

State of Alaska

**DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING**

**BOARD OF PROFESSIONAL COUNSELORS
April 28-29, 2022**

By the authority of AS. 08.01.070(2), and in compliance with the provisions of AS 44.64, Article 6, a scheduled board meeting was held via Zoom.

Thursday, April 28th, 2022

Agenda Item – Call to Order & Roll Call

Dorene Hagen called the meeting to order at 9:05 AM

Those present constituting a quorum of the board:

Dorene Hagen, LPC, Chair

Sammie O’Neal, LPC

Eleanor Vinson, Public Member

In attendance from the Department of Commerce, Community and Economic Development, Division of Corporations, Business, and Professional Licensing were:

Logan Bugayong, Occupational Licensing Examiner

Lacey Derr, Records & Licensing Supervisor

Agenda Item – Review and Approve Agenda

The board reviewed the drafted agenda of the meeting. Logan Bugayong suggested removing meeting minute review from the agenda as the previous meeting minutes were not yet complete and replacing this with Regulation Projects.

In a motion duly made by Eleanor Vinson and seconded by Sammie O’Neal, with unanimous consent, it was resolved to approve the agenda as amended.

42 **Agenda Item – Ethics Report**

43
44 Hearing no Ethics to report, the board moved on with business.

45
46 **Agenda Item – Regulation Projects**

47
48 The board reviewed the drafted language to add a military temporary license to their
49 regulations. The Division implemented changes across all of the licensing programs due to SB 21
50 to ease the transition to Alaska for licensed military personnel and military spouses. No public
51 comments were received for this regulation.

52
53 **After reviewing the proposed regulations, and although no public comments were**
54 **received and considered the cost to private persons, I, Eleanor Vinson, move to adopt**
55 **the proposed regulations dealing with temporary military courtesy license as**
56 **amended.**

57 This motion was seconded by Sammie O’Neal and passed with unanimous consent.

58
59 **Agenda Item – Investigative Report**

60
61 Investigator Josh Hardy provided the board with their investigative report. This consists of
62 intakes and active investigations from February 3rd, 2022 to April 14th, 2022. No consent
63 agreements were discussed during this meeting.

64
65 **Agenda Item – Annual Report Planning**

66
67 The board discussed planning the FY2022 annual report. This report summarizes the board’s
68 accomplishments during the previous fiscal year and the goals for the upcoming fiscal year. The
69 board split up sections between the three members and scheduled an hour-long meeting on
70 June 3rd, 2022 to review the complete annual report.

71
72 **Agenda Item – HB 265/ SB 175**

73
74 Division Director Sara Chambers arrived at 10:00 AM to discuss HB 265 and SB 175. Sara
75 Chambers had previously discussed these bills with the board chair Dorene Hagen and was
76 asked to share this information with the board. These bills pertain to telehealth and HB 265 is
77 clarifying telehealth provisions for healthcare professionals through statute. Sara Chambers
78 stated that telehealth cannot be provided by master’s level clinicians who do not hold a license.
79 7 AAC 70.990(28) is a provision in place by the Department of Health and Social Services which
80 has a special allotment for Substance Use Disorder Professionals and Mental Health Community
81 Counselors. This is a very narrow exemption that is not commonly used. Eleanor Vinson brought
82 up altering the regulation to specify that those under supervision could practice telehealth. Sara

83 Chambers suggested that the exemption during the disaster emergency declaration could be
84 stricken.

85

86 **In a motion duly made by Eleanor Vinson and seconded by Sammie O’Neal, with**
87 **unanimous consent, it was resolved to amend 12 AAC 62.400(h) by striking the**
88 **language “during a disaster emergency declared by the governor”.**

89

90 The board continued discussing the senate and house bills. The board will need to ensure that
91 their regulations align with this statute. At the end of the legislative session, the Division will
92 update staff and board members regarding legislation and changes that will affect them. Sara
93 Chambers would also like to do a board summit in early fall and spend two days training and
94 discussing topics that are pertinent and uniform across all boards managed by the Division.

95

96 ***The board took a brief at ease.***

97

98 **Off Record: 10:30 AM**

99 **On Record: 10:42 AM**

100

101 **Agenda Item – Supervision Reporting**

102

103 The current and previous examiners for this program have been instructed to not accept
104 overlapping supervision. The main concern expressed by Logan Bugayong is supervision hours
105 being counted twice if an individual has multiple supervisors at the same institution. For
106 example, if an applicant working at a hospital has two different supervisors, supervisor A and
107 supervisor B, there is concern that hours worked at this hospital could be counted twice. If this
108 applicant works for forty hours per week, Monday through Friday and supervisor A supervises
109 them Monday through Wednesday and supervisor B supervises them on Thursday and Friday,
110 but both supervisors say that the applicant worked for forty hours per week and they both turn
111 in a supervised experience form, it then appears to the examiner and the board that the
112 applicant worked for 80 hours per week.

113 Eleanor Vinson stated that there has never been an issue with multiple supervisors and that if
114 someone has multiple supervisors for one month, then it is still only counted as one month.
115 Dorene Hagen recounted her own experience working for two different clinics at the same time
116 and gaining supervised experience at both locations. The board brought up that there may be
117 confusion in the form which can lead to hours being counted twice. Logan Bugayong provided
118 an example of Texas’s supervision agreement form which is to be filled out before the
119 supervision begins. The board is in favor of having a formal agreement for when supervision
120 begins and believes this can create a more professional relationship between the supervisor
121 and supervisee. Revision of the supervision reporting form will be discussed tomorrow during
122 New Business.

123

124 **Allison Koos Fox joined at 10:51 AM**

125

126 **Jordan Beard joined at 10:59 AM**

127

128 **Rebecca Sparkman joined at 11:00 AM**

129

130 Lacey Derr took a minute before public comment to mention that at the Board of Social Work
131 Examiners meeting earlier this week, there was discussion regarding the dispensing of Naloxone
132 and VA facilities. This is in regards to professional liability in the dispensing of Narcan and
133 whether the Board of Professional Counseling would like to discuss this in future in the same
134 way the Board of Social Work Examiners is currently.

135

136 **Agenda Item – Public Comment**

137

138 With multiple members of the public currently present, public comment opened at 11:26 AM.

139

140 Allison Koos Fox has an application to be reviewed later at this meeting and wanted to
141 introduce herself to the board. She added that she was surprised when she began her
142 supervision that there was no official form or agreement that needed to be filled out.

143

144 Jordan Beard wanted to check the status of her proposed supervisor’s application to be a Board
145 Approved Supervisor. His application will be reviewed today as well.

146

147 Rebecca Sparkman has an application to be reviewed later at this meeting and wanted to
148 introduce herself to the board and let them know she will be available for questions during
149 application review.

150

151 **Jimmy Ward joined at 11:35 AM but did not speak.**

152

153 Dorene Hagen closed public comment at 11:47 AM.

154

155 **Agenda Item – Lunch**

156

157 **In a motion duly made by Eleanor Vinson and seconded by Sammie O’Neal, with**
158 **unanimous consent, it was resolved to recess for lunch.**

159

160 **Off Record: 11:48 AM**

161 **On Record: 1:03 PM**

162

163 **Agenda Item – Division Report**

164

165 Administrative Operations Manager Melissa Dumas presented the FY22 3rd quarter fiscal
166 report. Fiscal reports for all programs can be found on the Division’s website.

167

168 **Agenda Item – Application Review**

169

170 ***Cesre McQuaid joined at 1:15 PM***

171

172 The board reviewed applications that had been tabled after review on OnBoard. The board uses
173 OnBoard to review ballots remotely twice a month. This prevents a delay in processing as
174 applicants do not need to wait for quarterly board meetings.

175

176 **In a motion duly made by Sammie O’Neal and seconded by Dorene Hagen, with
177 unanimous consent, it was resolved to accept the application for licensure by
178 examination for Allison Koos Fox, license number 187863.**

179

180 Let it be known on the record that Eleanor Vinson approves this with reservation as no
181 graduate course has ethics in the title.

182

183 **In a motion duly made by Sammie O’Neal and seconded by Eleanor Vinson, with
184 unanimous consent, it was resolved to not accept the 2017-2019 random continuing
185 education audit for Staci Bearden, license number PCOP446, citing 12 AAC 62.310(a)(4)
186 A licensee applying for renewal of a professional counselor license must complete the
187 number of continuing education contact hours set out in this section; at least three of
188 the contact hours must be in professional ethics: second or subsequent biennial
189 renewal, 40 contact hours.**

190

191 **In a motion duly made by Sammie O’Neal and seconded by Eleanor Vinson, with
192 unanimous consent, it was resolved to accept the reinstatement for Staci Bearden,
193 license number PCOP446 pending the completion of 3 CE’s in ethics.**

194

195 **In a motion duly made by Eleanor Vinson and seconded by Sammie O’Neal, with
196 unanimous consent, it was resolved to accept the application for licensure by
197 examination for Rebecca Sparkman, license number 182168 pending the completion
198 of 15 graduate semester hours in counseling that meet the requirement of 12 AAC
199 62.120(c).**

200

201 ***The board took a brief at ease.***

202

203 **Off Record: 2:48 PM**

204 **On Record: 3:03 PM**

205

206 **In a motion duly made by Sammie O’Neal and seconded by Eleanor Vinson, with**
207 **unanimous consent, it was resolved to accept the application for licensure by**
208 **examination for Jimmy Ward, license number 180063, pending the completion of 9**
209 **graduate semester hours in counseling that meet the requirements of 12 AAC**
210 **62.120(c).**

211
212 **In a motion duly made by Sammie O’Neal and seconded by Eleanor Vinson, with**
213 **unanimous consent, it was resolved to accept the application for licensure by**
214 **credentials for Stephanie Jategaonkar, license number 180202 per Sec. 08.29.210.**

215
216 **In a motion duly made by Sammie O’Neal and seconded by Eleanor Vinson, with**
217 **unanimous consent, it was resolved to accept the application for licensure by**
218 **examination for Anna Sappah, license number 180070.**

219
220 **In a motion duly made by Eleanor Vinson and seconded by Sammie O’Neal, with**
221 **unanimous consent, it was resolved to not accept the random continuing education**
222 **audit for Fulani Sutherland, citing 12 AAC 62.310(a), *A licensee applying for renewal of***
223 ***a professional counselor license must complete the number of continuing education***
224 ***contact hours set out in this section; at least three contact hours must be in***
225 ***professional ethics.***

226
227 **In a motion duly made by Sammie O’Neal and seconded by Eleanor Vinson, with**
228 **unanimous consent, it was resolved to accept the reinstatement application for Alisa**
229 **Stevens, license number 137444.**

230
231 The board will review the remaining applications tomorrow. Logan Bugayong will reach out to a
232 paralegal to discuss the discrepancy between APA and NBCC continuing education hours.

233
234 **In a motion duly made by Eleanor Vinson and seconded by Sammie O’Neal, with**
235 **unanimous consent, it was resolved to recess until 9:00 AM on Friday April 29, 2022.**

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237 **Off Record: 4:24 PM**

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Friday, April 29th, 2022

Agenda Item – Roll Call

Chair Dorene Hagen called the meeting to order at 9:03 AM.

Those present constituting a quorum of the board:

- Dorene Hagen, LPC, Chair
- Sammie O’Neal, LPC
- Eleanor Vinson, Public Member

In attendance from the Department of Commerce, Community and Economic Development, Division of Corporations, Business, and Professional Licensing were:

- Logan Bugayong, Occupational Licensing Examiner
- Lacey Derr, Records & Licensing Supervisor

Agenda Item – Florida Composite Board Presentation

Kimberly Marshall joined at 9:00 AM.

Lacey Derr introduced Kimberly Marshall as the Executive Director of Florida’s Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health counseling. There has been previous discussion regarding the merging of Alaska’s Board of Professional Counseling and Alaska’s Marital and Family Therapy Board. Kimberly Marshall was asked to present information regarding Florida’s omniboard and to discuss the delegation of licensing authority to staff members.

Florida’s mental health board has approximately 50,000 licensees across all three programs (social work, marriage and family therapy, mental health counseling). Kimberly Marshall emphasized the importance of administrative support when it comes to running a program of that size and explained how there are different divisions that handle renewals and investigations, while her team handles initial licensure. Under her, there are two supervisors and nine processors. They handle three different license types for each program: intern licenses, provisional licenses and full licenses. The requirements are very similar which allows for the processors to assist with each program. These processors have the authority to issue licenses based on applications that have no criminal history or disciplinary action. The board then ratifies these applications at their next board meeting. The board is comprised of nine members, with two from each profession and three consumer seats. Kimberly Marshall said that there are statutes that date back thirty years for the omniboard, indicating that these programs have been part of a combined board for several years.

279 Before Kimberly Marshall left, she had also mentioned Florida had a telehealth registry
280 which allows for anyone who holds a license to register for free and practice telehealth in the
281 state of Florida. This registry is free and perpetual and had 10,000 applicants in the first week it
282 opened.

283

284 ***Kimberly Marshall left at 9:25 AM***

285

286 Lacey Derr is currently the examiner for the Marital & Family Therapy Board and stated that the
287 applications for licensure via credentials are very similar between the Marital & Family Therapy
288 Board and the Board of Professional Counselors. With the Board of Professional Counselors
289 license base growing at a rapid rate, adding the Marital & Family Therapy Board would help
290 with processing and add support. Lacey Derr emphasized that many of the licensing
291 requirements are already very similar. Eleanor Vinson said that the boards would not have to
292 merge to give staff delegatory authority to issue licenses. Eleanor Vinson was previously the
293 Occupational License Examiner for both boards and stated that they do not get along. Sammie
294 O'Neal stated that he has not heard many positive things about the Marital & Family Therapy
295 Board, citing that people have told him it is hard to get a response and the application process
296 can take a long time. After further discussion, the board will not be moving forward at this time
297 with merging with the Marital & Family Therapy Board but is interested in reviewing

298

299 **Agenda Item – New Business**

300

301 Having already discussed regulations projects, the board continued on to New Business.
302 Sammie O'Neal and Dorene Hagen met with Representative Ivy Sponholz' office regarding the
303 statutory changes the board has discussed. The board would like to alter the Board Approved
304 Supervisor certification to no longer be perpetual, but to renew and have continuing education
305 requirements, and to change the requirements for initial licensure to allow for distance
306 supervision regardless of the location of the applicant and supervisor. Representative Sponholz'
307 office told Sammie O'Neal and Dorene Hagen that the document they have provided will be
308 added to the bottom of the draft file and it will likely be one to two years before action is taken.
309 Eleanor Vinson mentioned that if Representative Sponholz is up for reelection, they may need
310 to look elsewhere for a legislative champion but as of right now, the board does not need to
311 continue reaching out to representatives.

312

313 ***The board took a brief at ease.***

314

315 **Off Record: 10:02 AM**

316 **On Record: 10:19 AM**

317

318 The board scheduled their next meetings.

- 319 • Annual Report Meeting:
 - 320 ○ June 3rd via Zoom
- 321 • Regular Quarterly Meetings:
 - 322 ○ September 15th-16th in Anchorage
 - 323 ○ December 8th-9th via Zoom
 - 324 ○ February TBD in Juneau

325

326 **Agenda Item – Correspondence**

327

328 The board reviewed correspondence from the Department of Law regarding the scope of
329 practice for clinicians under supervision. Everything that was on the list provided by the
330 Department of Law is allowable under supervision and a response will be sent to Law by Lacey
331 Derr.

332 The board then reviewed correspondence from an applicant regarding a degree in music
333 therapy and supplementing courses. The board appreciated having the applicant’s transcript
334 included with the correspondence as well as potential classes that would be used to
335 supplement their degree. The board stated that as long as the courses meet the requirements
336 in the education worksheet and an individual class is not used to meet multiple competencies,
337 the board will accept this.

338

339 **Agenda Item – Old Business**

340

341 The Division is updating the formats on all of the application forms for each program. Logan
342 Bugayong provided the verification of post-graduate experience form and the letter of
343 reference form to the board for their input on how it can be adjusted. These revisions will be
344 sent to the publications team to be implemented when the new forms are published. Let it be
345 known that Dorene Hagen would like to implement a form that is filled out at the start of the
346 supervision process.

347 Upon review of the letters of reference, the board would like to change Sec.
348 08.29.110(a) Qualifications of Licensure to not include language regarding letters of reference
349 from professional counselors. The board would like to define a broader range of professionals
350 who can provide letters of reference in regulation, rather than having it be limited to
351 professional counselors in statute. This is something to be discussed at the February meeting
352 while they are discussing other statutory changes.

353 The board continued with Old Business to discuss the Frequently Asked Questions.
354 Sammie O’Neal has been working to compile frequently asked questions based on a list
355 provided by Logan Bugayong. The board reviewed these questions and provided additional
356 answers.

357 The board had time before Paralegal Brian Suprise was due to join the meeting and
358 elected to discuss upcoming conferences. The following board and staff members will request
359 to attend these upcoming conferences.

- 360 • AMHCA Annual Conference – Dorene Hagen
- 361 • FARB’s 2022 Innovation in Regulation Conference – Dorene Hagen/Logan Bugayong
- 362 • FARB’s RLS Conference – Eleanor Vinson/Sammie O’Neal
- 363 • NBCC Conference – Eleanor Vinson

364

365 Brian Suprise joined at 1:30 PM

366

367 Brian Suprise is the Division’s Paralegal in Anchorage. He was asked to join the meeting to assist
368 the board in deciphering the discrepancy in continuing education hours for a single course. For
369 example, there are continuing education courses that will count for 10 APA credits and 6 NBCC
370 clock hours. There has been contention regarding which hours the board will count as this has
371 been compared to other certificates that will claim a course counts for 12 CEU hours for a social
372 worker but only 10 for a counselor, or something similar. Brian Suprise’s recommendation was
373 to reach out to the issuing organization and ask them what the difference between the APA and
374 NBCC computation is. Logan Bugayong will reach out to the organization and ask them to clarify
375 if there is any difference and the applicability to licensure.

376

377 **In a motion duly made by Eleanor Vinson and seconded by Sammie O’Neal, with unanimous**
378 **consent, it was resolved to amend the agenda to continue application/audit review.**

379

380 **Agenda Item – Application Review**

381

382 **In a motion duly made by Eleanor Vinson and seconded by Sammie O’Neal, with unanimous**
383 **consent, it was resolved to not accept the random continuing education audit for Anastasia**
384 **Kenney, license number 135240 citing 12 AAC 62.130(a) *A licensee applying for renewal of a***
385 ***professional counselor license must complete the number of continuing education contact***
386 ***hours set out in this section; at least three of the contact hours must be in professional ethics:***

387

388 **In a motion duly made by Sammie O’Neal and seconded by Eleanor Vinson, with unanimous**
389 **consent, it was resolved to accept the random continuing education audit for Crystal Herring,**
390 **license number PCOP816.**

391

392 **In a motion duly made by Sammie O’Neal and seconded by Eleanor Vinson, with unanimous**
393 **consent, it was resolved to accept the random continuing education audit for Kimmie Smith,**
394 **license number 147993.**

395

395 The board elected to review the remaining audits in OnBoard pending the information Logan
396 Bugayong receives from the continuing education provider.

397

398 **Agenda Item – Adjourn**

399

400 In a motion duly made by Eleanor Vinson and seconded by Sammie O’Neal, with unanimous
401 consent, it was resolved to adjourn the meeting.

402

403 **Off Record: 2:19 PM**

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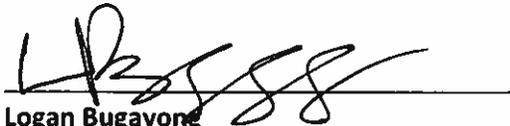
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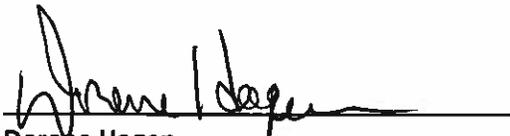
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Logan Bugayong
Occupational License Examiner

11/18/2022
Date


Dorene Hagen
Chair

11-2-2022
Date