

State of Alaska
Board of Professional
Counselors

December 14, 2018

Board Packet
PUBLIC COPY

333 Willoughby Ave, 9th Floor
Commissioner's Conference Rm
Juneau, AK

1. Call to Order & Roll Call

BOARD OF PROFESSIONAL COUNSELORS

Board Membership Roster

Board Member

Term

Debra Hamilton
Professional Counselor
Soldotna, AK 99669

March 1, 2021

Alice Baum
Professional Counselor
Anchorage, Alaska

March 1, 2022

Janece Richard
Professional Counselor
Anchorage, Alaska

March 1, 2022

Kyle Cardwell
Professional Counselor
Anchorage, Alaska

March 1, 2021

Eleanor Vinson
Public Member
Juneau, Alaska

March 1, 2020

2. Review & Approve Agenda

STATE OF ALASKA
BOARD OF PROFESSIONAL COUNSELORS
TELECONFERENCE

333 WILLOUGHBY AVE,
COMMISSIONER'S CONFERENCE ROOM, 9TH FLOOR
JUNEAU, AK

GCI Conference Line: 1-800-315-6338
Access Code: 52538

FRIDAY, DECEMBER 14, 2018

	<u>TIME</u>	<u>TOPIC</u>	<u>LEAD PERSON</u>
1.	9:00 a.m.	Call to Order & Roll Call	Chair
2.	9:02 a.m.	Review & Approve Agenda	Chair
3.	9:06 a.m.	Ethics Report Reminder of requirements to all board members.	Chair
4.	9:10 a.m.	Review & Approve Minutes September 2018	Chair
5.	9:15 a.m.	Public Comment	Chair
6.	9:30 a.m.	Old Business A. Review Public Comment from Reg. Project - Technology-Assisted Distance Professional Services, 12 AAC 62.400-420 B. Regulation Work Updates - Revisions from September 2018 meeting sent to Reg. Specialists 11.8.18 C. Telemedicine Business Registry Update	Chair/Reg. Specialist Chair/Reg. Specialist
8.	10:20 am	Consent Agreement & Board Order Case number 2018-000539	Chair/Inv. B. Howes
9.	10:30 a.m.	Investigative Report	E. Prieksat
10.	11:00 a.m.	Division Update	Acting Dir. S. Chambers (or) M. Dumas (or) M. Wales
11.	11:30 a.m.	Application Review	Chair
12.	12:00 p.m.	Adjourn (later if necessary)	

3. Ethics Report

State of Alaska
DEPARTMENT OF LAW

ETHICS ACT PROCEDURES FOR BOARDS & COMMISSIONS

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

Who Is My Designated Ethics Supervisor (DES)?

Every board or commission subject to the Ethics Act¹ has several ethics supervisors designated by statute.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director.
- The executive director serves as DES for the staff.
- The governor is the DES for a chair.²

What Do I Have To Disclose?

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The executive director of the board or commission and its staff, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

- For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *“Ethics Information for Members of Boards and Commissions.”* The executive director and staff should refer to the guide, *Ethics Information for Public Employees.* Both guides and disclosure forms may be found on the [Department of Law’s ethics website](#).

How Do I Avoid Violations of the Ethics Act?

- Make timely disclosures!
- Follow required procedures!
- Provide all information necessary to a correct evaluation of the matter!³
- When in doubt, disclose and seek advice!
- Follow the advice of your DES!

What Are The Disclosure Procedures for Board and Commission Members?

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

Procedure for declaring actual or potential conflicts.

Members must declare potential conflicts and other matters that may violate the Ethics Act **on the public record and in writing to the chair**.

Disclosure on the public record. Members must identify actual and potential conflicts orally at the board or commission’s public meeting **in advance** of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter.⁴
- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair.

Disclosure in writing at a public meeting. In addition to an oral disclosure at a board or commission meeting, members’ disclosures must be made in writing.

- If the meeting is recorded, a tape or transcript of the meeting is preserved **and** there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

Confidential disclosure in advance of public meeting. Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict submits a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter.⁵
- If so, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting.⁶

Determinations at the public meeting. When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- *Exception:* A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating or participating in the matter.⁷

If the chair identifies a potential conflict, the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first

made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

Procedures for Other Member Disclosures

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the [Department of Law's ethics website](#).

What Are The Disclosure Procedures for Executive Directors and Staff?

Ethics disclosures of the executive director or staff are made in writing to the appropriate DES (chair for the executive director and the executive director for staff).

- Disclosure forms are found on the ethics website, noted above.

Notices of Potential Violations. Following receipt of a written notice of potential violation, the DES investigates, if necessary, and makes a written determination whether a violation of the Ethics Act could exist or will occur. A DES may seek advice from the Attorney General. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

- These disclosures are not required to be made part of the public record.
- A copy of a determination is provided to the employee.
- Both the notice and determination are confidential.

Other Disclosures. The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination the employee.

How Are Third Party Reports of Potential Violations or Complaints Handled?

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted **in writing** and **under oath**.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist.⁸
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- **These matters are confidential**, unless the subject waives confidentiality or the matter results in a public accusation.

What Are The Procedures for Quarterly Reports?

Designated ethics supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law Ethics Attorney by e-mail at ethicsreporting@alaska.gov and no other report is required.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

How Does A DES or Board or Commission Get Ethics Advice?

A DES or board or commission may make a **written request** to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides **advice by phone or e-mail** to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

It is the obligation of each board or commission member, as well as the staff, to ensure that the public's business is conducted in a manner that is consistent with the standards set out in the Ethics Act. We hope this summary assists you in ensuring that your obligations are met.

¹ The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

² The governor has delegated the DES responsibility to Guy Bell, Administrative Director of the Office of the Governor.

³ You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.

⁴ In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

⁵ The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.

⁶ In this manner, a member's detailed personal and financial information may be protected from public disclosure.

⁷ When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

⁸ The DES provides a copy of the notice to the employee who is the subject of the notice and may seek input from the employee, his or her supervisor and others. The DES may seek advice from the Attorney General. A copy of the DES' written determination is provided to the subject employee and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible,

the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

6/14

The Attorney General and Department of Law staff may not provide legal advice to private citizens or organizations. Please contact an attorney if you need legal advice. The [Alaska Lawyer Referral Service](#) or your local bar association may be able to assist you in locating a lawyer.

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Ethics Disclosure Form

<p style="text-align: center;">CONFIDENTIAL REQUEST FOR ETHICS DETERMINATION</p>

TO: _____, Designated Ethics Supervisor

(Identify Your Department, Agency, Public Corporation, Board, Commission)

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- AS 39.52.120, Misuse of Official Position
- AS 39.52.130, Improper Gifts
- AS 39.52.140, Improper Use or Disclosure of Information
- AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- AS 39.52.160, Improper Representation
- AS 39.52.170, Outside Employment Restricted
- AS 39.52.180, Restrictions on Employment after Leaving State Service
- AS 39.52.190, Aiding a Violation Prohibited

I understand that I should refrain from taking any official action relating to this matter until I receive your advice. If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division, Board, Commission)

(Position Title)

(Location)

Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.

Ethics Disclosure Form

Receipt of Gift

TO: _____, Designated Ethics Supervisor, _____
(Agency, Public Corporation, Board, Commission or Council)

This disclosure reports receipt of a gift with value in excess of \$150.00 by me or my immediate family member, as required by AS 39.52.130(b) or (f).

1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?

Yes No

2. Can I take or withhold official action that may affect the person or entity that gave me the gift?

Yes No

(If you answer "No" to both questions, you do not need to report this gift. If the answer to either question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)

The gift is _____

Identify gift giver by full name, title, and organization or relationship, if any:

Describe event or occasion when gift was received or other circumstance explaining the reason for the gift:

My estimate of its value is \$ _____ The date of receipt was _____

The gift was received by a member of my family. Who? _____

If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary):

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division)

(Position Title)

(Location)

Ethics Supervisor Determination: Approve Disapproved

Designated Ethics Supervisor*

(Date)

**Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

4. Review/Approve Meeting Minutes

Board Meeting Minutes September 2018

1
2 **State Of Alaska**
3 **DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT**
4 **DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING**

5 **BOARD OF PROFESSIONAL COUNSELORS**
6 **SEPTEMBER 13-14, 2018 MINUTES OF MEETING**
7

8 By the authority of AS. 08.01.070(2), and in compliance with the provisions of AS
9 44.64, Article 6, a scheduled board meeting was held at 550 W. 7th Ave. Suite 106,
10 Anchorage, Alaska 99501.

11
12 **Thursday, September 13, 2018**
13

14 **Agenda Item 1 - Call to order & Roll call**

15 Board Chair Debra Hamilton called the meeting to order at 9:32 am.

16
17 Those present, constituting a quorum of the Board:
18 Debra Hamilton, Chair, Licensed Professional Counselor
19 Alice Baum, Licensed Professional Counselor
20 S. Kyle Cardwell, Licensed Professional Counselor
21 Janece Richard, Licensed Professional Counselor
22 Eleanor Vinson, Public Member
23

24 In attendance from the Department of Commerce, Community and Economic
25 Development, Division of Corporations, Business and Professional Licensing:
26 Rissa Teske, Licensing Examiner
27 Marylene Wales, Accountant III (via teleconference)
28 Autumn Roark, Investigator
29

30 Members of the public in attendance:
31 None
32

33 **Agenda Item 2 - Review & Approve Agenda**

34 The board reviews the agenda.
35

36 **UPON A MOTION MADE BY JANECE RICHARD; SECONDED BY KYLE CARDWELL**
37 **AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO APPROVE THE AGENDA AS**
38 **WRITTEN.**

39 **Agenda Item 3 - Ethics Report**

40 Chair Hamilton asks if anyone has any ethics concerns to report, none heard.
41

42 **Agenda Item 4 - Review & Approve Meeting Minutes**

43 The board reviews the draft minutes of the July 13, 2018 teleconference meeting.
44

45 **UPON A MOTION MADE BY JANECE RICHARD; SECONDED BY ELEANOR VINSON**
46 **AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO APPROVE THE JULY 13,**
47 **2018 TELECONFERENCE MEETING MINUTES AS WRITTEN.**
48

49 **Agenda Item 5 - Public Comment (Regular board business)**

50 There is no one present in person or on the phone for public comment.

51

52 To make the best use of the board's time, the board discusses the investigative report,
53 ethics, and supervisor certification requirements. There is a short discussion about
54 new CEU requirements in response to what the board feels is a high amount of cases
55 under investigation for unethical conduct. The board moves into a discussion about
56 making changes to the requirements to become a board approved supervisor. Board
57 member Cardwell suggests increasing the CEU requirements, possibly to 3 graduate
58 semester hours or 45 CEU hours and the board discusses where the additional CEU's
59 can be acquired. Chair Hamilton directs the board to the NBCC (National Board for
60 Certified Counselors) website to look at the requirements for the Approved Clinical
61 Supervisor. The board is in agreement that the current requirement for certification of
62 6 CEU's, is not enough. Board Chair Hamilton adds that they could include an ongoing
63 CEU requirement, and they could also go into extended amounts of post licensure and
64 non-licensed experience. The board discusses making changes to the requirement for
65 100 hours of face-to-face supervision to require meeting with the supervisor at least
66 once a month and including an additional form in the application to indicate months
67 met and time accrued.

68

69 **Agenda Item 6 - Investigative Report**

70 Investigator Autumn Roark goes over the investigative report with the board. For the
71 period of May 23, 2018 through August 31, 2018 the division opened four (4) matters;
72 closed two (2) matters; and eight (8) matters remain open. Investigator Roark and the
73 board have a discussion about the code of ethics and what works best for determining
74 whether or not there has been a violation. The board feels that there is a large number
75 of cases and asks Investigator Roark if this is unusual. Investigator Roark informs the
76 board that anyone can make a complaint and she has to open a case. Chair Hamilton
77 asks if the AMHCA (American Mental Health Counselors Association) code of ethics is
78 helpful; Investigator Roark states that she doesn't look too closely at the code of ethics
79 but rather our regulations and statutes. She would bring the issue to the reviewing
80 board member to make a determination on whether or not a violation has been made.
81 Investigator Roark informs the board that she will be moving over to the medical board
82 and Erica will be taking over as our investigator.

83

84 Break at 10:48 am

85 Return at 10:59 am

86

87 **Agenda Item 7 - Division Update**

88 Marylene Wales, Accountant III, joins the meeting and provides the division update for
89 FY18 3rd Quarter via teleconference and briefly discusses the budget report. Division
90 Staff Wales states the 4th Quarter report will be available by October 1st. Board Member
91 Cardwell asks about reducing the renewal fee. Division Staff Wales states that she
92 believes that they will prepare a fee analysis before the next renewal period and that
93 fee analysis will help determine if they can reduce the fee.

94 The board is ahead of schedule and moves on to discuss the upcoming public
95 comment period for the regulation project, regulation changes for CEU requirements
96 for an application by credentials, increasing the number of ethics requirements from 3
97 to 6, increasing the number of CEU's for approved supervisor application. The board
98 notes that there are no requirements for the 40 CEU hours for an applicant by

99 credentials to have any of those hours be face-to-face; they talk about making 20 of
100 those 40 CEU hours be face-to-face. Board Member Cardwell proposes changing the
101 requirement an applicant must apply and be approved for distance supervision, as
102 several months of supervision can be lost waiting for the board to meet and approve
103 the distance supervision request.

104
105 **Agenda Item 8 - Public Comment/Testimony for Regulation Project**

106 *Technology-Assisted Distance Professional Services 12 AAC 62.400-420*

107
108 Dr. Lyn Freeman, LPC licensee calls in, she states that she was involved in the
109 regulations from the beginning and supports them 100%. She states that the only note
110 that she would make is on the texting side. Keeping that (texting) HIPPA compliant
111 requires patients to enter passwords, she sees a lot of patients with cognitive deficits
112 and traumatic brain injuries and most of them could not manage that. She has taken
113 the possibility of texting completely out of equation with her patients, as it does
114 require that you make a copy of that (the text) and it would be a bit burdensome.

115
116 The board discusses 12 AAC 62.410(b), and if simple texts such as “I’m running late”
117 should be required to be kept a patient’s file.

118
119 Seeing that no one else has called in or come in person to make a public comment on
120 the proposed regulation for *Technology-Assisted Distance Professional Services*, the
121 board continues their discussion on other regulation changes.

122
123 The board discusses regulation 12 AAC 62.200 Supervised Experience, changing in
124 subsection (e) that a supervisor has be an approved supervisor before supervision
125 begins; striking out subsection (c) all together; and adding to (d) a requirement of a
126 minimum of 1 hour a month.

127
128 **Agenda Item 9 - Lunch Break**

129 Break at 12:36 pm

130 Return at 1:44 pm.

131

132 **Agenda Item 10 - Regulation Task Force**

133 The board discusses regulation 12 AAC 62.200 Approved Counselor Supervisor
134 Certification. The discussion includes what other states and NBCC require for
135 becoming a supervisor, how Alaska’s requirements compare, and increasing the CEU
136 requirement for our supervisor certification. The board is in agreement that the CEU
137 requirements should be increased to possibly 45 hours and discusses how specific
138 they will get on who will approve the CEU’s. The board will continue the discussion for
139 regulation changes for 12 AAC 62.200 tomorrow during New Business.

140

141 **Agenda Item 11 - 11 Application Review**

142 The board reviews and votes on applications using OnBoard.

143

144 **Agenda Item 12 - Recess Until September 14, 2018 at 9:00 am**

145

146 **UPON A MOTION MADE BY KYLE CARDWELL; SECONDED BY ELEANOR VINSON**
147 **AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO RECESS UNTIL FRIDAY,**
148 **SEPTEMBER 14, 2018.**

149
150 The board recessed at 4:28 pm until 9:00 am Friday, September 14, 2018.

151
152
153 **Agenda Item 13 Friday, September 14, 2018**

154
155 **Agenda Item 14 - Call to Order and Roll Call**

156 Board Chair Debra Hamilton called the meeting to order at 9:05 am.

157
158 Those present, constituting a quorum of the board:
159 Debra Hamilton, Chair, Licensed Professional Counselor
160 Alice Baum, Licensed Professional Counselor
161 S. Kyle Cardwell, Licensed Professional Counselor
162 Janece Richard, Licensed Professional Counselor
163 Eleanor Vinson, Public Member

164
165 In attendance from the Department of Commerce, Community and Economic
166 Development, Division of Corporations, Business and Professional Licensing were:
167 Rissa Teske, Licensing Examiner

168
169 **Agenda Item 15 - Correspondence**

170 The board reads and discusses an email submitted to the board asking three questions
171 about ethics and billing. The name of the person has been withheld for confidentiality.

172
173 1. The board agrees that it is up to the individual insurances to decide what they will
174 pay for, and it is outside of the board's scope to determine what is billable and what is
175 not. The board recommends that the writer of the letter reach out to the individual
176 insurance companies and review Medicaid regulations.

177
178 2. Under Alaska Statute 08.29.100, there is title protection not practice protection. As
179 long as a person is not violating that statute and saying he/she is a licensed
180 professional counselor, they are not doing anything unethical.

181
182 3. The board is discussing the third question in the letter when AMHCA (American
183 Mental Health Counselors Association) representatives Richard Powell and Kirke McVay
184 call in for a teleconference discussion. The board will continue the discussion from
185 correspondence later.

186
187
188 **Agenda Item 16 - Old Business**

189 **A- Code of Ethics Discussion w/AMHCA Representatives**

190 AMHCA representatives Richard Powell and Kirke McVay, both with the ethics
191 committee, have called in to discuss the AMHCA code of ethics with the board. Mr.
192 Powell states that they are working on revisions for the 2015 Code of Ethics that he
193 projects should be finalized in about a year, and the revisions will incorporate
194 telehealth. Mr. McVay asks the board if a counselor needs to be licensed in Alaska in
195 order to provide services to a person who has moved there temporarily. The answer is
196 yes, according to the proposed Technology-Assisted Distance Professional Services
197 regulations that the board is in the process of adding to our regulations. Mr. Powell
198 says that Alaska's approach is pretty consistent with other states. Chair Hamilton asks

199 the AMHCA representatives about their opinion about texting non-personal
200 information with clients and the burden created by requiring that those short non-
201 personal texts be kept in a client's file. Mr. Powell states that he will put a note in the
202 Code of Ethics revision that this was an issue that came up in Alaska and could likely
203 happen in any state.

204 Chair Hamilton directs the conversation to the code of ethics, and asks Mr. Powell and
205 Mr. McVay to give the board a short presentation on why AMHCA would be better than
206 NBCC (National Board of Certified Counselors) and ACA (American Counseling
207 Association). Mr. Powell says that the ACA code of ethics is written very lawyerly and
208 is meant to lay out principles but guidance can be lacking. The NBCC code of ethics is
209 a little bit like AMHCA's that it's written for the practitioner. AMHCA code of ethics is
210 written for mental health counselors doing mental health counseling, and is a sort of
211 handbook. Chair Hamilton states that one of the reasons that the board switched from
212 the ACA code of ethics to the AMHCA code was because they felt that the ACA code
213 was becoming restrictive and there were certain values that were being imposed on
214 them. Board Member Cardwell states that he wants to make sure that patients can be
215 referred to a competent individual who can help them, but that also a practitioner can
216 ethically refer a patient out if their personal convictions or religious convictions would
217 influence their ability to provide the care the patient wants. Chair Hamilton states that
218 was one of the reasons for the board moving away from ACA. Mr. Powell states that
219 there isn't anything in the AMHCA code right now that restricts referrals.

220

221 Break at 10:24 am

222 Return at 10:42 am

223

224 B- Ethics Regulation Discussion (research on NBCC, AMHCA, & ACA by K. Cardwell)

225 The Board briefly discusses the conversation with the AMHCA representatives and
226 whether or not they should update regulation 12 AAC 62.900 to read 2015 instead of
227 2010. The Board also agrees that they will continue to use the AMHCA code of ethics
228 as the adopted code of ethics for the Board.

229

230 **UPON A MOTION MADE BY ELEANOR VINSON; SECONDED BY ALICE BAUM AND**
231 **APPROVED UNANIMOUSLY, IT WAS RESOLVED TO CHANGE REGULATION 12 AAC**
232 **60.900(a) TO READ "REVISED AS OF 2010" TO "REVISED AS OF 2015".**

233

234 Board member Cardwell brings up the topic of national licensure and he would like to
235 discuss that further at another meeting. Board member Vinson states that it has come
236 up before, but it wasn't successful due to the cost and lack of support. Chair Hamilton
237 states that this is one of the reasons she advocates for board members to attend
238 conferences so they can really get a picture of what's being done around the states.

239

240 C - Telemedicine Business Registry

241 The Board discusses the Telemedicine Business Registry (TBR) and what it means for
242 the Board, it is unclear to the board what their responsibility is for the TBR. The board
243 decides that since the TBR isn't in their regulations that it isn't in their jurisdiction,
244 and until they are tasked with putting it in their regulations they will keep their hands
245 off. They then instruct Licensing Examiner Teske to ask division staff in charge of the
246 TBR what they would like the Board to do with the TBR and what their responsibility is.

247

248 **Agenda Item 15 - Correspondence**

249 The board returns to complete agenda item 15.

250

251 3. The only piece of the question that the Board is able to address is the licensing
252 piece, and if you are licensed as a professional counselor in Alaska then you have to
253 adhere to the statutes and regulations, and code of ethics. Therefore if you become
254 licensed you come under the jurisdiction of the board and you are accountable and
255 responsible for adhering to the statutes and regulations and code of ethics. These
256 other concerns, such as the disclosure statement, need to be addressed with our
257 organization. 08.29.220 and 12 AAC 62.930

258

259 The board does not take a lunch break.

260

261 **Agenda Item 17 - New Business**

262 The board continues discussion and work on regulation revisions.

263

264 12 AAC 62.130 License by Credentials

265 The board discusses adding under subsection (5) the requirement that CEU credits
266 must also comply with 12 AAC 62.310(4)(d).

267

268 **UPON A MOTION MADE BY ELEANOR VINSON; SECONDED BY ALICE BAUM AND**
269 **APPROVED UNANIMOUSLY, IT WAS RESOLVED TO MAKE A CHANGE TO**
270 **REGULATION 12 AAC 62.130(5) LICENSE BY CREDENTIALS TO READ: SUBMIT**
271 **VERIFICATION OF COMPLETION OF 40 CONTINUING EDUCATION CREDITS,**
272 **INCLUDING THREE OF THE CONTINUING EDUCATION CREDITS IN ETHICS WITHIN**
273 **THE PREVIOUS TWO YEARS IMMEDIATELY PRECEDING APPLICATION FOR**
274 **LICENSURE BY CREDENTIALS; THE CONTINUING EDUCATION MUST COMPLY WITH**
275 **12 AAC 62.320 AND 12 AAC 62.310(4)(d).**

276

277 There is discussion about listing the regulations in chronological order.

278

279 **UPON A MOTION MADE BY JANECE RICHARD; SECONDED BY KYLE CARDWELL**
280 **AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO AMEND THE PREVIOUS**
281 **MOTION TO SWITCH THE REGULATIONS SO THAT 12 AAC 62.310(4)(d) READS**
282 **BEFORE 12 AAC 62.320.**

283

284 **MOTION PASSES.**

285

286 12 AAC 62.220 Supervised Experience

287 The board discusses removing the requirement to get approval from the board before
288 engaging in distance supervision, adding a 1 hour per month requirement, and
289 defining face-to-face in the regulation itself by adding a subsection (f).

290

291 The board discusses defining face-to-face in the regulations definitions section.

292

293 **UPON A MOTION MADE BY ALICE BAUM; SECONDED BY JANECE RICHARD AND**
294 **APPROVED UNANIMOUSLY, IT WAS RESOLVED TO MODIFY REGULATION 12 AAC**
295 **62.220.**

296 **(B) MODIFIED TO SAY:**

297 **TO MEET THE SUPERVISED EXPERIENCE REQUIREMENTS OF AS 08.29.110(a)(6), THE**
298 **BOARD WILL ACCEPT THE HOURS OF SUPERVISED EXPERIENCE, ACCUMULATED**

299 BY AN APPLICANT FOR LICENSURE, UNDER THE SUPERVISION OF A PERSON THAT
300 HAS NOT BEEN CERTIFIED AS AN APPROVED COUNSELOR SUPERVISOR UNDER 12
301 AAC 62.200 ONCE THAT PERSON BECOMES CERTIFIED AS AN APPROVED
302 COUNSELOR SUPERVISOR.

303 (C) STRIKE

304 (D) MODIFIED TO SAY:

305 AT LEAST 50 HOURS OF THE 100 HOURS OF FACE TO FACE SUPERVISED
306 EXPERIENCE REQUIRED UNDER AS 08.29.110(a)(6) MUST BE ACCUMULATED BY AN
307 APPLICANT IN A ONE-ON-ONE SETTING WITH A SUPERVISOR CERTIFIED AS AN
308 APPROVED COUNSELOR SUPERVISOR UNDER 12 AAC 62.200. AN APPLICANT MAY
309 ACCUMULATE THE REMAINING 50 HOURS OF SUPERVISED EXPERIENCE IN A ONE-
310 ON-ONE SETTING OR A GROUP SETTING WITH A SUPERVISOR CERTIFIED AS AN
311 APPROVED COUNSELOR SUPERVISOR UNDER 12 AAC 62.200. AN APPLICANT
312 MUST ACCUMULATE A MINIMUM OF 1 HOUR OF SUPERVISION MONTHLY.

313 (E) AN APPLICANT MAY RECEIVE SUPERVISION BY TELEPHONIC OR ELECTRONIC
314 MEANS.

315 (1) STRIKE

316 (2) STRIKE

317 ADD SUBSECTION: (F) IN THIS SECTION, “FACE TO FACE” IS SYNONYMOUS TO
318 SYNCHRONOUS WHICH MEANS HAPPENING PRECISELY AT THE SAME TIME
319 DURING WHICH THE INSTRUCTOR AND ATENDEE ARE ABLE TO COMMUNICATE IN
320 REAL TIME.

321 There is discussion about changing “instructor” and “attende” to “supervisor” and
322 “supervisee” in (d). There is discussion about having left out supervision accumulated
323 under a supervisor who is supervised from (b).

324
325
326 UPON A MOTION MADE BY KYLE CARDWELL; SECONDED BY ELEANOR VINSON
327 AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO AMEND THE PREVIOUS
328 MOTION TO ADD TO (b) TO READ AS FOLLOWS:

329 TO MEET THE SUPERVISED EXPERIENCE REQUIREMENTS OF AS 08.29.110(a)(6), THE
330 BOARD WILL ACCEPT THE HOURS OF SUPERVISED EXPERIENCE, ACCUMULATED
331 BY AN APPLICANT FOR LICENSURE, UNDER THE SUPERVISION OF A PERSON THAT
332 IS CERTIFIED BEFORE THE SUPERVISION BEGINS, AS AN APPROVED COUNSELOR
333 SUPERVISOR UNDER 12 AAC 62.200. THE BOARD WILL ALSO ACCEPT THE HOURS
334 OF SUPERVISED EXPERIENCE, ACCUMULATED BY AN APPLICANT FOR LICENSURE,
335 UNDER THE SUPERVISION OF A PERSON THAT HAS NOT BEEN CERTIFIED AS AN
336 APPROVED COUNSELOR SUPERVISOR UNDER 12 AAC 62.200 ONCE THAT PERSON
337 BECOMES CERTIFIED AS AN APPROVED COUNSELOR SUPERVISOR.

338 AND TO STRIKE (c).

339
340 MOTION PASSES.

341
342 The Board discusses having not made the motion to amend (d) and change “instructor”
343 and “attende” to “supervisor” and “supervisee”.

344
345 UPON A MOTION MADE BY KYLE CARDWELL; SECONDED BY JANECE RICHARD
346 AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO MODIFY 12 AAC 62.200(f)
347 TO READ AS FOLLOWS:

348 **(F) IN THIS SECTION, “FACE TO FACE” IS SYNONYMOUS TO SYNCHRONOUS WHICH**
349 **MEANS HAPPENING PRECISELY AT THE SAME TIME DURING WHICH THE**
350 **SUPERVISOR AND SUPERVISEE ARE ABLE TO COMMUNICATE IN REAL TIME.**

351
352 **MOTION PASSES.**

353
354 The board now discusses adding to definitions, 12 AAC 62.990, a definition of face-to-
355 face.

356
357 **UPON A MOTION MADE BY JANECE RICHARD; SECONDED BY ALICE BAUM AND**
358 **APPROVED UNANIMOUSLY, IT WAS RESOLVED TO AMEND 12 AAC 62.990**
359 **DEFINITIONS BY ADDING NUMBER (3) SYNCHRONOUS MEANS HAPPENING**
360 **PRECISELY AT THE SAME TIME DURING WHICH THE SUPERVISOR AND SUPERVISEE**
361 **ARE ABLE TO COMMUNICATE IN REAL TIME.**

362
363 The board discusses the correct numbering or lettering of the new subsection being
364 added to the regulation. There is also discussion about making the definition more
365 general in who it applies to.

366
367 **UPON A MOTION MADE BY KYLE CARDWELL; SECONDED BY ELEANOR VINSON**
368 **AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO AMEND THE PREVIOUS**
369 **MOTION TO READ AS FOLLOWS:**
370 **12 AAC 62.990 DEFINITIONS TO INCLUDE A SUBSECTION (d) TO READ:**
371 **IN THIS SECTION, “SYNCHRONOUS” MEANS HAPPENING PRECISELY AT THE SAME**
372 **TIME.**

373
374 **MOTION PASSES.**

375
376 The board now continues their discussion from yesterday about regulation 12 AAC
377 62.200 Approved Counselor Supervisor Certification. There is a discussion as to
378 whether 30 hours or 45 hours is appropriate. Board members Cardwell and Richard
379 are in favor of 45 hours, Board members Vinson and Hamilton are in favor of 30.
380 Board member Cardwell states that 45 hours in clinical supervision would be the
381 equivalent of a graduate level course in supervision. Board Chair Hamilton states that
382 she wants to be reasonable, and the goal is to raise the competency level and is
383 questioning whether or not the requirement has to be 45 hours to get the minimum
384 level of competency. Board member Cardwell states that we need to make sure people
385 are qualified; he offers a compromise of 30 hours but all of them have to be face-to-
386 face/synchronous. There is discussion about whether or not 30 hours of face-to-face
387 classes for supervision exists, and Board member Vinson states that we have to make
388 sure people can qualify.

389
390 **UPON A MOTION MADE BY KYLE CARDWELL; SECONDED BY JANECE RICHARD**
391 **AND APPROVED BY THE MAJORITY IT WAS RESOLVED TO REVISE REGULATION 12**
392 **AAC 62.200(4) TO READ AS FOLLOWS:**
393 **SUBMIT DOCUMENTATION OF HAVING COMPLETED AT LEAST 45 CONTACT**
394 **HOURS OF CONTINUING EDUCATION RELATED TO SUPERVISION OF**
395 **PROFESSIONAL COUNSELORS WITHIN THE TWO YEARS PRECEDING THE DATE OF**
396 **APPLICATION; TWENTY OF THE 45 HOURS MUST BE COMPLETED**
397 **SYNCHRONOUSLY. THE 45 CONTACT HOURS MUST BE OBTAINED THROUGH ANY**

398 **OF THE FOLLOWING: A THREE-SEMESTER-HOUR GRADUATE COURSE IN CLINICAL**
399 **SUPERVISION OR A NBCC, ACA, OR AMHCA APPROVED CONTINUING EDUCATION**
400 **PROVIDER. OTHER COURSES RELATED TO PROFESSIONAL COUNSELING**
401 **SUPERVISION MAY BE PRESENTED TO THE BOARD FOR PRE-APPROVAL.**

402
403 **BOARD MEMBER ELEANOR VINSON OPPOSES MOTION.**

404
405 **MOTION PASSES.**

406
407 **Agenda Item 18 - Board Administration Business**

408 **A - Schedule/Confirm Meetings**

409 The board confirmed the following meeting dates for the upcoming year:

- 410 - December 14, 2018, Teleconference, 9 am - 12 pm. (updates on regulations)
- 411 - February 7-8, 2019; Juneau
- 412 - May 9-10, 2019; Anchorage

413
414 **B - Sign Wall Certificates and Final Minutes**

415 Wall certificates and final meeting minutes were signed by the board.

416
417 **C - Task List**

418 Examiner- Find out the process for changing a statute.

419 Board members Cardwell and Richard - Task force for changing statute 08.29.210

420 Supervisor Certification and adding a renewal requirement, bring something to

421 December meeting for board review.

422
423 **UPON A MOTION MADE BY KYLE CARDWELL; SECONDED BY JANECE RICHARD**
424 **AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO APPROVE THE FOLLOWING**
425 **LIST OF APPLICATIONS WITH THE STIPULATION THAT THE INFORMATION IN THE**
426 **APPLICANTS FILES WILL TAKE PRECEDENCE OVER THE INFORMATION IN THE**
427 **MINUTES.**

428
429 **ALICE BAUM HAS RECUSED HERSELF FORM VOTING.**

430
431 **Professional Counselor by Exam**

432 Alisa Stevens

433 Andrew Watson

434 Ariel Moilanen

435 Danielle Gutierrez

436 Mark Arena

437
438 **Professional Counselor by Credentials**

439 Gail Abernathy

440 John Harpole

441 Leslie Robertson

442 Samantha Marlar-Enbom

443 Shilo Martin

444 Amy Dunville

445 Mary Pangle

446
447 **Approved Counselor Supervisor**

448 Alice Baum
449 Jaedon Avey
450 Katherine Ensign
451 Sally Rall

452
453 **License Renewal**
454 Leah Allen

455
456 **Continuing Education Approval**
457 Turnagain Center- Child Exploitation & Trafficking

458
459 At this time the Board concluded all scheduled Board business.

460
461 **UPON A MOTION MADE BY JANECE RICHARD; SECONDED BY KYLE CARDWELL**
462 **AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO ADJOURN THE MEETING.**

463
464 The meeting adjourns at 2:46 pm

465
466
467
468 Respectfully Submitted:

469
470
471 -----
472 Rissa Teske, Licensing Examiner

473
474
475 Approved:
476
477
478 -----
479 Debra Hamilton, Board Chair,

480
481
482 -----
483 Date

5. Public Comment

(Regular Board Business)

6. Old Business

A. Review Public Comment
from Regulation Project
12 AAC 62.400-420
Assisted Distance
Professional Services

Maiquis, Jun C (CED)

From: Pagey Novel Path [REDACTED]
Sent: Thursday, September 13, 2018 7:55 PM
To: Regulations and Public Comment (CED sponsored)
Subject: Letter to Board- Final version re: telehealth and supervision

Pagey Novel Path [REDACTED]
to professionalcounselors

8:33 A

I realized I sent my unedited version accidentally and to the wrong email. I usually have more attention to detail, but I wanted to get this in, in my very busy schedule. Please excuse the multiple emails and drafts that were inadvertently sent from my new email program. If you could replace this one (below) with others I would most appreciate this.

Thank you,

Pagey Scheytt, MA, LPC, NCC
Licensed Professional Counselor

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Dear Board of Professional Counselors members,

I am writing regarding proposed regulation changes regarding Telehealth and concerns about clinical Supervision in Alaska.

I am a licensed professional counselor in Alaska since 2017. Prior to living in Alaska I was a licensed professional counselor in Oregon. Several years ago I lived in Juneau, Alaska working as a care coordinator and case manager at Reach, Inc. for about 7 years. There are many things I have enjoyed about being in Alaska and being able to practice counseling here. I love the sense of community, I love the approachability of those in power, I enjoy that there are not so many

regulations and oversights that we cannot get to the work we really need to do, and, of course, I love the landscape. There have also been some serious concerns that I would like to address.

I have meant to write into the board for quite a while about this, however the time and prioritization just did not present itself before a couple days ago. A couple days ago I received in the mail the proposed changes for telebehavioral health regs. There are many of these changes that I am extremely relieved to see going into place. I think that there does need to be more regulation, and as a nationally certified counselor myself through NBCC, I support most of the proposed regulation changes in this regard. However, I must address a particular area that has been a concern not only for myself, but for many other LPCs (through discussions through the American Counseling Association over the last few years). The bulk of these concerns are regarding NBCC creating some undue hardship for many counselors and therapists through some of their proprietary regulations and certifications.

The regulation regarding the need to have 6 CEUs of NBCC approved education courses may seem straightforward, may seem doable, however when looked at more closely this could really cause an incredible challenge to our already challenged mental health therapists here in Alaska. We have so many outlying communities and such a need for mental health here, it is one of the reasons I became licensed in tele-behavioral health here in Alaska. The reason I did not become licensed in telebehavioral health through NBCC is because it would be another huge expense and time challenge to the already existing expense of keeping licensure, and it seems very redundant.

When looking further down the line at NBCC regs it is very clear that they are working cooperatively with two other companies that would receive quite a bit of money from therapists to become licensed telebehavioral behavioral health specialists, when already we are licensed Behavioral Health professionals, we have already gone through, or at least most of us have gone through rigorous study, rigorous testing, rigorous internships and licensure requirements, as well as supervision and many expenses that go along with continuing to keep our licenses. On the one hand, we are told by research on the NBCC website, as well as their associate partner for telebehavioral health, that these two areas (providing mental health treatment to clients in person, and providing mental health treatment to clients through behavioral health) have very little differences that impact care. Of course, before I became licensed in Telehealth, I did take an online course through my software company, and through a reputable therapy sites provider, so that I could make sure that I was providing a good service for my clients. Were these courses fruitful? Absolutely! On the other hand NBCC is telling us that we need very specific additional training, ongoing continuing education on this particular area, and expenses that are about \$600 to begin with, and then pack an annual expense in addition to that of anywhere from 50 to \$200. And this does not include the additional time and responsibilities to our or ready very taxed community of mental health therapists. Our practices are full and the needs in the community are great. This, of course, is an addition to carrying the other licensures and fees that we must do in order to keep our self well-educated not only in telebehavioral health but in ethics, cultural awareness, and hopefully in neuroscience and mental health specific methodologies and treatments.

Putting in place this need for the 6 CEUs specifically as approved of by NBCC does not give us better quality education on telebehavioral health. There are many resources for this that do not cost money. Also, I do feel like I need to point out that this takes up more time in our busy CEU schedules where we could be receiving more trauma-informed care and staying updated on current neuroscience to help our clients. Our requirement for ethical and cultural training is below or at the same requirement of these Telehealth hours. I also must point out that many therapists I have spoke to said that they would not become licensed in Telehealth because they were afraid that it would add more to their present workload and expense, and this was before this proposed regulation. I fear this

will further deter many good therapists from taking on clients in outlying locations in Alaska. It is wonderful to be able to have options on how to complete the Telehealth training, and I felt that the 2-hour training that I had was very sufficient, but of course this can be looked into further. I just need to again add, that this does not mean that I am not for regulation. As a matter of fact another issue I wanted to address to the board today is regarding clinical supervision in Alaska.

Prior to moving to Alaska I was aware of the laws regarding licensure supervision. I had an expectation that supervision in Alaska must be at a high standard, or even superior to my present state standards. This was not a deterrent to moving back to Alaska, as a matter of fact I was looking forward to seeing what a higher standard would look like in this beautiful state. I was gravely disappointed regarding the situation with clinical supervision in Alaska after moving. The regulations are so loose that someone just out of school with just five years experience can become a clinical supervisor. Considering it takes most individuals three to five years to become licensed this means that someone could become a clinical supervisor without having the high level of responsibility and experience that is required for a good supervisor. I know in my 7 years of experience that I have grown every year, and even though I had a great deal of experience as a supervisor prior to becoming a counselor, I would not have been ready to supervise individuals yet. Let me reword that, I would have been ready, but they would not have gotten the high quality of supervision that they would deserve and that would help grow our profession.

One of the most concerning areas is that the supervision I have personally observed (and had lengthy discussions with other professionals regarding), is mostly a formality in nature. Most supervisors and interns that I have spoken with in our town have an idea of supervision that is not anything much more than accounting for hours, checking off boxes, signing sheets, and some are not providing any regular clinical supervision of the actual work being done with clients. In one instance, I addressed this with a clinical supervisor about her intern because of my concerns and I was told that clinical oversight and discussing cases isn't something that she was comfortable with. My understanding and experience with clinical supervision is that it is not just an overview of caseloads but working individually and or in groups to help new interning professionals with one of the most critical periods in their professional development; understanding themselves as a part of the therapeutic process, learning Socratic questioning of their ethics and approach, addressing situations which can be frightening and overwhelming to new professionals, addressing burnout, self care, boundary work, and continuing to develop case conceptualization and treatment methodologies. Clinical supervision as a part of becoming licensed is part of the educational process that cannot be done in the same way while in school. And interns are struggling and asking for this, as many meet with students that are interning in other states and are unsure why theirs looks so different.

I am not going to act like I would like Alaska to become like Oregon, in any way or form, there is a reason I'm here. However, I cannot help but feel obligated to give this information to the board to look further into. I have to say that the clinical supervision that I received and that most of my colleagues from other states received was very regulated and very vigorous. This helped prepare me to do the work I do and I cannot imagine anything less.

To make matters worse, since there is a rule here that people becoming licensed in Alaska have to be supervised to by Alaskan clinical supervisors, the cycle is perpetuated- This means that many of the clinical supervisors are just providing what was provided for them, minimal oversight and accounting of hours vs intense professional development and clinical supervision. This also means that we have many professionals that are licensed and practicing that have had several years of experience working without real clinical oversight and training.

I have recently spoke to some of my colleagues asking them to write in and share, some are LCSWs. I know most of the therapists here in Juneau because it's a pretty small community of therapists. There is a very strong consensus that at least in our community this is what supervision looks like most of the time. I am not saying that there is not an exception to this, but I am asking the board to look further into this and possibly put some more guidelines and standards in place not only for our new unlicensed professionals, but also for the clinical supervisors that may be passing along the only thing they know.. so that we can have highly qualified, rigorously trained professional counselors in our state.

We have so few counselors in our town for the demands and needs. We are all full, with waitlists here in Juneau. And, unfortunately, there are just a handful of professionals that I would refer clients to. I do not believe that this is a case of clinicians not having aptitude for counseling, but instead many professionals were not given the clinical supervision the way they needed at such a critical point in professional development to address and grow their skills and ethical practice.

Again, I am not saying this is the case for all counselors in Alaska, or even in my town of Juneau. But, I do care about where I live, and I do want us to do a better job with our mental health here, and I think appropriate regulations on clinical supervision could be a major bridge to that gap.

I want to thank the board for taking the time to read and review this lengthy letter. I am hoping you received my edited version and not my rough draft. In my haste to submit this I have made some errors. I wish I could have had more time to address this by coming in person. I thank all of you for doing what you are doing, because I know that all of you would not be meeting today unless this was important to you as well.

Please let me know if there is anything I can do to help, or if I can provide additional information etc.

Sincerely,

Pagey Scheytt, MA, LPC, NCC
Licensed Professional Counselor

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99 The board is ahead of schedule and moves on to discuss the upcoming public
100 comment period for the regulation project, regulation changes for CEU requirements
101 for an application by credentials, increasing the number of ethics requirements from 3
102 to 6, increasing the number of CEU's for supervisor application. The board notes that
103 there are no requirements for the 40 CEU hours for an applicant by credentials to have
104 any of those hours be face-to-face; they talk about making 20 of those 40 CEU hours be
105 face-to-face. Board Member Cardwell proposes changing the requirement an applicant
106 must apply and be approved for distance supervision, as several months of
107 supervision can be lost waiting for the board to meet and approve the distance
108 supervision request.

109
110 **Agenda Item 8 - Public Comment/Testimony for Regulation Project**

111 *Technology-Assisted Distance Professional Services 12 AAC 62.400-420*
112

113 **Dr. Lyn Freeman, LPC licensee** calls in, she states that she was involved in the
114 regulations from the beginning and supports them 100%. She states that the only note
115 that she would make is on the texting side. Keeping that (texting) HIPPA compliant
116 requires patients to enter passwords, she sees a lot of patients with cognitive deficits
117 and traumatic brain injuries and most of them could not manage that. She has taken
118 the possibility of texting completely out of equation with her patients, as it does
119 require that you make a copy of that (the text) and it would be a bit burdensome.

120
121 The board discusses 12 AAC 62.410(b), and if simple texts such as "I'm running late"
122 should be required to be kept a patient's file.

123
124 Seeing that no one else has called in or come in person to make a public comment on
125 the proposed regulation for *Technology-Assisted Distance Professional Services*, the
126 board continues their discussion on other regulation changes.

127
128 The board discusses regulation 12 AAC 62.200 Supervised Experience, changing in
129 subsection (e) that a supervisor has be an approved supervisor before supervision
130 begins; striking out subsection (c) all together; and adding to (d) a requirement of a
131 minimum of 1 hour a month.

132
133 **Agenda Item 9 - Lunch Break**

134 Break at 12:36 pm

135 Return at 1:44 pm.

136
137 **Agenda Item 10 - Regulation Task Force**

138 The board discusses regulation 12 AAC 62.200 Approved Counselor Supervisor
139 Certification. The discussion includes what other states and NBCC require for
140 becoming a supervisor, how Alaska's requirements compare, and increasing the CEU
141 requirement for our supervisor certification. The board is in agreement that the CEU
142 requirements should be increased to possibly 45 hours and discusses how specific
143 they will get on who will approve the CEU's. The board will continue the discussion for
144 regulation changes for 12 AAC 62.200 tomorrow during New Business.

145
146 **Agenda Item 11 - 11 Application Review**

147 The board reviews and votes on applications using OnBoard.
148

From: [Maiquis, Jun C \(CED\)](#)
To: [Teske, Rissa J \(CED\)](#)
Cc: [Hoffard, Renee \(CED\)](#)
Subject: RE: Public Testimony PCO Reg Project 12 AAC 62.400-420
Date: Wednesday, November 14, 2018 3:33:08 PM
Attachments: [PCO-Comments-2018200815.pdf](#)
[PCO-2018200815.pdf](#)
[PCO - NBCC Policy Regarding the Provision of Distance Professional Services \(Approved February 6, 2016\).pdf](#)
[PCO-Cert Order.pdf](#)
[PCO-Affidavit of Board Action.doc](#)
[PCO-Affidavit Oral Hearing.doc](#)

Thank you, Rissa.

Renee, I assume you'll be doing the minutes, if not, let me know and I'll correct the attached affidavits.

The written comment period for the PCO proposed regs project, dealing with standards of practice and related issues for distance professional services (sections 12 AAC 62.400, 12 AAC 62.410, and 12 AAC 62.420), ended on October 1, and it is now ready for Board consideration/adoption at its meeting on December 14. Attached are the following documents:

- Copy of the proposed regs (DOL File#2018200815) – as written/publicly noticed;
- Copy of the material proposed for adoption by reference (*NBCC Policy Regarding The Provision of Distance Professional Services, Approved February 6, 2016*);
- Written and Oral comments received for Board consideration;
- Certification Order for Chair Hamilton to sign & date – if adopted; and
- Affidavit of Board Action and Affidavit of Oral Hearing for you, Renee, to complete after the meeting.

Please note that the comment period (oral and written) is now closed, and since the Board did not request to allow for additional oral comments or public testimony in regards to the proposed regs project, therefore, it's not allowed. However, if the Board decides to accept/consider additional oral comments in the upcoming meeting, the Board will be required to re-notice the regs project in order to extend and allow for oral comments or public testimony.

Let me know if you have any questions or see any discrepancies.

Thanks!
Jun

From: Teske, Rissa J (CED)
Sent: Wednesday, November 14, 2018 2:41 PM
To: Maiquis, Jun C (CED) <jun.maiquis@alaska.gov>
Cc: Hoffard, Renee (CED) <renee.hoffard@alaska.gov>
Subject: RE: Public Testimony PCO Reg Project 12 AAC 62.400-420

Hi Jun,

B. Regulation Work Updates
Revisions from September
2018 Meeting

C. Telemedicine Business Registry Update

From: [Teske, Rissa J \(CED\)](#)
To: [Carrillo, Laura N \(CED\)](#)
Subject: RE: TBR and PCO Board
Date: Wednesday, September 26, 2018 7:44:00 AM

Hi Laura,

This is very helpful and I believe the PCO board is already doing this. The Board is in the process of working on regulations for “Technology-Assisted Distance Professional Services” which addresses training, safety, and other requirements in order to provide technology assisted distance services. The regulation is currently out for public comment and the PCO board is motivated to get the project completed.

Thank you for clarity on this subject, this was an issue that Chase brought up with the board when I was quite new and I wasn’t clear on all of the details, I will pass this information on. Have a great morning!!

Rissa Teske

Licensing Examiner

Board of Professional Counselors

Website:

<https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/ProfessionalCounselors.aspx>

Board of Psychologists & Psychological Associates

Website:

<https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofPsychologists.aspx>

State of Alaska, DCCED

Division of Corporations, Business,
and Professional Licensing

P.O. Box 110806

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From: Carrillo, Laura N (CED)
Sent: Tuesday, September 25, 2018 3:50 PM
To: Teske, Rissa J (CED) <rissa.teske@alaska.gov>
Subject: RE: TBR and PCO Board

Hi Rissa,

I'm so sorry, I have a very vague recollection of my attendance/input at this point! I'm hoping my memory is serving me correctly: I don't believe the division wanted the PCO board to take any specific action or that there was a directive for boards to comply with telemedicine responsibilities. Boards affected by SB74, the authorizing telemedicine business registry statute, aren't required to implement regulations to my knowledge, but I believe some programs are going that route. MFT, for example, was working on (at least they were when I had that board) best practices in teletherapy/telehealth for meeting patient safety standards and to screen for licensee competency in the practice of distance therapy. I believe what I asked the PCO board was whether they were going to establish/adopt certain standards for engaging in telemedicine/telehealth, e.g.: would the board require specific training? A certain number of hours in a certain topic? What organization/association would the standards be modeled after? MFT had a great start on this—you can check with Chelsea for MFT's pulse on this matter/to see if their draft regulations came to fruition. I think I may have also asked whether the PCO board would be maintaining a separate list of licensees who were actively engaged in or "endorsed" to provide telemedicine/telehealth services.

The nursing board is also working on drafting language related to TBR, which deals more with procedural/technical aspects. I glanced briefly at their draft regulations yesterday, and it looked like they were just mirroring what's in the MED statutes. You can check in with the NUR staff or Jun Maiquis for more information on this. Jun showed me the NUR draft just yesterday.

Sorry I can't be more specific! I believe this is what I touched on?

Thank you,

Laura Carrillo, Program Coordinator I
Prescription Drug Monitoring Program Manager
Board of Pharmacy Supervisor
Telemedicine Business Registry Manager
State of Alaska - DCCED – CBPL
PDMP Phone: 907-269-8404
Pharmacy/TBR: 907-465-1039
PDMP Email: akpdmp@alaska.gov
Email: laura.carrillo@alaska.gov
Fax: 907-465-2974

From: Teske, Rissa J (CED)
Sent: Tuesday, September 25, 2018 2:09 PM
To: Carrillo, Laura N (CED) <laura.carrillo@alaska.gov>
Subject: TBR and PCO Board

Hi Laura,

This is a carry-over issue from the PCO Board meeting in April when, I don't know if you remember but Chase had you call into the meeting and discuss the TBR with the PCO Board. From the PCO Board meeting last week, they are unclear what their responsibility is and have asked me to find out what it is the division wants the PCO board to do with the TBR. I'm hoping that you can maybe give me some guidance and information that I can pass on. Thank you!

Rissa Teske

Licensing Examiner

Board of Professional Counselors

Website:

<https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/ProfessionalCounselors.aspx>

Board of Psychologists & Psychological Associates

Website:

<https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofPsychologists.aspx>

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8. Consent Agreement & Board Order

From: [Howes, Brian K \(CED\)](#)
To: [Board of Professional Counselors \(CED sponsored\)](#)
Subject: 2018-000539 Jennifer Cross LPC
Date: Wednesday, October 03, 2018 11:23:02 AM
Attachments: [2018-000539 Inv. Report & Consent Agreement.pdf](#)
[2018-000539 BOARD ORDER.pdf](#)

Rissa,

I have attached the Inv. Report. Consent Agreement (signed) & Board Order for Ms. Cross that is to be presented to the PCO Board at its next meeting. If you have any questions, please let me know.

Brian

Brian Howes, Investigator III
Alaska Division of Corporations, Business and Professional Licensing
550 West 7th Avenue, Suite 1500 Anchorage, Alaska 99501
(Telephone) 907-269-8109 (Fax) 907-269-8195 (Email) brian.howes@alaska.gov

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9. Investigative Report

10. Division Update

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Board of Professional Counselors
Schedule of Revenues and Expenditures

	FY 12	FY 13	FY 14	FY 15	FY16	FY17	FY18
Licensing Revenue	\$ 142,890	\$ 17,685	\$ 231,595	\$ 41,641	\$ 402,810	\$ 84,985	\$ 345,905
Allowable Third Party Reimbursement	-	-	2,608	-	182	-	\$ 246
Total Revenue	<u>142,890</u>	<u>17,685</u>	<u>234,203</u>	<u>41,641</u>	<u>402,992</u>	<u>84,985</u>	<u>346,151</u>
Direct Expenditures							
Personal Services	62,520	58,266	62,610	69,553	57,670	45,704	75,441
Travel	10,981	15,305	16,324	26,311	13,354	12,659	13,655
Contractual	6,534	4,790	10,648	12,740	26,720	6,154	4,949
Supplies	243	400	66	149	199	124	68
Equipment	-	-	-	-	-	-	-
Total Direct Expenditures	<u>80,278</u>	<u>78,761</u>	<u>89,648</u>	<u>108,753</u>	<u>97,943</u>	<u>64,641</u>	<u>94,113</u>
Indirect Expenditures*	32,228	35,447	40,982	51,150	40,499	38,897	52,890
Total Expenses	<u>112,506</u>	<u>114,208</u>	<u>130,630</u>	<u>159,903</u>	<u>138,442</u>	<u>103,538</u>	<u>147,003</u>
Annual Surplus (Deficit)	<u>30,384</u>	<u>(96,523)</u>	<u>103,573</u>	<u>(118,262)</u>	<u>264,550</u>	<u>(18,553)</u>	<u>199,148</u>
Beginning Cumulative Surplus (Deficit)	(88,616)	(58,232)	(154,755)	(51,182)	(169,444)	95,106	76,553
Ending Cumulative Surplus (Deficit)	<u>\$ (58,232)</u>	<u>\$ (154,755)</u>	<u>\$ (51,182)</u>	<u>\$ (169,444)</u>	<u>\$ 95,106</u>	<u>\$ 76,553</u>	<u>\$ 275,701</u>

The 4th quarter board reports reflect the current year's actual indirect expenses allocated to the boards.

Appropriation	(All)
Activity Code	PCO1

Sum of Expenditures Row Labels	Column Labels			
	1000 - Personal Services	2000 - Travel	3000 - Services	4000 - Commodi ties
1011 - Regular Compensation	36,626.11			
1014 - Overtime	121.39			
1023 - Leave Taken	3,820.08			
1028 - Alaska Supplemental Benefit	2,494.18			
1029 - Public Employee's Retirement System Defined Benefits	1,326.80			
1030 - Public Employee's Retirement System Defined Contribution	1,782.30			
1034 - Public Employee's Retirement System Defined Cont Health Reim	1,388.60			
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	355.67			
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	4,071.86			
1039 - Unemployment Insurance	120.84			
1040 - Group Health Insurance	14,241.11			
1041 - Basic Life and Travel	19.57			
1042 - Worker's Compensation Insurance	380.34			
1047 - Leave Cash In Employer Charge	934.55			
1048 - Terminal Leave Employer Charge	507.40			
1053 - Medicare Tax	565.75			
1062 - GGU Business Leave Bank Contributions	64.43			
1069 - SU Business Leave Bank Contributions	54.76			
1077 - ASEA Legal Trust	51.21			
1079 - ASEA Injury Leave Usage	0.54			
1080 - SU Legal Trst	37.37			
1970 - Personal Services Transfer	6,475.34			
2000 - In-State Employee Airfare		3,080.39		
2001 - In-State Employee Surface Transportation		341.25		
2002 - In-State Employee Lodging		1,953.52		
2003 - In-State Employee Meals and Incidentals		1,352.00		
2005 - In-State Non-Employee Airfare		564.03		
2007 - In-State Non-Employee Lodging		916.00		
2008 - In-State Non-Employee Meals and Incidentals		600.00		
2009 - In-State Non-Employee Taxable Per Diem		96.00		
2010 - In-State Non-Employee Non-Taxable Reimbursement		269.23		
2012 - Out-State Employee Airfare		1,268.13		
2013 - Out-State Employee Surface Transportation		110.28		
2014 - Out-State Employee Lodging		899.60		
2015 - Out-State Employee Meals and Incidentals		537.00		
2020 - Out-State Non-Employee Meals and Incidentals		434.00		
2022 - Out-State Non-Employee Non-Taxable Reimbursement		1,097.79		
2036 - Cash Advance Fee		136.06		
2970 - Travel Cost Transfer		-		
3000 - Training/Conferences			850.00	
3002 - Memberships			2,600.00	
3035 - Long Distance			332.26	
3039 - Other Wireless Charges			-	
3045 - Postage			50.25	
3046 - Advertising			148.66	
3069 - Commission Sales			161.00	
4002 - Business Supplies				67.92
3085 - Inter-Agency Mail			807.00	
Grand Total	75,440.20	13,655.28	4,949.17	67.92

FY 2018 CBPL COST ALLOCATIONS

Name	Activity Code	Direct Revenues	3rd Party Reimbursement	Total Revenues	Direct Expense	Percentage of board licenses/total licensees:	Division receiving personal services by transaction %:	Department Personal Services - Fiscal Revenue personal services by transaction %	Indirect Expense (Total Non-PCN Allocated)	Percentage of direct personal services:	Total Indirect Expenses	Total Expenses	2018 Annual Surplus (Deficit)
Acupuncture	ACU1	\$ 4,875	\$ -	\$ 4,875	\$ 6,772	\$ 2,955	\$ 342	\$ 259	\$ 3,566	2,387	\$ 5,943	\$ 12,715	\$ (7,840)
Architects, Engineer	AEL1	\$ 909,305	\$ 13,692	\$ 922,997	\$ 365,518	\$ 183,868	\$ 20,083	\$ 4,202	\$ 208,153	110,051	\$ 318,204	\$ 683,722	\$ 239,275
Athletic Trainers	ATH1	\$ 15,965	\$ -	\$ 15,965	\$ 1,934	\$ 1,083	\$ 135	\$ 309	\$ 1,527	726	\$ 2,253	\$ 4,187	\$ 11,778
Audiology/Speech Pathologists	AUD1	\$ 37,685	\$ -	\$ 37,685	\$ 33,745	\$ 19,195	\$ 2,921	\$ 1,364	\$ 23,480	12,577	\$ 36,057	\$ 69,802	\$ (32,117)
Barbers & Hairdressers	BAH1	\$ 1,210,958	\$ -	\$ 1,210,958	\$ 370,573	\$ 192,033	\$ 27,986	\$ 9,220	\$ 229,239	113,491	\$ 342,730	\$ 713,303	\$ 497,655
Behavior Analysts	BEV1	\$ 7,815	\$ -	\$ 7,815	\$ 4,167	\$ 1,286	\$ 176	\$ 169	\$ 1,631	1,118	\$ 2,749	\$ 6,916	\$ 899
Chiropractors	CHI1	\$ 36,390	\$ 505	\$ 36,895	\$ 87,493	\$ 8,548	\$ 1,719	\$ 1,065	\$ 11,332	22,375	\$ 33,707	\$ 121,200	\$ (84,305)
Collection Agencies	COA1	\$ 152,230	\$ -	\$ 152,230	\$ 29,563	\$ 20,954	\$ 2,134	\$ 1,125	\$ 24,213	9,571	\$ 33,784	\$ 63,347	\$ 88,883
Concert Promoters	CPR1	\$ 1,205	\$ -	\$ 1,205	\$ 874	\$ 519	\$ 114	\$ 110	\$ 743	338	\$ 1,081	\$ 1,955	\$ (750)
Construction Contractors	CON1	\$ 895,543	\$ -	\$ 895,543	\$ 614,413	\$ 221,512	\$ 24,133	\$ 6,233	\$ 251,878	119,600	\$ 371,478	\$ 985,891	\$ (90,348)
Home Inspectors	HIN1	\$ 21,035	\$ -	\$ 21,035	\$ 6,630	\$ 2,819	\$ 155	\$ 428	\$ 3,402	2,497	\$ 5,899	\$ 12,529	\$ 8,506
Dental	DEN1	\$ 179,011	\$ -	\$ 179,011	\$ 225,001	\$ 116,023	\$ 7,934	\$ 2,380	\$ 126,337	62,459	\$ 188,796	\$ 413,797	\$ (234,786)
Dietitians/Nutritionists	DTN1	\$ 34,685	\$ -	\$ 34,685	\$ 5,527	\$ 7,037	\$ 766	\$ 1,215	\$ 9,018	2,009	\$ 11,027	\$ 16,554	\$ 18,131
Direct Entry Midwife	MID1	\$ 24,565	\$ -	\$ 24,565	\$ 17,315	\$ 1,376	\$ 217	\$ 149	\$ 1,742	5,322	\$ 7,064	\$ 24,379	\$ 186
Dispensing Opticians	DOP1	\$ 8,465	\$ -	\$ 8,465	\$ 18,731	\$ 4,759	\$ 549	\$ 319	\$ 5,627	7,093	\$ 12,720	\$ 31,451	\$ (22,986)
Electrical Administrator	EAD1	\$ 183,575	\$ -	\$ 183,575	\$ 60,636	\$ 23,457	\$ 3,905	\$ 2,529	\$ 29,891	10,066	\$ 39,957	\$ 100,593	\$ 82,982
Euthanasia Services	EUT1	\$ 125	\$ -	\$ 125	\$ 76	\$ 338	\$ 31	\$ 60	\$ 429	29	\$ 458	\$ 534	\$ (409)
Geologists	GEO1	\$ 920	\$ -	\$ 920	\$ 1,011	\$ 316	\$ 197	\$ 179	\$ 692	369	\$ 1,061	\$ 2,072	\$ (1,152)
Guardians/Conservators	GCO1	\$ 2,688	\$ -	\$ 2,688	\$ 1,733	\$ 383	\$ 41	\$ 50	\$ 474	621	\$ 1,095	\$ 2,828	\$ (140)
Guide-Outfitters	GUI1	\$ 1,122,760	\$ -	\$ 1,122,760	\$ 378,702	\$ 39,020	\$ 14,428	\$ 4,879	\$ 58,327	84,045	\$ 142,372	\$ 521,074	\$ 601,686
Marine Pilots	MAR1	\$ 6,100	\$ -	\$ 6,100	\$ 103,406	\$ 3,428	\$ 207	\$ 110	\$ 3,745	32,195	\$ 35,940	\$ 139,346	\$ (133,246)
Foreign Pleasure Craft	FPC1	\$ 85,050	\$ -	\$ 85,050	\$ 7,520	\$ -	\$ 259	\$ 110	\$ 369	2,850	\$ 10,739	\$ 74,311	\$ 74,311
Marital & Family Therapy	MFT1	\$ 7,975	\$ -	\$ 7,975	\$ 46,122	\$ 2,346	\$ 269	\$ 259	\$ 2,874	14,232	\$ 17,106	\$ 63,228	\$ (55,253)
Massage Therapists	MAS1	\$ 346,505	\$ 1,161	\$ 347,666	\$ 275,296	\$ 33,787	\$ 10,627	\$ 4,212	\$ 48,626	57,328	\$ 105,954	\$ 381,250	\$ (33,584)
Mechanical Administrator	MEC1	\$ 140,540	\$ -	\$ 140,540	\$ 42,623	\$ 14,728	\$ 2,393	\$ 1,952	\$ 19,073	8,258	\$ 27,331	\$ 69,954	\$ 70,586
Medical	MED1	\$ 347,304	\$ 3,517	\$ 350,821	\$ 835,051	\$ 160,997	\$ 23,957	\$ 4,431	\$ 189,385	265,121	\$ 454,506	\$ 1,289,557	\$ (938,736)
Mortuary Science	MOR1	\$ 3,525	\$ -	\$ 3,525	\$ 4,617	\$ 3,564	\$ 269	\$ 239	\$ 4,072	1,644	\$ 5,716	\$ 10,333	\$ (6,808)
Naturopaths	NAT1	\$ 77,640	\$ -	\$ 77,640	\$ 16,825	\$ 1,218	\$ 207	\$ 239	\$ 1,664	1,741	\$ 3,405	\$ 20,230	\$ 57,410
Nurse Aides	NUA1	\$ 416,180	\$ -	\$ 416,180	\$ 291,375	\$ 99,940	\$ 17,318	\$ 3,735	\$ 120,993	68,460	\$ 189,453	\$ 480,828	\$ (64,648)
Nursing	NUR1	\$ 814,178	\$ 1,666	\$ 815,844	\$ 1,213,025	\$ 440,702	\$ 43,221	\$ 9,648	\$ 493,571	336,688	\$ 830,259	\$ 2,043,284	\$ (1,227,440)
Nursing Home Administrators	NHA1	\$ 1,740	\$ 131	\$ 1,871	\$ 7,888	\$ 1,308	\$ 124	\$ 60	\$ 1,492	1,685	\$ 3,177	\$ 11,065	\$ (9,194)
Optometry	OPT1	\$ 8,900	\$ 1,000	\$ 9,900	\$ 78,027	\$ 4,962	\$ 383	\$ 249	\$ 5,594	24,519	\$ 30,113	\$ 108,140	\$ (98,240)
Pawnbrokers	PAW1	\$ 20,300	\$ -	\$ 20,300	\$ 865	\$ 744	\$ 73	\$ 229	\$ 1,046	322	\$ 1,368	\$ 2,233	\$ 18,067
Pharmacy	PHA1	\$ 801,317	\$ 210	\$ 801,527	\$ 309,070	\$ 128,112	\$ 24,071	\$ 3,774	\$ 155,957	103,723	\$ 259,680	\$ 568,750	\$ 232,777
Physical/Occupational Therapy	PHY1	\$ 405,168	\$ 1,064	\$ 406,232	\$ 119,083	\$ 46,035	\$ 7,675	\$ 2,937	\$ 56,647	41,206	\$ 97,853	\$ 216,936	\$ 189,296
Professional Counselors	PCO1	\$ 345,905	\$ 246	\$ 346,151	\$ 94,113	\$ 18,540	\$ 3,221	\$ 2,509	\$ 24,270	28,620	\$ 52,890	\$ 147,003	\$ 199,148
Psychology	PSY1	\$ 17,080	\$ 1,017	\$ 18,097	\$ 72,032	\$ 6,541	\$ 829	\$ 587	\$ 7,957	18,943	\$ 26,900	\$ 98,932	\$ (80,835)
Public Accountancy	CPA1	\$ 730,935	\$ 6,580	\$ 737,515	\$ 265,624	\$ 40,960	\$ 6,090	\$ 2,579	\$ 49,629	76,215	\$ 125,844	\$ 391,468	\$ 346,047
Real Estate	REC1	\$ 766,875	\$ -	\$ 766,875	\$ 197,108	\$ 93,129	\$ 20,321	\$ 3,893	\$ 117,343	63,165	\$ 180,508	\$ 377,616	\$ 389,259
Real Estate Appraisers	APR1	\$ 76,010	\$ 1,534	\$ 77,544	\$ 98,416	\$ 7,714	\$ 1,699	\$ 846	\$ 10,259	26,568	\$ 36,827	\$ 135,243	\$ (57,699)
Social Workers	CSW1	\$ 250,209	\$ 1,116	\$ 251,325	\$ 95,707	\$ 21,269	\$ 3,470	\$ 2,011	\$ 26,750	30,588	\$ 57,338	\$ 153,045	\$ 98,280
Storage Tank Workers	UST1	\$ 17,105	\$ -	\$ 17,105	\$ 3,530	\$ 1,669	\$ 684	\$ 468	\$ 2,821	1,329	\$ 4,150	\$ 7,680	\$ 9,425
Veterinary	VET1	\$ 57,225	\$ -	\$ 57,225	\$ 79,311	\$ 19,848	\$ 2,662	\$ 1,275	\$ 23,785	28,190	\$ 51,975	\$ 131,286	\$ (74,061)
No longer existent board/commission (ie Athletic)													
Totals All Boards		\$ 10,593,566	\$ 33,439	\$ 10,627,005	\$ 6,487,048	\$ 1,999,022	\$ 277,995	\$ 82,596	\$ 2,359,613	\$ 1,800,334	\$ 4,159,947	\$ 10,646,995	\$ (19,990)

ABL & Corporations	080801005	\$ 9,564,539	\$ -	\$ 9,564,539	\$ 1,087,580	\$ 108,258	\$ 269,779	\$ 9,178	\$ 387,215	\$ 138,603	\$ 525,818	\$ 1,613,398	
Fines & Forfeit GF		174,538		174,538									
Revenue Transfer In (Carry Forward)	CFWD	20,763		20,763									
Reimbursable Service Agreements AR 080801007		-		-									
RSA 0680470- DHSS Nurse Aide Program		120,000		120,000	120,000							120,000	
RSA 0680378- DHSS PDMP		200,000		200,000	200,000							200,000	
RSA 0680154- DHSS EPI PDMP		59,500		59,500	59,500							59,500	
RSA 0680579- DHSS PDMP		34,391		34,391	34,391							34,391	
RSA 0480042 Child Support Assistance		2,139		2,139	2,139							2,139	
RSA 0880179- Publication Specialist Duties		222		222	222							222	
Real Estate Recovery Fund	ZSU1	132,315		132,315	126,264							126,264	
Clear SDRP training	8000		1,306	1,306	1,306							1,306	
Total CBPL		\$ 20,901,973	\$ 34,745	\$ 20,936,718	\$ 8,118,450	\$ 2,107,280	\$ 547,774	\$ 91,774	\$ 2,746,828	\$ 1,938,937	\$ 4,685,765	\$ 12,804,215	

12,804,215

Indirect Expense Allocated by License %: license count by board / total professional licenses currently active Note: does not include Geologists
HIN1 and CON1 combined for board reports

DIVISION INDIRECT EXPENSES	Total		Prof Lic	Corp & Bus Lic
Percentage of direct personal services:				
Business Supplies	21,186		20,259	927
Office Equipment	82,223	**	73,972	8,251
State Vehicles	4,908		4,458	450
Storage and Archives	7,130		7,127	3
Legal Support	21,233		21,233	-
Mail postage	19,962		33,034	(13,072)
Software Licensing and Maintenance	54,275	***	53,533	742
Division coding adjustment - conversion				
Division Administrative Expenses - all other	354,300		350,369	3,931
Division allocated by percentage of direct personal services:	565,217		563,985	1,232
Percentage of board licenses/total licensees:				
Division supervisors of receiving Personal Services 75%	143,358	****	129,022	14,336
Receiving Personal Services 40%	333,326	****	299,993	33,333
Investigations indirect Personal Services	391,513	*****	362,108	29,405
Division Administration Personal Services	511,173		462,870	48,303
Professional License Administration Personal Services	131,941		219,324	(87,383)
Division allocated by percentage of board licenses/total licensees:	1,511,311		1,473,317	37,994
Receiving personal services by transaction %:				
Division supervisors of receiving Personal Services 25%	47,786	****	24,251	23,535
Receiving Personal Services 60%	499,988	****	253,744	246,244
Division receiving personal services by transaction %:	547,774		277,995	269,779
Total Division Indirect Expenses	2,624,302		2,315,297	309,005
DEPARTMENT INDIRECT EXPENSES				
Percentage of direct personal services:				
Commissioner's Office	201,103		180,993	20,110
Administrative Services - Director's Office	60,198		54,178	6,020
Administrative Services - Human Resources	69,920		62,928	6,992
Administrative Services - Fiscal	84,892		76,403	8,489
Administrative Services - Budget	56,286		50,657	5,629
Administrative Services - Information Technology	146,370		131,733	14,637
Administrative Services - Information Technology - Network & Database	147,192		132,473	14,719
Administrative Services - Mail postage	8,704		7,834	870
Administrative Services - Facilities - Maintenance	9,772		8,795	977
Department allocated by percentage of direct personal services:	784,437		705,994	78,443
Percentage of board licenses/total licensees:				
Department administrative services support: Fiscal, IT, Procurement	595,969	*	525,705	70,264
Receiving personal services by transaction %:				
Department Personal Services - Fiscal Revenue personal services by transaction %	91,774		82,596	9,178
Total DEPARTMENT INDIRECT EXPENSES	1,472,180	****	1,314,295	157,885
STATEWIDE INDIRECT EXPENSES				
Percentage of direct personal services:				
Accounting and Payroll Systems	16,397		14,757	1,640
State Owned Building Rental (Building Leases)	303,308	*****	272,977	30,331
Human Resources	63,573		57,216	6,357
IT Non-Telecommunications	75,572	*****	68,015	7,557
IT Telecommunications	128,543	*****	115,689	12,854
Risk Management	1,890		1,701	189
Statewide allocated by percentage of direct personal services:	589,283		530,355	58,928
FY18 TOTALS BY METHODOLOGY				
Percentage of direct personal services:	1,938,937		1,800,334	138,603
Percentage of board licenses/total licensees:	2,107,280		1,999,022	108,258
Receiving personal services by transaction %:	639,548		360,591	278,957
Grand Total	4,685,765		4,159,947	525,818

11. Application Review

12. Adjourn at 12:00 p.m.
(Later if necessary)