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**Commonwealth of Massachusetts**  
**Division of Occupational Licensure**  
**Board of Registration of Psychologists**

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COMMISSIONER, DIVISION OF  
PROFESSIONAL LICENSURE

**BOARD OF REGISTRATION OF PSYCHOLOGISTS**

**Public Meeting Minutes of June 11, 2021**

Board Members Present: Robert Carey, Jr., Ph.D., Chair  
Marshaun Glover, Ph.D., Vice Chair  
Vicky Anderson, Psy.D.  
Tammy Jones, Psy.D.  
John Marshall, D.C.

Staff Present: Brian Bialas, Executive Director  
Jennifer Romeo-Porcaro, Board Counsel  
Alan Van Tassel, Investigator Supervisor  
Doris Lugo, Investigator

Pursuant to Governor Charles D. Baker's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, s. 20, dated March 12, 2020, all board members and staff appeared by videoconference.

At 9:04 a.m., the meeting was called to order by Dr. Carey.

**Board Business**

- **Public Meeting Minutes of May 14, 2021:** After a brief discussion, a motion was made by Dr. Jones, seconded by Dr. Marshall, to approve the Public Meeting Minutes of May 14, 2021. The motion passed unanimously. Dr. Anderson abstained.
- **Executive Session Minutes of May 14, 2021:** After a brief discussion, a motion was made by Dr. Jones, seconded by Dr. Glover, to approve the Executive Session Minutes of May 14, 2021. The motion passed unanimously. Dr. Anderson abstained.
- **Election of Officers for Fiscal Year 2022:** After a brief discussion, a motion was made by Dr. Jones, seconded by Dr. Glover, to elect Dr. Carey as Chair, Dr. Glover as Vice Chair, and Dr. Marshall as Secretary for Fiscal Year 2022. The motion passed unanimously.



## **Application Review – Hearing on Denial of Application**

- **Regan Eric Patrick:**

Mr. Bialas called the hearing to order and announced that the hearing will be recorded by Microsoft Teams. See recording.

Dr. Patrick appeared with Dr. Philip Levendusky of McLean Hospital to appeal the denial of his application under 251 CMR 3.03(1) because he did not receive a doctorate from a program that was APA- or CPA-accredited at the time he graduated or within three years of that date. Dr. Patrick stated that he cannot dispute that his doctorate is not from a program that was accredited at the time he graduated or within three years of that date, but argued that his education and experience otherwise exceed the requirements for licensure in Massachusetts. He referred the Board to letters of recommendation he submitted with his application, his full-time faculty position in Massachusetts, his license in South Carolina, and the temporary license the Board issued to him. Dr. Levendusky, the Director of the Psychology Department at McLean Hospital where Dr. Patrick completed a post-doctoral fellowship, spoke in support of Dr. Patrick's application and emphasized his qualifications.

The Board, Ms. Romeo-Porcaro, and Mr. Bialas discussed Dr. Patrick's qualifications and the Board's regulations.

A motion was made by Dr. Carey, seconded by Dr. Jones, to approve Dr. Patrick's application for licensure. The motion passed unanimously.

## **Discussion**

- **Board Counsel Report:** Ms. Romeo-Porcaro discussed pending legislation that, among other things, would transfer the Board of Psychologists from the Division of Professional Licensure to the Department of Public Health by no later than January 19, 2023 if no action on the legislation is taken by the legislature by July 19, 2021. She also noted that Governor Baker will lift the COVID-19 State of Emergency on June 15, 2021, so unless legislation passes into law before then that allows remote meetings, the next board meeting will be in person.
- **Expiration of Emergency Temporary Licenses:** The Board discussed the expiration of emergency temporary licenses with the end of the State of Emergency on June 15, 2021 and suggested that staff consider posting a notice of the temporary practice privileges allowed by G.L. c. 112, § 123(a).
- **Emergency Policy on Supervision and Teletherapy:** The Board considered whether to extend the expiration of the Emergency Policy on Supervision and Teletherapy. This policy permits trainees, during the State of Emergency and for 10 days thereafter, to earn (1) experience hours for licensure by teletherapy even if the supervisor is not physically present where the trainee is providing the services if the supervisor is available by telephone or videoconference; and (2) supervision hours by videoconference. After a brief discussion, a motion was made by Dr. Anderson, seconded by Dr. Glover, to extend

the policy for 90 days after the State of Emergency ends. The motion passed unanimously.

- **Respecialization Programs:** Mr. Bialas reported to the Board that all respecialization programs in Massachusetts have closed, and that the APA lists very few active programs nationwide. After discussion, the Board directed staff to consider contacting William James College and Suffolk University to discuss respecialization programs with staff and Dr. Carey.

### **Correspondence**

- **5.7.21 Email from D. Westerberg re: Telephone Services:** The Board reviewed an email asking whether telephone service hours completed by trainees will count for licensure after the State of Emergency ends, and whether trainees who have completed their hours for licensure may continue to use the telephone for services. The Board directed staff to answer that for experience hours, 25% of practicum hours must be “face-to-face” under 251 CMR 3.04(7)(g), but otherwise the Board permits, but does not encourage, telephone services for licensure hours and telephone services by trainees who already have earned their licensure hours.

### **Discussion**

- **Expiration of Emergency Temporary Licenses:** The Board returned to this topic. After a brief discussion, a motion was made by Dr. Glover, seconded by Dr. Anderson, to request that the Department of Public Health extend the expiration of emergency temporary licenses for 90 days after the State of Emergency ends. The motion passed unanimously.

### **Petition for Termination of Probation – Interview**

- **Scott Storm:** Dr. Storm appeared to request that the Board terminate his probation imposed by Consent Agreement in 20050214PY035-IT-ENF. After a brief discussion, a motion was made by Dr. Glover, seconded by Dr. Jones, to terminate Dr. Storm’s probation if he submits to a CORI check and provides signed answers to attestation questions. The motion passed unanimously.

### **Correspondence**

- **5.26.21 Email from K. Bistis re: Use of Videoconferencing for Forensic Evaluations:** The Board reviewed an email from a psychologist at the Department of Mental Health asking whether forensic psychologists may use videoconferencing for forensic evaluations ordered by a court. The Board directed staff to request a formal letter from the Department of Mental Health on the subject.
- **5.20.21 Email from L. DeGrass re: Supervision of Trainees Who Completed Experience Hours:** The Board reviewed an email asking whether, after the State of Emergency ends, trainees who have completed all hours for licensure can provide services only when a supervisor is on the premises under 251 CMR 3.05(2)(f). After a

brief discussion, the Board directed staff to answer that trainees who have completed all hours for licensure must comply with the same standards as those trainees who have not.

The Board directed staff to put a review of 251 CMR 3.05(2)(f) on the agenda next month.

- **5.24.21 Email from M. Acunzo re: Trainees and Testing:** The Board reviewed an email from a psychologist asking about the procedure for supervising a trainee who provides testing services. The Board directed staff to respond that the supervising psychologist: (1) must be present physically to supervise when the services are provided after the State of Emergency ends, (2) can use her discretion to decide whether the trainee can do the intake and provide feedback, and (3) should sign the report. The Board also directed staff to answer that the Board cannot opine on insurance matters.

#### **Application Review – Foreign Education**

- **Peter Zhukovsky:** The Board considered Dr. Zhukovsky's foreign education evaluation and steps he must take to be licensed as a health service provider. After a brief discussion, a motion was made by Dr. Anderson, seconded by Dr. Jones, to require Dr. Zhukovsky to complete a Racial Bases of Behavior course, a qualifying internship, and a qualifying post-doctoral fellowship. The motion passed unanimously.

#### **Application Review – Application for Reinstatement**

- **William Lenderking:** The Board reviewed Dr. Lenderking's application for reinstatement and directed staff to invite him to a meeting for an interview.

#### **Application Review – Discipline in Another Jurisdiction**

- **Francis Chiappa, Applicant for Emergency Temporary License:** The Board reviewed Dr. Chiappa's application for an emergency temporary license and directed staff to invite him to a meeting for an interview.
- **James Claiborn, Applicant for Emergency Temporary License:** The Board reviewed Dr. Claiborn's application for an emergency temporary license and directed staff to invite him to a meeting for an interview.

#### **Monitoring Report**

- **Ricky Greenwald, 2017-000912-IT-ENF, 6th Quarterly Monitoring Report:** After a brief discussion, a motion was made by Dr. Anderson, seconded by Dr. Jones, to accept the report. The motion passed unanimously.

**Executive Session** (closed under G.L. c. 30A, § 21(a)(7) to comply with G.L. c. 4, § 7, ¶ 26(c) and G.L. c. 214, § 1B – adhering to the public records law and to preserve the confidentiality of medical record information)

At 11:16 a.m., a motion was made by Dr. Jones, seconded by Dr. Glover, to (1) exit the public meeting; (2) enter into executive session under G.L. c. 30A, § 21(a)(7) to comply with G.L. c. 4,

§ 7, ¶ 26(c) and G.L. c. 214, § 1B – adhering to the public records law and to preserve the confidentiality of medical record information, to review correspondence and a monitoring report that includes sensitive medical information and an examination score; and (3) at the conclusion of the executive session, not return to the public meeting. The motion passed unanimously by a roll call vote.

**Quasi-Judicial Session** (closed under G.L. c. 30A, § 18)

The Board entered quasi-judicial session at 11:36 a.m.

During the quasi-judicial session, the Board took the following action:

**Final Decision and Order**

2019-001212-IT-ENF (TB):	Determined sanction for final decision and order
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**Investigative Conference** (closed to conduct investigatory conferences, pursuant to G.L. c. 112, § 65C)

At 11:43 a.m., a motion was made by Dr. Marshall, seconded by Dr. Jones, to exit quasi-judicial session and enter into investigative conference under G.L. c. 112, § 65C to conduct a case interview and review cases. The motion passed unanimously.

During the investigative conference, the Board took the following actions:

**Case Interview**

2020-001602-IT-ENF (MT):	Interviewed respondent; dismiss
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**Cases**

2021-000123-IT-ENF (KM):	Dismiss
2021-000125-IT-ENF (RG):	Refer to Office of Investigations
2021-000158-IT-ENF (EM):	Review next month
2021-000179-IT-ENF (KH):	Review next month
2021-000208-IT-ENF (KL):	Review next month
2021-000257-IT-ENF (AG):	Dismiss
2021-000280-IT-ENF (JF):	Dismiss

**Adjournment**

At 12:43 p.m., a motion was made by Dr. Jones, seconded by Dr. Glover, to adjourn the meeting. The motion passed unanimously.

The meeting adjourned at 12:43 p.m.

The above minutes were approved at the public meeting held on August 13, 2021.



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Brian Bialas, Executive Director

### **List of Documents Used During the Public Meeting**

- Agenda of June 11, 2021 Meeting
- Public Meeting Minutes of May 14, 2021
- Executive Session Minutes of May 14, 2021
- Application of Regan Eric Patrick
- Emergency Policy on Supervision and Teletherapy and Emails re: Same
- Printout from American Psychological Association Webpage re: Respecialization Programs
- 5.7.21 Email from D. Westerberg re: Telephone Services
- Scott Storm, 20050214PY035-IT-ENF, Petition for Termination of Probation
- 5.26.21 Email from K. Bistis re: Use of Videoconferencing for Forensic Evaluations
- 5.20.21 Email from L. DeGrass re: Supervision of Trainees Who Completed Experience Hours
- 5.24.21 Email from M. Acunzo re: Trainees and Testing
- Documentation of Education for Peter Zhukovsky
- Application for Reinstatement of William Lenderking
- Francis Chiappa, Application for Emergency Temporary License
- James Claiborn, Application for Emergency Temporary License
- Ricky Greenwald, 2017-000912-IT-ENF, 6th Quarterly Monitoring Report