

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

**October 23-24, 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 June 5 and 6, 2008, in Homer, Alaska. The meeting address is 345 W Sterling Highway, #102A

Thursday, October 23 2008

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
JoAnna Williamson, Investigator
Christine Wyatt, Administrative Manager (by telephone)

Agenda Item 1 – Review Agenda

Added to agenda:

- Add Clifford to Correspondence
- Add “Portability” under Old Business
- Add “New Member Training” under New Business
- Add discussion of 08.29.110 to statutes

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

RESOLVED to accept agenda as amended.

Agenda Item 2 – Review Minutes

The minutes were discussed and no changes made to the June 5-6, 2008 minutes.

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

RESOLVED to accept the June 5-6, 2008 minutes.

Agenda Item 3 – Budget Review

Christine Wyatt, Administrative Manager, addressed the Board by telephone. It was reported that the Board is doing fine and the some of the roll-over money shown will be used in covering the costs related to changes to the statutes. The Board will also receive a workshop during the next meeting.

Agenda Item 4 – Investigator’s Report

Investigator Winton was previously assigned as investigator for the Professional Counselor Board and still has several cases. She explained the investigative process to the new board members. The Board requested an executive session to discuss the status reports for these cases.

Upon a motion by Emily Zimbrich and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to go into executive session to discuss investigations status reports.

The Board went into executive session at 10:12 am and came out of executive session at 10:25 am.

Investigator JoAnna Williamson addressed the Board regarding current investigations she is working on.

Agenda Item 5 – Regulations

5. A. Background Checks (update-was public noticed)

During previous meetings, the Board had discussed regulations regarding background checks; had determined that background checks should be required for new applicants (report of criminal justice information); and had the new regulations public noticed. The new regulations were public noticed, with no public comment.

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

RESOLVED to adopt the amended 12 AAC 62.100 and 12 AAC 62.130, regarding the background checks (12 AAC 62.100 (b)(6) and 12 AAC 62.130 (6)) as presented to the Board, as was public noticed.

5. B. Supervisor Certification / Code of Ethics (FYI)

The Board discussed the regulation dealing with the code of ethics and standards of practice that has been signed by the Lieutenant Governor.

Agenda Item 6 – New Business

6. A. New Board Member Training

The Board discussed the focus on the Board’s duty of protecting the public.

The Board discussed sending the new members and Eleanor to the upcoming CLEAR conference in the fall.

Agenda Item 7 – Statutes

7. B. J.R. Myers, VP of ACA regarding AS 47.30.705

Mr. Myers, VP of Alaska Counseling Association, spoke to the Board by telephone. His purpose was to raise the issue of who is a designated Mental Health Professional under AS 47.30.705. He felt it was an oversight that LPC, LCSWs and LMFTs were not included in the law. He wanted to make the Board aware of the statutes changes his organization wants to see implemented and asked the Board to write a letter of support to the Legislature asking them to include “Mental Health Professionals” in AS 47.30.705. The statute in question reads:

Sec. 47.30.705. Emergency detention for evaluation.

(a) A peace officer, a psychiatrist or physician who is licensed to practice in this state or employed by the federal government, or a clinical psychologist licensed by the state Board of Psychologist and Psychological Associate Examiners who has probable cause to believe that a person is gravely disabled or is suffering from mental illness and is likely to cause serious harm to self or others of such immediate nature that considerations of safety do not allow initiation of involuntary commitment procedures set out in [AS 47.30.700](#), may cause the person to be taken into custody and delivered to the nearest evaluation facility. A person taken into custody for emergency evaluation may not be placed in a jail or other correctional facility except for protective custody purposes and only while awaiting transportation to a treatment facility. However, emergency protective custody under this section may not include placement of a minor in a jail or secure facility. The peace officer or mental health professional shall complete an application for examination of the person in custody and be interviewed by a mental health professional at the facility.

7. A. AS 47.30.705 Emergency Detention for Evaluation

The Board had been asked by the Vice President of the Alaska Counseling Association support putting “mental health professionals” on the list in AS 47.30.705 (a).

The Board discussed AS 47.30.705(a) and whether or not “mental health professionals” should be added to the list. However, the Board did not feel that they had the authority or knowledge about other “health professions” to include them in their approval. The Board does feel that Professional Counselors should be included in the list of who may request an emergency detention for evaluation.

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

RESOLVED that they wish to have “Licensed Professional Counselor” be added to the list in the first sentence of Sec. 47.30.705. Emergency detention for evaluation. (a)

The Board discussed that it would need to be added to the end of the year legislative requests and a letter must be written to the Division pertaining to the Division beginning the statute change process.

7. C. Sec 08.29.210 Supervision Certification

The Board discussed the fact that, in 08.29.210, previous Board members had wished to replace

(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;
with the following:

(1) is licensed as a mental health professional

After discussion, the Board was under the consensus that it was best to use lists of actual professions as they are now, rather than the generic “mental health professional”.

7. C. Sec 08.29.110

At this time 08.29.110 reads:

Sec. 08.29.110. Qualifications for licensure. (a) The board shall issue a professional counselor license to a person who applies for the license, submits the required fee, submits two letters of recommendation from professional counselors who are familiar with the applicant's practice of professional counseling, and presents evidence satisfactory to the board that the person

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 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 has a list of these professionals under Sec. 08.29.210 Supervisor Certification. 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 Board would like to use the above list to change 08.29.110 so it will read (changes underlined/bolded):

Sec. 08.29.110. Qualifications for licensure. (a) The board shall issue a professional counselor license to a person who applies for the license, submits the required fee, submits two letters of recommendation from **professional counselors or licensed physicians, licensed advanced nurse practitioners who are certified to provide psychiatric or mental health services, licensed clinical social workers, licensed marital and family therapists, licensed psychologists, or licensed psychological associates** who are familiar with the applicant's practice of professional counseling, and presents evidence satisfactory to the board that the person...

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

RESOLVED that the list of mental health professionals (from 08.29.210(a)(1)) will be used to replace “professional counselors” in 08.29.110(a).

Agenda Item 8 – Public Comment

There was no public comment.

Agenda Item 9 – Old Business

9. A. Distance Counseling - New Jersey

This was an FYI statute for distance counseling, presented by Chair Olson. She spoke about New Jersey’s laws, which require a code of ethics for distance counselors and states the counselor should make every effort to meet their clients face-to-face prior to beginning distance counseling.

9. B. Letter to UAA/Shaw regarding 60 Credits (FYI)

The Board had approved sending a letter of support to UAA in support of the proposal to have a post-graduate certificate in counselor education that would allow graduates of master-level counseling programs to complete that additional coursework needed to bring their credit numbers to 60.

Agenda Item 10 – Application Review

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

PCO BY EXAMINATION

EGGLESTON, KELLY
HALLGREN, TANYA
LIMMER, CANDICE
PLOTNICK, DAVID
PLOTNICK, GENEVIEVE
SHAY, CAROLE
SWAN-SMITH, PATRICIA

PCO BY CREDENTIALS

BOSLEY, JENNIFER
KASPI, OSNAT
RAMOS, MIRIAM
WHITEFEATHER, SUSAN

PCO SUPERVISOR

MOORE, WILLIAM
PAULSON, ZACHARY
PRICKETTE, GUILFORD
RANDALL, CASEY
REYNOLDS, LARONSIA
STANTON, CLARK
WHITEFEATHER, SUSAN
WILCOX, BRETT

CONTINUING EDUCATION PROVIDER'S APPROVAL

BARB JACOBS – Cultural Competency Training -- 9 CEUs
BEYOND BORDERS – Dynamics of Families in Conflict -- 12 CEUs
BEYOND BORDERS – Understanding Addictive & Compulsive Behavior -- 12 CEUs
KETCHIKAN INDIAN COMMUNITY TRIBAL HEALTH CLINIC – Matrix Model Training: Evidence Based
N.E.T. INC –NET Basic & NEXT Seminars -- 24 CEUs
PROVIDENCE HEALTH – Alaska Gatekeeper Suicide Prevention -- 6 CEUs
STATE OF AK-BEHAVIORAL HEALTH – Simple Gifts to Keep & Bring Our Kids Home -- 16 CEUs

OTHER

WILSON, ALLISON -- AUDIT OF RENEWAL CEUs
CLARK, STANTON -- REINSTATEMENT OF LICENSE
FORD, LINDA -- REINSTATEMENT OF LICENSE

Upon a motion by Emily Zimbrich and seconded by Lillian Mitchell, and approved unanimously, it was **RESOLVED** to adjourn until Friday, October 24, 2008 at 9:00 am.

Adjourned at 5:25 p. m.

Friday, October 24, 2008

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

(Return to) Agenda Item 9 – Old Business

9. C. Portability

Chair Olson 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. There is a national registry (AASCB) which does this. Not all states have embraced this new idea. It takes changes in statutes and regulations to use the national registry and Alaska is not pursuing it at this time. At the January American Association of State Counseling Boards' conference, there will be states reporting on this and the Chair will bring back a report.

Agenda Item 11 – Correspondence

11. A. (FYI) Chief of Occupational Licensing regarding renewals and board membership

The Division is implementing a new renewal process where they will mail out post cards with renewal information and the website information for the renewal forms. This may not be used for boards with small renewal numbers,

11. B. Sarah Mills – Requesting CPE exam be accepted in place of NCE

Ms. Mills had asked if the Comprehensive Professional Counselor Exam could be substituted in place of the NCE examination. The Board declined to accept it in place of the NCE, based on the following response from NCE:

The Counselor Preparation Comprehensive Examination (CPCE) is designed for counselor education programs to assess the student's academic knowledge. It can be used as an exit exam by the counseling programs. It is not intended to be used as an alternative examination for state credentialing.

11. C. Laura McKenzie – Clinician taking patients and Tele-health

Ms. McKenzie had submitted a question regarding employees leaving one practice and taking their patients with them to a new practice.

The Board did not feel that it was in their area of authority to answer this type of question.

Ms. McKenzie also asked how the Board views tele-medicine or tele-health. The Board is putting together guidelines for this.

Agenda Item 12. Board Business

12. A. Task List:

Shawnie Olson

write memo on distance counseling

12. B. Sign Wall Certificates

Wall certificates were signed.

12. C. Future Meetings

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

January 29-30, 2009 – Anchorage

Board indicated that they would like to have an ethics class at next meeting.

May 7-8, 2008 – Juneau

October 1-2, 2008 – Fairbanks

12. D. Sign Meeting Minutes

Minutes from previous meeting were signed.

12. E. Travel Authorizations

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

12. F. Ethics reports

No ethics reports this meeting

12. G. Conferences/training

Upon a motion by Emily Zimbrich and seconded by Lillian Mitchell, and approved unanimously, it was RESOLVED to send the following persons to the meetings indicated:

American Counseling Association – March – Ray DePalatis and Jennifer Burkholder

NCE – September – Emily Zimbrich and Shawnie Olson

CLEAR Conference – September 10-12– Ray DePalatis and Lillian Mitchell and Eleanor Vinson

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:

Tashawna Olson, Chair
Board of Professional Counselors

Date:_____