

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
BOARD OF PROFESSIONAL COUNSELORS
February 28 and 29, 2008
Anchorage, 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 February 28 and 29, 2008, in Anchorage, Alaska. The meeting address is Atwood Building, 550 West 7th Ave., Conference Room 1270.

Thursday, February 28, 2008

Call to Order/Roll Call

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

Shawnie Olson, Chairperson, Professional Counselor – Homer
Jennifer Burkholder, Professional Counselor – Anchorage
Emily Zimbrich, Professional Counselor – Haines
Randy Morton, Public Member – Nome

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
Susan Winton, Investigator
Christine Wyatt, Administrative Manager

Attending from public

Anne Henry, former Chairperson
Dustin Hawes, student from APU
Rebecca Love, student from APU
Adam Fister, student from APU

Review Agenda

Added to agenda:

- 2.D. – Portability
- AASCB report by Shawnie Olson and Eleanor Vinson during working lunch

Agenda Item 1 –Review Minutes

The minutes were discussed and small changes made to the September 20 – 21, 2007 minutes.

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

RESOLVED to accept the September 20 – 21, 2007 minutes as amended.

Agenda Item 2 – Old Business

A. Supervisor Renewal

Chair Shawnie Olson spoke on requiring supervisors (approved counselor supervisor by certification) to go through a renewal process. She stated that most states now require the approved supervisors to renew their approval with the Boards.

Anne Henry spoke regarding the history of the certification. The Board initially approved the certification with low fees and no renewals because it wanted to have diversity and people available. The Board later passed regulations requiring continuing education with a six hour supervision course.

There was discussion regarding there having been problems with some supervisors not doing a good job and the possible requirement to have a supervisors' ethic course be required. Shawnie Olson would like the Board to do research on supervisor renewal. Emily Zimbrich and Jennifer Burkholder will find out more information at the ACA Conference. Anne Henry offered to get feedback from the Alaska Counseling Association.

It was cautioned that the cost should not be reflected in the LPC renewal and only the supervisors should be paying for the CEUs.

B. Distance Counseling

There was discussion regarding states having requirements for people who wish to do distance counseling. The American Counseling Association (ACA) has come up with rules and guidelines.

Shawnie Olson stated that she would like there to be requirements so if someone is doing distance counseling (which is by telephone, internet, etc; not face-to-face) then they should have some sort of training. ACA is offering a course, as is RediMinds. She feels that something needs to be done as it is the Board's responsibility to protect the public. Emily Zimbrich noted that these people go by many names, such as "life coach". Randy Morton noted that many employers have distance counseling as part of their benefits package.

The Board discussed whether there was a way for people in our state who are being distance counseled, to know who has received training. It is the Board consensus that there should be a regulation regarding distance counseling within the state. This will be addressed at the next meeting.

C. Additional Meetings

It was noted by the Board that the number of mailed out ballots and the workload at the two meetings a year has become overwhelming. The decision was made to have meetings closer together. The next meetings are as follows:

- June 12 – 13 in Homer
- October 2-3 in Anchorage
- February dates are not set, but will probably be in Juneau

D. Portability (of licensure)

With portability, an organization keeps an applicant's licensing information all in one place. This concept has not 'taken hold' as expected. The American Association of State Counseling Boards (AASCB) is again trying to get it going. Shawnie Olson would like us to look into the states that have accepted portability. Randy Morton offered to do the research and present the findings at the next meeting regarding the cost, accessibility, and the process of portability. He will present the pros and cons of it.

Agenda Item 3 – Budget Report

Christine Wyatt, Administrative Manager, presented the budget report to the Board. She stated the Board is in good shape and below budget at this point. It was noted by the Board that there are regulations projects coming up that will use some of the budget.

Agenda Item 4 – Investigator's Report

Investigator Susan Winton reported to the Board that there were three open investigations.

Upon a motion by Randy Morton and seconded by Jennifer Burkholder, and approved unanimously, it was

RESOLVED to enter into executive session in accordance for the purpose of discussing a probation matter on case number 3700-05-002

Into executive Session at 11:10 am.
Out of executive session at 11:20 am.

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

RESOLVED regarding case number 3700-05-002, per subsection A. Duration of Probation, to extend probation for the amount of time the licensee's license was lapsed, which was six weeks (11-1-07 through 12-16-07).

Upon a motion by Randy Morton and seconded by Jennifer Burkholder, and approved unanimously, it was

RESOLVED to instruct the Investigator to conduct an inquiry connected to case number 3700-05-002, to ascertain if the licensee was practicing while license was lapsed.

Agenda Item 5– Roger Abernathy Telephonic Meeting per MOA

The Board telephoned Roger Abernathy and determined he is in compliance with his MOA. He stated he will be done with requirements by the end of March and discussed what classes he is taking.

12:05 pm Break

Returned at 12:30 pm Working lunch

AASCB Meeting Report

Shawnie Olson and Eleanor Vinson reported on the American Association of State Counseling Boards' annual conference.

Agenda Item 6 – Correspondence

A. Patricia White, Board of Marital and Family therapy Chair

The Chair of the Board of Marital and Family Therapy, Patricia White, had written the Board of Professional Counselors to determine if there was interest in the two boards joining to create a single board. Historically, the Board of Professional Counselors had declined, mostly because of the differences between the two boards.

The PCO Board fears that it would mean more meeting times; extra costs now that our renewal is low; and raising of costs. The PCO Board felt it would not be in the best interests of the LPCs the Board represents. They feel it would not be a good idea for the following:

- Different issues
- Overwhelmed with the Board's own projects and licensure
- Do not see it as feasible
- Not in the PCO Board's best interests

The Board assisted Shawnie Olson regarding what to include in a letter to the Board of Marital and Family Therapy Chair. Shawnie Olson wrote the reply as follows:

On behalf of the Board of Professional Counselors, I want to thank you for your offer to meet with you to discuss a possible merger of our Boards. I took your request to our Board meeting, where the proposal was deliberated at length. This is not the first time this issue has come before the board, and once again, after careful consideration, we decided not to pursue a merger.

The Board of Professional Counselors deals with almost 400 Licensed Professional Counselors in the state of Alaska. We receive a large number of requests for licenses at each meeting. We deal with numerous written requests for Continuing Education Units that often require research. We are currently pursuing multiple regulation changes and additions and will be actively engaging in some legislative changes in the near future. We meet regularly with the investigator assigned to us to discuss current cases involving LPCs. Nearly one hundred per cent of our meeting is dedicated to the work of Licensed Professional Counselors.

We believe that blending our Boards would require a great deal more time and expense to our licensees with no additional benefit to them. The work of the Board of Professional Counselors would need to continue in addition to the work of a combined board. This would quickly become a cost and time issue as the meetings would automatically become longer. Sub-committees for such a small board would require two or three to do the work of five. We also fear that combining two separate disciplines with different statutes, regulations and ethics codes would be a disservice to the membership of each licensed profession and to those we serve.

It is our belief that separate Boards best achieve the statutory mandates for both the membership we represent and the public we serve. Thank you for your offer.

B. Jennifer Hood regarding ethic course retake

A licensee had written to ask if one can take the UAF ethics course more than one time.

The Board answered, that, yes, ethics courses can be taken multiple times, although there are new ethics courses being produced and changed constantly.

Agenda Item 7 – Public Comment

Rebecca Love, APU student

She is attends the Masters Program at APU and works with Dr. Ellen Cole. She spoke regarding her classes.

Dustin Hawes, APU student

Discussed how he is interested in counseling and attends the APU Masters Program. There was discussion regarding school counseling.

Agenda Item 8 – Regulations

A. Board Absences

The Board discussed the regulation dealing with board member absences, noting that it is not expected to require an increase in appropriations.

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

RESOLVED to adopt the amendment to regulation 12 AAC 62.960 regarding Board Member Absences as was public noticed.

B. Code of Ethics and Standards of Practice

The Board discussed the regulation dealing with the code of ethics and standards of practice that had been public noticed, noting that it is not expected to require an increase in appropriations.

Upon a motion by Emily Zimbrich and seconded by Randy Morton, and approved unanimously, it was

RESOLVED to adopt the amendment to regulation 12 AAC 62.900 regarding the Code of Ethics and Standards of Practice, as was public noticed.

C. Approved Counselor Supervisor Certification

The Board discussed the regulation dealing with the approved counselor supervisor certification, which will alter the requirements for approved counselor supervisor certification, which had been public noticed. It was noted that it is not expected to require an increase in appropriations.

Upon a motion by Emily Zimbrich and seconded by Randy Morton, and approved unanimously, it was

RESOLVED to adopt the amendment to regulation 12 AAC 62.200 regarding the approved counselor supervisor certification, as was public noticed.

D. Background Check

The Board reviewed the amended regulations regarding background checks which were received from the Regulations Specialist Maiquis. The Board wishes to have background checks for new applicants (report of criminal justice information). It is the Board's decision to public notice the amended regulations.

Upon a motion by Randy Morton and seconded by Jennifer Burkholder, and approved unanimously, it was

RESOLVED to request the amended 12 AAC 62.100 and 12 AAC 61.130, regarding the background checks (12 AAC 62.100 (b)(6) and 12 AAC 61.130 (6)) as presented to the Board, be public noticed.

Agenda Item 9 – Application Review

The ACA distributes a book that lists all the states' requirements for licensure. The Board consensus is that this book can be used for determining if the requirements for licensure are equal to or more stringent than Alaska's.

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:

**Hoffman, Lori
Howard, Kristin
Linguist, Nikki
Morris, Delores
Osborne, Kathleen
Reynolds, Laronsia
Selvig, Linda
Wilson-Baurick, Corrine**

For Professional Counselor by Credentials:

**Carpenter, Mary Jill
Mullen, Mira**

For Professional Counselor Supervisor:

**Daly, Geno
Goff, Jessica
Hamilton, Debra
King, Linda
Lemmon, Carolyn
Mayhak, Saada
Muller, Melissa**

For Professional Counselor Renewal:

Eidleback, Marsha

For Professional Counselor Approved Continuing Education Providers:

**Alaska Federal Health Care Partnership
Suicide Prevention
7.0 CEUs including 1.25 in professional ethics**

**Alaska Psychiatric Association
APA 15th annual Spring Education Meeting
14.5 CEUs**

**UAA/P.A.C.E. for ASD Teachers, Counselors and Nurses K-12
2Hot2Handle: from safe touch to sex ed to teen issues
30 CEUs**

Friday, February 29, 2008

Call to Order/Roll Call

The Chair called the meeting to order at 8:30 a.m.

Members present and constituting a quorum of the Board were:

Shawnie Olson, Board Chair, Professional Counselor – Homer
Randy Morton, Public Member – Nome
Emily Zimbrich, Professional Counselor – Haines
Jennifer Burkholder, Professional Counselor - Anchorage

In attendance from the Division of Corporations, Business and Professional Licensing, Department of Commerce, Community and Economic Development, were:

Eleanor Vinson, Licensing Examiner
Susan Winton, Investigator

Review Agenda

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

**RESOLVED to amend agenda to add:
Added under New Business:
C. House Bill 505 (Federal legislation)
D. Discussion regarding computer for Board Licensing Examiner
E. Problem CEU audit
F. Board merge letter (to MFT Board)**

Agenda Item 10 – CEU Audit

The Board reviewed 31 CEU audits.

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

RESOLVED to approve the following continuing education audits:

**Halloran, Michelle
Lytle, Thomas
Mattingly, Mary
Dickinson, Mardell
Warren, Valerie
Patin, Laura
Hickman, Lori
Shirley, Rita
Bradley, Wendy
Aonso, Alex
Miller, Staci
Nelson, Lori**

**Andrus, Margene
Priddy, Jan
Kitchen, Stephanie
Price, Barbara
Rowcroft, Milton
Franks, Jane
Hetrick, Kayleen
Georg, Renee
Henderson, Harold
Davies, Julie
Matlock, Tamra
Toner, Stacy
Wolf, Kristin
Munson, Kevin
Lilagan, Maria
Murphy, Kevin
Elliott, Carol
Rowe, Nancy
MacGregor, Carla**

Agenda Item 11 – New Business

Statutes

The Board discussed that statute changes would require legislation.

A. . 08.29.110 Qualifications for licensure

Discussion on 08.29.110 (6) and how it should say “a mental health professional”.

Discussion showed that everyone that the Board wishes to have “mental health professional” added to the list in 08.29.210. It now reads:

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;

This was tabled to see if there is more information for the Board from the previous Chair.

B. 08.29.490 Definitions

The previous chair had wished to define, “use of appropriate assessment instruments” in the following:

Sec. 08.29.490. Definitions. In this chapter,
(C) consistent with regulations adopted by the board under AS 08.29.020(a)(4), administration and use of appropriate assessment instruments that measure or diagnose problems or dysfunctions within the course of human growth and development as part of a counseling process or in the development of a treatment plan;

This was tabled until next meeting, mostly due to HB 505. Shawnie Olson will bring the information to the summer meeting, where the Board will determine if they wish to go ahead with.

C. House Bill 505 (Federal legislation)

There is federal legislation (House Bill 505) about which the national organization sent information on. The members will respond individually, not as a Board. Discussion says they are trying to take all testing ability away from counselors, guidance counselors, LPCs. The Board will not respond, but encourages everyone to respond as individuals.

D. Discussion regarding computer for Board Licensing Examiner

The Board would like to purchase a laptop computer, with the required hardware/software, for the PCO Licensing Examiner for use in the meetings.

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

RESOLVED that the Board of Professional Counselors purchase a laptop computer and the necessary hardware/software (such as Microsoft Outlook and Total Recorder) needed for meetings for the PCO Licensing Examiner.

E. Discussion on CEU Audit

The Board reviewed a problem CEU audit. There was discussion regarding what the Board will accept; what is in regulation. Discussion on what in-service courses would be accepted in a particular audit. The Board decided to request more information.

F. Letter to MFT Board Chair

The Board contributed what they would like to see in the letter regarding the merging of boards.

Agenda Item 11. Board Business

Vice Chair Election

Emily Zimbrich was chosen as the Vice Chair of the Board of Professional Counselors.

Task List:

Shawnie Olson

Contact Rep Mayer regarding merging boards
Write letter to MFT Chair
Contact other states regarding distance learning

Jennifer Burkholder & Emily Zimbrich

Research at conference and recommendation as to what the state of Alaska need to do regarding licensing supervisors. See what states have renewals, what CEUs and the costs.

Randy Morton

Look into the Portability process

Future Meetings

All meetings will begin at 10:00 am on the first day and at 9:00 am on the second day.

June 5-6, 2008

Homer, Alaska

Begin at 10:00 am on Thursday (continue meeting as late as necessary)

Begin at 9:00 am on Friday

October 2-3, 2008

Anchorage, Alaska

Begin at 10:00 am on Thursday (continue meeting as late as necessary)

Begin at 9:00 am on Friday

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 11:00 am

Respectfully Submitted:

Eleanor Vinson, Licensing Examiner

Approved:

Shawnie Olson, Chair
Board of Professional Counselors

Date:_____