

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 THE MEETING

Friday, January 24, 2014

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 24, 2014, beginning at 9:00 a.m. The meeting was held at the State Office Building, 333 Willoughby Avenue, 9th Floor, Conference Room B, Juneau, Alaska.

Agenda Item 1 Call to Order/Roll Call

The meeting was called to order by Chair Leon Webber at 9:10 a.m.

Board Members Present, constituting a quorum:

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

Board Members Abent:

JoAnn Young, Public Member

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

Tawna Curry, Licensing Examiner
Sher Zinn, Licensing Supervisor, Agenda Item 5
Michele Wall-Rood, Investigator (*via telephone*), Agenda Item 7
Don Habeger, Director, Agenda Item 9
Sara Chambers, Operations Manager, Agenda Item 9
Martha Hewlett, Administrative Officer, Agenda Item 9

Present from the Public:

No one was present from the public

Agenda Item 2 Review Agenda

The Board reviewed the agenda and no changes were made.

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

RESOLVED to accept the agenda as is.

Agenda Item 3 Review Minutes

The Board reviewed the minutes from the October 4, 2013 meeting. Agenda item 11 was modified to read “No one from the public was present for public comment.” Kenneth McCarty spoke of an error on previous meetings that was amended but not changed in the public record.

TASK: The Licensing Examiner will double check the minutes.

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

RESOLVED to approve the minutes of the October 4, 2013 meeting with corrections.

The minutes were signed by Chair Leon Webber and Licensing Examiner Tawna Curry.

Agenda Item 4 Ethics Report

There were no ethics violations to report.

Agenda Item 5 Regulations

Sher Zinn and Licensing Examiner Tawna Curry presented the proposed draft of the regulation project as discussed at the October, 2013 meeting. The Board worked on the

complete packet of changes, including 12 AAC 19.110; 12 AAC 19.115; 12 AAC 19.200; 12 AAC 19.900; and 12 AAC 02.242.

Chair Leon Webber explained that work has started on the new teletherapy statutes and regulations but that he does not expect them to be proposed for this legislative session.

In the future, the Board would like to revisit clarification of AS 08.63.110(f) with regards to how many times an applicant can fail an exam.

Kennith McCarty suggested a statute change that would allow the board to give an exam to applicants by credentials. The board decided for now to change the regulation to require a questionnaire.

TASK: Sher Zinn and Tawna Curry will ask Jun Maiquis as to whether or not the board can require an exam or only ask for a questionnaire.

TASK: Leon Webber, Kennith McCarty and Father John Downing will work on revising the supervision plan part of the application.

Changes to 12 AAC 19.320 and 12 AAC 19.900 were added to the project. A clarification on instructor qualifications was added to the continuing education approved activities and “one year of supervised clinical practice” was defined.

Agenda Item 6 Break

Off record at 10:45 a.m.

On record at 10:55 a.m.

Agenda Item 7 Investigative Report

The Board’s investigator, Michele Wall-Rood, joined the meeting telephonically at 10:55 a.m. and presented and explained her investigative report, which included activity up to January 3, 2014. Michele Wall-Rood explained the general investigative process and costs.

Agenda Item 9 Budget Report/Division Updates

Chair Leon Webber welcomed Sara Chambers, Don Habeger and Martha Hewlett. Sara Chambers introduced Martha Hewlett and Don Habeger. Sara Chambers discussed licensing fees and numbers and gave statistics regarding licensee growth.

A request was made by Chair Leon Webber to have another CLEAR conference for the Board members. Sara Chambers explained that additional monies had been given to the travel budget this year and that travel approval times are improving. It is the Division's hope that training for board members will be coming later this year. Chair Leon Webber stated that labor mobility is a priority for this Board and that the Board supports the training.

Kennith McCarty pointed out that the Board is now in the black and that the sunset bill is coming up. It was pointed out that there was a financial accounting error and the current report does not represent what was given in March of 2011. The Board did not pursue regulations because the Board did not have any money to pay for those expenses. The Board was diligent to knock off the debt.

Sara Chambers explained that it is not just this Board with this issue. Every board's data changed from then to now. This last week a report was issued to the legislature on the fiscal fitness of the boards. Sara Chambers and Don Habeger will be at all the hearings for the sunset bill and will articulate that to them. The Division will not speak on behalf of the Board unless there is a letter or the information is in the meeting minutes.

Father John Downing raised a concern about the excess money in the Board's account and what might happen to that money. He was also concerned about the very high licensing fees that the MFT licensees pay. Don Habeger addressed the concern regarding the Board's money being the Board's money.

Sara Chambers addressed the concern regarding the high licensing fees. HB 187 should also help with bringing the licensing fees down. The fee analysis should be out in six months and will address the upcoming licensing fees.

It was then explained how to read the specific financial documents for the Board.

Kennith McCarty brought up the Board's request for MFT licensees to have liability insurance with a proviso of regulatory investigation fee. Sara Chambers addressed the issue of recovering costs for investigations. The conversation is happening at the legislative level about how fines can be returned to the boards. There is no clear way to do that. The division is trying to determine if they can do it administratively. There was further discussion on options for recovering investigative costs and costs to the licensees. The Division is working on the accounting problems that have been found and correcting those. The Division is also working on streamlining costs and lowering costs for the licensees.

Leon Webber advised Sara Chambers that with regards to the sunset bill, the governor appointing members is not for the board to handle. The one about the investigative

committee was helpful and the board just spoke to the investigator and created a middle way up front of dealing with the beginning of an investigation that cuts the investigator from doing it and that has been helpful. The third is the issue of teletherapy and tele-supervision. The Board needs to come up with statutes/regulations and ethical guidelines for that. The Board has spent time researching. Sara Chambers was provided with a draft of the research to present to the sunset committee.

Sara Chambers reminded the Board that she is available if they have any questions.

Agenda Item 11 Lunch Break

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

RESOLVED to break for lunch.

Off record at 11:59 a.m.

On record at 12:59 a.m.

Agenda Item 8 Correspondence

Letter from Senator Anna Fairclough

The Board discussed the request from Senator Fairclough regarding her role with the Alaska Statewide Suicide Prevention Council and whether or not training would benefit MFT licensees. The Board agreed that it would benefit the licensees and the people they are assisting and that the MFT Board supports Senator Fairclough. The Board discussed a statute change for requiring suicide prevention training as a requirement for licensure and will ask Senator Fairclough to introduce a bill.

TASK: Kenneth McCarty will draft a letter in support.

COAMFTE Accreditation Standards Revision

TASK: Linda King will review the changes and send comments to the Licensing Examiner.

AMFTRB Annual Membership Dues

The Board discussed the benefits of remaining a member of AMFTRB.

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

RESOLVED to approve payment with the agreement that a Board member, Leon Webber, will review the benefits that we are receiving from this organization and report back at the next meeting.

TASK: Leon Webber will look into what the membership benefits are for the Board if they are a part of AMFTRB.

Kenneth McCarty brought up his concern about the wording of the ethics changes done by AMFTRB and how it affects Alaska.

TASK: Kenneth McCarty will also look at the changes to COAMFTE and send his comments to the Licensing Examiner.

Agenda Item 12 Public Comment

No one from the public was present for public comment.

Agenda Item 5 Regulations Continued

Sher Zinn explained the Department of Law's response to the Board's request regarding everyone being required to have an associate's license. The statute does not allow for this regulation at this time. The Board discussed the issue. The Board would like to see a statute change so that the Board can require everyone wanting to complete the required 200 supervised hours to obtain an associate's license.

It was also clarified that only the 200 supervised hours have to be done in Alaska by an approved supervisor. The remainder of the 1500 hours can be transferred from other states/supervisors.

It was determined that "one year of supervised clinical practice" as stated in AS 08.63.100(a)(1)(B)(vi) shall be defined as one academic year.

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

RESOLVED to accept the changes to the regulation project and go to public comment pending the completion of 19.200(b)(5).

TASK: Kenneth McCarty will draft 12 AAC 19.200(b)(5) and send to the Licensing Examiner.

Agenda Item 10 Old Business

Long Distance Supervision/Electronic Therapy/Cyber Therapy

Leon Webber briefly explained the work done so far on researching teletherapy and telesupervision.

TASK: Leon Webber and Linda King will continue to work on this project.

Task List

HB 84. The Board needs to address if this regulation applies or if it does not apply to current regulations.

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

RESOLVED that the Board does not recognize HB 84 as being pertinent to the Board.

Report on National Conference. Linda King gave a report on wording for different states regarding supervision. The Board would like to change the statute requiring supervisors to be licensed in Alaska.

TASK: Linda King will bring back recommendations to the next board meeting.

Letter to UAA. Licensing Examiner was unable to find the letter.

TASK: Licensing Examiner will contact UAA to verify receipt of letter. Kenneth McCarty will send copy of letter to Licensing Examiner.

State Written Exam. The exam has been modified but still requires one more question.

TASK: Kenneth McCarty will come up with one more question.

Agenda Item 13 New Business

HB 241

The MFT sunset bill from the legislative audit and hearing schedule for the bill are presented for the Board's information. The Board can track the bill on the legislative website.

New Application

TASK: The Board members will review the new application and let the Licensing Examiner know of any comments.

Agenda Item 14 Applications and CEU Review

The applications and CEUs were reviewed.

With regard to Jan Nielsen's renewal application, Ms. Curry explained that pursuant to AS 08.01.100, a license cannot be renewed if it has been lapsed for five years. Mr. Nielsen's license lapsed on December 31, 2008 and therefore needed to be filed complete as of December 31, 2013. Kenneth McCarty noted that although Mr. Nielsen had been struggling for 3 years, he still had 2 years that he could have completed the continuing education (email from Mr. Nielsen on December 18, 2014 stating that he has been stable for over 3 years and desired to return to work). The board determined that Mr. Nielsen's continuing education was incomplete for lack of face to face hours (12 AAC 19.320(b)(10) requires one-half of the continuing education to be face to face).

The board clarified that online universities are not considered face to face for continuing education courses.

Off record for break at 2:55 p.m.

On record at 2:56 p.m.

TASK: Licensing Examiner will send a thank you letter to Kirsten Penland for her research on teletherapy and tele-supervision.

The Board entered executive session at 3:17 p.m.

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

RESOLVED to enter executive session in accordance with the provisions of Alaska Statute 44.62.310(c)(2) and (3) for the purpose of discussing Edith Newsom's reinstatement application. Board staff to remain during the session.

Off record for executive session at 3:17 p.m.

On record at 3:35 p.m. Board staff remained during the session.

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

RESOLVED to deny Edith Newsom's current renewal application before the Board. A letter shall be sent to Applicant requesting her to submit a current renewal application (2013 – 2014), including documentation and copy of certificates of CEU.

The renewal in the file for the Board's review was filed March 2011, for the renewal period 2011 - 2012. The Board requested that a current 2013 – 2014 renewal application be filed.

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

RESOLVED to approve Karla Gelhar's request to change her supervision.

RESOLVED to deny Jan Nielsen's renewal application as a marital and family therapist for lack of continuing education face to face hours.

Mr. Nielsen submitted 48 hours of continuing education but none of the hours were face to face, as required by 12 AAC 19.320(b)(10).

RESOLVED to approve the following continuing education courses from Trust Training Cooperative:

- What Counts as Evidence in Evidence-Based Practice with Alaska Natives
- Addressing Cultural Complexities in Practice with Alaska Natives
- Historic Trauma – Historic Strengths: Navigating Wellness

Agenda Item 14 Administrative Business

The Board members were given a checklist and information for submitting travel reimbursement information.

Board Travel/Conferences. Linda King will go to AAMFT Conference in October 2014. Information will be given to Licensing Examiner as soon as it is known for travel approval.

TASK: Leon Webber will check into the AMFTA Regulatory Board meeting.

The July 2014, Anchorage Meeting was set for August 1, 2014 at 9:00 a.m.

Leon Webber requested further discussion on Alaska's website and ways to better communicate with licensees regarding issues that are being worked on.

Agenda Item 14 Applications and CEU Review Continued

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

RESOLVED to deny Richard Clampitt's 45 hours of "PSY 87500 Advanced Theories of Personality" class. The Board acknowledges that licensee can claim 1/2 of the doctoral class work toward CEU. However, it will only count toward non-live/non-face to face time. If he is short CEU hours of face to face time than he must complete such CEU training.

Agenda Item 14 Administrative Business Continued

The Board task list was reviewed

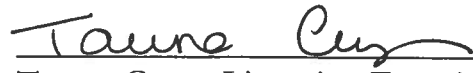
Kennith McCarty read the draft letter to Senator Fairclough and the letter was finalized.

Agenda Item 15 Adjourn

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

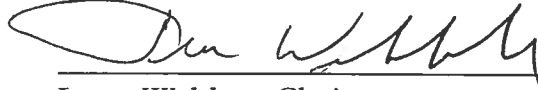
RESOLVED to adjourn the meeting at 4:00 p.m.

Respectfully Submitted by:



Tawna Curry, Licensing Examiner

Approved by:



Leon Webber, Chairperson

Date: May 9, 2014