

**NEW JERSEY BOARD OF PSYCHOLOGICAL EXAMINERS
NOVEMBER 7, 2005
PUBLIC AGENDA MEETING MINUTES**

The general meeting of the New Jersey State Board of Psychological Examiners was held at the Board office, 124 Halsey Street, Newark, New Jersey. The meeting was called to order at 9:47 A.M. by Mark Glat, Psy.D., Board Chair.

PRESENT:

Mark Glat, Psy.D., Chair
Keith D. Cicerone, Ph.D.
Victoria W. Jeffers, Ph.D.
Kenneth G. Roy, Ed.D.
Kenneth A. Leight, Ph.D.
Carole M. Harper, MA., RN, Public Member, Secretary
T. Stephen Patterson, Ph.D., Government Member

ABSENT:

Jeffrey H. Tindall, Ph.D., Vice Chair

ALSO ATTENDING:

Carmen A. Rodriguez, Deputy Attorney General, Counsel to Board
Elaine L. DeMars, Managing Executive Director
J. Michael Walker, Executive Director
Wanda Smith, Secretarial Assistant
Carmella Volz, Assistant to the Executive Director

MINUTES:

Upon motion made by Dr. Patterson and seconded by Dr. Glat, the Board approved the public session minutes of October 3, 2005 , with corrections. Voting in favor of the motion: all.

CLOSED SESSION AND RETURN TO OPEN SESSION

The Board voted unanimously to go into closed session for discussion of the oral examinations. The Board returned to open session.

CREDENTIAL COMMITTEE REPORT:

TEMPORARY PERMIT–NOT TO EXCEED THREE YEARS

The following candidates were approved for a three-year temporary permit for the supervised practice of psychology:

Mariana Gelfand, Ph.D. Melissa Wayne, Ph.D.
Guiliana Capone, Psy.D. Karen Wasserman, Ph.D.
Debra Kress, Psy.D. Lynn Schiller, Psy.D.
Kimberly Nenmay, Psy.D. Steven Greco, Ph.D.
Adriana Torres, Psy.D.

TEMPORARY PERMIT–NOT TO EXCEED ONE YEAR

The following candidates were approved for a one-year temporary permit for the unsupervised practice of psychology

Wanda Edwards, Ph.D.
Nicole Kremer, Ph.D.

CORRESPONDENCE

Randy A. Bressler, Psy.D.

Dr. Bressler wrote requesting an extension of the 90-day limit to submit his work sample for the oral examination. Dr. Bressler stated that he had volunteered with APA and the American Red Cross providing psychological support for Hurricane Katrina and Rita victims and relief workers in Louisiana from September 19, 2005 through September 26, 2005, and was unable to work on his work sample for submission. Upon motion made by Dr. Jeffers and seconded by Dr. Patterson, the Board voted to grant Dr. Bressler an additional 90 days to submit his work sample. Voting in favor of the motion: all.

Jacob Kader, Psy.D.

Dr. Kader wrote requesting an extension of the 90-day limit to submit his work sample for the oral examination. Dr. Kader stated that he directs the psychology department of a large New York State hospital, as well as directing the APA accredited Internship Program at the same hospital. Dr. Kader further stated that the additional time would allow him to complete the work sample for submission. Upon motion made by Dr. Jeffers and seconded by Dr. Glat, the Board voted to grant Dr. Kader an additional 90 days to submit his work sample for the oral examination. Voting in favor of the motion: all.

Karen Faherty, Ph.D.

Dr. Faherty wrote requesting an extension of her one-year temporary permit, unsupervised, that expires on November 8, 2005. Dr. Faherty stated that the extension would allow her to continue to practice during the upcoming year. Upon motion made by Dr. Patterson and seconded by Dr. Glat, pursuant to N.J.A.C. 13:42-3.4(a) the Board requested that Dr. Faherty provide a reason that she needs an extension of her permit. Additionally, the Board voted to extend Dr. Faherty's permit until December 5, 2005 (next agenda meeting) at which time it will consider her request. Voting in favor of the motion: all.

Michael Silverstein, Ph.D.

Dr. Silverstein wrote requesting a waiver of the 100 hours of individual supervision required for licensure in the State of New Jersey. Dr. Silverstein stated that he is licensed in the Commonwealth of Pennsylvania by grandfather provision; therefore, upon review of his application by office staff it was found that he was short 100 hours of individual supervision. Upon motion made by Dr. Jeffers and seconded by Dr. Roy, the Board voted to deny Dr. Silverstein's request pursuant to N.J.A.C. 13:42-4.1 (b)2, which states that two hundred hours of supervision is required at least 100 hours of which shall be individual face-to-face supervision. Voting in favor of the motion: all.

Louis A. Sass, Ph.D., #1920

Dr. Sass wrote requesting a waiver of the fee to reinstate his license to practice psychology in the State of New Jersey. Dr. Sass stated that during the academic year of 2004-2005 he had a Fulbright Fellowship to Mexico so he was away from his office since July 2004. Dr. Sass further stated that he had not received his mail in Mexico; therefore, he missed the deadline date for renewal and the late renewal period. Upon motion made by Dr. Jeffers and seconded by Dr. Glat, the Board voted to inform Dr. Sass that it does not have the authority to waive statutory requirements. Pursuant to N.J.S.A. 45:14B-25 such reinstatement application must be in writing and shall be accompanied by the reinstatement fee. Voting in favor of the motion: all.

Rita D. Posner, Ph.D.

Dr. Posner wrote requesting an extension of her temporary permit that expires on December 3, 2005. Dr. Posner stated that an extension would allow her to obtain a case for the oral examination. Upon motion made by Dr. Leight and seconded by Dr. Roy, the Board voted to extend Dr. Posner's permit for an additional year expiring on December 3, 2006. Voting in favor of the motion: Drs. Glat, Cicerone, Jeffers, Roy, Leight and Ms. Harper. Dr. Patterson was recused.

Yolanda Hawkins-Rodgers, Ed.D.

The Board reviewed additional information submitted by Dr. Hawkins-Rodgers's physician with regard to her request for additional time to take the E.P.P.P. written examination. Upon motion made by Dr. Roy and seconded by Dr. Patterson, the Board voted to approved Dr. Hawkins-Rodgers's request and grant her an additional hour to take the E.P.P.P. written examination. Voting in favor of the motion: all.

Alexandra Mandel, Psy.D.

Dr. Mandel wrote requesting clarification on the Board's requirements for submitting a psychological assessment work sample. Dr. Mandel's work sample was returned by the Board office because her paper did not conform to the Board's oral examination guidelines. Upon motion made by Dr. Roy and seconded by Dr. Jeffers, the Board voted to inform Dr. Mandel that her work sample must be limited to 20 pages in length and doubled spaced. Additionally, Dr. Mandel was informed that she can include an addendum of all relevant test material. However, she must follow the oral examination procedures and not the assessment portion, which she received, and she must address relevant test material within the body of A through H of the guidelines. Voting in favor of the motion: all.

Maureen C. Van Vliet, Psy.D.

Dr. Van Vliet wrote requesting to have her oral examination schedule expedited because her current job situation has recently intensified with the compounding of outstanding loans and budgetary obligations. Upon motion made by Dr. Patterson and seconded by Dr. Roy, the Board voted to advise Dr. Van Vliet that it is aware of the burden that the current situation places upon applicants and is currently considering ways to address the issue. Voting in favor of the motion: all.

Randy Bressler, Psy.D.

Dr. Bressler wrote requesting clarification of the Board's requirements for submitting a psychological assessment work sample. Upon motion made by Dr. Roy and seconded by Dr. Jeffers, the Board voted to inform Dr. Bressler that his work sample must be limited to 20 pages in length and doubled spaced. Additionally, Dr. Bressler was informed that he should include an appendix of all relevant test material. However, he must follow the oral examination procedures and not the assessment portion, which he received, and he must address relevant test material within the body of A through H of the guidelines. Voting in favor of the motion: all.

New Jersey Psychological Association (NJPA)

Barry Helfmann, Psy.D. and Lorryn Wahler wrote requesting the Board's opinion on psychologist's functioning as "parent coordinators" in divorce and custody matters and whether this functioning is within the scope of practice of psychology in the State of New Jersey. Upon motion made by Dr. Roy and seconded by Dr. Jeffers, the Board determined that "parent coordinating" does fall within the scope of practice. Therefore, any psychologist who chooses to engage in this area would be operating within the scope of practice as outlined in the regulations.

Jean A. Ciardiello, Ed.D., #1746 (deceased)

Ms. Barbara Brizzee, executor for the estate of Dr. Ciardiello, wrote requesting a refund of the renewal fee of

\$300.00 and the reinstatement fee of \$300.00 for the period of July 1, 2003 through June 30, 2005. Upon motion made by Dr. Glat and seconded by Dr. Roy, the Board approved the refund of the license fee of \$300.00 and reinstatement fee of \$300.00. Voting in favor of the motion: all.

REPORT ON PERMIT CONFERENCES HELD ON NOVEMBER 7, 2005–DR ROY

Christopher Barker, Ph.D./Carol Lewis, Psy.D., supervisor (present)

Dr. Barker took and failed the E.P.P.P. written examination administered on July 8, 2005 and is currently working under a three-year temporary permit that expires on May 24, 2006. Upon motion made by Dr. Patterson and seconded by Dr. Leight, the Board voted to continue Dr. Barker's permit, without change, contingent upon his taking the E.P.P.P. written examination on or before February 28, 2006. Voting in favor of the motion: all.

Elaine B. Rybka, Psy.D./Donna Scherz, Psy.D., supervisor (present)

Dr. Rybka took and failed the E.P.P.P. written examination administered on July 19, 2005 and is currently working under a three-year temporary permit that expires on April 6, 2006. Upon motion made by Dr. Patterson and seconded by Dr. Leight, the Board voted to extend Dr. Rybka's permit for an additional year expiring on April 6, 2007, contingent upon her taking the E.P.P.P. written examination on or before April 6, 2006. Additionally, Dr. Rybka was informed that she can not perform any independent practice. Voting in favor of the motion: all.

Report on ASPPB's 45th Annual Meeting of Delegates in Philadelphia, PA–Dr. Roy

ASPPB's President-Elect Kenneth G. Roy, Ed.D. reported that the topics of discussion for this meeting covered writing Jurisprudence Exam Items, Courtesy Clause Privileges and Prescription Privileges, and the post-doctoral year of supervision.

REVIEW OF LEGISLATION

Senate, No. 2756–An Act concerning the unlicensed practice of psychology Assembly, No. 2740–An Act concerning the unlicensed practice of certain professions

The bill amends chapter 21 of Title 2C and makes it a crime of the third degree to practice psychology without a license. The bill also amends N.J.S.A. 45:14B-6 (a) (1) (3) to prohibit those who practice in a private non-profit exempt organization setting from using the title "psychologist" or representing themselves as practicing psychologists. The Board notes that the bill does not provide exemptions in Title 2C for those who work within settings exempted by 45:14B-6. The Board questions whether making unlicensed practice a third degree crime would change the standard of proof. For instance, pursuant to current civil proceedings, preponderance of the evidence is the required proof. However, if it is a third degree crime to practice without license, would the standard of proof rise to beyond a reasonable doubt? If so, the Board questions whether this would increase the burden to the Board in determining whether someone is "practicing psychology" without a license. After an extended discussion, the Board voted to support the change prohibiting those who practice in non-profit organization exempt settings from using the title "psychologist" or representing themselves as practicing psychologists. Voting in favor of the motion: Drs. Patterson, Roy, Jeffers, Glat and Ms. Harper. Dr. Leight abstained and Dr. Cicerone opposed.

APPROVED BY:

Date: Victoria W. Jeffers, Ph.D.
Chair