



Janet T. Mills
Governor

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION
OFFICE OF PROFESSIONAL & OCCUPATIONAL REGULATION
BOARD OF EXAMINERS OF PSYCHOLOGISTS
76 NORTHERN AVENUE
GARDINER, MAINE 04345

Anne L. Head
Commissioner

**Board of Examiners of Psychologists
Public Board Meeting
Tuesday, September 17, 2024**

MINUTES

MEMBERS PRESENT

Joseph Schenkel, Ph.D., Board Chair
Jayne Boulos, Psy.D., Vice Chair
Laura Kavesh, Ph.D., Complaint Officer
Mary Melquist, Ph.D., Continuing Education Officer
Debra Bunce, Ph.D.
Rachel Orr, PsyD.

STAFF PRESENT

Elizabeth Stivers, Assistant Attorney General
Kristina Halvorsen, Board Administrator
George Morgan, Board Investigator
Jessica Cirello, Professional Licensing Supervisor

CALL TO ORDER

Board Chair, Joseph Schenkel, called the meeting to order at 9:02 a.m.

MINUTES REVIEW AND APPROVAL

Review and approval of the May 21, 2024 minutes.

A motion was made by Jayne Boulos and seconded by Laura Kavesh to approve the minutes as written.

Vote: 5 in favor, 1 abstained: Rachel Orr.

COMPLAINT PRESENTATIONS

2022-PSY-18324 & 2024-PSY-20105

A motion was made by Jayne Boulos and seconded by Debra Bunce to set this matter for an adjudicatory hearing and offer a consent agreement, in lieu of a hearing, citing APA Code of Ethics 3.04 (A) & (B) (avoiding harm), 4.01 (confidentiality) and 9.01 (A) (bases for assessment) and Board rules Chapter 10 (2)5(A) & (B) (causing harm), with: a warning; payment of a \$6000 civil penalty; 12 months of probation, with consultation once a month, with a licensed Psychologist who has experience in therapeutic

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relationships and who will submit quarterly and final reports to the Board for review, that will focus on bedside manner, patient interactions, doing no harm to patients, test selection, assessments, conclusions and utilizing resources and will require Board review after receipt of the final reports so the Board can determine whether the licensee has completed the consultation requirements; and completion of 6 continuing education hours, 3 hours on sensitivity and/or patient client relationship building skills and 3 hours on test selection, which will be preapproval by the Board's continuing education officer and will not count towards the regular continuing education requirement for renewal.

Vote: 5 in favor, 1 abstained: Laura Kavesh.

2022-PSY-18324 & 2024-PSY-20105

A motion was made by Jayne Boulos and seconded by Mary Melquist to rescind the prior vote on 2022-PSY-18324 and 2024-PSY-20105.

Vote: 5 in favor, 1 abstained: Laura Kavesh.

2022-PSY-18324, 2024-PSY-20105 & 2024-PSY-19985

A motion was made by Jayne Boulos and seconded by Debra Bunce that there is evidence of the following violations: APA Code of Ethics 4.01 (confidentiality) for 2022-PSY-18324 and APA Code of Ethics 3.04 (A) (avoiding harm), 9.01 (A) & (B) (bases for assessment) and 9.06 (interpreting assessment results) and Board rules Chapter 10 (2)5(A) & (B) (causing harm) for 2022-PSY-18324, 2024-PSY-19985 and 2024-PSY-20105.

Vote: 5 in favor, 1 abstained: Laura Kavesh.

A motion was made by Jayne Boulos and seconded by Debra Bunce to set these matters for an adjudicatory hearing and offer a consent agreement, in lieu of a hearing, with: a censure; payment of a \$6000 civil penalty within 2 years and prior to the end of probation; at least 12 months of probation, with consultation for 60 minutes once a month, with a licensed Psychologist who has experience in therapeutic relationships and who will submit quarterly and final reports to the Board for review, that will focus on bedside manner, patient interactions, doing no harm to patients, test selection, assessments, conclusions and utilizing resources and will require Board review after receipt of the final reports so the Board can determine whether the licensee has completed the consultation requirements; and completion of 6 continuing education hours, 3 hours on sensitivity and/or patient client relationship building skills and 3 hours on test selection, which will be preapproval by the Board's continuing education officer and will not count towards the regular continuing education requirement for renewal.

Vote: 5 in favor, 1 abstained: Laura Kavesh.

2024-PSY-19784

A motion was made by Jayne Boulos and seconded by Debra Bunce to dismiss this complaint due to the lack of evidence of a violation of Board laws or rules.

Vote: 5 in favor, 1 abstained: Laura Kavesh.

2024-PSY-19820

A motion was made by Jayne Boulos and seconded by Mary Melquist to dismiss this complaint due to the lack of evidence of a violation of Board laws or rules and issue a letter of guidance, citing APA Code of Ethics 2.06 (A) (personal problems and conflicts), which will stay in the licensee's file for 2 years.

Vote: 4 in favor, 2 abstained: Laura Kavesh and Rachel Orr.

2024-PSY-20160

A motion was made by Jayne Boulos and seconded by Debra Bunce to dismiss this complaint due to the lack of evidence of a violation of Board laws or rules and issue a letter of guidance, citing APA Code of Ethics 3.04 (A) (avoiding harm), which will stay in the licensee's file for 3 years.

Vote: 5 in favor, 1 abstained: Laura Kavesh.

COMPLAINT COMPLIANCE ITEMS

2021-PSY-17675; 17737 Quarterly Report Review

A motion was made by Jayne Boulos and seconded by Mary Melquist to table this review and direct Board staff to obtain the missing reports from April, May, June and July.

Vote: 6 in favor.

APPLICATION REVIEWS

Renewal Application: Kathrine Butler Hepler

A motion was made by Laura Kavesh and seconded by Mary Melquist to table this review and direct Board staff to obtain more information, including a SBI report, and to draft a delegation order regarding the requirement for licensees to report convictions to the Board within 10 business days.

Vote: 6 in favor.

RULEMAKING DISCUSSION

The Board will resume their rulemaking discussions at the next regular Board meeting.

DELEGATION ORDER

Continuing Education Noncompliance

A motion was made by Mary Melquist and seconded by Laura Kavesh to accept the continuing education noncompliance delegation order as presented and direct Board staff to send an email blast to all licensees discussing the continuing education requirements, hardship deferments and future audits.

Vote: 5 in favor, 1 absent: Jayne Boulos.

ADMINISTRATOR'S REPORT

None

OPPORTUNITY FOR PUBLIC COMMENT

Ken Lehman, discussed how the medical board has a monetary citation process, which is not considered discipline, for licensees who unintentionally fail to report convictions within a certain timeframe. Kristina will research this process and bring more information to the Board at the next meeting.

ADJOURNMENT

A motion was made by Debra Bunce and seconded by Mary Melquist to adjourn the meeting at 1:33 p.m.

Vote: 5 in favor, 1 absent: Jayne Boulos.