

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
 DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING
BOARD OF PROFESSIONAL COUNSELORS

CONDENSED MINUTES OF THE MEETING HELD AUGUST 25, 2023

Date:	August 25, 2023
Time:	9:00 AM to 4:30 PM
Location:	Zoom originating from Juneau, Alaska
Attending:	Chair Dori Hagen, Vice Chair Sammie O’Neal, Rachel Buddin-Young
Absent:	Public Member Eleanor Vinson, Teresa Cotton
Members of the Public:	Stacy Yanagawa, “Clampitt”, Morgan Dwyer, “Susanna”, Brenda Byrd

Call to Order/Roll Call	
Chair Dori Hagen called the meeting to order at 9:00 AM.	
Review and Approve Agenda	
Brief Discussion:	No amendments to the agenda were to be made.
Motion:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the agenda as presented.</i>
Ethics Report	
Brief Discussion:	The board had no ethics to report.
Consent Agreement	
Brief Discussion:	Division Paralegal Marilyn Zimmerman joined to present a consent agreement.
Executive Session Motion:	Upon a motion made by Rachel Buddin-Young, seconded by Sammie O’Neal, and approved unanimously, it was resolved to enter into Executive Session in accordance with AS 44.62.310(c), and Alaska constitutional right to privacy provisions for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion and matters which by law, municipal charter, or ordinance are required to be confidential; Board staff members Marilyn Zimmerman, Logan Bugayong, and Jeanne Pace to remain in the room during the session.
Off Record: 9:09 AM	
On Record: 9:13 AM	
Motion:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to accept the consent agreement in case no. 2022-000662.</i>

Regulations Updates	
Brief Discussion:	Division Regulations Specialist Stefanie Davis joined to provide updates regarding the board's current regulations projects.
	A. The board reviewed the regulations that were made effective July 15 th , 2023. These regulations pertain to the abandonment date of applications for licensure by examination and specific continuing education subjects for renewals. The regulations can be found on the board's website.
	B. Stefanie Davis provided the board with draft regulations to be approved for public comment. With no amendments to be made, the board approved the draft as presented.
Motion:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O'Neal it was resolved with unanimous consent to approve the drafted regulations as presented for public comment.</i>
Brief Discussion:	C. Logan Bugayong brought to the board's attention that an organization listed in the regulations for approved continuing education sponsors changed its name in 2016 and the regulations have not yet been updated to reflect the change. After discussion, it was concluded to amend the regulations to reflect the name change and for Rachel Buddin-Young to reach out to the organization to see if they are able to provide continuing education that is specific to the topics added in the most recent regulations that were made effective.
Motion:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O'Neal it was resolved with unanimous consent to amend 12 AAC 62.320(b)(2)(O) to read "The Alaska Training Cooperative" instead of "Trust Training Cooperative."</i>
Brief Discussion:	D. Logan Bugayong provided that through discussion with Deputy Director Saviers and Division Director Robb, it had been concluded that the definition of synchronous as it is written in the regulations for the Board of Professional Counselors does not align with the intent of the board. The board discussed language to update the definition to have more specificity.
Motion:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O'Neal it was resolved with unanimous consent to amend 12 AAC 62.990(c)(6) to read "Synchronous is defined as learning in which the instructor and trainee are in the same space at the same time, in person or online."</i>
Investigations Report	
Brief Discussion	A. Investigator Jasmin Bautista joined and provided the board with the investigations report dating from April 15, 2023 through August 11, 2023.
	B. Jasmin Bautista also provided the board with the Board of Social Work Examiners' disciplinary matrix. This is a guideline based off historic board precedence to assist board members in determining the appropriate disciplinary action when reviewing cases and

	<p>complaints. The Board of Professional Counselors will work on creating a disciplinary matrix in future board meetings.</p>
<p>Old Business</p>	
<p>Brief Discussion:</p>	<p>A. Sammie O’Neal stated that he would like to see about pursuing the compact in this session. The board discussed prospective sponsors for the Interstate Counseling Compact. The struggle to enact compact legislation is currently known across the nation, but the board is hopeful that with other professional licensing compacts with the Alaskan Legislature, there may be legislators willing to sponsor the Interstate Counseling Compact legislation. Sammie O’Neal and Rachel Buddin-Young will be reaching out to people prior to the next board meeting regarding next steps for the active bills regarding associate licensure and for affirming sponsorship of the compact legislation.</p>
	<p>B. The board discussed supervised experience. Dori Hagen queried how “a period of at least two years” is to be interpreted regarding supervised experience. She asked if this meant supervision that started at a specific date and concluded two years after that date and may include a period of time where supervision was not being conducted or a “break” in supervision. Logan Bugayong provided that they interpret a situation as described by Dori Hagen as two separate periods of time, as there was a period where the applicant was not supervised, and if the summation of those two periods is not equal to two years, then additional supervision is necessary. Furthermore, Logan Bugayong provided regulation 12 AAC 62.220(d) which states that “An applicant must accumulate a minimum of one hour of supervision monthly.” This prompted further discussion to ensuring that applicants and licensees are aware of regulation updates and are utilizing the most up to date version. Regulation changes are sent to interested parties and affected licensees during the public comment stage and when regulations are made effective, they are posted on the board’s website.</p> <p>The board then discussed outreach and communication within the license base and counseling community in Alaska. Many of the recent conferences attended by board members emphasized community outreach and involvement with the license base in the form of non-interactive social media, monthly newsletters, and outreach to the counseling and psychology programs at the local universities. The board also discussed the potential for additional staffing and/or board members to implement some of these changes. It was pointed out as well that if the board joins the Interstate Counseling Compact, one member would be required to be a delegate to represent Alaska. After this discussion, the board elected to take a brief, ten minute recess.</p>
<p>Motion:</p>	<p><i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to recess for 10 minutes.</i></p>

Off Record: 10:58 AM		On Record: 11:11 AM	
New Business			
Motion:		<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O'Neal it was resolved with unanimous consent to amend the agenda to begin New Business to make best use of time.</i>	
Brief Discussion:		<p>A. Rachel Buddin-Young provided a presentation summarizing the Counseling Regulatory Boards Summit that she attended earlier this summer. She explained what other states are currently doing, and what the Alaskan Board of Professional Counselors could potentially implement. She stated that there are jurisprudence exams, outsourcing education review and CEU review. CCE manages licensure candidate transcript reviews and validation for other states and may assist with CE review. Many states also give staff authority to accept and authorize applications that meet all the requirements and have no issues. Most boards meet more frequently, monthly or every other month. Dori Hagen touched on the process of jurisprudence examinations and staff approval. Rachel Buddin-Young continued and mentioned the NPDB and background report/licensing verification services provided. She touched again on being active in the community including creating social media, allowing CE's for board meeting attendance, visiting university programs, and using media outlets to inform the community of the importance of a professional counselor. 29 states have now joined the compact, potentially 30 and each state will have a board member delegate to vote on behalf of the board in the compact. She also touched on the difference between universal recognition and the compact. Other things they talked about was creating a team to start emailing representatives to push the compact as it is important for the profession of a whole to express the need. Rachel would like to know how much the board is allowed to engage with the public or how little.</p>	
Public Comment:			
Brief Discussion:		<p>Chair Dori Hagen opened public comment at 11:30 AM. One member of the public that was online spoke. Morgan Dwyer is currently waiting for her application to be approved. She wanted to express her experience with her understanding of the statutes and regulations. She experienced confusion. She believes that statutes and regulations are intended to be taken literally and are explicit. She had a baby a year into her supervision, and wanted to ensure that she was able to complete her supervision within the 2 years. There was a period in which she was under supervision but did not accrue face to face supervision. She looked at statutes and regulations in other states. She asks that the statute is clarified further. Dori thanked her for her public comment and wants to express that the board is working to provide more clarity. Rachel thanked her as well for her comment and time and wanted to emphasize that the board is working to improve the statutes. Public comment closed at 11:53 PM.</p>	
Lunch			

Motion:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O'Neal it was resolved with unanimous consent to recess early for lunch.</i>	
	Off Record: 11:54 AM	On Record: 1:02 PM
New Business		
Brief Discussion:	A. The board continued discussing conferences they had attended recently. Dori Hagen attended the AMHCA conference in New Orleans and will provide a more in depth presentation at the next quarterly meeting. She provided a summary of a presentation regarding burnout and telehealth, and discussed that several organizations are including self-care in their codes of ethics for counselors.	
	B. Logan Bugayong provided an inquiry from NBCC regarding marital and blood relations between a supervisor and supervisee, and whether this was allowable in Alaska. The board referenced the AMHCA code of ethics and queried why it would be necessary to have a supervisory relationship where the lines may be blurred with the current number of supervisors available. The AMHCA code of ethics does not allow for sexual behavior with supervisees, students, employees, or colleagues and states "CMHC's respect the integrity and welfare of supervisees, students, and employees. These relationships typically include an evaluative component and therefore need to be maintained on a professional and confidential basis." Due to the need to maintain a professional basis, personal relationships would not meet this. Furthermore, Dori Hagen provided that this is clearly a dual relationship. Dori Hagen will reach out to AMHCA for an ethics committee to review this inquiry.	
	C. The board moved on to discuss upcoming travel and conferences. Logan Bugayong provided the approved travel plan for fiscal year 2024.	
Application Review		
Motions:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O'Neal it was resolved with unanimous consent to approve the NCE extension request for Parinita Shetty.</i>	
	<i>In a motion duly made by Sammie O'Neal and seconded by Rachel Buddin-Young it was resolved with unanimous consent to approve the application for licensure by examination for Shana Mickenham.</i>	
Brief Discussion:	The board began application review with tabled applications. The board reviewed Stacy Yanagawa's request for distance supervision from Oregon. It was determined that as far as Alaska's statutes are concerned, she is acting within the statutes and regulations but she will need to check with Oregon as Oregon is a practice protected state.	
Motions:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O'Neal it was resolved with unanimous consent to approve the distance supervision request for Stacy Yanagawa.</i>	
	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O'Neal it was resolved with unanimous consent to approve the application for licensure by examination for Brenda Byrd.</i>	

Brief Discussion:	The board discussed approval requests for Continuing Education approval that are completed after the course has been held. Sammie O’Neal believes that there should be better planning on the course provider’s part and that approval from the board should be received prior to holding the course. Rachel Buddin-Young wants to know the basis for the content provided and who created the content. It was approved but the board will discuss further guidelines at the upcoming meeting.	
Motions:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the Continuing Education Approval Request #19392.</i>	
	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the Continuing Education Approval Request #19529.</i>	
	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the application for Board Approved Supervisor for Tamika Curry.</i>	
The board took a brief at ease.		
Off Record: 2:40 PM		On Record: 2:46 PM
Motions:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the application for Board Approved Supervisor for Suzette O’Donnell</i>	
	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the application for Board Approved Supervisor for Jody Brand.</i>	
	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the application for licensure by credentials for Autumn Collings.</i>	
	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the application for licensure by credentials for Brenda Kelley.</i>	
	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the application for licensure by credentials for Alexander Muzichuk.</i>	
	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the application for licensure by credentials for Joel Vickery.</i>	
	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the application for licensure by examination for Tomi Winters.</i>	
	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the application for licensure by examination for Hailey Robertson.</i>	
	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O’Neal it was resolved with unanimous consent to approve the application for Board Approved Supervisor Heather Wien.</i>	

	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O'Neal it was resolved with unanimous consent to approve the application for licensure by credentials for Susanna Burlage.</i>
Adjourn	
Brief Discussion:	The board reviewed the absences from today's meeting and determined that Eleanor Vinson's absence was excused and Teresa Cotton's absence was unexcused.
Motions:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O'Neal it was resolved with unanimous consent to approve the determination of absences for the August 25th, 2023 board meeting.</i>
	<i>In a motion duly made by Rachel Buddin-Young and seconded by Sammie O'Neal it was resolved with unanimous consent to adjourn the meeting.</i>
Off Record: 3:32 PM	

Approved in Board of Professional Counselors meeting on December 7th, 2023.