

**STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT  
BOARD OF PROFESSIONAL COUNSELORS**

Minutes of Meeting

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 08.95.020, Article 1, a scheduled meeting of the Board of Professional Counselors was held April 24-25, 2014, in Anchorage, Alaska.

*Thursday, April 24, 2014*

**Call to Order/Roll Call**

Board Members Present and constituting a quorum of the Board were:

Anne Brainerd, Licensed Professional Counselor – Fairbanks, Chair  
Debra Hamilton, Licensed Professional Counselor – Soldotna  
Lillian Mitchell, Public Member – Anchorage  
Stephanie Johnson, Licensed Professional Counselor – Nome  
Lyn Tashea, Licensed Professional Counselor – Anchorage

Attending at various times from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing were:

Sarah Chambers, Director  
Martha Hewlett, Administrative Officer, by telephone  
Michelle Wall-Rood, Investigator  
Eleanor Vinson, Licensing Examiner

**New members**

New members, Stephanie Johnson and Lyn Tashea were introduced and welcomed.

**Ethics Reports**

There were no ethics violations to report.

### Agenda Item 1 – Review Agenda

The Board reviewed the agenda.

**Upon a motion by Debra Hamilton and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to accept the agenda as amended.**

### Agenda Item 2 – Review Minutes

The minutes from the February 2014 meeting were reviewed.

**Upon a motion by Debra Hamilton and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to accept the February 6-7, 2014 minutes as written.**

### Agenda Item 3 – Old Business

#### A. 12 AAC 62.110

Regulations dealing with the NCMHCE and Trust Training have advanced to the Attorney General's Office for signature.

#### A. Tricare and the Department of Defense

The Board read letters from Senator Mark Begich that were written to the Secretary of the Army, his Chief of Staff, Assistant Secretary of Defense for Health Affairs, and the Director of Defense Health Agency. He wrote regarding the critical mental health care services for TRICARE eligible service members, retirees, and their family members in Alaska.

Board member Debra Hamilton wrote a letter on behalf of the Board of Professional Counselors to be sent to our U.S. Senators, Representative, Governor, and Lieutenant Governor regarding the TRICARE situation. It is as follows:

My name is Debbie Hamilton and I am a Licensed Professional Counselor (LPC) in Alaska and I also serve on the Alaska State Licensing Board for Professional Counselors. I am writing, on behalf of the Board, to follow up on a letter that was sent by a previous board member regarding our concern for restrictive requirements issued by the Department of Defense regarding Licensed Professional Counselors (LPCs) being eligible to provide services to military and VA families.

As explained in the attached letter that was previously sent from previous board member, Dr. Ray Depalatis, a ruling has been made stating that only LPC's who have graduated from a counseling program from a university that is accredited by CACREP (Council for Accreditation of Counseling & Related Educational Programs) and have passed the National Clinical Mental Health Exam (NCMHCE) may apply to be a TriCare provider.

While the DOD's intent may have been to assure that providers are well trained and proficient to meet the extensive needs of military and VA families, the ruling not only disregards the stringent requirements already in place to assure expertise and professionalism (60 credit hours in a Masters level counseling program, 3000 hours of post graduate supervised experience, and passage of the National Counselor Exam (NCE)), but also requires LPC's desiring to provide services to the military population to pass an additional licensing exam and obtain a new degree.

These restrictions are unreasonable and will deter many from offering their expertise to a population in great need. Not only will the majority of current LPC's not pursue credentialing thru TriCare, but, due to the fact that the three

universities offering counseling programs in Alaska are not accredited by CACREP, nor will they pursue this accreditation, many new counselors entering the field will be excluded as well.

This is a grave concern for our state as it has a large military presence. Men and women serving in the military have made huge sacrifices and are often exposed to conditions that have devastating consequences and leave deep emotional scars. A recent study published by the Department of Veterans Affairs, which covered suicides from 1999-2010, reported that nationally, military families are experiencing 22 deaths a day - or one death every 65 minutes (huff post.com). As these men and women return from their time of service we want to be able to accommodate their needs in order that they can have the best opportunity to return to their civilian life. Licensed Professional Counselors are well trained in treating trauma issues such as Post Traumatic Stress Disorder and Anxiety and Depression.

We are asking that you submit legislation that provides an exemption for Alaskan LPC's so that they are not required to come under the requirements of the Department of Defense. As stated in Dr. DePalatis' letter:

The Board of Professional Counselors is requesting that your office take action to keep DOD 32 CFR Part 199.4,6 and VA Handbook 5005/42: Appendix G43: Licensed Professional Mental Health Counselor Qualification Standard GS-101 Section 2.b from being implemented until modifications can be made which will allow Alaska's LPCs to be included as independent practitioners under TRICARE, VA & ASAP. Specifically, we strongly recommend that the CACREP accreditation language be dropped from each of these documents, and replaced with the words "from a regionally accredited institution", and that the NCE be listed as an acceptable examination alongside the NMHCE.

The Alaska Board of Professional Counselors asks that you consider this for immediate action as the time is quickly drawing to a close. The new requirements are scheduled to go into effect January 1, 2015. I have attached Dr. DePalatis' original letter for your review and additional support for this need.

Thank you for taking the time to consider this matter and to consider how we can best meet the mental health needs of the men and women who serve our country.

#### **Agenda Item 4 – Budget Report/Division update**

Sara Chambers, Director, and Martha Hewlett, Administrative Officer, spoke with the Board regarding the third quarter budget report. The fee increase and the raising of fees kept budget stable, though still in deficit.

Ms. Chambers reported on Legislative action that affected the Division directly. There are three new licensing programs. HB 187, which would have mitigated the peaks and valleys in licensure costs, will be worked on before the next Legislature meets.

## **Agenda Item 5 – Conference/Reports**

### **A. AKCA Liaison Report-Supervision**

Debra Hamilton was the interim Liaison. She had not heard back from the Association regarding the Board's concerns with the supervision statute.

The Board chose Lyn Tashea as the new, permanent Liaison to the Alaska Counseling Association (AKCA).

**Upon a motion by Stephanie Johnson and seconded by Lillian Mitchell, and approved unanimously, it was**

**RESOLVED to pay the Board Liaison's fees to belong to the Alaska Counseling Association.**

### **B. AASCB Conference report**

Ms. Brainerd spoke regarding the conference she attended and encourages all to check the website out for more information. That website is AASCB.org.

She reported that there was discussion regarding Skype and HIPA compliance; distance counseling/titles. There was a lot of networking regarding ACA and the CACREP accreditation questions.

### **C. University Liaison Report**

Debra Hamilton had discussions with University staff regarding the schools in Alaska becoming CACREP accredited. At this time, it is unlikely, as a 60 credit degree, which CACREP requires, is considered as a doctorate level in Alaska. University Staff is trying to get information regarding grants for schools to become CACREP accredited.

## **Agenda Item 6 – Public Comment**

There was no public comment.

## **Agenda Item 7 – Investigations Reports**

### **A. General Report**

Investigator Michelle Wall-Rood gave her Report to the Board. She gave an explanation regarding the investigation process.

The Investigator reported that there are currently six open complaints and one open in-take. Three investigations, five complaints and three in-takes have been closed since the last meeting.

The Board read an update on a previous denial from the Office of Administrative Hearing.

**Upon a motion by Debra Hamilton and seconded by Stephanie Johnson, and approved unanimously, it was**

**RESOLVED to go into Executive Session, with staff, under authority of AS 44.62.310 in order to discuss applications.**

Into Executive Session: 1:40 pm

Out of Executive Session: 2:30 pm

**Upon a motion by Debra Hamilton and seconded by Stephanie Johnson, and approved unanimously, it was**

**RESOLVED to table the review of the application for licensure in case number 2014-000529 until the previously suspended license has been reinstated as required under Alaska Statute 08.29.110(3).**

**Upon a motion by Lyn Tashea and seconded by Debra Hamilton, and approved unanimously, it was RESOLVED to go into Executive Session, with staff, under authority of AS 44.62.310 in order to discuss applications.**

Into Executive Session: 4:57 pm

Out of Executive Session: 5:20 pm

**Upon a motion by Debra Hamilton and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to adjourn.**

Meeting adjourned until 9:00 am 4/25/14.

Meeting adjourned at 5:21 pm

## **Agenda Item 8 – Application/Audit Review**

The Board reviewed 32 applications, 25 continuing education audits, and 1 continuing education providers' approval requests. Review done on Thursday, motions made on Friday.

**Upon a motion by Lyn Tashea and seconded by Debra Hamilton, with Stephanie Johnson abstaining, and approved unanimously, it was**

**RESOLVED to approve the following list of applications with the stipulation that the information in the applicants' files will take precedence over the information in the minutes:**

### **PC BY EXAMINATION**

DeFelice, Mary  
Larson, Logan  
McCabe, Tomson  
Sato-Yazaki, Miyuki

### **PC BY CREDENTIALS**

Atkins, Darrell

### **PC SUPERVISOR**

Atkinson, Caroline  
Davey, Eileen  
Durtschi, Shirley  
Houston, Lori  
Linguist, Bryce  
Reilly, Joclyn  
Rowley, Lucas  
Sellers, Kristie

### **Reinstatements**

Porter, Rebecca  
Wainwright, Charles

### **Continuing Education Providers' Approval**

#### **OCS**

Early Childhood Mental Health Institute

Upon a motion by Lyn Tashea and seconded by Lillian Mitchell, with Stephanie Johnson abstaining, and approved unanimously, it was

**RESOLVED to approve the following list of continuing education audits for with the stipulation that the information in the applicants' files will take precedence over the information in the minutes:**

**PC Continuing Education Audits**

LICENSE NUMBER	NAME
58	Raymond Moma
87	Lorri Van Diest
135	Joni Simpson
254	Nancy Rowe-Fidino
266	Carla MacGregor
270	Eleanore Starr
342	Ann Aitken
350	Michael Lontz
356	David McCormick
365	Keri Frazier
410	Bernadine Janzen
418	Linda Sheets
429	Stephanie Johnson
544	Delores Morris
548	Kristin Mortenson
641	Courtney Horwath-Oliver
656	Elizabeth Hopkins
657	Mara Cramer
665	Bobbi O'Kelley
692	Kathryn Dziekan

Upon a motion by Lillian Mitchell and seconded by Debra Hamilton, with Anne Brainerd abstaining, and approved unanimously, it was

**RESOLVED to approve the following list of applications for with the stipulation that the information in the applicants' files will take precedence over the information in the minutes:**

641 Courtney Horwath-Oliver

Upon a motion by Lillian Mitchell and seconded by Jennifer Burkholder, and approved unanimously, it was

**RESOLVED to adjourn the meeting.**

Meeting adjourned at 6:00 pm until Friday, April 25, 2014 at 9:00 am.

Friday, April 25, 2014

**Call to Order/Roll Call**

Board Members Present and constituting a quorum of the Board were:

Anne Brainerd, Licensed Professional Counselor – Fairbanks, Chair  
Debra Hamilton, Licensed Professional Counselor – Soldotna  
Lillian Mitchell, Public Member – Anchorage  
Stephanie Johnson, Licensed Professional Counselor – Nome (left meeting at 2:20 pm)  
Lyn Tashea, Licensed Professional Counselor – Anchorage

Attending at various times from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing were:

Eleanor Vinson, Licensing Examiner

**Agenda Item 9 – Correspondence**

**A. Loht-previous supervision**

A military spouse wrote requesting information on counting previous supervision hours, prior to moving to Alaska.  
(discussion continued under Item 10.B.)

## Agenda Item 10 – Regulations

### A. AAC 62.310 – Renewal/face to face

The Board set up a task force/committee to define “face to face” and work on verbiage to 12 AAC 62.310. The committee members are Stephanie Johnson and Anne Brainerd.

### B. AAC 62.220 – Supervisors pre approval

There was discussion regarding the hardships that 62.220 is causing military personnel and their spouses. The Board determined that there should be an exception for military. The current law is creating an obstacle to their licensure in Alaska. The Board is adding a section (f).

**Upon a motion by Lyn Tashea and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to amend 62.220 to read:**

**(f) The board may approve, retroactively, supervised experience accumulated by an active member of the armed forces or a person who is married to and living with a member of the armed forces of the United States provided:**

- (1) That person applies to the board in the manner prescribed by the board.**
- (2) The applicant’s supervisor(s) meet and/or exceed all criteria required for a supervisor according to 12 AAC 62.200 before the supervision began throughout the span of supervision**
- (3) The applicant provides proof that (s)he is an active-duty member of the armed forces of the United States and is on active duty and assigned to a duty station in this state under official active duty military orders or**
- (4) The applicant is married to and living with a member of the armed forces of the United States and is on active duty and assigned to a duty station in this state under official active duty military orders.**

There was further discussion regarding how 12 AAX 62.220 is a block to people coming into the state. In an effort to broaden the scope of employment for the profession with respect to TRICARE, the board determined that

**Upon a motion by Debra Hamilton and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to amend 62.220(c) by adding the following to read:**

**If an applicant submits supervised experience that has been accrued out of state, the hours may be accepted if the hours were under a supervisor who met or exceeded the criteria of an approved supervisor for the state of AK under 08.29.210 (a)(1), (3), (5), before supervision began and throughout the span of supervision.**

### C. AAC 62.120 – Degree requirements

This has not been public noticed at this time.

### D. AAC 62.130 – License by cred CEUs

This has not been public notice at this time.

#### E. AAC 62.900 – Records retention

This has not been public noticed at this time. There was some discussion regarding retention of children's records, but Board determined it best to stay with previous motion from last meeting.

#### F. AAC 62.900 – Adopt AMHCA Code of Ethics

This has been sent to the Attorney General for signature.

### **Agenda Item 11 – New Business**

#### A. End of Year Report/Goals

## **ALASKA STATE BOARD OF PROFESSIONAL COUNSELORS FY 2014 ANNUAL REPORT**

### **BOARD GOALS AND OBJECTIVES**

List the board's FY14 goals and objectives. Include any strengths, weaknesses, opportunities, and threats, as well as any resources needed:

1. The Board will continue to review the statues and regulations and work on any changes.
2. The Board will continue to review applications for licensing Professional Counselors by credentials and examination and for approved counselor supervisor.
3. The Board will continue to send delegates to National Conferences and/or trainings in FY 2015. Such as:
  - The American Association of State Counseling Boards (#1)
  - American Mental Health Counselors Association Conference (#2)
  - CLEAR Conference (#3)
  - Nation Board for Certified Counselors Licensure Board Training (#4)
  - American Counseling Association
  - CLEAR conference/training in Alaska
4. The Board will continue to liaise with Alaska Counseling Association and encourage their members to attend Board meetings.
5. The Board will continue to monitor disciplinary actions.
6. The Board will continue to consider adding additional requirements for supervisory certification for renewal of supervisors.
7. The Board will consider statute change regarding supervisor accountability.
8. The Board will continue to work for consistency in licensing by credential under 08.29.120.

9. The Board will consider supporting any legislation put forward by the Alaska Counseling Association.
10. The Board will monitor licensing fees for LPC application and renewals.
11. The Board will continue to monitor the problem of CACREP accreditation language being used to determine what training is needed in order for a counselor to be employed by the Federal Government in TRICARE, the VA and ASAP.
12. The Board will continue to monitor regulations and consider special needs of the active military and spouses.
13. The Board will monitor issues of portability.
14. The Board will begin to address technology in counseling.

## **Agenda Item 14 – Board Business**

### **A. Task List**

Define Face to Face subcommittee – Ann Brainard & Stephanie Johnson  
AKCA Liaison – Lyn Tashea

### **B. Sign Wall Certificates**

Wall certificates were signed.

### **C. Future Meetings**

July 24-25, 2014 in Anchorage  
October 30-31, 2014 in Anchorage  
January 22-23, 2015 in Juneau

Meetings will begin at 9:30 am on the first day and at 9:00 am on the second day.

### **D. Sign Meeting Minutes**

The minutes from the previous meeting were signed.

### **E. Travel Authorizations**

Travel authorizations signed.

### **F. Conferences/training**

- #1 The American Association of State Counseling Boards – Ann Brainard (1) & perhaps staff (2) (Debra Hamilton if not staff)
- #2 American Mental Health Counselors Association Conference – Debra Hamilton (1) & Lyn Tashea (2)
- #3 CLEAR Conference – Lillian Mitchell (1) & Lyn Tashea (2)
- #4 Nation Board for Certified Counselors Licensure Board Training – Stephanie Johnson (1) & staff (2)
- #5 American Counseling Association – Lyn Tashea (1) & staff (Debra Hamilton alternate to either)

#6 CLEAR conference/training in Alaska (all Board Members)

**Upon a motion by Lillian Mitchell, seconded by Lyn Tashea and approved unanimously it was**

**RESOLVED to adjourn the meeting.**

Meeting adjourned at 2:45 pm

Respectfully Submitted:

Eleanor Vinson  
Eleanor Vinson, Licensing Examiner

Approved:

Anne Marie Brainerd  
Anne Marie Brainerd, Chair  
Board of Professional Counselors

Date: 7-24-14