

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

BOARD OF MARITAL AND FAMILY THERAPY

**MINUTES OF MEETING
December 3, 2010**

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Marital and Family Therapy was held December 3, 2010, beginning at 9:00 a.m. The meeting was held at the 550 W. 7th Ave/Suite 602, Anchorage, Alaska.

Call to Order/Roll Call

The meeting was called to order by Chair Patricia White at 9:00 am.

Board Members present, constituting a quorum:

Patricia White, Licensed Marriage and Family Therapist
Larry Severson, Licensed Marriage and Family Therapist
Father John Downing, Public Member
Kennith McCarty, Licensed Marriage and Family Therapist

Attending from the Division of Corporations, Business and Professional Licensing were:

Don Habeger, Director
Cathy Mason, Administrative Officer (by telephone)
David Newman, Investigator
Gary Keiser, Investigator
Eleanor Vinson, Licensing Examiner

1. Review Agenda

The Board reviewed the agenda. Ken McCarty wished to add title protection/practice protection and MFTs billing Medicaid.

On a motion duly made by Larry Severson, seconded by Father John Downing, and approved unanimously, it was

RESOLVED to accept the agenda as amended.

2. Review Minutes

The Board reviewed the minutes from the June 25, 2010 meeting. There was discussion about the use of Skype. Previously the Board had approved its use, but now, based on information that Board Member Severson brought back from the AAMFT conference, the Board no longer feels Skype, MSN or Yahoo

is secure enough to use for online therapy. The Board now wishes people to use confidential, HIPPA compliant sites. It was requested that the Licensing Examiner review the tapes from the last meeting to determine exactly what they said about Skype and to write a new letter to Mr. Clampitt, a licensee who had previously enquired about Skype.

The Board will vote by mail ballot on accepting the June 25, 2010, meeting minutes after the research is done.

3. Application Review

The Board reviewed applications and found that several needed more information.

On a motion duly made Larry Severson, seconded by Ken McCarty and approved unanimously, it was

RESOLVED accept the following applications:

AKMFT

Seven Principles for Making Marriage Work; How they Might Look in Your Office

CODI

Trauma Informed Care

Trauma Specific Interventions

ASAM and Treatment Planning

SOUTH PENINSULA BEHAVIORAL HEALTH SERV

An Integrated Approach to Childhood Exposure to Violence & Brain Development

On a motion duly made Larry Severson, seconded by Father John Downing and approved unanimously, it was

RESOLVED accept the following application, pending:

MFT Associate, Kevan Walker

4. Investigator's Report

Investigator David Newman attended the meeting and introduced the Board's new Investigator, Gary Keiser.

At this time, there are no open complaints or investigations. Since the last meeting, one was opened, but was closed with no action due to lack of jurisdiction.

5. Budget Report

Administrative Officer Cathy Mason gave the budget report by telephone. Director Don Habeger spoke with the Board regarding the increase in the renewal fees and explained the procedure used to set fees.

Board member McCarty questioned why the numbers of what was owed was different than what he understood at the sunset review. He suggested contacting the Governor's Office to stop the increase.

Board member Severson spoke regarding the inconsistent information given regarding the debt. The roll-forward amount had been going down

It was also noted that the increase went out for public comment and there were few responses sent in to the Department, but those comments were read and acted on. Originally, the suggested amount of the renewal was to be \$900.00, but after reading the comments, the Director worked to reduce the amount. He revisited the costs and reviewed ways to cut expenses. The final amount of the renewal is \$865.00.

He agreed that the debt had been going down and there had been headway made, but there are statutory requirements that must be followed:

Sec. 08.01.065. Establishment of fees. (a)

(c) Except as provided in (f) – (i) of this section, the department shall establish fee levels under (a) of this section so that the total amount of fees collected for an occupation approximately equals the actual regulatory costs for the occupation.

Ms. Mason explained that the fees must cover indebtedness and the biennium expenses. There is a need to continue in cost reduction. Part of the reason that the costs are up from previous years is because there has, for part of the past two years, been a complete Board (five members) from all areas of the state and the Board met four times in the last fiscal year. Program costs for FY2009 were \$20,839.00. Program costs for FY2010 were \$33,006.00. These costs must be paid for, along with the roll-forward amount. Director Habeger is trying to support the Board and their efforts, but must control costs.

There was discussion regarding keeping costs down. The Board consensus was that meeting numbers will be cut down. It was noted that conferences are needed to keep up with what is going on at the national level and will affect Alaska, and the Director explained that there are priorities for all Board travel, with the main priority being the board meetings.

The Chair voiced a worry that the higher costs could cause some to not renew, thus resulting in less money coming in; but cautioned that the Board needed to wait and see if there was a large number not renewing their licenses.

6. Public Comment

There was no public comment.

7. Old Business

a. Regulation change 12 AAC 19.130

There is a discrepancy between 08.63.120 and 12 AAC 19.130, in that the statutes says one must be licensed in Alaska ("under this chapter") to qualify to be an MFT supervisor; however, the regulation says you may qualify if you "hold a license to practice marital and family therapy in this state or another jurisdiction".

Sec. 08.63.120. Authorized supervisors. (a) A person may not supervise a person under this chapter unless approved by the board to be a supervisor.

(b) A person who supervises a licensee under this section must...

(2) be licensed under this chapter; and...

12 AAC 19.130. SUPERVISED EXPERIENCE. (a) The board will, in its discretion, approve the supervised experience of an applicant to satisfy the requirements of AS 08.63.100(a)(3)(B)(vi) and (C)(ii) if the supervisor

(1) hold a license to practice marital and family therapy in this state or another jurisdiction;

The Board of Marital and Family Therapy wished to make a change to the regulation 12 AAC 19.130 because of the discrepancy. The Board discussed the two rules at the last meeting and had decided that they would change the regulation to match the statute, but the Department of Law had additional questions.

Upon review of the statute and regulation, the Board determined they had another change for both the statutes and the regulations pertaining to having a supervisor's experience be as a licensed marital and family therapist. At this time, per the statute Sec. 08.63.120, a supervisor must have five years of experience in marital and family therapy. The Board wishes the statute to be changed to reflect that a supervisor must have five years of experience as a licensed marital and family therapist. The Board will pursue having the statute changed.

The Department of law determined that 12 AAC 19.210 establishes the requirements for an approved supervisor, not 12 AAC 19.130. They proposed that 12 AAC 19.130 (b) be repealed.

12 AAC 19.130. SUPERVISED EXPERIENCE. (a) The board will, in its discretion, approve the supervised experience of an applicant to satisfy the requirements of AS 08.63.100(a)(3)(B)(vi) and (C)(ii) if the supervisor

(1) is approved by the board; and

(2) verifies the applicant's experience on a form provided by the department.

(b) For the purposes of this section, an approved supervisor must

(1) hold a license to practice marital and family therapy in this state or another jurisdiction;

(2) hold a master's or doctorate degree from a regionally accredited educational institution in marital and family therapy and have practiced marital and family therapy for at least five continuous years; or

(3) be a master's degree or doctorate level mental health professional whose education meets the requirements of AS 08.63.100(a)(3)(B).

On a motion duly made Kenneth McCarty, seconded by Father John Downing and approved unanimously, it was

RESOLVED to accept the suggestion to repeal 12 AAC 19.130 (b) and instruct the Regulations Specialist to send the change out for public notice

The Board discussed changes they would like made to 12 AAC 19.210(a)(3). They wish to change the regulation so a supervisor must be licensed as a marital and family therapist for five continuous years. The supervisor applicant now has to have only practiced marital and family therapy for five years.

12 AAC 19.210. APPROVED SUPERVISORS. (a) The board will approve a person to be an approved supervisor under this chapter if the applicant submits

(1) a complete, notarized application on a form provided by the department;

(2) verification of a current license under AS 08.63.100 to practice marital and family therapy;

(3) documentation of having practiced marital and family therapy for five years; and

(4) documentation of having completed at least six contact hours of education related to the practice of

supervising a marital and family therapist within the last two years.

(b) To maintain approval under AS 08.63.120 and this section, a supervisor shall document at the time of license renewal that during the concluding license period the supervisor completed at least two contact hours of continuing education related to the practice of supervising a marital and family therapist. A supervisor may also include those two contact hours of continuing education in the total continuing education contact hours required for license renewal in 12 AAC 19.310.

(c) If a person does not maintain approval as an approved supervisor under AS 08.63.120 and this section because of noncompliance with the continuing education requirements of (b) of this section, the person may apply to the board for reinstatement of the approval. The board will reinstate the approval if the applicant

(1) submits

(A) a complete, notarized application on a form provided by the department; and

(B) documentation of compliance with the continuing education requirements of (b) of this section; and

(2) complies with the requirements of AS 08.63.120 and (a)(2) and (3) of this section.

On a motion duly made Kenneth McCarty, seconded by Larry Severson and approved unanimously, it was

RESOLVED to change 12 AAC 19.210(a)(3) to read:

(3) documentation of having practiced as a licensed marital and family therapist for five continuous years; and

b. AKMFT Liaison report

Board member Ken McCarty is the Liaison between the AKMFT and the Board. He reported that they had their annual meeting with seminar and there were sixty attendees. There is a concern about the fees. The organization has contracted for on-line research for tele-therapy and on-line therapy.

c. Yearly Report

This was a “FYI” for the Board to begin working on their goals and objectives. The Board went over their upcoming goals.

This conversation led to some discussion once again regarding the increase in fees. Ken McCarty wanted to ask that the governor put a stay on the fee increase until all information is gathered as to what the fee should be. Father Downing agreed, citing public safety if a large number of applicants do not renew their licenses.

Larry Severson does agree that the increase is inconsistent with what the Board had been previously told, but feels the current administration is now giving good information and would like to work with them. The issues that the Board addressed previously are a concern, but we do not know the impact. He feels that the Board can focus on reducing transportation and meeting costs and work with the Director and staff so they know the Board’s concerns. It is premature to take the step to contact the governor, especially since the renewal forms have been mailed out.

The Board discussed strategy for working on the fee increase. The Board invited Director Habeger to return to their meeting because of some new questions that some members felt were not answered. The Director returned to the meeting to discuss their concerns.

Board Member McCarty discussed issues regarding the Division having to reduce debt this year per statute and the historical deficit roll-forward. He would like the Division to be open to the idea to reduce the fees and give licensees the benefit of the doubt and make Alaska a place for businesses.

Chair White noted that the precedent had been to roll-forward the debt. She was concerned that license fees may not go down and wanted the Division to know the Board is concerned. She does not want the licensee numbers to go down. She questioned how to keep this license in existence if that happens.

The Director is working with the Board, but there are regulatory obligations that he must follow. He is aware that it could cause angst, but his intent is to work together with the Board.

The Board feels that this Board needs to do all they can to reduce/regulate costs and work together with the Division.

d. Internet counseling

The Board had been going to review the National Board for Certified Counselor's statement of principles for guiding internet counseling ("The Practice of Internet Counseling"). No action was taken on this item. It will be brought to the next meeting.

9. New Business

a. Year End form for statute change requests

For year-end reporting, there is a questionnaire that must be completed if the Board wishes to submit any statute change requests to the Division.

b. Mail out ballots

Chair White wished to discuss the need for mail out ballots vs meetings. Because the meetings will be so far apart, the Board will continue with mail-out ballots, but they need to be returned in a more timely manner. The licensing examiner will try telephoning members when they are sent out by email.

c. Report on the AAMFT conference

Board Member Larry Severson attended the AAMFT conference and gave a report on it.

There were agenda items brought up at the conference that directly affect the way the Alaska Board works. The main item is on-line therapy. Previously, the Alaska Board had approved Skype as an option to use for on-line therapy. The AAMFT conference brought to light that Skype, MSN and Yahoo are not confidential sites. It is the Board consensus that Therapists must use secure, confidential sites. One of these sites is MyTherapyNet.com.

d. Face to face CEUs/video-internet

There have been questions on whether or not live teleconferences are considered "face-to-face" if being used for continuing education hours. If the video/internet conference is in real-time (not recorded), meets the requirements of someone attending a conference in person and attendance can be verified, it would be considered "face-to-face".

e. Recruiting new MFT supervisors

There was a short discussion on recruiting more MFT supervisors. The Board will make sure the state association is aware that more are needed when they attend the AkAMFT luncheon today.

f. Title and practice protection

There was a short discussion regarding title and practice protection. At this time, MFTs have title, not practice protection. This will be brought to the next meeting.

g. MFT/Medicaid statute change

There was a short discussion regarding a regulatory change for Medicaid billing. This will be brought to the next meeting.

9. Correspondence

There were no correspondence items for this meeting. (some are in other places on agenda)

11. Board Business

a. Ethics reports

There were no Ethics reports submitted.

b. Task List

c. Schedule next meeting

March 25, 2011 in Juneau
(later changed to March 18, 2011)

d. Sign meeting minutes

The previous Board meeting minutes will be signed after researching minute tapes and voted on.

e. Travel Authorizations

The travel authorizations were signed.

f. Board travel/conferences

On a motion duly made by Father John Downing, seconded by Kenneth McCarty, and approved unanimously, it was

RESOLVED to adjourn meeting.

The meeting was adjourned at 3:55 pm.

Respectfully Submitted by:

Eleanor Vinson, Licensing Examiner

Approved by:

Patricia White, Chairperson

Date: _____