

MINUTES

Regular Meeting of

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

March 8, 2024

- Members Present: Nancy W. Berland, Ph.D. – Chair (In Person)
Michael A. Carlton, Ph.D. – Vice-Chair (In Person)
Kimberley S. Ackerson, Ph.D., ABPP – Psychologist Member (In Person)
Edwin W. Cook, III, Ph.D. – Psychologist Member (In Person)
Carmen Douglas, SHRM-SCP, SPHR – Public Member (In Person)
Candice D. Lewis, M.S. – Psychological Technician Member (In Person)
Dale Wisely, Ph.D. – Psychologist Member (In Person)
- Others Present: Angela D. Ledbetter – Executive Assistant (In Person)
Lori H. Rall – Executive Director (In Person)
Susan Nettles Han – Legal Counsel (In Person)
Ellen L. Spence, Ph.D. – AL Psychological Association Liaison (In Person)
Teresa M. Lee – Notary (In Person)
Bruce Lieberman – Director, Medicaid Fraud Control Unit, Alabama Office
of the Attorney General (In Person)
Michael Myrick – Law Enforcement Specialist, Medicaid Fraud Control Unit,
Alabama Office of the Attorney General (In Person)
Member of the Public (Via Zoom)
- Not Present: C. Jeffrey Terrell, Ph.D., ABPP – Psychologist Member

Opening by Berland: The time is 9:00 a.m. We are gathered in the Board Office and on Zoom for a regular meeting of the Alabama Board of Examiners in Psychology. As required by the Open Meetings Act, we have a lawful quorum of at least four (4) members and at least three members (3) are present in person, and sufficient prior notice of this meeting has been posted for the Public on both the Board's and the Secretary of State's websites, to include a link for Zoom meeting participation information at both websites because one (1) or more of our Members may participate remotely and for remote Public access. All unanimous votes will be announced aloud by the Chair and non-unanimous votes will be held by Roll Call. Board Members with a close personal or professional relationship to a subject of, or party to, an action are reminded to recuse themselves from participation in that part of the Meeting Agenda.

As a reminder of why the Board gathers, the BOARD's **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.

NEW BUSINESS:

- 1) Board Member Re-Appointment: Edwin W. Cook, III, Ph.D., Term expires January 15, 2029. Cook took an Oath of Office; swearing-in was administered by Teresa M. Lee, Notary.

Ms. Lee exited the meeting at 9:04 a.m.

Dr. Spence joined the meeting at 9:05 a.m.

REVIEW OF MINUTES:

Review of the November 8, 2023 Minutes. Motion by Cook to accept Minutes as written. Seconded by Wisely. Motion passed unanimously.

Review of the January 12, 2024 Minutes. Motion by Wisely to accept Minutes as written. Seconded by Carlton. Motion passed. Cook abstained.

REVIEW OF NEW APPLICANTS:

Psychologists

- 1) CASTAGNA, Peter James – EPPP & PSE Candidate (Carlton & Wisely) Specialization in Clinical. Han recommended that the Board enter Executive Session to discuss the potential threat of, or possibility of, litigation, and to discuss the good name and character of an individual, for approximately 15 minutes. Motion by Cook to enter Executive Session to discuss the potential threat of, or possibility of, litigation, and to discuss the good name and character of an individual, at 9:08 a.m. Seconded by Carlton. Motion passed unanimously.

Spence and Member of the Public exited the meeting at 9:08 a.m.

Motion by Cook for the Board to leave Executive Session at 9:18 a.m. Seconded by Wisely. Motion passed unanimously.

Spence and Member of the Public returned to the meeting at 9:20 a.m.

Motion by Carlton to admit Dr. Castagna to the EPPP & PSE. Seconded by Wisely. Motion passed unanimously.

- 2) DENG, Kuo – PSE Candidate (Berland & Ackerson) Specialization in Clinical. Motion by Berland to admit Dr. Deng to the PSE with a request that Dr. Deng revise her Specialization Statement to address the context in which she plans to practice. Seconded by Ackerson. Motion passed unanimously.
- 3) HEILMAN, Pamela Lynn – PSE Candidate (Wisely & Douglas) Specialization in Clinical. Motion by Wisely to admit Dr. Heilman to the PSE. Seconded by Douglas. Motion passed unanimously.
- 4) HOYER, James Dennis – EPPP & PSE Candidate (Carlton & Lewis) Specialization in Clinical. Motion by Carlton to admit Dr. Hoyer to the EPPP & PSE. Seconded by Lewis. Motion passed unanimously.
- 5) HOYT, Chrysan Denae – PSE Candidate (Ackerson & Carlton) Specialization in Clinical. Motion by Ackerson to admit Dr. Hoyt to the PSE. Seconded by Carlton. Motion passed unanimously.
- 6) HUNT-FELKER, Thomas John – PSE Candidate (Wisely & Berland) Specialization in Clinical. Motion by Wisely to admit Dr. Hunt-Felker to the PSE. Seconded by Berland. Motion

passed unanimously.

- 7) MARTEN, Candace Susann Hunter – Candidate for Licensure (Ackerson & Douglas) Specialization in Clinical & Neuropsychology. Motion by Ackerson to issue a license to Dr. Martin. Seconded by Douglas. Motion passed unanimously. (**License No. 2355 – Clinical and Neuropsychology**)
- 8) McALMOND-ROSS, Penelope Aileen – Candidate for Licensure (Lewis & Carlton) Specialization in Clinical. Motion by Lewis to issue a license to Dr. McAlmond-Ross. Seconded by Carlton. Motion passed unanimously. (**License No. 2356 - Clinical**)

The Board took a five-minute break at 9:49 a.m., and resumed the meeting 9:54 a.m.

Mr. Lieberman and Mr. Myrick entered the Board Meeting room at 9:54 a.m.

Berland moved **New Applicant 12) WALTZ, Sharon Diane**, forward for discussion. He recommended that the Board enter Executive Session to discuss the potential threat of, or possibility of, litigation, and to discuss the good name and character of an individual, for approximately 30 minutes. Motion by Cook to enter Executive Session to discuss the potential threat of, or possibility of, litigation, and to discuss the good name and character of an individual, at 9:55 a.m. Seconded by Wisely. Motion passed unanimously.

Spence and Member of the Public exited the meeting at 9:55 a.m.

Lieberman and Myrick exited the Board Meeting room at 10:55 a.m. and left the meeting.

Motion by Cook for the Board to exit Executive Session at 11:20 a.m. Seconded by Wisely. Motion passed unanimously.

Spence and Member of the Public returned to the meeting at 11:20 a.m.

Motion by Cook for the Board to take a 20-minute lunch break at 11:26 a.m. Seconded by Douglas. Motion passed unanimously. The Board returned from break at 11:46 a.m. and resumed regular business.

- 9) SANGER, Kayley Rosemary – Candidate for Licensure (Cook & Berland) Specialization requested in Clinical, Counseling and School Psychology. School Program with Clinical Internship. Motion by Cook to table application and request that Dr. Sanger provide a revised Specialization Statement detailing a scope of practice that aligns with her education and training in School Psychology. Seconded by Berland. Motion passed unanimously.
- 10) SANTIAGO, Jonathan David – EPPP & PSE Candidate (Douglas & Cook) Specialization in Clinical. Motion by Douglas to admit Dr. Santiago to the EPPP & PSE. Seconded by Cook. Motion passed unanimously.
- 11) SPINKS, Rachele Cantin – Candidate for Licensure (Berland & Wisely) Specialization in School. Motion by Berland to issue a license to Dr. Spinks in School Psychology. Seconded by Wisely. Motion passed unanimously (**License No. 2357 - School**).

- 12) WALTZ, Sharon Dianne – Applicant for New Licensure following Revocation of License Number 1228 on November 20, 2020; PSE Candidate (Cook & Wisely). Motion by Cook to

deny Dr. Waltz's application for licensure upon grounds of the following acts or offenses:

1. Violation of Code of Ala. §34-26-46(a)(3) Immoral, unprofessional, or dishonorable conduct as denied in the rules and regulations promulgated by the board, and corresponding Administrative Code Rule 750-X-5-03(1)(c); and
2. §34-26-46(a)(4) Practicing as a psychologist in such a manner as to endanger the welfare of clients or patients, and Admin Code Rule 750-X-5-03(1)(d); and
3. §34-26-46(a)(5) Conviction of felony, and Admin Code Rule 750-X-5-03(1)(e); and
4. §34-26-46(a)(6) Conviction of any crime or offense that reflects the inability of the practitioner to practice as a psychologist with due regard for the health and safety of clients or patients, and Admin Code Rule 750-X-5-03(1)(f); and
5. §34-26-46(a)(10) Gross malpractice or repeated malpractice or gross negligence in practice as a psychologist, and Admin Code Rule 750-X-5-03(1)(j); and
6. §34-26-46(a)(11) Aiding or abetting practice as a psychologist by any person not licensed by the board, and Admin Code Rule 750-X-5-03(1)(k); and
7. §34-26-46(a)(12) Conviction of fraud in filing Medicaid claims or in filing claims to any third party payor, and Admin Code Rule 750-X-5-03(1)(l); and
8. §34-26-46(a)(13) Exercising undue influence in such a manner as to exploit the client, patient, student, or supervisee for financial or other personal advantage to the practitioner or a third party, and Admin Code Rule 750-X-5-03(1)(m); and
9. §34-26-46(a)(18) Violation of the code of ethics adopted in rules and regulations of the board and, Admin Code Rule 750-X-5-03(1)(r); and, Violation of Ethical Principles of Psychologists' Ethical Standards:
 - 9.a. Principle 2.05(2) and (3) Delegation of Work to Others; and
 - 9.b. Principle 3.04(a) Avoiding Harm; and
 - 9.c. Principle 3.08 Exploitative Relationships; and
 - 9.d. Principle 3.10 Informed Consent; and
 - 9.e. Principle 6.01(3)(4), and (5) Documentation of Professional and Scientific Work and Maintenance of Records; and
 - 9.f. Principle 6.04(a)(b)(c), and (d) Fees and Financial Arrangements; and
 - 9.g. Principle 6.06 Accuracy in Reports to Payors and Funding Sources.

Motion Seconded by Wisely. Ackerson voted in the affirmative to the motion. Berland voted in the affirmative to the motion. Carlton voted in the affirmative to the motion. Cook voted in the affirmative to the motion. Douglas voted in the affirmative to the motion. Lewis voted in the affirmative to the motion. Wisely voted in the affirmative to the motion. Motion passed unanimously.

Psychological Technicians

- 1) WOJNAS, Katarzyna – EPPP & PSE Candidate (Lewis & Carlton) Motion by Lewis to admit

Ms. Wojnas to the EPPP & PSE. Seconded by Carlton. Motion passed unanimously.

- 2) ZETINO, Yesenia Lilibeth – EPPP & PSE Candidate (Lewis & Cook) Motion by Cook to admit Ms. Zetino to the EPPP & PSE with a requirement that any practice under this license be performed under Supervision. Seconded by Lewis. Motion passed unanimously.

PREVIOUSLY REVIEWED APPLICANTS:

- 1) LOWREY, Alexa Ruiz – (Berland & Ackerson) Admitted to EPPP & PSE in November 2023, specialization in School. Board requested a revised specialization statement to reflect future scope of practice which is consistent with School psychology, and response was reviewed at January 2024 meeting. Revision was not accepted; instead, Board request more information about candidate’s credentials with a doctoral degree in School Psychology and an Internship in a Clinical setting and not an Internship in School Psychology which emphasized the application of psychological principles and skill to learning problems and which met qualifying criteria outlined in Rule 750-X-2-.07, and request an explanation on how qualifying coursework and internship training meet Administrative Code Rule 750-X-2-.06(1) and -(2)(d), and -(2)(d)(viii), specifically. Review response.

Douglas left the meeting at 12:55 p.m.

The Board took at ten-minute break at 12:55 p.m. and resumed the meeting 1:09 p.m.

Motion by Berland to continue to table the application with advisement that one’s scope of practice must be commensurate with the educational training obtained in the applicant’s doctoral program, which is School Psychology, and the specialization statement is still outside of that scope of practice, and to request that the applicant submit another revision describing specialization in School, only, and notify the applicant that, in the future, she may elect to exercise the option to submit a plan to enter into a doctoral program to remediate course deficiencies for specialization in Clinical as provided for in Admin Code Rule 750-X-2-.04(2)(h), and to provide a final reminder that her specialization statement must be consistent with a doctoral program in School Psychology. Seconded by Ackerson. Motion passed unanimously. Motion by Ackerson that she and Berland will review a revised statement for approval if submitted before the next meeting of the Board. Seconded by Berland. Motion passed unanimously.

- 2) MANIERSKI, Megan Elizabeth – (Wisely) Admitted to EPPP & PSE in November 2023, specialization in School. Board requested that candidate make a re-designation of Specialization in School Psychology only and provide a revised specialization statement to reflect future scope of practice consistent with School Psychology, and response was reviewed at January 2024 meeting. Revision was not accepted; instead, Board request more information about candidate’s credentials with a doctoral degree in School Psychology and an Internship in a Counseling setting but not in School Psychology emphasizing the application of psychological principles and skill to learning problems, meeting qualifying criteria outlined in Rule 750-X-2-.07, and request an explanation about how qualifying coursework and internship training meet Administrative Code Rule 750-X-2-.06(1) and -(2)(d), and -(2)(d)(viii), specifically. Review response. Motion by Berland to continue to table the application with advisement that one’s scope of practice must be commensurate with educational training obtained in the applicant’s doctoral program, which is School Psychology and the specialization statement is still outside of that scope of practice, and to request that the applicant submit a revision once again describing specialization in School, only, and notify the applicant that, in the future, she may elect to exercise the option to submit a plan to enter into a doctoral

program to remediate course deficiencies for specialization in another area as provided for in Admin Code Rule 750-X-2-.04(2)(h), and to provide a final reminder that her specialization statement must be consistent with a doctoral program in School Psychology, and that Berland and Ackerson will review a revised statement for approval if submitted before the next Board meeting. Seconded by Ackerson. Motion passed unanimously.

SCORE REVIEW:

Examination for Professional Practice in Psychology (EPPP), &/or the Professional Standards Exam (PSE), &/or Licenses Issued since the November 2023 Board Meeting

Psychologists: Pass or fail for each candidate is based upon the ASPPB recommended passing score for psychologists, and it 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>
GIBSON, Emily Noel	Ph.D.	Psychologist	Yes	Yes	2347	01/16/2024	School
WILLIAMS, April Kierra	M.S.	Psychological Technician	Yes	Yes	2348	01/19/2024	N/A
ROBERTS, Sydneyjane Varner	Ph.D.	Psychologist	Yes	Yes	2349	01/26/2024	Clinical
YARBROUGH, Sydney Abell	Psy.D.	Psychologist	Yes	Yes	2350	01/29/2024	Clinical
JONES, JohnRobert Warren	Psy.D.	Psychologist	Yes (KY)	Yes	2351	02/12/2024	Clinical
MORRIS, Cassandra Kaylene	Psy.D.	Psychologist	Yes	Yes	2352	02/16/2024	Clinical
LATHAN-POWELL, Emma Catherine	Ph.D.	Psychologist	Yes (GA)	Yes	2353	02/22/2024	Clinical & Counseling
SMITH, Rachel Grace	Psy.D.	Psychologist	Yes	Yes	2354	02/28/2024	Clinical
TALLENT, Desiree Ann	Ph.D.	Psychologist	-	No; May Sit Again	-	-	School

KENNON, Jordan Nicole	Psy.D.	Psychologist	No; Must Reapply	Yes	-	-	Clinical
TYE, Kenneth Ray	Ph.D.	Psychologist	No; May Sit Again	Yes	-	-	Clinical
MANIERSKI, Megan Elizabeth	Psy.D.	Psychologist	Yes	-	-	-	School
ANDERSON, Amber Nicole	M.S.	Psychological Technician	Yes	No; May Sit Again	-	-	N/A
RIVERS, Katherine Kennon	Psy.D.	Psychologist	-	Yes	-	-	Clinical
LOWREY, Alexa Ruiz	Psy.D.	Psychologist	Yes	-	-	-	School
KARL, Kevin Francis	Ph.D.	Psychologist	Yes	-	-	-	Clinical

COMPLAINTS:

Against Licensed Psychologists

Old

- 1) 20-007 – On-going investigation
- 2) 20-008 – On-going investigation
- 3) 20-009 – On-going investigation
- 4) 21-004 – On-going investigation
- 5) 21-007 – On-going investigation
- 6) 21-012 – On-going investigation
- 7) 21-013 – On-going investigation
- 8) 22-004 – On-going investigation
- 9) 22-007 – On-going investigation
- 10) 22-012 – On-going investigation
- 11) 23-001 – On-going investigation
- 12) 23-002 – On-going investigation
- 13) 23-004 – On-going investigation

- 14) 23-005 – On-going investigation (Investigation Committee Meeting 3/18 or 3/21)
- 15) 23-006 – On-going investigation
- 16) 23-007 – On-going investigation
- 17) 23-008 – On-going investigation (Investigation Committee Meeting 3/18 or 3/21)
- 18) 23-009 – On-going investigation (Investigation Committee Meeting 3/18 or 3/21)
- 19) 24-001 - On-going investigation
- 20) 24-002 - On-going investigation
- 21) 24-003 - On-going investigation

Each Board Member should expect follow-up meetings for at least two (2) Investigation Committee Assignments between this and the March 2024 Meeting, aiming to resolve on-going investigations in the First Quarter of Calendar Year 2024. Rall and Han will contact Board Members about meetings.

OLD BUSINESS:

- 1) ASPPB Mid-Year Meeting – April 25 to 28, 2024, Boston, MA. Rall and Han, and others, to attend. Board Administrators/Registrars Committee (BARC) Meeting on Wednesday, April 24; Rall is Chair-Elect.
- 2) Alabama Department of Examiners of Public Accounts’ Resource Manual for Alabama Regulatory Boards and Commissions, Twentieth Edition, August 2023 – Available now at <https://alison.legislature.state.al.us/epa-resource-guide>; also provided in Dropbox. Reminder.
- 3) Alabama Psychological Association (aPA) Mid-Winter Conference: *Minds in Action: Advancing Psychology Through Advocacy and EDI* – February 15 & 16, 2024, Legacy Museum at Equal Justice Initiative, Montgomery, AL. Rall attended. Update. Review by Rall. There will another aPA meeting in Birmingham on April 7, 2024 at 5:00 p.m. Lori will send a calendar invitation to Board members once details are announced.

NEW BUSINESS:

- 2) Senate Bill 79, Sponsored by Senator Rodger M. Smitherman: Occupational Licensing Boards, consideration of criminal conviction when licensing restricted, requiring an occupational licensing board to determine whether an individual’s criminal conviction disqualifies them from obtaining an occupational license in certain circumstances. Review. Cook questioned how this might impact how licensure for professional practice is issued versus occupational licensure. For a fee of \$20.00, an individual would receive a pre-certification for work after committing a crime. Rall advised that this type of pre-licensure review and certification exists in many other states already. Han added that this would be another section for consideration in meeting agendas. Rall advised the Board to consider how it would like to respond to this bill as it currently already requests full disclosure and honesty when vetting an individual. Motion by Cook for Rall to draft a letter to Senator Smitherman opposing the inclusion of the Alabama Board of Examiners in Psychology from any such bill, explaining the difference between occupational and professional, and emphasizing the Psychology Board’s strong commitment to reduce barriers to licensure. Seconded by Lewis. Motion passed unanimously.
- 3) House Bill 246, Sponsored by Representative Ben Harrison: Consent to medical treatment; age of medical majority, established at 18 up from age 14, currently; circumstances in which a

minor may receive medical treatment, revised. Review. Motion passed unanimously. Rall advised that, if passed, the Bill would create a conflict of law that the Board would potentially need to address by introducing legislation to provide a definition for the age of consent in the Board's statutes instead. Motion by Ackerson for Rall to draft a letter to Representative Harrison and the Health Committee explaining the Board's disagreement with this bill and potential consequences, particularly for children who might need mental health counseling, compromising the quality of psychological services, and to note the Johnson Ruling in the letter. Seconded by Cook. Motion passed unanimously.

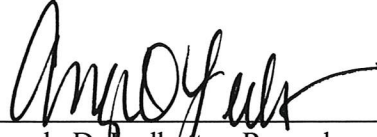
- 4) Thentia Cloud – Licensing and data solutions via Carahsoft Contract. Presentation. Motion by Wisely for Rall to exercise her judgement to make a decision about the Board office implementing Thentia Cloud as a database, communications platform, and records repository, and when. Seconded by Carlton. Motion passed unanimously.
- 5) Quarterly Reporting – Fourth Quarter 2023. Review by Rall.
- 6) PSYPACT – Fourth Quarter 2023 Compliance Report. Rall advised Alabama is compliant in every way. Rall fielded questions about practice under PSYPACT from Berland.
- 7) ASPPB Governance Update: Virtual Town Hall, March 25, 2024 at 1:30-3:00pm EDT. Invitation to register. Ackerson, Berland, and Rall plan to attend.
- 8) APA Master's Accreditation Virtual Town Hall Recording. Rall advised the recording is in Dropbox and urged Board members to review it.
- 9) Alabama Association of Regulatory Boards (AARB) Legislative Reception – Wednesday, April 3, 2024 at 4:30 p.m. at the Capitol Oyster Bar in Montgomery. RSVP required right away. Han, Ledbetter, and Rall plan to attend. Others should decide by next week.
- 10) Examiners of Public Accounts Board/Commission Training for 2023-2024. Link available to seven (7) sessions which must be completed by all Board members and staff by May 1, 2024.

End of Meeting

Motion by Wisely to adjourn the meeting. Seconded by Carlton. Motion passed unanimously. Meeting ended at 3:04 p.m.

NEXT BOARD MEETING: May 10, 2024

Respectfully Submitted,



Angela D. Ledbetter, Recorder
Executive Assistant



Nancy W. Berland, Ph.D.
Board Chair