

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF PSYCHOLOGY**

TIME: 10:30 A.M.

Held at

**PENNSYLVANIA DEPARTMENT OF STATE**

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

February 5, 2024

State Board of Psychology  
February 5, 2024

BOARD MEMBERS:

Steven K. Erickson, Ph.D., Chair  
Arion R. Claggett, Acting Commissioner, Bureau of  
Professional and Occupational Affairs  
Donald McAleer, Psy.D., Vice Chair  
Katherine Bradley, Ph.D., Secretary  
LaJewel Harrison, MBA, Public Member  
Dean C. Maynard, Ed.D., Public Member - Absent

BUREAU PERSONNEL:

Shana M. Walter, Esquire, Senior Board Counsel  
Tyasha C. Miley, Esquire, Board Counsel  
Jared Hinsey, Esquire, Board Counsel  
Jacqueline A. Wolfgang, Esquire, Regulatory Counsel  
Heather J. McCarthy, Esquire, Senior Board Prosecutor  
Adam J. Williams, Esquire, Board Prosecution Liaison  
Patrick Greene, Esquire, Board Prosecutor  
Jason T. Anderson, Esquire, Board Prosecutor  
Kelsey B. Ashworth, Esquire, Board Prosecutor  
Thomas Leech II, Board Administrator  
Deena Parmelee, Legal Office Administrator 1,  
Department of State  
Lindsay Szymanski, Esquire, Board Prosecutor  
Holly Hoffman, Law Clerk, Department of State  
Carlton Smith, Deputy Chief Counsel, Prosecution  
Division

ALSO PRESENT:

Rachael Baturin, MHP, JD, Pennsylvania Psychological  
Association  
Casey Pick, Director of Law & Policy at The Trevor  
Project  
R. Perry Monastero, Ed.D., Coordinator, The Trevor  
Project  
Molly Cowan, Psy.D., Director of Professional  
Affairs, Pennsylvania Psychological Association  
Johanna Byrd, ACSW, IOM, CAE, Executive Director,  
National Association of Social Workers,  
Pennsylvania Chapter

State Board of Psychology  
February 5, 2024

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

ALSO PRESENT: (cont.)

Michael Pogue-Geile, Ph.D., Clinical Program Chair,  
Psychology; Professor, Psychology, Department of  
Psychology, University of Pittsburgh  
Martha Ellen Wadsworth, Professor of Psychology, Penn  
State Clinical and Transitional Science Institute,  
Penn State University  
Victoria Lantz

1 \*\*\*

2 State Board of Psychology

3 February 5, 2024

4 \*\*\*

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
6 at 9:30 a.m. the Board entered into Executive Session  
7 with Tyesha C. Miley, Esquire, Board Counsel, and  
8 Jared Hinsey, Esquire, Board Counsel, for the purpose  
9 of conducting quasi-judicial deliberations on a  
10 number of matters that are currently pending before  
11 the Board and to receive the advice of counsel. The  
12 Board returned to open session at 10:30 a.m.]

13 \*\*\*

14 The regularly scheduled meeting of the State  
15 Board of Psychology was held on Monday, February 5,  
16 2024. Steven K. Erickson, Ph.D., Chair, called the  
17 meeting to order at 10:30 a.m.

18 \*\*\*

19 [Tyesha C. Miley, Esquire, Board Counsel, advised  
20 everyone that the meeting was being held pursuant to  
21 Act 100 of 2021, where virtual meetings are permitted  
22 and taking place in a public forum to effectuate the  
23 business of the Board. She noted a quorum was  
24 present.

25 Ms. Miley also noted the Board met in Executive

1 Session prior to the meeting to have attorney-client  
2 consultation and for the purpose of conducting quasi-  
3 judicial deliberations

4 Ms. Miley noted the meeting was being recorded,  
5 and those who continued to participate were giving  
6 their consent to be recorded.]

7 \*\*\*

8 Introduction of Board Members/Attendees

9 [Thomas Leech II, Board Administrator, provided an  
10 introduction of Board members and attendees.]

11 \*\*\*

12 Appointment - Annual Prosecution Division

13 Presentation

14 [Carlton Smith, Esquire, Deputy Chief Counsel,  
15 Prosecution Division, informed Board members that he  
16 assumed his role in March 2023 when Carolyn  
17 DeLaurentis was promoted to the executive deputy  
18 chief counsel position and provided a brief history  
19 of his professional background.

20 Mr. Smith reported a decrease in the number of  
21 Bureau of Professional and Occupational Affairs  
22 (BPOA) complaints for all boards and commissions from  
23 around 22,000 in 2022 to roughly 19,000 in 2023.

24 Mr. Smith presented the Prosecution Division's  
25 Annual Report for the State Board of Psychology. He

1 reported around 7,900 active licensees in 2023 and  
2 around 8,000 in 2022. He noted 141 cases were opened  
3 in 2023. He also reported 166 open cases and 117  
4 cases closed. He informed Board members that  
5 prosecution's gold standard is to be able to dispose  
6 of a case within a year across all boards and was 284  
7 days for the State Board of Psychology.

8 Mr. Smith noted a couple of probation cases and  
9 fines with one incident of mandatory continuing  
10 education and a suspension.

11 Mr. Smith addressed cases where no discipline is  
12 imposed, noting the Board had 68 prosecution not  
13 warranted cases and 13 warning letters. He stated  
14 prosecution not warranted and warning letters are the  
15 most common amongst all boards when closing a case  
16 where there is no discipline.

17 Mr. Smith noted warning letters are the most  
18 appropriate course of action when cases are fairly  
19 mundane, where the person does not have a significant  
20 discipline history or there may be problems from an  
21 evidentiary standpoint. He explained that  
22 prosecution not warranted may involve considering the  
23 seriousness of the allegations and how confident an  
24 expert is that there was a violation.

25 Dr. McAleer asked what the difference is between

1 prosecution not warranted and an administrative  
2 closing.

3       Mr. Smith explained that an administrative  
4 closing is a case prosecution opened by mistake and  
5 provided an example of a Pennsylvania Justice Network  
6 (JNET) case. He stated JNET is a system that tells  
7 prosecution whether or not a person has been  
8 arrested, where prosecution may open a case on a  
9 person with a common name believing the person is a  
10 licensee but later realize that it is a different  
11 person and is the reason for an administrative  
12 closing.

13       Mr. Smith noted it has nothing to do with the  
14 evidence or a complainant changing their mind but is  
15 when prosecution opened a case against the wrong  
16 person or should not have opened a case at all.

17       Mr. Smith informed Board members that the annual  
18 report, which includes the rest of the Board's  
19 numbers, would be available around March.]

20

\*\*\*

21 Appointment - The Trevor Project

22 [Casey Pick, Director of Law & Policy at The Trevor  
23 Project, informed Board members that Trevor is the  
24 nation's leading organization for suicide prevention  
25 and crisis intervention for Lesbian, Gay, Bisexual,

1 Transgender, and Queer (LGBTQ) young people. She  
2 noted providing direct services for more than 25  
3 years and now 24/7 via telephone, chat, and text to  
4 LGBTQ young people in crisis.

5 Ms. Pick noted that it was in the course of  
6 doing that work that the issue of sexual orientation  
7 and gender identity change efforts known as  
8 conversion therapy came to their attention as a key  
9 priority. She mentioned that it was documented well  
10 over a thousand times where young people would  
11 mention conversion therapy as an issue.

12 Ms. Pick stated Trevor performs an annual  
13 national survey asking tens of thousands of LGBTQ  
14 young people between the ages of 13 and 24 a wide  
15 range of questions about their experiences. She  
16 noted a recent survey found that 11% had been  
17 threatened with conversion therapy and another 5% had  
18 actually experienced it.

19 Ms. Pick addressed research, including health  
20 economists, documenting the economic impact of  
21 conversion therapy nationally at a direct cost of  
22 \$650,000,000 annually. She also noted the indirect  
23 costs associated with the care for depression,  
24 anxiety, substance use, and suicide, where the costs  
25 of conversion therapy was found to be over \$9 billion

1 annually.

2 Ms. Pick discussed the harms of conversion  
3 therapy, noting a project five years ago commenced  
4 with a team in order to identify the ongoing practice  
5 of conversion therapy by unlicensed individuals and  
6 licensed individuals. She reported finding 1,300  
7 active practice practitioners of conversion therapy  
8 across the country, more than 600 of which were  
9 licensed, and 88% of those licensed individuals were  
10 in Pennsylvania.

11 Ms. Pick noted distributing a state-specific  
12 report for Pennsylvania that included a heat map  
13 documenting wherever there is significant population  
14 across the state of active practitioners. She  
15 reported over 70 licensed mental health professionals  
16 in training with 35 of those in Pennsylvania.

17 Ms. Pick addressed a new upcoming generation of  
18 people engaging in these practices quietly and  
19 discretely. She noted the importance of publicizing  
20 this issue as much as possible and it being an issue  
21 that should be confronted within the professions.

22 Ms. Pick reported more than 80% of LGBTQ youth  
23 wanted mental health support last year, but more than  
24 half could not get it due to cost, distance, and  
25 concerns about asking their parents' permission to

1 get mental health support. She noted 15% of those  
2 kids who could not get mental health support due to  
3 being afraid to be subjected to conversion therapy.

4 Ms. Pick reported 40% of LGBTQ youth seriously  
5 considered suicide, and of those youth, who had  
6 either experienced conversion therapy or been  
7 threatened with it, were twice as likely to report  
8 seriously considering suicide or a suicide attempt  
9 and two and a half times as likely to report multiple  
10 suicide attempts in the past year.

11 Ms. Pick noted the importance of Trevor's  
12 mission to save young lives and offered to provide  
13 further support to the Board in their efforts to  
14 partner with them in their work.

15 Molly Cowan, Psy.D., Director of Professional  
16 Affairs, Pennsylvania Psychological Association,  
17 informed Board members that PPA has been partnering  
18 with The Trevor Project given that the American  
19 Psychological Association (APA) is against conversion  
20 therapy. She noted there is professional research  
21 support they should not be engaged and are supporting  
22 them in their efforts.

23 Rachel Baturin, MHP, JD, Pennsylvania  
24 Psychological Association, mentioned that legislation  
25 has been introduced over the years regarding banning

1 conversion therapy, and PPA has been supportive of  
2 that legislation. She noted being hopeful that the  
3 Board would support legislation banning conversion  
4 therapy and also noted that Governor Shapiro and  
5 Governor Wolf are supportive of banning conversion  
6 therapy.

7 Ms. Baturin mentioned that there was an  
8 executive order put out about conversion therapy and  
9 asked Board members if they would implement things to  
10 root out some of the providers, who are doing  
11 conversion therapy and offer information on how  
12 people could file complaints with the Board. She  
13 also asked whether they could help in identifying  
14 experts that might be able to identify conversion  
15 therapy going on somewhere.

16 Ms. Pick mentioned that there is no billing code  
17 for engaging in conversion therapy, and it is often  
18 misbilled as depression, anxiety, marital issues, or  
19 substance use, where it is frequently miscommunicated  
20 but then treated. She discussed a case that was  
21 litigated in California at the National Center for  
22 Lesbian Rights (NCLR), where a lesbian patient  
23 brought a case of fraud, because she worked with a  
24 therapist but was never told there was no scientific  
25 basis to ever believe that orientation could change

1 her. She noted the importance of proactive education  
2 work that can be done to prevent these harms being  
3 inflicted in the first place.

4 Acting Commissioner Claggett informed Ms. Pick  
5 that the Board does support the executive order and  
6 informed her that the mechanism to report these kinds  
7 of injustices would go through the Bureau of  
8 Enforcement and Investigation (BEI) by filing a  
9 complaint.

10 Chair Erickson thanked Ms. Pick for the  
11 presentation.]

12 \*\*\*

13 Approval of minutes of the December 18, 2023 meeting

14 CHAIR ERICKSON:

15 Item 3 of the agenda is the approval  
16 minutes from the December meeting.

17 I believe at this time the Board  
18 will entertain a motion to approve the  
19 minutes from the December 18, 2023  
20 meeting.

21 ACTING COMMISSIONER CLAGGETT:

22 So moved.

23 DR. BRADLEY:

24 Second.

25 CHAIR ERICKSON:

1 Any discussion? Hearing none. We'll  
2 have the vote.

3  
4 Dr. Erickson, aye; Commissioner  
5 Claggett, aye; Dr. McAleer, aye; Dr.  
6 Bradley, aye; Ms. Harrison, aye.

7 [The motion carried unanimously.]

8 \*\*\*

9 Report of Board Prosecution - No Report

10 \*\*\*

11 Report of Board Counsel - Sunshine Act and Recusal  
12 Guidelines

13 [Tyesha C. Miley, Esquire, Board Counsel, provided  
14 the annual review of the Sunshine Act and Recusal  
15 Guidelines. She explained that the purpose of the  
16 Sunshine Act is the right of the public to be present  
17 at all meetings of agencies and to witness the  
18 deliberations, policy formulation, and decision-  
19 making because it is vital to the enhancement and  
20 proper functioning of the democratic process.

21 Ms. Miley stated meetings must be open to the  
22 public when deliberations or official action takes  
23 place. She provided the definition of agency,  
24 deliberation, and official action.

25 Ms. Miley addressed public notice, including

1 publication of the place, date, and time. She noted  
2 public notice is not required in a case of an  
3 emergency meeting or conference.

4 Ms. Miley discussed the recording of votes and  
5 requirement of minutes for all open meetings. She  
6 mentioned that the only applicable exceptions to open  
7 meeting requirements are executive sessions and  
8 conferences.

9 Ms. Miley explained that legal challenges under  
10 the Sunshine Act must be filed within 30 days of the  
11 date of the meeting or within 30 days of the  
12 discovery of any action in which the Sunshine Act was  
13 violated and discussed penalties for violating the  
14 Sunshine Act.

15 Ms. Miley stated all Board business,  
16 deliberations, and official actions should be  
17 conducted in an open meeting; and Board members  
18 should not discuss agency business, especially  
19 Executive Session matters outside of an official  
20 Board meeting.

21 Ms. Miley noted committee meetings discussing  
22 regulations and policies should take place in an open  
23 meeting with appropriate public notice. She  
24 mentioned that administrative functions are not  
25 subject to open meeting requirements.

1 Ms. Miley addressed mandatory recusals, where a  
2 Board member may have a prosecutorial role or direct  
3 personal or financial interest in the outcome of the  
4 matter. She addressed strongly suggested recusals,  
5 where there is a personal affection or outside  
6 knowledge and someone cannot make a fair and unbiased  
7 determination.

8 Ms. Miley noted that discretionary recusals are  
9 when a Board member cannot hear and dispose of the  
10 case or participate in a decision on a subject fairly  
11 and without prejudice. She encouraged Board members  
12 who are uncertain whether to recuse themselves to  
13 discuss the matter with Board Counsel privately.

14 Ms. Miley addressed abstention versus recusal,  
15 noting abstention means someone is withholding their  
16 vote but does not affect quorum requirements. She  
17 noted the Board member is unable to vote at all with  
18 recusal and can affect the quorum requirement.

19 Ms. Miley addressed conflict of interest, where  
20 no member of any professional examining and licensing  
21 board shall at the same time be an officer or agent  
22 of any statewide association or occupation subject to  
23 the Board's actions.

24 Ms. Miley addressed additional conflicts of  
25 interest for public board members, where a member of

1 a licensing board or commission designated as  
2 representing the public at large shall be a private  
3 citizen and not be a member of any professional  
4 occupation which is regulated or licensed by the  
5 board, commission, or Bureau of Professional and  
6 Occupational Affairs nor be related to or part of the  
7 immediate family of any member of the profession or  
8 occupation to be licensed or regulated by the  
9 particular board or commission.

10 Ms. Miley stated public Board members also may  
11 not be affiliated in any way with the professional  
12 occupation to be licensed or regulated. She noted  
13 they may also not hold any other appointed or  
14 elective public office or position within the  
15 Commonwealth or another state or the United States  
16 government during the appointed term for which they  
17 serve nor any person not meeting the standards set  
18 forth herein shall be ineligible for membership on  
19 the board or commission as a public member.]

20

\*\*\*

21 Report of Board Counsel - Legislative Update  
22 [Tyesha C. Miley, Esquire, Board Counsel, informed  
23 Board members that there has been a bill analysis  
24 performed regarding House Bill 672, the Disclosure of  
25 Coach Credentials Act. She noted the bill was

1 initially put forth and sent to committee in March  
2 2023.

3 Ms. Miley reported forward motion taking place on  
4 the bill but would keep the Board updated. She  
5 stated there is currently no definition for  
6 credentials, but there is clearly an interest by many  
7 to have coaches disclose why they believe they are  
8 qualified to provide such services.]

9

\*\*\*

10 Report of Board Counsel - Matters for Deliberation

11 CHAIR ERICKSON:

12 Item 7 on the agenda. I believe the  
13 Board will entertain a motion to  
14 provisionally deny the Application for  
15 Licensure for Kathryn E. Murphy, Psy.D.

16 ACTING COMMISSIONER CLAGGETT:

17 So moved.

18 DR. BRADLEY:

19 Second.

20 CHAIR ERICKSON:

21 Any discussion? Hearing none. We can  
22 have a vote.

23

24 Dr. Erickson, aye; Commissioner

25 Claggett, aye; Dr. McAleer, aye; Dr.

1                   Bradley, aye; Ms. Harrison, aye.

2 [The motion carried unanimously.]

3   \*\*\*

4 Report of Regulatory Counsel

5 [Tyesha C. Miley, Esquire, Board Counsel, informed  
6 Board members that regulatory counsel, Jacqueline  
7 Wolfgang, would be addressing regulatory matters at  
8 the end of the business portion of the meeting.]

9   \*\*\*

10 Report of Board Chairperson - No Report

11   \*\*\*

12 Report of Acting Commissioner - No Report

13   \*\*\*

14 Report of Board Administrator - Application to  
15 Request Approval to Sit for the Psychology  
16 Licensing Examinations

17 CHAIR ERICKSON:

18                                   Item 12 on the agenda. I believe the  
19 Board will entertain a motion to accept  
20 the Application to Request to Sit for  
21 the Licensure Exam by Patrick Walro,  
22 DSportExPsy.

23 ACTING COMMISSIONER CLAGGETT:

24                                   So moved.

25 DR. BRADLEY:

1 Second.

2 CHAIR ERICKSON:

3 Any discussion on the matter? Hearing  
4 none. We'll have the vote.

5

6 Dr. Erickson, aye; Commissioner  
7 Claggett, aye; Dr. McAleer, aye; Dr.  
8 Bradley, aye; Ms. Harrison, aye.

9 [The motion carried unanimously.]

10

\*\*\*

11 Report of Board Administrator - Application to  
12 Practice Psychology for Persons Licensed in Other  
13 States

14 CHAIR ERICKSON:

15 Item 13 on the agenda. I believe the  
16 Board will entertain a motion to accept  
17 the Application to Practice Psychology  
18 for Salette Ann Thompson, Psy.D.  
19 (Alaska)

20 ACTING COMMISSIONER CLAGGETT:

21 So moved.

22 DR. BRADLEY:

23 Second.

24 CHAIR ERICKSON:

25 Any discussion? Hearing none. We'll

1 have the vote.

2

3 Dr. Erickson, aye; Commissioner  
4 Claggett, aye; Dr. McAleer, aye; Dr.  
5 Bradley, aye; Ms. Harrison, aye.

6 [The motion carried unanimously.]

7

\*\*\*

8 Report of Board Administrator - Review of Supervised  
9 Experience

10 CHAIR ERICKSON:

11 It is my understanding the Board will  
12 entertain a motion to accept the  
13 Supervised Experience for item 14, Ryan  
14 Daniel Mulligan, Ph.D.

15 ACTING COMMISSIONER CLAGGETT:

16 So moved.

17 DR. BRADLEY:

18 Second.

19 CHAIR ERICKSON:

20 Any discussion? Hearing none. We'll  
21 have the vote.

22

23 Dr. Erickson, aye; Commissioner  
24 Claggett, aye; Dr. McAleer, aye; Dr.  
25 Bradley, aye; Ms. Harrison, aye.

1 [The motion carried unanimously.]

2 \*\*\*

3 CHAIR ERICKSON:

4 I believe the Board will entertain a  
5 motion to deny the Supervised  
6 Experience at item 15, Dawnielle  
7 Simmons, Ph.D.

8 ACTING COMMISSIONER CLAGGETT:

9 So moved.

10 DR. BRADLEY:

11 Second.

12 CHAIR ERICKSON:

13 Any discussion on the matter? Hearing  
14 none. We'll have the vote.

15

16 Dr. Erickson, aye; Commissioner  
17 Claggett, aye; Dr. McAleer, aye; Dr.  
18 Bradley, aye; Ms. Harrison, aye.

19 [The motion carried unanimously.]

20 \*\*\*

21 Report of Board Administrator - Application for  
22 Approval of Corporate or Fictitious Name

23 CHAIR ERICKSON:

24 I believe the Board will entertain a  
25 motion to approve items 16, 17, 18, 19,

1 21, and 22. Item 16 is NeuroDynamix  
2 Testing and Therapy Solutions PLLC;  
3 item 17, Attune & Bloom Psychology  
4 PLLC; item 18, Mend Well Integrative,  
5 PLLC; item 19, Martz Lionheart Therapy  
6 Solutions PLLC; item 21, Embrace Now  
7 Psychotherapy and Wellness, PLLC; and  
8 item 22, The Center for ADHD, LLC.

9 ACTING COMMISSIONER CLAGGETT:

10 So moved.

11 DR. BRADLEY:

12 Second.

13 CHAIR ERICKSON:

14 Any discussion on the matter? Hearing  
15 none. We'll have the vote.

16

17 Dr. Erickson, aye; Commissioner  
18 Claggett, aye; Dr. McAleer, aye; Dr.  
19 Bradley, aye; Ms. Harrison, aye.

20 [The motion carried unanimously.]

21

\*\*\*

22 CHAIR ERICKSON:

23 I believe the Board will entertain a  
24 motion to provisionally deny the  
25 Application for item 20, Clarity

1                   Psychotherapy & Yoga Therapy.

2 ACTING COMMISSIONER CLAGGETT:

3                   So moved.

4 DR. BRADLEY:

5                   Second.

6 CHAIR ERICKSON:

7                   Any discussion?   Hearing none.   We'll  
8                   have the vote.

9

10                   Dr. Erickson, aye; Commissioner  
11                   Claggett, aye; Dr. McAleer, aye; Dr.  
12                   Bradley, aye; Ms. Harrison, aye.

13 [The motion carried unanimously.]

14   \*\*\*

15 Report of Board Members - No Report

16   \*\*\*

17 Discussion Items - ASPPB Midyear Meeting - April  
18       25-28, 2024 - Boston , MA

19 CHAIR ERICKSON:

20                   I believe the Board will entertain a  
21                   motion to approve one Board member,  
22                   Board Counsel, and the Board  
23                   administrator to attend the midyear  
24                   meeting from April 25-28, 2024.

25 ACTING COMMISSIONER CLAGGETT:

1                   So moved.

2 DR. BRADLEY:

3                   Second.

4 CHAIR ERICKSON:

5                   Any discussion?   Hearing none.   We'll  
6                   have the vote.

7

8                   Dr. Erickson, aye; Commissioner  
9                   Claggett, aye; Dr. McAleer, aye; Dr.  
10                  Bradley, aye; Ms. Harrison, aye.

11 [The motion carried unanimously.]

12

\*\*\*

13 Discussion Items - PPA Convention - June 12-15, 2024-  
14                  Lancaster, PA

15 CHAIR ERICKSON:

16                  I believe the Board will entertain a  
17                  motion to send Board Counsel and two  
18                  Board members to the meeting, which is  
19                  June 12-15, 2024.

20 ACTING COMMISSIONER CLAGGETT:

21                  So moved.

22 DR. BRADLEY:

23                  Second.

24 CHAIR ERICKSON:

25                  Any discussion?   Hearing none.   We'll

1                   have the vote.

2

3                   Dr. Erickson, aye; Commissioner  
4                   Claggett, aye; Dr. McAleer, aye; Dr.  
5                   Bradley, aye; Ms. Harrison, aye.

6 [The motion carried unanimously.]

7

\*\*\*

8 Discussion Items - 2025 Board Meeting Dates

9 [Steven K. Erickson, Ph.D., Chair, noted the proposed  
10 2025 meeting dates are February 10, April 14, June  
11 16, August 18, October 20, and December 15.]

12 CHAIR ERICKSON:

13                   I believe the Board will entertain a  
14                   motion to accept the 2025 Board of  
15                   Psychology meeting dates.

16 ACTING COMMISSIONER CLAGGETT:

17                   So moved.

18 DR. BRADLEY:

19                   Second.

20 CHAIR ERICKSON:

21                   Any discussion? Hearing none. We'll  
22                   have the vote.

23

24                   Dr. Erickson, aye; Commissioner  
25                   Claggett, aye; Dr. McAleer, aye; Dr.

1                   Bradley, aye; Ms. Harrison, aye.

2 [The motion carried unanimously.]

3   \*\*\*

4 Correspondence

5 CHAIR ERICKSON:

6                   I believe the Board will entertain a  
7                   motion to grant the CE Waiver Request  
8                   from Jilda Suzanne Green, Ph.D.

9 ACTING COMMISSIONER CLAGGETT:

10                   So moved.

11 DR. BRADLEY:

12                   Second.

13 CHAIR ERICKSON:

14                   Any discussion? Hearing none. We'll  
15                   have the vote.

16

17                   Dr. Erickson, aye; Commissioner  
18                   Claggett, aye; Dr. McAleer, aye; Dr.  
19                   Bradley, aye; Ms. Harrison, aye.

20 [The motion carried unanimously.]

21   \*\*\*

22 FYI Items - ASPPB Newsletter - December 2023

23   \*\*\*

24 FYI Items - PSYPACT 4th Quarter Compliance Report

25 [Steven K. Erickson, Ph.D., Chair, addressed the

1 Psychology Interjurisdictional Compact (PSYPACT) 4th  
2 Quarter Compliance Report, noting there have been no  
3 issues with Pennsylvania psychologists, and PSYPACT  
4 operations seem to be going smoothly at this time.]

5 \*\*\*

6 New Business

7 CHAIR ERICKSON:

8 I believe the Board will entertain a  
9 motion to grant the Chair authority to  
10 form a committee to approve  
11 applications between Board meetings.

12 ACTING COMMISSIONER CLAGGETT:

13 So moved.

14 DR. BRADLEY:

15 Second.

16 CHAIR ERICKSON:

17 Any discussion on the item? Not  
18 hearing any. I'll take the vote.

19

20 Dr. Erickson, aye; Commissioner  
21 Claggett, aye; Dr. McAleer, aye; Dr.  
22 Bradley, aye; Ms. Harrison, aye.

23 [The motion carried unanimously.]

24 \*\*\*

25 CHAIR ERICKSON:

1 I believe the Board will entertain a  
2 motion to grant the Chair authority to  
3 form a committee that will approve CE  
4 sponsor requests between Board  
5 meetings.

6 ACTING COMMISSIONER CLAGGETT:

7 So moved.

8 DR. BRADLEY:

9 Second.

10 CHAIR ERICKSON:

11 Any discussion? Hearing none. We'll  
12 have the vote.

13

14 Dr. Erickson, aye; Commissioner  
15 Claggett, aye; Dr. McAleer, aye; Dr.  
16 Bradley, aye; Ms. Harrison, aye.

17 [The motion carried unanimously.]

18

\*\*\*

19 Report of Regulatory Counsel

20 [Jacqueline A. Wolfgang, Esquire, Regulatory Counsel,  
21 addressed pending regulations. She had no progress  
22 to report on the Code of Ethics Regulation, noting it  
23 is on hold until a new Code of Ethics is published.  
24 She noted the general revisions update was also  
25 drafted some time ago and is on the list for her to

1 review after completing their Continuing Education  
2 Regulation and the Accreditation Regulation.

3 Ms. Wolfgang stated the Volunteer License  
4 Regulation would have to be an original draft,  
5 because the Board does not currently have regulations  
6 for volunteer licenses. She mentioned that it is  
7 being drafted by different regulatory counsel but is  
8 hoping to get that moving in the near future.

9 Ms. Wolfgang referred to the annex for 16A-6327  
10 regarding the Psychological Clinical Science  
11 Accreditation System (PCSAS) Regulation, noting it  
12 has been before the Board in the past and is ready to  
13 be voted on and sent out as an exposure draft.

14 Ms. Wolfgang pointed out that the definition of  
15 accredited college or university references the  
16 Commission on Recognition of Postsecondary  
17 Accreditation (CORPA), which is an outdated entity,  
18 and has been replaced by the Council for Higher  
19 Education Accreditation (CHEA). She recommended  
20 updating the language, which will also have to be  
21 updated in the Code of Ethics at § 41.61.]

22 CHAIR ERICKSON:

23 I believe the Board will entertain a  
24 motion to accept the draft at item 10,  
25 16A-6327, Accreditation for PCSAS.

1 ACTING COMMISSIONER CLAGGETT:

2 So moved.

3 DR. BRADLEY:

4 Second.

5 CHAIR ERICKSON:

6 Any discussion? Hearing none. We'll  
7 have the vote.

8

9 Dr. Erickson, aye; Commissioner  
10 Claggett, aye; Dr. McAleer, aye; Dr.  
11 Bradley, aye; Ms. Harrison, aye.

12 [The motion carried unanimously.]

13

\*\*\*

14 Report of Regulatory Counsel

15 [Jacqueline A. Wolfgang, Esquire, Regulatory Counsel,  
16 referred to 16A-6322 regarding the child abuse  
17 regulation, noting it was published on December 30,  
18 2023, and is now part of their existing regulations.

19 Ms. Wolfgang referred to the proposed annex for  
20 the continuing education regulations at 16A-6317 and  
21 requested confirmation after discussions with Board  
22 Counsel that the Board wanted to leave the online  
23 requirements the same.

24 Chair Erickson stated the Board is considering  
25 that all of the continuing education credits could be

1 accrued through distance education.

2 Ms. Wolfgang discussed her recommendations. She  
3 noted the Board's regulations and the proposed  
4 language in the regulations was awkward. She  
5 referred to the distance education definition the  
6 Board was considering, noting it separated out the  
7 in-person content of distance education.

8 Ms. Wolfgang stated the definition she is  
9 suggesting encompasses all forms of distance  
10 education, whether it be live or not, online  
11 asynchronous or not. She noted the definition will  
12 capture it and then separate out the types of  
13 distance education, including asynchronous education  
14 and synchronous education.

15 Ms. Wolfgang mentioned the reader will know  
16 asynchronous education does not provide for real-time  
17 video and audio communication between the learner and  
18 the instructor, whereas the synchronous distance  
19 education would provide for that real-time and audio  
20 interaction between the learner and the instructor.

21 Chair Erickson believed the Board is considering  
22 allowing all of the credit hours to be accrued  
23 asynchronously and asked whether the Board would need  
24 to make that kind of clarification in the regulation  
25 if they go in that direction.

1 Ms. Wolfgang stated it could probably be  
2 simplified, and she could redraft it if the Board  
3 decides to permit all online. She mentioned that the  
4 Board Chair asked for commentary regarding the online  
5 component and received lots of support for having the  
6 online education from the comments received.

7 Chair Erickson stated the response the Board has  
8 received has been strongly in favor of allowing 100%  
9 asynchronous education but asked other Board members  
10 for their input.

11 Dr. McAleer mentioned being moved by some of the  
12 comments from the public when they talked about the  
13 burden of attending live presentations, where  
14 professional members noted they would attend a live  
15 conference if they valued something enough but  
16 otherwise take the asynchronous distance education.  
17 He believed everyone felt they should be allowed to  
18 choose their own method of education.

19 Chair Erickson commented that it will open up  
20 opportunities to take courses across the country that  
21 might not always be available and provide greater  
22 flexibility. He referred to the Pennsylvania  
23 Psychological Association's letter to the Board,  
24 where they mentioned that there really is no  
25 scientific data to suggest in-person instruction or

1 live instruction is superior. He noted the  
2 flexibility of asynchronous education is a benefit  
3 and would be in support of that. He instructed Ms.  
4 Wolfgang to revise the annex.

5 Ms. Baturin addressed the Pennsylvania  
6 Psychological Association's concern that there would  
7 not be interaction with other professionals,  
8 especially those in rural areas, going to all  
9 asynchronous. She mentioned that a lot of people  
10 that have been prosecuted in front of the Board in  
11 the past have been isolated professionals who do not  
12 really have consultation groups where they can confer  
13 with other professionals.

14 Ms. Baturin stated the Pennsylvania Psychological  
15 Association (PPA) believed that keeping at least a  
16 little bit of CE as in person would be beneficial.  
17 She mentioned that it does not have to be in person  
18 and physically attend as long as they take live  
19 programs where they can interact with the presenters  
20 and other people who are attending those events. She  
21 noted PPA believed it would be okay to increase the  
22 number but also have some type of live requirement  
23 online.

24 Chair Erickson appreciated PPA's concern and  
25 would consider it moving forward but believed the

1 purpose of CE is to ensure competence and not to  
2 foster social connections even though that would be  
3 beneficial.

4 Ms. Cowan stated PPA believed there is real value  
5 of being able to ask questions in real time that is  
6 missing from asynchronous learning for people to be  
7 able to interact with one another for clarification  
8 purposes and learning purposes. She mentioned that  
9 PPA's letter did cite that there is an absence of  
10 research but noted the importance that there is an  
11 absence of research across the board between  
12 synchronous and asynchronous.

13 Chair Erickson thanked Ms. Baturin for the  
14 additional information to consider as the Board moves  
15 forward and looks at the regulation.

16 Ms. Wolfgang informed Board members that she  
17 would bring the draft back to the Board showing the  
18 100% online, so the Board can see what that looks  
19 like on paper and have further discussion and  
20 stakeholder input.

21 Ms. Wolfgang noted the exposure draft could be  
22 changed, and there would be proposed rulemaking after  
23 that and another comment period with input from the  
24 Independent Regulatory Review Commission (IRRC),  
25 where the Board can change its opinion and redraft

1 that section of the regulation.

2 Ms. Wolfgang reported adding diversity training  
3 to be more descriptive instead of just having  
4 diversity defined. She referred to § 41.12 under  
5 fees, noting the Board's current draft wants to  
6 change the application fee from continuing education  
7 sponsor/provider to just continuing education  
8 sponsor. She noted the Board uses the term "sponsor"  
9 throughout its regulations and wanted to understand  
10 the difference between a sponsor and a provider.

11 Ms. Wolfgang referred to wording in the preamble.  
12 She noted when describing this amendment, one minor  
13 amendment is proposed for § 41.12, where the  
14 description of the application fee for continuing  
15 education sponsor approval is being amended to  
16 clarify the Board's practice of approving sponsors of  
17 continuing education, not just each individual  
18 provider.

19 Ms. Wolfgang asked Board members to explain the  
20 difference between the sponsor and a provider and why  
21 they want to get rid of that provider language.

22 Chair Erickson commented that he always equated  
23 the two words the same.

24 Dr. Bradley believed them to be slightly  
25 different, where it might be a practice that is

1 supporting 10 or 15 different practitioners  
2 presenting, so the sponsor would be the practice, but  
3 the individuals would be presenting under the  
4 auspices of a particular practice.

5 Dr. McAleer commented that it has not been  
6 necessarily in recent times, but there used to be  
7 individuals who would also provide continuing  
8 education as opposed to, as Dr. Bradley suggested, an  
9 organization that had employed or contracted with  
10 individuals who, in the name of that organization,  
11 would provide CE. He noted that it does not make any  
12 sense to keep the language of provider in there.

13 Ms. Harrison commented that it is only important  
14 to distinguish the two if at some point there are  
15 separate rules for each entity they are trying to  
16 define and asked whether that is the case in the  
17 document.

18 Chair Erickson and Dr. Bradley believed they are  
19 treated the same, and the Board does not distinguish  
20 the words.

21 Ms. Wolfgang noted that her interpretation was  
22 that provider was basically synonymous with sponsor  
23 but appeared different in reading the preamble, but  
24 if the Board is saying a sponsor is just another name  
25 for a provider that it is okay to delete the provider

1 part. She wanted to make sure from a legal  
2 standpoint that the regulations would apply to a  
3 sponsor as well as a provider, and Chair Erickson  
4 believed that to be the case.

5 Ms. Wolfgang stated she would delete the provider  
6 language, noting the reference to provider under §  
7 41.12 is the only place the regulations talk about  
8 provider.

9 Ms. Wolfgang informed Board members that prior  
10 Board Counsel wrote the regulation in a way that they  
11 restructured the regulation and wanted to delete the  
12 definitions under § 41.59 and put them in the  
13 collective definitions under § 41.1.

14 Ms. Wolfgang mentioned that to be perfectly fine  
15 and understandable but that they cannot restructure a  
16 regulation because the numbering is going to be off  
17 for future reference, noting it is one of the rules  
18 in the Legislative Reference Bureau's Style Manual.

19 Ms. Wolfgang reported restructuring it back to  
20 where it needs to be by renumbering and marking areas  
21 reserved. She also updated the preamble to reflect  
22 the new subsection.

23 Ms. Wolfgang referred to subsection (b),  
24 continuing education requirements for biennial  
25 renewal. She again noted the child abuse regulations

1 were published in December and the language is now  
2 incorporated. She asked whether the Board is looking  
3 to delete the ability to carry over continuing  
4 education and why, so she can explain the rationale  
5 in the preamble.

6 Dr. McAleer believed the problem that they ran  
7 into is when the excess hours were carried over ad  
8 nauseam from many biennial renewals, and the Board  
9 agreed they could carry over continuing education  
10 only for the next biennium and not beyond.

11 Ms. Wolfgang explained that the current language  
12 already addresses that issue, where they are only  
13 allowed to go back to the prior biennium, and Board  
14 members agreed to keep it as it is at 10 hours.

15 Ms. Wolfgang stated she deleted subsection (d),  
16 where they are basically going to preserve the  
17 integrity of the code. She noted redrafting it to  
18 separate out the approved sponsors and the acceptable  
19 courses. She noted all of the content in (d) is now  
20 in (d)(1) and (d)(2). She mentioned putting in some  
21 labels in the paragraph to separate out the  
22 preapproved sponsors and the board-approved sponsors  
23 and the responsibility of sponsors.

24 Ms. Wolfgang noted the Board has APA and  
25 Canadian Psychological Association (CPA) under

1 preapproved sponsors and asked whether they wanted to  
2 consider adding the PCSAS, and Board members wanted  
3 to deliberate.

4 Dr. McAleer commented that the American Medical  
5 Association is mentioned but not the American  
6 Osteopathic Association but mentioned that he has not  
7 seen anything offered by the American Osteopathic  
8 Association over the last six years that would meet  
9 their requirements because it is usually AMA. He  
10 requested further Board discussion on that matter.

11 Ms. Wolfgang informed Board members that she  
12 would not include PCSAS in the next draft. She noted  
13 they could certainly include PCSAS in the proposed  
14 draft to provide more time to think about it.

15 Ms. Wolfgang informed Board members that she  
16 changed the term "live" to "in person" to make it  
17 more descriptive.

18 Ms. Wolfgang referred to subsection (f), where  
19 they use the term teacher and course instructor and  
20 asked whether there was a difference between the two.

21 Chair Erickson believed they are equivalent and  
22 gave permission to add a course instructor or teacher  
23 to paragraph (3).

24 Ms. Montgomery again referred to paragraph  
25 (f)(3), regardless of the number of instructors

1 participating in the delivery of the course, noting  
2 the Board is eliminating that requirement. She did  
3 not believe they need to include that language  
4 because it is no longer a requirement and recommended  
5 deleting that language.

6 Dr. McAleer explained that the previously  
7 constituted Board decided many years ago that  
8 presentations given at conventions be divided by the  
9 number of CEs granted to the instructor and divided  
10 by the number of instructors based on the idea that  
11 everybody contributes some portion equally but  
12 actually turned out that each instructor prepares  
13 equally as much in the construction of the  
14 presentation. He mentioned that it is something  
15 considered to be a dinosaur.

16 Ms. Wolfgang stated the the amendment deletes  
17 that requirement and adding language equal to the  
18 number of contact hours granted for attending the  
19 course regardless of the number of instructors  
20 participating in delivery of the course. She  
21 mentioned that it might be confusing to somebody  
22 looking at this who does not have that historical  
23 knowledge and read the exact language. She asked  
24 whether the clause, "regardless of the number of  
25 instructors participating in delivery of the course"

1 was necessary because it is not going to be in the  
2 regulations.

3 Chair Erickson noted that he prefers things be  
4 shorter and more direct but did not have a strong  
5 opinion one way or the other.

6 Dr. McAleer agreed that as long as it makes sense  
7 that if someone helps to create a course they receive  
8 credit.

9 Ms. Wolfgang referred to subsection (i) regarding  
10 reactivation and reinstatement, where the Board  
11 decided to add reactivation to the term reactivation  
12 to this section. She noted drafting changes from  
13 "will" to "shall."

14 Ms. Wolfgang addressed paragraph one, noting it  
15 is not clear that the 30 hours must be compliant with  
16 § 41.59 and suggested changing the language to add  
17 "requirements for the biannual period immediately  
18 preceding the request for reactivation," and Board  
19 members agreed.

20 Ms. Wolfgang referred to paragraph two, where the  
21 Board added the term "revocation" and recommended  
22 they keep the "restriction" term that was in there  
23 before because they do not want anybody thinking  
24 after a revocation is they only need to get their CE.  
25 She noted someone who has been revoked has to meet

1 all the licensing qualifications of the act,  
2 including the examination requirement and so forth,  
3 and Board members agreed.

4 Ms. Wolfgang informed Board members that she is  
5 hoping to have amended annexes for the Board's review  
6 at the next meeting.

7 Chair Erickson thanked Ms. Wolfgang for all of  
8 her hard work.]

9 \*\*\*

10 Upcoming Meeting Dates

11 [Steven K. Erickson, Ph.D., Chair, noted the next  
12 meeting date is April 8, 2024, and then June 3,  
13 August 5, October 7, and December 2.]

14 \*\*\*

15 Adjournment

16 CHAIR ERICKSON:

17 I believe the Board will entertain a  
18 motion for adjournment.

19 ACTING COMMISSIONER CLAGGETT:

20 So moved.

21 DR. BRADLEY:

22 Second.

23 CHAIR ERICKSON:

24 See everyone at the next meeting.

25 \*\*\*

1 [There being no further business, the State Board of  
2 Psychology Meeting adjourned at 12:16 p.m.]

3 \*\*\*

4  
5  
6 CERTIFICATE

7  
8 I hereby certify that the foregoing summary  
9 minutes of the State Board of Psychology meeting, was  
10 reduced to writing by me or under my supervision, and  
11 that the minutes accurately summarize the substance  
12 of the State Board of Psychology meeting.

13  
14  
15 

16 Victoria Lantz,

17 Minute Clerk

18 Sargent's Court Reporting  
19 Service, Inc.

STATE BOARD OF PSYCHOLOGY  
REFERENCE INDEX

February 5, 2024

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	9:30	Executive Session
10	10:30	Return to Open Session
11		
12	10:30	Official Call to Order
13		
14	10:31	Introduction of Board Members/Attendees
15		
16	10:32	Appointment - Carlton Smith, Deputy Chief Counsel, Annual Prosecution Division Report
17		
18		
19		
20	10:45	Appointment - Casey Pick, Director of Law & Policy at The Trevor Project
21		
22		
23	11:00	Approval of Minutes
24		
25	11:01	Report of Board Counsel
26		
27	11:17	Report of Board Administrator
28		
29	11:22	Discussion Items
30		
31	11:25	Correspondence
32		
33	11:25	FYI Items
34		
35	11:26	New Business
36		
37	11:27	Report of Regulatory Counsel
38		
39	12:15	Upcoming Meeting Dates
40		
41	12:16	Adjournment
42		
43		
44		
45		
46		
47		
48		
49		
50		