

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

Thursday, January 28<sup>th</sup>, 2016

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 on Thursday, January 28<sup>th</sup>, 2016 beginning at 9:10 a.m. The meeting was held at State Office Building, 9<sup>th</sup> Floor, Conference Room C in Juneau, Alaska.

Agenda Item 1 Call to Order/Roll Call

Time: 9:10 a.m.

The meeting was called to order by Chair, Leon Webber at 9:10 a.m. Ken McCarty informed the Board that member, Father John Downing was ill with the flu and could not attend this meeting either in person or via teleconference. As Fr. Downing's term is ending on March 1<sup>st</sup>, 2016, this would have been his last meeting. Fr. Downing expressed his gratitude for having been given the opportunity to serve on the Board and make a difference in the profession. The Board thanked him for his dedication and wished him a speedy recovery.

Board Members Present, constituting a quorum:

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

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

Laura Carrillo, Licensing Examiner  
Sara Chambers, Operations Manager (*via telephone*)  
Martha Hewlett, Administrative Officer  
Dawn Hannasch, Records & Licensing Supervisor  
Charles Ward, Paralegal  
Sonia Lipker, Investigator (*via telephone*)

Present from the Public:

Christy Kay, MFT associate was present for public comment (*via* telephone)

**Agenda Item 2     Review Agenda****Time: 9:15 a.m.**

Mr. Webber prompted the Board to review the agenda and stated that a few items would be added for discussion. Ms. Carrillo informed the Board that under the applications section of Board Business, three continuing education applications and one application for approval as a supervisor were ready for review. Ms. Carrillo also clarified that applicant, Frances Saxton-Opatz was applying as an associate and not via credentials. A certificate of appreciation for Fr. Downing would be passed around for signatures during Administrative Business. Mr. Webber also informed the Board that under the Budget Report/Division Updates, Sara Chambers would be discussing the recent adoption of the amendment to SB 98. Ms. Carrillo distributed the correspondence outlying specific points the Board should consider in preparation for Ms. Chamber's presentation. The Board determined they would seek clarification from Ms. Chambers regarding the bill before stating their position of support or opposition towards SB 98.

Mr. McCarty then proposed to add discussion of supervisor responsibilities in relation to preparing associates for the national AMFTRB exam, and to discuss when associates do not pass the national exam. Ms. Carrillo stated that the time previously allocated to the relevant statute was removed from the agenda since further clarification is needed. Mr. McCarty asserted that the discussion would be very general, however, Ms. Carrillo stated that because the discussion wasn't public noticed, the Board shouldn't speak to it. Mr. Webber prompted Ms. Carrillo to clarify this, since it has been the protocol to add agenda items during the agenda review period at each meeting. Similarly, Mr. McCarty pointed out that the agenda is *tentative*, and therefore is subject to change until the Board approves the agenda on record. Ms. Carrillo informed the Board that she was recently told by the Department of Law that if items are not public noticed, Board's cannot speak to them as it may neglect the opportunity for the public to be aware of and comment on. JoAnn Young inquired why the Board wasn't informed of this before, and Ms. Carrillo responded that it was only brought to light a few days ago. Mr. McCarty insisted that it has been the standard to add agenda items and reiterated the proposal to add the suggested items under New Business. Mr. Webber asked if Ms. Carrillo could seek clarification from Charles Ward or Dawn Hannasch on this issue.

**Chair, Leon Webber called for break at 9:14 a.m.**

Off Record at 9:14 a.m.

On Record at 9:47 a.m.

The Board ultimately decided they would add supervision responsibilities under the existing discussion of the supervision template and the topic of failing the exam under the discussion on AMFTRB examination updates. Mr. Webber reiterated that since the practice of the Board has been to introduce new agenda items at the time of the agenda review, the Board should be able to continue adding new topics as necessary.

**On a motion duly made by Ken McCarty, seconded by Joann Young, and approved unanimously, it was:**

**RESOLVED to accept the amended agenda.**

**TASK:**

Mr. Webber will write a letter to the Division and the Department of Law regarding the Board's prerogative to add agenda items not previously public noticed. Ms. Carrillo will be carbon copied on the letter.

**Agenda Item 3     Review Minutes**

**Time: 9:50 a.m.**

Hearing nothing further on reviewing the agenda, Mr. Webber moved to discussion on reviewing the minutes from the Board's October 23<sup>rd</sup>, 2015 teleconference. Mr. Webber prompted for clarification on page 20 regarding 12 AAC 19.200(c), of which he was under the impression the Board had already moved to strike out. Ms. Young confirmed that the Board did approve to remove the proposed amended regulation. Mr. McCarty also sought clarification on whether Fr. John Downing was present at this meeting, to which Ms. Carrillo responded he wasn't. Ms. Carrillo also noted that a correction needed to be made on page 1 of the minutes, as Martha Hewlett attended *via telephone*. The Board continued to review the meeting minutes.

*Leon Webber left the room at 9:54 a.m.*

*Leon Webber entered the room at 9:56 a.m.*

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

**RESOLVED to accept the minutes from the October 23<sup>rd</sup>, 2015 meeting.**

**Agenda Item 5     Investigative Report**

**Time: 9:57 a.m.**

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*Sonia Lipker joined the meeting telephonically at 9:57 a.m.*

*Sonia Lipker left the room telephonically at 9:58 a.m.*

Ms. Lipker joined the room to present the Board's investigative report, which included activity from September 30<sup>th</sup>, 2015 through January 6<sup>th</sup>, 2016. During this period, one matter had closed and none had opened.

**Agenda Item 4    Ethics Report**

**Time: 10:06 a.m.**

There were no ethics to report.

**Agenda Item 6    Board Business**

**Time: 10:06 a.m.**

*Dawn Hannasch joined the meeting at 10:18 a.m.*

*Dawn Hannasch left the room at 10:39 a.m.*

Records and licensing supervisor, Dawn Hannasch joined the room to clarify an issue discussed previously under Agenda Item #2. Ms. Hannasch reiterated to the Board the guidance given by the Department of Law that new topics should not be added to the agenda after public noticing has already taken place. Ms. Hannasch acknowledged that Boards in general do have additional items they may want to discuss that have not been published to the public agenda, but that the Board should give advanced notice such that the public can provide feedback or ask for clarification on certain topics. Mr. Webber commented that it is the Board's intent to remain transparent to the Board,

*Applications and CE Review* –

Hearing nothing further on the ethics report, Mr. Webber prompted the Board to begin discussion of continuing education and license applications. Mr. McCarty requested clarification on Nicole Jenkin's application, as there appeared to be a cancellation (lapse) in her licensure status during the transition from practicing in California to practicing in Alaska. Ms. Carrillo pulled her file and noted that her California license was active through 2014, and thus was valid at the time of her initial Alaska application in 2013.

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

**RESOLVED to approve Nicole Jenkins for licensure as an approved supervisor.**

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

**RESOLVED** to approve Frances Saxton-Opatz for licensure as a marital and family therapy associate.

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

**RESOLVED** to approve Steven Houseworth for licensure as a marital and family therapist by credentials.

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

**RESOLVED** to approve course 11512, “Introduction to Emotionally Focused Therapy” submitted by Shawnmarie Carpenter on behalf of Alaska Marriage and Family Therapy Associates

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

**RESOLVED** to approve course 15116, “Integrating Neurobiology into Practice” submitted by Laurie Lopez on behalf of Infant Learning Program – State of Alaska

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

**RESOLVED** to approve course 15074, “Parenting Coordination: Concepts and Methods” submitted by Ashley Barrera on behalf of the Alaska Bar Association/Court System

Mr. McCarty then addressed the revised continuing education and the semester-quarter conversion data to be updated on the Associate application. Ms. Carrillo informed the Board that the CE application has since been revised for applicants to indicate the type of course delivery format, i.e.: live versus online.

**TASK:**

Ms. Carrillo will add the semester-quarter conversion information to the Marital and Family Therapy Associate application.

Report of Contact Form –

Ms. Carrillo distributed a report of contact form for Board members to complete when coming into contact with legislators, the Department of Law, the media, etc. The form is intended to keep track Board interaction with outside parties, which also requests members to briefly describe the topics under discussion, and any recommendations made during the interactions. Ms. Carrillo let the Board know that the form had already been issued a form number would be converted to an interactive form.

Review Goals and Objectives – The Board reviewed the goals and objectives, and Mr. Webber noted that per Goal 8 Objective 2, prospective members were being interviewed to take Fr. Downing's position. Ms. Chambers later reiterated that appointments were underway during the latter part of Agenda Item #12.

**List the board's FY15 goals and objectives and how they were met:**

1. The board will develop a strategy to address the need for distance therapy and distance supervision.

The board contacted the national organization AAMFT, the APA, and different MFT boards nationwide. We had replies from 16 of the 50 State boards we contacted. Along with the responses from other inquires and research we have put together a proposal for legislation of statutes and regulations.

2. The BMFT will continue to review statutes and regulations to be consistent with the practice of marital and family therapy.

The Board will continue to recommend other statutes and regulations as needed.

3. The board will continue to review applications of marriage and family therapists by credentials, by examination, for supervisor status and for associates in an established manner. This is a major function of the BMFT meetings.

The board is satisfied with our process of reviewing applications.

4. The board will continue its responsibility to improve the process of approving continuing education, including supervision and continuing education, while maintaining professional standards.

The licensing examiner worked with the board to tweak some parts of the application processes. At this time, the application process is satisfactory.

5. The board will continue to work closely with the investigator assigned at their request. At every meeting, the investigator assigned to this board will give a report on their work related to the BMFT. The board will continue to be updated on the functions of the investigator's office.

The investigator reported at each board meeting.

6. The board will implement brief evaluations after each board meeting.

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The Board has been consistent in completing the evaluations. The evaluation form have been reviewed by the Board at its next meeting.

7. The board will continue to work with the Division of Corporations, Business and Professional Licensing with the goal to continue to reduce fees as is reasonable to maintain a balanced budget.

The Division of Corporations, Business and Professional Licensing has continued to work with the board to clarify budget needs including building expenses and hopefully reducing fees while maintaining a balanced budget. Meeting in Anchorage instead of traveling to meet in other cities is one of the ways that the Board had helped to reduce its expenses.

8. The board will continue to work with the Governor's office to fill vacant board seats in a timely manner. The board will have an opening in March 2014. The board encourages the Governor's office to reappoint this person or appoint a new member in a timely manner.

The Governor's Office filled two boards' vacancies in March of 2014 in a timely manner. The next vacant seat will occur in March of 2016, as Father John Downing's term will expire. The Board will work with the office of the Governor to fill the vacancy in a timely manner.

9. The BMFT will work to standardize and streamline the process for approval of continuing education while maintaining the integrity of the mission of the board, which is to approve training relevant to the profession in a changing post-modern world.

The Board has been using electronic means to review the continuing education applications so as to be able to deliver the Boards decision in a timely manner.

10. The board will continue collaborative relations with the Division of Corporations, Business and Professional Licensing.

The board has continued to collaborate with the Division of Corporation, Business and Professional Licensing, especially with the Licensing Examiner whose assistance has been irreplaceable to the functioning of the board.

11. The board will be a presence and an information source for Legislators and Executive branches of the state government.

A form will be provided to board members to be completed after each contact made with a legislator or legislative office on behalf of the Board. The Board member will submit the completed form to the licensing examiner within three days. This report will be available to the Board upon request and will be included in the following Board meeting. As of the end of FY 2015 our Board has not had to fill this form out.

12. The board will continue to review, research and consider new technological advances as it pertains to therapy, supervision and training.

These issues will be addressed in the coming legislative session, especially with regards to distance supervision and distance therapy.

13. The board will explore the concept of challenges and issues of labor mobility and how MFTs may be affected in Alaska.

The board will be seeking support from the administration and Legislature in changing statutes and regulations to encourage labor mobility for applicants transferring into Alaska prior to receiving licensing.

14. The board will work to introduce changes necessary to require licensing as an MFT associate before acquiring clinical and supervision hours. The board will address the issue of previous experience and labor mobility before this change.

(See #13)

15. The board will research and consider ways of insuring MFT licensees have knowledge of their statutes and regulations. A mail out is an example of one way that the Board can get this knowledge out to its licenses.

During FY 2015, the Board did not do any mail outs due to the regulations project.

16. The board will continue their affiliation and full membership with the Association of Marital and Family Therapy Regulation Board (AMFTRB). Attendance at the annual meetings is crucial to provide an Alaskan perspective and to stay informed of what is occurring nationwide that will affect Alaska.

The Board sent one representative, Linda King to the AAMFT annual conference in Milwaukee.

17. The board will continue its goals to increase board education to improve its function by sending delegates to national conferences and/or trainings such as the American Association for Marriage and Family Therapy's yearly conference, Board Regulator and CLEAR.

The Board sent one representative, Leon Webber to the CLEAR conference in New Orleans, Louisiana.

18. The board will continue to review and explore title vigilance.

The board regularly reviews and is open to explore issues relating to title vigilance.

19. The board will be a presence and information source for Legislators and Executive branches of the state government.

The board will continues to represent its mission, goals, and mandates, as it interacts with legislators and executive branches coming legislative session.

**List the board's FY16 goals and objectives. Include any strengths, weaknesses, opportunities, and threats, as well as any resources needed:**

**Goal 1.** The Board of Marital and Family Therapy will develop a strategy to address the need for distance therapy and distance supervision.

*Objective 1:* Continue to seek input from the National Organization, AAMFT, the APA and various MFT boards.

*Objective 2:* Continue to work toward the completion of the drafted regulations until the desired outcome is accomplished.

**Goal 2.** The Board of Marital and Family Therapy will continue to review statutes and regulations to be consistent with the practice of marital and family therapy.

*Objective 1:* Continue to research and recommend changed to Regulation as needed

**Goal 3.** The board will continue to review applications of marriage and family therapists by credentials, by examination, for supervisor status and for associates in an established manner.

*Objective 1:* The Board will work with the licensing Examiner to utilize the secured website so that completed applications can be reviewed and approved in a timely manner.

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**Goal 4.** The board will continue its responsibility to improve the process of approving continuing education, while maintaining professional standards.

*Objective 1:* The Board will work with the licensing Examiner to utilize the secured website so that completed applications can be reviewed and approved in a timely manner.

**Goal 5.** The board will continue to work closely with the investigator assigned at their request.

*Objective 1:* Continue to be updated on the functions of the investigator's office.

**Goal 6.** The board will implement brief evaluations from each board member at each meeting.

*Objective 1:* A report will be drafted by Board Secretary Joann Young and presented to the Board at the end of each fiscal year.

**Goal 7.** The board will continue to work with the Division of Corporations, Business and Professional Licensing with the goal to continue to reduce fees as is reasonable to maintain a balanced budget.

*Objective 1:* Continue to clarify budget needs.

*Objective 2:* Continue to review expenses at each regular scheduled Board meeting.

**Goal 8.** The board will continue to work with the Governor's office to fill vacant board seats in a timely manner.

*Objective 1:* Continue to encourage the Governor's office to reappoint current members or appoint a new member in a timely manner.

*Objective 2:* Father John Downing's term will expire in March 2016, the Board will assist and encourage the office of the Governor to fill that vacancy as soon as possible.

**Goal 9.** The board will continue collaborative relations with the Division of Corporations, Business and Professional Licensing.

*Objective 1:* Continue to respond and correspond with the Licensing Examiner in a timely manner with the licensing examiner.

**Goal 10.** The board will be a presence and information source for Legislators and Executive branches of the state government.

*Objective 1:* Complete forms provided to board members after each contact made with a legislator or legislative office on behalf of the Board. Return said form to the Licensing Examiner within 3 business day.

**Goal 11.** The board will continue to review, research and consider new technological advances as it pertains to therapy, supervision and training.

*Objective 1:* Continue to address these issues during the legislative session.

*Objective 2:* Seek support, awareness, and endorsements by legislative members and the Governor.

*Objective 3:* The Board will address changing the terminology of, "face-to-face" to, "real-time".

**Goal 12.** The board will explore the concept of challenges and issues of labor mobility and how MFTs may be affected in Alaska.

*Objective 1: The board will explore the concept of challenges and issues of labor mobility*

**Goal 13.** The board will continue to require licensing as an MFT associate before acquiring clinical and supervision hours.

*Objective 1: Continue to address the issue of previous experience and labor mobility before this change.*

*Objective 2: Continue to review current statutes and regulations and propose changes necessary to match national trends.*

**Goal 14.** The board will research and consider ways of insuring MFT licensees have knowledge of their statutes and regulations.

*Objective 1: Send mail outs to licensees to up-date and inform them of current statutes and regulations.*

**Goal 15.** The board will continue their affiliation and full membership with the Association of Marital and Family Therapy Regulation Board (AMFTRB).

*Objective 1: The Board has approved Board member Linda King to attend the AAMFT conference in Sept in Austin TX*

**Goal 16.** The board will continue its goals to increase board education to improve its function by sending delegates to national conferences and/or trainings such as the American Association for Marriage and Family Therapy's yearly conference, Board Regulator and CLEAR.

*Objective 1: the Board has approved Board member Leon Webber to attend the AMFTRB conference and CLEAR training conference in Boston*

**Goal 17.** The board will continue to review and explore title vigilance

*Objective 1: Continue to regularly review and be open to exploring issues relating to title vigilance.*

After reviewing the Board's Goals and Objectives, Mr. Webber proposed that allocating time for G/O's and statutes/regulations be regular agenda items for discussion at each meeting.

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

**RESOLVED to add Goals and Objectives and Statutes/Regulations to the agenda for each meeting.**

**Agenda Item 7    Old Business**

**Time: 11:20 a.m.**

Telehealth:

The telehealth discussion (SB 98) would be held during the Budget Report at 2:00 p.m.

Supervision Template:

Mr. McCarty addressed the supervision template

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**TASK:**

Ken McCarty will send Ms. Carrillo the supervision template, and proposed that supervisors incorporate a component of their supervision responsibilities to help associates prepare for the National AMFTRB exam.

Mr. McCarty asserted that since associates are essentially marital and family therapists in training, they should be prepared such that they pass the national exam. Mr. McCarty clarified that the burden is not on the supervisor to make sure the associate passes, but to offer some degree of guidance in developing the skills needed for efficiency. Mr. Webber agreed that the burden should not be on the supervisor since test taking has different levels of complexities and influences on the individual level. Mr. Webber stated that although there is a clinical portion of the test, the associate is responsible for studying the array of different clinical methodologies and concepts, since approaches used by a given supervisor may be more focused than the broad range of approaches within the marital and family therapy context.

Mr. McCarty then addressed the possibility of the Board to issue a statement that speaks to the need for supervisors to continually address the issues of public safety and to make salient the rules and regulations of becoming licensed. Ms. Carrillo suggested that the Board create a position statement on this issue, and that if created, would be posted to the Board's site under a new section titled, "Position Statements". These would be accessible to the public and would contain documents of the Board's collective agreement or position on certain topics, such as supervisor responsibilities.

**TASK:**

Ms. Carrillo will send Mr. McCarty a template for position statements.

**TASK:**

Ken McCarty will draft a position statement on supervisor responsibilities, and will send the draft to Ms. Carrillo.

**TASK:**

Ms. Carrillo will create a position statement section on the Marital and Family Therapy Board's site, which will contain documents of the Board's position on certain topics.

**SB 98:**

Hearing nothing further on supervisor responsibilities, Mr. Webber addressed SB 98 in preparation for Operations Manager, Sara Chamber's presentation. Mr. Webber began to explain telehealth in terms of the new senate bill, informing the Board that Senator Micciche had introduced an amendment to the bill—which was primarily or initially intended for

medical professionals—that would add to it other mental health professions, including the Board of Marital and Family Therapy. Mr. Webber mentioned that if passed, the bill would be accompanied by an increase in costs and licensed non-residents. This would be an issue since it in effect would facilitate a significant influx of non-residents applying for licensure in Alaska to treat Alaska residents. This would mean that a LMFT in Alabama could treat a resident in Alaska via teletherapy or distance therapy without meeting residency requirements. Mr. Webber then prompted the Board whether they would be supporting this bill, or if the Board would want to revert back to the statutory project drafting stage. Mr. Webber asked the Board to contemplate this, and stated that Ms. Chambers would imminently be explaining the pros and cons on this bill. Ms. Carrillo distributed correspondence from Ms. Chambers asking the Board to review the bill and to express their opposition or support of the bill's potential outcomes.

Mr. McCarty was under the impression that SB 98 amendment was made specifically for the purpose of mental health professions assisting medical providers via telemedicine. It was later clarified that this was not a correct interpretation.

Title 47:

Mr. McCarty then addressed title 47, which has been a topic of the Board's discussion for the past several meetings.

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

**RESOLVED to approve that the MFT regulatory Board write an updated letter of support for the Board's inclusion into Title 47.**

**TASK:**

Ken McCarty will write a new letter of support for the Board's inclusion in Title 47, and will send the draft to Leon Webber for his signature.

Proactive Resolve/Investigations:

Mr. Webber then addressed proactive resolutions in the Investigations process. Mr. McCarty stated that he would continue to look into where the progress is on addressing when a licensee's conduct is such that it imposes a financial burden on the Board via investigations costs.

**TASK:**

Ken McCarty will write an updated letter demonstrating the Board's position on the issue of accruing investigative costs.

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**Agenda Item 8**    Correspondence

**Time: 11:59 a.m.**

There was no correspondence for the Board to review.

**Agenda Item 10**    Lunch

**Time: 12:00 p.m.**

Chair, Leon Webber called for lunch at 12:00 p.m.

Off Record at 12:00 p.m.

On Record at 1:07 p.m.

**Agenda Item 9**    New Business

**Time: 1:08 p.m.**

Upon the Board's return from lunch, Mr. Webber addressed AMFTRB exam updates. Ms. Carrillo informed the Board that she had recently received an update from the AMFTRB that states would no longer be using state-specific codes, rather candidate-specific codes are now being generated based on the applicant's last name. Ms. King inquired whether the exam applicants still needed to wait 6 weeks until receiving their scores, to which the Board expressed dissatisfaction towards. Ms. King commented that applicants from other mental health boards receive national exam scores on the same day. The Board agreed that the 6-week waiting period is too long. Mr. Webber suggested writing a letter of inquiry to the Professional Testing Corporation (PTC) through the AMFTRB regarding the wait time for test scores.

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

**RESOLVED to write a letter of inquiry to the PTC addressing the possibility to expedite the wait time for AMFTRB examination scores, as the current wait time is approximately 6 weeks.**

**TASK:**

Mr. Webber will draft a letter regarding the waiting time for AMFTRB exam score results for the purpose of sending to PTC and the AMFTRB.

Mr. McCarty then inquired as to what stage the Board's regulation project is in, as the Board approved the amended regulations during its last meeting on October 23<sup>rd</sup>, 2015. Ms. Carrillo informed the Board that Mr. Webber had already signed the consent order and that the project was under review with the Department of Law. Mr. McCarty asked Ms. Carrillo

to clarify the timeline of this project since the Board had received a stale date notice of RECEIVED  
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**TASK:**

Ms. Carrillo will inquire to the regulations specialist as to where their previously adopted CBPL regulations project is.

**Agenda Item 13 Administrative Business**

**Time: 1:10 p.m.**

The Board was slightly ahead of schedule and wanted to address administrative business before the public comment period. Ms. Carrillo stated that she had prepared a certificate of appreciate for Fr. Downing. Mr. McCarty also commented to Ms. Carrillo that he had sent her a few documents to print and return to the Board.

**Chair, Leon Webber called for break at 1:19 p.m.**

Off Record at 1:19 p.m.

On Record at 1:36 p.m.

*Paralegal, Charles Ward entered the room at 1:34 p.m.*

*Paralegal, Charles Ward left the room at 1:59 p.m.*

**Agenda Item 11 Public Comment**

**Time: 1:36 p.m.**

*Christy Kay entered the room telephonically at 1:36 p.m.*

*Christy Kay left the room telephonically at 1:42 p.m.*

While on break, Ms. Carrillo asked the Division's paralegal, Charles Ward to speak to the Board regarding the issue of license revocations for Marital and Family Therapy Associates. Upon return from break, Charles Ward joined the meeting to address this issue, and Christy Kay joined the meeting telephonically for public comment. Ms. Kay commented to the Board that she would like to retake the test because she has tremendous testing anxiety. In addition, Ms. Kay asserted that the staff at the testing agency was unavailable during her initial scheduled testing period, and that they had erroneously scheduled her test time. Ms. Kay contended that this disordered circumstance brought about a heightened degree of testing anxiety.

Mr. Webber thanked Ms. Kay for her public comment, and responded that although the Board would like to address the issue, they were unsure of how to proceed in adherence to certain laws, since the situation is governed by an existing statute. Mr. Webber then deferred to paralegal, Charles Ward. Mr. Ward clarified and cautioned that while the Division hopes



The Board then inquired what the license count was, to which Ms. Chambers stated that the license count was at 119 as of the end of FY15, and that the profession grew by 12 new licensees within the year. Ms. Carrillo later found the current license count to be 109, and Mr. McCarty addressed that the lower number may be more accurate because of individuals having duplicate license types.

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Return to SB 98 discussion from Agenda Item #7:

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Mr. Webber then addressed the specific amendment to SB 98 that would include marital and family therapists, and noted the concerns of increased costs to the Board. Ms. Chambers first thanked Mr. McCarty and Mr. Webber for their participation and testimony on this issue, and particularly appreciated individual Board members taking caution to not represent the Board in its plenary form, as it exemplified excellent conduct. Ms. Chambers then began to expound on SB 98, stating that the bill was created to expand the practice of telemedicine by medical physicians and allow any person who is licensed in Alaska to practice, regardless of their geographical location. Ms. Chambers added that the amendment to the bill would reach into other mental health professions, including psychologists and psychological associates, licensed professional counselors, social workers, and marital and family therapists, thereby also applying the same provisions of distance health care delivery to the MFT profession. Ms. Chambers emphasized that the bill would prohibit the Board to impose any disciplinary action on anyone practicing marital and family therapy outside of the state (e.g., if a licensed MFT provided marital and family therapy services to an individual in Alaska while in New Jersey), so long as the individual is *licensed* and conforms to other criteria set by the Board. The Board would be able to create such enforcement criteria through regulations. Ms. Chambers added that supporting the bill and subsequent passage and implementation of a new statute on telemedicine/teletherapy would satisfy the relevant obligation established during the Board's last sunset audit.

*Leon Webber left the room at 2:15 p.m.*

*Leon Webber entered the room at 2:16 p.m.*

Mr. McCarty then prompted Ms. Chambers to clarify whether the bill was created with mental health professions playing a secondary role, as earlier interpreted. Ms. Chambers clarified that the bill was not intended for mental health professions to play a complimentary role to primary care physicians, but that marital and family therapists, for example would be considered a primary provider or independent practitioners in the context of telehealth.

Mr. Webber then prompted Ms. Chambers to clarify that if the bill were to pass, the Board could work on a regulations project to establish restrictions/guidelines for the bill. Ms. Chambers agreed and stated that the regulations attorney would be involved in this process.

Ms. Chambers strongly advised the Board to make a statement on record as to what the Board's position is on SB 98.

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

**RESOLVED to support Senate Bill 98 with the amendment from Senator Geisel.**

**TASK:**

Mr. Webber will discuss Senate Bill 98 with Jane Conway, and will report to Ms. Carrillo and the Board as to any progress or recommendations that may be made.

**Agenda Item 13 Administrative Business**

**Time: 1:10 p.m.**

The Board returned to the discussion of administrative business and distributed their receipts to Ms. Carrillo. The Board maintained that their next meeting date would be held in Anchorage on April 22<sup>nd</sup>, 2016. Ms. Carrillo also informed the Board that public noticing is required if there are two or more individuals involved, which had been previously double-checked against the Division's policies and procedures.

**Chair, Leon Webber called for break at 2:57 p.m.**

Off Record at 2:57 p.m.

On Record at 3:09 p.m.

Ms. Carrillo returned to the issue of public noticing, as Boards were previously under the impression that noticing was required only if the working group/subcommittee consisted of 3 or more people. After double-checking with the 2015 policies on public noticing, it was confirmed that public noticing is required if the group consists of 2 or more people. This would include working groups comprised of non-board members reporting for the Board. Ms. Carrillo commented that the advance notice would need to occur at least 5 days before the initial meeting, with a 3-day notice for subsequent meetings.

The Board briefly discussed "protected terms", and came to acknowledge that the Board has title protection, but not practice protection, such that non-licensed individuals can say they are practicing marital and family therapy, but cannot state that they are licensed. Mr. McCarty stated that there should be a statement on this issue, and Ms. Carrillo suggested adding this as a position statement.

**TASK:**

Mr. McCarty will draft a position statement on title protection of Marital and Family Therapy.

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Ms. Carrillo then informed the Board that Board evaluations were not printed. In the absence of evaluations, Mr. Webber suggested going around the table to offer insights on the Board's progress for the day, and to express what and who each attendee is appreciative of and grateful for.

**Agenda Item 14 Adjourn**

**Time: 3:30 p.m.**

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

**RESOLVED to Adjourn the meeting.**

Respectfully submitted,



Laura Carrillo, Examiner

09/12/16

Date



Leon Webber, Chair

8.17.16

Date

