

1 State of Alaska
2 Department of Commerce, Community and Economic Development
3 Division of Corporations, Business and Professional Licensing
4

5 Alaska Board of Professional Counselors
6 May 9, 2019 Meeting Minutes
7

8 The staff of the Division of Corporations, Business and Professional Licensing
9 prepared these draft minutes. They have not been reviewed or approved by the
10 Board.
11

12 By authority of AS 08.01.070(2), and in compliance with the provisions of AS
13 44.62, Article 6, a scheduled meeting of the Board of Professional Counselors
14 was held via video conference through zoom, and at the State Office Building,
15 9th floor conference room B in Juneau, Alaska, on May 9, 2019.
16

17 **Agenda Item 1** Call to Order/Roll Call **Time: 9:23 a.m.**
18

19 The **May 9, 2019** meeting day was called to order by Chair, Debra Hamilton at 9:23 a.m.
20

21 Board members present, constituting a quorum:
22

23 Debra Hamilton, Licensed Professional Counselor - *Chair*
24 Alice Baum, Licensed Professional Counselor (Joined at 9:45)
25 Janece Richard, Licensed Professional Counselor
26 Eleanor Vinson, Public Member
27

28 Division staff present:
29

30 Andy Khmelev, Occupational Licensing Examiner
31 Renee Hoffard, Records and Licensing Supervisor
32 Erika Priekstat, Investigator
33 Greg Francois, Chief Investigator
34 Marylene Wales, Accountant III
35

36 Board members absent:
37

38 Steven Kyle Cardwell, Licensed Professional Counselor (Excused)
39
40
41
42
43

44 **Agenda Item 2** **Review/Approve Agenda**

45

46 On a motion duly made by Janece Richard, seconded by Eleanor Vinson, and
47 approved unanimously, it was

48

49 **RESOLVED** to approve the agenda for the May 9, 2019 meeting as amended
50 with Board Training replacing the Legislative Update for item 11 due to
51 unavailability of Director Chambers.

52

53

	APPROVE	DENY	ABSTAIN	ABSENT
54 Debra Hamilton	x			
55 Alice Baum				x
56 Kyle Cardwell				x
57 Eleanor Vinson	x			
58 Janece Richard	x			

59

60 The motion passed with no further discussion.

61

62 **Agenda Item 3** **Ethics Report**

63

64 The board then moved on to addressing ethics, however, there were no ethics disclosures to
65 report.

66

67 **Agenda Item 5** **Public Comment**

68

69 As of 9:27 a.m., Chair Hamilton stated that the phones have been open and there were no
70 requests to provide public comment made. The phones remained open for public comment
71 until 10:00 a.m. with no calls or public appearances made.

72

73

74 **Agenda Item 6** **Old Business**

75

76 Chair Hamilton proceeded to discuss old business. She had some updates from the NBCC
77 as she has been in communication with them. The NBCC conference will be on August 7-9,
78 2019 and it will be in Washington DC and not North Carolina. At the prior meeting, the
79 board determined that board chair Hamilton and board member Eleanor Vinson would
80 attend the conference. The NBCC is set to pay for airfare, lodging, and meals at the
81 conference for two individuals. The meals to and from the conference are up to the traveler,
82 however chair Hamilton stated that she was alright with that. Chair Hamilton requested staff
83 member Andy Khmelev to submit the travel requests.

84

85 **Agenda Item 4** **Review & Approve Minutes from February 2019**

86

87
88 On a motion duly made by Janece Richard, seconded by Eleanor Vinson, and
89 approved unanimously, it was

90
91 **RESOLVED** to approve the minutes from the February 7-8, 2019
92 teleconference as amended.

93

	APPROVE	DENY	ABSTAIN	ABSENT
94 Debra Hamilton	x			
95 Alice Baum				x
96 Kyle Cardwell				x
97 Eleanor Vinson	x			
98 Janece Richard	x			

100
101 The motion passed with no further discussion.

102
103 **Agenda Item 12 Tabled Application Review**

104
105 Due to being ahead on the agenda, the board decided to make use of the spare time and
106 review some of the tabled applications and exam extension requests prior to starting the
107 investigative report.

108
109 **Alice Baum** joined meeting at 9:45 a.m.

110
111 On a motion duly made by Eleanor Vinson, seconded by Janece Richard, and
112 approved unanimously, it was

113
114 **RESOLVED** to grant an exam extension for applicant K.K. for an additional
115 two years per 12 AAC 62.110(d).

116

	APPROVE	DENY	ABSTAIN	ABSENT
117 Debra Hamilton	x			
118 Alice Baum	x			
119 Kyle Cardwell				x
120 Eleanor Vinson	x			
121 Janece Richard	x			

122
123
124 The motion passed with no further discussion.

125
126 On a motion duly made by Janece Richard, seconded by Alice Baum, and approved
127 unanimously, it was

128

129 **RESOLVED** to grant an exam extension for applicant A.H. for an additional
130 two years per 12 AAC 62.110(d).

131

	APPROVE	DENY	ABSTAIN	ABSENT
132				
133	Debra Hamilton	x		
134	Alice Baum	x		
135	Kyle Cardwell			x
136	Eleanor Vinson	x		
137	Janece Richard	x		

138
139 The motion passed with no further discussion.

140
141 **Janece Richard exited meeting at 9:50 a.m.**

142
143 *Off record for break at 9:50 a.m.*

144 *Back on the record at 9:59 a.m.*

145
146 **Agenda Item 7 Investigative Report**

147
148 Prior to beginning the investigative report, Chair Hamilton requested a roll call. Board
149 members Debbie Hamilton, Eleanor Vinson, and Alice Baum were present with Janece
150 Richard and Kyle Cardwell absent.

151
152 Investigator Erika Priekstat and Chief Investigator Greg Francois joined the meeting via
153 phone. The report ranged from 1/24/19-4/23/19, with four cases closed and ten cases
154 opened. One case recently closed, and there are thirteen cases open at this time.

155
156 Board members were satisfied with the report and wished to proceed to agenda item 8 for
157 the investigative training.

158
159 **Agenda Item 8 Investigative Training**

160
161 **On a motion duly made by Eleanor Vinson and seconded by Alice Baum in**
162 **accordance with AS 44.62.310(c)(3), the board unanimously moved to enter executive**
163 **session for matters which by law, municipal charter, or ordinance are required to be**
164 **confidential.**

165
166 Staff members Andy Khmelev, Erika Priekstat, and Greg Francois were authorized to
167 remain in the room.

168
169 *Off the record for executive session at 10:04 a.m.*

170 *Back on record at 11:06 a.m.*

171

172 **Agenda Item 9 Division Update**

173
174 Upon return from executive session, Chair Hamilton requested a roll call. Board members
175 Debbie Hamilton, Eleanor Vinson, and Alice Baum were present. Kyle Cardwell and Janece
176 Richard were absent.

177
178 Marylene Wales, an Accountant III for the division entered the room to deliver a
179 presentation about the 3rd quarter for FY19. The total licensing revenue is \$61,385 with no
180 third party reimbursements. The expenditures for the program are as follows:

- 181
182 \$65,040 – Personal Services
183 \$70,583 – Direct Expenditures
184 \$39,668 – Indirect Expenditures
185 \$\$110,866 – Total Expenditures

186
187 For the 3rd quarter the program is faced with a \$48,866 deficit, and the cumulative surplus
188 for the program is \$226,835.

189
190 **Agenda Item 13 Review Correspondence**

191
192 Due to being ahead of schedule, prior to breaking for lunch chair Hamilton wished to go
193 over the correspondence received from Richard Powell, who is a member of AMHCA. Mr.
194 Powell sent an email about a statement made in the minutes from the meeting on 12/14/18.
195 Since the minutes were already voted on to be approved, it is not possible to alter them as
196 written.

197
198 Staff supervisor Renee Hoffard then advised that the best course of action would be for the
199 board to have a motion to add the letter from Mr. Powell to the minutes from the December
200 teleconference with his contact information redacted as a clarification.

201
202 **On a motion duly made by Alice Baum, seconded by Eleanor Vinson, and approved**
203 **unanimously, it was**

204
205 **RESOLVED to attach letter from Richard Powell to the meeting minutes from**
206 **December 14, 2018 as an addendum for clarification.**

207
208

	APPROVE	DENY	ABSTAIN	ABSENT
209 Debra Hamilton	x			
210 Alice Baum	x			
211 Kyle Cardwell				x
212 Eleanor Vinson	x			
213 Janece Richard				x

214

215 The motion passed with no further discussion.

216

217 **Agenda Item 12 Tabled Application Review**

218

219 Chair Hamilton wished to review a tabled application prior to going to lunch.

220

221 **On a motion duly made by Eleanor Vinson, seconded by Alice Baum, and approved**
222 **unanimously, it was**

223

224 **RESOLVED to approve application for L.F. pending board accepting her**
225 **request for extension of exam per 12 AAC 62.110(d) with an acceptance of**
226 **petition deadline of 4/18/20.**

227

	APPROVE	DENY	ABSTAIN	ABSENT
228 Debra Hamilton	x			
229 Alice Baum	x			
230 Kyle Cardwell				x
231 Eleanor Vinson	x			
232 Janece Richard				x

233

234 The motion passed with no further discussion.

235

236 **On a motion duly made by Alice Baum, seconded by Eleanor Vinson, it was**

237

238 **RESOLVED to approve application for J.H. pending receipt of licensing fee**
239 **based on applicant having 60 credits.**

240

	APPROVE	DENY	ABSTAIN	ABSENT
241 Debra Hamilton		x		
242 Alice Baum		x		
243 Kyle Cardwell				x
244 Eleanor Vinson		x		
245 Janece Richard				x

246

247 Motion failed with an ensuing discussion.

248

249 Upon the ensuing discussion, the board members determined that the applicant may be six
250 credits shy of having 60 graduate hours in counseling or a related field. The board then
251 tasked Examiner Andy Khmelev with sending the applicant a letter requesting either six
252 additional credits in counseling, or to explain how the University of Missouri "Intro to
253 Professional Counseling" differs from "Theories in Counseling" and "Foundations in
254 Counseling" from Webster University. The applicant will also need to provide a class
255
256

257 description from the University of Missouri class “Foundation of Education” to see if it
258 relates to counseling at all. The board will then review the application upon arrival or
259 supplemental documents.

260

261 *Off the record at 12:25 p.m. for lunch*

262 *Back on record at 1:03 p.m.*

263

264 **Agenda Item 11 Board Training**

265

266 Upon return from lunch, the board did a roll call with Debbie Hamilton, Janece Richard,
267 Alice Baum, and Eleanor Vinson present. Kyle Cardwell remained absent. The meeting was
268 also joined by staff supervisor Renee Hoffard, who proceeded to give the board a
269 presentation on boards and how they work.

270

271 The training included the description of a board, board structure, etiquette, and the
272 procedure they have to follow. Discussion ensued on what it takes to successfully serve on a
273 regulatory board, as well as how the process can become detrimental if the procedures and
274 code of conduct are not followed. Staff supervisor Hoffard also provided the Roberts Rule
275 of Order Motions chart which outlines the proper language that needs to be used in making
276 motions. Board members were provided self-evaluation forms so that they can evaluate how
277 this meeting went, as well as themselves and how they perform as members of the board.

278

279 **Agenda Item 12 Tabled Application Review**

280

281 The remaining application for J.L. remained under question because the board was unsure
282 whether or not she had a license for counseling in the United Kingdom, or whether it was a
283 psychologist license. There was also the question of whether she was licensed or
284 “registered”, depending on how they call licensing in the UK. If she was indeed a licensed
285 counselor in the United Kingdom, then it’s a question of how many hours of supervision she
286 would have had while abroad. If the hours don’t match up with Alaska requirements, the
287 applicant may have to apply via examination instead of credentials, as the applicant does
288 have the NCE exam complete.

289

290 The board tasked Examiner Andy Khmelev with obtaining more information from the
291 applicant. If the applicant is to continue to apply via credentials, then she will need to
292 provide the licensure requirements from her jurisdiction in the UK showing that the
293 requirements are compared to the Alaska requirements per 12 AAC 62.130. If the applicant
294 chooses to change the application to the exam option, she will need to provide proof of
295 hours of supervision from her time working as a counselor in Alaska.

296

297 Examiner Andy Khmelev will be sending the letter after the board meeting.

298

299 **Agenda Item 13 Review Correspondence**

300

301 Upon finishing all the tabled applications, the board returned to reviewing correspondence.
 302 FARB (Federal Association of Regulatory Boards) sent in a registration form and a
 303 conference sign up. The board discussed the pros and cons of joining registering for FARB.
 304 Board member Eleanor Vinson stated that while it is a good idea to sign up for FARB, being
 305 members of AASCB is more important. Chair Hamilton agreed that the AASCB conference
 306 is priority.

307
 308 The board then discussed memberships for both FARB and for AASCB. Board members
 309 emphasized that attending the conference for AASCB would be beneficial, therefore it
 310 would be good to register as members. Discussion ensued as to what kind of membership to
 311 register for, regular or enhanced membership. Due to costs, Chair Hamilton suggested
 312 registering for conference, and if travel is approved then to select membership, however
 313 board member Vinson indicated that you may have to be a member of AASCB to attend the
 314 conference to begin with.

315
 316 Examiner Andy Khmelev confirmed with staff supervisor Renee Hoffard that an enhanced
 317 membership isn't even an option anymore.

318
 319 **On a motion duly made by Janece Richard, seconded by Alice Baum, and approved**
 320 **unanimously, it was**

321
 322 **RESOLVED to apply for membership with AASCB.**

	APPROVE	DENY	ABSTAIN	ABSENT
325 Debra Hamilton	x			
326 Alice Baum	x			
327 Kyle Cardwell				x
328 Eleanor Vinson	x			
329 Janece Richard	x			

330
 331 Motion passed with no further discussion. The board decided not to apply for FARB at this
 332 time. The matter may be re-opened in the future.

333
 334 **Agenda Item 14 New Business**

335
 336 Chair Hamilton may be interested in having the board create a matrix for decision making,
 337 much like the one that staff supervisor Renee Hoffard showed during her board training.
 338 Chair Hamilton suggested that maybe review what kind of decision making matrix other
 339 board members use, and also ask Investigator Priekstat what kind of disciplinary actions are
 340 common to the program.

341
 342 **Agenda Item 15 Annual Report**

343

344 It was discussed in detail at the previous board meeting. At this time, all that needs to
345 happen is for Chair Hamilton to put it together. Examiner Andy Khmelev had already sent
346 Chair Hamilton a template for the report.

347

348 **Agenda Item 16 Board Admin Business**

349

350 With scheduling meetings, staff supervisor Renee Hoffard suggested the board pick a
351 month, and the examiner will coordinate the best dates in order to not conflict with other
352 licensing programs who may have board meetings at the same time. The board agreed on
353 September, with September 19-20 being the primary dates, and September 26-27 being the
354 secondary dates.

355

356 The board also discussed having a zoom meeting on a Friday in December, preferably
357 December 6th, as it lessens the likelihood that board members and staff being on leave for
358 holidays.

359

360 Per the task list, the examiner is tasked with submitting a travel request for the NBCC
361 conference, contacting the investigator and requesting information on prior common
362 disciplinary actions (the last 5 or 10), send letters to the tabled applicants, and to apply to
363 AASCB. The board chair is tasked with finalizing the annual report.

364

365 **On a motion duly made by Alice Baum, seconded by Janece Richard, and approved**
366 **unanimously, it was resolved to adjourn the meeting as of 3:13 pm on 5/9/2019.**

367

368 *Off the record at 3:13 p.m.*

369

370

371

372 Andy Khmelev, Occupational Licensing Examiner

Date

373

374

375

376 Debra Hamilton, Board of Professional Counselors Chair

Date

9/20/19

9-20-19