

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
Wednesday, June 7th, 2017

These are DRAFT minutes prepared by the staff of the Division of Corporations, Business and Professional Licensing. These minutes have not been reviewed or approved by the Board.

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 Wednesday, June 7th, 2017 beginning at 9:00 a.m. The meeting was held at 9th floor, Conference room C, in the State Office Building, in Juneau, 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, Chairman, Licensed Marriage and Family Therapist
Karen Cunningham, Licensed Marriage and Family Therapist
Nicole Jenkins, Licensed Marriage and Family Therapist
JoAnn Young, Public Member
Dorothea Aguero, Public Member

Division Staff present were:

Aiko Zaguirre, Licensing Examiner
Chelsea Childress, Licensing Examiner
Laura Carrillo, Records & Licensing Supervisor
Sara Chambers, Division Operations Manager

Agenda Item 2

Review Agenda

Time: 9:08 a.m.

The Board reviewed their meeting agenda. Mr. Webber noted he would like to add a topic for discussion under “Old Business – Regulations Project Update” at 10:30 a.m. regarding adopting the AAMFT Code of Ethics.

Chair, Mr. Webber also wanted to recognize the service of the outgoing Board members, Kenneth McCarty and Linda King before the end of the meeting.

On a motion duly made by JoAnn Young, seconded by Nicole Jenkins, and approved unanimously, it was

RESOLVED to accept the agenda as amended.

Agenda Item 3

Review Minutes

Time: 9:10 a.m.

After reviewing the agenda, the Board proceeded to review the meeting minutes, starting with January 27th, 2017.

Ms. Carrillo commented on the credentials for Ashley Winslow listed as present from the public on page 11 of the minutes. Ms. Carrillo noted the text should read:

Present from the Public:

*Ashley Winslow, Licensed Marital and Family **Therapist** (via teleconference)*

Ms. Aguero commented on the spelling of her name on page 14 of the minutes. Ms. Aguero noted the text should read:

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

RESOLVED to approve a one-time exemption to Liz Lorraine to meet her face-to-face CEU requirements provided that she completes all of the CEUs hours for the 2015-2016 renewal period, both live and non-live by May 1st, 2017. Ms. Lorraine must submit the license renewal application by February 20th, 2017, and will be under temporary privileges until she submits all the required CEUs on or before May 1st, 2017.

At 9:38 a.m., while reviewing the January 27th meeting minutes, there was discussion on the drafted continuing education course approval language. Ms. Carrillo commented that there was a request to add specific language for an 'applicant' definition, and the Board needs to clarify who an applicant is and to include a definition in the language currently drafted. Ms. Carrillo also noted there needs to be a clear stance on what constitutes an applicant to submit a CE approval request.

After some discussion, the Board noted the applicant may be a provider if a licensee, program, school, etc. Ms. Agüero commented on adding language to include "of a proposed CEU course".

Ms. Childress presented the following verbiage to the Board: *(f) For the purposes of this section, an "applicant" is defined as a licensee, provider, or sponsor of a proposed CEU course.*

On a motion duly made by Nicole Jenkins, seconded by Joann Young, and approved unanimously, it was

RESOLVED to approve to add to the current continuing education regulation proposal 12 AAC 19.350 to read:

12 AAC 19.350. Application of providers for continuing education course approval.
(a) Except as provided in 12 AAC 19.310, to be approved by the Board to meet the continuing education requirements of 12 AAC 19.320, an applicant for continuing education course approval shall submit to the board, not less than seven days before the date of the proposed program presentation date,

- (1) a completed application on the form provided by the department;**
- (2) the continuing education course approval fee specified in 12 AAC 02.242;**
- (3) the name of the course provider;**
- (4) a complete course description, including the course title and a description of the learning objectives;**
- (5) a course syllabus; and**
- (6) an outline of the major topic covered by the course and the number of classroom hours allowed for each topic.**

(b) Approval of continuing education course under this section is valid until December 31 of the next even numbered year.

(c) An applicant who has a change in condition required under (a)(3)-(6) of this section during the approval period described in (b) of this section must reapply to

the board for continuing education credit approval not later than seven days after the course is presented.

(d) The applicant shall keep records of attendance of all courses provided for a minimum of two years after the expiration date of the approved course, and may be audited at the discretion of the board.

(e) Exemption of the continuing education fee requirements are: American Association of Marital and Family Therapy, Alaska Association of Marital and Family Therapy, and the State of Alaska.

(f) For the purposes of this section, an “applicant” is defined as a licensee, provider, or sponsor of a proposed CEU course.

Authority: AS 08.63.050 AS 08.63.100

After discussion and adopting language for the current continuing education regulation proposal 12 AAC 19.350, the Board proceeded to review the February 24th, 2017 meeting minutes at 9:42 a.m.

Ms. Jenkins commented on the meeting date listed on page 27. Ms. Jenkins noted the text should read:

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 Friday, February 24th, 2017 beginning at 9:00 a.m. via teleconference.

Additionally, Ms. Jenkins noted incorrect spelling on page 32 of the minutes, and that the text should read:

Chair, Mr. Webber reiterated that the Board would like to specify that: 1) only providers may apply for continuing education course approval; and 2) that the American Association of Marital and Family Therapy, Alaska Association of Marital and Family Therapy, and State of Alaska agencies will be exempted from submitting an application and fees, when and if such fees are implemented.

Mr. Webber commented on the spelling on page 32 of the minutes. Mr. Webber noted the text for drafted 12 AAC 19.350(a)(4) should read:

*12 AAC 19.350. Application of providers for continuing education course approval.
(a) Except as provided in 12 AAC 19.310, to be approved by the Board to meet the continuing education requirements of 12 AAC 19.320, an applicant for continuing*

education course approval shall submit to the board, not less than seven days before the date of the proposed program presentation date,

(7) a completed application on the form provided by the department;

(8) the continuing education course approval fee specified in 12 AAC 02.242;

(9) the name of the course provider;

*(10) a complete course description, including the course title and a description of the **learning** objectives;*

(11) a course syllabus; and

(12) an outline of the major topic covered by the course and the number of classroom hours allowed for each topic.

(b) Approval of continuing education course under this section is valid until December 31 of the next even numbered year.

(c) An applicant who has a change in condition required under (a)(3)-(6) of this section during the approval period described in (b) of this section must reapply to the board for continuing education credit approval not later than seven days after the course is presented.

(d) The applicant shall keep records of attendance of all courses provided for a minimum of two years after the expiration date of the approved course, and may be audited at the discretion of the board.

Ms. Aguero commented on the spelling on page 35 of the minutes. Ms. Aguero noted the text listed mid-paragraph under the drafted language for the Scope of Teletherapy Practice should read:

AS. 08.63____ (new section) Scope of Teletherapy Practice.

*Services offered by licensees of this Board across a distance by electronic means fall within the jurisdiction of the Board as with traditional, face-to-face services described in this chapter. AS 08.63 and 12 AAC 19 will apply to these services. Teletherapy or technology-assisted services refers to the scope of marriage and family therapy practice of diagnosis, evaluation, consultation, intervention, **and** treatment of behavioral, social, and interpersonal disorders through **synchronous** or **asynchronous** two-way electronic communication, including but not limited to telephone, videoconferencing, email, text, instant messaging, and social media.*

On a motion duly made by Nicole Jenkins, seconded by Joann Young, and approved unanimously, it was

RESOLVED to accept the January 27th, 2017 and February 24th, 2017 minutes as amended.

Agenda Item 4 **Ethics Report**

Time: 9:49 a.m.

There were no ethics to report.

Agenda Item 5 **New Board Members**

Time: 9:50 a.m.

With no ethics violations to report, the Board moved to the next item on the agenda, New Board Members.

Chairperson Mr. Webber started the conversation by noting information on the state crisis, and wanting to show appreciation to the licensing examiners. Mr. Webber noted how fortunate the Board is to have experienced and knowledgeable individuals working with this board.

Moving on, Mr. Webber thanked the new members for volunteering to serve on the Board. Mr. Webber commented on a few general rules as board members, and how the Board is ultimately there for public protection. Mr. Webber noted that, while they are a self-sufficient board, they are still mixed in with the budget crunch and restrictions.

Each member proceeded to introduce themselves and provided some information about their experience and interest in the Board to get acquainted with each other.

Agenda Item 7 **Investigative Report**

Time: 10:10 a.m.

Jeannette Akers, Investigator entered the room at 10:10 a.m.
Jeannette Akers, Investigator left the room at 10:13 a.m.

Ms. Akers, provided the Board with her investigative report. Ms. Akers reported that there were no open matters. Ms. Akers added that for the period of January 19, 2017 through May 18th, 2017, there were no matters opened or closed. Additionally, no matters remain on-going. With the information provided, the Board was delighted to hear the current stance of the Board in terms of legal matters.

Chairperson, Mr. Webber commented on the requirements for the MFT's previous sunset audit, which noted the board needed to work more closely with investigations, and commended the teamwork between the Board, administrative staff and the investigative unit, noting that this helps in decreasing the Board's expenses with cutting down

investigative costs. Mr. Webber extended a special thank you to the investigative unit for preventing the Board from incurring a \$100K investigation expense.

Ms. Akers asked the Board if they had any further questions. With no further questions presented, Ms. Akers concluded her investigative report, exiting at 10:13 a.m.

Chair, Leon Webber, called for a short break.

Off the record at 10:15 a.m.

Back on the record at 10:28 a.m.

Agenda Item 6

Board Business

Time: 10:38 a.m.

After the investigative report, the Board moved to the next item on the agenda, Board Business.

Application Review:

The Board reviewed the application submitted by Shawnmarie Carpenter, who was applying for a Marital and Family Therapy Approved Supervisor License.

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

RESOLVED to approve Shawnmarie Carpenter for a Marital and Family Therapy Approved Supervisor License.

The Board reviewed the application submitted by Dennis Eames, who was applying for a Marital and Family Therapy Approved Supervisor License.

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

RESOLVED to approve Dennis Eames for a Marital and Family Therapy Approved Supervisor License.

CE Applications:

With no additional applications for review, Mr. Webber moved on to continuing education applications, with which there was one application for review.

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

RESOLVED to approve course #15983, “Child, Adolescent and Family Behavioral Health / Early Childhood Mental Health Institute”, offered by the Division of Behavioral Health - Office of Childrens Services, submitted on behalf of Kacea Bjork, LPC for a total of 31.5 credit hours.

Renewal Audits:

With no additional applications for review, Mr. Webber moved on to Renewal Audits, with which there were 8 packets for review. Ms. Jenkins noted her vote as recuse, as she has submitted an audit included for review.

On a motion duly made by Joann Young, seconded by Karen Cunningham and approved unanimously, it was:

RESOLVED to approve the following 2016 Renewal Audits:

Richard Kurtz
Kennith McCarty
Elsita Kirchner
Marilou Laisnez
Karen Graber
Kirk Ninck
Roberta Downey

On a motion duly made by Joann Young, seconded by Karen Cunningham and approved by majority, it was:

RESOLVED to approve the 2016 Renewal Audit submitted by Nicole Jenkins.

Report of Contact:

With no further discussions regarding CE applications, the Board moved to the next item under Board Business: Report of Contact.

The Board noted no new Report of Contacts were present.

Review Goals and Objectives:

Licensing Examiner, Aiko Zaguirre commented on the goals and objectives enclosed in the board book. Ms. Zaguirre noted the enclosed copy was not updated, but the Board may update them later on to include in the annual report.

Agenda Item 8

Old Business

Time: 11:13 a.m.

With no discussion pertaining to the Board's Goals and Objectives, the Board moved to discussing Old Business.

Regulations Project Update:

Ms. Zaguirre informed the Board that the Regulations Specialist, Jun Maiquis was out sick for the day, however, she discussed the information needed from the Board prior to him being out of the office. Ms. Zaguirre noted the Board must clarify information in the drafted regulations for Teletherapy and Continuing Education.

The language for the CE Draft was discussed during the minutes review. The Board motioned to accept language drafted to include the definition of an "applicant."

Additional clarification for section (f) listed under the draft PROVIDING TECHNOLOGY ASSISTED DISTANCE PROFESSIONAL SERVICES was requested. Section (f) indicates that licensees are encouraged to review the AMFTRB guidelines, and that they will be published on the Board's website. However, Ms. Zaguirre noted she was unable to find the AMFTRB Guidelines on both the Board's website and the AMFTRB website.

TASK: Mr. Webber will look into this matter and email Ms. Zaguirre or Ms. Childress upon discovery.

Agenda Item 10

Budget Report/Division Updates

Time: 1:30 p.m.

Sara Chambers, Division Operations Manager, entered the room at 11:17 a.m.

Sara Chambers, Division Operations Manager, left the room at 11:39 a.m.

Sara Chambers acknowledged Mr. Webber's email regarding the possibility of a New Board Member Orientation. Ms. Chambers noted the Division has published a New Board Member Training Manual as a great resource for new board members, and that any feedback or questions regarding the training manual are welcome.

Ms. Chambers addressed the FY17 1st – 3rd quarter report and informed the Board that their licensing revenue was at \$64,550 with an ending cumulative surplus of \$68,226. Ms.

Chambers informed the board that the 4th quarter report is slightly delayed to finalize and reconcile due to the appropriation period, and that the reports should be ready early-fall.

Mr. Webber expressed his appreciation and thanks to Martha Hewlett. Mr. Webber noted she provided guidance to the Board during the last fee analysis, giving the Board additional knowledge to make informed financial decisions, providing further stability for licensees.

Agenda Item 9 **Continuing Education Exemption** **Time: 11:39 a.m.**

Ms. Zaguirre commented on the documentation enclosed with the Board Book and provided minimal background for the new Board Members.

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

RESOLVED to approve the CE Consent Agreement Decision and Order signed by Division Director Janey Hovenden for Liz Lorraine, and the documentation received by Liz Lorraine for the completion of the 16 remedial CEs requested.

Agenda Item 12 **New Business** **Time: 11:47 p.m.**

With additional time for Board Business before Lunch, Mr. Webber moved to the next item on the agenda, Administrative Business.

Annual Report:

Mr. Webber asked if there were any volunteers to help with the Annual Report. Nicole Jenkins volunteered to help Mr. Webber.

Legislative Audit:

Mr. Webber informed the new board members about a topic discovered by the auditors for the limitations to supervision, and the issue regarding individuals obtaining out of state unlicensed supervision. Ms. Zaguirre commented that they are approaching the end of the audit process. Ms. Zaguirre informed the Board that, with Ms. Childress recently transitioning with the MFT Board, contact with the auditors has mostly been with herself and Ms. Carrillo. Ms. Zaguirre noted they are expecting to finish before the end of the year.

Military License:

Next Meeting Dates:

The Board moved forward to setting their next meeting date. Upon discussion, the Board agreed upon a meeting October 25, 2017 and tentatively scheduled a meeting for January 18-19, 2018.

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

RESOLVED to meet on October 25th, 2017 and January 18-19, 2018 for regular board business.

Task List:

The Board reviewed the pending task lists from the January 27th, 2017 meeting.

Mr. Webber noted receipt of a letter from the Psychology Board regarding a Liaison, as well as the AAMFT. Mr. Webber also noted there should be a liaison for CLEAR. Ms. Jenkins volunteered to serve as liaison for the Psychology Board and the AAMFT, and Ms. Cunningham volunteered to serve as liaison for CLEAR.

The Board discussed assigning the Annual Report for completion – it was determined that Mr. Webber and Ms. Jenkins would meet to complete the Annual Report.

TASK: Mr. Webber and Ms. Jenkins will meet to complete the Annual Report, forwarding to the licensing examiner upon completion.

Mr. Webber will send Ms. Childress a letter regarding the tasks assigned.

TASK: Ms. Childress will forward the task list as well as the letter from Mr. Webber to the Board.

The Board discussed travel for the CLEAR conference, as well as the Citizen Advisory Committee. It was determined that Ms. Cunningham would attend the CLEAR Conference and Citizen Advisory Committee. Mr. Webber noted the importance of the AMFTRB, and the preference for attendance vs. attending the CLEAR Conference.

TASK: Mr. Webber will forward a letter to Ms. Childress to attach to the travel request showing the importance of attendance.

Mr. Webber revisited the topic presented during the legislative audit for the limitations on supervision. Mr. Webber noted the supervision statute is unreasonable and that good

quality supervision should apply. It was determined that the changes would be to statutes – specifically to Sec. 08.63.100(a)(3)(C) – and that lobbying is required. It was determined that the Board would utilize the January board meeting – tentatively scheduled for January 18-19, 2018 – and will meet with legislatures. Ms. Aguero volunteered to do the lobbying in January. Ms. Young volunteered to assist with lobbying.

Agenda Item 11

Public Comment

Time: 1:34 p.m.

There was no one from the public present to comment.

Agenda Item 14 Adjourn

Time: 1:39 p.m.

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

RESOLVED to adjourn the meeting at 1:39 p.m.

Respectfully Submitted by:

Chelsea Childress, Licensing Examiner

Approved by:

Leon Webber, Chair