEW OF MINUTES:

Review of the November 4, 2022 Minutes. Motion by Belle to accept minutes from November meeting. Seconded by Cook. Motion passed.

OLD BUSINESS:

- 1) Alabama Medicaid Agency – January 2023 Update / Quarterly Revision to Provider Manual Chapter 34, Behavioral Health: Minimum Qualifications for Psychology Providers Professional Staff (Allied Mental Health Professional / “AMHP”)

Discussion on recently published policy changes to Chapter 34 which eliminate qualifications, practice, and supervision guidelines for unlicensed, allied mental health professionals supervised by psychologists; change potentially affects access to care and reimbursement schedules. Discussion about Medicaid guidelines and how, because they are not legislatively enacted statutes, rules, or regulations, they are not tied to the Board’s Administrative Code Rules, or the Rules of any other professional licensing agency in Alabama. Discussion about how providers will be impacted by the Medicaid policy change. The Board’s Administrative Code Rules detail the very limited services that support staff may provide. The Board discussed issues of access to care, protecting the public, providers’ compensation, and supervision of unlicensed individuals. Licensee Dr. Bodiford expressed concern for psychologists potentially facing legal, ethical, and abandonment issues due to this immediate end of AMHP services and pointed out that Medicaid allowed for offsite psychologist supervision in contradiction to the Board’s statutes and rules and regulations. The Board suggested to representatives of the Alabama Medicaid Agency in 2022 that a task force might be able to help review AMHP practice overlaps and conflicts of laws. Mr. Johnston clarified that students and interns preparing for the practice of psychology may still work in many of these types of settings. Belle advised that psychologists should not be supervising unlicensed individuals outside of a training program, but this may be confusing to Medicaid providers following Medicaid guidelines, which previously stood in conflict with the rules and regulations governing the professional practice of psychology in Alabama. Rall stated that because Medicaid guidelines did not align with the law, psychologists unintentionally could be / have been aiding and abetting the unlicensed practice of psychology. Medicaid can make policy changes outside of the notice and public comment process, so those guidelines are not attached to a legislative enactment in the way that our rule changes must move through the Legislative Services Agency notification process to inform the public and to codify and publish changes. The Board realizes the change affects licensees significantly, and reiterates that the supervision contract in its code is between a licensed psychologist and a licensed psychological technician only. Cook addressed the under-utilization of master’s level licensure in Alabama and concerns about EPPP passage rates at the master’s level and access to care. Cook asked the Board Office

to draft a message for licensed providers to ensure everyone is aware of the Medicaid change and reiterate the scope and limits of practice in the law and Admin Code Rules. Belle recommended that the statement makes clear how the law does and does not relate to Medicaid guidelines, and to also provide a statement to Alabama Psychological Association (aPA). Rall recommended that the Board form a small sub-committee to review and develop a statement on how the change in Medicaid policy relates to the Alabama Law for practice as a Psychologist/Psychological Technician and suggested that Belle, Lewis, and Wisely serve on the committee. Motion by Belle to form a committee (members: Belle, Lewis, Wisely, Rall and Johnston) to address concerns related to the Medicaid change and to send out related correspondence to licensees, the Medicaid Agency, and the aPA. Seconded by Lewis. Motion passed.

REVIEW OF NEW APPLICANTS:

Psychologists

- 1) DAVIS, III, Thompson Elder – PSE Candidate (Wisely & Carlton) Motion by Wisely to admit to PSE. Seconded by Carlton. Motion Passed. (Specialization Clinical)
- 2) JOHNSON, Michael Bruce – Licensure Candidate (Cook & Douglas) Motion by Cook for licensure. Seconded by Douglas. Motion Passed. (Specialization Counseling)
- 3) LOCKMAN, Jennifer Danielle – PSE Candidate (Lewis & Berland) Motion by Lewis to admit to PSE. Seconded by Berland. Motion Passed. (Specialization Counseling)
- 4) SPIEGEL, Jamie Ann – PSE Candidate (Carlton & Wisely) Motion by Carlton to admit to PSE. Seconded by Wisely. Motion Passed. (Specialization Clinical)
- 5) TYKOL, Lauren Meaux – EPPP & PSE Candidate (Berland & Lewis) Motion by Berland to admit to EPPP & PSE. Seconded by Lewis. Cook abstained. Motion Passed. (Specialization Clinical)

PREVIOUSLY REVIEWED APPLICANTS:

Psychologist(s)

- 1) ASBY, Aisha TaTa – EPPP and PSE Candidate (Lewis & Cook) Admitted to exams on November 4, 2022; Board requested additional information on how the candidate is legally authorized to perform the duties described in her Professional Experience at Infinite Potential Behavioral Health Services in Dallas, Texas, and at CyFair Psychological Group in Cypress, Texas; the matter was also referred to the Texas Licensing Board. Response reviewed. Motion by Cook for Board Office to provide Dr. Asby's response along with relevant pages from the Application (including Authorization page) to the Texas Licensing Board with a request for their written feedback about the legality of Dr. Asby's work in Texas and concerning any actions the Texas Licensing Board might take related to this matter. Seconded by Lewis. Motion Passed.

REVIEW of Exam Scores for the Examination for Professional Practice in Psychology (EPPP), and/or the Professional Standards Exam (PSE), and/or Licenses Issued since the November 2022 Board Meeting:

Psychologists

Pass or fail for each candidate is based upon the ASPPB recommended passing score for psychologists. The EPPP passing score for psychologists is 500. The passing score for the PSE is 80% (34 correct).

Psychological Technicians

The EPPP passing score for psychological technicians is 400. The passing score for the PSE is 80% (34 correct).

<i>NAME of Applicant / Licensee</i>	<i>Degree</i>	<i>Application Level</i>	<i>EPPP Passed?</i>	<i>PSE Passed?</i>	<i>License Number</i>	<i>Date of Licensure</i>	<i>Area of Specialization</i>
BROMBERG, Caroline Christian	Psy.D.	Psychologist	Yes (NY)	Yes	2290	11/21/2022	Clinical
CAMPBELL, Robert Bruce	Psy.D.	Psychologist	Yes (IL)	Yes	2291	11/21/2022	Clinical
BARRY, Nashedra Shonte	Ph.D.	Psychologist	Yes (MD)	Yes	2292	11/28/2022	Clinical & School
CUNDIFF, Jeanne Marie	Ph.D.	Psychologist	Yes	Yes	2293	12/19/2022	Clinical
THOMAS, Paul Andrew	Psy.D.	Psychologist	Yes	Yes	2294	12/29/2022	Clinical
KINNEY, Jade Lynn	Ph.D.	Psychologist	No; may sit again	Yes	-	-	Counseling
GAMBERA, Gianna Claire	Ph.D.	Psychologist	No; may sit again	Yes	-	-	School
BERRY, April Tashay	Ph.D.	Psychologist	No; may sit again	Yes	-	-	Clinical & Counseling
FOREMAN, Amber Hope	Psy.D.	Psychologist	No; may sit again	-	-	-	Clinical
ROBERTS, Tangela Sarie	Ph.D.	Psychologist	No; may sit again	-	-	-	Counseling

COMPLAINTS:

**Against Licensed Psychologists
Old**

- 1) 19-015 – On-going investigation
- 2) 20-007 – On-going investigation
- 3) 20-008 – On-going investigation
- 4) 20-009 – On-going investigation
- 5) 21-004 – On-going investigation
- 6) 21-007 – On-going investigation
- 7) 21-009 – On-going investigation
- 8) 21-010 – On-going investigation
- 9) 21-012 – On-going investigation
- 10) 21-013 – On-going investigation
- 11) 22-002 – On-going investigation
- 12) 22-003 – On-going investigation
- 13) 22-004 – On-going investigation
- 14) 22-006 – No Probable Cause
- 15) 22-007 – On-going investigation
- 16) 22-012 – On-going investigation
- 17) 22-013 – On-going investigation
- 18) 22-015 – No Probable Cause
- 19) 23-001 – On-going investigation

New

- 1) 23-002 – On-going investigation
- 2) 23-003 – On-going investigation
- 3) 23-004 – On-going investigation
- 4) 23-005 – On-going investigation

OLD BUSINESS:

- 2) 2022 ASPPB's 62nd Meeting of Delegates, October 2022, Summary – Reviewed. Cook recommended that the Board collect and evaluate diversity characteristics of licensees in ongoing demographic surveys in the future, and that the Board meet with the Oregon Board

of Psychology via Zoom to discuss its presentation on breaking down barriers to licensure. Cook recommended that the Board look into making EPPP study materials available through the Board office to provide assistance with passage of the EPPP. Cook would like the Board to obtain study materials to help if in budget. Douglas offered assistance with grant writing to cover the expense of making test prep materials available to applicants.

- 3) Master's-Level Licensure – ASPPB's Task Force on Potential Regulatory Implications for Licensing Master's-Training Individuals (PRELIM) – Update by Rall: Scope and limits of practice are being discussed. The TF is collecting impressions and data from other jurisdictions, focused on terminal Master's training, and meeting every two (2) weeks.

NEW BUSINESS:

- 1) New Board Logo, Graphics, Website, and E-Payment Platform – Update by Rall: Scope of Work has been signed and the Board is in an agreement with the State of Alabama Office of Information Technology to complete the work, which will begin on January 23, 2023 with anticipated completion by April 2023. The estimated cost is \$13,250.00. Website will have a new look and better integrated functionality.
- 2) Upcoming ASPPB Meetings:
 - a) Ethics of New Board Member Training – Online Event, Tuesday, February 28. This 3-hour virtual at-no-extra-cost course will cover multiple and various topics pertaining psychology board service. Call for Attendance; Lori Rall registered.
 - b) Mid-Year Meeting – Denver, CO, Thursday, April 27 through Sunday, April 30. Call for Attendance.
 - c) Annual Meeting – Cleveland, OH, Wednesday, September 27 through Sunday, October 1. Call for Attendance.
- 3) Quarterly Reporting – First Quarter 2023 – Reviewed.
- 4) Upcoming Audit – The Federal Bureau of Investigation's Criminal Justice Information Services (CJIS) Division will conduct a Noncriminal Justice Information Technology Security Audit on Wednesday, February 15, 2023.
- 5) Alabama Association of Regulatory Board's Certified Investigator Training – Orange Beach, AL, Monday, February 6 through Wednesday, February 8. Angie Ledbetter to attend.
- 6) Statement of Economic Interest – Members shall complete and file with the Alabama Ethics Commission no later than April 30 each year for the preceding calendar year.
- 7) Governor Kay Ivey's Executive Orders Nos. 726 through 732. Reviewed.
 726. *Promoting the Faithful Execution of the Laws Within the Executive Branch of State Government*
 727. *Establishing the Governor's Study Group on Efficiency in State Government*
 728. *Promoting Efficiency and Accountability in the Use of State Vehicles*
 729. *Promoting Early Literacy by Establishing a Statewide Dolly Parton's Imagination*

Library Network

- 730. *Establishing the Governor's Commission on Teaching and Learning*
- 731. *Ensuring Progress Toward Full Implementation of Foundational Education Initiatives*
- 732. *Establishing a K-12 Teacher Registered Apprenticeship Pilot Program to Increase Pathways to the Teaching Profession*

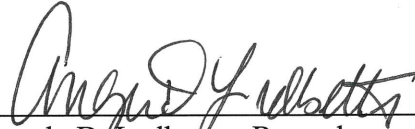
FYI - Office's Recent Calendar, Upcoming Meetings & Other Important Dates

December 6, 2022	AARB Holiday Luncheon - Belle, Rall & Ledbetter
December 19	ASPPB Committee on Disciplinary Issued (CODI) Meeting - Rall
January 5, 2023	PSYPACT Executive Board Meeting - Rall serves as Vice-Chair of the Executive Board
January 10	ASPPB Potential Regulatory Implications for Licensing Master's-Trained Individuals (PRI-LM) Task Force Meeting - Rall
January 10	NIC Alabama Project Meeting - Rall & Ledbetter
January 12	PSYPACT Training and Public Relations Committee Meeting - Rall serves as Committee Chair
January 20	Capitol City Chapter NPMA Meeting – Ledbetter
January 24	ASPPB PRI-LM Meeting
January 24	Dept of Finance / Concur Training - Rall & Ledbetter
January 30	ASPPB – Board Administrators/Registrars Committee (BARC) Winter Meeting - Rall
February 6-8	AARB – CIT Training - Ledbetter
February 10	Psychology Professionals Wellness Committee Meeting
February 15	FBI CHRI/CJIS Audit – Board Office Staff, virtual meeting/audit
February 22	NPDB (National Practitioner Data Bank) Data Bank Administrator Training - Rall
March 7	Alabama Legislature Convenes – 2023 Session - Rall to serve on AARB's Legislative Affairs Committee

NEXT BOARD MEETING: March 10, 2023

Motion by Cook to adjourn the meeting. Seconded by Belle. Motion passed. Meeting ended at 11:57 a.m.

Respectfully Submitted,



Angela D. Ledbetter, Recorder
Executive Assistant



~~Eliza M. Belle, Ph.D.~~ Edwin W. Cook III
Chair