

**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
BOARD OF PROFESSIONAL COUNSELORS**

**June 2-3, 2011
Minutes of Meeting**

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 08.95.020, Article 1, a scheduled meeting of the Board of Professional Counselors was held June 2-3, 2011, in Anchorage, Alaska.

Thursday, June 2, 2011

Call to Order/Roll Call

Board Members Present and constituting a quorum of the Board were:

Shawnie Olson, Chairperson, Licensed Professional Counselor – Homer
Jennifer Burkholder, Licensed Professional Counselor – Anchorage
Lillian Mitchell, Public Member – Anchorage
Ray DePalatis, Licensed Professional Counselor – Anchorage
Emily Zimbrich, Licensed Professional Counselor – Haines

Attending at various times from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing was:

Eleanor Vinson, Licensing Examiner
Gary Keiser, Investigator

Agenda Item 1 – Review Agenda

Upon a motion by Emily Zimbrich and seconded by Jennifer Burkholder, and approved unanimously, it was

RESOLVED to accept the agenda as amended.

Agenda Item 2 – Review Minutes

The minutes from the January 27 & 28, 2011, meeting were discussed.

Upon a motion by Emily Zimbrich and seconded by Jennifer Burkholder, and approved unanimously, it was

RESOLVED to accept the January 27 & 28, 2011 minutes as amended.

Agenda Item 3 – AKCA Liaison Report

Jennifer Burkholder is the Board Liaison with the Alaska Counseling Association and updated the Board on what the Association was doing.

The Alaska Counseling Association recently submitted their unofficial review of ACA guidelines and will submit official guidelines in July.

June 2011 marks the first Annual Counselor Connection, a networking luncheon provided for existing and recent graduates.

The ACA has stopped working with Social Workers on joint conferences. Although the State of Alaska Social Work Board will allow ACA to recoup money spent on conferences, the National organization will not. No MOA will be accepted.

The Alaska Counseling Assoc and the LMFT association have agreed to run a conference together in 2012.

Agenda Item 4 – Investigator’s Report

Investigator Gary Kaiser gave his report to the Board.

There are two open investigations at the Attorney General’s Office at this time.

Since the last meeting, the Investigator has closed four complaints with no action due to no violation and closed one with an advisement letter.

Agenda Item 5 – Budget Report

The Administrative Officer, Cathy Mason, was not available to give a report, although she did submit a written report.

There is concern that there may be upcoming costs due to investigations/legal costs that will need to be paid. This is a concern if the fees are reduced.

Agenda Item 6 – Conference Reports

A. ACA Conference

Ray DePalatis attended the American Counseling Association’s conference. He reports that, though there were many new and useful workshops, there were two that may especially affect Alaska’s counselors. The first was a workshop that addressed the "20/20 Vision" for the future of the counseling profession and the second addressed implications of the 2009 Federal HITECH (Health Information Technology for Economic and Clinical Health Act) legislation, which requires counselors who are HIPPA covered entities to notify clients when there is a breach of confidentiality, and also establishes substantial fines when such breaches occur.

20/20 Vision

Seven principles have been endorsed by 33 major counseling organizations. The American School Counseling Association is the only major group that has not endorsed it. Additionally, a new consensus definition of counseling has been endorsed by 30 major counseling organizations which could have repercussions for the Alaska Board of Professional Counselors. This definition is as follows: "Counseling: A professional relationship that empowers diverse individuals, families, and groups to accomplish mental health, wellness, education and career goals". There is a different definition in our regulations/statutes.

Agenda Item 7 – Public Comment

A. Ellen Maling

Ellen Maling, Coordinator with the Alaska Health Workforce Coalition, came to the meeting to introduce herself and explain the work done by the coalition. Master level behavioral health clinicians have been identified as a priority occupation for workforce development.

The Coalition wishes to enhance and improve the workforce by engaging young people; training; recruitment; and retention. It is their goal to make sure there are enough providers for Alaska.

Agenda Item 8 – New Business

A . NBCC score report

The Nation Board for Certified Counselors sent the annual score reports for the state of Alaska regarding examination scores. Alaska had thirty-one applicants take the national examination, with none failing the exam in 2010.

B . NBCC contract

This was an “FYI” item to inform the Board regarding the new contract with the National Board for Certified Counselors (NBCC) which is the agreement setting forth the terms and conditions by which NBCC will administer the national counselor Examination for Licensure and Certification for Alaska applicants.

C. AASCB dues

The Board discussed the history of paying for this membership.

Upon a motion by Emily Zimbrich and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to pay the membership fee of \$800.00 to the American Association of State Counseling Boards.

Agenda Item 9 – Application Review

The Board reviewed thirty-nine applications.

Upon a motion by Jennifer Burkholder and seconded by Emily Zimbrich, and approved unanimously, it was

RESOLVED to approve the following applications:

PC BY EXAMINATION

LONE BEAR-GRANBOIS, JAMIE
SHEWELL, SKIP

PC BY CREDENTIALS

DOCZI, ANN
HERGENROETHER, PETER
SNIDER, MARY

PC SUPERVISOR

BEVAN-LEE, DONNA
BROOKS, DUNCAN

FREEMAN, LINDA
HARRIS, DOUGLAS
MACNAMARA, TERRENCE
OBER, JUNE

REINSTATEMENT OF LICENSE

PETTY, WILLIAM

EXTENSION OF EXAM

KELL, JESSICA

CEU

ALASKA ISLAND COMMUNITY SERVICES: ALASKA CROSSINGS

Clinical Staff Training

LYNN CANAL COUNSELING SERVICES

Practice Based Evidence: Improving Effectiveness Through CDOI

Diagnostic manual DC: 0-3R: Intro to Complex Trauma

UAF/AK RURAL BEHAVIORAL HEALTH TRAINING ACADEMY

Supervisory Alliance in Clinical Supervision

RURAL ALASKA COMMUNITY ACTION PROGRAMS/RURAL PROVIDERS CONFERENCE

RURAL PROVIDERS' CONFERENCE

Human Trafficking in Alaska

Tobacco's Toll on the Behavioral Health Population

Wellness Messages: HIV Prevention for Our Families

Trauma Attachment and Early Brain Development

The Importance of Nutrition in Recovery

Heart of a Grizzly

Pathway To Hope

Preventing Underage Drinking in Alaska

The meeting adjourned at 4:00 pm until June 3, 2011, at 9:00 am.

Friday, June 3, 2010

Call to Order/Roll Call

Board Members Present and constituting a quorum of the Board were:

Shawnie Olson, Chairperson, Licensed Professional Counselor – Homer
Jennifer Burkholder, Licensed Professional Counselor – Anchorage
Emily Zimbrich, Licensed Professional Counselor – Haines
Ray DePalatis, Licensed Professional Counselor – Anchorage
Lillian Mitchell, Public Member – Anchorage

Attending at various times from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing was:

Eleanor Vinson, Licensing Examiner

Agenda Item 10 – Regulations

A. 12 AAC 62.120 Approved Degrees/Ethics/public notice

The Board has previously discussed that they are concerned licensure applicants are not getting training in ethics before they begin practicing. The Board is putting an additional requirement in the regulation that an applicant must have a minimum of three graduate level credits in ethics before they may become licensed. They are changing the regulation to reflect the requirement of these ethics credits.

The Board had requested that the changes be public noticed. The public notice 30 day period has not yet passed.

B. 12 AAC 62.341 Hardships/public notice

The Board of Professional Counselors had addressed the possibility of extraordinary hardships in obtaining continuing education contact hours for license renewal. The revised regulations were to be public noticed in time for this meeting, but the 30 day period has not yet passed.

Agenda Item 11 – Correspondence

A. Crista Favazza – accept courses as counseling

Ms. Favazza asked about courses being accepted under 12 AAC 62.120. APPROVED DEGREES. The Board requested course content from her as the courses are under special educations, not a counseling curriculum. The Board reviewed the courses to determine if they would be applicable in a counseling setting. The Board did not find that any of the courses would be accepted.

B. Brandy Abbott/courses

Ms. Abbott asked that the Board review the requirements for Walden University's MS in Clinical Psychology, with a specialization in counseling degree, and determine if it would be an acceptable degree for licensure in Alaska. The Board determined that it would be an acceptable degree under 12 AAC 62.120.

C. Julie Welkowitz/SNHU

This was an “FYI” regarding a graduate program in Community Mental Health being offered in Alaska.

D. Supervision / 08.29.210

Shawn Darnell had requested approval of telephonic supervision in lieu of face-to-face supervision. The Board approved his alternate supervision and will allow him to receive his remaining seven hours of supervision telephonically.

Agenda Item 12 – Statutes

A. Practice statute

The Board discussed other boards’ practice protection. This was continued from the last meeting. The Professional Counseling laws do not have practice protection, only title protection:

Sec. 08.29.100. Unlicensed use of title prohibited. (a) A person who is not licensed under this chapter may not

(1) profess to be a licensed professional counselor, a professional counselor, or a licensed counselor; or
(2) make use of a title, words, letters, or abbreviations that may reasonably be confused with the title of “licensed professional counselor,” “professional counselor,” or “licensed counselor.”

(b) Violation of this section is a class B misdemeanor, except that a third or subsequent conviction for violating this section is a class C felony.

There was discussion regarding what they want to protect and how to carve out a professional niche. The core of what we do is a fundamental core of what other professions do. What can be defined as only the counselors’ arena? Some Board members were against it as seeing it as more bureaucratic red tape.

At this time, the Board will not pursue this, but will look at it after the ACA has completed their work in defining a scope of practice for professional counselors.

B. License by credential/MFT & CSW

There was discussion regarding whether or not to change the statute/regulations concerning license by credentials so you must be a Licensed Professional Counselor to obtain an LPC license by credential. The statute says, as part of the requirement to licensure, that you must be “licensed in another jurisdiction to practice professional counseling”:

Sec. 08.29.120. Licensure by credential. (a) Except as provided in (b) of this section, the board may issue a license under this chapter to a person who is licensed in another jurisdiction to practice professional counseling if the board finds that the other jurisdiction has substantially the same or higher licensure requirements as this state.

The Board sees the main problem in licensure by credentials as the lack of the required 60 graduate semester hours in counseling that our applicants for license by examination must have.

Upon a motion by Ray DePalatis and seconded by Emily Zimbrich, and approved unanimously, it was

RESOLVED that the board go on record with the decision that from this date forward it will issue licenses by credential only to those applicants who hold licenses to specifically practice professional counseling from states whose licenses specifically meet or exceed the Alaska state LPC requirements, including the successful completion of 60 acceptable graduate units in counseling.

C. License by examination/degrees/08.20.110

There was discussion at the last meeting to change license by examination requirements. The statute refers to “an earned ... degree in counseling or a related professional field”, which is defined in regulation:

12 AAC 62.990. DEFINITIONS. (a) In AS 08.29,
(b) In AS 08.29 and sec. 6, ch. 75, SLA 1998, as amended by sec. 7, ch. 49, SLA 1999, “related field” or “related professional field” includes psychology, marital and family therapy, social work, and applied behavioral science;

The Board feels that public protection is in question when “related professional field” remains as it is. There is a question of what is the foundational education of the people the Board is allowing to obtain a Professional Counselor license.

The Board will return to this subject at their next meeting.

D. Supervision / 08.29.210

There was discussion regarding changing what professionals will be allowed to continue being approved professional counselor supervisors for licensure hours. At this time, they are listed under statute:

Sec. 08.29.210. Supervisor certification. (a) The board shall approve and certify a person as an approved counselor supervisor for the purposes of this chapter if the person
(1) is licensed as a professional counselor or is a licensed physician, licensed advanced nurse practitioner who is certified to provide psychiatric or mental health services, licensed clinical social worker, licensed marital and family therapist, licensed psychologist, or licensed psychological associate;

The Board will return to this subject at their next meeting.

Agenda Item 13. Old Business

A. Bilek/U of New England

This was a letter asking if a university in Maine could offer counseling services to students in Alaska.

The Board’s current position is that to provide counseling services to Alaskans, you should be licensed in Alaska. They support the AASCB stand that, if you have a patient in a state you should be licensed in that state. Per our statutes, we do not have practice protection, but, if not licensed in Alaska, you cannot represent yourself as a Licensed Professional Counselor.

Agenda Item 14. Board Business

A. Task List:

B. Sign Wall Certificates

Wall certificates were signed.

C. Future Meetings

September 22-23, 2011 – Anchorage

January 26-27, 2012 – Anchorage

May 10-11, 2012 – Anchorage

Meetings begin at 9:30 am on the first day and at 9:00 am on the second day

D. Sign Meeting Minutes

Minutes from previous meeting were signed.

E. Travel Authorizations

Travel authorizations were signed by Board members and paperwork turned in.

F. Ethics reports

No ethics reports this meeting.

G. Conferences/training

American Association of State Counseling Boards (AASCB) January 2012 – Olson and Vinson

American Mental Health Counselors Association (AMHCA) July 2011 –Burkholder

CLEAR – September 2011 – Mitchell and Vinson

**Upon a motion by Emily Zimbrich, seconded by Lillian Mitchell, and approved
unanimously it was
RESOLVED to adjourn the meeting.**

Meeting adjourned at 11:00 am.

Respectfully Submitted:

Eleanor Vinson, Licensing Examiner

Approved:

Tashawna Olson, Chair
Board of Professional Counselors

Date: _____