

**Testimony AGAINST HB 2117 (2021) Sunsetting the Psychologist Associate
license-type.**

TO: Senate Committee on Human Services, Mental Health & Recovery, 5/5/2021

I promised in Part II of my written testimony, I would provide this document as just one example of the regular opacity of the Oregon Board of Psychology (OBOP). If I did not write such letters to OBOP it is reasonable to believe they might never publish minutes at all. Usually, I wait to write until they are both about 2 months delinquent on minutes for Regular Public meeting X and 3 weeks delinquent for Regular Public meeting Y. This time, I suspected they may be hiding info relevant to some legislative concepts I eventually read in the minutes for meetings on 11/13/2020 and 11/14/20.

It may be important to ask Charles Hill, Executive Director of OBOP/MHRA when he actually posted the 11/13/2020 & 11/14/2020 meeting minutes.

All parties OPPOSED to HB 2117 were robbed of their right to oppose the bill by regular and sufficient means due to OBOP's intentional hiding of crucial information necessary to participate in Oregon government.

Christian Wolff, MA

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March 19, 2021

"Oregon Board of Psychology"
3218 Pringle Rd. SE, Suite 130
Salem, Oregon 97302

Complaint, Remedy Demand, & Records Request

To: Charles Hill, Clifford Johannsen, LaReé Felton, Warren Foote
Re: OBOP Regular Public Meeting Minutes Not Published Timely

Dear Addressees:

Complaint:

Again, you are inexcusably untimely in the publishing of OBPE Regular Public Meeting Minutes.

This is a regularly employed tactic of OBOP opacity and there is simply no other description for it. That you are perfectly capable of abiding by standards laid out in Oregon policy is clear. That I have spelled this out for you and have provided documentation to you of these policies is demonstrable. That you are repeat offenders is also demonstrable. This provides a clear and convincing argument for scofflaw behavior on the part of OBOP.

I have reason to believe that important matters of concern to the public, all licensees, and to myself have been discussed at these meetings.

Should any interested party find the plans, intentions, and actions of OBOP objectionable, the untimely delivery of minutes deprives them of fair opportunity to object, take action upon any objections they may have, or to respond in any way whatsoever to OBOP activity in a way which does not risk their own untimely or disqualifying responses.

The OBOP Strategic Planning minutes for OBOP Strategic Planning Meeting held November 14, 2020 indicates that OBOP plans to aggress the status of the Psychologist Associate license type, this time via legislative action. More specifically, Legislative Concept 0476 (LC 0476).

OBOP should be well aware that I successfully lead opposition to the Sunsetting of the Psychologist Associate license type twice in the past (2008 & 2014). It is plain to see why OBOP would not want me (personally) to know the details of any further development on this legislative concept. Because of your regular and considerable pattern of untimely minutes, I have NO idea whether this legislative concept ever became a bill and thus have not been in an informed position such that my fair opposition to it may be launched in a timely manner.

There is also the matter of Legislative Concept 0473 (LC 0473) noted in the OBOP Strategic Planning minutes for OBOP Strategic Planning Meeting held November 14, 2020. OBOP knows that I have successfully lead opposition to this when it has been presented to the Oregon Legislature as a bill in the past, and I have informed OBOP, in the past, that should this matter ever arise again, I shall lead an opposition to it again. It is plain to see why OBOP would not want me (personally) to know the details of any further development on this legislative concept. Because of your regular and considerable pattern of untimely minutes, I have NO idea whether this legislative concept ever became a bill and thus have not been in an informed position such that my fair opposition to it may be launched in a timely manner.

The chronological status of your minutes' delinquency:

Your last published minutes of an OBOP Regular Public Meeting: November 13, 2020.

Annually, OBOP meets on a day after a Regular Public Meeting for a Strategic Planning Meeting. As of March 19, 2021, the minutes to the Strategic Planning Meeting held November 14, 2020 have been published.

As of March 19, 2021, it has been 126 days since OBOP has published Regular Public Minutes. Stated in different form, this is 18 weeks, or 4 months and 6 days.

As of March 19, 2021, it has been 125 days since OBOP has published the minutes for the November 14, 2020 Strategic Planning Meeting. Stated in different form, this is 17 weeks and 6 days, or 4 months and 5 days.

For consideration of this time record, it may be best to consider the November 13, 2020 & November 14, 2020 as a PAIR of meetings.

Number of OBOP Regular Public Meetings since November 13 & 14, 2021: 2

Number of OBOP Regular Public Meeting Minutes published since November 13 & 14, 2020: 0

Dates of OBOP Regular Public Meetings since November 13 & 14, 2020: January 8, 2021 & March 12, 2021

Delinquency (in calendar days):

January 8, 2021 to present (March 19, 2021): 70 days. Stated in different form, this is 10 weeks, or 2 months and 11 days.

March 12, 2021 to present (March 19, 2021): 7 days. Stated in different form, this is 1 week.

ATTORNEY GENERAL'S PUBLIC RECORDS AND MEETINGS MANUAL 2019

II. PUBLIC RECORDS

D. REQUIREMENTS OF THE LAW

7. MINUTES AND RECORD KEEPING

a. Public Availability of Minutes (Paragraphs 1 & 2)

Any minutes or recording of a public meeting that does not take place in executive session must be made available to the public "within a reasonable time after the meeting."[\[675\]](#) Draft written minutes cannot be withheld from the public merely because they have not yet been approved; however, the governing body can identify the minutes as being in draft form when producing them to the requester. Any completed minutes or sound, video, or digital recordings are public records subject to disclosure under the Public Records Law.[\[676\]](#)

We assume that a governing body generally should be able to make a sound, video, or digital recording of a meeting available to the public within a few days following the meeting. However, we are told that the preparation of written minutes takes up to three weeks in the usual course of business: small bodies may not have the staff to prepare the minutes in just a few days, and larger bodies that do have substantial staff typically meet more often or for longer amounts of time. Three weeks arguably is within the "reasonable time" allowed by the statute, but a reviewing court may reach a different conclusion.

Demand for Remedy

Post the delinquent minutes of the OBOP Regular Public Meeting held on January 8, 2021 immediately to the OBOP website in their proper place.

Post the minutes for the March 12, 2021 OBOP Regular Public Meeting immediately even if they have not been approved yet and you prefer to mark the minutes as a "draft."

Explain your current delinquency.

Explain your years-long pattern of delinquency in the publication of meeting minutes.

Overdue Payments (from the last time I had to remind you of the delinquency of your meeting minutes):

In the last letter, I included these payment demands:

Pay me \$100.00 for the trouble you have caused me in having to write this letter.
Pay me \$500.00 in punitive fees for your delinquency.
Send these fees to me via PayPal at christianwolff@harbr-usa.org.

Current Demand for Payment:

Pay me \$200.00 for the trouble you have caused me in having to write this letter.
Pay me \$1,000.00 in punitive fees for your delinquency.
Send these fees to me via PayPal at christianwolff@harbr-usa.org.

Total Payment Due Immediately:

\$1,800.00

This set of demands is not exhaustive and there may be more demands forthcoming as are reasonable.

Request for Records

In lieu of or in addition to immediate publication of referenced OBOP Public Meeting minutes:

Immediately send the delinquent minutes directly to me via email at christianwolff@harbr-usa.org.

Waive any fees.

The only reason I have for requesting these records personally is your delinquency in publishing them to your website where, if timely, I could have accessed them for free.

Thank you.

A handwritten signature in black ink, appearing to read "Carol G. H." with a stylized flourish at the end.