

IDAHO BOARD OF PSYCHOLOGIST EXAMINERS
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 7/26/2022

BOARD MEMBERS PRESENT: Helen A Napier, Ph.D. - Chair
Aaron Harris, Ph.D.
Denton C Darrington
Eric Silk, Ph.D.
Jill Breitbach, PsyD.

DIVISION STAFF: Katie Stuart, Executive Officer
Tim Frost, Deputy Administrator
Lea Kear, Legal Counsel
Stephanie Lotridge, Licensing and Registration Program
Manager
Berk Fraser, Chief Investigator
Susan Cassell, Board Support Specialist

OTHERS PRESENT: Page Haviland
Lance Giles, The Giles Group
Deborah Katz, Idaho Psychological Association
Susan Farber

The meeting was called to order at 8:06 AM MT by Helen Napier, Ph.D.

OPENING STATEMENT

Dr. Napier completed roll call and read the opening statement

APPROVAL OF MINUTES

Dr. Silk made a motion and Dr. Harris seconded to approve the minutes of June 10, 2022.
Motion carried.

INVESTIGATIONS AND DISCIPLINE

The Board was presented with a case to close after professional review. Dr. Harris made a motion and Dr. Silk seconded to close the case. Motion carried.

BOARD BUSINESS

BOARD MEMBER TRAINING

Ms. Kear provided a PowerPoint presentation on Open Meeting Laws and encouraged the Board to utilize the manual and videos available on the Attorney General's website for further information or to call the Division of Occupational and Professional Licenses (DOPL) with specific questions.

ZERO BASED REGULATION (ZBR)

Dr. Frost gave an overview of the history and process for ZBR; Boards will set aside their current rules for a full repeal and replace every five years, as directed by Executive Order 2020-01. The Idaho Board of Psychologist Examiners is starting their Rule review for the 2024 Legislative session. Dr. Frost discussed statutory authority to promulgate rules over policy, Boards cannot adopt Rules that are outside of statutory authority. There will be a policy review as well as a review of surrounding state's Rules and their level of restrictions.

Rule 010. Definitions

01: Certificate of Professional Qualification, no longer needed and will change under universal licensing. Suggestion to strike.

02: It was agreed to strike as the definition is incorporated in Statute and does not provide enforceable context.

04: Duplicative of Statute.

07: This Rule will be discussed again at a later date pending further Board review.

Rule 150: Dr. Frost explained that DOPL Administrator, Russell Barron, has imposed a fee moratorium across the department while assessing the needs and efficiencies of each Board. There is a one-time cost included in merging all Bureaus and combining 11 licensing systems into one new system. All departments will work towards getting their cash balances in line with guidelines of 115% - 130% of their budgets. There is no sign of an immediate fee increase, any increase would be holistic across DOPL over 10-15 years.

Rule 401: Continuing Education (CE) requirements will be reduced to 15 CE per calendar year for Psychologists and an additional 15 CE for Prescribing psychologists. The Board suggested two CE related to ethics, with law and ethics being particularly important. The onus will be on licensees to choose credits that are relevant and germane to the profession, CE audits will be still carried out.

Rule 500: This will have the same framework as licensing and utilizes the American Psychological Association (APA) framework for credentials; removes redundancies.

Rule 550: This section has been minimally adjusted for consistency and in accordance with surrounding states.

Rule 300: Ms. Kear stated that thirty days for a temporary license is more restrictive than the surrounding states but is in accordance with Statute. Prescribing psychologists have provisional licenses rather than temporary licenses that allow for requesting additional training, and universal licensure allows for a limited license regarding scope of practice.

Ms. Kear will reach out to New Mexico and Illinois for information on supervision requirements. The Board would also like more information on complaint statistics for prescribing psychologists.

The Board will revisit this section at a later date.

Rule 250: Updated language provides context for endorsement.

Rule 251: The language is duplicative of statute, strike.

Rule 275: Will be struck.

Rule 380: Will be struck as there is peer assistance in Statute, there are also options for assistance within the discipline process.

Rule 700: Will be simplified to eliminate language duplicative of Statute or that falls outside of statute authority. There was a Board discussion of Section 05 regarding the scope and supervision agreement for prescribing psychologists with provisional certificates. Dr. Napier noted that Idaho requirements are stricter than some surrounding states that do not require supervision hours, Dr. Breitbach stated that Department of Defense (DoD) guidelines are aligned with Idaho at one hour per week.

Rule 720: The Board discussed collaboration with primary care, Dr. Breitbach stated that not all patients receive prescriptions from prescribing psychologists, although prescribing psychologists often do medication triage with referrals to primary care. Dr. Silk stated that prescriptions likely won't be given at an initial appointment and that patients without primary care would not be turned away. The Board agrees with the spirit of the statute to provide referrals and assistance to obtain primary care but to allow care from a prescribing psychologist. Primary care is not limited to MDs or DOs, and would include PA and APRN care.

Much of the language would be struck, prompting a discussion on supervision vs. collaboration and the training of psychologists as prescribing psychologists in comparison to medical residents training in psychiatry.

Rule 730: Much of the language is duplicative of Statute and was struck. The remaining language has been simplified and allows the Board a framework for exclusion. Dr. Silk and Dr. Breitbach discussed coding for diagnoses and the use of many medications for multiple conditions that can be utilized by prescribing psychologists.

Dr. Harris moved to enable Ms. Stuart to draft the Rules as discussed. Dr. Silk seconded. Motion carried. The Board will meet on August 19, 2022, to revisit the proposed rule chapters prior to publication in the Legislative Bulletin.

BOARD ELECTIONS

Dr. Napier moved to elect Dr. Harris as Board Chair. Dr. Silk seconded. Motion carried.

Dr. Silk moved to elect Dr. Breitbach as Vice-Chair. Dr. Napier seconded. Motion carried.

Dr. Napier self-nominated for Cognizant member. Dr. Silk seconded. Motion carried.

NEXT MEETING is scheduled for **August 19, 2022, at 8:00 AM MT.**

ADJOURNMENT

Dr. Napier adjourned the meeting at 11:24 AM MT.