

## MEMORANDUM

<b>DATE</b>	August 3, 2016
<b>TO</b>	Board Members
<b>FROM</b>	Karen Johnson Licensing Coordinator
<b>SUBJECT</b>	<b>Agenda Item 25(c) Review and Consideration of Draft Policy for Delegation to Licensing Committee to Decide Closed Session Items; Recommendation to Full Board</b>

### Background:

#### **Draft Licensing Committee Delegation**

The Board delegates to the Licensing Committee the authority to decide final action on requests from applicants for psychology licensure for extensions to the 30-consecutive month requirement to accrue 1,500 hours of supervised professional experience, and requests from Registered Psychological Assistants for extensions to the limit of a cumulative 72 months to renew a psychological assistant registration. The Licensing Committee will report a summary of their decisions to the full Board at the next regularly scheduled Board meeting. This delegation to the Licensing Committee streamlines the review process and eliminates a lengthy wait for the applicant.

### Action:

Review of Draft Licensing Committee Delegation language as amended with additional information from Ms. Marks regarding the Open Meetings Act, specifically regarding an advisory body's ability to meet and make decisions in closed session, and the Committees pros and cons discussion at the June 30, 2016 Licensing Committee meeting.

## **June 30, 2016 Licensing Committee Meeting**

### **Synopsis of discussion on Agenda Item 6: Review and Consideration of Draft Policy for Delegation to Licensing to Decide Closed Sessions Items; Recommendation to Full Board**

Dr. Horn stated that perhaps requests for continuing education (CE) exceptions should also be considered in the draft delegation policy. The current draft language provides for delegation for requests for extensions to the 72-months limit to renew a psychological assistant registration and the 30 consecutive months to accrue 1,500 hours of supervised experience. She requested that the language be broadened to allow the Committee to consider requests for CE exceptions.

Ms. Jones requested a list of common reasons for requests for CE exceptions, in the way the staff prepared for the Committee earlier when discussing delegating some straight forward decisions to the staff. She also suggested that the phrase "the Licensing Committee will report back to the full Board" be added to the draft policy.

Dr. Phillips expressed concern that, if there was a situation that compelled a robust discussion or that could affect policy, this language would not allow the Committee to take the review and decision to the full Board.

Ms. Jones stated that she does not know if there is that much time saved if this process is changed, and she said she is not sure the Committee would still have robust discussions if they were held during open session. Ms. Jones asked Ms. Marks if the Committee is the final decider, would the Committee be required to make licensing decisions in open session.

Ms. Marks reported that if the Committee is delegated as the final authority, her concern would be that they are no longer acting in the capacity of an advisory body. She stated that the Open Meetings Act allows an advisory body to have closed session, but this may not be allowed if the Committee is no longer acting in the capacity of an advisory body. The Committee might still have to discuss items in open session. She stated that the Committee will need to review the pros and cons of delegating authority if discussions will need to be in open session.

Ms. Marks commented that with these changes, the Committee may no longer be able to deliberate in closed session unless there is some other way the language could be written; however, delegating the Committee the final authority could expedite the process for those requesting the extensions and exceptions.

Dr. Horn agreed with Ms. Jones that granting the Committee the final delegation might not actually save that much time; but if this change is made and the entire discussion would need to be in open session, this would take away the applicants' privacy. She suggested the process be kept the way it is, if that turns out to be the case.

Ms. Marks will review the Open Meetings Act to determine if the Committee can discuss the cases in closed session if they are the delegated body, and this will be brought back to the August Board meeting for discussion.