

NEVADA STATE BOARD OF PSYCHOLOGICAL EXAMINERS

Meeting Minutes

August 28, 2020

1. Call to order/roll call to determine the presence of a quorum.

Call to Order: The meeting of the Nevada State Board of Psychological Examiners was called to order by President Whitney Owens, PsyD, at 12:00 p.m. Due to COVID-19 and Governor Sisolak's Emergency Mandate to *Stay at Home for Nevada*, this meeting was conducted online via *Zoom*.

Roll Call: Board President Whitney Owens, PsyD, Secretary/Treasurer John Krogh, PhD, and Members Stephanie Holland, PsyD, and Stephanie Woodard, PsyD, were present at roll call. Members Monique McCoy, LCSW, and Tony Papa, PhD, were absent at roll call.

Also present were Harry B. Ward, JD, Deputy Attorney General, Lisa Scurry, Executive Director, Sheila Ward, Board Investigator, and members of the public: Samantha Schilling, Nick Carfagno, Chad Doerr, Andrea Bevan, Richard Baldo, and Samantha John.

Note: Member Monique McCoy arrived at 12:11 p.m. Member Stephanie Woodard left the meeting at 12:30 p.m.

2. Public Comment

President Owens made public comment on behalf of Gary Lenkeit, Board Investigator. He suggested lowering the number of questions, length of time, or the passing rate of the state Exam.

Samantha Schilling made comment asking that accommodations be made for individuals with disabilities who are taking the state examination, particularly related to the amount of time allowed to complete the 50 questions.

3. (For Possible Action) DISCUSSION REGARDING THE STATE EXAMINATION CONTENT AND PROCESS; AND POSSIBLE ACTION TO CHANGE ASPECTS OF THE STATE EXAMINATION THAT MAY INCLUDE THE MINIMUM PASSING SCORE, FORMAT OF THE EXAM, TIME TO COMPLETE THE EXAM, AND/OR NUMBER OF QUESTIONS

The Nevada State Examination on jurisprudence and ethics consists of 50 multiple-choice questions. Test takers are given 3 hours to complete the exam in an online, "open-book" format, and the minimum passing score is 85%.

Lisa Scurry, Executive Director, informed the Board that the online exam began in May of 2020. Of the eleven individuals who have taken the exam, a majority have failed. However, she qualified that statement by reminding the Board that reliable statistics on

the validity of the test or the passing rate are not available for two reasons. First, there has been a small number of test takers overall; and second, the 50 test questions are randomly drawn from a pool of 150 so that each iteration of the exam is different. She added that the questions themselves were recently reviewed by a small group of Board members.

Board Member Krogh stated that during the review of the questions, two questions were removed and a few others were adjusted to ensure the questions were clear and accurate.

Board Member Woodard asked the Board to consider what the goal of the exam is and what is being assessed. President Owens stated that the EPPP2 was designed to assess a candidate's readiness to practice. The State Exam was designed to specifically address Nevada law and ethics standards. Board Member Holland reviewed the categories of the exam and state they were designed to ensure psychologists have knowledge in those areas and know where to find the information in the state law when needed.

Board Member Woodard inquired if any feedback had been gathered from the individuals who have taken the online version of the exam. Ms. Scurry replied that there has been concern expressed about the time allowed to take the exam but added that the test has been completed by everyone who has started it. Additionally, feedback has been received about the questions themselves – either that there was more than one correct answer, that a question was confusing, etc. Two of the test takers requested, pursuant to state law, review of the questions they had missed. This was done in a manner to protect the confidentiality of the questions.

Board Member Holland commented about item difficulty and inquired about any concerns related to the construction of the questions. She added that all of the questions were constructed by the exam committee and a psychometrician who validated the original in-person exam. Those questions were then used for the online version. The online version was not specifically validated for number of questions, difficulty, appropriate pass rate, etc.

Dr. Holland suggested the Board consider, for the next two months, going back to the in-person exam and having the online exam evaluated by a psychometrician.

President Owens inquired how the in-person exam was administered. There was discussion about having applicants take the exam in either the North (Reno) or South (Las Vegas), and that Executive Director scurry would fly to Las Vegas each month for the purpose of proctoring. President Owens reminded the Board that the passing rate for the in-person exam was 70%.

Board Member Stephanie Woodard departed the meeting at 12:30 p.m.

Public comment:

- Richard Baldo made comment regarding the very small sample size of eleven test takers and how there isn't enough data to fully consider validity.
- Samantha John stated concern that the discussion seemed to indicate the pass rate and other administrative areas of the test were subjectively selected.
- Andrea Bevan inquired if the Board's review of the exam was before or after she took the exam. (Dr. Krogh responded that the review occurred after the first 5 had taken the test and before Dr. Bevan's taking the test.) She also made comment about the exam questions, specifically those where a change in law may have occurred creating confusion.
- Sam Schilling expressed concern about individuals are waiting to begin their practice until they can pass the test. She added that she is considering becoming licensed in another state.
- Chad Doerr expressed similar concern about the length of time the process has taken and the impact to his employment.

There was discussion of how the test would be administered. Dr. Holland offered to proctor the test out of her Las Vegas office. A consultant will be sought for the purpose of conducting the test validation. The Board expressed their intent to have the in-person test available as soon as possible.

On motion by Stephanie Holland, second by John Krogh, the Nevada State Board of Psychological Examiners approved reverting to the previous in-person version and administration of the State Examination while a subject matter expert reviews and validates the online exam with a deadline for completion of the evaluation of November 1, 2020. (Yea: Whitney Owens, John Krogh, Stephanie Holland, and Monique McCoy) **Motion Carried:** 4-0

President Owens suggested the Board decrease the passing rate from 85% to 80% for those individuals who previously took the online version of the exam in 2020. Board Members Krogh and McCoy expressed agreement.

Board Member Holland stated her belief the passing rate should only be lowered to 84%.

On motion by Monique McCoy, second by John Krogh, the Nevada State Board of Psychological Examiners approved adjusting the passing rate to 80% retroactively for the individuals who have taken the online version of the test in 2020. (Yea: Whitney Owens, John Krogh and Monique McCoy. Nay: Stephanie Holland) **Motion Failed:** 3-1

The Board's legal counsel, Harry Ward, Deputy Attorney General, explained that quorum is obtained by a majority, or 4 of 7 members, regardless of how many are actually in attendance. As a result, although a majority of members present voted in favor of the motion, the motion failed.

Board Member Holland inquired if a passing rate of 80% is mathematically obtainable. President Owens confirmed that it is.

On motion by Monique McCoy, second by Stephanie Holland, the Nevada State Board of Psychological Examiners approved adjusting the passing rate to 80% retroactively for the individuals who have taken the online version of the test in 2020; and confirmed the previous motion that the previous in-person exam will be re-instated pending validation of the online examination. (Yea: Whitney Owens, John Krogh, Stephanie Holland, and Monique McCoy. Nay: Stephanie Holland) **Motion Carries: 4-0**

4. Public Comment

There was no public comment at this time.

5. (For Possible Action) ADJOURNMENT

There being no further business before the Board, President Owens asked for a motion to adjourn at 1:04 p.m.

On motion by John Krogh, second by Stephanie Holland, the Nevada State Board of Psychological Examiners adjourned the meeting. (Yea: Whitney Owens, John Krogh, Stephanie Holland, and Monique McCoy) **Motion Carries Unanimously: 4-0**