

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

**May 7-8, 2009
Fairbanks, Alaska**

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 May 7-8, 2009, in Fairbanks, Alaska.

Thursday, May 7, 2009

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

Review Agenda

The Board added the following to the agenda:

- 2.C. Flow Chart
- 2.D. Application reviews
- 2.E. AKCE
- 11.D correspondence from Calhoun
- 13.E add travel paperwork discussion

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

RESOLVED to accept agenda as amended.

Agenda Item 1 – Review Minutes

The minutes for January 29-30, 2009 were discussed.

Upon a motion by Jennifer Burkholder and seconded by Lillian Mitchell, and approved unanimously, it was

RESOLVED to accept the January 29-30, 2009 minutes as amended.

Agenda Item 2 – New Business

2. A. ACA Conference Reports

Jennifer Burkholder and Ray DePalatis reported on the American Counseling Association's (ACA) conference. Jennifer Burkholder focused on mental health and private practice sections and Ray concentrated on ethical dilemmas and ethics code changes.

It was reported that, nationally, the two big areas of concern and discussion are portability and distance counseling, two areas that the Board has been concentrating on, also.

In regards to ethics violations and complaints, there was discussion regarding mandated ethics continuing education. It is reported that this is not reducing complaints. In addition to knowing the ethical code, a counselor must know their own and their clients' issues, history and unique personal responses to situations in order to more realistically guard against ethical lapses..

The Board discussed having specific ethics courses as a requirement in memorandums of agreement.

2. B. Continuing Education Providers - Policies

The Board had a discussion regarding the Continuing Education Provider's Approval Form, which, in order for the Board of Professional Counselors to review programs offered by providers for continuing education, must be filled out and submitted to the Board for review.

They discussed when they felt an agenda was needed to make decisions on the approval form and NBCC's continuing education policies.

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

RESOLVED to require an agenda be included with any continuing education provider's approval form requesting over three continuing education units.

2. C. Investigation Flow Chart

As a refresher, the Board reviewed the flow chart that they had previously gotten from Investigation on how the complaint process works.

Agenda Item 3 – Statutes/Updates

3. A. AS 47.30.705 Emergency Detention for Evaluation (FYI – Status)

At a previous meeting, the Board had determined that they wished to have "Licensed Professional Counselor" be added to the list in the first sentence of Sec. 47.30.705. Emergency detention for evaluation. (a).

3. B. Sec 08.29.110 (FYI – Status)

The recent laws defining "professional counselors" make it more difficult for applicants to get letters of recommendation needed to qualify for licensure. Many of the applicants do not work with more than one licensed professional counselor. The Board had decided that it would like to see "Professional Counselors" removed from 09.29.110 and replace it with the list of qualified mental health professionals who may submit letters of recommendations for applicants.

The Professional Counselor statutes and regulations already contain a list of these professionals under Sec. 08.29.210 Supervisor Certification and would like to use the list to change 08.29.110. This list contains the following:

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 Chief of Professional Licensing responded regarding the status of A and B above. The Board's requests were submitted to the Department and the Governor's Office prior to the start of this year's Legislature. The Governor's Office then directed a 'hold' on most legislative requests until next year. They will reconsider individual requests next Legislative session.

3. C. 08.29.120 License by Credentials-Alaska licensees

The Board discussed the information that Licensed Clinical Social Workers and Licensed Marital and Family Therapists have attempted to become licensed as Professional Counselors by credential, but the statute's wording, "licensed in another jurisdiction" prohibits them from obtaining this license using their Alaska licenses.

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

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

RESOLVED to amend the statute Sec. 08.29.120. Licensure by credential, by adding "or Alaska" after the words "in another jurisdiction"

Agenda Item 4 – Old Business

4. A. Portability

Chair Olson had previously discussed portability, which is the ability to take a license from place to place; state to state, and have all the information that will be needed for licensure stored in one place. This is being put forth by AASCB.

Board member Ray DePalatis presented information on this that was presented regarding this national credentialing agency at the national American Counseling Association's (ACA) meeting. It was presented as a method to transfer licenses from state to state.

There was discussion on its advantages and also the need to clarify whether or not this is going to be a holder of information or if Alaska belongs to this "agency" if they must accept the Tier Two Credential as automatically having the right to be licensed in Alaska.

The Board is willing to accept the documentation for applicants who are applying by credential, but will not accept it as meaning an applicant is automatically accepted for licensure.

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

RESOLVED to accept the NCR (National Credentials Registry), Group Two, documentation for applicants applying by credential.

B. Distance Counseling Credentialing

The discussion regarding distance counseling within the state of Alaska has been on-going. Chair Olson would like the Board to adopt rules that give credentialing and standards set for distance counselors. In order for the Board to issue a new credential such as this, the authority would have to be established by statute. There were questions as to whether it would be covered under 08.29.020 (1).

There was discussion regarding the resulting consequences and questions if a new credential for distance counseling was created. Questions such as:

- Does the licensee get in trouble if they do not have the credential and perform distance counseling?
- Would it cut off service?

There were differing opinions regarding distance counseling regulations:

- That there are already regulations that cover the distance counseling.
- That it would increase the information and the public would be more protected.

C. ACA Listserve Questions

The Chair had previously asked the other Board Members to list anything they would like to know about other states that the American Counseling Association could send out on their listserve, which is distributed to all member states and allows members to ask questions regarding licensure of professional counselors. The Chair again urged the members to email questions to her.

D. AASCD C-Din update (FYI handout)

This is a resource for regulatory boards investigating the professional backgrounds and current licensure status of licensed professional counselors who are applying for licensure in their states. AASCD had sent out an update.

Agenda Item 5 – Public Comment

There was no public comment.

Agenda Item 6 – CEU Audit Review

There were no new CEU audits to review at this time.

Agenda Item 7 – Application Review

An applicant had requested that the Board approve supervision signed off by someone other than the actual supervisor, because she cannot, at this time, locate the doctor who supervised her. The alternate signature is not that of an approved supervisor, nor the person who actually supervised her. The Board discussed this situation and the statutes and regulations that encompass supervision.

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

RESOLVED to go into executive session regarding an applicant question.

Into executive session 2:35 pm. Out of executive session 2:41 pm.

The Board advised that they would not accept alternate signatures for supervision, even if the applicant cannot find the supervisor at this time to sign for the supervision time.

**Upon a motion by Emily Zimbrich and seconded by Ray DePalatis, and approved unanimously, it was
RESOLVED to approve the following applications:**

PROFESSIONAL COUNSELOR BY EXAMINATION

BASSETT, ELIZABETH
BROOKS, DUNCAN
CARRION, MARY
CLIFFORD, MARGARET
CROSS-BURNS, SHARRON
JOHNSON, RACHAEL
MAJICA-LARSON, EVELYN

PROFESSIONAL COUNSELOR BY CREDENTIALS

DONOVAN, ELIZABETH
SNELL, AMY

PROFESSIONAL COUNSELOR APPROVED SUPERVISORS

EGGLESTON, KELLY
HUNTER, ELAYNE
LOGAN, DARCY
MULLEN, KATHERINE
ROMERO, MARTHA

PROFESSIONAL COUNSELOR REINSTATEMENT

HAIGLEY, STEPHEN

PROFESSIONAL COUNSELOR CONTINUING EDUCATION

Alaska Center for Resource Families
Marching Beyond prenatal Exposure/Community Cares Conference

Alaska Psychiatric Assoc
16th annual Spring Education Meeting

Aiding Women in Abuse & Rape Emergencies, Inc
An integrated Approach to Childhood Exposure to Violence and Implications for Early Brain Development

Southcentral Foundation/Circle of Recovery Program
Matrix Model of Intensive Drug & Alcohol Treatment

Rural Alaska Community Action Program, Inc
2009 Rural Providers' Conference

1. *Innovative Treatment Interventions for Youth with FASD*
2. *HIV Prevention, Stigma & Resilience*
3. *Pathway to Hope / A Time to Heal*
4. *Meth 360: Never a First Time*
5. *Honoring, Supporting & Empowering Grandparents Who Are Raising Their Grandchildren within Rural Communities*
6. *Strong at the Broken Places – group therapy for PTSD*
7. *It is a Pain*
8. *What do Kids Need so Suicide is Not an Option?*
9. *STEPS – to Interfacing Schools & Community Mental Health*
10. *Tobacco Policy – How it Relates to Your Community*
11. *An Empowerment Model of Recovery From Sexual Abuse For Indigenous Men*
12. *Assertive Cultural Communications Secrets: Who Are They?*
13. *Freedom of Choice in the Lives of People With Disabilities*
14. *Healthy Boundaries*
15. *Peacemaking: Skills and Perspective for Resolving Conflicts*
16. *The Spiritual Care of Addicts and Those Who Love Them*
17. *Grief & Health Part 1 & 2*
18. *Project Life: youth suicide prevention, holistic wellness, and Inupiaq Iitqusiak*

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

RESOLVED to approve Pending the following applications:

PROFESSIONAL COUNSELOR BY EXAMINATION

GUINN-OSBORNE, JAMI
STAMM, DEBORAH
DEAN, LARAMEE

Adjourned at 5:30 pm until Friday, May 8, 2009, at 9:00 am.

Friday, May 8, 2009

Call to Order/Roll Call

The Chair called the meeting to order at 9:00 a.m.

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
JoAnna Williamson, Investigator, by telephone
Cathy Mason, Administrative Officer, by telephone

Agenda Item 2 – New Business (continued from previous day)

2 .D. Application Review

Ray DePalatis requested this discussion. The applications and the accompanying forms being submitted are often very difficult to read; sometimes written in pencil. The Board finds this unprofessional and was discussing ways to encourage applicants and the professional people who are required to fill out the forms to do so legibly.

There was discussion regarding requiring a typed recommendation letter.

2. E. AKCA

The AKCA is the Alaska Counseling Association. Chair Olson discussed this organization and its October conference. The Board would like to invite the chair of AKCA to attend the October meeting. The Board would like to include discussions regarding portability and the NCR.

Agenda Item 8 – Regulations

The new regulation to require applicants to submit background checks went into effect 1/29/09. The Licensing Examiner reported that so far there had been no problems with obtaining the Background Checks for the applications and at this point, there were seemed to be no effects on the receiving of applications nor licensing.

Agenda Item 9 – Investigator's Report

Investigator JoAnna Williamson addressed the Board regarding current investigations she is working on and the status of three cases still being handled by the Board's previous Investigator. It was reported that there are no new cases. There was discussion regarding Board input on memorandums of agreement.

Agenda Item 10 – Budget Review

Cathy Mason, Administrative Officer, met with the Board by telephone. She reported that the expenses are in line with previous years and explained some of the expenses and what is included in the different categories.

Agenda Item 11 – Correspondence

11. A. Helfrich – CEUs for pharmacology

Ms. Helfrich wrote enquiring as to whether or not a specific university pharmacology course being accepted for CEUs. After discussion, the Board voted in favor of accepting the course for professional counselor continuing education:

- Three votes approved
- One vote to not approve
- One board member abstained

11. B. Allison – Alternate supervision

Ms. Allison wrote to request alternate supervision from a current supervisor who is moving out of state.

Distance supervision may be considered under the following regulation:

12 AAC 62.220. SUPERVISED EXPERIENCE.(e) Before the supervision begins, an applicant who practices in a remote location may submit a written request to the board to allow supervision by telephonic or electronic means in lieu of the face-to-face supervision required under AS 08.29.110(a)(6). The board may approve telephonic or electronic supervision in lieu of face-to-face supervision of an applicant who practices in a remote location if the board determines that

- (1) approved counselor supervisors are not practicing at, or within a reasonable distance of, that location; or
- (2) the approved counselor supervisors practicing at that location cannot provide appropriate supervision because of the supervisor's relationship to the applicant, a possible conflict of interest, or other good cause shown.

The Board did not approve this request. Homer is not considered by the Board of Professional Counselors to be a remote location.

11. C. Chaney – Telephone course for CEU

Ms. Chaney wrote to request clarification regarding courses that are attended “live” by telephone. This is accepted through the following regulation:

12 AAC 62.310. CONTINUING EDUCATION REQUIREMENTS. (a) A licensee applying for renewal of a professional counselor license must complete the number of continuing education contact hours set out in this section; at least three of the contact hours must be in professional ethics:

(b) Except as provided in (c) of this section, the board will consider one continuing education “contact hour” as a minimum of 50 minutes of classroom instruction between instructor and participant, **including instruction in realtime audio and audio-visual courses**

11. C. Calhoun – request for alternate supervision

Ms. Calhoun wrote to request alternate supervision from a supervisor who is living in another state.

Distance supervision may be considered under the following regulation:

12 AAC 62.220. SUPERVISED EXPERIENCE.(e) Before the supervision begins, an applicant who practices in a remote location may submit a written request to the board to allow supervision by telephonic or electronic means in lieu of the face-to-face supervision required under AS 08.29.110(a)(6). The board may approve telephonic or electronic supervision in lieu of face-to-face supervision of an applicant who practices in a remote location if the board determines that

- (1) approved counselor supervisors are not practicing at, or within a reasonable distance of, that location; or
- (2) the approved counselor supervisors practicing at that location cannot provide appropriate supervision because of the supervisor's relationship to the applicant, a possible conflict of interest, or other good cause shown.

The Board did not approve this request. Homer is not considered by the Board of Professional Counselors to be a remote location. Ms. Calhoun had requested an exception based on other information, but the Board did not feel it had enough information.

Agenda Item 12 – Yearly Report

The Board discussed the upcoming yearly report. Chair Olson will write the narrative statement.

Agenda Item 13. Board Business

13. A. Task List:

Shawnie Olson

Yearly Report

Invite President of AKCA to next meeting

Clarify fees (state)

Find out how NCR is being interpreted

13. B. Sign Wall Certificates

Wall certificates were signed.

13. C. Future Meetings

October 1-2, 2009 – Anchorage – Changed to only October 1, 2009 to begin at 9:00 am

January 28-29, 2010 – Anchorage – begin at 10:00 am on the first day and at 9:00 am on the second day

May 20-21, 2010 – Homer – begin at 10:00 am on the first day and at 9:00 am on the second day

September 16, 2010 – Anchorage – begin at 9:00 am

13. D. Sign Meeting Minutes

Minutes from previous meeting were signed.

13. E. Travel Authorizations

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

13. F. Ethics reports

No ethics reports this meeting

13. G. Conferences/training

Upcoming conferences/training are as follows:

AASCB – American Association of State Counseling Boards – Shawnie Olson and Eleanor Vinson

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

RESOLVED to adjourn.

Meeting adjourned at 2:00 pm

Respectfully Submitted:

Eleanor Vinson, Licensing Examiner

Approved:

Tashawna Olson, Chair
Board of Professional Counselors

Date: _____