1 2	STATE OF ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
3	DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
4 5	BOARD OF PROFESSIONAL COUNSELORS
6	April 19-20, 2018 MINUTES OF MEETING
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9	By the authority of AS. 08.01.070(2), and in compliance with the provisions of AS
10	44.64, Article 6, a scheduled board meeting was held at 550 W. 7th Ave. Suite 106, Anchorage, Alaska 99501.
11 12	Allehol age, Alaska 99301.
13	Agenda Item 1 - Thursday, April 19, 2018
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15	Agenda Item 2 - Call to order and Roll call Read Chair Rehabitor called the reaction to and a color as
16 17	Board Chair Debra Hamilton called the meeting to order at 9:01 am.
18	Those present, constituting a quorum of the Board:
19	Debra Hamilton, Chair, Licensed Professional Counselor
20	Alice Baum, Licensed Professional Counselor
21 22	S. Kyle Cardwell, Licensed Professional Counselor Janece Richard, Licensed Professional Counselor
22 23	Eleanor Vinson, Public Member
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25	In attendance from the Department of Commerce, Community and Economic
26 27	Development, Division of Corporations, Business and Professional Licensing were:
2 <i>1</i> 28	Rissa Teske, Licensing Examiner
29	Chase Parkey, Records and Licensing Supervisor
30	Melissa Dumas, Administrative Officer (via teleconference)
31	Marylene Wales, Accountant III (via teleconference)
32 33	Nina Akers, Investigator Sonia Lipker, Senior Investigator
34	Autumn Roark, Investigator
35	Shalome Cederberg, Boards & Commissions
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37 38	Members of the public in attendance:
39	None
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41	9:02 am: Brief break to wait for board member Janece Richard.
42	9:22 am: Return and roll call again, all board members and staff present.
43 44	A - Welcome and Brief Introductions
45	Each board member gives a brief introduction of themselves. Board staff introduces
46	themselves. Chair Hamilton welcomes everyone and is happy to have a full board, two
47	new board members and two new staff members.
48 40	Aganda Itam 2 - OnPaged Training
49	Agenda Item 3 - OnBoard Training

Board staff Rissa Teske and Chase Parkey, lead a brief training and overview of the new OnBoard system, how to view the board book, view attachments, review and vote on applications, as well as the location of user guides. Discussion on the different ways to view the board book and use of the annotations functions.

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> 9:35 am - Shalome Cederberg, with Boards & Commissions, briefly joins the meeting to introduce herself and welcome the board.

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Agenda Item 4 - Review & Approve Agenda

Eleanor Vinson recommends for future meetings, that the public comment session be moved to 2 pm, so that it does not immediately follow the lunch break as the lunch break isn't always taken on schedule.

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Division staff Rissa Teske recommended that the board strike the correspondence from the agenda as there is none. Brief discussion on what examples of correspondence are: emails, letters, etc. written to the board.

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UPON A MOTION MADE BY JANECE RICHARD; SECONDED BY ALICE BAUM AND

APPROVED UNANIMOUSLY, IT WAS RESOLVED TO APPROVE THE AGENDA AS

69 AMENDED.

<u>Agenda Item 5 - Board Training and Orientation</u>

Chair Hamilton leads a board training and orientation using AASCB (American 71

Association of State Counseling Boards) website and resources. Chair Hamilton

emphasizes the primary responsibility of the board is protecting the public by 73 74

regulating the profession. Chair Hamilton states that the board licenses individuals so

an individual from the community who accesses their services can trust that they have

been screened and prepared to provide them a good service. The board is responsible for upholding the rules and codes, and has a role to play in investigating allegations of

misconduct and conducting contested case hearings if necessary, to determine if there

has been misconduct. She informed the board that if you receive a call from a public

member regarding a complaint, you must refer them to investigations who will walk

them through the process, as board members cannot comment as an individual. 81 82

Investigations may contact an individual board member as an advisor for a specific case, and if the investigation progresses, it could be brought before the full board for a 83

hearing. The board also manages fiscal needs, which means it has enough revenue to

cover its expenses but it's not a business. The board also identifies statute and 85 86

regulatory changes needed to accomplish the board's mission. The board speaks as

one, all issues should be discussed by the entire board and individuals should not give an opinion for the whole board.

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Agenda Item 6 - Ethics Report

Chair Hamilton reviews what a conflict of interest means for a board member, as this is the time that you can report that. If you think you have a conflict of interest it is best to discuss that with the chair or the licensing examiner ahead of time.

Knowing an applicant is not a conflict of interest but you should recuse yourself from voting, however, you may be required to vote if your vote is needed for a quorum.

Chair Hamilton asks if anyone has any conflicts of interest to disclose, none heard.

Agenda Item 7 - Review & Approve Meeting Minutes

The board reviews the draft minutes of the September 2017 and December 2017 board meetings; the board noted errors in board member names in agenda item number 9 in the September meeting minutes and agenda item numbering errors in the December meeting minutes.

Kyle Cardwell states that just for the board's information, the University of Alaska Fairbanks did get CACREP accreditation. UAF accreditation is effective January 12, 2018, and expires March 31, 2020, for Clinical Mental Health Counseling and for School Counseling.

The board goes into a discussion about ethics, which was brought on by information in the meeting minutes from December 2017. Chair Hamilton asked that we add to the agenda in Old Business to discuss continuing the work the board was doing on ethics.

UPON A MOTION MADE BY KYLE CARDWELL; SECONDED BY ELEANOR VINSON AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO APPROVE THE DECEMBER 2017 BOARD MEETING MINUTES AS AMENDED.

UPON A MOTION MADE BY KYLE CARDWELL; SECONDED BY ALICE BAUM AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO ADD TO THE AGENDA UNDER OLD BUSINESS THE ADDITION OF THE ETHICS REVISION UPDATE.

Eleanor Vinson stated that the board needs a Vice Chair. Chair Hamilton agreed and stated that the role of the vice chair is to moderate the meeting in the absence of the board chair, and they would be the second on the list that investigations might call for investigative questions.

UPON A MOTION MADE BY KYLE CARDWELL; SECONDED BY ALICE BAUM AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO AMMEND THE AGENDA TO ADD TO NEW BUSINESS THE ADDITION OF ELECTING A VICE CHAIR PERSON.

<u> Agenda Item - 8 Investigative Report</u>

Investigator Nina Akers introduces Autumn Roark who is the new investigator assigned to the board and Sonia Lipker introduces herself as the new senior investigator assigned to all of the health care professions. Investigator Akers goes over the investigative report with the board. For the period of November 28, 2017 -March 28, 2018 the division opened two (2) cases; closed three (3) case; and four (4) cases remain open. The program currently has one (l) licensee under probation. Investigator Nina Akers and the board had a discussion about the investigative process, what it means to be the reviewing board member for a case, and who the reviewing board member should go to if you have questions: the investigator or senior investigator. Investigator Lipker adds that when a board member is contacted for a review that board member will get a review worksheet, she asks that the board member makes sure they sign the worksheet and return it to the investigator so that

147 the investigation can move forward. She states that it hasn't been a problem for this particular board. 148 149 Break at 10:40 am 150 151 Return at 10:59 am 152 Agenda Item 9 - Division Update 153 Melissa Dumas, Administrative Officer, and Marylene Wales, Accountant III, join the 154 meeting and provided the division update via teleconference and briefly discussed the 155 budget report. Melissa Dumas stats that the board will have to do another fee analysis 156 in the future, and it's possible that the board will see another fee reduction. 157 158 Agenda Item 12 - Application & CE Audit Review 159 11:08 am - The board begins the application and CE audit review early as they were 160 ahead of schedule and due to the large amount of CE audits that needed review. (60 CE 161 162 audits, 12 licensure applications, 4 CEU provider approval requests, and 2 exam extension requests). 163 164 Agenda Item 10 - Lunch Break 165 166 Break at 11:52 am Return at 1:10 pm. 167 168 169 Agenda Item 11 - Public Comment No public comment 170 171 172 1:15 pm - Continue with Agenda Item 12 - Application and CE audit review. 173 Break at 2:33 pm 174 175 Return at 3:01 pm 176 177 4:55 pm - The board discusses pushing through and finishing up the application review before recessing for the day. Eleanor Vinson brought up that the board needs 178 to talk about changing the law to accept out of state hours for supervision. Chair 179 Hamilton agreed. The board decides to recess and finish application review tomorrow. 180 181 182 Agenda Item 13 - Recess Until April 20 at 9:00 am The board recessed at 4:57 pm until 9:00 am Friday, April 20, 2018. 183 184 Agenda Item 14 185 Friday, April 20, 2018 186 187 Agenda Item 15 - Call to Order and Roll Call Board Chair Debra Hamilton called the meeting to order at 9:05 am. 188 189 190 Those present, constituting a quorum of the board: Debra Hamilton, Chair, Licensed Professional Counselor 191 Alice Baum. Licensed Professional Counselor 192 Kyle Cardwell, Licensed Professional Counselor 193 Janece Richard, Licensed Professional Counselor 194 195 Eleanor Vinson, Public Member 196

In attendance from the Department of Commerce, Community and Economic 197 198

Development, Division of Corporations, Business and Professional Licensing were:

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200 Rissa Teske. Licensing Examiner

Chase Parkey, Records and Licensing Supervisor 201

Sonia Lipker, Senior Investigator 202

Laura Carrillo, Records & Licensing Supervisor (via telephone)

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Agenda Item 16 - Correspondence

No correspondence, struck from the agenda.

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Agenda Item 17 - Old Business

A- Conference Report form FARB

Chair Hamilton leads the board in a review of the Federation of Association of Regulatory Boards (FARB) Report provided by Division staff Renee Hoffard, Records & Licensing Supervisor, who attended the FARB conference but was unable to join the meeting due to a scheduling conflict. The board discussed composite boards and Kyle Cardwell asked if there has been any discussion about composite boards in Alaska. Eleanor Vinson states that there was a discussion about composite boards when the Marriage and Family Therapy board was in great debt, but there was a disagreement and there was no composite board created. The board discussed the North Carolina Dental Board case and the effects that case has had on regulatory boards across the country, boards are now questioning what their jurisdiction is now. Chair Hamilton added that the board's responsibility is to look at the statutes and regulations, sift situations through them and to use them as their guiding principles. Rewriting and reviewing regulations, and reviewing and challenging a statute, are done so the public is best served. Chair Hamilton read through several of the FARB slides pertaining to consolidation of boards and licensing reform and what other states are currently doing. The discussion moved on to interstate compacts and website accessibility. Several board members expressed that information needs to be updated on our website in a timely manner. However, most board members agreed that the website was user friendly. Chair Hamilton asked the board to go onto our website periodically in order to see what could make our website most user friendly and helpful.

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B- Conference report from AASCB

Chair Hamilton shares information she found interesting when she attended the American Association of State Counseling Boards (AASCB) conference. She gives an overview of how counseling and psychology started, really at the same place, but grew apart. She also described how the definition of counseling is still being set as seen by the development of NBCC and CACREP accreditation. She stated that she also found the comparison of counselor supervisor laws and data in all 53 jurisdictions, quite interesting. The study looked at what are the ethical, legal, and training requirements facilitating supervisee development; cultural responsiveness; supervisory understanding; and skills and evaluations. They are still working on data collection for the study, fourteen jurisdictions require the counselor supervision be provided by an appropriately licensed counselor, and many jurisdictions allow for a variety of licensed professionals like Alaska does. During this time the board discussed that Alaska law allows other licensed professionals to supervise counselor applicants, however; other licensed professionals do not allow licensed counselors to supervise them and perhaps rolling that back because telehealth is now a tool that can be used. Chair Hamilton

brings up regulation changes they proposed to the supervisor regulations; honoring supervised hours under a non-Alaska board approved supervisor if the supervisor met the Alaska standard of supervision, increasing the minimum of 6 hours of training required, changing the amount of post licensure experience, adding a requirement of continuing education, changing the supervisor license from a perpetual to requiring a renewal so that the supervisor is proving their competency. There is discussion on why the project hasn't progressed, Eleanor Vinson states that it's because some of the changes will actually take a statute change and the board doesn't have the authority to do that. Kyle Cardwell said he's more concerned with how much training someone has to be a supervisor, not so much with how many years they have had a license. He also adds that he believes the board should add some continuing education requirement in substance use. The board discusses their personal experiences with receiving supervision from licensed professionals in other fields, many stated they could have learned a lot more through the supervision if they had been supervised by an LPC, and ways to change it and make it better.

C - Sunset Audit Update

Chair Hamilton moved on to the board's sunset audit. She shared that every 8 years each board undergoes a review to make sure they are still necessary and viable in serving the public. A year ago February 2017 was the audit of the PCO board, containing an extensive interview and audit of the work of the board. The audit reviewed past minutes, financial records, the board's actions, investigations. interviewed board members, and then made recommendations. Chair Hamilton shared that the prior sunset audit had a few recommendations but in this sunset audit they were pleased with what the board is doing and had no recommendations. She shared the post audit process that the bill goes through with the legislature, HB302, and that she was required to call in and testify during hearings with the house and senate. Kyle Cardwell adds that he looked up the bill's status and it is waiting transmittal to the governor. Chair Hamilton discusses with the board a question that came up during the audit process: who pays for the sunset audit? The board agrees that the significant cost of conducting the audit should not be absorbed by the board, and if that took place the cost would ultimately fall on applicants/licensees through licensing fees. Chair Hamilton stated that there has not been anything put into action yet, but there could be some discussion on the issue in the future with the finance committee. Division Staff Chase Parkey stated that he contacted Deputy Director Sarah Chambers, and she has said it will be fine for Chair Hamilton to speak on behalf of the board regarding their position on the sunset audit.

285 Break at 10:30 am 286 Return at 10:51 am

D - Ethics Discussion

The board moved on and discussed the ethical guidelines that the board uses and adheres to; Chair Hamilton stated that the board voted to use the AMHCA (American Mental Health Counselors Association) guidelines roughly three (3) years ago. There is a discussion about weather AMHCA or ACA (American Counseling Association) better suits the needs of the board. Kyle Cardwell stated that he prefers AMHCA guidelines to ACA guidelines, if the board were to change what they used they would have to change regulation again. Chair Hamilton asks for input from investigations on what they think of the board's code of ethics. As the board waited

for an investigator to join the meeting they discussed the main premises for wanting to move away from ACA; the language was too restrictive and not giving clinicians enough room to work within their conscience, conflicts with faith based perspective, end of life issues.

At 11:09 am Senior Investigator, Sonya Lipker joins the meeting and discussed with the board that her job is to gather the facts, present the facts to the board, and the board makes the decision if there is a violation. Having a more vague code of ethics doesn't help or hinder her in doing her job. She discussed with the board that confidentiality ranks at the top of the violations, then dual relationships, and then boundary violations. At 11:19 am Senior Investigator Sonia Lipker leaves the meeting. The board discussed having to update the regulations to reflect the most recent version of the AMHCA code of ethics to read 2015 instead of 2010. Chair Hamilton brings up that the board should talk with the president of AMHCA and asked Division Staff Rissa Teske to contact the AMHCA president and invite him/her to talk with the board. There is a discussion about who would be the best person to contact as Kyle Cardwell finds that they have an ethics board. Chair Hamilton asked for a volunteer to look at the code of ethics for NBCC, AMHCA, and ACA for their record keeping. Kyle Cardwell volunteered to look at confidentiality, records, and boundaries in NBCC, AMHCA, and ACA ethics and will bring that to the next meeting.

 UPON A MOTION MADE BY KYLE CARDWELL; SECONDED BY ELEANOR VINSON AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO APPROVE BOARD CHAIR DEBRA HAMILTON CONTACTING A REPRESENTATIVE AND/OR SENATOR TO ADVOCATE ON BEHALF OF THE BOARD REGARDING THEIR POSITION ON THE FUTURE FISCAL RESPONSIBILITY FOR THE SUNSET AUDIT.

Agenda Item 18 - New Business

A- Annual Report

Chair Hamilton led the board in a discussion of the Annual Report. They discussed changes to the dates, and changes to the narrative statement. Chair Hamilton would like to table working on the annual report until paper copies can be printed.

<u>B - Telemedicine Business Registry</u>

The board moved on to discuss the Telemedicine Business Registry (TBR) and what businesses are required to register. Division Staff Chase Parkey contacted Division Staff Laura Carrillo who joins the meeting by teleconference to discuss TBR. Laura Carrillo had two main questions for the board: First, does the PCO board have any concerns about knowing who is providing telemedicine services as a professional counselor? (She stated that she has no process of notifying boards when a licensee is able to successfully register.) And secondly, does the board have any requirements for Professional Counselor licensees who want to provide telehealth, and does the board have plans to provide training before telehealth services are provided? Laura Carrillo shared that the Marital and Family Therapy board had been discussing a 15 hour training requirement, which had been recommended by their national association. Chair Hamilton stated that the regulations the board wrote in response to SB 74 a couple of years ago, include requirements for training. The board discussed with Laura Carrillo which businesses are required to register, and Kyle Cardwell asked if tribal organizations were excluded from the registry, which Laura Carrillo answered that she didn't believe there were any exclusions at this time. The board discussed

with her some general questions about the TBR application, and Laura Carrillo suggested the board may want to keep an internal list to keep track of who is registered to practice telemedicine. Chair Hamilton agreed that they need to have some kind of confirmation that the licensee has complied with this, and brought up again putting a notification on the renewals. The board discussed that there are two issues here, one is with the business end of it with the business registry and the other is with managing compliance with the board's regulations.

355 Break for lunch at 12:25 pm

356 Return at 1:44 pm

The board discussed tabling agenda item 18B-Telemedicne Business Registry, until the next meeting when they would be able to further discuss it as well as look at the regulations that are currently written in response to SB 74 and are currently under revision.

UPON A MOTION MADE BY ALICE BAUM; SECONDED BY KYLE CARDWELL AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO TABLE AGENDA ITEM 18B UNTIL THE NEXT BOARD MEETING FOR FURTHER DISCUSSION.

C - Election of Vice Chair

The board discussed electing of a Vice Chairperson. Both Alice Baum and Kyle Cardwell were nominated, Alice Baum withdrew her name from consideration.

UPON A MOTION MADE BY JANECE RICHARD; SECONDED BY ELEANOR VINSON AND PASSED UNANIMOUSLY, IT WAS RESOLVED THAT KYLE CARDWELL BE ELCECTED VICE CHAIR.

D -Information to Board regarding upcoming Licensure changes

Division Staff Chase Parkey informed the board of the upcoming Division wide changes for online licensing and renewals which will go into effect on Monday April 23, 2018.

Agenda Item 18A - Annual Report

The board returned to work on agenda item 18A, the Annual Report and discussed future goals and objectives, upcoming conferences and who is available to attend. The board also discussed ranking national conferences in order of importance.

- CLEAR, September 26-29, 2018; Eleanor Vinson
- AASCB, January 7-8, 2019; Debra Hamilton & Kyle Cardwell
- FARB, January 24-27, 2019; Alice Baum & Janece Richard
- ACA, March 27-31, 2019; Janece Richard
- NBCC, 2019; Janece Richard & Eleanor Vinson

Agenda Item 19 - Board Administration Business

B - Schedule/Confirm Meetings

The board confirmed the following meeting dates for the upcoming year:

- July 13, 2018, Teleconference, 9 am 1 pm.
- September 13-14, 2018; Anchorage
- February 7-8, 2019; Juneau
- April/May (spring); Wasilla/Peninsula Tentative

397	C - Sign Wall Certificates and Final Minutes
398	Wall certificates and final meeting minutes were signed by the board.
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400	Break at 3:07 pm
401	Return at 3:27 pm
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403	UPON A MOTION MADE BY KYLE CARDWELL; SECONDED BY ELEANOR VINSON
404	AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO ENTER INTO EXECUTIVE
405	SESSION IN ACCORDANCE WITH AS 44.62.310(C), AND ALASKA CONSTITUTIONAL
406	RIGHT TO PRIVACY PROVISIONS FOR THE PURPOSE OF DISCUSSING SUBJECTS
407	THAT TEND TO PREJUDICE THE REPUTATION AND CHARACTER OF ANY PERSON,
408	PROVIDED THE PERSON MAY REQUEST A PUBLIC DISCUSSION. BOARD STAFF
409	RISSA TESKE AND CHASE PARKEY TO REMAIN IN THE ROOM.
410	
411	Off record at 3:28 pm
412	Back on record at 4:39 pm
413	LIBON A MOTION MADE BY FLEANOR MINION, CECONDED BY LANGER BIGHARD
414	UPON A MOTION MADE BY ELEANOR VINSON; SECONDED BY JANECE RICHARD
415 416	AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO APPROVE THE FOLLOWING LIST OF APPLICATIONS WITH THE STIPULATION THAT THE INFORMATION IN THE
417	APPLICATIONS WITH THE STIPULATION THAT THE INFORMATION IN THE APPLICANTS FILES WILL TAKE PRECEDENCE OVER THE INFORMATION IN THE
417	MINUTES.
419	PHACTES:
420	Professional Counselor Supervisor
421	Ann Sterle
422	Cassandra Rense
423	Frank Ponziano
424	Jenna Hiestand
425	J 5 111
426	Exam Extension
427	Dinetta Morris
428	Stephanie Morse
429	
430	<u>Professional Counselor – Exam</u>
431	Christina Ropp
432	Erin Maloney-Saggiomo
433	
434	<u>Professional Counselor - Credentials</u>
435	Christina Hommel
436	Dusty Naranjo
437	Heidi Kinsella
438	Kathleen Ferrara
439	Robin Base
440	Patrick McMahon
441 442	CEU Approvals
442	JAMHI - History & Hope
444	Juneau Suicide Prevention
445	Northstar - Finding Self Again
446	Northstar - Suicide
	PCO DRAFT Meeting Minutes April 2018

(4/19-20/18)

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448 Audits

449 Andrea Axelson

450 Alyssa Jones

451 Alexandra Lorian

452 Anne Norton

453 Allison Wilson

454 Casey Odell

455 Christy Smith

456 Colleen Torrence

457 Deborah Bannan

458 Darlene Boskoffsky

459 Desiree Niederer

460 Dallas Norman

461 Deborah Spira

462 Eden Lunsford

463 Gregory Galanos

464 Gladys Robards

465 Josephine Barry

466 Julia Jackson

467 Joseph Nowell

468 John Raasch

469 Kacea Bjork

470 Katie Kowalchuk

471 Kelvin Pace

472 Kristin Wolf

473 L. Brie David

474 Lynda Freeman

475 Lynn Paterna

476 Lisa Root

477 Linda Sheets

478 Maria Calhoun

479 Mary McDonald

480 Mary Palko

481 Mary Snider

482 Melissa Swan

483 Mary Teachout

484 Megan Wilts

485 Meghan Yarmak

486 Nikki Linquist

487 Paul Beals

488 Paul Ingram

489 Rocio Baquerizo

490 Rebecca Love

491 Sharon Fleck

492 Samantha Funk

493 Shana Hamilton

494 Sayaka Maas

495 Samantha McMorrow

496 Tamara Matlock

PCO DRAFT Meeting Minutes April 2018 (4/19-20/18)

497	Tracie Meaders				
498	Rebekah Burket				
499	Amy White				
500	Darcy Logan				
501	Debra Terry				
502	John Fugett				
503	Sharon Fishel				
504	Chris Cavanaugh				
505	Brandi Askeland				
506	Grace Ferreira				
507	Anne Nytes				
508	Micki Halloran				
509					
510	At this time the Board concluded all sch	neduled Board business.			
511					
512	UPON A MOTION MADE BY KYLE CARDWELL; SECONDED BY JANECE RICHARD				
513	AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO ADJORN.				
514	•	•			
515	Chair Hamilton adjourned the meeting	at 4:44 pm			
516	•	•			
517					
518					
519		Respectfully Submitted:			
520					
521					
522		Trick			
523		Rissa Teske, Licensing Examiner			
524					
525					
526		Approved:			
527					
528		$\bigcap_{\alpha} A = A = A$			
529		Nella Hamilton			
530		Debra Hamilton, Board Chair,			
531					
532		Q 111 1C1			
533		9-14-18			
534		Date			

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