

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

CONDENSED MINUTES OF THE MEETING HELD SEPTEMBER 15-16, 2022

Date:	September 15 th , 2022
Time:	9:00 AM to 4:30 PM
Location:	Suite 1550, 550 West 7 th Avenue, Anchorage AK 99501
Attending:	Chair Dorene Hagen, Vice Chair Sammie O'Neal, Rachel Buddin-Young, Teresa Cotton, OLE Logan Bugayong
Absent:	Eleanor Vinson

Call to Order/Roll Call	
Chair Dorene Hagen called the meeting to order at 9:03 AM.	
Review and Approve Agenda	
Brief Discussion:	The board reviewed the agenda and found no amendments to be made.
Motion:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Teresa Cotton, it was resolved with unanimous consent to approve the agenda for the September 15th-16th, 2022 meeting as presented.</i>
Ethics Report	
Brief Discussion:	The board had no ethics to report
Board Member Introductions	
Brief Discussion:	The board members present introduced themselves and provided a brief background. Teresa Cotton works at the Yukon-Kuskokwim Hospital in Bethel and was provided with her first cold weather experience. Rachel Buddin-Young works in Eagle River, has been in Alaska for three years, and is a military spouse. Sammie O'Neal is retired military with his own private practice. Dorene Hagen is from Homer and has a private practice, but also does work with Set Free Alaska.
Meeting Minute Review	
Brief Discussion:	The board reviewed the meeting minutes from the June 3 rd , 2022 meeting and found no amendments to be made.
Motion:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Teresa Cotton, it was resolved with unanimous consent to approve the meeting minutes for the June 3rd, 2022 meeting as presented.</i>
Old Business	

Brief Discussion:	a. Legislative Update: No updates to report. The board’s next step is to speak with legislators in February. Sammie O’Neal will reach out to their legislative contact again.
	b. FAQ Page: Sammie O’Neal has been working on a frequently asked questions (FAQ) page for the board’s website as there currently is not one. The board reviewed his current draft and Logan Bugayong will finalize it before sending it to publications to be posted on the board’s website.
	c. NBCC Compact: Sammie O’Neal and Dori Hagen reported what they learned from the Counseling Regulatory Board Summit (CRBS) regarding the NBCC Interstate Compact. There are now 16 states that have joined the NBCC compact. The board discussed the pros and cons that were presented at the conference and will try to have a representative from NBCC speak at the next board meeting regarding the compact.
Break	
Motion:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Teresa Cotton, it was resolved with unanimous consent to recess for 15 minutes.</i>
Off Record: 10:00 AM	
On Record: 10:15 AM	
Old Business Continued	
Brief Discussion:	Dorene Hagen brought up unlicensed practice under the TBD. She brought up a previous discussion about unlicensed practice while under supervision, while having your own business license. At this time, there is no barrier to prevent this aside from the NAICS codes that are used by the business license section. Rachel Buddin-Young brought up how in Florida, you must be an intern while under supervision and present yourself as such to the public. In addition, a licensed therapist must be on the premises at all times. Teresa Cotton stated that in Arizona, you cannot have a business unless you are licensed and brought up the potential ethical issues that may arise.

Motion:	<i>In a motion duly made by Teresa Cotton, and seconded by Rachel Buddin-Young, it was resolved with unanimous consent to amend the agenda to begin new business to make best use of time.</i>	
New Business		
Brief Discussion:	A. Supervision	<p>i. The board reviewed the new verification of supervised experience forms. At their previous quarterly meeting, they had discussed changes to be made to ensure that supervision reported on these forms did not overlap with other supervision acquired, and that supervision logged came specifically from an approved LPC-S. The board discussed Board Approved Supervisors and non-approved supervision and the list of license types that are able to hold an LPC-S credential.</p> <p>Dorene Hagen provided information she learned regarding how other states conduct their Professional Counseling supervision at the CRBS conference. Many states have a required supervision log, an initial supervision plan, a limit to how many supervisees a supervisor may be responsible at a single time, and/or a report of how many hours were accrued over a six month period. Some states also require supervisor exams prior to a licensee being allowed to supervise an intern. Teresa and Rachel will research the supervision models for the states where they gained their initial licensure and they will report back at the next board meeting.</p>
Public Comment		
Public comment opened at 11:00 AM. Two members of the public were present but did not provide comment. Jillanne Garrity and Kelbie U'Ren both introduced themselves and indicated that they were attending via zoom to listen.		
New Business Cont.		
Brief Discussion:	A. Supervision	<p>i. The board continued their discussion. Records and Licensing Supervisor Lacey Derr logged in at 11:12 and provided information regarding Motivo as an online supervision platform. According to Lacey Derr, the Department of Health and Social Services may be looking into implementing Motivo across their department for mental health clinicians who are under supervision while working towards licensure. Other mental health boards may be discussing telesupervision regulations and it would benefit the Board of Professional Counselors and the other mental health boards for these regulations to be put forward at the same time. Sammie O'Neal explained that he understands implementing Motivo to help state organizations, but has concerns if it is intended to be used across the entire state. He believes it could support organizations that do not have enough supervisors. The board discussed their concerns for supervision and the dangers of not having any in-person supervision. They also expressed concern that allowing supervision to be completed entirely via telehealth will create an influx of out-of-state supervisors who are not aware of Alaska's specific culture and may have issues when it comes to accessing patient records. It was also pointed out that the supervisor must take accountability and responsibility for the supervisee should there be issues during the supervision process and that can get complicated across jurisdictions. Dorene Hagen explained that she understood the need for increased telephonic supervision during the pandemic and as the pandemic is easing, she understands why having too much telephonic supervision can be detrimental. The board will continue discussing telesupervision and amendments to be made to their regulations at their next quarterly meeting.</p>
11. Lunch		

Motion:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Teresa Cotton, it was resolved with unanimous consent to recess for lunch.</i>
Off Record: 12:58 PM	On Record: 1:02 PM
Conference Updates	
Brief Discussion	Sammie O'Neal and Dorene Hagen both attended the Annual Counseling Regulatory Boards Summit. Sammie O'Neal shared that telehealth was a prominent topic during the conference and there has been an influx of individuals practicing with major telehealth platforms getting in trouble for falsely advertising where they are licensed to practice. The NCMHCE will be changing and the NCE will be available to be taken online. There was also discussion regarding Chemical Dependency Counselors and the board discussed if Alaska could create a pathway to positive outcomes for professionals who seek help for chemical dependency issues and if there is a way to support them. This would likely need to be an entity separate to the board.
Application Updates	
Brief Discussion	Logan Bugayong provided the board with updated application forms for review. The board discussed the Division's steps towards removing the notary requirement and expressed that they would prefer for there to be an affidavit or something to verify the identity of the individual applying and filling out notarized forms. The board discussed delegating licensing authority of specific applications to the examiner and are not interested at this time as they have a full board and are not behind on document processing.
THE BOARD TOOK A BRIEF AT EASE	
Off Record: 2:18 PM	On Record: 2:24 PM
Application Review	
Brief Discussion	The board moved on to application review.
Executive Session Motion	Upon a motion made by Rachel Buddin-Young, seconded by Teresa Cotton, and approved unanimously, it was resolved to enter into Executive Session in accordance with AS 44.62.310(c), and Alaska constitutional right to privacy provisions for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; Board staff member Logan Bugayong to remain in the room during the session.
Off Record: 3:08 PM	On Record: 3:50 PM
THE BOARD TOOK A BRIEF AT EASE	
Off Record: 3:51 PM	On Record: 3:57 PM
Motion:	In a motion duly made by Rachel Buddin-Young, and seconded by Sammie O'Neal, it was resolved with unanimous consent to approve the application for licensure by credentials for Kelbie U'Ren, license number 195153, pending the receipt of an equivalent license per Sec. 08.29.120.
Motion:	In a motion duly made by Rachel Buddin-Young, and seconded by Teresa Cotton, it was resolved with unanimous consent to approve the application for supervisor certification for Kylie Gore-Hall, license number 198330.
Motion:	In a motion duly made by Sammie O'Neal, and seconded by Rachel Buddin-Young, it was resolved with unanimous consent to move New Business Cont. to begin now to make best use of time while the Chair was present.

New Business Cont.		
Brief Discussion:	A. Supervision	<p>ii. Logan Bugayong explained that since changing the continuing education requirements for Board Approved Supervisor applications became effective, there have been numerous requests for courses to be approved by the board, especially after the course has been completed. The language in the regulation specifies that “other courses related to professional counseling supervision and presented to the board for pre-approval as equivalent to courses described in (B) – (D) of this paragraph;”</p> <p>After discussion, it was determined that the board would interpret this to mean that the request must be received prior to the course being taken, but not necessarily approved by the board at that time.</p> <p>iii. The board discussed if there should be a timeframe that supervision must be completed in and if supervision older than this date will be accepted. They will discuss this further at their next meeting.</p>
Recess Until 9:00 AM		
Motion:	<i>In a motion duly made by Rachel Buddin-Young, and seconded by Teresa Cotton, it was resolved with unanimous consent to recess until 9:00 AM on Friday, September 16th, 2022.</i>	
Off Record: 4:30 PM		

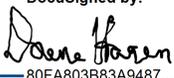
Date:	September 16 th , 2022
Time:	9:00 AM to 4:30 PM
Location:	Suite 1550, 550 West 7 th Avenue, Anchorage AK 99501
Attending:	Vice Chair Sammie O'Neal, Rachel Buddin-Young, Teresa Cotton, OLE Logan Bugayong
Absent:	Eleanor Vinson, Chair Dorene Hagen

Call to Order/Roll Call			
Vice Chair Sammie O'Neal called the meeting to order at 9:05 AM			
OnBoard Training			
Brief Discussion:	Logan Bugayong explained how to use OnBoard. OnBoard is the platform that the board uses to review ballots remotely and receive secure documents for board meetings.		
Board Member Training			
Brief Discussion:	Division Director Sara Chambers joined the meeting to provide training for the new board members. She went over the Division's mission and the roles of staff and board members in the licensing process and answered questions the board had regarding recusal and quorum.		
Break			
Motion:	<i>In a motion duly made by Teresa Cotton and seconded by Rachel Buddin-Young, it was resolved with unanimous consent to recess for ten minutes.</i>		
Off Record: 10:43 AM			
On Record: 10:54 AM			
Motion:	<i>In a motion duly made by Rachel Buddin-Young and seconded by Teresa Cotton, it was resolved with unanimous consent to amend the agenda to move into new business.</i>		
New Business Cont.			
Brief Discussion:	<table border="1"> <tr> <td style="writing-mode: vertical-rl; transform: rotate(180deg);">B. Temporary Licenses</td> <td> <p>i. Logan Bugayong provided the new temporary military license regulations. These regulations were made permanent on September 22th, 2022 and allow for an expedited, temporary license to be granted to active duty military members and their spouses for up to 360 days. The purpose is to ease the transition while they are moving to Alaska.</p> <p>ii. The board moved on to discuss Administrative Order 335. This is an order from the Governor's office to the Division that removes specific duties from the examiner and asks that the board creates a temporary license for applicants. The board believes this order is very beneficial and that the temporary license will ease the transition for out of state practitioners moving to Alaska and will help them get established as they are in the process of getting their permanent license. The board will discuss this further at the next meeting when there is more information from the Division regarding how to proceed.</p> <p>iii. There have been several requests for a temporary license or a permit to practice in Alaska while an out-of-state counselor's client is temporarily in Alaska. At this time, the board's regulations require that if the counselor or client is located in Alaska, the counselor must hold an Alaskan license to practice professional counseling. Teresa Cotton and Rachel Buddin-Young will research temporary license provisions from other states and the board will review their findings at the next meeting.</p> </td> </tr> </table>	B. Temporary Licenses	<p>i. Logan Bugayong provided the new temporary military license regulations. These regulations were made permanent on September 22th, 2022 and allow for an expedited, temporary license to be granted to active duty military members and their spouses for up to 360 days. The purpose is to ease the transition while they are moving to Alaska.</p> <p>ii. The board moved on to discuss Administrative Order 335. This is an order from the Governor's office to the Division that removes specific duties from the examiner and asks that the board creates a temporary license for applicants. The board believes this order is very beneficial and that the temporary license will ease the transition for out of state practitioners moving to Alaska and will help them get established as they are in the process of getting their permanent license. The board will discuss this further at the next meeting when there is more information from the Division regarding how to proceed.</p> <p>iii. There have been several requests for a temporary license or a permit to practice in Alaska while an out-of-state counselor's client is temporarily in Alaska. At this time, the board's regulations require that if the counselor or client is located in Alaska, the counselor must hold an Alaskan license to practice professional counseling. Teresa Cotton and Rachel Buddin-Young will research temporary license provisions from other states and the board will review their findings at the next meeting.</p>
B. Temporary Licenses	<p>i. Logan Bugayong provided the new temporary military license regulations. These regulations were made permanent on September 22th, 2022 and allow for an expedited, temporary license to be granted to active duty military members and their spouses for up to 360 days. The purpose is to ease the transition while they are moving to Alaska.</p> <p>ii. The board moved on to discuss Administrative Order 335. This is an order from the Governor's office to the Division that removes specific duties from the examiner and asks that the board creates a temporary license for applicants. The board believes this order is very beneficial and that the temporary license will ease the transition for out of state practitioners moving to Alaska and will help them get established as they are in the process of getting their permanent license. The board will discuss this further at the next meeting when there is more information from the Division regarding how to proceed.</p> <p>iii. There have been several requests for a temporary license or a permit to practice in Alaska while an out-of-state counselor's client is temporarily in Alaska. At this time, the board's regulations require that if the counselor or client is located in Alaska, the counselor must hold an Alaskan license to practice professional counseling. Teresa Cotton and Rachel Buddin-Young will research temporary license provisions from other states and the board will review their findings at the next meeting.</p>		

Motion:	<i>In a motion duly made by Rachel Buddin-Young, and seconded by Teresa Cotton, it was resolved with unanimous consent to move up application review to make best use of time.</i>
Application Review	
Motions:	<i>In a motion duly made by Rachel Buddin-Young, and seconded by Teresa Cotton, it was resolved with unanimous consent to approve the application for supervisor certification for Elizabeth Sewell, license number 199409.</i>
	<i>In a motion duly made by Rachel Buddin-Young, and seconded by Teresa Cotton, it was resolved with unanimous consent to approve the application for supervisor certification for Kara Wesebaum, license number 192903.</i>
Brief Discussion:	The board reviewed the continuing education for Jessica Winker's supervisor application. All of the courses were sponsored by ASWB and not by any of the organizations listed in 12 AAC 62.200(4).
Motions:	<i>In a motion duly made by Rachel Buddin-Young, and seconded by Teresa Cotton, it was resolved with unanimous consent to approve the application for supervisor certification for Jessica Winker, license number 196900, pending the receipt of 10 hours of continuing education that meet the requirements of 12 AAC 62.200(4).</i>
Lunch	
Motion:	<i>In a motion duly made by Rachel Buddin-Young, and seconded by Teresa Cotton, it was resolved with unanimous consent to recess for lunch.</i>
Off Record: 12:09 PM	
On Record: 1:01 PM	
Investigative Report	
Brief Discussion:	Investigator Jasmin Bautista presented the investigative report for the period of April 15, 2022 to September 7, 2022.
Investigative Memo	
Brief Discussion:	Probation Monitor Karina Medina presented a request for a waiver from the continuing education requirements for a consent agreement.
Executive Session Motion:	<i>Upon a motion made by Rachel Buddin-Young, seconded by Teresa Cotton, and approved unanimously, it was resolved to enter into Executive Session in accordance with AS 44.62.310(c), and Alaska constitutional right to privacy provisions for the purpose of discussing matters which by law, municipal charter or ordinance are required to be confidential; Board staff members Logan Bugayong, Jasmin Bautista, and Karina Medina to remain during the session.</i>
Off Record: 1:06 PM	
On Record: 1:17 PM	
Motion:	<i>In a motion duly made by Rachel Buddin-Young, and seconded by Teresa Cotton, it was resolved with unanimous consent to not approve the modifications of the probation requirements of the consent agreement of case no. 2022-00032.</i>
	<i>In a motion duly made by Rachel Buddin-Young, and seconded by Teresa Cotton, it was resolved with unanimous consent that the board extends the due date of the required continuing education from the probation requirements of the consent agreement of case no. 2022-00032 to no later than December 3rd, 2022 and that all other requirements of the consent agreement remain.</i>

Investigative Training	
Executive Session Motion:	<i>Upon a motion made by Rachel Buddin-Young, seconded by Teresa Cotton, and approved unanimously, it was resolved to enter into Executive Session in accordance with AS 44.62.310(c), and Alaska constitutional right to privacy provisions for the purpose of discussing matters which by law, municipal charter or ordinance are required to be confidential; Board staff members Logan Bugayong and Jasmin Bautista to remain the room during the session.</i>
Off Record: 1:21 PM	On Record: 2:14 PM
Break	
Motion:	<i>In a motion duly made by Rachel Buddin-Young, and seconded by Teresa Cotton, it was resolved with unanimous consent to recess.</i>
Off Record: 2:15 PM	On Record: 2:20 PM
Application Review Cont.	
Executive Session Motion:	<i>Upon a motion made by Rachel Buddin-Young, seconded by Teresa Cotton, and approved unanimously, it was resolved to enter into Executive Session in accordance with AS 44.62.310(c), and Alaska constitutional right to privacy provisions for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; Board staff members Logan Bugayong and Jasmin Bautista to remain in the room during the session.</i>
Off Record: 2:28 PM	On Record: 2:54 PM
Motions:	<i>In a motion duly made by Teresa Cotton, and seconded by Rachel Buddin-Young, it was resolved with unanimous consent to table the application for licensure by examination for Emily Mechtenberg, license number 198861, pending the receipt of further information regarding 12 AAC 62.220.</i>
	<i>In a motion duly made by Rachel Buddin-Young, and seconded by Teresa Cotton, it was resolved with unanimous consent to approve the application for licensure by examination for Tonie Protzman, license number 193175.</i>
Adjourn	
Brief Discussion:	<i>Prior to adjourning, the board discussed per 12 AAC 62.960. It was determined that both Dorene Hagen and Eleanor Vinson's absences are excused in this meeting.</i>
Off Record: 3:20 PM	

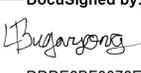
Next Meeting:	December 8 th -9 th , 2022
Adjournment:	<i>In a motion duly made by Rachel Buddin-Young, and seconded by Teresa Cotton, it was resolved with unanimous consent to adjourn the meeting at 3:20 PM.</i>

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 Dori Hagen, Board Chair

5/3/2023

 Date

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 Logan Bugayong, Occupational License Examiner

5/3/2023

 Date