

MINUTES JANUARY 20TH, 2012
LICENSED PROFESSIONAL COUNSELORS BOARD OF EXAMINERS
Approved February 17th, 2012

The meeting was called to order by G Bockrath at 1:00 p.m. A roll call was taken and a quorum was present.

Members Present:

G Bockrath D Dowling
L Choate M Reynaud
E Cowger P Millhollon
A Williams T Moore
G Perkins

Staff Present:

M Olsan

Absent:

F Selby
A Allen

Guests: S Adams, C Nardini, K Green

Agenda

E Cowger moved to accept the agenda. T Moore seconded. All approved; no abstentions.

Board Minutes

G Perkins moved to accept the December 16th, 2011 Meeting Minutes. E Cowger seconded. All approved; no abstentions.

Committee on Disciplinary Affairs – L Choate, M Reynaud

L Choate presented the Disciplinary Committee report. Two unofficial complaints were received since the last Board meeting. Three official complaints were received. One complaint was dismissed.

The following cases were closed:

- 10/11-10 – Practicing without a License
- 10/11-17 – Inappropriate Sexual Relationship*
- 10/11-32 – Unprofessional Conduct
- 10/11-33 – Unprofessional Conduct
- 11/12-01 – Unprofessional Behavior/Failure to Report
- 11/12-09 – Practicing with an Inactive License
- 11/12-11 – Unprofessional Conduct/Abandonment of Supervision

*Closed after the Board signed a Consent Agreement presented by K Green, formally sanctioning Counselor Intern, Whitney White.

The following cases were dismissed:

11/12-26 – Unprofessional Conduct*

*Accused Unknown by Complainant

The following cases were opened:

11/12-08 – Unprofessional Conduct

11/12-23 – Abandonment of Supervision

11/12-24 – Practicing without Registration as Intern*

11/12-25 – Unprofessional Conduct

11/12-27 – Practicing without Receiving Supervision**

* Anonymous Complaint.

** Board-Initiated Case.

There are a total of 28 active cases.

Executive Session: The Board entered Executive Session for a report from S Adams regarding cases 07/08-02 and 08/-09-04. The Board exited Executive Session to vote on how to proceed with case 07/08-02. L Choate moved that regarding case 07/08-02, the Board pursue a suspensive appeal, with expedited consideration to lift the stay. She also moved that the Board pursue filing a complaint with the Louisiana Department of Insurance to notify them of possible insurance fraud. All approved; no abstentions.

G Bockrath called for a vote to accept the Consent Agreement in case 10/11-17 against Whitney White. The vote passed unanimously.

L Choate motioned to accept the Disciplinary Committee Report. All approved; no abstentions.

Legislative Updates – G Bockrath, M Olsan

G Bockrath reported that M Olsan sent the Board the new assignments to the Senate and House Health and Welfare Committees. M Olsan reported that neither LCA nor LAMFT had found an author for a bill regarding a fee increase.

Committee Professional Assistance Program (PAP) – P Millhollon, E Cowger

P Millhollon reported case PAP-02 will be turned over to the Disciplinary Committee. P Millhollon reported case PAP-03 will be closed upon receipt of the individual's license.

Committee on Licensure and Supervision – A Williams, P Millhollon

P Millhollon reported 2 folders were reviewed for registration/licensure/supervision for LMFT.

Registration of Supervision: 0 approved, 2 denied.

Licensure: 0 approved, 0 denied.

Supervision: 0 approved, 0 denied.

A Williams presented the endorsement issues encountered when reviewing applicants with Texas LPC licenses. T Moore stated that the Board must only review the *current* Texas licensure requirements against Louisiana's *current* licensure requirements, at the time of application. T Moore also stated that the Board must develop a policy as to the requirements an applicant must meet for their license to be "substantially equivalent" to the Louisiana LPC license. E Cowger suggested the Board engage in formal agreements with surrounding states to encourage portability. T Moore agreed that this was an idea worthy of Board consideration. A Williams stated that such a task was part of AASCB's jurisdiction. A Williams asked if the remainder of the Licensure and Supervision Report could be given at a later time in the meeting.

Committee on Privileging – A Williams

A Williams reported one (1) application was reviewed and approved for appraisal privileges. G Bockrath motioned to accept the Committee on Privileging report. All approved; no abstentions.

Committee on Rules – G Perkins, A Williams, E Cowger

G Perkins presented feedback received from LCA regarding the Act 320 rules. G Perkins stated that the Rules Committee met about LCA's feedback and made several changes to the proposed rules as a result. G Perkins discussed each of LCA's suggested changes with the Board and explained the Rules' Committee's decision on whether or not to accept or reject each suggestion. For example, LCA requested that the Board remove a proposed rule that would require a LPC to terminate a client relationship if the client has a "serious mental illness" and refuses to sign a release allowing the LPC to communicate with their primary care physician. The Rules Committee explained that the Board does not have the authority to expand or contract the meaning of a law; consequently, this request for a rule change was rejected.

The Board also discussed rules regarding minor record keeping, areas of specialty, changes to the disciplinary procedures, and adding a maximum number of online continuing education hours a licensee may submit for renewal of their license. G Perkins motioned for the Board to approve the revised rules with the amendments proposed during the meeting. All approved; no abstentions. G Bockrath thanked the Rules Committee for all of their hard work.

Marriage and Family Therapy Advisory Committee Report –M Reynaud, T Moore

M Reynaud presented the MFTAC report. He stated the committee had one proposed change to the revisions to the LMFT rules: changing the number of hours gained in graduate school which may be counted toward the supervision hours needed for licensure (100 instead of the previously proposed 500). M Reynaud motioned for the Board to accept the proposed rules, as amended. All approved; no abstentions. M Reynaud also reported that LAMFT would call into the MFTAC retreat to discuss legislative strategy. G Perkins added that the Rules Committee would meet with MFTAC briefly in the morning before the Rules Committee Retreat. G Bockrath thanked the MFTAC for their work on revisions to the LMFT supervision rules.

Committee on Correspondence – A Williams, M Olsan

M Olsan presented a request from an individual requesting the Board consider the acceptance of temporary licenses from other states. The Board ruled that temporary licenses would be considered for endorsement; however, the license must be “substantially equivalent” to the Louisiana license.

A Williams presented on felony case that was not discussed during the Licensure and Supervision Committee report. A Williams suggested we require the individual to submit additional information before being considered for Registration of Supervision. The Board agreed with this recommendation.

A Williams presented the remainder of the **Committee on Licensure and Supervision** report. He reported 60 folders were reviewed for registration/licensure/supervision for LPC.

- Part One: 14 approved, 4 denied
- Part Two: 0 approved, 0 denied
- Part One and Two: 0 approved, 1 denied
- Part Two and Three: 3 approved, 0 denied
- Change of Supervisor: 4 approved, 0 denied
- Registration of Supervision: 17 approved, 1 denied
- Licensure: 12 approved, 0 denied, 2 need further review
- Privileging: 1 approved, 0 denied
- Supervision: 1 approved, 0 denied

A Williams presented a previously considered applicant with a felony. The Board determined that his Counselor Intern status should be suspended until the individual submits the previously requested information. The Board discussed the need for background checks for all new applicants. T Moore motioned for the Executive Director to research and formulate a policy for all applicants to receive a background check. T Moore also motioned for the Executive Director present this policy for a Board vote at the February Board meeting. E Cowger seconded the motion. All approved; no abstentions.

A Williams motioned for the Board to accept the Committee on Licensure and Supervision report. All approved; no abstentions.

M Olsan presented excerpts from the most recent Louisiana Behavioral Health Partnership Manual. C Nardini explained that LCA has attempted to meet with DHH about the issues in this document several times but has not yet heard back from DHH. LCA is contacting all members to inform them of the issues for LPCs in an attempt to begin a “grass roots effort” to encourage changes in the manual which will affect LPCs ability to bill for services. M Olsan pointed out that LMFTs are also affected by inaccuracies in this document.

Gloria motioned to accept the Committee on Correspondence report. All approved; no abstentions.

Public Comments

C Nardini thanked the Board for their efforts to incorporate LCA's suggested changes for the Act 320 rules. She stated that she and LCA understood that some requests could not be honored without a law change. C Nardini also reiterated the need for specific information from the Board regarding the Board's needed fee increase and request for a public records law change as LCA moves forward with their efforts to locate authors for these bills. C Nardini stated that the LCA Executive Committee would officially decide whether or not to support these requests from the Board at their upcoming retreat.

Committee on Personnel – D Dowling

No report.

Committee on Budgeting – D Dowling, T Moore, E Cowger, M Olsan

T Moore moved to adapt a Board travel policy that requires staff and Board members to submit receipts for reimbursement within 30 days of travel and deposit reimbursement checks within 90 days of receipt—or forfeit reimbursement. G Perkins seconded. All approved; no abstentions. D Dowling suggested M Olsan research the possibility of EFT deposit of reimbursement checks. M Olsan to present available options at the February Board meeting.

M Olsan presented a document with suggestions for fee changes possible by law, rule, and Board policy changes. M Olsan to confirm with S Adams that some of these changes may be handled via rule and Board policy changes and would not require a law change. D Dowling suggested that the new language of the law for a fee change should allow for the Board to raise fees by rule (and within a set limit—such as no more than 5% every 5 years) so that the Board may manage continuous increases in the inflation rate.

Financial Report – M Olsan

M Olsan presented the December 2011 financial report. G Perkins motioned to approve the financial report. E Cowger seconded. All approved; no abstentions.

Executive Session: Executive Director Report – M Olsan

M Olsan presented the Executive Director report.

LAMFT Liaison Report – T Moore

T Moore reported the MFTAC will have a conference call with LAMFT during the MFTAC Retreat on Saturday, January 21st.

LCA Liaison Report – E Cowger

E Cowger asked the Board for advice on what information to present at the upcoming LCA Executive Board retreat. G Perkins and M Olsan will help E Cowger with his presentation.

New Business – M Olsan

The March Board meeting date will be changed due to the LAMFT Conference. M Olsan will work with MFTAC to determine a new date and will notify the Board and update the Board website.

G Perkins motioned for the Board to accept the additional rule changes discussed during the Budget Committee report, as deemed appropriate by the Rules Committee. L Choate seconded. All approved; no abstentions.

Closing

G Perkins motioned to adjourn the meeting at 6:03 PM. M Reynaud seconded. All approved; no abstentions.

Respectfully Submitted by
Mary Alice Olsan, Executive Director