



State of Idaho

Division of Occupational and Professional Licenses IDAHO BOARD OF PSYCHOLOGIST EXAMINERS ADVISORY PANEL

BRAD LITTLE 11341 W Chinden Blvd.
Governor P.O. Box 83720
RUSSELL BARRON Boise, ID 83720-0063
Administrator (208) 334-3233
dopl.idaho.gov

Minutes of 09/07/2022

Advisory Panel Members Present:

Deric Ravsten, D.O.
Stephen Carlson, PharmD
Sue Farber, Ph.D
James Saccomando, D.O.
Michael Tilus, Psy.D

Division Staff:

Katie Stuart, Executive
Officer
Tim Frost, Deputy
Administrator
Lea Kear, Legal
Counsel
Pam Rebolo, Board
Support Supervisor
Susan Cassell, Board
Support
Josh Scholer,
Department of
Financial Management

Others Present

The meeting was called to order at 11:03 AM by Executive Officer Katie Stuart.

Introductions

Ms. Stuart introduced Division staff to the Advisory Panel.

Advisory Panel Business

Deputy Administrator Tim Frost gave a brief overview of the Governor's Executive Order regarding Zero Based Regulation (ZBR). Dr. Frost stated that the Board of Psychologist Examiners has had several Board meetings to discuss the reduction of Board rules that are duplicative in the Boards statutes. The Advisory Panel discussed the following rule and received public comment as follows:

Rule 700: The Advisory Panel discussed the number of supervised hours that are currently in the Board of Psychologist Examiners rules and how many hours should be the minimum. Several panel members stated that Idaho rules have such a high standard which is causing a barrier for applicants who are currently prescribing psychologists in other states who have at least 20 years' experience to be unable to get licensed in Idaho. The advisory panel took the following public comments regarding Rule 700:

Eric Silk, PhD, Director Idaho State University Clinical Psychopharmacology: A designed program is approximately 1 hour per week; training is a minimum, statute and rules set a minimum; there is always collaboration with medical providers, or working to establish a medical provider; costs for supervision can run approximately \$500 per hour which calculates to \$125,000 per year. With these costs graduates are looking at leaving the state; research studies can identify knowledge, skills, attitudes, and outcomes. I would like to be shown data that psychiatrists that are residency trained have no negative outcomes, or malpractice suits as data indicates 3% of psychiatrists face malpractice suits annually and zero

malpractice prescribing psychologists even without supervision. The entire state is in a mental health provider shortage area, even with the expansion of Telehealth. The citizens of Idaho need this.

Jill Breitbach, PhD: I have four points I would like to mention: (1) Understand intent of guidance from governor to set minimum necessary standards for public safety. Most practicing psychologists are diligent about seeking additional supervision as indicated, and it should be understood that the 4 hours is a minimum necessary, and every person/situation will be different.

(2) Need to correct assumptions that prescribing psychologists will see patients for prescribing 100% of the time. That is rarely the case. Thus, supervision requirements should reflect the diversity of the profession/potential population being treated, and by what modality (therapy or meds). Additional hour requirements would infringe on ability of psychologists to fully practice (with/without prescribing).

(3) Need to correct the assumption that we can legislate to a zero-defect profession. Psychologists, like physicians and other clinical professionals, are going to have bad outcomes someday. The law is set up for minimum standards to best protect population, while recognizing that additional accrediting/licensing bodies will also have additional rules/standards that apply. (in other words, state law is necessary, but alone insufficient, to address all scenarios).

(4) To assert that a practicing psychologist would not seek out additional consultation or supervision when necessary is negating the additional ethics standards that apply to the profession. Psychologists do not engage in unethical behavior, or they have consequences. Practicing outside the bounds of competence remains an act that can result in disciplinary action.

Paige Haviland, PhD: Being a new ISU graduate and recently passing the test for Idaho prescribing psychologist the rule states a minimum of 4 hours per week. I am learning how much more I need to learn before I feel comfortable prescribing medication and I would seek additional hours of supervision. I meet with my supervisor for one hour on a one on one but additional 2-3 hours a week in other areas with my supervisor to gain experience and knowledge until I am at my comfort level to prescribe medication.

After public comment and further discussion Dr. Farber made a motion and Dr. Carlson seconded to adopt Rule 700 as proposed to allow a minimum of four (4) hours each month of direct supervision for a total of forty-eight (48) hours per year. Roll call vote: Dr. Ravsten, nay; Dr. Tilus, aye; Dr. Saccomando, nay; Dr. Farber, aye; and Dr. Carlson, aye. Motion carried 3-2.

Rule 701: Dr. Saccomando made a motion and Dr. Farber seconded to accept Rule 701 as written to include two-thousand (2,000) hours of satisfactory prescribing under a supervision agreement with a licensed psychologist and 701.02 to allow a minimum of 50 separate patients. Roll call vote: Dr. Ravsten, aye; Dr. Tilus, aye; Dr. Saccomando, aye; Dr. Farber, aye; and Dr. Carlson, aye. Motion carried.

Rule 702 and Rule 730: Dr. Ravsten made a motion and Dr. Tilus seconded to accept Rule 702 to collaborate with the patient's licensed medical provider if the patient has a medical provider and Rule 730 which states that a prescribing psychologist may not prescribe any opioid controlled substance medication unless pursuant to 21.U.S.C 823(g) suffice, as written. Roll call vote: Dr. Ravsten, aye; Dr. Tilus, aye; Dr. Saccomando, aye; Dr. Farber, aye; and Dr. Carlson, aye. Motion carried.

Dr. Frost thanked the Advisory Panel for their dedication and input for the past 5 years in originating the Board rules for prescriptive authority and their commitment to Idahoans and patient safety.

Adjourn

There being no further business, the meeting was adjourned at 12:25 PM.

DRAFT