

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

September 20 – 21, 2007

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 September 20 and 21, 2007, in Fairbanks, Alaska, 1979 Peger Road, Public Safety Conference Room

Thursday, September 20, 2007

Call to Order/Roll Call

Board Members Present:

Shawnie Olson, Chairperson, Professional Counselor - Homer
Jennifer Burkholder, Professional Counselor – Anchorage
Emily Zimbrich, Professional Counselor – Haines

Board Members Absent:

Randy Morton, Public Member
Kerry Turnbow, Vice Chairperson, Professional Counselor – Fairbanks

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
Jun Maiquis, Regulations Specialist (by telephone)
Susan Winton, Investigator (by telephone)
Christine Wyatt, Administrative Manager (by telephone)

Attending from Department of Law:

Jenna Conley, Attorney III

Attending from public

Dr. Lara W. Kelley, Professor, UAA

Discussion on agenda:

Add Background Checks/Dept of Law to Agenda Item 3
Investigation report moved from 10:30 am to 3:00 pm
Emily Zimbrich & Jennifer Burkholder reports on training conferences added to Board Business
Add 9.C. Current Board status
Add 6.G. Non compliance issued

Agenda Item 1 –Review Minutes

The minutes were discussed and small changes made to February 22-23, 2007 minutes.

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

RESOLVED to accept the February 22-23, 2007 minutes as amended

Agenda Item 2 –Investigator Report

The Board was joined by Investigator Susan Winton. There was discussion regarding a closed action with no violation. She also presented the Board with a refresher on what a member of the Board does if they are acting as the reviewing Board member for the Investigator.

Agenda Item 3. Regulations

D. Background Checks/Department of law

Jun Maiquis, Regulations Specialist, and Jenna Conley, Attorney III, joined the meeting by telephone.

There had been previous discussion about whether or not the Board could request a background check (criminal history check) on applicants. The Department of Law has determined that we can. Ms. Conley reported that the Board has authority under 08.29.400(2) to impose a regulation which would require an applicant to submit a copy of their criminal history from either this state or the state they have primary residence in. The Board can deny a license due to a felony, so they can ask for a criminal history check. The Board did not intend to include fingerprints. The recommended language is that of the Big Game Commercial Services Board, 12 AAC 75.100.

You would get criminal convictions, charges, etc. through APSIN.

There was discussion regarding what type of background checks; having a list like Big Game has on their applications regarding where to go to get a background/criminal history; and having the original criminal history check, not copies, be submitted.

The next step toward this regulation is to have a draft drawn up. Regulations Specialist Maiquis stated he would draft a regulation and may call a teleconference for its review.

Emily Zimbrich stated that she would like to see the Board look into background checks having to be submitted for renewals.

A. Unexcused board absences (update)

Board was updated regarding the proposed regulation pertaining to board member absences. It has been public noticed.

B. Changes to 12 AAC 62.200 (Approved Counselor Supervisor Certification)

The Board had previously requested that the Regulations Specialist draft wording for changes to their existing regulation 12 AAC 62.200. They had requested that in section (b) a change be made in the date of the referenced “Ethical Guidelines for Counseling Supervisors” of the Association for Counselor Education and Supervision. They had requested the date “1993” edition be changed to “1997”. However, the ACA has not issued a 1997 version. The edition still being provided on their website is the 1993 edition.

The Board accepted the change requested, to leave the 1993 edition date intact.

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

RESOLVED to public notice the changes in 12 AAC 62.200 as previously requested except for changing the ACA edition date.

C. Must Supervisors be Licensed?

The Board had determined previously that they must be licensed per 08.29.210

Agenda Item 4. Correspondence

A. UAA – Gail Shaw, Assoc Dean

Ms. Donna Shaw, Associate Dean of the College of Education at the University of Alaska Anchorage had written the Board regarding the Board’s previous discussion pertaining to the requirement that an applicant have 60 graduate credits to be approved for licensure by examination. The Board had previously wanted the university to be aware of the requirement, as the schools’ requirements for their master’s degree program does not require 60 graduate credits. The Board just wanted the universities to inform the students that they would need 60 credits for licensure. The Board wishes a letter to be written to UAA and UAF.

B. Clampitt – letter of intent and request for appeal of AS 08.29

A potential applicant had requested that the Board consider his 2400 hours of supervised experience instead of the 3000 hours required. The Board responded with a negative, as it is a requirement in our statutes and regulations.

The potential applicant also asked if the board would allow supervision by telephonic or electronic means. The Board responded that it is allowed under our statutes and regulations.

The Board instructed the licensing examiner to advise Mr. Clampitt that he must apply and submit a educational coursework check sheet before they can answer any specific questions regarding his education.

C. Corina Dick – Education question/course work check sheet

A potential applicant has submitted a question regarding the requirements for licensure. The Board determined that the Board would accept the school if the transcript reflects the classed on the sheet and if she meets the other requirements. It was noted that she would still need 60 graduate credits.

D. AASCB – pay dues/determine delegates

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

RESOLVED to pay the AASCB membership dues of \$400.00

It was also determined that Shawnie Olson would attend the 21st annual conference, as she is doing a report on distance counseling.

Emily Zimbrich and Jennifer Burkholder hope to attend the ACA (American Counseling Association) conference in March.

E. Jennifer Eronson question on education

The Board determined that the potential applicant must fill out the educational coursework sheet and apply before any determination can be made.

Agenda Item 5. Public Comment

Laura Kelly, UAA addressed the Board for two reasons. One was as the Chairman of the Human Services Department. They do not train counselors, they have BACC and Associates Degree, not graduate degrees. However, a large number go on to get their graduate counselor degrees.

Also as Chair of Human Services Department, for some of the programs, there are barrier crimes. This could affect the practicum. She stated that she found some pieces of the regulation to be surprising. The regulations permanently ban a person who has committed certain crimes and been convicted. One does have to draw the line, but she believes people can change. To tell a person they cannot work in a certain area for a number of years of at all is wrong. Ms. Kelly wants everyone to be aware of what effects this regulation is having. It could impact the occupational area.

The Board noted that this is the school's business and the University has to be the group to change this.

Agenda Item 6. Old Business

A. Jurisprudence Questionnaire

The Board discussed the Jurisprudence Questionnaire and including it with renewals.

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

RESOLVED to discontinue the Jurisprudence Questionnaire.

B. Report on fingerprinting/background checks

Discussed under section 3.D

C. Returning to ACA Code of Ethics - 2005

There was discussion regarding how the Board has, for some time, wished to change the ACA Code of Ethics that is adopted by reference in 12 AAC 62.900 from the 1997 edition to the 2005 edition. The Board wishes it to be public noticed by the Regulations Specialist.

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

RESOLVED to accept the ACA Code of Ethics 2005 and have the change public noticed

D. Projective Testing – modification of 08.29.490

There had been discussion on whether or not licensees would be interesting in projective testing. The member who had previously brought it up to the Board has since changed his mind regarding pursuing a statute change. The Board discussed this and decided it would be a project that would best be done by the state organization to poll their members to see if enough want it.

E. Supervision – five years counseling experience vs. five years of post master experience

After discussion regarding how it was working now to license supervisors with the current wording and how long one may have been in the profession but would not qualify to be a supervisor because of only recently becoming licensed. It was tabled.

F. Donadio decision

It was determined that the sixty graduate semester hours would be accepted. The remaining questions were application questions, to be dealt with under the application section of meeting.

G. Non compliance issues

Paralegal Winker had requested that the Board reaffirm that they are fine with the table of consequences for non-compliance of CEUs. The table lists the consequences that could occur if a person does not complete the required CEUs. It was noted that various levels of noncompliance may mean different levels of discipline.

The table lists:

1. Applicant complete CEUs he/she is short of.
2. Mandatory audit for the next two renewals
3. Reprimand
4. License suspended
5. Civil fine

There was discussion and the Board noted that it is fine with the table of consequences for non-compliance of CEUs that is being used now.

Agenda Item 7. Applications

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

RESOLVED to approve the following applications for Professional Counselor by Credential:

Donna Mc Nabb
Debra Russ

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

RESOLVED to approve the following applications for Professional Counselor by Examination:

Rita Ellington
Richard Gustafson
Janice Totze
Katherine Mullen
Guilford Prickette

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

RESOLVED to approve pending the following applications for Professional Counselor by Examination:

Debra Haynes – Pending four additional graduate credits
Bobbi Donadio – Pending official transcript to verify the most
Recent UAA credits

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

RESOLVED to approve the following application for Professional Counselor Supervisor:

George Lande

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

RESOLVED to approve pending the following application for Professional Counselor Supervisor:

Lynne Kelsey – Pending original application and fees

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

RESOLVED to approve the following applications for Continuing Education Provider:

Council on Domestic Violence & Sexual Assault
Tribal-State Forum on Safety and Justice

Rural Alaska Community Action Program, Inc.
Healing Our Inner Selves-Discussion Panel

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

RESOLVED to not approve the following applications for Continuing Education Provider:

Rural Alaska Community Action Program, Inc
Holistic healing in Addictions:
Restoring Balance to the Body, Mind and Spirit

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

RESOLVED to adjourn until 8:30 a.m., Friday, September 21, 2007.

Meeting adjourned at 4:50 p.m.

BOARD OF PROFESSIONAL COUNSELORS

Friday, September 21, 2007

Call to Order/Roll Call

Board Members Present:

Shawnie Olson, Chairperson, Professional Counselor - Homer
Jennifer Burkholder, Professional Counselor – Anchorage
Emily Zimbrich, Professional Counselor – Haines

Board Members Absent:

Randy Morton, Public Member
Kerry Turnbow, Vice Chairperson, Professional Counselor – Fairbanks

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

Eleanor Vinson, Licensing Examiner
Christine Wyatt, Administrative Manager

Agenda Item 7. Applications

(Continued from previous day)

The Board dealt with an application in which the supervisor of a counselor applicant reported that they were an approved supervisor when, in fact, they were not. In this particular case, the supervisor of the supervisor was a Board Approved Supervisor. The Board feels that it is the job of a person overseeing counselors to make sure supervisors are qualified and certified. As a Board Approved Supervisor, it is their responsibility to know the requirements and responsibilities and every Licensed Professional Counselor to know the requirements for renewing their license and for becoming a supervisor.

The Board intends to pursue legislation to keep supervisors current by using continuing education and to make them more accountable. (see 10.A.)

Agenda Item 8. Budget Report

Christine Wyatt, Administrative manager, joined the meeting via telephone. She stated that the Board budget is in good shape; direct expenses have gone down, although travel has gone up due to the members being from so many areas.

Agenda Item 9. New business

A. New Verbiage under qualifications for licensure

The Board wants to add background checks. It will be up to the Regulations Specialist to determine where it the verbiage will go.

B. Need for more meetings

It is beginning to look like another meeting is needed to keep up with the growing number of applications. Mailing out applications for voting is becoming unwieldy and time consuming. If done at a meeting it would be more timely and cohesive.

The Board will look at this at the next meeting.

C. Current Board Status

Board Member Kerry Turnbow has submitted his resignation.

Agenda Item 10. Supervision renewal

A. Supervision renewals

There is an ACA conference coming up that is very important for researching this process. The Board feels that two members need to attend this conference to do work on supervision information from other states.

The Board intends to pursue legislation to keep supervisors current by using continuing education and to make them more accountable. (see 10.A.)

There was discussion on what a renewal would encompass:

- Fees
- How often to renew (every four years?)
- Continuing education in ethics and supervision

The board would like to do research before changing any regulations or statutes.

There is an ACA conference coming up that is very important for researching this process. The Board feels that two members need to attend this conference to do work on supervision information from other states. Two members could cover more states. The Board would like them to come back with information on supervision in order to work on a new statute or regulation. Perhaps they could do a survey of other states and obtain information on when they renew; the continuing education requirements; costs.

Alaska looks good in most areas when compared with other states, except in supervision requirements and background checks.

B. Report on conferences

Jennifer Burkholder reported on her attendance at the American Counseling Association conference. There was excellent information from the classes and the authors who attended.

Emily Zimbrich attended the National Board for Certified Counselors meeting. This group writes the NCE examinations. They discussed the validity of the tests and where they wished to go with them. There was discussion on changing the questions on the exams.

Agenda Item 11. Board Business

Task List:

Shawnie Olson

Send copy of SOAP (for client notes)

Letter to supervisor of applicant

Letter to supervisor of the supervisor of applicant

Look up yearly report

Write letter to UAA/UAF

Jennifer Burkholder

Will meet with Investigator Winton

There was discussion regarding the Investigator and the Board's responsibilities; the investigative and MOA process and the Board's role.

Future Meetings

February 28 and 29, 2008

Anchorage, Alaska

Begin at 10:00 am on Thursday, February 28th (continue meeting as late as necessary)

Begin at 8:30 on Friday, February 29th

September 18 and 19, 2008

Homer, Alaska

Begin at 10:00 am on Thursday, September 18th (continue meeting as late as necessary)

Begin at 8:30 on Friday, September 19th

Regarding Abernathy MOA: Instead of having Mr. Abernathy attend the meeting, as it is not in Juneau, they will allow him to telephone to check in and give his report.

Sign Wall Certificates

Wall certificates were signed.

Sign Meeting Minutes

Minutes from previous meeting were signed.

Travel Authorizations

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

Ethics reports

No ethics reports this meeting

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

RESOLVED to adjourn.

Meeting adjourned at 11:55 am

Respectfully Submitted:

Eleanor Vinson, Licensing Examiner

Approved:

Shawnie Olson, Chair
Board of Professional Counselors

Date: _____