

## RECORD OF PROCEEDINGS

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### STATE BOARD OF PSYCHOLOGIST EXAMINERS PUBLIC MINUTES February 7, 2014

*Notice of this meeting was given in accordance with Division of Professions and Occupations  
Policy Number 80-17*

#### **CONVENE**

The meeting of the State Board of Psychologist Examiners was convened in the Civic Center Plaza Building, 1560 Broadway, Conference Room 1250 C, Denver, Colorado 80202, at 9:02 AM, by Bennett Leslie, Ph. D., Professional Member, Board Chair.

**Present, in addition to Bennett Leslie, Ph. D., Professional Member, Board Chair, were Board Members:**

Nikki Johnson, Ph. D., Professional Member  
Cynthia Brooks, Psy. D., Professional Member

Randyl Smith, Ph. D., Professional Member  
Jermaine Carroll, Esq., Public Member

**Board Members unable to attend:**

Jessica Torbin, Esq., Public Member

Jennifer Gabrius, Public Member

**Staff present:**

Jacqueline Arcelin, Acting Program Director  
Connie Keep, Licensing & Board Support Specialist  
Robert Finke, Assistant Attorney General

Melissa Garner, Expedited Settlement Program  
Carla Spence, Office of Investigations

#### **APPROVAL OF MINUTES**

A motion was made, seconded, and carried to approve the minutes from the December 6, 2013 meeting.

#### **REPORTS AND DISCUSSION ITEMS**

##### Program Director Report

Acting Program Director, Jacqueline Arcelin, updated the Board on the Division and staffing changes.

##### Annual Designation

A motion was made, seconded, and carried to approve the 13<sup>th</sup> floor reception area for the annual designation of meeting notices.

##### Peer Assistance Services, Inc.

Agnieszka Baklazec gave a presentation on Peer Assistance Services, Inc.

#### **ADDITIONS**

All agenda additions have been incorporated into these meeting minutes.

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**INVESTIGATIVE REPORTS**

**Agenda Item #1** **MM** **Case #2013-750**

The Board reviewed the Report of Investigation, and additional information.  
A motion was made, seconded, and carried to refer the case to executive session for discussion and the legal basis for potential disciplinary action.

**NEW BUSINESS FROM DVOMB AND SOMB**

**INITIAL REVIEW**

**Agenda Item #2** **RM** **Case #2013-3451**

The Board reviewed the complaint, response, and additional information.  
A motion was made, seconded, and carried to dismiss the case for no violation.

**NEW BUSINESS**

**INITIAL REVIEW**

**Agenda Item #4** **JD** **Case #2013-3725**

The Board reviewed the complaint, response, and additional information.  
A motion was made, seconded, and carried to table the case pending additional information.

**Agenda Item #5** **JL** **Case #2013-3818**

The Board reviewed the complaint, response, and additional information.  
A motion was made, seconded, and carried to refer the case to executive session for discussion and the legal basis for potential disciplinary action.  
In open session, a motion was made, seconded, and carried to refer the case to the Office of Investigations for additional information.

**Agenda Item #6** **MP** **Case #2013-3779**

The Board reviewed the complaint, response, and additional information.  
A motion was made, seconded, and carried to dismiss the case for no violation.

**Agenda Item #7** **LR** **Case #2013-3801**

The Board reviewed the complaint, response, and additional information.  
Randy Smith, Ph. D., Professional Member, recused.  
A motion was made, seconded, and carried to dismiss the case for no violation.  
A second motion was made, seconded, and carried to refer LR to the Colorado Medical Board.

**Agenda Item #8** **SW** **Case #2013-3249**

The Board reviewed the complaint, response, and additional information.  
A motion was made, seconded, and carried to refer the case to executive session for discussion and the legal basis for potential disciplinary action.  
In open session, a motion was made, seconded, and carried to table the case pending additional information.

**Agenda Item #9** **JZ** **Case #2013-3398**

The Board reviewed the complaint, response, and additional information.  
A motion was made, seconded, and carried to dismiss the case for no violation.

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### OLD BUSINESS

#### MONITORING REPORTS/ACTIVE STIPULATIONS

- Information regarding active stipulations—no action required.
- Monitoring status report—ratification required.

The Board reviewed the Monitoring Status Report.  
A motion was made, seconded, and carried to ratify the report.

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**Agenda Item #10** **JD** **Case #870100055**

The Board reviewed the request for early probation termination.  
A motion was made, seconded, and carried to table the request pending additional information.

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**Agenda Item #11** **JO** **Case #2010-1487**

The Board reviewed the request for early probation termination.  
A motion was made, seconded, and carried to deny the request for early probation termination.

### LICENSING—ADMINISTRATIVE ISSUES

#### RATIFICATIONS

- Licensing Report—no action required at this time.

#### APPLICATIONS

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**Agenda Item #12** **JG** **Pending Application**

The Board reviewed the application, the applicant's statement, and additional information.  
A motion was made, seconded, and carried to approve the pending application.

#### REINSTATEMENTS

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**Agenda Item #13** **MS** **Reinstatement Application**

The Board reviewed the application, the applicant's statement, and additional information.  
A motion was made, seconded, and carried to approve the reinstatement application.

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**Agenda Item #14** **MW** **Reinstatement Application**

The Board reviewed the application, the applicant's statement, and additional information.  
A motion was made, seconded, and carried to approve the reinstatement application.

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**MOTION TO MOVE INTO EXECUTIVE SESSION**

At 11:30 AM, Board Chair, Bennett Leslie, Ph. D., asked for a motion that the Board enter into Executive Session for the purpose of discussing with counsel disputes that are the subject of pending or imminent court action, discussing specific claims or grievances, and receiving legal advice on specific legal questions, pursuant to Colorado Revised Statutes section 24-6-402(3)(a)(II), including:

- The legal basis for potential disciplinary action, and, where warranted, recommended settlement guidance for matters discussed in open session today and referred for discipline and discussion as well as legal guidance in executive session, specifically, case numbers 2013-750 (MM) (Agenda No. 1), 2013-3818 (JL) (Agenda No. 5), and 2013-3249 (SW) (Agenda No. 8).

There was a motion, which was seconded. The vote was unanimous with at least two-thirds of the membership of the board approving the motion to go into Executive Session and none opposing.

**EXECUTIVE SESSION**

**The legal basis for potential disciplinary action, and where warranted, recommended settlement guidance and/or legal advice/guidance:**

- Agenda Item #1, Case No. 2013-750 (MM)
- Agenda Item #5, Case No. 2013-3818 (JL)
- Agenda Item #8, Case No. 2013-3249 (SW)

By unanimous agreement, the Board exited Executive Session at 11:55 AM and reconvened in Open Session.

**OPEN SESSION**

Board motions made in open session for matters referred to executive session are noted above, if applicable.

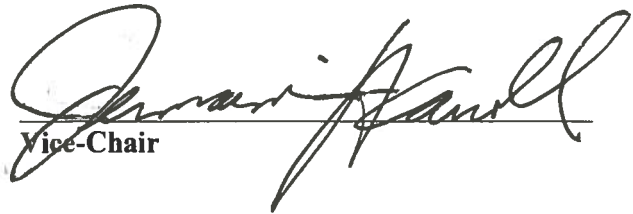
**ADJOURN**

The Board formally adjourned the meeting at 12:00 PM. The Board will reconvene on Friday, April 4, 2014 at the Civic Center Plaza Building, 1560 Broadway, Conference Room 1250 C, Denver, CO 80202, at approximately 9:00 AM.

As Board Chair/Vice-Chair, I attest that these minutes of the open public meeting of the Colorado State Board of Social Work Examiners substantially reflect the substance of the discussions and actions taken related to matters under the authority of the Board, pursuant to § 12-43-203, C.R.S, and in compliance with § 24-6-402, C.R.S.



Board Chair



Vice-Chair