Draft Minutes

Present: Chair Kathryn Castle, Vice-Chair Eloise Archibald, Amanda Baden, Angelo Canedo, Thelma Dye-Holmes, William Haas, John McGinley, Julia Peacock.

Absent: Caroline Clauss-Ehlers.

Staff: David Hamilton, Acting Executive Secretary; Erin Dowd and Diane Martin.

Visitors: Pamela Madeiros (Greenberg & Traurig), Gloria Rothenberg (extended Board member).

1. Convening
   Executive Secretary David Hamilton convened the meeting at 10:05 a.m. on video, reminding Board members to mute microphones when not speaking.

2. OP Modernization Program – Update and Discussion
   Heather Klusendorf and Gabriel Montgomery of the Office of the Professions Technology team briefed the State Board on issues related to:
   - Updating the OP website to improve readability
   - Provide user-options for checking status of application materials
   - Transitioning data on licensees and applicants in 55 professions to a new database
   - Improving customer service functions to better serve those relying on OP
   A copy of the recent presentation to the Board of Regents is attached to these minutes.

3. Review of Minutes of October 2, 2020
   Motion to approve the minutes of October 2, 2020 as submitted (Archibald/Haas) Passed unanimously.
4. **Acting Executive Secretary Report**

Secretary Hamilton provided the Board with the updated SED ethics and conflict of interest policy for State Board members, along with information about membership on the State Board and an application (available online at [www.op.nysed.gov/boards/#nom](http://www.op.nysed.gov/boards/#nom)) for individuals interested in appointment to the State Board. The law requires 12 licensed psychologists and 1 public member; there are currently 8 licensees and 1 public member with 6 leaving in the next 12 months. Members were encouraged to share information about the State Board with qualified individuals.

The Department has approved filling Dr. Kathleen Doyle’s position and the paperwork has been sent to the Division of Budget for approval. A candidate must be licensed in psychology and would be appointed for this Board as well as the State Boards for Massage Therapy, Applied Behavior Analysis and Clinical Laboratory Technology. When the job posting is available, it will be shared with Board members, education programs and professional associations to aid in recruitment of qualified psychologists, licensed and registered in New York as required by law.

Department staff has been working remotely since late March using telecommuting to answer phone calls and emails, process limited permit applications, review experience and review continuing education provider applications and compliance by licensees. In the first quarter of 2020, the Department licensed 61 new psychologists; in the same period in 2021, 133 new psychologists were licensed. Executive orders allow the Boards to meet by video and OP is discussing the possibility of utilizing the technology after the pandemic, which may require a change in the public meeting laws.

The Board received updates on recent activities by the Association of State and Provincial Psychology Boards (ASPPB) in regard to:

- Additional work for State Board to make candidates eligible for EPPP;
- ASPPB survey to request feedback from jurisdictions on EPPP Part 2;
- PsyPact and portability of licensure, particularly in light of COVID; and
- Lessons learned and impact of COVID on licensure and practice.

Secretary Hamilton explained that New York has not participated in compacts, which allow individuals licensed in other states to practice in NY without a New York license. Education Law §6805(8) and 10 NYCRR 74.5, adopted in 1987, allow an out-of-state licensee to apply for a one-time 90-day authorization to practice in New York for 10 consecutive or 15 non-consecutive days. Since 2001, the Board office has issued 786 authorizations; individuals who want to practice longer must apply for licensure and meet all requirements.

5. **Exemption from Licensure – June 24, 2021**

The Board received information about the final steps to implement Chapter 57 of the Laws of 2018 regarding the exemption from licensure in certain programs:
After June 24, 2021, previously exempt programs and services may only employ licensed or authorized individuals. Persons who had been employed on or before that date in such program or service will enjoy a personal, life-time exemption from licensure in similar programs or services. The Executive agencies are responsible for creating a database and providing information to eligible individuals, who will not be required to hold licensure under Education Law.

6. **APA Accreditation & New York State Education Programs**
New York 10 NYCRR 52.10 defines the curricular content for a doctoral program leading to licensure as a psychologist in New York. Part 74.1 allows the Department to accept a degree from a program determined by the Department to be equivalent in design, scope, content and resources to a New York program. It has been determined that doctoral programs accredited by the American Psychological Association, under their 2015 standards, are acceptable and graduates of such programs will no longer require individual transcript evaluation; graduates of other programs will require such evaluation and may need additional course work to remedy any deficiencies. This will facilitate the approval of applicants for the examination, reduce processing time and be consistent with similar professions and is supported by the State Board.

7. **State Budget 2021-2022 & Legislative Issues**
The Board received a summary of the enacted State budget for the fiscal year that started April 1, 2021. There were no cuts to OP spending and $7.85 million funding from fees collected from licensees was allocated to the OP systems modernization. The Legislature rejected the Governor’s proposal for a Northeast compact to facilitate practice without New York licensure among regional jurisdictions.

Legislation has been introduced that would delay the requirement in Chapter 57 of the Laws of 2018 to require licensure on or after June 24, 2021. This date is based on law, which set one year after final adoption of regulations by the Board of Regents (June 24, 2020) as the effective date. There has been no action on proposed bills to extend that deadline for one year, pending a report that was due from the Executive agencies 60 days after the regulations took effect in 2020 and was never completed or submitted.

8. **Continuing Education for Licensed Psychologists**
Effective January 1, 2021 each licensee re-registering to practice psychology must complete 1 hour of acceptable continuing education from a provider approved by the Department, based on an application and $900 triennial fee, for each month after that date. The Board office has received 134 provider applications to date; 78 are approved and listed on the website
additional information has been requested from 8 applicants and 48 are pending initial review by Diane Martin. Licensees are complying with the requirements and submitting documentation when required.

9. Limited Permits and Experience for Licensure
The Division of Professional Licensing Services (DPLS) processes applications for licensure and registration. The application for the limited permit was recently updated and it was clarified that a $70 fee is required for each one-year permit. As part of the technology upgrades, the permit applications and fee collection will be moved online in the coming months. This will eliminate delays in processing permit applications and allow applicants to pay by credit card.

Experience for licensure must be completed as part of the doctoral program and after receipt of the qualifying degree. Experience must be under a qualified supervisor in an authorized setting, as defined in New York law and Part 72.2 of the Commissioner’s Regulations. Part of the OP Modernization Program will include a review of the processes. Currently 95% of customer calls are inquiries about the status of an application, including the receipt of experience forms submitted by supervisors. The Modernization will allow applicants to log on and see what forms have been received, the results of Board evaluation and outstanding requirements for licensure.

11. Examination for Professional Practice in Psychology (EPPP)
The Board received updated information from ASPPB regarding the EPPP Part 1 – Knowledge and implementation of EPPP Part 2 – Skills. As of January 1, 2021, eight jurisdictions (Arizona, District of Columbia, Georgia, Guam, Nevada, Newfoundland and Labrador, Prince Edward Island and Manitoba) had adopted the Part 2 examination. Candidates in those jurisdictions must pass the Part 1 prior to approval to take the Part 2. The examinations test different domains; in brief, the Part 1 tests knowledge and the Part 2 tests skills and competencies. ASPPB proposed that Part 1 would be taken prior to completion of the doctoral program and Part 2 during the period of post-degree experience. Similar tests and strategies are required in social work and in mental health counseling. ASPPB is soliciting feedback from jurisdictions regarding adoption of the Part 2 examination and whether jurisdictions should approve candidates, even if the examination is not required in that jurisdiction.

12. Announcements
Chair Castle announced that she is resigning her position on the State Board and moving out of New York, so this is her last meeting of the Psychology Board. Ms. Dowd announced that she has accepted a position in the Comparative Education
unit and will be transitioning to that office when a replacement has been identified for her position in the State Board.

13. **Election of Chair and Vice-Chair**
Motion to elect John McGinley as Chair and Eloise Archibald as Vice-Chair for the period June 1, 2021 to May 31, 2022. (Baden/Haas) passed unanimously.

14. **Adjournment**
There being no other business before the Board, members were thanked for their participation and the meeting was adjourned at 11:45 a.m.

Submitted by

David Hamilton, Ph.D., LMSW
Acting Executive Secretary

Attachment: Power Point slides
OP Modernization Program
Presentation to the Board of Regents
November 16, 2020
Multi-Project, Multi-Year Approach

The Modernization Program includes the following four projects:

- **Online License Application Development** to improve user experience and allow online credit card payments
- **Modernization Definition and Design** to replace the 38-year-old system
- **Develop New Professions System (NPS)** to deliver one-stop shop for all licensing and renewal needs
- **Customer Service Modernization** to improve our ability to assist the public via phone, email and a redesigned public website, [op.nysed.gov](http://op.nysed.gov)
Multi-Project, Multi-Year Approach

The Modernization Program Achievements Since November 2019:

- Successfully launched online applications for all 54 Professions
- Started migrating all other paper forms to electronic format
- Developed strategy for the mainframe migration
- Developed the vision for the new online system and user accounts
- Began work on Data Onboarding & Collection Service (DOCS)
- Created requirements for internal and external users
- Successfully implemented new customer service tools for phone and email support
Online Applications

Improved experience for applying and processing applications leads to significantly reducing the time to license an individual:

• All 54 Professions have online applications and electronic payments

• More than 58,000 professional licenses were issued in 2019

Currently, all additional user documentation must come in via postal mail on paper.

• Our goal is to provide a system for all additional licensing materials to flow electronically, continuing to improve our ability to license professionals quickly
New Professions System

The New Professions System (NPS) will provide one-stop “shopping” for all licensing and renewal needs.

- User accounts for managing online applications and online renewals
- Status indicator for self-service application status
- Order history for add-on services
- Data Onboarding & Collection Service, providing a way for all information about professionals to flow electronically
Website Redesign

Redesigned public information website, op.nysed.gov, will provide a user-friendly website that fully meets Federal accessibility standards.

- Crisp new design targeted for roll out next spring to the public
- Successfully migrate content for nearly 2,400 existing webpages
- The need-to-know information will be easy to find and simple to understand
- Device agnostic to work similarly on all screen sizes, including computer screens, tablets, and smart phones
New Professions System Roadmap

We have a 33-month plan beginning in November 2020 through July 2023.
Thank you!
Please let us know if you have questions!