

Annual Report

Fiscal Year 2019

ALASKA BOARD OF PROFESSIONAL COUNSELORS



**Department of Commerce, Community
and Economic Development**

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

**ALASKA BOARD OF CERTIFIED PROFESSIONAL COUNSELORS
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Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
Debra Hamilton, Board Chair Professional Counselor	Soldotna	Mar 01, 2013	Mar 01, 2021
Kyle Cardwell, Vice Chair Professional Counselor	Anchorage	Dec 01, 2017	Mar 01, 2021
Janece Richard Professional Counselor	Anchorage	Mar 01, 2018	Mar 01, 2022
Alice Baum Professional Counselor	Anchorage	Mar 01, 2018	Mar 01, 2022
Eleanor Vinson Public Member	Juneau	Mar 01, 2017	Mar 01, 2021

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Identification of Staff

Andy Khmelev – Licensing Examiner

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Division of Corporations, Business and Professional Licensing
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(907) 465-2550

Rissa J. Teske – Licensing Examiner

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Chase Parkey – Records and Licensing Supervisor

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Erika Prieksat, Sonia Lipker, Nina Akers, Brian Howes – Investigators

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Division of Corporations, Business and Professional Licensing
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Narrative Statement

The Fiscal Year 2019 (FY 19) Report of Activities is based on activity of the Board of Professional Counselors (PCO) between July 1, 2018 and June 30, 2019. During this period, the board held five meetings for a total of seven days. Meetings were held on the following days: July 13, 2018 - board members met from their perspective cities via teleconference; September 13-14, 2018 -board members met in person in Anchorage; December 14, 2018 – board members met from their perspective cities via teleconference; February 7 and 8, 2019 – Road system members met in Anchorage and Juneau member and staff met in Juneau and meeting was conducted via teleconference; and May 9, 2019 – board members met from their perspective cities via zoom video-conference. The board intentionally held all meetings in either Anchorage or perspective home cities, as well as, during non-peak travel periods, to try to minimize travel costs.

The express purpose of the board is to protect the public by regulating the profession of Professional Counseling. The Board accomplishes this by: reviewing applications for licensure to ensure minimal professional competence and fitness for licensure; investigating allegations of misconduct on the part of licensees; and upholding the rules of code pertaining to licensure, of which those rules and code are meant to ensure the protection of the public.” (AASCB Annual Conference 2018).

Reviewing applications for licensure:

During this past fiscal year, the board has diligently and timely reviewed all applications received, including applications for Professional Counselor licensure, Approved Supervisor Certification, continuing education units (CEU’s), seminar and class approvals, license reinstatements, requests for alternate supervision, and extensions of examination time.

Investigating allegations of misconduct:

Individual board members have worked collaboratively with the board investigator to review cases involving jurisdictional questions, and to give guidance on need for further review and/or disciplinary sanctions.

According to the investigations department, twenty-four cases were opened and thirteen cases have been closed. The board is in the process of reviewing the additional cases.

Regulation Management:

The board finalized the development of regulations overseeing tele-behavioral health. The board also recommended five regulation revisions to enhance professionalism and further protect the public.

As we reflect on FY 19, we celebrate the following highlights: All seats of the board were filled and the board was able to work collaboratively and efficiently to finalize our tele-behavioral health regulation as well as propose five new regulation changes that, we believe, will provide greater safety and professionalism to the industry of professional counseling. The board operated with fiscal health and was able to recommend a substantial fee reduction for the upcoming licensure renewals in October 2019. We are grateful to the staff of the Division of Corporations, Business and Professional Licensing for assisting us with budget reports, and administrative services to be able to accomplish the aforementioned. We are especially grateful for the licensing examiners and supervisors, and investigators that worked directly with our board.

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Narrative Statement (continued)

A hindrance that the board has experienced, however, is its inability to travel to conferences and to meet regularly face to face in person. We understand that due to the state's financial crisis, the state is diligently prioritizing reducing expenses, however, the professional board is not funded by state revenue, but rather is funded by the professionals for whom we oversee. The revenue to cover board expenses, including travel, is generated by the fees that we collect from license and supervisor applications. As our financial reports indicate, the board of professional counselors not only diligently climbed out of a deficit, but has developed a solvent reserve in order to sustain its operations at a professional level. During this past fiscal year, we were denied travel to conferences that promote board professional development and enable board members to, not only represent our state, but to network with other state boards to glean valuable wisdom in discerning best practices for our state board. In addition to the denial of conference travel, we were only approved in person face to face travel for one board meeting. As a member who has served on the board for six years, I have experienced the collaborative benefit of being able to work face to face in person with each board member as we collectively deliberate over matters that affect this profession. While the video-conferencing format provides an immensely improved forum over tele-conferences, it does not provide the same level of collaborative engagement as meeting face to face in the same room. Since the funding does not come from the state budget, we are hopeful that the travel requests for conferences and in person face to face board meetings in FY 20 will be prioritized and approved.

Investigations: Ms. Autumn Roark attended our September 2018, and Ms. Erika Prieksat attended our December 2018, February 2019 and May 2019 board meetings and provided helpful training at each to orient new board members in the investigative process. At our meeting in May 2019, Ms. Prieksat provided a very helpful training through a flowchart visual aide to further train board members in their role in the investigative process. Our board has been provided with comprehensive and timely updates regarding investigative matters. Indeed, the Investigations Unit has done an outstanding job working collaboratively with our board to ensure public safety.

The board continues work on the following:

- 1) Supervisor competency** – The board has drafted a regulation revision regarding increasing training requirements for becoming an Approved Counselor Supervisor.
- 2) Code of Ethics** – The board has proposed to stay with the AMHCA code of ethics and has proposed revising the code of ethics to the current 2015 version.
- 3) Board travel** – The board will continue to prioritize board member travel to conferences and training in order to affect the most efficient use of budgetary funds without compromising the purpose and mission of the board.
- 4) Disciplinary Matrix** – The board will work on developing a disciplinary matrix to assist in recommending consistent disciplinary actions.

Future board meetings:

Considering the budget, the board intends to continue to hold the majority of meetings in Anchorage, but may plan to hold a meeting in Juneau during legislative session if regulations require legislative involvement.

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Budget Recommendations for FY 2020

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

#1 Rank

(Rank board meetings in order of importance)

Board Meeting Date	Location	# Board	# Staff
September 19 -20, 2019	Anchorage	5	1
<input checked="" type="checkbox"/> Airfare:			\$1,200.00
<input checked="" type="checkbox"/> Hotel:			\$860.00
<input checked="" type="checkbox"/> Ground:			\$250.00
<input checked="" type="checkbox"/> Other:			\$650.00
Total Estimated Cost:			\$2,960.00

#2 Rank

Board Meeting Date	Location	# Board	# Staff
December 5-6, 2019	Anchorage	5	1
<input checked="" type="checkbox"/> Airfare:			\$1,200.00
<input checked="" type="checkbox"/> Hotel:			\$860.00
<input checked="" type="checkbox"/> Ground:			\$250.00
<input checked="" type="checkbox"/> Other:			\$650.00
Total Estimated Cost:			\$2,960.00

#3 Rank

Board Meeting Date	Location	# Board	# Staff
May 2020	Anchorage	5	1
<input checked="" type="checkbox"/> Airfare:			\$1,200.00
<input checked="" type="checkbox"/> Hotel:			\$860.00
<input checked="" type="checkbox"/> Ground:			\$250.00
<input checked="" type="checkbox"/> Other:			\$650.00
Total Estimated Cost:			\$2,960.00

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Budget Recommendations for FY 2020

Travel Required to Perform Examinations

Not applicable

Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Conference:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Total Estimated Cost:			\$0.00

**Out-of-State Meetings and Additional In-State Travel- NBCC and AASCB
Counseling Regulatory Boards Summit – Moving Forward Together**

#1 Rank in Importance or Not Applicable

Date	Location	# Board	# Staff
August 7-9, 2019	Washington, DC	3	1

Description of meeting and its role in supporting the mission of the Board:

The National Board of Certified Counselors (NBCC) hosts an annual gathering of state counseling boards and related organizations. In addition to providing national counseling certification, they also provide the two counseling exams that are most frequently accepted for AK state licensure. This year they are offering a joint counseling board summit with the American Association of State Counseling Boards (AASCB). AASCB is an alliance of governmental agencies responsible for the licensure and certification of counselors throughout the United States. Attendance at this meeting allows us to keep current with issues on the national level; work collaboratively toward license portability; and give Alaska voice in national decisions affecting Alaska LPCs. Due to the fact that these two organizations are combining their conference this year, and the fact that NBCC covers the expense for two attendees, we are budgeting for three counselors and one staff member to attend.
NBCC provides full conference coverage (airfare, conference fees, hotel and meals) for two attendees.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$3,400.00	\$1,800.00	\$1,800.00	\$3,400.00
<input checked="" type="checkbox"/> Hotel:	\$4,000.00	\$2,000.00	\$2,000.00	\$4,000.00
<input type="checkbox"/> Ground:	\$100.00	\$50.00	\$50.00	\$100.00
<input checked="" type="checkbox"/> Conference:	\$1,400.00	\$700.00	\$700.00	\$1,400.00
<input checked="" type="checkbox"/> MI&E	\$1,000.00	\$700.00	\$1,000.00	\$1,000.00
Describe "Other":	Meals included during conference for two people. All fees are estimates based on past			
Net Total:	\$4315.00	\$0.00	\$0.00	\$4315.00

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Budget Recommendations for FY 2020 (continued)

**Out-of-State Meetings and Additional In-State Travel –
American Mental Health Counseling Association (AMHCA) annual conference**

Date	Location	# Board	#Staff	
June 2020	TBD	1	1	
Description of meeting and its role in supporting the mission of the Board:				
The board has adopted the AMHCA's code of ethics as its code of ethics that govern ethical decision making for AK licensed professional counselors. Attendance at this conference enables board representatives to network with representatives of AMHCA, as well as, other licensed professional counselors, in order to stay abreast of best practices and ensure quality professional counseling in the state of AK.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$1,600	\$0.00	\$0.00	\$1,600
<input checked="" type="checkbox"/> Hotel:	\$1,000	\$0.00	\$0.00	\$1,000
<input checked="" type="checkbox"/> Ground:	\$100	\$0.00	\$0.00	\$100
<input checked="" type="checkbox"/> Conference:	\$800	\$0.00	\$0.00	\$800
<input checked="" type="checkbox"/> Other	\$600.00	\$0.00	\$0.00	\$600
Describe "Other" (break out all sections): MI&E.				
Net Total:	\$4,102.00	\$0.00	\$0.00	\$4,102.00

**Out-of-State Meetings and Additional In-State Travel –
Federation of Associations of Regulatory Boards (FARB) Forum**

Date	Location	# Board	# Staff	
January 23-26, 2020	Colorado Springs, CO	2	0	
Description of meeting and its role in supporting the mission of the Board:				
Federation of Associations of Regulatory Boards: The FARB Forum is educationally driven and includes sessions related to administering professional licensing boards. It provides a critical forum for information exchange between regulatory boards to help solve the mutual problems of participating associations as well as engage in activities to improve the standards of professions, the delivery of services, and the services of regulatory boards themselves.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$1,600	\$0.00	\$0.00	\$1,600
<input checked="" type="checkbox"/> Hotel:	\$900	\$0.00	\$0.00	\$900
<input checked="" type="checkbox"/> Ground:	\$100	\$0.00	\$0.00	\$100
<input checked="" type="checkbox"/> Conference:	\$800	\$0.00	\$0.00	\$800
<input checked="" type="checkbox"/> Other	\$700	\$0.00	\$0.00	\$700
Describe "Other": MI&E two for people for five days (4 conference days and 1 travel day)				
Net Total:	\$3,100.00	\$0.00	\$0.00	\$3,100.00

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Budget Recommendations for FY 2020

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
Membership Dues	AASC	\$900.00

Description of item and its role in supporting the mission of the Board:

This membership type is appropriate for counseling licensure boards and their appointed board members. The membership fee of \$900 includes membership for the Board Administrator and two appointed board members, a subscription to the organization's newsletter, The Liaison, invitations to AASCB programs and meetings, 2 delegate votes (one can be by the Board Administrator) at the Annual Business Meeting, and discounted annual conference fees.

Other Items with a Fiscal Impact

Cost Per Event: \$0.00

- Not Applicable

Number of Events: 0

Product or Service	Provider	Total Cost
		\$0.00

Description of item and its role in supporting the mission of the Board:

Summary of FY 2020 Fiscal Requests

Board Meetings and Teleconferences:	\$8,880.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$16,767.00
Dues, Memberships, Resources, Training:	\$900.00
Total Potential Third-Party Offsets:	-\$5,250.00
Other:	\$0.00
Total Requested:	\$21,297.00

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Legislation Recommendations Proposed Legislation for FY 2020

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

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Regulation Recommendations Proposed Legislation for FY 2020

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

- 1) Update the Code of Ethics to reflect the latest edition – 2010 – 2015
- 2) Modify regulation related to the Approved Supervisor qualifications - increase required training to become an approved supervisor from 6 hours to 45hrs of CEU's
- 3) Modify regulation to accept hours of supervised experience by a non-certified approved supervisor once the supervisor becomes approved as an approved supervisor.
- 4) Modify required supervision to have a minimum of 1 hour/month of approved supervision.
Modify regulation regarding supervision to be synchronous

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Goals and Objectives

Part I

FY 2019's goals and objectives, and how they were met:

1) The board will continue to review the statutes and regulations and work on any changes.

The board continued its due diligence of reviewing applicable statutes and regulations, as well as working toward achieving changes deemed necessary. The board was able to finalize the regulation pertaining to tele-behavior health and proposed new regulation updates and changes to improve professionalism and provide greater protection for the public.

2) The board will continue to review applications for licensing Professional Counselors by credentials and examination, and for Approved Counselor Supervisors.

The board continued to review applications for licensing Professional Counselors and for approving Counselor Supervisors, both at meetings, as well as, in-between meetings by secure-portal ballots and the new OnBoard secure site. This fostered public safety as well as licensure timeliness.

3) The board will continue to send delegates to national conferences and/or trainings in FY 19. Being conscious of budget restrictions, the Board has chosen only three conferences (listed in order of priority):

- The American Association of State Counseling Boards (AASCB) (#1)
- Federation of Associations of Regulatory Boards (FARB) Annual Forum (#2)
- The Council on Licensure, Enforcement and Regulation (CLEAR) Annual Educational Conference (#3)

The Board was not able to participate in any of the conferences this past fiscal year. The American Association of State Counseling Boards (AASCB) conference, which was scheduled for January 2019, postponed the conference for Fall 2019. Travel was also denied for attendance to the Federation of Associations of Regulatory Boards (FARB) Annual Forum and The Council on Licensure, Enforcement and Regulation (CLEAR) Annual Educational Conference.

4) The board will monitor the activity of the Alaska Counseling Association (AKCA) should one be restarted by professional counselors, and will consider support of any legislation put forward by a new state counseling association.

Our board liaison continued to reach out to the Alaska Counseling Association (AKCA), however, the association continues to be inactive.

5) The board will continue to monitor disciplinary actions.

Individual board members have worked collaboratively with the board investigator(s) to review cases involving jurisdictional questions, and to give guidance on need for further review and/or disciplinary sanctions. According to the investigations department, twenty four cases were opened and thirteen cases have been closed. The board is in the process of reviewing the additional cases.

6) The board will move toward statute and regulation change regarding supervisor accountability.

In an effort to increase professionalism and protection for the public, the board has proposed a regulation change that will increase the required CEU training in order to become an AK approved supervisor.

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Goals and Objectives

Part I (continued)

FY 2019's goals and objectives, and how they were met:

7) The board will continue to work for consistency in licensing by credential under 08.29.120.

The board has continued to review all applications, utilizing the statutes and regulations as the basis for its decisions. Each application has been reviewed individually and thoroughly to ensure public safety.

8) The board will monitor licensing fees for LPC applications and renewals.

The board is pleased to report that they have been operating with financial solvency over the past two fiscal years and were able to recommend a substantial renewal fee reduction to the division which has been approved and implemented for the upcoming renewal cycle.

9) The board will monitor issues of portability.

Board members were not able to work collaboratively with other states due to our inability to travel this past year to national conferences. We were not able to participate in conversations or stay abreast of the latest discussions and legislation related to licensure portability. We are, however, hopeful to be able to resume this participation in the upcoming year.

10) The board will continue to meet quarterly.

To continue to reduce cost, the board met five times in FY 19, however only one meeting was face to face with the full board. The remaining four were in varying tele-forums: two were full tele-conference from each board member's perspective city, one was partial teleconference where half of the board was in Anchorage and half was in Juneau, and one was video conference from each board member's perspective city. While work has been accomplished, the teleconferences have compromised thorough collaboration. Our most productive meeting was in September during our full face to face meeting where we were able to propose five new regulation changes.

11) The board will continue to work on and adopt regulations in relation to SB 74 to ensure the highest level of ethical practice in telehealth and the use of technology with counseling.

In FY 16, the board took the State's direction very seriously, and worked diligently to draft a new article for our regulations, addressing Technology-Assisted Distance Professional Services. This was submitted to the Division's Regulations Specialist in July 2016, and was returned to us with amendments just prior to our April 2017 board meeting. We reviewed the amendments and resubmitted the proposal. The Board voted to approve the new regulations at the February 2019 meeting, following the public comment period.

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Goals and Objectives

Part II

FY 2020's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

1) The board will continue to review the statutes and regulations and work on any changes.

The board plans to continue reviewing relevant statutes and regulations and to discuss and work on changes as deemed necessary.

2) The board will continue to review applications for licensing Professional Counselors by credentials and examination, for Approved Counselor Supervisors, as well as audit for continuing education.

For the protection of the public, it is imperative that the board closely review applications for licensing Professional Counselors and for approving Counselor Supervisors. It is our duty to make certain we evaluate each application file thoroughly to ensure the applicant is qualified as per the statutes and regulations of our State and per the high standard of excellence we expect from the clinicians of our State. It is also imperative that licensed professional counselors continue to develop and refine their skills by completing continuing education.

3) The board will continue to send delegates to national conferences and/or trainings in FY 20. The board has listed the beneficial conferences in order of priority.:

- The American Association of State Counseling Boards (AASCB) and The National Board of Certified Counselors (NBCC) – Counseling Regulatory Boards Summit (Joint Conference) (#1)
- The American Mental Health Counseling Association (AMHCA) (#2)
- Federation of Associations of Regulatory Boards (FARB) Annual Forum (#3)
- The Council on Licensure, Enforcement and Regulation (CLEAR) Annual Educational Conference (#4)

The Board will continue to work on prioritizing board travel to conferences and training, reviewing the prioritized list and determining what training is needed and required to enable us to best serve the public as informed members.

4) The board will continue to monitor disciplinary actions.

The board monitors disciplinary actions, ensuring that all terms of the action are completed. These activities are done by utilizing the resources provided by the division, such as the board investigator and reports.

5) The board will continue to monitor proposed regulation changes regarding approved counselor supervisors.

The board will continue to monitor the proposed regulation changes necessary to ensure competency and professionalism in AK approved counselor supervisors.

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Goals and Objectives (continued)

Part II (continued)

FY 2020's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

1) The board will continue to work for consistency in licensing by credential under 08.29.120.

The board will continue to review all applications, utilizing the statutes and regulations as the basis for its decisions. Each application will continue to be reviewed individually and thoroughly to ensure public safety. .

2) The board will monitor the activity of the Alaska Counseling Association(AKCA) if one is restarted by professional counselors, and will consider support of any legislation put forward by a new state counseling association.

The board is hopeful professional counselors in Alaska will unite to form a new counseling association. In the event that happens, we will readily assign a liaison to attend any meetings, will encourage the association's members to attend board meetings, and will work to foster a mutual and cooperative exchange of information regarding issues affecting counselors in Alaska.

In the event a new state counseling association is formed, the board will also consider any legislation put forth by them and make recommendations on the same.

3) The board will monitor licensing fees for LPC applications and renewals.

The board will continue to monitor biannual licensing fees – whether they are reasonable and affordable for Alaska counselors – as well as continuing to monitor fiscal efficiency to ensure the solvency of our board. The board's review(s) of dues will be shared with the division.

4) The board will monitor issues of portability.

The board will send members to national conferences in order to stay abreast of the latest discussions and legislation related to licensure portability.

5) The board will continue to meet quarterly.

The board will continue to meet quarterly in order to progress efficiently with processing all forms of applications, address issues pertaining to regulations, monitor the budget, address issues related to investigations, and to address issues that may arise regarding the counseling profession to ensure the highest level of practice in the profession of counseling and ensure public safety.

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Sunset Audit Recommendations

Date of Last Legislative Audit: 2018
Board Sunset Date: 2026

Audit Recommendation: The Board received no new recommendations.

Action Taken: n/a

Next Steps: n/a

Date Completed: n/a