

State of Alaska
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATION, BUSINESS AND PROFESSIONAL LICENSING

BOARD OF PROFESSIONAL COUNSELORS
Minutes of the meeting December 7-8, 2023

By the authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Professional Counselors originated virtually via Zoom.

The Chair brought the meeting to order at 9:01 am

Board Members Present Constituting a Quorum

Dorene Hagen, Board Chair, Licensed Professional Counselor

Sammie O'Neal, Licensed Professional Counselor

Rachel Buddin-Young, Licensed Professional Counselor

Board Members Absent

None

Staff Members Present

Reid Bowman, Program Coordinator II

Jeanne Pace, Program Coordinator I

Members of the Public Present

Rebecca Mohlman

Carolyn Heyman

Agenda Item – Review/Approve Agenda

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve the December 7-8, 2023, agenda as presented.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

Agenda Item – Ethics Disclosures

All members said they had no potential ethics conflicts to disclose.

Agenda Item – Review/Approve Minutes

Discussion was had about review and approval of minutes via Onboard. Board members agreed to the use of Onboard.

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve the August 25, 2023, minutes as presented.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve the April 27, 2023, minutes as presented.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

Agenda Item – Investigative Report

Jasmine Bautista gave the August 13, 2023, to November 28, 2023, report. The report showed that nine cases are open, sixteen cases have been closed. We are working on the older cases from 2021. Closed intake means we have received a complaint from a phone call, email etc. We then provide the complainant with a complaint packet. Complainants have 30 days to complete the signed complaint documents. If we do not receive the signed complaint packet, then we close it.

Agenda Item – Disciplinary Matrices

Creation of a disciplinary matrix should be discussed on record so that the public can determine if they are acting in a way that could be disciplined or not. Board members then reviewed disciplinary matrices provided by Jasmine Bautista. It was recommended to the Board that disciplinary measures for each license type including the supervisor license type be created. The purpose of looking at this matrix is to review, decide to adopt as it is or modify if necessary. The matrix will be reviewed by investigations to make sure it is in line with previous precedent. It was agreed more discussion and review of matrices to happen at the next meeting.

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to amend the agenda to begin application review.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

Agenda Item – Application Review

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to table approval of the continuing education course "Beyond Impasse" pending a clear syllabus, clear times, and clear continuing education units (proper format) with future review and vote via Onboard.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Rebecca Mohlman's application pending receipt of correction of question 1 and 8 on the Verification of Experience form from Tamar Lutbish-White.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

License may be issued once receipt of corrected Verification of Experience form has been received from Tamar Lutbish-White.

Off record 9:59 am

On record 10:09 am

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Monica Byrd's application by examination.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Natalia Dias' application for examination extension.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Colleen Johnson's application by examination.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Sharon Lake's application for board approved supervisor.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Aries McGinnis' application by credentials pending receipt of a clear background report from Utah.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to reconsider the motion to approve Aries McGinnis' application by credentials pending receipt of a clear background report from Utah.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Aries McGinnis' application by credentials.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			
Teresa Cotton				X

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Christopher Reppel's application for board approved supervisor.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to change the agenda to reflect lunch from 11:45 am to 1:45 pm.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Danielle Rose's application for board approved supervisor application.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Cole Talbot's application by examination.

Board Member	Approve	Deny	Recuse	Absent
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Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Bryan Taylor's application for board approved supervisor.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Lisa Laney's application by credentials.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to approve Patricia McAtee's application by credentials.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

Agenda Item – Public Comment

No Public Members in attendance.

Off record 11:15 am

On record 11:17 am

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to amend the agenda to begin discussion of New Business of Supervision.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

Agenda Item – New Business/Supervision

An inquiry was made about whether marital or blood relations between supervisor and supervisee is allowable or not. The AMHCA code of ethics does not specifically deem it unethical to have a marital or blood relation provide supervision. The Alaska Board of Professional Counselors discourages the use of family members as supervisors to maintain the highest ethical standards and due to the availability of tele-health supervision. We may require Board approval of a family member supervisor before supervision begins. What other safeguards can be put in place if a supervisor is allowed to supervise a

family member to keep the supervision ethical? It is in the works to get the frequently asked questions posted to the website.

Sammie O'Neal will not be able to attend the January meeting in Tucson, Arizona. Rachel will be attending the January 7-9, 2024, meeting in Tucson. Dorene Hagen will check to see if she is available to attend. Jeanne Pace will let the Board know as soon as travel is approved.

Off record 11:43 am

On record 1:43 pm

Agenda Item – New Business/Completion of Supervision Forms

The regulations the Board creates will drive the form. Division can create the form once you've decided on the regulation. The Board should focus on policy making.

Agenda Item – New Business/Supervisory Guidelines

Must haves for Supervisory Guidelines was discussed.

- A. Supervisor to send written notice of providing supervision for applicant prior to supervision beginning.
- B. A report turned in by the applicant every six months to show where applicant is at in training process.
- C. Per every fifteen client hours must have one hour of face-to-face supervision, or increasing once a month to twice a month, or a minimum of two hours per month. We may have to leave autonomy with the supervisor of when the two hours of supervision months occur.
- D. Discussion was had about having applicants turn in a supervision plan with their application that is approved by the Board before supervision begins.
- E. An alternate supervision plan will be required if an applicant terminates with their first supervisor for the Board to review and approve.
- F. All applicants with this license type need to state in all communications what their license type is and their supervisor's name.

Agenda Item – New Business/Supervision Regulations

On the new applicant licensure applications professional fitness questions are asked but, on the supervisor application these questions are not asked and need to be added. Professional fitness questions are recommended by Sara Chambers. Ethical behavior is part of the requirement to become a supervisor, so it is appropriate to add these questions. You do not need Board action to make this change to the supervisor application.

Discussion was had regarding whether renewal of license verbiage has been added to the supervisor regulations. Previous minutes need to be reviewed for this topic and then begin discussing this topic again. Discussion took place regarding every four years for renewal process with continuing education requirements for the supervisor license. AMHCA code of ethics and how to enforce violations was discussed. Specific regulations need to be outlined giving the Board authority to accept or deny applications based on fitness questions.

Agenda Item – New Business/CE Requirements for Credentials Application

Discussion took place as to why this Board requires continuing education upon application when these individuals are satisfactorily licensed in another state, and why aren't we requiring professional references and/or jurisprudence exam instead. NBCC may be a good route to go regarding the jurisprudence exam. NBCC currently creates exams for other states, but there will be an expense. NBCC will need to be invited to the next Board meeting.

Agenda Item – New Business/Correspondence

If the licensed professional counselor is getting guidance to do something outside the scope of practice the individual really should adhere to and stay within the scope of practice for their current license to keep themselves protected. An added license is most likely needed regarding the medications. Just because you get training in medications does not release someone from adhering to the current license's scope of practice. The LPC can make referrals to a doctor if a client is needing medication.

Off record 3:05 pm

On record 3:09 pm

The board fully supports you only operating within the defined scope of practice and training. Please see Sec 08.290.400 of the state of Alaska Professional Counselor Statute and Regulations for the scope of practice definition.

Agenda Item – Schedule Future Meetings

National Conferences – 2024: AASCB – January 7th-9th, 2024; CLEAR— September 16th-19th, 2024 or January 10th, 2024; FARB—January 25th-27th, 2024 or September 19th-22nd, 2024; AMHCA—June 10th-12th, 2024; NBCC/CRBS— June 26th-28th, 2024

Board of Professional Counselors Meetings – 2024: February 22-23, in Anchorage/in-person; May 2-3, via Zoom; August 1-2, via Zoom; December 12-13, in Anchorage/in-person

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to recess the meeting until tomorrow morning.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

The Chair brought the meeting to order at 8:59 am

Agenda Item – Roll Call

Board Members Present Constituting a Quorum

Dorene Hagen, Board Chair, Licensed Professional Counselor

Sammie O'Neal, Licensed Professional Counselor

Rachel Buddin-Young, Licensed Professional Counselor

Board Members Absent

None

Staff Members Present

Reid Bowman, Program Coordinator II

Jeanne Pace, Program Coordinator I

Members of the Public Present

None

Agenda Item – Fiscal Report

Melissa Dumas, Administrative Operations Manager, gave the fiscal report. Deficit was discussed.

Melissa will work with the director on a proposal for fee change and bring that back in front of the Board for review. The professional counselor program has grown 34% since fiscal year 2019 so we should see revenue growth with this increase. Other boards have outsourced their jurisprudence exam, and the applicants pay the third-party testing site to sit for the exam. Melissa can work with Jeanne to gather more information on the jurisprudence exam and can discuss this topic at the next Board meeting.

Agenda Item - Application Review

In accordance with the provisions of Alaska Statute 44.62.310(c) and Alaska Constitutional Right to Privacy Provisions, Rachel Buddin-Young, moved that the Alaska State Board of Psychologists and Psychological Associates Examiners enter into executive session for the purpose of subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion. Staff to remain are Reid Bowman and Jeanne Pace. Sammie O’Neal seconded the motion. Motion passed via unanimous consent.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O’Neal	X			

Off record 9:36 am

On record 10:22 am

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O’Neal with unanimous consent, it was resolved to approve Angela Plucker’s application by examination.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O’Neal	X			

Off record 10:36 am

On record 10:41 am

Agenda Item – Regulations

The board reviewed written public comments.

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to adopt the regulations in consideration of public comments and costs to private persons for file number 2023200217 as presented and publicly noticed.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to initiate a regulations project regarding 12 AAC 62.320(b)(2) by approving the following language for public comment, unless substantive changes are made by the regulation's specialist or Department of Law.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

In a motion duly made by Sammie O'Neal, seconded by Rachel Buddin-Young with unanimous consent, it was resolved to initiate a regulations project regarding 12 AAC 62.990(c)(6) by approving the following language for public comment, unless substantive changes are made by the regulation's specialist or Department of Law.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

Discussion was had regarding whether a regulations project had already been opened to change the board approved supervisor license from perpetual to a renewal timeframe of every four years along with continued education. Regulations does not have a record of this project being sent to them for review. Discussion of associate license requirements were continued from yesterday's meeting.

With application, turn in supervision plan with supervisor agreement requiring direct supervision at least two hours per month and a statement that the following topics will be covered:

- (A) clinical skills;
- (B) practice management skills;
- (C) skills required for continuing competence;
- (D) development of professional identity;
- (E) ethical practice;
- (F) legal and regulatory requirements.

Turn in supervision progress form every six months.

When referencing their professional license, the licensee must include the words Associate Professional License.

If changing supervisors, notification of changes must be submitted in writing within fourteen days of the change with signatures from both the supervisee and new supervisor.

297
298 Submit completion of supervision document at conclusion of supervision for each supervisor, signed by
299 supervisor, to include number of hours completed in each area and supervisor narrative.
300
301 Take national exam within three years of issuance, and if results need to be counted for longer than
302 three years due to a license extension, request for the extension with justification must be submitted in
303 writing.
304
305 Discussion was had surrounding adding disciplinary measures to the disciplinary matrix once this license
306 type is created. Sec 08.29.400 Grounds for denial of license or for disciplinary sanctions speaks to not
307 violating regulations without consequence.
308
309 The psychology board has a supervision plan and an alternate supervision plan form that the
310 professional counselor board reviewed.
311
312 Board discussed developing professional fitness questions based on statutory authority currently in the
313 regulations. The board will determine what questions they'd like to ask and submit those questions to
314 the division for review.
315
316 Discussion was had on what constitutes reportable offenses and possible regulation change to the effect.
317
318 Statutory change is required to change the board approved supervisor license from perpetual to renewal
319 every 4 years.
320
321 Off record 12:01 pm
322 On record 12:58 pm
323
324 Professional Fitness Questions – In addition to questions three through seven from professional
325 counselor application add - 1) Have you ever been disciplined by any state board for any violations of
326 the Professional Counselor Practice Act or unethical conduct? 2) Are you currently charged with or
327 under investigation for any violation of the AMHCA Code of Ethics by any state board? Board reviewing
328 AMHCA Code of Ethics to make sure questions three through seven falls within the AMHCA code of
329 ethics. Questions one and two should be added immediately pending notification to the Publications
330 Team.
331
332 Is there anything in regulation that holds board approved supervisor's license to a higher standard than
333 the professional counselor's license.
334
335 Repeal statute stating board approved supervisor license is perpetual.
336
337 The Board can testify on behalf of the bill. Nominate someone from the board as a point person if called
338 to speak to this bill. Having an idea for the legislature of what you want to do will be helpful.
339

Regulation changes bring added costs, so it is best to make all proposed changes at the same time rather than waiting to make individual changes. If the Board feels that the statutory change will happen then it's suggested to get the proposed regulatory changes firmed up.

The Board can review these items individually and then come back for a one-hour Board meeting in January to then review and vote on changes and get these changes to regulations. A January meeting was scheduled for January 5, 2024, from 2:00 to 3:00 pm. Send Jeanne your thoughts and questions by December 28th so everyone is up to speed and ready to go for January 5th's meeting.

Agenda Item – Continuing Education Audits

The Board discussed the Board's option per regulation to have the division clear audits. It will save the Board's time if the Division clears audits. If subject matter expertise is required on the continuing education audit, then the audit can be submitted through Onboard to the Board for review and vote.

Agenda Item - Correspondence

An email was received regarding what "supervision within two years" means. The Board may consider regulation change to language stating twenty-four months of supervision is needed.

Boards and Commission can help answer what the requirements for this Board are to have a public member fill the vacant public member board position.

Board member Sammie O'Neal was asked to research what other states are doing for the profession regarding substance abuse. Board members will look through ethical guidelines to see if there are any other questions to pull forward from the professional fitness form.

What does it mean that the bill is in finance? Once it has been approved in finance it will pass. But after it is passed, it can take time to go into effect. It's not actually through and done until the Governor signs it.

In a motion duly made by Rachel Buddin-Young, seconded by Sammie O'Neal with unanimous consent, it was resolved to adjourn the meeting at 2:04 pm.

Board Member	Approve	Deny	Recuse	Absent
Dorene Hagen, Chair	X			
Rachel Buddin-Young	X			
Sammie O'Neal	X			

Date final minutes approved by the board: January 25th, 2024

☐ Board Meeting ☒ Onboard