

MINUTES April 22nd, 2016
LICENSED PROFESSIONAL COUNSELORS BOARD OF EXAMINERS
Approved July 15th, 2016

The meeting was called to order by L Choate at 12:34 p.m. The Board Secretary took the roll call and determined a quorum was present.

Members Present:

L Choate P Millhollon
E Cowger K Steele
R Cathey E Augustin
J Mims

Members Absent:

G Perkins
K Lammert

Staff Present:

M Olsan

Guests Present:

S Murphy M Feduccia
J Cefalu H Brownell

Agenda

L Choate asked for a motion to approve the agenda. J Mims motioned to approve the agenda. E Cowger seconded. All approved; no abstentions.

Board Meeting Minutes

L Choate asked for a motion to approve the January Board Meeting minutes. E Cowger motioned to approve the January Board Meeting minutes. J Mims seconded. All approved; no abstentions.

Committee on Legislative Affairs –L Choate, M Olsan, M Feduccia, H Brownell

M Feduccia presented LCA's government relations work. She also reminded the Board that LCA is hosting a "gratitude day" on Monday at the State Capitol. M Feduccia and H Brownell reported a successful Legislative Forum on March 18th with other professional organizations to discuss legislation.

P Millhollon expressed her concerns regarding unlicensed practice and the DHH Manual. She asked M Feduccia for an update on this issue and expressed the desire for a written plan. M Feduccia explained that M Olsan met with representative of DHH and offered to follow up with M Olsan regarding this issue and additional meetings with DHH. J Mims expressed concerns regarding Life Coaches. L Choate and M Olsan recounted the history of disciplinary cases associated with Life Coaches attempting to practice counseling in Louisiana.

M Olsan thanked J Mims, LCA, and LAMFT for their work and collaboration RE issues and legislation affecting the public, licensees, and the ability of the Board to effectively regulate.

Committee on Disciplinary Affairs – L Choate, K Steele, E Augustin, J Cefalu

L Choate asked J Cefalu of Breazeale, Sachse, & Wilson, LLP to proceed with the presentation of Consent Agreements for the following disciplinary cases: 13/14-01 against Julie Ruel, LPC and 14/15-69 against Melissa Sanderlin, LPC-S.

J Cefalu presented the Consent Agreement for case 13/14-01. L Choate asked for a motion to accept the Consent Agreement. J Mims motioned to accept and E Cowger seconded. All approved; no abstentions. All Board Members present signed the Consent Agreement.

J Cefalu presented the Consent Agreement for case 14/15-69. L Choate asked for a motion to accept the Consent Agreement. J Mims motioned to accept and E Cowger seconded. All approved; no abstentions. All Board Members present signed the Consent Agreement.

L Choate presented the Disciplinary Affairs Committee Report:

Unofficial Complaints Received since January 22, 2016:

1. 15/16-45: Unprofessional Conduct

Official Complaints Received since January 22, 2016:

1. 15/16-34: Unprofessional Conduct/CCE
2. 15/16-35: Unprofessional Conduct
3. 15/16-36: Unprofessional Conduct
4. 15/16-42: Hiring Unlicensed Practitioner to Provide MHC
5. 15/16-44: Hiring Unlicensed Practitioner to Provide MHC
6. 15/16-46: Sexual Misconduct

Cases to Open:

1. 15/16-30: Unlicensed Practice*
2. 15/16-31: Inappropriate Supervision*
3. 15/16-32: Unlicensed Practice*
4. 15/16-33: Unlicensed Practice*
5. 15/16-34: Unprofessional Conduct/CCE
6. 15/16-36: Unprofessional Conduct
7. 15/16-37: Unprofessional Conduct*
8. 15/16-38: Practicing Prior to being licensed*
9. 15/16-39: Practicing prior to being licensed*
10. 15/16-40: Practicing without Active Supervision*
11. 15/16-42: Hiring Unlicensed Practitioner to Provide MHC
12. 15/16-43: Unlicensed practice*
13. 15/16-44: Hiring Unlicensed Practitioner to Provide MHC
14. 15/16-46: Sexual Misconduct

Cases to Close:

1. 12/13-96: Unlicensed Practice
2. 13/14-01: Misrepresentation of Credentials
3. 13/14-49: Unlicensed Practice
4. 14/15-04: Unlicensed Practice
5. 14/15-69: Sexual Misconduct/Threatening Behavior
6. 15/16-01: Fraudulent Documentation
7. 15/16-06: Inappropriate Diagnosis/Unprofessional Conduct
8. 15/16-12: Unprofessional Conduct

Complaints to Dismiss:

1. 15/16-35: Unprofessional Conduct (3rd party complaint)
2. 15/16-44: Hiring Unlicensed Practitioner to Provide MHC (3rd party complaint)

*Board-Initiated

L Choate reported a total of 56 active disciplinary cases. L Choate motioned to accept the Disciplinary Affairs report. All approved; no abstentions.

Committee on Licensure/Supervision/Appraisal –E Cowger, P Millhollon, R Cathey, J Mims

E Cowger reported 262 applicants were reviewed for provisional licensure/licensure/supervision for PLPC/LPC/LPC-S February through April 2016. M Olsan reminded the Board that the data includes those practice settings and expedited applications approved each month by Board Staff.

Application Type	FEB	MAR	APR	Total
LPC Application for Licensure	15	20	25	60
<i>55-APPROVED 5-DENIED 0-Need more Info</i>				
LPC Out-of-State Applications for Licensure	1	1	5	7
<i>3-APPROVED 4-DENIED 0-Re-Review</i>				
PLPC: Sections 1, 2, 3	16	17	22	55
<i>44-APPROVED 11-DENIED 0-Need more Info</i>				
PLPC: Section 1	1	3	7	11
<i>6-APPROVED 5-DENIED 0-Need more Info</i>				
PLPC: Section 1 and 2	0	2	0	2
<i>2-APPROVED 0-DENIED</i>				
PLPC: Section 2	0	0	0	0
<i>0-APPROVED 0-DENIED</i>				
PLPC: Section 2 and 3	0	2	3	5
<i>5-APPROVED 0-DENIED</i>				
PLPC: Section 3	0	0	0	0
<i>0-APPROVED 0-DENIED</i>				
PLPC: Change/Add Supervisor	2	5	7	14
<i>14-APPROVED 0-DENIED</i>				
LPC Supervisor Application	5	12	5	22
<i>22-APPROVED 0-DENIED 0-Need more info</i>				
Appraisal Privilege	0	0	0	0
<i>0-APPROVED 0-DENIED 0-Need more info</i>				
LPC Areas of Expertise Review	0	0	0	0
<i>0-APPROVED 0-DENIED 0-Need more info</i>				
Application for Expedited Processing	12	13	13	38
PLPC: Change/Add Practice Setting	18	14	16	48
Total Applicants Reviewed	70	89	103	262

R Cathey reported 14 applicants were reviewed for provisional licensure/licensure/supervision for PLMFT/LMFT/LMFT-SC/LMFT-S February through April 2016.

Application Type	FEB	MAR	APR	Total

LMFT Application for Licensure	0	0	1	1
<i>1-APPROVED 0-DENIED</i>				
LMFT Out-of-State Applications for Licensure	0	0	2	2
<i>1-APPROVED 1-DENIED 0-Need more info</i>				
PLMFT: Section 1, 2, 3	0	1	1	2
<i>2-APPROVED 0-DENIED</i>				
PLMFT: Section 1	0	0	0	0
<i>0-APPROVED 0-DENIED</i>				
PLMFT: Section 2 and 3	0	0	0	0
<i>0-APPROVED 0-DENIED</i>				
PLMFT: Change/Add Practice Setting	2	2	3	7
<i>7-APPROVED 0-DENIED</i>				
PLMFT: Change/Add Supervisor	0	0	0	0
<i>0-APPROVED 0-DENIED</i>				
LMFT SC Application: Section 1	0	0	0	0
<i>0-APPROVED 0-DENIED</i>				
LMFT SC Application: Section 2	0	0	0	0
<i>0-APPROVED 0-DENIED</i>				
LMFT SC Application: Section 1 and Section 2	0	0	1	1
<i>1-APPROVED 0-DENIED</i>				
LMFT Supervisor Application	0	0	1	1
<i>1-APPROVED 0-DENIED</i>				
Application for Expedited Processing	0	0	0	0
Total Applicants Reviewed	2	3	9	14

E Cowger reported no applicant issues to be discussed with the Board, thanked J Mims for her time reviewing applicants, and motioned to accept the Licensure Committee and Supervision report. All approved; no abstentions.

Marriage and Family Therapy Advisory Committee (MFTAC) Report –P Millhollon, K Steele, R Cathey

P Millhollon reported that the MFTAC has been focusing their energy and time on writing rules related to Act 736 and recognizes that other rules changes are also needed. She reported that H Brownell of LAMFT attended the MFTAC meeting to discuss current legislation. P Millhollon also reported MFTAC review of the AMFTRB Telehealth Manual compiled by the committee chaired by M Olsan. P Millhollon thanked M Olsan and AMFTRB for their work. P Millhollon reported that correspondence received from S Robinson would be discussed at the next MFTAC meeting and asked M Olsan to notify S Robinson. P Millhollon motioned to accept the MFTAC report. All approved; no abstentions.

Committee on Correspondence – M Olsan, L Choate

L Choate asked M Olsan to present correspondence.

M Olsan presented correspondence from C Dean regarding the ability of a PLPC to work as an independent contractor for his/her Board-Approved Supervisor’s practice. L Choate and J Mims discussed IRS regulations and Board Rules. M Olsan reported finding no restriction in Board Rules. L Choate suggested this issue be clarified in Board Rules and asked M Olsan to document changes needed for the Rules Committee. L Choate asked M Olsan to ensure C Dean understands a PLPC may not practice independently and that the PLPC’s Declaration of Practices

and Procedures must clearly indicate the nature of the relationship between the PLPC, supervisor, and practice setting.

M Olsan presented correspondence from V Benton regarding Board Rules associated with online continuing education. M Olsan reminded the Board that this was Ms. Benton's second inquiry on the matter. The Board discussed the need for clarification in Board Rules regarding how online CEHs may be acquired. J Mims suggested using NBCC's definitions. L Choate and M Olsan agreed. L Choate notified the Rules Committee of this recommendation.

M Olsan presented correspondence from C White announcing a name change for Holy Cross.

M Olsan presented correspondence from T Moore of the Red River Institute (RRI) and explained T Moore was unable to attend the Board meeting in person. P Millhollon provided feedback regarding RRI's desire to create a free-standing institute and explained the MFTAC would consider this correspondence when reviewing rules associated with academic requirements. E Cowger, L Choate, and J Mims raised concerns RE MFTAC approval of non-COAMFTE approved programs for this type of setting. R Cathey and K Steele also expressed this concern. P Millhollon encouraged the Board to discuss their concerns with T Moore when he is able to attend a Board Meeting and provide feedback.

Public Comments: No comments.

Recess: Laura requested a motion for a ten (10) minute recess. J Mims motioned for a ten minute recess. E Cowger seconded. All approved; no abstentions. Laura requested a motion to resume the Board Meeting. J Mims motioned and R Cathey seconded. All approved; no abstentions.

Committee Professional Assistance Program (PAP) –P Millhollon, R Cathey

P Millhollon reported eight (8) open cases and no new cases. She stated the PAP Committee is continuing to review PAP outsourcing options and receive feedback. R Cathey reported interest and help offered by Leah Rosa, LPC with this issue. P Millhollon reminded the Board of how the PAP process was initially modeled after the PAP for attorneys. P Millhollon motioned to accept the PAP report. All approved; no abstentions.

Committee on Rules –E Cowger, J Mims, L Choate, K Steele, M Olsan

L Choate and M Olsan explained the need to discuss the meaning of the term "supervisor" in the Code of Conduct and Code of Ethics. K Steele explained the issue is related to a disciplinary case and the role of a Board-Approved Supervisor versus an Administrative Supervisor. J Mims stated that licensees need to be aware of how the term "supervisor" is used in the Code of Conduct and Code of Ethics in Board Rules. R Cathey suggested the Board consider highlighting this information as part of the Board presentation at the next LCA conference.

Committee on Personnel – L Choate, M Olsan

L Choate asked M Olsan to present the personnel report. M Olsan reported that E Wong would serve as the Interim Credentialing Specialist while R Lundin (formerly McCarthy) is out of the office. She also reported that H Thomas resigned from the Board after accepting a position in New Orleans. M Olsan expressed her thanks to H Thomas for all of her work and dedication to the Board. M Olsan explained personnel costs would be higher than expected for this FY due to the unexpected, temporary need for an Interim Credentialing Specialist and Credentialing Specialist.

M Olsan explained upcoming schedule challenges with personnel and J Raines, Prosecuting Attorney for the Board. She asked the Board to consider moving the July 22nd Board Meeting to July 15th. The Board discussed the need to have April, May, and July Board Meetings. L Choate asked for a motion to cancel the May Board Meeting and to move the July meeting date. E Cowger motioned to cancel the May Board Meeting and to move the July meeting to July 15th. E Augustin seconded. All approved; no abstentions.

Financial Report(s) – M Olsan

M Olsan presented the December 2015, January 2016, and February 2016 financial reports. She explained supporting documentation for each report was available to P Millhollon for review. P Millhollon motioned to approve the December 2015, January 2016, and February 2016 financial reports. E Cowger seconded. All approved; no abstentions.

Ad Hoc Committee on Budgeting –L Choate, E Cowger, M Olsan

M Olsan explained that a contract amendment resolution was needed to approve funding for additional services needed by Breazeale, Sachse, & Wilson during FY 15/16. L Choate read the resolution and moved for adoption. E Cowger seconded. All approved; no abstentions.

M Olsan explained that a contract resolution was needed to continue services with Baker Donelson during FY 16/17. L Choate read the resolution and moved for adoption. J Mims seconded. All approved; no abstentions.

M Olsan explained that a contract resolution was needed to continue services with Breazeale, Sachse, & Wilson during FY 16/17. L Choate read the resolution and moved for adoption. K Steele seconded. All approved; no abstentions.

M Olsan explained that a contract resolution was needed to continue services with the Department of Justice during FY 16/17. L Choate read the resolution and moved for adoption. P Millhollon seconded. All approved; no abstentions.

K Steele and J Mims asked M Olsan questions regarding how the total contract amount was approved for each vendor. M Olsan explained that L Choate signs all contracts; however, the Board approves each contract amount when each budget is reviewed and approved.

Executive Director Report – M Olsan

M Olsan presented the Executive Director report and highlighted lessons learned at the AASCB Conference. She also explained that AMFTRB decided to make telehealth the focus the 2016 AMFTRB conference due to the excellent work of the AMFTRB Telehealth Committee. M Olsan thanked the Board for allowing her to Chair this committee and to devote so much time to this endeavor.

LAMFT Liaison Report – M Olsan

M Olsan presented the LAMFT liaison report, including a recap of her attendance at the LAMFT Executive Board Meeting on February 10th. She also provided feedback about the Board/MFTAC Update at the LAMFT Conference and Supervisor Training session by MFTAC on February 11th at the LAMFT Conference in New Orleans.

LCA Liaison Report – M Olsan

M Olsan presented the LCA liaison report, including a recap of her attendance at the LCA Executive Committee Meeting on February 19th.

New Business – L Choate

L Choate reminded the Board that all Tier 2.1 Financial Statements were due by May 15th, 2016.

M Olsan reviewed Board Member terms and reminded the Board that a Board Member may remain in their position until a new appointment is made.

L Choate reminded the Board the May Board meeting was cancelled at that the next Board Meeting would begin at 12:30PM on July 15th, 2016.

Closing

L Choate asked for a motion to adjourn the meeting. E Cowger motioned to adjourn the meeting at 4:33PM. E Augustin seconded. All approved; no abstentions.

Respectfully Submitted By,

Mary Alice Olsan
Executive Director