

Minutes
Arkansas Psychology Board
via Teleconference
Board Meeting/Hearing
May 20, 2022
10:00AM

CALL TO ORDER

The Arkansas Psychology Board meeting was called to order by the Chairman of the Board, Dr. Kleitsch, at 10:10 AM.

ROLL CALL

Board members present: Dr. Joyce Fowler, Dr. Lisa Fitzgibbons, Ms. Marcia Fuller, Dr. Edward Kleitsch, Mr. Mickey Shell, and Mr. Jim Furgason.

Staff members present: Mr. Colin Davies and Ms. Brandi Thompson.

Mr. Joe West was present as the Board's Attorney General's representative.

Mr. Charles Moulton was present as the Hearing Officer.

Ms. Amber Barnett was present as the Court Reporter.

Dr. Rodney Goodwin, Dr. Julia Wood and Dr. Judd Harbin were also in attendance.

Mr. Furgason advised he would not be present for the June meeting.

Dr. Fowler and Ms. Fuller advised they would not be present for the July meeting.

The Board recessed at 10:18 to review documents.

The Board reconvened at 10:30.

HEARING

IN THE MATTER OF DR. RODNEY GOODWIN, Ph.D., RESPONDENT

Case No. C # 20-04

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

A hearing on the above-referenced matter was held before the Arkansas Psychology Board ("Board") on May 20, 2022, at the Main Street Mall 101 E Capitol Ave, Little Rock, AR 72201 and via ZOOM Teleconference. The Respondent appeared via teleconference and *pro se*. The Board was represented by Assistant Attorney General

Samuel J. West. The Board, from all the evidence presented and the stipulations of the parties, makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

F-1. Respondent is a Licensed Psychologist in the State of Arkansas and holds License No. 02-18P. Respondent maintains a practice in El Dorado, Arkansas.

F-2. On May 21, 2021, the Board held a hearing pursuant to a complaint filed against Respondent.

F-3. After consideration of the evidence submitted, the Board found that Respondent violated Ark. Code Ann. § 17-97-310(a)(7) by violating four sections of the American Psychological Association Code of Ethics.

F-4. The Board assessed sanctions against Respondent, including a requirement to “complete an undergraduate or graduate-level course on ethics with a concentration in professional boundaries taught by an accredited college or university.” Respondent was ordered to submit a certificate of completion to the Board by November 19, 2021.

F-5. The Board memorialized the sanctions in a Findings of Fact, Conclusions of Law, and Order (FFCLO). It was signed by the Chairman and served on Respondent on June 8, 2021.

F-6. Per the FFCLO and the Arkansas Administrative Procedure Act, Respondent had thirty (30) days to file an appeal of the Board’s ruling. He did not do so.

F-7. On November 9, 2021, Respondent submitted a transcript from the University of Arkansas at Monticello indicating his completion of a Business Ethics course during Summer 2021.

F-8. On December 1, 2021, Board Staff informed Respondent that the course did not comply with the Board’s FFCLO and offered him a ninety (90) extension to complete a course that did comply with the FFCLO.

F-9. In an email to the Board Director dated January 3, 2022, Respondent submitted a certificate of completion from a continuing education course on ethics and boundaries and indicated that his attempts to register in another college-level course had not been successful.

F-10. The FFCLO also ordered Respondent to “engage in treatment for a minimum of one (1) year that is consistent with the treatment recommendations from the psychological evaluation. Quarterly reports shall be submitted to the Board.”

F-11. Respondent reported to Board staff on September 15, 2021, that he had selected Debi Rago LCSW for his treatment but has yet to submit a report on his treatment to the Board as of February 9, 2022.

F-12. Respondent is in contempt of the Board’s Order for failing to comply with the provisions of the FFCLO as stated in the above allegations.

CONCLUSIONS OF LAW

C-1. Respondent violated Ark. Code Ann. § 17-97-310(a) and Board Rule § 11.6 by failing to comply with the Board’s FFCLO to provide a certificate of completion of an ethics course by November 19, 2021, as stated in Findings of Fact F1-F12.

C-2. Respondent violated Ark. Code Ann. § 17-97-310(a) and Board Rule § 11.6 by failing to comply with the Board’s FFCLO by failing to submit quarterly reports of the Board-ordered treatment, as stated in Findings of Fact F1-F12.

ORDER

The provisions of the May 21, 2021, FFCLC are hereby incorporated by reference. Any provision of that FFCLC not amended below remains active and valid.

As to Paragraph 2 of the original FFCLC, Respondent is ordered to complete the COUN 6413 course at Southern Arkansas University. Respondent is to register for the first available course session. The course shall be completed by December 31, 2022.

As to Paragraph 4 of the original FFCLC, Respondent shall undergo a psychological re-evaluation. The re-evaluation shall be performed by a licensed PhD.-level psychologist with a background in forensics. Respondent shall submit the name and *curriculum vitae* of the evaluator for approval by the Board prior to the Board's next meeting on April 15, 2022. The results of the re-evaluation will be sent to Respondent's therapist and to the Board.

As to Paragraph 5 of the original FFCLC, Respondent is ordered to continue therapy for one (1) year following results of the new re-evaluation. Therapy will be based on the findings and recommendations from the re-evaluation. Respondent shall meet with his therapist for at least one therapy session per week. Quarterly reports for the therapy are due on the following dates: June 30, 2022; September 30, 2022; December 31, 2022; and March 31, 2023. Respondent is co-responsible for submission of reports. Respondent is to remind the therapist of the due date two weeks in advance and shall maintain a copy of the report for his own records.

Respondent is also co-responsible for quarterly reports of the supervision mandated in Paragraph 3 of the original FFCLC and shall have reporting requirements identical to the therapy quarterly reports.

The Board shall retain jurisdiction of this matter for purposes of implementing and enforcing this Order. Respondent's failure to comply with any term or condition of this Order shall constitute grounds to impose additional disciplinary actions.

A copy of this Findings of Fact, Conclusions of Law, and Order shall be placed in Respondent's general licensure file, as well as the maintained specific complaint file. Respondent may appeal the Board's decision by filing a petition for judicial review in the Court in the county in which he resides or does business or in the Circuit Court of Pulaski County within thirty (30) days of the date on the certificate of service attached to this Order.

APPROVAL OF AGENDA

Mr. Furgason made a motion to accept the agenda. Ms. Fuller seconded the motion. Dr. Kleitsch made a motion to amend the agenda to move License Reinstatement after the approval of the agenda. Ms. Fuller seconded the motion. The motion passed unanimously.

APPROVAL OF PAST MINUTES

Dr. Fitzgibbons made a motion to table the April Meeting Minutes. Ms. Fuller seconded the motion. The motion passed unanimously.

TREASURER'S REPORT

Ms. Fuller advised that the agency continues to operate within its budget. The monthly expenditure for April was \$16,285.67, revenue was \$3,634.82, the remaining appropriations \$63,647.47, and the cash investment balance was \$911,373.13. Mr. Shell made a motion to accept the report. Mr. Furgason seconded the motion. The motion passed unanimously.

PERSONNEL COMMITTEE

Dr. Fowler advised of no report.

REPORT FROM THE COMPLAINT COMMITTEE

The Complaint Committee made a recommendation to dismiss complaint C#22-04 for failure to state any ethical violations. Mr. Shell made a motion to accept the Complaint Committee's recommendations. Ms. Furgason seconded the motion. The motion passed unanimously.

DIRECTOR'S REPORT

Mr. Davies advised the Board of the following:

- The revised Quarterly Report form will go into effect July 1st, 2022,
- The Board is halfway through the renewal season, and
- The APB Rules have been promulgated.

CHAIRMAN'S REPORT

Dr. Kleitsch reminded the Board about PsyPact is now effective in most states and advised of ASPPB's EPPP part 2 updates.

OLD BUSINESS

Dr. Robert King submitted an updated Statement of Intent removing Hypnosis and provided the corrected reference form from Dr. Craigmyle. Dr. Fowler made a motion to approve as a fully licensed Psychologist. Dr. Fitzgibbons seconded the motion. The motion passed unanimously.

NEW BUSINESS

Continuing Education Hours Extension

Dr. Robert Gershon submitted a request to extend the requirements for CEs for 90-days. Mr. Shell made a motion to approve the request. Ms. Fuller seconded the motion. The motion passed unanimously.

License Reinstatement

Dr. J. Judd Harbin submitted a request to reinstate license as active. Mr. Furgason made a motion to approve reinstatement. Dr. Fowler seconded the motion. The motion passed unanimously.

Provisional License Extension

Dr. Taylor Black submitted a request to extend the Provisional License to prepare and sit for the EPPP.

Dr. Kathy White submitted a request to extend the Provisional License to prepare and sit for the EPPP.

Dr. Fowler made a motion to approve both requests with an extension up to 18-months to pass the exam. Dr. Fitzgibbons seconded the motion. The motion passed unanimously.

Renewal Request

Dr. Teri Davis submitted a request for consideration to renew license which expired in 2015. Dr. Fitzgibbons made a motion to deny the request, advising a new application must be submitted. Ms. Fuller seconded the motion. The motion passed unanimously.

Supervision Agreement and Plan

Ms. Marcia Fuller submitted a Supervision Agreement and Plan to add Dr. Mara Wood as her Secondary supervisor. Ms. Fuller recused herself. Mr. Furgason made a motion to approve. Mr. Shell seconded the motion. The motion passed unanimously.

QUARTERLY REPORTS

The Credential Review Committee made a fully seconded motion to approve the following Quarterly Report forms:

Dr. Masha Berman's Quarterly Report for the period of February 1, 2022 – April 30, 2022. Mr. Shell made a motion to accept. Ms. Fuller seconded the motion.

Dr. Daryl Cooley's Quarterly Report for the period of January 1, 2022- March 31, 2022. Ms. Fuller made a motion to accept. Mr. Shell seconded the motion.

Ms. Penny Dedmon's Quarterly Report for the period of December 18, 2021 – April 17, 2022. Dr. Fowler made a motion to accept with clarification of video/face-to-face supervision. Dr. Fitzgibbons seconded the motion.

Dr. Brittany Haage's Quarterly Report for the period of February 1, 2022 – April 30, 2022. Ms. Fuller made a motion to accept. Mr. Shell seconded the motion.

Dr. Lee Isaac's Quarterly Report for the period of February 1, 2022 –April 30, 2022. Ms. Fuller made a motion to accept. Mr. Shell seconded the motion.

Dr. Safaa Issawi's Quarterly Report for the period of December 1, 2021 – February 28, 2022. Dr. Fowler made a motion to accept. Ms. Fuller seconded the motion.

Dr. Allison Smith's Quarterly Reports for the period of January 1, 2022 – March 31, 2022. Mr. Shell made a motion to accept. Ms. Fuller seconded the motion.

Dr. Kathy White's Quarterly Report for the period of January 5, 2022 – April 5, 2022. Ms. Fuller made a motion to accept. Mr. Shell seconded the motion.

The motions passed unanimously.

CREDENTIAL REVIEWS

The Credential Review Committee made a fully seconded motion to approve the following credential(s):

1. Dr. Gwendolyn Drake submitted an application to be considered as a fully Licensed Psychologist. Dr. Fowler made a motion to approve credentials. Ms. Fuller seconded the motion.
2. Dr. Sherese Hicks submitted an application to be considered as a fully Licensed Psychologist. Dr. Fitzgibbons made a motion to approve credentials. Ms. Fuller seconded the motion.
3. Dr. Anne Stevens submitted credentials Ms. Lauren Nelson for consideration as a Neuropsychological Technician. Ms. Fuller made a motion to approve credentials. Dr. Fowler seconded the motion.

The motions passed unanimously.

ADJOURNMENT

Dr. Fowler made a motion to adjourn at 2:05 pm. Ms. Fuller seconded the motion. The motion passed unanimously.