

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
BOARD OF PROFESSIONAL COUNSELORS
January 27-28, 2011

Minutes of Meeting

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 08.95.020, Article 1, a scheduled meeting of the Board of Professional Counselors was held January 27-28, 2011, in Anchorage, Alaska.

Thursday, January 27, 2011

Call to Order/Roll Call

Board Members Present and constituting a quorum of the Board were:

Shawnie Olson, Chairperson, Licensed Professional Counselor – Homer
Jennifer Burkholder, Licensed Professional Counselor – Anchorage
Lillian Mitchell, Public Member – Anchorage
Ray DePalatis, Licensed Professional Counselor – Anchorage
Emily Zimbrich, Licensed Professional Counselor – Haines

Attending at various times from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing was:

Eleanor Vinson, Licensing Examiner
David Newman, Investigator
Gary Keiser, Investigator
Peggy Weaver, Investigator (by telephone)

Agenda Item 1 – Review Agenda

The Board Chair added the more correspondence to the agenda:

Upon a motion by Emily Zimbrich and seconded by Jennifer Burkholder, and approved unanimously, it was

RESOLVED to accept the agenda as amended.

Agenda Item 2 – Review Minutes

The minutes from the January 10, 2011 teleconference meeting were discussed.

Upon a motion by Jennifer Burkholder and seconded by Lillian Mitchell, and approved unanimously, it was

RESOLVED to accept the January 10, 2011 teleconference minutes as amended.

The September 16-17, 2010, meeting minutes were discussed.

Upon a motion by Jennifer Burkholder and seconded by Lillian Mitchell, and approved unanimously, it was

RESOLVED to accept the September 16-17, 2010 minutes as amended.

Agenda Item 3 – AKCA Liaison Report

Jennifer Burkholder is the Board Liaison with the Alaska Counseling Association and updated the Board on what the Association was doing. The AKCA will continue to provide continuing education opportunities; continue to meet monthly by including a teleconference option; have ACA review the bylaws; and improve web presence.

Chair Olson voiced concern regarding the Professional Counselor's association combining with the MFT association to present the coming year's conference.

Agenda Item 4 – Investigator's Report

Investigator Newman introduced the Board's new Investigator, Gary Kaiser, who gave his report to the Board. There are three open complaints; one closed since last meeting. There are two open investigations. Two complaints/investigations have been closed since the last meeting.

Upon a motion by Jennifer Burkholder and seconded by Ray DePalatis, and approved unanimously, it was

RESOLVED go into executive session under authority of AS 44.62.310 in order to discuss case number 2010-000581.

Into Executive Session 11:12 am

Out of Executive Session 11:30 am

Agenda Item 5 – Conference Reports

A. ASWB/AKCA Conference

Board member Zimbrich attended the conference in Fairbanks. It was a combination of the state Social Workers' Association and the state Counselors' Association.

She reported it was worth-while and there were exceptionally good speakers, but the emphasis is on the social workers, not counselors; few counselors attended.

B. AASCB report

Staff Vinson had attended the American Association of State Counseling Boards' conference.

The main concern brought up in the conference that may affect licensing in Alaska is the fact that some states will no longer accept education that is not CACREP (Council for Accreditation of Counseling and Related Educational Programs) approved, including license by credential. Alaska does not require CACREP approval; in fact, Alaska has higher requirements than CACREP (60 vs 48 graduate hours). This could cause future problems for those licensed in Alaska trying to become licensed in some other states.

Agenda Item 6 – Public Comment

Anne Henry, LPC, spoke regarding distance counseling. Some insurance companies operating within the State of Alaska refuse to reimburse for psychotherapy when it is delivered other than in person. There is a multi-disciplinary group working to develop Alaska-oriented basic guidelines for non-face-to-face psychotherapy. Once a document has been completed, it will be distributed to all of the mental health licensing boards, and various mental health associations for feedback.

When completed and approved by the above groups, it is assumed that there will be a statewide effort put forth by the mental health providers, associations and others to encourage legislation that will mandate reimbursement for non-face-to-face mental health/behavioral health treatment within the state.

Ms. Henry also noted that she was disturbed by a newspaper article in which the Division of Corporations, Business, and Professional Licensing was praised regarding moving the Division from consumer protection to economic development.

She was also confused by the division's apparent disregard for the need of the licensing board to be kept abreast of national issues and opportunities. When the cost of licensing and consumer protection is paid for by licensees, it is the duty of division to promote healthy and informed boards. That the division is severely restricting travel to national conferences interferes with maintaining a top notch professional board. Attending a national conference on occasion is also the only potential compensation for active board members. Eliminating those opportunities means there is less incentive to become a board member and less opportunity for Alaska to stay abreast of national LPC issues.

Agenda Item 7– New Business

A . License by Credential/Discrepancies

There was discussion regarding license by credential applications who do not have a 60 graduate semester hours. It was noted that with our transitional licenses, Alaska did not require 60. There is a question on whether or not an applicant by credential must have the 60 graduate credits. The Board has also considered post-licensure experience when the applicant's license was similar. Board decisions are based on:

Sec. 08.29.120. Licensure by credential. (a) Except as provided in (b) of this section, the board may issue a license under this chapter to a person who is licensed in another jurisdiction to practice professional counseling if the board finds that the other jurisdiction has substantially the same or higher licensure requirements as this state.

The Board will continue to review on a case-by-case basis.

B. License by credential/MFT & CSW

There was discussion regarding whether or not to change the statute/regulations concerning license by credentials so you must be a Licensed Professional Counselor to obtain an LPC license. The statute says, as part of the requirement to licensure, that you must be “licensed in another jurisdiction to practice professional counseling”.

There was also discussion to change license by examination requirements. The statute refers to “an earned ... degree in counseling or a related professional field”, which is defined in regulation as: “includes psychology, marital and family therapy, social work, and applied behavioral science”

The Board feels that public protection is in question when “related professional field” remains in the statute. There is a question of what is the foundational education of the people the Board is allowing to obtain a Professional Counselor license.

There was discussion regarding changing what professionals will be allowed to continue being supervisors.

The Board will continue discussion regarding changing the statute concerning licensure by credential and examination at the next meeting.

C. Mail-outs

There was discussion on whether or not to review applications at only meetings and not with mail out ballots. The Board decided to continue using some mail out ballots.

D. Practice statute

The Board discussed other boards’ practice protection. This will be continued to the next meeting.

Agenda Item 7 – Application Review/CEU Audit

The Board reviewed thirty-five applications/audits.

Upon a motion by Jennifer Burkholder and seconded by Emily Zimbrich, and approved unanimously, it was

RESOLVED go into executive session under authority of AS 44.62.310 in order to discuss applications.

Into Executive Session 3:15 pm

Out of Executive Session 3:30 pm

Upon a motion by Emily Zimbrich and seconded by Jennifer Burkholder, and approved unanimously, it was

RESOLVED to approve the following applications/audits:

PC BY EXAMINATION

GUZMAN, LISA
MILLS, SARAH
NAUSKA, GAIL
PHILLIPS, PAULA
TAKAO, KELLY
WILLIAMS, LARRY

PC BY EXAMINATION – PENDING

HALL, VAN
LAWSON, HOLLY
LUBITSH, TAMAR
MCFARLIN-PRESSLEY, TRACY

PC BY CREDENTIALS

RICHARDS, MARIKA
MACNAMARA, TERRENCE
WILLIAMS, GARY A.

PC BY CREDENTIALS – PENDING

NIKONIUK, PREMLATA
SCHMIDT, LEE ANNE
WILLIAMSON, KELLY

PROFESSIONAL COUNSELOR SUPERVISOR

GUSTAFSON, RICHARD
JUDD, CONNIE
MCCARTY, KENNITH
MURPHY, MICHAEL
STUIVE, CHRISTINA
TESSUM, BEE
WELDY, ROBERT

CONTINUING EDUCATION AUDITS

BARRY-THOMASON, RACHEL
MORTON, PAUL

CONTINUING EDUCATION PROVIDERS APPROVAL

CHILKAT COUNSELING & CONSULTING
Co-occurring Disorders: Integrated Services & Treatment

UAF ALASKA RURAL BEHVIORAL HEALTH TRAIING ACADEMY
Ethics in Clinical Supervision

The meeting adjourned at 5:00 pm until January 28, 2011, at 9:00 am.

Friday, September 17, 2010

Call to Order/Roll Call

Board Members Present and constituting a quorum of the Board were:

Shawnie Olson, Chairperson, Licensed Professional Counselor – Homer
Jennifer Burkholder, Licensed Professional Counselor – Anchorage
Emily Zimbrich, Licensed Professional Counselor – Haines
Ray DePalatis, Licensed Professional Counselor – Anchorage
Lillian Mitchell, Public Member – Anchorage

Attending at various times from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing was:

Eleanor Vinson, Licensing Examiner
Katherine Mason, Administrative Officer (by telephone)

Agenda Item 9 – Budget Report

Administrative Officer Cathy Mason reported to the Board on their budget. The goal of the department is to bring down the roll-forward amounts. It was noted that the Board remains concerned about legal costs during this renewal period. At this time, there is a roll-forward amount of \$92,000.00.

Agenda Item 11 – Regulations

A. 12 AAC 62.120 Approved Degrees

The Board previously discussed that they are concerned that applicants are not getting training in ethics before they begin practicing. They wish to add that an applicant must have a minimum of three graduate level credits in ethics before they may become licensed. They are changing the regulation to reflect the requirement of ethics credits.

They reviewed the changes as presented by the regulations specialist and voted to accept it and have it public noticed with the starting date changed from Oct 1, 2011 to Feb 1, 2012, as they felt the October date was too soon and could be a burden for some applicants.

Upon a motion by Emily Zimbrich and seconded by Lillian Mitchell, and approved unanimously, it was

RESOLVED to change accept the changes to 12 AAC 62.120 as presented, with an amended date change from October 1, 2011 to February 1, 2012, and have public noticed.

B. 12 AAC 62.100 & 12 AAC 62.200

This was an FYI update regarding previous changes.

C. 12 AAC 62.341

The Board of Professional Counselors had addressed the possibility of extraordinary hardships in obtaining continuing education contact hours for license reinstatement. The revised regulations returned for further action with the changes.

Upon a motion by Jennifer Burkholder and seconded by Emily Zimbrich, and approved unanimously, it was

RESOLVED to accept the amended/addition of 12 AAC 62.350 as written and to direct the Regulations Specialist to have it public noticed.

Agenda Item 12 – Correspondence

A. Sharon Bauer – distance supervision

Ms. Bauer asked to be able to use distance counseling in order to continue for a short period, with her current supervisor. Because it was a short amount of time; the Board granted her request.

B. Sharon Bauer – question on course

Ms. Bauer asked about a University of Phoenix course that is a 500 level course. She asked if it would be considered an upper level course and the Board states that such a determination is up to the University-if they consider it a graduate level course, then so would the Board. Some Universities, such as UAA, do not consider 500 level courses to be graduate level. She also wished to know if it would be accepted toward the required 60 graduate level courses for licensure. The Board stated that, if it is an upper level (graduate level) course, it will be accepted.

C. Holly Berger – job descriptions

Ms. Berger asked about qualifications needed for a job description. Some of her questions were not related to professional licensing (chemical dependency); but directed her to the statute 08.29.490 regarding the practice of a professional counselor.

D. Crista Favazza – accept courses as counseling

Ms. Favazza asked about courses being accepted under 12 AAC 62.120. APPROVED DEGREES. The Board requested course content from her as the courses are under special educations, not a counseling curriculum.

E. Lyn Freeman – training accepted?

Ms. Freeman had numerous questions regarding webinars, classroom instruction she delivers and dates of CEUs. Some of the Board's determinations:

- If the video/internet conference is in real-time (not recorded), meets the requirements of someone attending a conference in person and attendance can be verified, it would be considered "face-to-face"
- Topics must be relevant to the continuing education of professional counselors. Programs designed for members of the general public, paraprofessional counselors or lay members of a church or other helping organizations to do counseling of individuals do not qualify for Board approval

- The upcoming dates for CEUs will be from 11/1/09 through 10/31/11— Any CEUs before 11/1/09 will not be considered for the upcoming renewal (10/31/11).

F. Jeanine Sparks – teach CEU

Ms. Sparks had asked if she could use a graduate course she had taught on supervision for the six CEUs required for the application to become an approved professional counselor supervisor. After discussion, it was determined that she could use the same amount of hours that she would be granted for regular CEUs (ten maximum allocated among all professional counselors involved in the preparation).

G. Wendy Sprague – regulation interpretation

Ms. Sprague was asking the Board to determine if her work at OCS fell under the definition of statute 08.29.490. Some of the approved professional counselor supervisors she worked with did not feel that it did. The Board determined that, if your approved professional counselor supervisor does not feel the work is not “professional counseling”, then it probably is not, and would not be accepted. It is up to the approved supervisor to determine if it falls under the definition of 08.29.490.

H. ACA statistics

This was just an “FYI” from the American Counseling Association showing how many mental health professionals are licensed in different states.

I. Clampitt

This was an “FYI” to the Board of Professional Counselors regarding the position that the Marital and Family Therapy Board is taking toward Skype, MSN and Yahoo. The AAMFT conference brought to light that Skype, MSN and Yahoo are not confidential sites. It is the MFT Board consensus that Therapists must use secure, confidential sites. One of these sites is MyTherapyNet.com.

J. Gentz

Audra Gentz had supervision questions that the Board answered

K. Bilek

This was a letter asking if a university in Maine would offer counseling services to students in Alaska. The Board will get back to them, but for now:

The Board’s position is that to provide services to Alaskans, you should be licensed in Alaska. They support the AASCB stand that, if you have a patient in a state you should be licensed in that state. Per our statutes, we do not have practice protection, but one cannot represent yourself as a Licensed Professional Counselor if they are not an LPC.

Doug Smith

Mr. Smith had questions regarding his practicum for his degree. The Board declined to answer, as they do not decide anything regarding the school curriculums/practicum beyond what is in 12 AAC 62.120, Approved Degrees.

Agenda Item 13. Old Business

A. Yearly Report – goals

The Board discussed their goals for FY 2012.

Agenda Item 14. Board Business

There was discussion regarding a recent newspaper article regarding the goal of the Division moving from consumer protection to economic development. The Board feels it could be a public safety problem.

There was discussion about the necessity of the Board members being from all over the state, especially Southeast Alaska.

A. Task List:

B. Sign Wall Certificates

Wall certificates were signed.

C. Future Meetings

June 2-3, 2011 - Anchorage

September 29-30, 2011 – Anchorage (maybe)

Meetings begin at 9:30 am on the first day and at 9:00 am on the second day

D. Sign Meeting Minutes

Minutes from previous meeting were signed.

E. Travel Authorizations

Travel authorizations were signed by Board members and paperwork turned in.

F. Ethics reports

No ethics reports this meeting

G. Conferences/training

American Association of State Counseling Boards (AASCB) January 2012 – Olson and Vinson

American Counseling Association (ACA) March 23-27, 2011 – DePalatis and Olson

American Mental Health Counselors Association (AMHCA) July 2011 – Zimbrich and Burkholder

CLEAR – September 2011 – Mitchell and Vinson

**Upon a motion by Emily Zimbrich, seconded by Lillian Mitchell, and approved
unanimously it was
RESOLVED to adjourn the meeting.**

Meeting adjourned at 11:30 pm.

Respectfully Submitted:

Eleanor Vinson, Licensing Examiner

Approved:

Tashawna Olson, Chair
Board of Professional Counselors

Date: _____