

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

BOARD OF MARITAL AND FAMILY THERAPY

MINUTES OF MEETING

January 25, 2013

By 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 Marital and Family Therapy was held Friday January 25, 2013, beginning at 9:00 a.m. The meeting was held at the State Office Building, 9th Floor Conference room C, 333 Willoughby Ave. Juneau, Alaska.

Call to Order/Roll Call

The meeting was called to order by Chair Leon Webber at 9:06 am.

Board Members present, constituting a quorum:

Leon Webber, Licensed Marriage and Family Therapist
Kennith McCarty, Licensed Marriage and Family Therapist
Linda King, Licensed Marriage and Family Therapist
Father John Downing, Public Member

Board Members not in attendance

Joann Young, Public Member

Attending from the Division of Corporations, Business and Professional Licensing were:

KC Odell, Licensing Examiner
Sara Chambers, Operations Manager
Michelle Johnston, Records and Licensing Supervisor
Karl Marx, Licensing Examiner (*Psychology*)
Michele Wall-Rood, Investigator (*via telephone*)

1. Review Agenda

The Board reviewed the agenda, and had no changes to make. Board chair Leon Webber asked Karl Marx, the licensing examiner for the Psychologist board, to introduce himself and inform our board of the recent activities of his board. Mr. Marx wanted to follow up on the invitation made by his board earlier in the week via email through both licensing examiners. The invitation was informal and merely asked that the board members contact the division of licensing regulations specialist to become listed as an interested party to their boards regulation changes, thus keeping our profession up to date on any such changes that may happen in the future, some of which are being drafted now according to Karl. The Psychologists board is interested in keeping over lapping mental health professions current with regulation changes and keeping communication between boards as open as possible. Leon Webber felt the same way and thought that it would only be appropriate to be added to that list and asked that the Psychologist board members do the same for our Marital and Family Therapy regulation changes.

2. Review Minutes

The Board reviewed the minutes from the October 26th, 2012 meeting and had no changes to make.

On a motion duly made by Kenneth McCarty, seconded by John Downing, and approved unanimously, it was

RESOLVED to accept October 26th, 2012 meeting minutes once amended.

3. Board Report

The Licensing Examiner gave the following report to update the Board members:

number of MFT licensees:	75
number of MFT associates:	11
number of MFT supervisors:	16

4. Review Applications and CEU

The licensing examiner had attempted a new way to review continuing education course applications for this meeting. The total amount of applications was split in half, one batch being entered electronically, scanned into pdf documents, and sent to the board members electronically two weeks before the meeting with a voting ballot they could print and bring with them to Juneau. The other batch would be reviewed at the meeting as usual and would be voted on. However Father John Downing does not receive messages electronically so he requested that from now on he be sent a large print copy of the applications along with the supporting documentation and a voting ballot through the mail. He along with Mr. Webber and Mr. McCarty hadn't brought the voting ballots so the licensing examiner simply printed out more from his desk. Leon had already reviewed all the information prior to the meeting just hadn't brought his ballot so he felt comfortable enough voting. Linda King had her voting ballot completed as well so the examiner took both of them after the meeting was adjourned.

After reviewing all of the licensee applications the board members handed in the voting ballot containing all their votes attached to each individual application packet. Let the record show they have approved these applicants for licensure:

MFT by Examination
Dwight Broedel

MFT Supervisor
Larry Holman

Change to a Supervisory Plan
Shawnmarie Carpenter

The board did not complete their voting on the following application for licensure by credential and was contacted the next business day to receive their votes:

MFT by Credential
Nicole Leos

The board reviewed a request for exemption under regulation 12 AAC 19.340 to complete continuing education at a later date from licensee number 241: John Alevizon. He provided the board with a formal statement explaining his medical hardships for the past few years and asked that: the renewal fee be waived, he be allowed to complete his continuing educational hours at a date later in the year, and that his license be renewed immediately so that a job opportunity can be taken that requires he be actively licensed. The board was informed by the licensing staff that they could table this request until the board can schedule a teleconference meeting with Mr. Alevizon and then can discuss his situation and request

in executive session (off the record). Ms. Johnston with the division of licensing then further explained how executive session would work and what the board could and couldn't do while off record.

The board decided to take a short break from 10:30am to 10:46am

When the board returned they discussed whether or not they could in fact waive the renewal fee as Mr. Alevizon had requested. Licensing staff informed them that they could not because according to centralized regulation 12 AAC 02.242 the board does not have the authority to waive fees administered for licensure. Once this was clarified the board entertained a motion on Mr. Alevizon's request.

On a motion duly made by Linda King, seconded by Kenneth McCarty, and approved unanimously, it was

RESOLVED to schedule a teleconference meeting at the earliest convenience of the board and the applicant for the purpose of discussing a request for extension to complete continuing education requirements for license renewal, only after the applicant has complied with the divisions licensing renewal fee.

It was determined the following week to hold the teleconference on January 31st, 2013.

After reviewing all continuing education approval applications the board members handed in the voting ballot containing all their votes attached to each individual course packet. Let the record show they have approved these courses for the following amount of credit hours and all information in the applicant's files will take precedence over the information in the minutes:

Co-Occurring Disorders Institute

-Hazelden Co-Occurring Disorders Program: Family Program – 6.0 CEUs

Co-Occurring Disorders Institute

- Hazelden Co-Occurring Disorders Program: Integrating Combined Therapies– 6.0 CEUs

Co-Occurring Disorders Institute

- Substance Abuse Assessment – 6.0 CEUs

Co-Occurring Disorders Institute

-Working with resistant clients – 3.5 CEUs

Co-Occurring Disorders Institute

-Personality disorders & addiction – 3.5 CEUs

Co-Occurring Disorders Institute

-Motivational interviewing – 6.0 CEUs

Co-Occurring Disorders Institute

-Couples work – 9.0 CEUs

Co-Occurring Disorders Institute

-Documentation – 3.5 CEUs

Co-Occurring Disorders Institute

-Trauma focused CBT – 6.0 CEUs

Co-Occurring Disorders Institute

-Global assessment of functioning – 3.5 CEUs

Co-Occurring Disorders Institute

-Trauma informed care – 6.0 CEUs

Co-Occurring Disorders Institute

-Trauma 101 – 6.0 CEUs

5. Investigative Report

The board's investigator, Michele Wall-Rood, joined the meeting telephonically and gave her report. Since the last meeting in October, there are no new or open complaints currently for our board. Having nothing further to discuss the board thanked her for her time and moved on to agenda item six: budget report.

6. Budget Report

The board was joined by Sara Chambers to discuss the budget report since Administrative officer Misty Frawley was not in the office. Board chair Leon Webber began by discussing the issues the Marital and Family Therapy board have had financially in the past. Sara understood those concerns as she has talked with them before on the same issue. She wanted to assure the board that the current administration has been and will continue to evaluate how the division appropriates and keeps track of their budget. Having just seen the numbers that day, but knowing the boards concerns she thought that they should recommend a change to the licensing fees prior to the next renewal period. The division typically does that six months prior to creating and sending the renewal applications, but there's no reason that they would need to wait that long in this instance. Father John thought that the Marital and Family Therapy profession in our state had been decimated over the years in their numbers due to the fees that increased immensely and were not lowered until just recently. He feels that the division and the board need to work together to rebuild the confidence in licensed Marital and Family therapists. Ken McCarty agrees and feels that the division should be able to lower the fees for an MFT license to become more comparable to other masters level mental health professions. He feels there would be a substantial gain in revenue since there are qualified MFT's still in the state that just can't economically afford the nine hundred dollar license fee every two years who would love to be practicing as an MFT again. His fear is that the sunset audit is approaching this year for the MFT board, and since the total number of licensee's has continued to decrease even after the fee was lowered they may view that as a loss in interest or necessity for the MFT license in our state. He had asked Michelle Johnston earlier in the meeting if she could find out how many active professional counselors were once Marital and Family therapists, and that information is very relevant to this argument. Leon was of the understanding that they have a year and a half to lower the licensing fee to a more consistent amount with other mental healthcare professions in our state. Sara however informed the board that the sunset audit needs to prepare the information that they acquire and compile it with others for review at the next legislative session therefore that window of time to change the fee shrinks drastically to just a few months time. She stated the current administration intends to build a certain level of consistency when it comes to licensing board fees so that people can count on the amount that will be needed to renew year after year, as opposed to having the fees decrease dramatically one year only to have a investigation filed the following year and force the division to increase the fee again. Ken wanted to express his desire to have the fees decreased this year as opposed to waiting until six months prior to the renewal date. The Professional Counselors will be renewing at the end of 2013 and if the Marital and Family therapists are able to lower their fee prior to that happening they may see applicants begin to reinstate their MFT license. The goal being: to make dual or multiple licensures more financially possible for those qualified mental health professionals. Various board members had questions about whether or not the surplus that the Marital and Family board now has could be used by any other sort of committee, association, auditors, etc. Sara reassured them that the licensees had paid that money to the MFT board and that is exactly where it will stay. Professional licensing board's budgets are unique to other state agencies in that their budgets continually roll over into the next fiscal year. With that sort of "cushion" within their budget the board would like to see another decrease in their fees this year to try and gain back the multitude of LMFT's who've been unable to renew at such a high fee.

Mr. McCarty brought up the boards previous issue with not having a fee in place for the continuing education course approvals which would generate additional revenue for the board after seeing yet

another decrease in licensees. Sara informed the board that they would receive any revenue generated from that fee and that it would remain as a part of their roll over budget just like all the other fees in place. She continued by letting the board know a little of the political background on the fee setting issue this division has had. The governor's office had informed the division that they would not initiate or change any fees until the division was able to sure up the numbers and become transparent enough to be able to stand in front of anyone to tell them what the expenses and revenues are and where it is all going. Now that extensive work has been done to accomplish that task the division is again able to address different fees such as the issue our Marital and Family Therapy board has currently. Board chair Leon Webber asked the licensing examiner how much time approximately he spent on the continuing education preparation and review so that the board could review it at their meeting. He estimated around half of his time for all three programs was spent on preparing, entering, sorting, scanning, and eventually filing the continuing educational courses that are received. In some cases spending an entire day or more on that task alone. This was more than enough reason to justify a fee being put in place because without a fee sponsors to these courses are not discouraged from submitting copious amounts of course approval applications. Mr. McCarty wanted to know from Sara how fast she believed a fee could be put in place. She informed them that she would take the board's request to the director and try to see if there is any way of getting a fee established. The director could wish to put all fees from all boards into one large request or it could have to be done individually, she was not sure.

On a motion duly made by Ken McCarty, seconded by John Downing, and approved unanimously, it was

RESOLVED to recommend that the Division of Professional licensing initiate a fee of \$25 for Continuing education course approval applications, per course, and that they join the board at their next board meeting to discuss whether or not that is possible this year (2013).

The board later set their next meeting for April 26th, 2013 in Anchorage, AK.

On a motion duly made by Linda King, seconded by Kenneth McCarty, and approved unanimously, it was

RESOLVED to recommend that the Division of Professional licensing review whether or not the licensing fee of \$665 for Marital and Family Therapists can be reduced by July 2013.

Having no further business to discuss with Sara Chambers the board thanked her for her time and decided to adjourn for lunch.

The board recessed for lunch at 12:00pm
The board resumed the meeting at 1:00pm

8. Public Comment

The board came back on record at 1:00pm and because no one was present to address any concerns the board moved on to the next agenda item.

7. Old Business

The board chair asked the licensing examiner to explain the two draft languages they had included in their board packets which would allow LMFT associates and other training therapists to register for and take the national examination our board uses as a requirement for licensure by examination. The licensing examiner informed them that in fact the first version which the board had originally approved at their last meeting and was sent on to the Department of Law and wouldn't allow anyone but a licensed associate marital and family therapist. The second version which was revised by the Department of Law in conjunction with the licensing examiner would allow both a licensed MFT associate and a person receiving training individually to take that examination.

Kennith McCarty made a motion to adopt the original version of the regulation change to 12 AAC 19.110 that the board had approved at their last meeting. The motion was not seconded and the board continued discussing the change.

Board chair Leon Webber reminded Mr. McCarty that applicants who are not licensed associates who are applying to be a Marital and Family therapist through examination are still required to complete the same training and supervision that an associate would have to complete prior to applying for licensure. Mr. McCarty was indeed aware of that, but wanted to summarize why he thought associate licensure should be necessary prior to full licensure and how the board could make that happen as a part of this regulation change.

Linda King made a motion to adopt the revised version of the regulation change to 12 AAC 19.110 that the Department of Law sent back to the board for review at this meeting. The motion was seconded by John Downing. However it was not approved by a quorum of the board and again they continued to discuss the change they would like to make.

The difference between the two drafts, as well as, the differences between what changes would be made to how the national examination is currently handled were discussed after Ms. King's motion was made. The board wanted to have a regulation change decided on at the end of this meeting, but could not determine which version they wanted to adopt at this time. They would discuss this further during agenda item ten later in this meeting.

9. Long Distance Supervision

The licensing examiner called Ms. Annalynn Schooley LMFT#267 who was scheduled to discuss the issue of supervision of Alaska licensees from outside the State of Alaska. The board had approved Ms. Schooley to be the first one to do just that at their last meeting and wanted to have a discussion with her about how it works. They also wanted to know how the State of Alaska would be able to utilize that form of communication and supervision with their licensees in rural areas. Karl Marx, licensing examiner for the Psychologists licensing board, was in attendance for this conversation as it related to the Psychology boards interests as well. Board Chair Leon Webber gave a brief description of why they wanted to have a discussion on this issue, and it was mainly due to the number of applicants the board has begun to see, and anticipates seeing more of in the future, that graduate from online colleges and institutions and have their supervision take place by electronic means. They even sometimes complete their continuing education online making up an education that is almost entirely acquired through computers, something our board has just not seen or dealt with in the past. Due to the rapid pace of technology and its increasing effect on the way humans are able to communicate and work together, this issue is very important to our board as it will most undoubtedly be a part of their profession within the next few years.

Ms. Schooley began by discussing the basics of how they go about teaching and supervising online in the State of Florida. Adobe Connect is the computer program that they utilize and the university that she works for has a contract with them. It is secure by giving the specific website address to the applicants or students and by displaying their user names on the screen at all times while they are logged in. This prevents anyone from not attending a session in its entirety or having someone who is not supposed to be a part of the session present. In addition, the only way that anyone would be able to hear what is going on or being discussed is if the supervisor, Ms. Schooley for instance, gives them the appropriate teleconference number to call in to. This conference call line also has an attendance check that Ms. Schooley or anyone else would be able to cross reference to certify attendance. There are also a number of written agreements that are signed before this sort of supervision can be done. One of them is signed by both the student and the healthcare facility or professional practice that they will be practicing at to certify that they as an employer are aware that this individual is participating in online supervision. Another of the agreements is for the applicant to sign stating that they will not take place in this sort of supervision or conference call while in a public place that people in the vicinity would be able to see or hear what is happening as a part of their session. The third agreement is between the student therapist and the patient to allow the trainee to use recorded sessions during those teleconferences. Ms. Schooley actually believes the online sessions to be more effective because she is able to give out more instructions to the students involved while others are taking notes, or graphing out something on a white board for everyone, etc. In other words, a smaller amount of time can be utilized more effectively by everyone.

Mr. Webber found that to segue into another question the board has on this issue. They asked Ms. Schooley to go over how actual therapy sessions are done online and through computer correspondence. Ken McCarty elaborated on what the board would like to know by discussing his understanding of “cybertherapy” as he called it, and asking what specific terminology should the licensees be paying attention to so that they have a double encrypted system much like the one Ms. Schooley just described. Mr. McCarty utilizes “gotomeeting.com” and feels that it is very secure, but knows that there are multiple ways to make a secure encrypted system for supervisory or therapeutic purposes. Ms. Schooley stated that Florida does not count hours of therapy completed online; only those done face to face because any other form cannot be called “direct contact” hours. Ms. Schooley did not feel comfortable speaking to the specific technological terminology because she is not a trained computer expert proficient in that area. She only knows that it is completely the therapist’s responsibility to assure that they are using an encrypted and secure means of communication when going online or over the phone. Ms. Schooley offered to give a presentation to the board via video conferencing that would demonstrate the way that she handles does supervision over these means. Mr. McCarty suggested that they schedule that during the next board meeting, and that the licensing examiner schedule that meeting in a conference room with video conference capability. Ms. Schooley wanted to remind the board that they should not enter any language relating to this into statute, only regulation due to the ever changing technology that is being invented and utilized. The board thanked Ms. Schooley for her time and ended their call with her. The licensing examiner had to leave during this conversation and the administrative duties were taken over by records and licensing supervisor: Michelle Johnston. She would take the minutes and document all motions for the remainder of the meeting.

10. Regulation Changes

The board chair continued on in the agenda by moving on to agenda item ten and familiarizing Ms. Johnston on what they had done earlier in the meeting. Mr. Webber continued by asking if there was another motion that the board could entertain to adopt either one draft or the other. Previously the board had a motion to accept the language of one change and then the other, neither passing with a quorum of approval.

On a motion duly made by Kenneth McCarty, seconded by John Downing, and approved unanimously, it was

RESOLVED to public notice the original draft of 12 AAC 19.110(f) created by the board and date stamped 1/17/13 at the bottom of the page in their board packets.

This language would allow licensed Marital and Family therapy associates to take the national and state examinations at anytime during their associate licensure.

12 AAC 19.110(f) is amended to read:

(f) To be scheduled for an examination, an applicant must file with the department a complete, notarized application for licensure by examination, including the supporting documentation required by the section, and the applicable fees established in 12 AAC 02.242; a marital family therapy associate approved by the board for a license under supervised practice may schedule for the national marital and family therapy examination by filing with the department a complete application showing fulfillment of the requirements in AS 08.63.100(a)(1),(2),(3)(A) and (B), and (b).

The board asked Ms. Johnston to briefly explain the process of regulation change adoption and where the approved language will go after record is shown of the board's decision. She thought that due to alternative proposal being sent for board review by the Department of Law the approved language would again need to be sent to the Department of Law and then most likely public noticed. The board would have to review any public comment received on the change and then vote again on whether or not to adopt it.

11. New Business

Mr. Webber did not have any new business to present himself so he opened the discussion to the rest of the board for any new issues they would like to bring to the board's attention. Mr. McCarty wanted the board to consider making liability insurance a requirement for all Alaska Marital and Family therapists with the proviso that it be for state licensed board investigations of at least: \$30,000.0. This insurance could then be pursued by the state of Alaska were any active therapist to be the subject of an excessive investigation or litigation. This would effectively prevent the profession as a whole from being responsible for the payment of astronomical legal fees in the form of increased licensing fees as they were before. Mr. Webber asked why they would use the amount of 30,000.00 as opposed to a higher amount. Mr. McCarty had discussed just that with a number of legislators and department of law employees while researching how to safe guard the licensing fees for our board moving forward. The current investigative process of having investigators as employees of the Division of Professional licensing was not in practice in past years when the MFT board was hit with a massive legal bill that raised their fees substantially until just last year. Now that the division does have staff that can handle minor complaints and issues with a minimal fee the liability insurance wouldn't be necessary for such small complaints. The board would put this requirement into place to be sure that in the event of a lengthy and expensive investigation on one of their licensees the rest of the profession wouldn't have to worry about another increase in fees. Something the current board members have been quite weary of for some time. Mr. McCarty then referred to where he and the department of law determined the language should be added to their statutes, as: 08.63.100(a)(3)(F).

On a motion duly made by Kenneth McCarty, seconded by Linda King, and approved unanimously, it was

RESOLVED to add a requirement (F) to section 08.63.100(a)(3) with the wording: has liability insurance which includes a proviso for state licensing board investigation expenses of at least thirty thousand dollars, and upon annual renewal of liability policies show evidence to the board of such.

Ms. King asked if there was any additional fee for that proviso to be added to a therapist's liability insurance. Mr. McCarty cited the conversation he had with a nationally recommended insurance company that the AAMFT refers their members to. He was not aware of any additional fee that would be added, but that really does come down to which company a therapist is using and their particular policies. Mr. Webber wanted to take a moment to remind the board members that when contacting and meeting with legislators or senators they are not doing so as board members, but as a licensee within the profession. This was meant as no offense to Mr. McCarty who has practiced that understanding on a number of occasions and been a model representative of their profession.

On a motion duly made by John Downing, seconded by Linda King, and approved unanimously, it was

RESOLVED to instruct Kenneth McCarty to work with the legislators he has contacted previously to create a bill around the addition of a liability insurance requirement with the proviso for state licensing board investigation expenses of at least \$30,000.00 for all Marital and Family Therapists in the state of Alaska.

Mr. McCarty thanked the board for their support and will remain in contact with the licensing examiner to keep the division of licensing abreast of any developments on the bill and its progress.

The board decided to take a short break from 2:28pm to 2:38pm

Upon returning from the break Ms. Johnston wanted to inform the board that if or when the statute change they've proposed is accepted and put in place the board would still need to make a regulation change as well. This would make current regulations compliant with the newly adopted statute; the regulation change would take much less time however.

Mr. McCarty wanted to continue discussing the associate licensure process the state of Alaska has in place.

Kennith McCarty made a motion to add section (3) to regulation 12 AAC 19.130(a) to read: Any candidate with the intent to obtain hours toward Marital and Family Therapy licensure must hold a valid Marital and Family Therapy Associate license. The motion was not seconded and the board decided to table the motion and discussion until their next meeting.

Having no further new business to discuss the board decided to move on to the last agenda item: Administrative business.

13. Administrative Business

a. Ethics reports

There were no Ethics reports submitted.

b. Task List

Mr. McCarty gave a brief overview of what has been going on with Senate bill 118. He informed the board that he has been meeting with senate and house of representative members to find sponsorship for the bill, but it will not be presented at the current legislative session. The only financial piece was presented by the Department of Health and Social Services when they quoted that it would require five million dollars annually to implement the inclusion of MFT's to the Medicaid program. That figure was based on one hundred percent inclusion of ninety seven licensees (which has since decreased) when in fact only forty three percent of the licensees are candidates for inclusion to the program, a percentage of them weren't even interested in billing to Medicaid. Mr. McCarty redid the numbers according to his findings from calling every licensee of our state last year and believed that it would only come to 2.2 million dollars annually which was less than half of the estimate Health and Social Services created.

Mr. Webber informed the board that he had looked into subspecialties in the Marital and Family therapy profession and found that there are no legal subspecialties. People are allowed to get subspecialty training but cannot use it as a legal title.

Ms. King had called around the Anchorage area inquiring about labor mobility between other states and she found that most agencies do indeed accept licensed MFT's. She also knows that the national organizations are working on the labor mobility issue as well.

Mr. McCarty requested a letter be written stating that the board had voted to support his efforts to get a requirement of liability insurance for all MFT's in our state and the licensing examiner would send Mr. Webber the motion language to write such a letter once the minutes were completed. Mr. Webber would send it to all the board members and the division for their notification and records.

c. Schedule next meeting

The board decided to schedule their next two meetings: April 26th, 2013 in Anchorage, and July 19th, 2013 in Anchorage.

d. Sign meeting minutes

Meeting minutes were signed

e. Travel Authorizations

The travel authorizations were signed.

f. Board travel/conferences

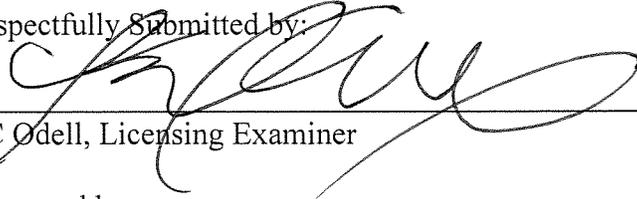
The board informed Ms. Johnston that Ms. King would be attending the AAMFT national conference in Portland, OR during the month of October.

On a motion duly made by Linda King, seconded by John Downing, and approved unanimously, it was

RESOLVED to adjourn the meeting of the Marital and Family Therapy board.

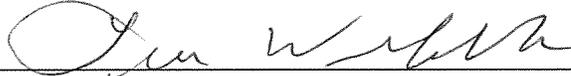
The meeting was adjourned at 3:25pm.

Respectfully Submitted by:



KC Odell, Licensing Examiner

Approved by:



Leon Webber, Chairperson

Date: 5/3/2013