

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

BOARD OF PROFESSIONAL COUNSELORS

333 Willoughby Ave, 9th Floor, Conference Room B
Juneau, AK

August 18, 2015

By the authority of AS 08.065.020 and in compliance with the provision of AS 44.62, Article 6, a scheduled teleconference meeting of the Board of Professional Counselors was held August 18, 2015; 333 Willoughby Ave, 9th Floor Conference Room B Juneau, AK.

Agenda Item 1 - Call to Order/Roll Call

Anne Brainerd called the meeting to order at 2:05 p.m. A quorum of the Board was present.

Anne Brainerd, Chair, Fairbanks
Lyn Tashea, LPC, Anchorage
Stephanie Johnson, LPC, Nome
Debra Hamilton, LPC, Soldotna

Present from the Division of Corporations, Business and Professional Licensing

Renee Hoffard, Licensing Examiner

Ethics Reporting

There were no ethics violations to report for any board members or staff.

Agenda Item 2 – Review Proposed Regulations

Lillian Mitchell, Public Member joined the meeting.

The Board reviewed the written comment concerning the proposed regulations. Chair Brainerd opened the floor for discussion. Chair Brainerd asked if the comment had been received in a timely manner for the other regulations project, the fee setting regulations. Renee stated that yes, Jun Maiquis had provided the comment to Director Janey Hovenden for her review in consideration of the proposed fee changes. The letter was written by Dr. Russ, President of the Alaska Counseling Association, Chair Brainerd asked if Dr. Russ had received a response to the letter; Renee stated that because the letter was written to the Board, the Board could respond to the letter but typically the Division will draft a response to all written comments. Debra Hamilton asked if it would be appropriate to have Lyn Tashea, the Board liaison, respond to the letter on behalf of the Board pending the Board's discussion. During the last board meeting, the Board responded to written comments via the meeting minutes. Chair Brainerd stated that those comments were about regulations the Board was approving; the letter from Dr. Russ primarily pertained to increased fee regulations, for which the Division is responsible. The Board does not have the authority to make the final decision about fee changes. Lyn Tashea stated that the last correspondence that the Board had with AkCA was the letter written after the last board

meeting inviting the AkCA board to attend the September meeting. There has been a change in the office of President of AkCA since that letter was written; AkCA did not respond to that letter. Renee stated that if the Board wanted to send another letter to Dr. Russ, extending the invitation again, there would still be ample time to add AkCA to the agenda of the meeting scheduled in September. That being said, Chair Brainerd stated that she still felt Dr. Russ should receive a response to her letter. Debra Hamilton asked if it would be appropriate for the Board to respond to the letter, answering as many of the questions as possible. Renee stated that - yes – it would be appropriate. The Board asked if the Division had written a letter to all licensees explaining the reasoning behind the proposed fee increases; Renee stated that Director Hovenden had written a letter and that it was mailed to all licensees with the proposed changes. Chair Brainerd suggested that the Board's response to Dr. Russ be written in collaboration with Operations Manager, Sara Chambers so that all of the questions could be answered. Renee stated that she would check with the Division to arrange for a response to be posted on the Board webpage.

Renee stated that a form letter from AkCA had been received during the public comments for the fee increase regulations project. The Division received approximately 50 of the letters, which were all identical, but signed by individual licensees. Chair Brainerd stated that the form-letter had been sent out via AKPA's list serve by Ann Henry and Shirley Durche. Chair Brainerd read the letter to the Board. Lyn Tashea stated she had noticed a post on AkCA's webpage concerning the proposed regulations changes. Chair Brainerd stated she, too, had seen that post and had forwarded it to the Division. She then read the post to the Board but noticed that the posting had changed from the original version. This was confirmed by Renee. The original version was more derogatory of the Board. Debra Hamilton stated she thought that perhaps AkCA felt that the Board had accepted too easily the Division's finding of the deficit without requesting further proof or validation. Chair Brainerd stated that the basic explanation given for the deficit was that the LPC Board actually always had been in a deficit – there had never been a surplus. These findings were not discovered until the 2013 audit was completed. When former Director Haberger explained the deficit to the LPC board at that time, he stated that the numbers formerly published – showing a \$100,000+ surplus – were faulty, and that the Board had been given faulty reports. Due to all of the past history with the budget and the current fee questions – both of which are controlled by the Division - Chair Brainerd stated she felt that the response to the Dr. Russ' letter on behalf of AkCA should be written by the Division. Debra Hamilton stated that she agreed that ownership of the budget audit findings should be with the Division. Renee stated she would contact Sara Chambers and if a response were to be sent, she would send a copy to the Board.

Chair Brainerd asked if all of the Board members had reviewed the regulations and if the Board had any recommended changes. Stephanie Johnson asked if there is a time limit for the retroactive approval of CEU's. Chair Brainerd stated that there is not a specific time limit mentioned but that the Board only approves trainings submitted for the two year license renewal period. Renee stated that per 12 AAC 62.360 (6)(b), "Approval of a continuing education course under this section is valid until December 31 of the next odd-numbered year." That is the most specific time limit and directly correlates with the current renewal cycle.

Lyn Tashea had concerns regarding section (c)(2) – "Submit the continuing education course reapproval fee." She questioned if an individual submits the approval to ensure the course is approved, would they then have to pay the fee for the approval? Renee stated that any licensee can submit the approval and pay the fee for any training they would like to ensure is approved for CEU credits. However, it is rare that individuals submit the approval requests. When they do, it tends to happen as they are near the end of the renewal cycle because they want to ensure they have ample CEUs. The reapproval fee listed in (c)(2) would mainly apply to sponsors that submit multiple approval requests when they request a change to one of the conditions described in (a)(3)-(6). It would be extremely rare for an individual to request a change to a training that they had or were planning to take for credit.

Chair Brainerd asked if the Board had any suggestions for edits to the regulations. Stephanie Johnson expressed concern that it is more difficult in rural areas to attend trainings. Some of the jobs in rural areas do not require licensure so licensees cannot receive training through their employer. That means the licensee is bearing the full cost of obtaining CEUs as well as licensure renewal. Debra Hamilton asked Stephanie if it would make acquiring CEU's more difficult for licensees in rural areas that are working for small agencies to receive approval if the Board approved the CEU fees. Stephanie stated she felt that the Board should be careful in how the verbiage is written so that all are able to understand the changes. Debra stated that the verbiage is the same as the current CEU approval; the only changes are the addition of the fees. The Board decided that the verbiage should remain as written.

ON A MOTION BY DEBRA HAMILTON, SECONDED BY LYN TASHEA, THE BOARD MOVED TO APPROVE THE FOLLOWING REGULATIONS AS WRITTEN. ALL IN FAVOR, NO NAYS.

12 AAC 62.360 Application for continuing education course approval.

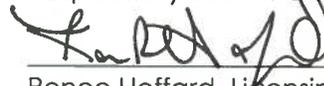
Agenda Item 3 – Board Business

There was no other Board Business to be discussed at this time.

ON A MOTION BY LILLIAN MITCHELL, SECONDED BY STEPHANIE JOHNSON, THE BOARD MOVED TO ADJOURN.

Meeting adjourned at 3:06 p.m.

Respectfully Submitted:



Renee Hoffard, Licensing Examiner



Anne Brainerd, LPC, Chair

9/25/2015
Date