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**PSYCHOLOGY EXAMINING BOARD MEETING**  
**Room 121A, 1400 East Washington Avenue, Madison, WI**  
**Contact: Dan Williams (608) 266-2112**  
**August 25, 2016**

*Notice: The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Board.*

**9:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-3)**
- B. Approval of Meeting Minutes of July 22, 2016 (4)**
- C. Legislation and Administrative Rule Matters – Discussion and Consideration (5-8)**
  - 1) Psy 3 Relating to the Private Practice of School Psychologists
  - 2) Psy 5 Relating to Conduct
  - 3) Psy 2 Implementation Update
  - 4) Update on Legislation and Pending or Possible Rulemaking Projects
- D. Administrative Matters – Discussion and Consideration**
  - 1) Staff Update
  - 2) Election of Officers
  - 3) Appointment of Liaisons and Delegated Authorities
  - 4) Board Members – Term Expiration Date
    - a. Rebecca Anderson – 7/1/2018
    - b. Marcus Desmonde – 7/1/2017
    - c. Daniel Schroeder – 7/1/2015 (*reappointed, not yet confirmed*)
    - d. David Thompson – 7/1/2018
    - e. Christopher Gultch – 7/1/2018 (*appointed, not yet confirmed*)
    - f. Public Member: Vacant since 2012
- E. Speaking Engagement(s), Travel, or Public Relation Request(s)- Discussion and Consideration**
  - 1) Travel Report from the Association of State and Provincial Psychology Boards (ASPPB) 31<sup>st</sup> Midyear Meeting – May 4 -7, 2016 – Anchorage, AK
- F. Informational Items – Discussion and Consideration**
  - 1) ASPPB Notification Related to the EPPP Step 2
  - 2) ASPPB PsyPact Press Release
- G. Items Received After Preparation of the Agenda**
  - 1) Introductions, Announcements and Recognition
  - 2) Election of Board Officers
  - 3) Appointment of Board Liaisons

- 4) Administrative Matters
- 5) Education and Examination Matters
- 6) Credentialing Matters
- 7) Practice Matters
- 8) Legislation/Administrative Rule Matters
- 9) Liaison Report(s)
- 10) Informational Items
- 11) Disciplinary Matters
- 12) Presentations of Petitions for Summary Suspension
- 13) Petitions for Designation of Hearing Examiner
- 14) Presentation of Proposed Stipulations, Final Decisions and Orders
- 15) Presentation of Proposed Final Decision and Orders
- 16) Presentation of Interim Orders
- 17) Petitions for Re-Hearing
- 18) Petitions for Assessments
- 19) Petitions to Vacate Orders
- 20) Requests for Disciplinary Proceeding Presentations
- 21) Motions
- 22) Petitions
- 23) Appearances from Requests Received or Renewed
- 24) Speaking Engagement(s), Travel, or Public Relation Request(s)

#### **H. Public Comments**

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

#### **I. Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

- 1) *Administrative Warnings*
  - a. 15 PSY 002 (C.L.S.) **(9-10)**
  - b. 15 PSY 013 (A.D.W.) **(11-12)**
- 2) *Proposed Stipulations, Final Decisions and Orders*
  - a. 15 PSY 022 (J.R.G.) **(13-19)**
  - b. 15 PSY 036 (S.K.J.) **(20-35)**
- 3) Case Closures
- 4) Monitoring

#### **J. Deliberation on Credentialing Matters**

#### **K. Deliberation of Items Received After Preparation of the Agenda**

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Disciplinary Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order

- 9) Administrative Warnings
- 10) Review of Administrative Warnings
- 11) Proposed Final Decisions and Orders
- 12) Matters Related to Costs/ Orders Fixing Costs
- 13) Case Closings
- 14) Proposed Interim Orders
- 15) Petitions for Assessments and Evaluations
- 16) Petitions to Vacate Orders
- 17) Remedial Education Cases
- 18) Motions
- 19) Petitions for Re-Hearings
- 20) Appearances from Requests Received or Renewed

**L.** Consulting with Legal Counsel

**RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

Vote on Items Considered or Deliberated on in Closed Session, If Voting is Appropriate

**ADJOURNMENT**

The next scheduled meeting is September 27, 2016

**PSYCHOLOGY EXAMINING BOARD  
TELECONFERENCE/VIRTUAL MEETING  
MEETING MINUTES  
July 22, 2016**

**PRESENT:** Rebecca Anderson, Ph.D.; Marcus Desmonde, Psy.D.; Daniel Schroeder, Ph.D.;  
David Thompson, Ph.D.

**STAFF:** Dan Williams - Executive Director; Sharon Henes – Administrative Rules  
Coordinator; Nifty Lynn Dio – Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Daniel Schroeder, Chair, called the meeting to order at 9:31 a.m. A quorum of four (4) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** David Thompson moved, seconded by Rebecca Anderson, to adopt the agenda as published. Motion carried unanimously.

**LEGISLATION AND ADMINISTRATIVE RULE MATTERS**

**Adoption of CR 15.102 Amending Psy 2 Relating to Licensure**

**MOTION:** David Thompson moved, seconded by Rebecca Anderson, to approve the Adoption Order for Clearinghouse Rule CR 15-102. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Marcus Desmonde moved, seconded by David Thompson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:39 a.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Sharon Henes Administrative Rules Coordinator</b>		2) Date When Request Submitted:  <b>10 August 2016</b> <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date:</small> <ul style="list-style-type: none"> <li>▪ 8 business days before the meeting</li> </ul>	
3) Name of Board, Committee, Council, Sections:  <b>Psychology Examining Board</b>			
4) Meeting Date:  <b>25 August 2016</b>	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Legislation and Rule Matters – Discussion and Consideration</b> <b>1. Psy 3 Relating to the Private Practice of School Psychologists</b> <b>2. Psy 5 Relating to Conduct</b> <b>3. Psy 2 implementation update</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
<i><b>Sharon Henes</b></i>		<i><b>10 August 2016</b></i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

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TEXT OF RULE

SECTION 1. Psy 3.01 is repealed and recreated to read:

**Psy 3.01 Application.** An applicant for licensure as a private practice school psychologist shall submit all of the following:

- (1) Completed and signed application form.
- (2) The application fee authorized by s. 440.05(1), Stats.
- (3) Official transcript indicating one of the following:
  - (a) Doctoral degree in philosophy.
  - (b) Doctoral degree in psychology.
  - (c) Doctoral degree in education.
  - (d) Education specialist degree.
  - (e) Master's degree in psychology consisting of a minimum of 60 graduate semester credits.
- (4) Written verification from a supervising psychologist, school official or administrator that the applicant has successfully completed one academic year of experience or internship consisting of at least 1200 hours in school psychology under the supervision of a school psychologist licensed by the department of public instruction.
- (5) Evidence applicant holds a regular license as a school psychologist issued by the department of public instruction.
- (6) Evidence of successful completion of the Praxis School Psychology examination of the private practice of school psychology. This section does not apply to an applicant who is licensed in another state if the applicant submits proof of completion of at least 40 hours of board approved continuing education obtained within 2 years prior to application.
- (7) Evidence of successful completion of the jurisprudence examination.
- (8) Verification of the applicant's credentials in all states or countries in which the applicant has ever held a credential.
- (9) For applicants who have a pending criminal charge or have been convicted of a crime, all information necessary for the board to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the private practice of school psychology.

SECTION 2. Psy 3.02, 3.03, 3.04, 3.05 and 3.06 repealed.

SECTION 3. Psy 3.07 is repealed and recreated to read:

**Psy 3.07 Passing score.** The passing score on each examination is determined by the board to represent minimum competence. The board may adopt the recommended passing score of the examination provider.

SECTION 4. Psy 3.08, 3.09 and 3.10 are repealed.

**NOTE: There are a few topic areas to finish discussing in Psy 5 which are not represented in this draft!**

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TEXT OF RULE

SECTION ?. Psy 5.01 (2) is amended to read:

Psy 5.01 (2) Gross negligence in the practice of psychology or school psychology.

SECTION ?. Psy 5.01 (2m) is created to read:

Psy 5.01 (2m) Engaging in conduct that falls below the standard of minimal competence within the practice of psychology or school psychology.

SECTION ?. Psy 5.01 (5) is amended to read:

**Psy 5.01 (5)** Conviction of a crime or violation of any law the circumstances of which substantially relate to the circumstances of the ~~professional~~ practice of psychology or school psychology.

SECTION ?. Psy 5.01 (8) is amended to read:

**Psy 5.01 (8)** Engaging in false, fraudulent, exploitative, misleading or deceptive billing practices.

SECTION ?. Psy 5.01 (17) is repealed and recreated to read:

Psy 5.01(17) Engaging in any prohibited dual relationship or any relationship which is reasonably likely to impair the licensee's objectivity in providing professional services.

SECTION ?. Psy 5.01 (24) is amended to read:

**Psy 5.01 (24)** Failure to respond honestly and in a timely manner to a request for information ~~from the board or with any other request for information~~ by the board. Taking longer than 30 days to respond creates a rebuttable presumption that the response is not timely.

SECTION ?. Psy 5.01 (25) is amended to read:

**Psy 5.01 (25)** ~~Impersonation~~ Appropriation of the identity of another person holding a license issued by this or another board.

SECTION ?. Psy 5.01 (28) is amended to read:

Psy 5.01 (28) Violation of ch. 455, Stats., or any rule ~~of professional conduct promulgated under ch. 455, Stats.~~ promulgated by the board.

SECTION ?. Psy 5.01 (29) is amended to read:

**Psy 5.01 (29)** Failure to notify the board within 30 days of ~~having a license, certificate, permit or registration~~ any disciplinary or adverse action taken by any other jurisdiction against a license, certificate, permit or registration granted by this or any other state for the practice of psychology or school psychology ~~limited, restricted, suspended or revoked, or having been subject to other disciplinary action by the licensing or certifying authority thereof.~~

SECTION ?. Psy 5.01 (32) is repeal and recreated to read:

**Psy 5.01 (32)** Having a credential granted by another jurisdiction to practice psychology or school psychology denied, limited, suspended, surrendered or revoked, or otherwise disciplined or adverse action taken, whether or not accompanied by findings of negligence or unprofessional conduct.

SECTION ?. Psy 5.01 (33) is amended to read:

*[Needs discussion]*

SECTION ?. Psy 5.01 (34) is amended to read:

**Psy 5.01 (34)** Violating any provision of ~~ch. 455, Stats., or any rule or an~~ order of any board or jurisdiction which regulates the practice of psychology or school psychology.

SECTION ?. Psy 5.02 is repealed.

SECTION ?. Psy