



MINNESOTA BOARD OF PSYCHOLOGY
September 27, 2024
Board Meeting

Order of Business

PUBLIC SESSION:

- 1. Call to Order**
- 2. Adoption of Tentative Agenda**
- 3. Announcements**
 - A. Web Ex Meeting Link**
- 4. Approval of the Board Minutes**
 - A. Approval of August 2024 Board Meeting Minutes**
- 5. Consent Agenda**
 - A. Staff Delegated Authority Report**
- 6. New Business**
 - A. Presentation - Small Agency Resource Team (SmART)**
 - B. EPPP 2 Discussion**
 - C. Behavior Analyst Advisory Council Report**
 - D. Executive Director's Report**
 - E. PSYPACT Commission**
 - F. Board Administrative Terminations**
- 7. Committee Reports**
- 8. Adjournment**



- MINNESOTA BOARD OF PSYCHOLOGY

DATE: 9/27/2024

SUBMITTED BY:

TITLE: Web Ex Meeting Link

INTRODUCTION TO THE TOPIC:

Meeting link:

<https://minnesota.webex.com/meet/samuel.sands>

Meeting number:

966 811 163

Join from a video conferencing system or application

Dial: samuel.sands@minnesota.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-415-655-0003 United States Toll

Access Code: 966 811 163

Global call-in numbers

<https://minnesota.webex.com/minnesota/globalcallin.php?MTID=m0f8b8d96df6f1583dab9f301a08c30ac>

BOARD ACTION REQUESTED:



- MINNESOTA BOARD OF PSYCHOLOGY

DATE: 9/27/2024

SUBMITTED BY: Assistant Executive Director

TITLE: Approval of August 2024 Board Meeting Minutes

INTRODUCTION TO THE TOPIC:

The Board Meeting minutes for July 2024 are respectfully submitted.

BOARD ACTION REQUESTED:

ATTACHMENTS:

Description

August 2024 Board Meeting Minutes

Upload Date Type

9/25/2024 Cover Memo

MINNESOTA BOARD OF PSYCHOLOGY
Minutes of the August 16, 2024, Board Meeting

Board Members and Staff in Attendance:

Sonal Markanda, Joel Bakken, Sebastian Rilen, Michelle Zhao, Pamela Freske, Michael Thompson, Jill Idrizow, Nancy Cameron, Cesar Gonzalez, Sam Sands, Trish Hoffman, and Scott Payne.

Guests: Nick Lienesch, Holly Seniuk

PUBLIC SESSION

1. Call to Order

Sonal Markanda called the meeting to order at 9:35AM. The meeting was held in a hybrid format with some individuals in attendance in person and others online. Voting was held by roll call.

A. WebEx MeetingLink

2. Adoption of Tentative Agenda

Joel Bakken moved, seconded by Michael Thompson Motion: to adopt the tentative agenda. There being 8 “ayes” and 0 “nays” the Motion Passed.

3. Announcements

Sam Sands announced that the Board has hired Josh Bramley as Investigator, and Robin McLeod has resigned from her position as PSYPACT Commissioner.

4. Approval of the Board Minutes

Joel Bakken moved, seconded by Nancy Cameron. Motion: to approve the July 19, 2024, Board Meeting Minutes. There being 8 “ayes” and 0 “nays” the motion Passed.

5. Consent Agenda

A. Staff Delegated Authority Report

6. New Business

A. Presentation – BACB

Holly Seniuk of the Behavior Analyst Certification Board gave a presentation on the work of the BACB, including ways they collaborate with, and resources they make available to, regulatory agencies.

B. EPPP 2 Discussion

The Texas State Board of Examiners proposed ASPPB bylaws amendment was shared.

C. Executive Director’s Report

Trish Hoffman provided an update on the work of the Licensure Unit as it continues to support the Mission and Vision of the Board, including their ongoing preparations for licensure of Behavior Analysts, and an update on the Test Prep program.

Sam Sands gave his Executive Director’s report, which included noting Minnesota’s vacancy on the PSYPACT Commission should be filled at the September meeting, and that the Behavior Analyst Advisory Council now has four members appointed.

Joel Bakken moved, seconded by Seb Rilen Motion: to approve payment of the cost of attendance for up to five Board members and two staff at the ASPPB Annual Meeting. There being 5 “ayes” and 0 “nays” the motion Passed.

D. Continuing Education Variance Request

Michelle Zhao moved, seconded by Nancy Cameron Motion: to approve the Continuing Education Variance Request. There being 8 “ayes” and 0 “nays” the motion Passed.

E. Board Administrative Terminations

Sebastian Rilen moved, seconded by Pamela Freske. Motion: to approve the Board Administrative Terminations. There being 8 “ayes” and 0 “nays” the motion Passed.

7. Committee Reports

8. Adjournment

Adjourned at 11:20 AM

EXECUTIVE SESSION

1. Request for approval of Stipulation and Consent Order



- MINNESOTA BOARD OF PSYCHOLOGY

DATE: 9/27/2024

SUBMITTED BY: Assistant Executive Director

TITLE: Staff Delegated Authority Report

INTRODUCTION TO THE TOPIC:

The Board utilizes a consent agenda for routine financial, legal, or administrative matters that require Board action or inform the Board of action taken under authority delegated by the Board.

The items on the consent agenda are expected to be non-controversial and not requiring of a discussion.

The consent agenda is voted on in a single majority vote, but made be divided into several, separate items if necessary.

The items on the consent agenda will be considered early in the meeting. The Board chair will ask if any member wishes to remove an item from the consent agenda for separate consideration, and if so, the Chair will schedule it for later in the meeting.

BOARD ACTION REQUESTED:

ATTACHMENTS:

Description

Licensure Consent Agenda

Upload Date Type

9/25/2024 Cover Memo

CONSENT AGENDA ITEMS: Staff Delegated Authority Report

Admission to Examination for Professional Practice in Psychology (EPPP)

Under delegated authority from the Board, Board staff approved the following applicant(s) for Admission to the Examination for Professional Practice in Psychology (EPPP) pursuant to [Minnesota Rules 7200.0550](#).

Applicant(s) Granted Admission to the (EPPP) Exam
Elizabeth Sharer, Ph.D
Melissa Hartnell, Psy.D
Lisa Hady, Psy.D
Mariah Madden, Psy.D
Quincy Guinadi, Psy.D
Mitchell Fritz, Psy.D
Amy Serna, Psy.D
Lindsey Merritt, Psy.D
Meishon Behboudi, Psy.D
Bridget Nelson, Ph.D
Susan Pyle, Psy.D
Tamara Nevergall, Psy.D
Samantha North, Psy.D
Jillian Nelson, Ph.D
Trista Wolfgram, Psy.D
Victoria Peterson-Hilleque, Psy.D

Admission to Professional Responsibility Examination (PRE)

Under delegated authority from the Board, Board staff approved the following applicant(s) for Admission to the Professional Responsibility Examination (PRE) pursuant to [Minnesota Rules 7200.0550](#).

Applicant(s) Granted Admission to the (PRE)
Karen Petersen, Ph.D
Melissa Hartnell, Psy.D
Eric Semmel, Ph.D
Milo Due, Psy.D
Peter Ehlinger, Ph.D
Shawn Leslie, Psy.D
Lisa Hady, Psy.D
David Rowe, Ph.D
Amy Ikelheimer, Ph.D
Valentina Strong, Ph.D
Lindsey Wilner, Psy.D
Ciara Cannoy, Ph.D
Aaron Miller, Ph.D
Joel Bartlett, Psy.D
Joshua Montrenes, Ph.D

Jillian Nelson, Ph.D
Victoria Peterson-Hilleque, Psy.D

Licensed Psychologist (LP)

Under delegated authority from the Board, Board staff approved the following applicant(s) for Licensed Psychologist (LP) licensure pursuant to [Minnesota Statutes, section 148.907](#) and the administrative rules of the [Psychology Practice Act](#).

License Number	Licensee
LP7084	Christina Blodgett, Ph.D.
LP7085	Kristin Johnson, Psy.D.
LP7086	Kathryn LaBore, Ph.D.
LP7087	Mallory Stevens, Ph.D.
LP7088	Nadia Teale, Ph.D.
LP7089	Melissa McCarty, Psy.D.
LP7090	Elisabeth Vogt, Ph.D.
LP7091	Kelli Hill, Ph.D.
LP7092	Sarah Alness Olson, Psy.D.
LP7093	Timothy Breuer, Ph.D.
LP7094	Andrew Kingwell, Ph.D.
LP7095	Nora Halverson, Ph.D.
LP7096	Rachael Ajetomobi, Ph.D.
LP7097	Aubrey Iwanicki, Psy.D.
LP7098	Mengze Gao, Psy.D.
LP7099	Ellen Honsa, Psy.D.
LP7100	Marissa Evans, Ph.D.
LP7101	Amy Noser, Ph.D.
LP7102	Peter Ehlinger, Ph.D.
LP7103	Mickey Stein, Ph.D.
RL00086	Jennifer Gildner

Guest Licensure (GL)

Under delegated authority from the Board, Board staff approved the following applicant(s) for Guest Licensure (GL) pursuant to [Minnesota Statutes, section 148.916](#) and the administrative rules of the [Psychology Practice Act](#).

License Number	Licensee

Licensure for Voluntary Practice (L-VP)

Under delegated authority from the Board, Board staff approved the following applicant(s) for Licensure for Volunteer Practice (LPV) pursuant to [Minnesota Statutes 148.909](#) and the administrative rules of the [Psychology Practice Act](#).

License Number	Licensee

Emeritus Registration (Em.)

Under delegated authority from the Board, Board staff approved the following applicant(s) for Emeritus Registration pursuant to [Minnesota Statutes, section 148.9105](#).

License Number	Licensee

Voluntary Terminations (VT)

Under delegated authority from the Board, Board staff terminated the following License's pursuant to [Minnesota Rules 7200.3700](#).

License Number	Licensee
LP6806	Lynn Paulus
LP1187	Richard Alberta
LP1336	Elizabeth Mitchell
LP2000	George Petrangelo
LP1423	Lynn Strauss

Continuing Education Variance Requests

Under delegated authority from the Board, Board staff approved the following licensee(s)' requests for a six (6) month continuing education variance pursuant to [Minnesota Rules 7200.3860, D](#).

License Number	Licensee
LP1868	<u>Debra Viner</u>
LP4879	<u>Susan Cassatt</u>
LP4061	<u>Rebecca Reed</u>

Licensure Progression Statistics

The following data is a summary of the length of time it takes for an applicant to obtain licensure with the Minnesota Board of Psychology. The starting point is staff review; when the applicant has submitted all required documents for the specific type of license application.

Number of Initial, Reciprocity and Mobility LP applications filed since last Board meeting: 22

Of applications filed, number of LP applications still in review: 1
--

Reasons for continued review: additional information needed
--

Initial, Reciprocity, and Mobility applications days to license: 22
--

Number of Guest License applications filed since last Board meeting: 0

Of applications filed, number of Guest License applications still in review: 0

Reasons for continued review: N/A

Guest License applications days to license: N/A



- MINNESOTA BOARD OF PSYCHOLOGY

DATE: 9/27/2024

SUBMITTED BY: Executive Director

TITLE: Presentation - Small Agency Resource Team (SmART)

INTRODUCTION TO THE TOPIC:

BOARD ACTION REQUESTED:

ATTACHMENTS:

Description

MFR FY24

Upload Date Type

9/26/2024 Cover Memo

Selection Criteria: Budget Period - 2024, Fund - 1000 to 9999, DeptID - H7V30000 to H7V39999, AppropID - H7V0000 to H7V9999

Break On: Budget Period, Fund, DeptID, AppropID

Budget Period: 2024	Fund: 1201 Health Related Boards	DeptID: H7V30000 Psychology Board	AppropID: H7V1111 Psychology Licensing
----------------------------	--	---	--

Remaining Payroll Projection	Full-Time (41000): \$0.00	Part-Time (41030): \$0.00	Total: \$0.00
-------------------------------------	----------------------------------	----------------------------------	----------------------

Account Class and Description	Current Budget	Pre-Encumbered	Encumbered/Committed	Expended	Unobligated	Unexpended
41000 Full Time - Salary	620,000.00	0.00	127,364.94	492,635.06	0.00	127,364.94
41030 Part-Time-Seasonal-Labor Serv	83,000.00	0.00	533.96	82,466.04	0.00	533.96
41050 Overtime and Premium Pay	8,000.00	0.00	7,704.89	295.11	0.00	7,704.89
41070 Other Employee Cost	20,000.00	0.00	8,169.00	11,831.00	0.00	8,169.00
410CL Expense Budget Closing-PAYROLL	-143,772.79	0.00	-143,772.79	0.00	0.00	-143,772.79
41100 Space Rental And Utilities	116,000.00	0.00	0.00	115,020.00	980.00	980.00
41110 Printing And Advertising	10,000.00	0.00	1,287.73	20.57	8,691.70	9,979.43
41130 Prof-Tech Serv-Outside Vend	90,000.00	0.00	16,857.02	23,142.98	50,000.00	66,857.02
41150 Computer and System Services	1,000.00	0.00	0.00	0.00	1,000.00	1,000.00
41155 Communications	5,000.00	0.00	2,080.32	2,608.63	311.05	2,391.37
41160 Trav-Sub-InState-Border Comm	15,000.00	0.00	2,069.04	9,610.61	3,320.35	5,389.39
41170 Trav/Sub-OutOfState-BorderComm	15,000.00	0.00	5,954.69	7,547.25	1,498.06	7,452.75
41180 Employee Development	20,000.00	0.00	0.00	1,820.00	18,180.00	18,180.00
41190 State Agcy-Prov Prof-Tech Serv	30,000.00	0.00	21,548.00	8,452.00	0.00	21,548.00
41196 Rate-Based MNIT Services	102,000.00	0.00	14,401.38	116,598.62	-29,000.00	-14,598.62
41197 Agency-Specific MNIT Services	14,000.00	0.00	9,142.80	14,119.08	-9,261.88	-119.08
41300 Supplies	10,000.00	0.00	1,588.27	3,847.22	4,564.51	6,152.78
41400 Equipment	10,000.00	0.00	1,661.99	3,026.29	5,311.72	6,973.71
41500 Repairs To Equip and Furn	5,000.00	0.00	0.00	0.02	4,999.98	4,999.98
43000 Other Operating Costs	200,000.00	0.00	8,791.38	7,258.20	183,950.42	192,741.80
47060 Equipment-Capital	5,000.00	0.00	0.00	0.00	5,000.00	5,000.00
47160 Equipment-Non Capital	5,000.00	0.00	0.00	0.00	5,000.00	5,000.00
499CL Expense Budget Closing-NonPay	-254,545.91	0.00	0.00	0.00	-254,545.91	-254,545.91
Total	985,681.30	0.00	85,382.62	900,298.68	0.00	85,382.62

Selection Criteria: Budget Period - 2024, Fund - 1000 to 9999, DeptID - H7V30000 to H7V39999, AppropID - H7V0000 to H7V9999

Break On: Budget Period, Fund, DeptID, AppropID

Budget Period: 2024	Fund: 1201 Health Related Boards	DeptID: H7V30000 Psychology Board	AppropID: H7V5000 Health Prof Serv Prog Oper
----------------------------	--	---	--

Remaining Payroll Projection	Full-Time (41000): \$0.00	Part-Time (41030): \$0.00	Total: \$0.00
-------------------------------------	----------------------------------	----------------------------------	----------------------

Account Class and Description	Current Budget	Pre-Encumbered	Encumbered/Committed	Expended	Unobligated	Unexpended
41000 Full Time - Salary	921,000.00	0.00	19,485.27	901,514.73	0.00	19,485.27
41030 Part-Time-Seasonal-Labor Serv	0.00	0.00	0.00	0.00	0.00	0.00
41070 Other Employee Cost	1,500.00	0.00	591.50	908.50	0.00	591.50
410CL Expense Budget Closing-PAYROLL	-20,076.77	0.00	-20,076.77	0.00	0.00	-20,076.77
41100 Space Rental And Utilities	51,000.00	0.00	0.00	51,950.16	-950.16	-950.16
41110 Printing And Advertising	11,000.00	0.00	0.00	2,148.87	8,851.13	8,851.13
41130 Prof-Tech Serv-Outside Vend	35,000.00	0.00	0.00	17,750.00	17,250.00	17,250.00
41150 Computer and System Services	2,000.00	0.00	0.00	0.00	2,000.00	2,000.00
41155 Communications	6,000.00	0.00	0.00	4,990.95	1,009.05	1,009.05
41160 Trav-Sub-InState-Border Comm	1,000.00	0.00	0.00	263.95	736.05	736.05
41170 Trav/Sub-OutOfState-BorderComm	5,000.00	0.00	0.00	3,295.01	1,704.99	1,704.99
41180 Employee Development	5,000.00	0.00	0.00	4,940.00	60.00	60.00
41196 Rate-Based MNIT Services	35,000.00	0.00	0.00	27,584.56	7,415.44	7,415.44
41197 Agency-Specific MNIT Services	20,000.00	0.00	0.00	15,842.83	4,157.17	4,157.17
41300 Supplies	4,000.00	0.00	0.00	11,341.56	-7,341.56	-7,341.56
41400 Equipment	2,000.00	0.00	0.00	0.00	2,000.00	2,000.00
41500 Repairs To Equip and Furn	1,000.00	0.00	0.00	1,432.80	-432.80	-432.80
42020 Attorney General Costs	0.00	0.00	0.00	1,499.60	-1,499.60	-1,499.60
43000 Other Operating Costs	132,500.00	0.00	0.00	7,107.36	125,392.64	125,392.64
47160 Equipment-Non Capital	1,000.00	0.00	0.00	263.70	736.30	736.30
49890 Reverse 1099 Expenditure	0.00	0.00	0.00	0.00	0.00	0.00
499CL Expense Budget Closing-NonPay	-129,507.26	0.00	0.00	0.00	-129,507.26	-129,507.26
Total	1,084,415.97	0.00	0.00	1,052,834.58	31,581.39	31,581.39

Selection Criteria: Budget Period - 2024, Fund - 1000 to 9999, DeptID - H7V30000 to H7V39999, AppropID - H7V0000 to H7V9999

Break On: Budget Period, Fund, DeptID, AppropID

Budget Period:	2024	Fund:	2000	DeptID:	H7V30000	AppropID:	H7V9210
			Restrict Misc Special Revenue		Psychology Board		Criminal Background Check Rec

Remaining Payroll Projection	Full-Time (41000):	\$0.00	Part-Time (41030):	\$0.00	Total:	\$0.00
-------------------------------------	---------------------------	---------------	---------------------------	---------------	---------------	---------------

Account Class and Description	Current Budget	Pre-Encumbered	Encumbered/Committed	Expended	Unobligated	Unexpended
41190 State Agcy-Prov Prof-Tech Serv	6,000.00	0.00	1,012.50	4,987.50	0.00	1,012.50
Total	6,000.00	0.00	1,012.50	4,987.50	0.00	1,012.50
Report Total	2,076,097.27	0.00	86,395.12	1,958,120.76	31,581.39	117,976.51



- MINNESOTA BOARD OF PSYCHOLOGY

DATE: 9/27/2024

SUBMITTED BY: Executive Director

TITLE: EPPP 2 Discussion

INTRODUCTION TO THE TOPIC:

Continue the discussion about Texas's proposed amendment to the ASPPB by-laws.

BOARD ACTION REQUESTED:

ATTACHMENTS:

Description	Upload Date	Type
Texas's Proposed Bylaw Change	9/25/2024	Cover Memo
Texas Explanation for the Change	9/25/2024	Cover Memo
ASPPB Explanation of Opposition to Bylaw Change	9/25/2024	Cover Memo
Comment from a Member of the Public	9/26/2024	Cover Memo

To: ASPPB Secretary-Treasurer Dr. Cindy Olvey

Re: Proposed Amendment to ASPPB Bylaws

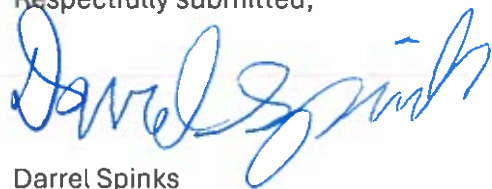
On behalf of the Texas State Board of Examiners of Psychologists, we respectfully submit the following proposed amendment to the ASPPB Bylaws to be presented for adoption at the Annual Meeting of membership in Dallas, Texas, on October 30-November 3, 2024.

Amend Article IV by adding the following subsections:

C. No member jurisdiction shall be required, whether as a condition of membership or otherwise, to participate or utilize any services or programs offered by the Association. The Association shall not make access or availability of a service or program contingent on a member jurisdiction participating or utilizing another service or program.

D. The Association may offer multiple exams as part its examination program. At a minimum, the Association shall offer a knowledge-based exam separate from any skill-based exam. Each exam offered by the Association must be administered on a single occasion. For purpose of this subsection, multiple consecutive days of exam administration may constitute a single occasion. For each exam, the Association may recommend, but shall not require, qualifications to sit for an exam, timing for administration of an exam, and passing scores.

Respectfully submitted,



Darrel Spinks
Executive Director
Texas Behavioral Health Executive Council

Explanation of Texas-proposed ASPPB Bylaw Amendment

To all ASPPB member jurisdictions:

After months of dialog and sharing of concerns together, Texas remains opposed to the ASPPB board's decision to mandate adoption of the EPPP "Part 2" skills exam. Yet it is not our desire or preference to cease using the original EPPP or to disrupt the interstate mobility our jurisdictions have created through PSYPACT. In hopes of deescalating the current brinksmanship and finding a reasonable path forward, today Texas has filed a proposed amendment to the ASPPB bylaws that would return us to the status quo, before the board announced their mandate.

What is the purpose of the proposed amendment?

We propose amending our bylaws to ensure each member jurisdiction will continue to have the freedom to choose which ASPPB services and programs to receive. In doing so, the amendment reaffirms the role of each member jurisdiction to set the regulatory standards appropriate for its citizens. As a member-driven institution, ASPPB exists to support and provide services to us, the member jurisdictions that voluntarily form it, pay dues, and elect board representatives. Our proposal seeks to establish the principle that every jurisdiction retains its sovereign authority and cannot be required by fellow jurisdictions or by ASPPB to change its regulatory standards.

The amendment also attempts to further clarify the definition of an exam to address ASPPB's need to call the new EPPP an exam in two parts. Because several states have written into their statute that applicants must take the specifically-named EPPP, the new skills exam was called EPPP Part 2 so that those states will not have to enact a statutory change to use the skills exam. Recognizing the desire to accommodate those states, the proposed amendment is meant to ensure that states wishing to utilize only the original EPPP can continue to do so regardless of how the two exams are named.

Did the member jurisdictions ask for this mandate?

No. While the history of the development of the EPPP Part 2 is now the subject of some debate, it is clear that the member jurisdictions supported ASPPB's efforts to develop a skills exam. However, the jurisdictions never supported or requested the ASPPB board issue a mandate that all jurisdictions be required to adopt the new skills exam. The clear evidence is the opposite, as the member jurisdictions have vigorously objected to a mandate, both in 2017 when ASPPB first announced and then retracted such a mandate, and again in 2022 when the board announced (without any approval or endorsement from the membership) the current mandate.

What's wrong with adopting the EPPP Part 2? What are Texas' concerns?

Absolutely nothing is wrong with a jurisdiction choosing to adopt the EPPP Part 2, if that's what is right for that jurisdiction. The creation of a skills exam was born out of member discussions that having such a tool could be valuable once many jurisdictions retired their oral exams. Texas has no objections to applicants or current license holders taking the EPPP Part 2 in order to seek licensure in a jurisdiction that requires it.

Mandating that every jurisdiction must adopt the new exam, however, carries significant concerns. First, and primarily, it takes away each jurisdiction's authority to decide what regulatory standards are best for its citizens, given its unique workforce, educational programs, and mental health care needs. Second, regardless of how well intentioned or well constructed, introducing a new test requirement increases the barrier of entry into the psychology profession. Applicants will have to

pay more, both in test fees and study materials, expending more time and effort before becoming licensed. And, with initial pass rates lower than the original EPPP, fewer applicants will ultimately go on to hold a license, reducing the potential workforce at a time when the nation already faces a provider shortage. Each jurisdiction must balance the potential benefits created by the EPPP Part 2 with these potential drawbacks, before concluding whether the EPPP Part 2 is right for it.

Won't this approach hurt mobility and the opportunity for a national common standard?

No, because adoption of this amendment would maintain the status quo. As of this moment, some jurisdictions have chosen to adopt the EPPP Part 2, while others have not. Jurisdictions have numerous other regulatory differences – from degree requirements to post-doctoral supervised experience. Yet, the interstate mobility offered by PsyPact and other reciprocity agreements is thriving. In fact, continued pursuit of a mandate that all jurisdictions adopt the EPPP Part 2 poses the greater risk to national mobility, as the infringement on jurisdictional sovereignty has led some jurisdictions, like Texas, to consider alternatives to the EPPP, threatening to shatter the unity that we have thus far achieved.

But isn't Texas pursuing creating its own licensing exam, and hasn't Texas filed a complaint about the EPPP Part 2 with the Federal Trade Commission?

In the face of ASPPB's continued commitment to the forced adoption of the EPPP Part 2, and given the short (in regulatory terms) time before the January 2026 deadline, Texas is pursuing every avenue available – including pursuing the development of an alternative exam and asking the Federal Trade Commission to investigate the legality of the Part 2 mandate. But Texas continues to advocate for and would readily accept returning to the status quo that existed before the mandate was announced in the fall of 2022. That is the goal of the proposed bylaw amendments – to enable those jurisdictions that wish to adopt the EPPP Part 2 to continue to do so, while allowing other jurisdictions to continue to use the original EPPP as they have for the past five decades.

How can we support this bylaw amendment?

Per ASPPB's existing bylaws, this proposed amendment is being offered for a vote at the ASPPB annual meeting on October 30-November 3 in Dallas, Texas. Each jurisdiction will have one vote and the amendment must garner support from two-thirds of the jurisdictions present and voting. We highly encourage your jurisdiction to attend this annual meeting. If your jurisdiction is unable to send a representative, please consider contacting us to discuss ways your jurisdiction might still designate a representative for this important vote. Finally, if you have any questions or would like a Texas representative to speak with your board or staff, please do not hesitate to reach out.

Sincerely,



Darrel Spinks

Executive Director

Texas Behavioral Health Executive Council

darrel.spinks@bhec.texas.gov

7/29/2024



ASPPB

Association of State and
Provincial Psychology Boards

Supporting member jurisdictions in fulfilling their responsibility of public protection

President

Michelle G. Paul, PhD

Chief Executive Officer

Mariann Burnetti-Atwell, PsyD

Past President

Herbert L. Stewart, PhD

President-Elect

Hugh D. Moore, PhD, MBA

Secretary-Treasurer

Cindy Olvey, PsyD

Members at Large

Jennifer C. Laforce, PhD, CPsych

Ramona N. Mellott, PhD

Stacy Waldron, PhD

September 23, 2024

Dear ASPPB Members,

As we prepare for the upcoming Annual Meeting in Dallas, Texas, on October 30 – November 3, 2024, the ASPPB Board of Directors (Board) wanted to share with you some important information about the proposed amendment to the ASPPB bylaws that will come up for vote during the meeting. By now, you have probably heard about the amendment, which has been proposed by one jurisdiction as a direct reaction to ASPPB's implementation of a skills-based section of the Examination for Professional Practice in Psychology (EPPP). The Board's goal is to ensure that, prior to this important and unprecedented vote, all voting delegates have the benefit of complete and accurate information about the development and purpose of the skills component of the EPPP, as well as the potential detrimental effects and

unintended consequences of the proposed amendment. [\(attached here for your convenience\).](#)

In addition to the information provided below, the Board will be hosting an **information and discussion session for ASPPB jurisdictional and individual members on October 30 from 3:00 - 5:00 pm** at the site of the Annual Meeting, during which the Board will provide additional information about the EPPP (Part 2-Skills) and the implications of the proposed amendment, as well as field questions from ASPPB members about these issues. You are strongly encouraged to attend.

To the Board's knowledge, this is the first and only time a member jurisdiction has proposed a bylaws amendment for delegate vote. Given the importance and unprecedented nature of this vote, ASPPB has engaged an independent, professional parliamentarian to guide ASPPB and its membership during the Annual Meeting and to ensure a fair and transparent process. ASPPB's outside counsel from the law firm Baker McKenzie will also attend.

In the meantime, the Board thought it important to share the below information to address some of the questions that have been raised by member jurisdictions and to correct some of the significant misinformation that appears to be circulating.

1. What is the purpose of the proposed bylaws amendment?

The bylaws amendment was proposed by the Texas Behavioral Health Executive Council (BHEC), which oversees the Texas State Board of Examiners of Psychologists (an ASPPB member). Although the wording of the proposed amendment is somewhat unclear and imprecise, and although the Board cannot speak for the BHEC, it appears from the BHEC's public statements that its primary goal in proposing the amendment is to avoid having to use in the State of Texas the updated version of the EPPP that includes a skills-based component. The proposed amendment goes far beyond that singular goal, however, and seeks to remove ASPPB's fundamental authority over the development and administration of the EPPP and other test-related operational decisions.

2. What is the ASPPB Board's view of the proposed bylaws amendment?

The Board strongly opposes the proposed amendment. In the Board's view, the proposed amendment is highly unusual, unnecessary, and detrimental to the continued development and administration of the licensure exam. The proposed amendment also has unintended consequences, including potentially impeding ASPPB's ability to ensure that the EPPP remains a valid and fair exam, as well as its ability to defend the psychometric validity of the exam against future challenges. Additionally, the proposed amendment is entirely inconsistent with the very role of ASPPB and existing bylaws language, which charges ASPPB with the responsibility to "[d]evelop, maintain and offer examination programs for psychologists . . ." ([See Bylaws Article III\(E\)](#)).

In its public communications about the proposed amendment, the BHEC concedes that ASPPB's members "supported ASPPB's efforts to develop a skills exam." ([See BHEC "Explanation of Texas-proposed ASPPB Bylaw Amendment"](#)). But the BHEC contends that the member jurisdictions never requested that ASPPB actually require the jurisdictions to *use* that exam. This point of view is misguided and mischaracterizes the history of the development of the skills-based component of the exam. It also **disregards** ASPPB's mission of public protection—including its obligation to continuously improve the EPPP so as to ensure the exam provides the most up-to-date measure of minimum entry-level competence, in keeping with well-established educational and assessment standards. This viewpoint also ignores the long-recognized benefits of a uniform national licensure exam that promotes license portability and ensures a consistent measure of entry-level competence across jurisdictions.

Perhaps most importantly, the BHEC proposal incorrectly argues that the addition of a skills-based component to the EPPP somehow deprives member jurisdictions of their decision-making power and sovereignty. That is

simply not the case. No jurisdiction is required to use the EPPP or to be a member of ASPPB. But if a jurisdiction does choose to use the EPPP as one of its licensure requirements, it should rely upon the assessment and exam-development expertise of ASPPB and its psychometric staff, who are charged with studying and implementing well-established educational and assessment standards in the development of the EPPP. As has been the case for decades, ASPPB and its staff can be trusted to provide a valid and reliable licensure examination—even when that exam must evolve over time, in keeping with up-to-date assessment industry standards.

3. The Board may be opposed to the bylaws amendment, but isn't it harmless?

Unfortunately, the passage of the proposed amendment would have detrimental effects on the EPPP and broader, unintended consequences for ASPPB, its membership, and the global profession of organized psychology. Additionally, much of the language in the proposed amendment delves into operational and administrative details and decision making, which is highly unusual content not ordinarily found in an organization's bylaws and governing documents.

Please see the following comments on the specific proposed language of the amendment:

- **Proposed Bylaws Language:** *“No member jurisdiction shall be required, whether as a condition of membership or otherwise, to participate (sic) or utilize any services or programs offered by the Association.”*
- This language is unnecessary because, currently, no member jurisdiction is required to participate in any ASPPB offerings or to use any ASPPB services. ASPPB has never required any jurisdiction to use the skills- or knowledge-based components of the EPPP in order to maintain its membership. Of course, if a member jurisdiction chooses to use the EPPP as its licensure examination, it does so in reliance on the exam-development expertise of ASPPB and subject to ASPPB's exam-related policies, procedures and decisions.
- **Proposed Bylaws Language:** *“The Association shall not make access or availability of a service or program contingent on a member jurisdiction participating (sic) or utilizing another service or program.”*

This language is confusingly worded but appears to be directed at the upcoming 2026 transition to an EPPP that includes the Part 2 Skills-based component. This proposed language wrongly treats that skills-based component of the exam as an entirely different “service or program.” As ASPPB's psychometric staff can attest, the skills-based portion of the exam is intended to be an additional component of a comprehensive assessment of the test-taker's ability to satisfy minimum standards of competency. The member jurisdictions

nearly 15 years ago requested that ASPPB begin studying and developing a skills-based component, in recognition that the assessment of theoretical knowledge alone is not sufficient to assess competency. The EPPP (Part 2-Skills) was born from consensus among ASPPB's member jurisdictions and the professional education and training communities on the need to evolve the existing knowledge-based exam to a reliable, valid, legally defensible, and comprehensive competency-based licensing exam. You can find more details about the history of the development of the EPPP in our prior letter dated [July 1, 2024](#).

- **Proposed Bylaws Language:** *"The Association may offer multiple exams as part of its examination program. At a minimum, the Association shall offer a knowledge-based exam separate from any skill-based exam."*

This language again misconstrues the EPPP as a series of exams, as opposed to a single, comprehensive assessment of competence. It also undermines the very purpose for which the member jurisdictions requested the development of a skills-based component so many years ago. If adopted, this language would also strip ASPPB and its expert psychometric staff of its decision-making ability regarding the development and administration of the EPPP, potentially undermining the very validity of the exam. As a practical matter, the language would also restrict ASPPB's future decisions regarding how and when to administer the exam—for example, ASPPB would be prohibited from administering the entire EPPP on a single occasion, even if this were the most cost-effective, fair and secure method of administering the exam.

- **Proposed Bylaws Language:** *"Each exam offered by the Association must be administered on a single occasion. For purpose of this subsection, multiple consecutive days of exam administration may constitute a single occasion."*

This language is vague and unclear but appears to mandate and restrict how and under what circumstances the EPPP may be administered. Undoubtedly, such a restriction could have unintended consequences in the future, as the EPPP, technology, and assessment standards continue to evolve. Once incorporated into the bylaws, this mandate becomes part of ASPPB's governing documents, with limited opportunities for revision or rescission. It is highly unusual to impose such operational mandates in an organization's governing documents.

- **Proposed Bylaws Language:** *"For each exam, the Association may recommend, but shall not require, qualifications to sit for an exam, timing for administration of an exam, and passing scores."*

Once again, the proposed bylaws language attempts to restrict ASPPB's ability to make key decisions regarding the exam it develops and administers and improperly attempts to address operational decision making in ASPPB's governing documents. In addition to being highly unusual content for an organization's bylaws, the

proposed language undermines ASPPB’s ability to ensure that the exam is psychometrically valid, secure and reliable.

For example, currently, both the member jurisdictions and ASPPB have a role in determining who can access the EPPP and under what circumstances. By giving member jurisdictions the sole authority to make those decisions, the amendment would prohibit ASPPB from applying some of its important existing exam security protocols, such as the limits on the number of times an individual can sit for the exam within a 12-month period and the ability to suspend a test taker’s access to the exam when exam security violations occur. Additionally, the proposed amendment broadly removes ASPPB’s ability to dictate the timing of exam administrations in all circumstances, which is also problematic. That’s because the timing of a candidate’s exam administration must be determined by taking into account the purpose and design of the exam and security protocols and directly relates to the proper use of an exam and interpretation of exam results. Thus, prohibiting ASPPB from making certain decisions about exam administration timing potentially threatens the integrity, equity and fairness of the exam and may also compromise exam security—for example, if one jurisdiction’s timing for exam administrations is materially after another jurisdiction’s administrations, risking the exposure of exam forms to later test takers.

Additionally, ASPPB’s recommended passing standards are established through lengthy and rigorous standard-setting procedures designed to identify the criterion-referenced standards representing the minimum level of knowledge and skills required for psychologists. And using a well-recognized process called “equating,” ASPPB’s recommended cut scores are applied to multiple forms of the exam across multiple years to ensure that test takers encounter exams of equivalent difficulty and fairness. The proposed amendment would replace this well-established and well-recognized assessment approach with the potentially arbitrary decision making by each jurisdiction regarding passing scores. This would result in cut scores that are sample-dependent, are not established through rigorous standard-setting processes, and do not take into account the purpose and design of the exam or how it relates to job requirements, the format of the exam, item difficulty and other important factors. This undercuts the validity of the exam and destroys any notion that the exam is of equivalent difficulty across jurisdictions. As a result, the member jurisdictions become even more vulnerable to arguments that the regulation of psychologists in their jurisdiction is unreliable and unnecessary.

4. What’s wrong with letting each member decide what is best for its own jurisdiction?

Each jurisdictional licensing board or college (and its government) remains the sole authority with respect to what is required to obtain and maintain a license in that jurisdiction. No jurisdiction is required to use the EPPP as a prerequisite to licensure, nor is use of the EPPP required in order to be a member of ASPPB (although ASPPB recognizes that some jurisdictions may have to undergo legislative or regulatory changes if a decision is made to stop using the EPPP). But those jurisdictions that do choose to use the EPPP do so in

reliance on the psychometric and assessment expertise of ASPPB and agree to abide by ASPPB’s policies and procedures governing the administration of the exam. In turn, the member jurisdictions get all of the benefits of a uniform standard for measuring minimum competence.

5. What about those who say that the EPPP is racially biased, is too costly and contributes to the shortage of mental health service providers—and that the addition of a skills-based component will only exacerbate these problems?

It is true that some individuals have made these kinds of unfounded accusations about the EPPP, based on incorrect and incomplete information. To the extent these individuals are affiliated with professional associations or academia, they tend to disregard that ASPPB, and its member jurisdictions serve a mission of public protection, as opposed to being advocates for the profession. Indeed, it is because of this mission of public protection that licensure examinations are nearly always developed and maintained by associations of jurisdictional licensing boards, rather than professional associations. ASPPB has taken extensive measures to ensure that the EPPP is fair and unbiased, consistent with well-established educational and assessment standards. Additionally, ASPPB has always strived to strike a balance between covering the costs of developing and delivering the EPPP and ensuring that the exam is financially accessible. For more on the Board’s perspective on these unfounded criticisms of the EPPP and historic backdrop of the EPPP’s skills component, please reference our July 1, 2024 letter to ASPPB members ([reattached here for your convenience](#)).

6. Will the ASPPB delegates have the opportunity to discuss the proposed amendment? How will voting on the amendment take place?

Voting on the proposed amendment will take place during the business portion of the Annual Meeting on October 31, 2024. Like any other motion, the proposed amendment will be presented and voted upon in accordance with the ASPPB bylaws, governing parliamentary procedure and applicable law. Among other things, this means the delegates will have the opportunity for a period of discussion prior to voting on the amendment. Voting will be by secret ballot, consistent with ASPPB’s historical practice. As noted above, an independent, professional parliamentarian will guide ASPPB and its membership during the meeting and will help to ensure a fair and transparent process.

7. The Texas Behavioral Health Executive Council has publicly circulated a complaint letter it sent to the Federal Trade Commission (FTC) about ASPPB and the EPPP, accusing ASPPB of violating federal antitrust law. Has ASPPB been sued? Is ASPPB under investigation by the FTC?

Like you, the Board has seen a copy of the complaint letter that the Texas BHEC says it has delivered to the FTC. This represents the first time in ASPPB’s history that a member jurisdiction has accused ASPPB of

unlawful conduct and has urged a federal regulator to take action against the organization. To date, however, the FTC has not contacted ASPPB about the BHEC's complaints, nor is the Board aware of any lawsuit that has been filed against ASPPB. When and if the FTC contacts ASPPB about the EPPP, ASPPB will be happy to answer the FTC's questions.

In the meantime, not only are BHEC's unfounded allegations very disruptive to ASPPB and its membership, but they disregard the long development history and justifications behind the evolution of the EPPP. Perhaps most importantly, as ASPPB has been advised by its outside antitrust counsel, BHEC's arguments also reflect a fundamental misunderstanding and misapplication of antitrust law principles. For more on the Board's response to this accusation, please see our Announcement dated July 3, 2024 ([attached here for your convenience](#)).

8. How can I learn more about the potential consequences of the proposed bylaws amendment?

As mentioned above, ASPPB members should attend the in-person discussion session hosted by the Board at the Annual Meeting on October 30, 2024 from 3:00 - 5:00 pm. During that session, the Board will elaborate upon the points made in this letter and will respond to member questions.

Sincerely,

The ASPPB Board of Directors

From: [Ritter, Sarah \(HLB\)](#)
To: [Sands, Samuel \(HLB\)](#)
Subject: FW: Public Comment for the next Board Meeting
Date: Thursday, September 5, 2024 8:27:52 AM
Attachments: [Explanation of Texas Amendment \(002\) \(2\) \(1\).pdf](#)

From: MN_PsychologyBoard, . (HLB) <psychology.board@state.mn.us>
Sent: Thursday, September 5, 2024 8:23 AM
To: Ritter, Sarah (HLB) <Sarah.Ritter@state.mn.us>; Hoffman, Trisha A (HLB) <Trisha.Hoffman@state.mn.us>
Subject: FW: Public Comment for the next Board Meeting

From: Krista Edwards <krista@bspninc.com>
Sent: Wednesday, September 4, 2024 5:10 PM
Subject: Public Comment for the next Board Meeting

You don't often get email from krista@bspninc.com. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hello, my name is Dr. *Krista Edwards* and I am writing to the board to express my concern regarding the EPPP (Part 1-Knowledge) pass rates and the impending addition of the EPPP (Part 2-Skills) in January 2026. To date, there is documented evidence that strongly suggests a racial disparity in the pass rates of Black/African American and Hispanic/Latinx test takers compared to their White counterparts (Saldaña, Callahan, & Cox, 2024; Sharpless, 2019; Sharpless, 2021). ASPPB has made the claim that there is no racial bias in the EPPP but lacks adequate data to counter what has been uncovered in the literature thus far. Personal anecdotes from individuals within these communities who have been expressing their frustrations for years also indicate the need for a deeper investigation into this matter. I myself have taken the test twice and failed both times with a score between 480-495. I am excited to give back to the community and went to an APA accredited university and completed an APPLIC internship, graduating with a 3.9 GPA. As a psychologist who is currently studying for this exam to retake again, I have identified many problematic aspects of the test which I will share a few below. It is infuriating to be encouraged to practice from a social justice lens while also being forced to study information that is racist, homophobic and outdated.

Please see some of my notes below:

There is virtually nothing about same sex parenting in regard to child rearing or development

Queer/trans children are grossly overlooked.

Sex/gender are used interchangeably which is incorrect usage of the terms (which I am sure I do not need to explain)

The EPPP definition of Bilingualism referred to as someone who speaks English and another language which centers English, another perspective that is rooted in white supremacy

*The EPPP definition of code-switching is based on a **linguistics** definition in which many of us know as culturally responsive practitioners there is a completely different definition in the **psychology** field*

(<https://www.psychologytoday.com/us/blog/achieving-health-equity/202012/what-is-code-switching>). However EPPP fails to acknowledge this.

Lastly, I was appalled at how outdated racist theories remain in the study material and for what reason? Not only does the EPPP grossly ignore any nonwestern psychological theories and ideas, it further perpetuates anti-xyz (you name it), we are forced to learn this information to prove we are competent enough to practice. One of the disgusting theories of development was Khlobergs 1966 gender identity model which perpetuates gender stereotypes and completely ignored gender queer, fluid, trans, and questioning people.

Because of these serious concerns, I am requesting that the board investigate how the current Part 1 cutoff score is contributing to the dearth in representation of BIPOC psychologists and implement appropriate strategies to address this concern, which includes considering changing the cutoff score to align with the data. Additionally, I am asking that you all take a firm stance against EPPP (Part 2-Skills) and follow the Texas State Board of Examiners of Psychologists' lead in submitting a request to ASPPB and support the bylaws amendment vote which takes place at the meeting on October 31 to November 2 in Dallas Texas.

As an advocate for advancing the psychology profession for all psychologists of diverse backgrounds, it's important to ensure transparency and accountability to reduce the gap in service delivery and systematic barriers experienced by ethnic minority and Black psychologists. Now is the time to take corrective action that can not only positively impact the lives of individuals pursuing a license but also ensure more access to qualified and capable clinicians for community members. Thank you for your consideration. I could go on and on but as I study for this flawed test, I am reminded by unethical gatekeeping like this needs to end now. Given these few examples of the flawed and problematic content that is used to justify autonomous practice, I am urging the board to oppose EPPP- 2 and change the pass score for EPPP-1 until a new, revised test is developed.

Krista Edwards, PhD (she/her) [what's this?](#)

Co-founder and Director of Programming and Community Outreach

The Black School Psychologists Network, Inc.

Krista@bspninc.com



Check out www.bspninc.com

BSPN's mission is to co-create a powerful network of Black School Psychologists nationwide, a safe place where Black School Psychologists feel supported and encouraged. In addition, provide culturally responsive professional development and resources to enhance the work and well-being of Black School Psychologists, including graduate students.



- MINNESOTA BOARD OF PSYCHOLOGY

DATE: 9/27/2024

SUBMITTED BY: Executive Director

TITLE: Behavior Analyst Advisory Council Report

INTRODUCTION TO THE TOPIC:

The Advisory Council has had two meetings. The agenda for each meeting is attached. The Advisory Council makes the following recommendation to the Board:

BOARD ACTION REQUESTED:

1. Delegate Board staff the authority to process Licensed Behavior Analyst applications by applicants with the Board Certified Behavior Analyst credential and no criminal or complaint history.
2. Establish the process for complaints to go to the Advisory Council then to the Complaint Resolution Committee to be processed per Board complaint procedures

ATTACHMENTS:

Description	Upload Date	Type
BA Advisory Council Agenda - August	9/25/2024	Cover Memo
BA Advisory Council Agenda - September	9/25/2024	Cover Memo



Behavior Analyst Advisory Council

August 29, 2024

Introduction

The mission of the Board is to protect the public through licensure, regulation, and education to promote access to safe, competent, and ethical psychological services. The work of the Board is strategically aligned to accomplish this mission, including prioritization of Board action and the assignment of resources (both human and financial).

Agenda Items:

1. Review and discussion of the Advisory Council section of the Behavior Analyst statute
2. Discuss election of Advisory Committee Chair
 - Discuss Chair election procedure and determine when the Council will vote on the Chair
 - Statute requires a chair to be elected by the third meeting of the Council
3. Determine meeting dates and times for the rest of this year
 - September, October, November, and December
4. Review
 - Paper application for BA licensure
 - Checklist for licensure
 - Behavior Analysis Announcement
 - Staff discussion of licensing system development
5. Delegate Authority to Board Staff
 - Staff will need the delegated authority to review and approve applications for licensure as of September 1, 2024
 - Provide committee with overview of application process for initial applicants and an update of when the process will go live
6. Open discussion for future topics



Behavior Analyst Advisory Council
September 26, 2024

Introduction

The mission of the Board is to protect the public through licensure, regulation, and education to promote access to safe, competent, and ethical psychological services. The work of the Board is strategically aligned to accomplish this mission, including prioritization of Board action and the assignment of resources (both human and financial).

Agenda Items:

- I. Review of revised template documents
 - a. Paper application for BA licensure
 - b. Checklist for licensure

- II. Review and discussion of adverse actions that may be reported by BA applicants
 - a. BACB information
 - b. Process for handling applicants with criminal history or adverse BACB actions

- III. Behavior Analyst Supervisor Fee

- IV. Data base (Salesforce) process for BA license applications
 - a. Review of online application

- V. Other updates
 - a. Staff position filled



- MINNESOTA BOARD OF PSYCHOLOGY

DATE: 9/27/2024

SUBMITTED BY: Executive Director

TITLE: Executive Director's Report

INTRODUCTION TO THE TOPIC:

The Executive Director Report communicates, in advance, information that brings board members up to date on what has occurred since the last board meeting and is intended to lead to engagement and interaction at the next board meeting. The Executive Director Report seeks to offer reminders to board members on upcoming commitments, relevant dates and events, and to raise issues for board members to address during the board meeting. The Executive Director Report is also intended to give board members information that is useful in their role as board members and in stakeholder outreach.

BOARD ACTION REQUESTED:

ATTACHMENTS:

Description
ED Report

Upload Date Type
9/27/2024 Cover Memo

Minnesota Board of Psychology Executive Director Report
September 27, 2024

Introduction

The mission of the Board is to protect the public through licensure, regulation, and education to promote access to safe, competent, and ethical psychological services. The work of the Board is strategically aligned to accomplish this mission, including prioritization of Board action and the assignment of resources (both human and financial).

The work of the Board has focused on the following since the last Board meeting:

I. Administrative Updates

a. Assistant Executive Director Licensing Update

The Licensure Team has continued to support the Mission and Vision of the Board by assisting psychology applicants with the licensure process. There have been more supervision agreements completed. Staff have also been developing new processes to allow the team to be prepared to begin accepting applications for behavior analyst licensure.

II. Executive Director's Report

a. New Board Staff Positions Filled

The Board has backfilled two positions on staff. First, as was previously mentioned, the Investigator position was filled in August. Second, a licensure specialist position has been filled as well. The new hire will start October 9th and begin as a dedicated support to the behavior analyst licensing efforts.

b. Behavior Analyst Licensing Work

The team is working hard to make sure we can license our behavior analysts by the January 1, 2025 deadline. In addition, the Executive Director is presenting to the Minnesota Northland Association of Behavior Analysts. In addition, the Executive Director is seeking to reach more behavior analysts to discuss licensure and the application.

c. Midwest Occupational Licensure Summit

The Executive Director is attending and presenting at the Midwest Occupational Licensure Summit on October 9th. This year's meeting centers on workforce development initiatives, and substance use disorder programs, and cannabis regulation. The Executive Director will be presenting on the Board's EPPP testing program.



d. Executive Director Forum

The Executive Director Forum – which is a collaborative body of all the health licensing boards – is undergoing a process of updating its bylaws and re-evaluating committee structures and leadership.



- MINNESOTA BOARD OF PSYCHOLOGY

DATE: 9/27/2024

SUBMITTED BY: Executive Director

TITLE: PSYPACT Commission

INTRODUCTION TO THE TOPIC:

Minnesota has a vacancy on the PSYPACT Commission to be filled by the Board.

BOARD ACTION REQUESTED:

Appoint a new PsyPact Commissioner

ATTACHMENTS:

Description	Upload Date	Type
PsyPact New Commissioner Training PPT	9/25/2024	Cover Memo

PSYPACT: New Commissioner Training Webinar

Educational Session for New
Commissioners

Overview

- What is a compact?
- What is PSYPACT?
- Brief History and Benefits of PSYPACT
- ASPPB/PSYPACT Commission Relationship
- PSYPACT Governance Structure
- Roles of Commissioners
- Responsibilities Overview
- PSYPACT Committees
- PSYPACT Meeting Logistics
- PSYPACT Governance Documents
- PSYPACT Financial Information
- The Application Process Overview
- Current Status
- Available Resources

Just What is an Interstate Compact, Exactly?

- It's a *body politic*
- It's an *instrumentality of the state governments* which join the compact
- It has rulemaking authority, and its rules have the effect of law in the member states
- It is, therefore, a multi-state governmental rulemaking body

What an Interstate Compact is **Not**

- It's **not** a nonprofit corporation
- It's **not** a private “membership” organization
- It's **not** a professional association

PSYPACT is an interstate compact

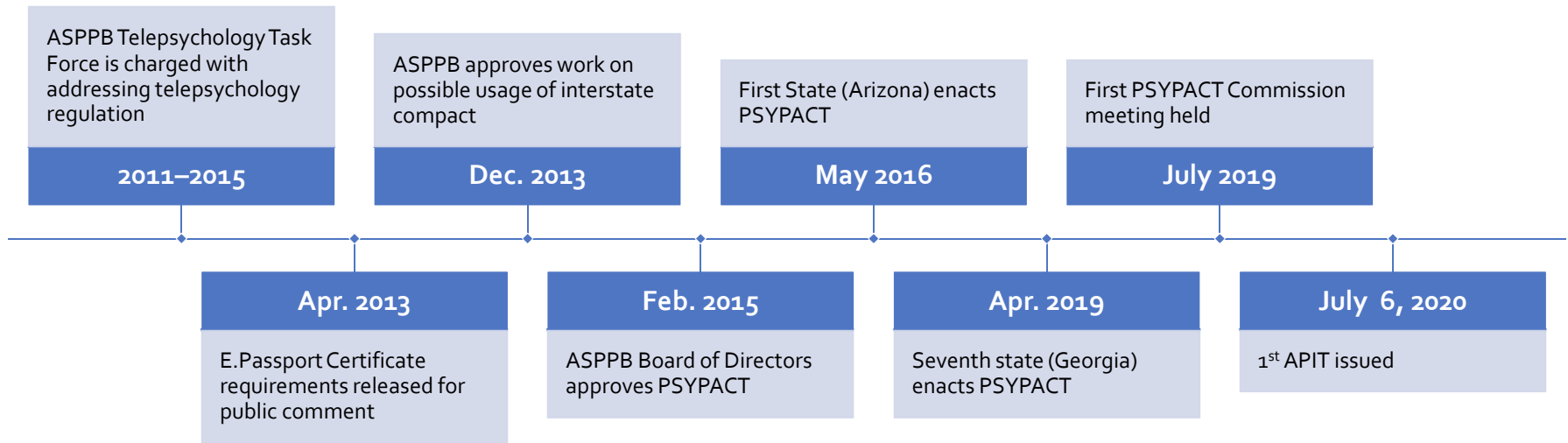
Designed to regulate:

The day-to-day practice of **telepsychology**
across state boundaries

and/or

The **temporary in-person, face-to-face**
practice of psychology for up to 30 days
annually

What is PSYPACT



History of PSYPACT

Benefits of PSYPACT for Consumers

Increases client/patient access to care

Facilitates continuity of care when client/patient relocates, travels, etc.

Access to specific professionals with special expertise

Possibility of more frequent contacts or a mixture of face-to-face and remote contacts

Offers a higher degree of consumer protection across state lines

Benefits of PSYPACT for States

Preserves the current state-based licensure system

Allows sharing of investigatory information

Ability to conduct joint investigations

Demonstrates psychology regulators responsiveness to issues (portability, continuity of practice, public protection)

Participation (via the Commission) in the operations of PSYPACT

ASPPB/ PSYPACT Commission Relationship

- ASPPB and the PSYPACT Commission are separate entities
- ASPPB and the PSYPACT Commission have a Memorandum of Understanding (MOU)
- The MOU outlines the services needed by the Commission, including staffing, consultation services, office space and access to ASPPB data systems
- MOU reviewed annually

What is the relationship between ASPPB and the PSYPACT Commission?



PSYPACT Governance Structure

- **PSYPACT Commission** – Make final decisions re: compliance issues, annual budget, rules, policies and bylaw amendments
- **PSYPACT Commission Executive Board** – Supervise the overall direction and vision, make initial recommendations re: compliance issues, annual budget, rules, policies and bylaw amendments
- **PSYPACT Commission Committees** – Consists of Commissioners and other members as designated by the Commission to evaluate the needs of the Commission
- **PSYPACT Executive Director** – Manages the day-to-day operations of PSYPACT

Who Can be a Commissioner?

- Executive Director or similar board executive
- Current member of the State Psychology Regulatory Authority
- “Designee empowered with appropriate delegate authority” to act on behalf of the Compact State
- Per Commission bylaws, state should consider potential conflicts of interest in selecting their Commissioner

Roles of Commissioners

- PSYPACT Commission is a Joint Governmental Agency of Member States
- Voting Representative for the PSYPACT State
Appointing
- Have an affirmative duty to act in the best interest of the Commission and in a manner sufficient to effectuate the purposes of the Compact.
- State Commissioners acting on behalf of state Psychology Boards are not in conflicting roles. When state legislatures enact interstate compacts, and thus direct the Commissioners to fulfill their duties as a state actor, the interstate compact supersedes any conflicting state laws and/or regulations that might exist.

Qualified Immunity

- The Model Compact contains provisions for limited, qualified immunity for Commission staff and representatives acting in the course of commission duties.
- Nothing in the Compact provides for immunity or choice of venue regarding claims against psychology practitioners.

Full Commission Responsibilities

Approve Bylaws

Promulgate Rules

Establish a budget/ make expenditures

Approve Advisory Opinions

Elect Officers

Bring and prosecute legal proceedings in the name of the
Commission

Enforce the Terms of the Compact

Assist in Meeting Key Compliance Factors

Reporting of adverse actions within 10 business days of the effective date

Reporting of significant investigatory information within time frame

Reporting licensees participating in an alternative program within 10 business days of notice to participate

Requiring background checks within 10 years of PSYPACT enactment date

Appoint Commissioner within 90 days of PSYPACT effective date

Posting of a notice on jurisdictional website when PSYPACT proposed rules are out for public comment

Payment of State Assessment Fees within 90 days of invoice. Fees: \$10 per licensee listing jurisdiction as home state up to \$6,000

PSYPACT Executive Board

- Consists of a Chair, Vice-Chair, Treasurer, and two Member-at-Large positions
- One Ex-Officio Member from ASPPB – Nonvoting.
- Elections occur at the PSYPACT Commission Annual Meeting
 - Even years: Vice-Chair and one (1) Member-at-Large Position
 - Odd years: Chair, Treasurer, and one(1) Member-at-Large Position

PSYPACT Executive Board Responsibilities

Recommend to the entire Commission changes to the Rules or Bylaws, fees paid by Compact States such as annual dues, and any other applicable fees

Ensure Compact administration services are appropriately provided, contractual or otherwise

Prepare and recommend the budget

Maintain financial records on behalf of the Commission

Monitor Compact compliance of member states and provide compliance reports to the Commission

Establish additional committees as necessary

Other duties as provided in Rules or Bylaws

PSYPACT Committees

Rules Committee: The Rules Committee is a standing committee charged with developing uniform Compact rules for consideration by the Commission and subsequent implementation by the states and to review existing rules and recommend necessary changes to the Commission for consideration.

Compliance Committee: The Compliance Committee is a standing committee responsible for administering the provisions of the Compact related to compliance and enforcement.

Finance Committee: The Finance Committee is a standing committee responsible for audit needs, finances, develop state-specific materials, etc.

Training and Public Relations Committee: The Training and Public Relations Committee is a standing committee responsible for training and public relations on behalf of the Commission.

Elections Committee: An Elections Committee is a standing committee charged with all aspects of the election process.

Requirements Review Committee is a standing committee responsible for the review of denials for authorization, review ongoing standards for reasonableness and interface with Association and Provincial Psychology Boards regarding E.Passport and Interjurisdictional Practice Certificate Requirements as needed.

Appeals Committee: The Appeals Committee is a standing committee responsible for reviewing any appeals received due to denials or revocations of APIT or TAPs.

Meeting Logistics

- Meetings of the Commission and Executive Board are open, public meetings.
- A meeting or portion of a meeting may occur in closed session for purposes specified in the Model Compact.
- Time is allotted at the beginning of each Commission and/or Committee meeting for comments from the public.
- At each Commission meeting, there is a report from the Executive Director, Committee Reports, and new business as needed.
- At the November Commission meeting, elections to the Executive Board occur, and the next year's budget is finalized.
- Robert's Rules serves as the parliamentary rule.
- Full participation of each Commissioner is encouraged.

PSYPACT Governance Documents



Compact Language:

<https://psypact.site-ym.com/page/governance>



Bylaws:

<https://psypact.site-ym.com/page/governance>



Rules:

<https://psypact.site-ym.com/page/governance>



Policies and Procedures:

<https://psypact.site-ym.com/page/governance>

Governance Documents of Interest

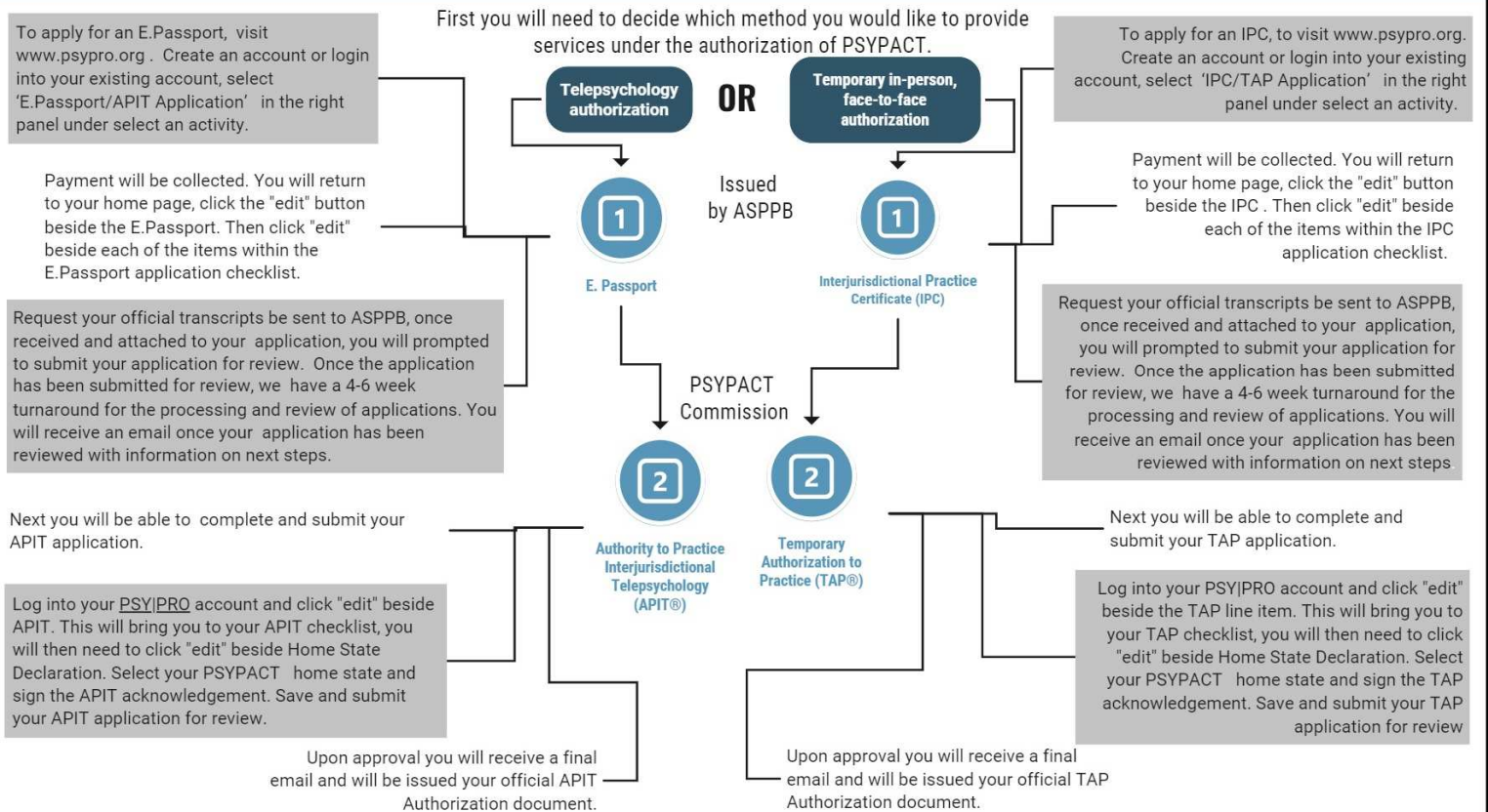
- PSYPACT Commission Code of Ethics and Procedures for Review of Commissioner Conduct can be found at:
https://cdn.ymaws.com/psypact.org/resource/resmgr/code_of_ethics/current_approved_psypact_com.pdf
- Policies
https://cdn.ymaws.com/psypact.org/resource/resmgr/policies_procedures/psypact_policy_and_procedure.pdf
 - Policy 1.2: Conflict of Interest
 - Policy 1.3: Communication
 - Policy 1.13: Memorandum of Understanding

PSYPACT
Financial
Information

- Current Budget and Financial information can be found at:
- <https://psypact.site-ym.com/page/Budget>

Application Process Overview

Interested in applying for PSYPACT® authorizations? Here's how.



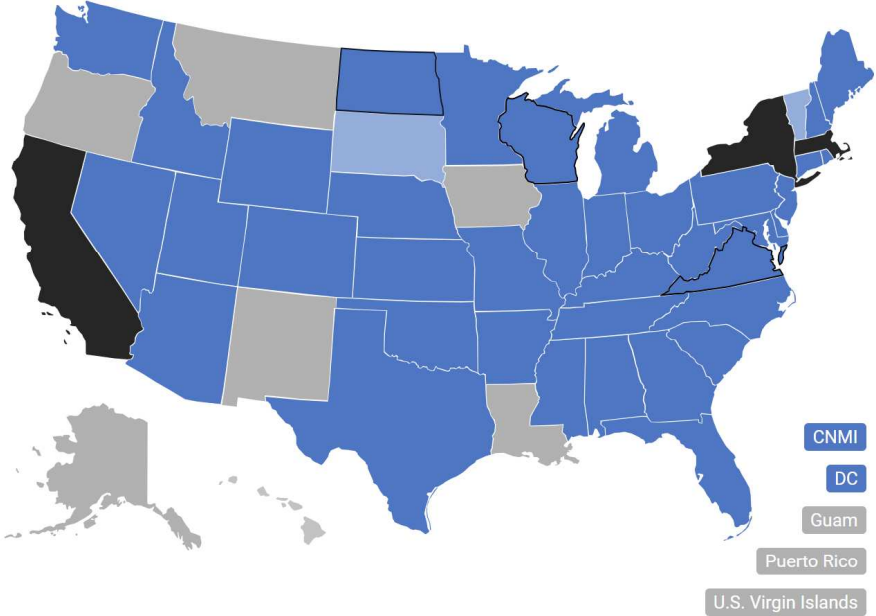
Program Fees

Interjurisdictional Telepsychology	Temporary In-Person, Face-to-Face Practice
Authority to Practice Interjurisdictional Telepsychology (APIT): \$40.00 with an annual renewal fee of \$20.00	Temporary Authorization to Practice (TAP): \$40.00 with an annual renewal fee of \$20.00
E.Passport: \$400.00 with annual renewal fee of \$100.00	Interjurisdictional Practice Certificate (IPC): \$200.00 with annual renewal fee of \$50.00

Current PSYPACT Status

For the most up-to-date list, please visit the PSYPACT website:

<https://psypact.org/page/psypactmap>



Map Key

- PSYPACT Participating State
- Enacted PSYPACT Legislation - practice under PSYPACT not permitted
- PSYPACT Legislation introduced
- Non- PSYPACT State/ no active Legislation

Current PSYPACT
Authorization Holder
Status

As of June 6, 2024:

- Authority to Practice
Interjurisdictional Telepsychology
(APIT): 13,345
- Temporary Authorization to Practice
(TAP): 782

Available Resources

About Us

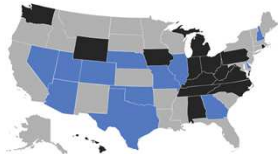
The **Psychology Interjurisdictional Compact (PSYPACT)** is an interstate compact designed to facilitate the practice of telepsychology and the temporary in-person, face-to-face practice of psychology across state boundaries.

The **PSYPACT Commission** is the governing body of PSYPACT responsible for creating and finalizing the Bylaws and Rules and Regulations. The Commission is also responsible for granting psychologists the authority to practice telepsychology and temporary in-person, face-to-face practice of psychology across state boundaries.

Telepsychology In order to practice telepsychology in PSYPACT states, psychologists licensed in PSYPACT states only can apply to the PSYPACT Commission for an **Authority to Practice Interjurisdictional Telepsychology (APIT)**. One required component of this authority granted from the PSYPACT Commission is that psychologists must obtain an **E-Passport Certificate** from ASPPB. At this time, neither the APIT or E-Passport are available for application as the PSYPACT Commission has yet to finalize the Rules needed to practice under PSYPACT that may have implications for both the APIT and/or E-Passport.

Temporary Practice In order to conduct temporary practice in PSYPACT states, psychologists licensed in PSYPACT states only can apply to the PSYPACT Commission for a **Temporary Authorization to Practice (TAP)**. One required component of this authorization granted from the PSYPACT Commission is that psychologists must apply for and obtain an **Interjurisdictional Practice Certificate (IPC)** from ASPPB. At this time, neither the TAP or IPC are available for application as the PSYPACT Commission has yet to finalize the Rules needed to practice under PSYPACT that may have implications for both the TAP and/or IPC.

Map



Map Key

- States with PSYPACT Legislation
- States with Drafted but not Effective PSYPACT Legislation
- States with Pending PSYPACT Legislation



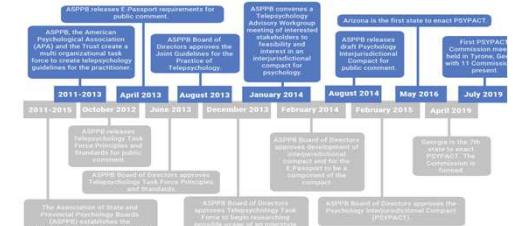
ABOUT COMMISSION AUTHORIZATION TO PRACTICE VERIFY LEGISLATIVE RESOURCES



Reducing regulatory barriers. Increasing access to mental healthcare.
START YOUR PSYPACT APPLICATION TODAY!

TO START YOUR APPLICATION TO PRACTICE TELEPSYCHOLOGY UNDER PSYPACT, [CLICK HERE](#).
 TO START YOUR APPLICATION TO PRACTICE TEMPORARILY UNDER PSYPACT, [CLICK HERE](#).

History



Commission

- Bob Bohanske - Arizona
- Pam Goosse - Missouri
- Lorey Bratten - Colorado
- Kris Chiles - Nebraska
- Shauna Stauffer - Delaware
- Cary Lettitt - Nevada
- Don Mack - Georgia
- Deborah Warner - New Hampshire

• Website: www.psypact.org

PSYPACT Directories

There are two (2) PSYPACT Directories providing information regarding participants in PSYPACT

- PSYPACT state staff and commissioners:
www.psypro.org
 - Allows for the verification of all
 - Contact PSYPACT staff for User Access
- Public Directory: <https://www.verifypsypact.org/>

PSYPACT YouTube Channel

PSYPACT has a YouTube Channel where educational videos will be posted

- PSYPACT YouTube Channel:
https://www.youtube.com/channel/UCoQQtwQz5FQbw_zEuCrlfXw
- PSYPACT Informational Webinar for State Board Attorneys:
<https://www.youtube.com/watch?v=9oE7GNKACIk&t=25>

PSYPACT Annual Report

- The PSYPACT Training and Public Relations Committee creates a Commission Annual Report.
- The report represents the informational content that has been shared by the Commission throughout the year reported
- Found on the PSYPACT website under the About tab, then the PSYPACT News sub-tab
- Direct link to the 2023 report:
https://cdn.ymaws.com/psypact.org/resource/resmgr/annual_report_final_2023_psypact_commissio.pdf

Commission Meeting Info (Located Under the Commission Tab)

Scheduled Meetings

Commission » Scheduled Meetings

Scheduled Meetings:

Date	Meeting	Location	Agenda
June 5, 2024	Rules Committee	Zoom Teleconference 3:00 PM to 5:00 PM EST Register HERE	Agenda
June 11, 2024	Training and Public Relations Committee	Zoom Teleconference 2:00 PM to 3:30 PM EST Register HERE	Agenda
June 12, 2024	Strategic Planning Workgroup	Zoom Teleconference 3:00 PM to 5:00 PM EST Register HERE	
June 18, 2024	Executive Board	Zoom Teleconference 2:30 PM to 5:00 PM EST Register HERE	
July 15, 2024	Commission Mid-Year	Zoom Teleconference 11:00 AM to 4:00 PM EST Register HERE	
August 16, 2024	Requirements Review Committee	Zoom Teleconference 12:00 PM to 1:30 PM EST Register HERE	
August 21, 2024	Finance Committee	Zoom Teleconference 3:00 PM to 4:30 PM EST Register HERE	

Thank you!

For further information please
contact:

- Janet Orwig (jorwig@psypact.org)
- Gina Polk (gpolk@psypact.org)
- Ashley Lucas
(alucas@psypact.org)



- MINNESOTA BOARD OF PSYCHOLOGY

DATE: 9/27/2024

SUBMITTED BY: State Program Administrator

TITLE: Board Administrative Terminations

INTRODUCTION TO THE TOPIC:

The Board shall terminate the license of a licensee whose license renewal is at least 60 days overdue and to whom notification has been sent as provided in the administrative rules. Failure of a licensee to receive notice is not grounds for later challenge of the termination.

Licensees are provided several opportunities to renew the license prior to Board termination. Licensees are sent a notice within 30 days after the renewal date when they have not renewed the license. This letter is sent via certified mail to the last known address of the licensee in the file of the board. This notifies the licensee that the license renewal is overdue and that failure to pay the current renewal fee and the current late fee (\$250.00) within 60 days after the renewal date will result in termination of the license. A second notice is sent to the licensee at least seven days before a board meeting (which occurs 60 days or more after the renewal date).
Minn. R. 7200.3510.

BOARD ACTION REQUESTED:

LP Number	Name
LP4230	Jane Coffey
LP1345	Louellen Essex
LP3108	Dorothy Edelson
LP1267	Linda Miller
LP1168	Patricia Mageli-Maley