

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  
March 12, 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 March 12, 2010, beginning at 9:00 a.m. The meeting was held at the 333 Willoughby Avenue, 9<sup>th</sup> Floor, Juneau, 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  
Father John Downing, Public Member  
Kennith McCarty, Licensed Marriage and Family Therapist

**Board Member absent:**

Larry Severson, Licensed Marriage and Family Therapist (excused)  
Wendy Hamilton, Public Member (appeared briefly during afternoon session)

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

Lynne Smith, Director  
Cathy Mason, Administrative Officer  
David Newman, Investigator (by telephone)  
Eleanor Vinson, Licensing Examiner  
Karen Wilke, Paralegal

**1. Review Agenda**

“Legislative Audit” was added to old business and “cost of license” was added to new business.

**On a motion duly made by Father John Downing, seconded by Kennith McCarty,  
and approved unanimously, it was  
RESOLVED to accept the agenda as amended.**

## 2. Review Minutes

The Board reviewed the minutes from the November 13, 2009 meeting.

**On a motion duly made by Kenneth McCarty, seconded by Father John Downing, and approved unanimously, it was  
RESOLVED to accept the November 13, 2009 meeting minutes as amended.**

## 3. Application Review

The Board reviewed applications and continuing education audits.

**On a motion duly made Father John Downing, seconded by Kenneth McCarty and approved unanimously, it was  
RESOLVED accept the following applications:**

### MARITAL AND FAMILY ASSOCIATE/PENDING

JAMES ATKINSON

### CEU APPROVAL APPLICATION LIST

Barton Sloan

THE SCIENCE OF THE ART OF PSYCHOTHERAPY 12 CEUs

Leon Webber

International Institute for the Communication Arts

THE POETICS OF STRUCTURED COMMUNICATION IN COUPLE AND FAMILY THERAPY  
12 CEUs

Co-Occurring Disorders Institute

ETHICS 6 CEUs

AKAMFT

*Various Teleconferences* 6 CEUs

Acceptance and Commitment Therapy

When to Refer to a Sex Therapist I

Avoiding Liability Part 1

Smart Women Creating Smart Relationships

Avoiding Liability Part II

Therapist As Life Coach

#### **4. Investigator's Report**

Investigator David Newman gave the report by telephone. There have been no new complaints opened since last meeting. There were two Investigations/complaints closed since last meeting.

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

**RESOLVED to go into executive session regarding case number 3550-09-001.**

The Board went into Executive Session at 10:40 am.  
Out of Executive Session at 11:20 am.

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

**RESOLVED deny the application of Robert E. Bagley for Marital and Family Therapy licensure as well as for temporary licensure as a Marital and Family Therapist. This is based on investigative report and acts discovered. The denial is based on 08.63.100(a)(3)(A) due to recent discovery of sexual misconduct with a client; and 08.63.210(a)(8) – sexual misconduct; and 08.63.210(a)(1) – strong appearance of intentionally securing a license through deceit, misrepresentation. Denial is also based on not having an approved supervisor per 08.63.120.**

#### **5. Budget Report**

Administrative Officer Cathy Mason gave the budget report. It was reported that the renewal fees may not have to be raised if the deficit continues to come down.

#### **6. Paralegal Report**

Paralegal Karen Wilke appeared before the Board and introduced herself. She has two open cases for this Board due to CEU non-compliance.

#### **7. Public Comment**

There was no public comment.

#### **8. 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 discussed the two rules at the last meeting and put a request in to the Department that the statute be changed to reflect that a marital and family therapist may qualify to be a supervisor whether they are licensed in Alaska or another state.

The Board received the response from the Department, which noted that, unless the local MFT Association or a member of the industry can get a bill introduced to make the statute change, it is highly unlikely that any change proposal will come from the Administration during this Legislative Session.

The Department also stated that, although the regulation language may be preferable, now that we are aware of the discrepancy the Board should consider a conforming amendment to the regulation until the statute is changed.

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

**RESOLVED to change the wording in 12 AAC 19.130. SUPERVISED EXPERIENCE.** (a) (1) from “hold a license to practice marital and family therapy in this state or another jurisdiction;” to “hold a license to practice marital and family therapy in this state;”

The Board made the change to bring the regulation in line with the statute **Sec. 08.63.120.** (b)(2).

#### b. Audit report-past information/Board actions

The Chair had requested that the licensing examiner research and find out exactly what the board had not acted on regarding changing statutes or regulations due to cost, as it was reported by the Legislative Audit.

In researching back to 2006, it was found that the Board did not pursue a fee for the state MFT exam because the cost to do the regulation change would not be covered by the fee, as few take the state exam. Nor did the Board pursue a change regarding allowing previously licensed MFTs to reinstate after five years. Neither of these were felt to affect the safety of clients.

The Board did request two statute changes regarding supervision be attached to the Omnibus Bill.

#### c. Legislative Audit Report

This was an FYI for the Board. The report was distributed to the Board.

## **9. Correspondence**

### **a. Ragen-Coffman**

A licensed MFT wrote asking if there were any requirements specific to Alaska MFTs that must be met when closing a practice. The Board responded that there is nothing specific in the statutes and regulations, but she should check the AAMFT Code of Ethics.

## **10. New Business**

### **a. Updating MFT state exam**

The Board reviewed question from the MFT state examination to determine if any changes needed to be made.

### **b. Cost of MFT Licensure in Alaska**

The Board discussed ways of strategically reducing costs of the MFT licenses. They discussed how to be effective and keep the cost of licenses down. They discussed possible ways to reduce the debt, perhaps by approaching the legislature.

## **11. Board Business**

### **a. Ethics reports**

There were no Ethics reports submitted.

### **b. Task List**

From last meeting: Larry Severson was to research the new AAMFT training to see if it is beneficial to the Board.

Pat White will write letter regarding the debt and the Legislative Audit for Father John Downing to present to the AKMFT meeting. She will also contact the Division Operations Manager regarding lowering the fees of MFT licenses.

Father John Downing will be the Board liaison with AKMFT

### **c. Schedule next meeting**

June 25, 2010 – Anchorage (changed from July 30)

### **d. Sign meeting minutes**

The previous Board meeting minutes were signed.

### **e. Travel Authorizations**

The travel authorizations were signed.

f. Board travel/conferences

There was discussion regarding sending Licensing Examiner Vinson to the CLEAR Conference. Father John Downing was scheduled to go, but has withdrawn.

**On a motion duly made by Father John Downing, seconded by Kenneth McCarty, and approved unanimously, it was  
RESOLVED to approve sending Eleanor Vinson to the CLEAR Conference.**

**On a motion duly made by Kenneth McCarty, seconded by Father John Downing, and approved unanimously, it was  
RESOLVED to adjourn meeting.**

The meeting was adjourned at 3:30 pm.