

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, May 9, 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, May 9, 2014, beginning at 9:00 a.m. The meeting was held at the Atwood Building, 550 W. 7th Avenue, Suite 1500, Conference Room 1760, Anchorage, Alaska.

Agenda Item 1 Call to Order/Roll Call

The meeting was called to order by Chair Leon Webber at 9:07 a.m.

Board Members Present, constituting a quorum:

Leon Webber, Licensed Marriage and Family Therapist
Kennith McCarty, Licensed Marriage and Family Therapist
JoAnn Young, Public Member
Linda King, Licensed Marriage and Family Therapist

Board Members Not Present:

Father John Downing, Public Member

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

Tawna Curry, Licensing Examiner
Michele Wall-Rood, Investigator
Sara Chambers, Director (*via telephone*)
Martha Hewlett, Administrative Officer (*via telephone*)

Present from the Public:

Kennith McCarty, President of Alaska Association of Marriage and Family Therapists

Agenda Item 2 Review Agenda

The Board reviewed the agenda and Mr. McCarty added to the agenda - having an experience log for the current hours for associate supervision and requiring specific CEUs for renewal.

On a motion duly made by Linda King, seconded by JoAnn Young, and approved unanimously, it was

RESOLVED to accept the agenda as amended.

Agenda Item 3 Review Minutes

The Board reviewed the minutes from the January 24, 2014 meeting and the amended minutes from the July 6, 2012 meeting.

TASK: Ms. Curry to check the language of the January 24, 2014 meeting - teletherapy v. distance therapy on pages 3 and 7 and whether or not there was more in depth discussion on bottom of page 4 regarding liability insurance.

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

RESOLVED to approve the minutes of the January 24, 2014 meeting with the amendments that are still outstanding as mentioned on page 3 regarding teletherapy and distance therapy, on page 4 regarding defining liability insurance in regards to regulatory investigation fee proviso and page 7, teletherapy, so that Ms. Curry is going to look into what the tape says and then bring the amended pieces that can be done by email vote.

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 Applications and CE Review

The applications and CEUs were reviewed.

On a motion duly made by JoAnn Young, seconded by Linda King, and approved unanimously, it was motioned

In accordance with the provisions of AS 44.62.310(c)(2)&(3), I move to go into executive session for the purpose of discussing a reconsideration of Jan Nielsen's renewal application.

Off record at 10:05 a.m.

On record at 10:43 a.m.

Agenda Item 6 Break

Off record at 10:43 a.m.

On record at 10:51 a.m.

Agenda Item 7 Investigative Report

The Board's investigator, Michele Wall-Rood, joined the meeting at 10:51 a.m. and presented and explained her investigative report, which included activity up to April 7, 2014. Only active complaints and investigations are on the reports now. Ms. Wall-Rood explained the advisement letter and generally what unlicensed practice would be. Ms. Wall-Rood explained how the complaint process works. Ms. Wall-Rood also reminded the Board members that if someone calls them directly, refer them to investigations and if they speak to that person, recuse themselves and report it.

Agenda Item 8 Budget Report/Division Updates

Director Sara Chambers joined the meeting telephonically at 10:59 a.m. Ms. Chambers explained the 3rd quarter budget report and that the upcoming renewal fees will be determined. The recommendations for the new fees will be brought to the Board to comment on before it goes out to public comment.

There was a discussion of future training opportunities, including the CLEAR conference. Ms. Chambers would like to see more training on Alaska specific topics.

Martha Hewlett joined the meeting telephonically at 11:09 a.m.

Ms. Chambers explained the different coding expenses on the budget report. Kenneth McCarty requested the specific breakdown on expenses with regard to the legal expenses.

Ms. Chambers gave an update on HB 187. Additional issues were discovered with CBPL financial items and the bill has died at this time. The division will be working this summer to see what might be proposed next spring.

Leon Webber reviewed the sunset bill items and how the Board is addressing each item.

Kennith McCarty brought up the issue of an associate practicing independently and asked what other regulatory boards allow for associates/interns practicing alone. Ms. Chambers responded that most practice under their supervisor and terms, such as student or intern, would have more supervision than an associate. Mr. McCarty explained the concern that MFT associates under supervision were getting business licenses and opening up their own business. This gives the appearance to the public that the associate is licensed.

Leon Webber clarified that the Board is reminded to be clear when they go to legislators what role they are talking to that person in, as a board member or a public member.

Kennith McCarty clarified that his concern was that associates can practice independently under the current laws but that he wanted to know if the practice in our state by other professions was to allow this to occur. Ms. Chambers stated that it would be spelled out in each board's statutes and regulations. The statutes and regulations would have to prohibit this and if it is silent, it would be permissible because it is not prohibited. Leon Webber confirmed that this has been allowed in Alaska since the 70s and that the Board will be addressing this issue.

Finally, Ms. Chambers confirmed that the new renewal fees will be addressed prior to the next meeting and hopefully before. The board discussed budget numbers and where the board will likely end up at the end of the year. It appears that the board is operating at a deficit at the end of a two year period. Ms. Chambers assured the Board that the Division and the Board will work together to look at the science and the art of the fee setting process and all be aware of the factors that go into it.

TASK: Ms. Curry will add the licensee numbers to the Agenda and bring those numbers to the Board.

Agenda Item 5 Applications and CE Review Continued

On a motion duly made by Kennith McCarty, seconded by JoAnn Young, and approved unanimously, it was

RESOLVED to approve Karen Cunningham's request to add Larry Holman as a supervisor pending receipt of the original signed Plan for Marital and Family Therapy Associate Supervision pursuant to AS 08.63.110(d).

On a motion duly made by Kenneth McCarty, seconded by JoAnn Young, and approved unanimously, it was

RESOLVED to approve Edith Rose Newsom's application to have her license reinstated through renewal.

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

RESOLVED to approve Cynthia M. Galiano's application to be a Board approved supervisor.

On a motion duly made by JoAnn Young, seconded by Kenneth McCarty, and approved unanimously, it was

RESOLVED to approve James Atkinson's application for licensure as a marital and family therapist by examination pending successful completion of the Alaska State and Professional Examination Services' examinations pursuant to AS 08.63.100(a)(3)(E).

On a motion duly made by JoAnn Young, seconded by Linda King, and approved unanimously, it was

RESOLVED to approve James Atkinson's application for a temporary license.

On a motion duly made by JoAnn Young, seconded by Kenneth McCarty, and approved unanimously, it was

RESOLVED to approve Tamara Tauchas's application to take the National Exam.

On a motion duly made by JoAnn Young, seconded by Linda King, and approved unanimously, it was

RESOLVED to approve pending The Couples Center of Alaska Inc's application for CEU approval of *The Science of Trust & Betrayal* pending prior approval of qualified instructor if Mercy Dennis is not instructor.

On a motion duly made by JoAnn Young, seconded by Linda King, and approved unanimously, it was

RESOLVED to approve The Couples Center of Alaska Inc's application for CEU approval of *Practice Ethics in MFT.*

Agenda Item 9 Lunch Break

Off record at 11:50 a.m.

On record at 12:56 p.m.

Agenda Item 10 Public Comment

Kennith McCarty, as president of the Alaska Association of Marriage and Family Therapists, submitted a letter from the association. The Board discussed each item in the letter:

1. Reduction of fees.
2. Letter of support in the pursuit of inclusion of MFTs in Title 47 list of providers.
3. Letter of support in protection of MFTs in good standing in regard to regulatory investigation of single licensee incidents.
 - A. Statute changes for fines to be directed back to the regulatory board
 - B. Liability insurance with regulatory investigation fee coverage
 - C. Investigation conducted by the Division ends upon a decision by the Board

On a motion duly made by Linda King, seconded by JoAnn Young, and approved unanimously, it was

RESOLVED that the regulatory board resubmit a letter in support of the inclusion of MFTs in Title 47 and consider A, B & C under item 3 from the letter from the Alaska Association of Marriage and Family Therapists dated April 25, 2014 and this will be included in the annual report.

TASK: Ms. Curry will work on the draft letter/already submitted letter for the Title 47 issue and Items A, B & C will be added to the agenda for the next meeting.

Agenda Item 5 Applications and CE Review Continued

On a motion duly made by Leon Webber, seconded by Kenneth McCarty, and approved unanimously, it was

RESOLVED to return to executive session. Board Staff Tawna Curry is remaining.

Off record at 1:30 p.m.

On record at 1:55 p.m.

On a motion duly made by Linda King, seconded by JoAnn Young, and approved unanimously, it was

RESOLVED to approve Jan Nielsen’s request to reconsider, based on new information, the denial of his license renewal and renew his license until **December 31, 2014 based on 12 AAC 19.340 pending the completion of the remaining 10 hours of face to face CEUs and a signed statement by a licensed clinical psychologist or psychiatrist recommending his return as an LMFT in the State of Alaska pursuant to AS 08.63.050(b). Upon receipt, the licensing examiner may renew his license. The Board has found, based on the new information supplied by Mr. Nielsen, that Mr. Nielsen qualifies for re-licensure based on the “reasonable cause or excusable neglect” of chronic illness and hardships.**

ROLL CALL:

Linda King	Yes
Kenneth McCarty	Yes
JoAnn Young	Yes
Leon Webber	Yes

Agenda Item 11 Old Business

Long Distance Supervision/Electronic Therapy/Cyber Therapy: The Board discussed the updated draft document presented by Leon Webber. The qualifications of supervisors came into question. Linda King suggested that “Out of state MFTAs seeking licensure in Alaska must submit proof of hours obtained under a licensed supervisor that meets the Alaska supervisor requirements.” Adding language for that particular group and not just for in state people looking for a supervisor that finds one out of state. Also possibly defining the number of hours we would accept. This is not intended for Alaska residents but for people coming from outside, but this would allow Alaska residents to have someone from outside

Alaska supervise them for say 50 hours. Concerns over regulating and overseeing outside supervisors was brought up.

Limiting the distance supervision hours for the associate supervised hours was discussed, thus requiring so many face to face hours and allowing the remaining to be distance supervision.

Distance therapy was discussed. Kenneth McCarty pointed out that the technology should be interactive. The Board was asked to finish reading the draft and come back to the next meeting ready to discuss this.

The Licensing Examiner reminded the Board that the goal for the statute change is to have a “broad” idea of what the Board wants and the Board can further define in regulations after the statute has been changed.

TASK: Ms. Curry will ask the question about whether out of state therapists with clients in Alaska can be made to be licensed in Alaska in order to do distance therapy with their client and whether or not one can be required to have a license in Alaska if the client is outside Alaska (when a license is not required to practice in Alaska).

HB 241 Update: The bill has passed and is waiting for the governor’s signature.

Regulation Project Update: Prior to the regulations going to public comment, the Board must complete the form Confidential and Deliberative Process.

TASK: Leon Webber will complete the form by May 23, 2014.

Task List from January Meeting: Leon Webber presented an update on the upcoming CLEAR conference in September.

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

RESOLVED to send Leon Webber to the CLEAR conference in New Orleans.

TASK: Leon Webber will complete the AMFTA tasks from the January meeting by the August meeting.

Experience Log for Associate Supervision:

TASK: Kennith McCarty to bring a draft proposal for a regulation change for an experience log.

Task List from January Meeting Continued: Kennith McCarty commented that COAMFT works well in an urban mentality but not an Alaska mentality. It would hold us to a New York mentality.

Agenda Item 12 New Business

Annual Report:

TASK: Leon Webber will draft the annual report by the first of June. All board members shall send their recommendations as soon as possible to Ms. Curry to be included.

Election of a Secretary: JoAnn Young volunteered to be nominated.

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

RESOLVED to nominate JoAnn Young as Board Secretary.

TASK: Ms. Curry will find out the duties of the Board Secretary.

Revised Applications: The Board members should review the new applications and give any comments/changes to Ms. Curry. The Board should note the changes specifically to the Plan for Supervision.

Specific CEUs for Renewal: The Board discussed possibilities to require specific types of CEUs for renewal (such as domestic violence/substance abuse).

TASK: Kennith McCarty to bring a draft proposal for regulation changes to the CEU regulation to specify minimum CEU topic requirements.

Agenda Item 13 Administrative Business

The Board Task List was reviewed

The Anchorage Meeting for October was set for October 22, 2014.

The Wall Certificate for Cynthia Galiano was signed.

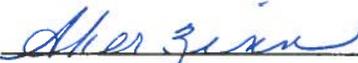
Board Travel/Conferences: Linda King will be going to the AAMFT Conference in October and Leon Webber will be going to the CLEAR conference in September. They will get the information as soon as possible to Ms. Curry.

Agenda Item 14 Adjourn

On a motion duly made by Kenneth McCarty, seconded by JoAnn Young and approved unanimously, it was

RESOLVED to Adjourn the meeting at 3:14 p.m.

Respectfully Submitted by:



Sher Zinn, Licensing Supervisor

Approved by:



Leon Webber, Chairperson

Date: 8/1/14