

**MINUTES September 25<sup>th</sup>, 2015**  
**LICENSED PROFESSIONAL COUNSELORS BOARD OF EXAMINERS**  
Approved November 13<sup>th</sup>, 2015

The meeting was called to order by L Choate at 12:06 p.m. A roll call was taken and a quorum was present.

**Members Present:**

J Thomas        P Millhollon  
L Choate        J Mims  
R Cathey        E Cowger  
K Lammert       G Perkins  
E Augustin

**Members Absent:**

K Steele

**Staff Present:**

M Olsan        D Messina

**Guests Present:**

M Feduccia     S Murphy  
J Cefalu        R Dufrene  
T Moore        D Chadwick  
J Cancienne    E Petterson  
D Dougherty

**Agenda**

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

**Board Meeting Minutes**

L Choate asked for a motion to approve the July Board Meeting minutes. G Perkins motioned to approve the July Board Meeting minutes. J Mims seconded. All approved; no abstentions.

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

L Choate introduced Joseph “Joe” Cefalu of BREAZEALE, SACHSE & WILSON, L.L.P. J Cefalu presented a Consent Agreement and Order for case 13/14-27 against Sharon T. Miller, LPC, LMFT. L Choate asked for feedback from the Board regarding the Disciplinary Affairs Committee’s recommendation for a formal sanction. The Board supported the decision of the Disciplinary Affairs Committee and signed the Consent Agreement and Order.

J Cefalu explained that the Consent Agreement and Order for case 12/13-85 would not be presented as planned given a delay in obtaining the original, signed document from the respondent. L Choate thanked J Cefalu for his time.

L Choate presented the Disciplinary Affairs Report:

Unofficial Complaints Received since July 17<sup>th</sup>, 2015:

1. 15/16-08: Fraudulent Billing
2. 15/16-11: Inappropriate Practice

Official Complaints Received since July 17<sup>th</sup>, 2015:

1. 15/16-03: Unprofessional Conduct
2. 15/16-04: No License
3. 15/16-05: Sexual Misconduct
4. 15/16-06: Unprofessional Conduct/Inappropriate Diagnosis
5. 15/16-07: Unprofessional Conduct/Fraudulent Documentation
6. 15/16-09: Unprofessional Conduct/Inappropriate Supervision
7. 15/16-10: Fraudulent Billing/Withholding Client Records
8. 15/16-12: Inappropriate Conduct

Cases to Open:

1. 15/16-03: Unprofessional Conduct
2. 15/16-04: No License
3. 15/16-05: Sexual Misconduct
4. 15/16-06: Unprofessional Conduct/Inappropriate Diagnosis
5. 15/16-07: Unprofessional Conduct/Fraudulent Documentation
6. 15/16-09: Unprofessional Conduct/Inappropriate Supervision
7. 15/16-10: Fraudulent Billing/Withholding Client Records
8. 15/16-12: Inappropriate Conduct

Cases to Close:

1. 12/13-51: Practiced before Registered\*
2. 12/13-64: Unprofessional Conduct/Confidentiality Breach
3. 12/13-84: Confidentiality Breach
4. 12/13-97: Dual Relationship
5. 13/14-21: Misrepresentation of Credentials\*
6. 13/14-27: Unprofessional Conduct/Client Abandonment
7. 13/14-29: No license\*
8. 13/14-38: No license\*
9. 13/14-43: No license\*
- 10.14/15-02: No license\*
- 11.14/15-03: No license\*
- 12.14/15-57: Unprofessional Conduct
- 13.14/15-58: Unprofessional Conduct/Harassment
- 14.14/15-59: Unprofessional Conduct
- 15.14/15-60: Unprofessional Conduct
- 16.14/15-62: Unprofessional Conduct
- 17.14/15-65: Unprofessional Conduct
- 18.14/15-66: Misrepresentation of Services
- 19.14/15-68: Unprofessional Conduct/Confidentiality Breach

Complaints to Dismiss:

1. 15/16-11: Inappropriate Practice (anonymous)

L Choate reported a total of 64 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, J Mims, J Thomas, L Choate**

L Choate provided D Chadwick’s disciplinary history with the Board and the reason for her presence at the Board meeting. D Chadwick presented her case for LPC licensure reinstatement to the Board. The Board Members asked D Chadwick several questions regarding her past conduct which resulted in the revocation of her LPC license. The Board Members also asked D Chadwick for feedback as to how she would be changing her practice and conduct if allowed to practice again.

E Cowger confirmed D Chadwick met all requirements for licensure. L Choate confirmed D Chadwick completed all requirements as outlined in her formal sanction. L Choate asked for a motion to go into Executive Session to discuss D Chadwick’s request for licensure reinstatement. J Mims made the motion and K Lammert seconded. All approved; no abstentions.

**Executive Session:** The Board discussed D Chadwick’s request for licensure reinstatement. L Choate asked for a motion to exit Executive Session. J Mims made the motion and E Cowger seconded. All approved; no abstentions.

L Choate asked for a Board motion regarding the reinstatement of D Chadwick’s LPC license. G Perkins motioned for D Chadwick’s LPC license to be reinstated upon the following conditions: a) D Chadwick must be under supervision with a Board-Approved LPC-S for one year in order to practice mental health counseling b) The LPC-S must be approved by the Board and must attest to having no prior personal or professional relationship with D Chadwick c) Additional stipulations of the supervisory relationship to be included in a letter to D Chadwick following the Board meeting. E Cowger seconded. L Choate took a roll call vote. All present voted “yea”. D Chadwick thanked the Board and asked if any Board member would be willing to be her supervisor. L Choate explained this would be a conflict of interest.

E Cowger thanked R McCarthy (Lundin) for her hard work, especially with regard to expedited applications. E Cowger also reported a Licensure Committee discussion about Board Rules regarding telephonic counseling and PLPCs who have ownership at a setting separate from their practice setting. J Mims asked that the Board consider reviewing these rules for changes.

E Cowger also reported 164 applicants were reviewed for provisional licensure/licensure/supervision for PLPC/LPC/LPC-S in August and September.

<b>Application Type</b>	<b>AUG</b>	<b>SEPT</b>	<b>Total</b>
<b>LPC Application for Licensure</b>	9	24	33
<i>31-APPROVED 1-DENIED 1-Need more Info</i>			
<b>LPC Out-of-State Applications for Licensure</b>	2	6	8
<i>4-APPROVED 4-DENIED 0-Re-Review</i>			
<b>PLPC: Sections 1, 2, 3</b>	29	29	58
<i>46-APPROVED 12-DENIED 0-Need more Info</i>			
<b>PLPC: Section 1</b>	15	4	19
<i>17-APPROVED 1-DENIED 1-Need more Info</i>			
<b>PLPC: Section 1 and 2</b>	0	0	0
<i>0-APPROVED 0-DENIED</i>			
<b>PLPC: Section 2</b>	0	0	0
<i>0-APPROVED 0-DENIED</i>			
<b>PLPC: Section 2 and 3</b>	3	2	5

<i>5-APPROVED 0-DENIED</i>			
<b>PLPC: Section 3</b>	0	0	0
<i>0-APPROVED 0-DENIED</i>			
<b>PLPC: Change/Add Supervisor</b>	8	13	21
<i>21-APPROVED 0-DENIED</i>			
<b>LPC Supervisor Application</b>	6	11	17
<i>15-APPROVED 1-DENIED 1-Need more info</i>			
<b>Appraisal Privilege</b>	0	3	3
<i>2-APPROVED 0-DENIED 1-Need more info</i>			
<b>LPC Areas of Expertise Review</b>	0	0	0
<i>0-APPROVED 0-DENIED 0-Need more info</i>			
<b>Total Applicants Reviewed</b>	<b>75</b>	<b>87</b>	<b>162</b>

P Millhollon reported 18 applicants were reviewed for provisional licensure/licensure/supervision for PLMFT/LMFT/LMFT-SC/LMFT-S in August and September.

<b>Application Type</b>	<b>AUG</b>	<b>SEPT</b>	<b>Total</b>
<b>LMFT Application for Licensure</b>	4	5	9
<i>9-APPROVED 0-DENIED</i>			
<b>LMFT Out-of-State Applications for Licensure</b>	1	0	1
<i>1-APPROVED 0-DENIED</i>			
<b>PLMFT: Section 1, 2, 3</b>	0	3	3
<i>3-APPROVED 0-DENIED</i>			
<b>PLMFT: Section 1</b>	0	0	0
<i>0-APPROVED 0-DENIED</i>			
<b>PLMFT: Section 2 and 3</b>	1	0	1
<i>1-APPROVED 0-DENIED</i>			
<b>PLMFT: Change of Practice Setting</b>	0	3	3
<i>2-APPROVED 1-DENIED</i>			
<b>PLMFT: Changing Supervisor</b>	0	1	1
<i>1-APPROVED 0-DENIED</i>			
<b>LMFT SC Application: Section 1</b>	0	0	0
<i>0-APPROVED 0-DENIED</i>			
<b>LMFT SC Application: Section 2</b>	0	0	0
<i>0-APPROVED 0-DENIED</i>			
<b>LMFT SC Application: Section 1 and Section 2</b>	0	0	0
<i>0-APPROVED 0-DENIED</i>			
<b>LMFT Supervisor Application</b>	0	0	0
<i>0-APPROVED 0-DENIED</i>			
<b>Total Applicants Reviewed</b>	<b>6</b>	<b>12</b>	<b>18</b>

E Cowger motioned to accept the Licensure Committee and Supervision report. All approved; no abstentions.

**Committee on Correspondence – M Olsan, L Choate**

L Choate asked R Dufrene to present her correspondence regarding PLPCs providing telephonic counseling at crisis call centers. R Dufrene presented her letter to the Board and asked for

feedback. The Board discussed R Dufrene's concerns in depth and explained that current Board Rules do not allow PLPCs to conduct telephonic counseling. G Perkins asked R Dufrene if all crisis call staffers were PLPCs. R Dufrene indicated that some staffers were PLPCs while others had no formal training in mental health counseling. The Board concluded that ViaLink was an inappropriate practice setting for PLPCs to obtain direct client contact hours. J Mims and L Choate recommended that additional research be conducted and a recommendation be made to the Rules Committee.

M Olsan presented a press release from AMHCA, ACES, and NBCC RE their agreed upon plan for portability. M Olsan explained the differences between this proposal and the Board's current endorsement process.

M Olsan presented a joint letter from AASCB and ACA RE the 20/20 project. M Olsan explained that AASCB and ACA would like all Boards to endorse the title and scope of practice agreed upon during the 20/20 project. M Olsan explained that LCA has already endorsed both the title and scope of practice. J Mims asked M Feduccia to convey to LCA leadership that LCA membership needs to be consulted before LCA endorses national initiatives affecting the profession.

M Olsan presented a letter from AASCB RE their licensure portability proposal and reminded the Board that said proposal was based almost entirely on Louisiana's endorsement process.

**Public Comments:** T Moore presented the Red River Institute (RRI) legislative agenda. He thanked L Choate and M Olsan for the opportunity to present this information and for their work for the Board. He welcomed feedback from the Board and explained his belief that a jurisdictional scope of practice that was in line with a LMFT's actual scope of practice was needed to protect the public and promote the profession. L Choate thanked T Moore for presentation and feedback.

**Recess:** L Choate called for a 10 minute recess. J Mims made the motion to recess. R Cathey seconded. All approved; no abstentions.

**Committee on Legislative Affairs –L Choate, J Mims, G Perkins, M Olsan, M Feduccia**

M Feduccia provided an update on Act 23 of the 2015 Louisiana Regular Legislative Session. She notify the Board RE DHH's revisions to their provider handbook. P Millhollon asked questions regarding the content and accuracy of the handbook. M Feduccia asked the Board for feedback on any issues they believed required law changes. J Mims and G Perkins explained the need for an exemption from Act 809 of the 2014 Louisiana Regular Legislative Session. M Feduccia reported on the national "Mental Health Access Improvement Act" and associated legislation. M Olsan presented an update from LAMFT RE their legislative agenda.

**Committee Professional Assistance Program (PAP) – K Lammert, P Millhollon**

K Lammert reported 10 open, active PAP cases. She stated the PAP Committee had no cases to close. K Lammert also reported L Choate's approval of R Cathey to the PAP Committee. K Lammert thanked M Olsan for her work for the committee. K Lammert motioned to accept the PAP report. All approved; no abstentions.

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

L Choate asked the Board for feedback as to next steps for the Rules Committee. L Choate asked M Olsan to send the Board the list of rule changes/additions needed. P Millhollon discussed MFTAC's rule-writing activities. L Choate thanked G Perkins for her work and accomplishments as the past Chair of the Rules Committee. L Choate asked the Board to review rule changes needed for discussion at the November Board meeting.

### **Marriage and Family Therapy Advisory Committee Report –P Millhollon, K Steele, R Cathey**

P Millhollon reported that the MFTAC discussed Act 736 of the 2014 Louisiana Regular Legislative Session. She reported that T Moore attended MFTAC's meeting to present RRI's legislative agenda. She stated M Morris would attend the November MFTAC meeting to provide feedback on rules associated with Act 736. P Millhollon reported on AAMFT's restructuring proposal and final vote. P Millhollon motioned to accept the MFTAC report. All approved; no abstentions.

### **Committee on Personnel – L Choate, G Perkins, M Olsan**

L Choate asked for a motion to enter Executive Session to discuss M Olsan's performance and compensation. G Perkins made the motion and E Cowger seconded. All approved; no abstentions.

**Executive Session:** The Board discussed M Olsan's performance and compensation. L Choate asked for a motion to exit Executive Session. G Perkins made the motion and J Mims seconded. All approved; no abstentions.

L Choate asked M Olsan and the other members of the public to rejoin the meeting. L Choate asked for a motion to approve a raise for M Olsan as discussed during Executive Session. P Millhollon made the motion and G Perkins seconded. All approved; no abstentions. M Olsan thanked the Board for their support and for their tremendous dedication to the mission of the Board.

M Olsan introduced D Messina as a new, additional part-time Administrative Assistant. M Olsan provided an update on the status of hiring a new Disciplinary Case Assistant. L Choate motioned to accept the Committee on Personnel report. All approved; no abstentions.

### **Financial Report(s) – M Olsan**

M Olsan presented the June 2015 financial reports. G Perkins recommended charging more for license verifications but no longer charging licensees and provisional licensees for verification of their license or provisional license. J Mims motioned to raise the license and provisional license fee to \$15/verification effective October 15<sup>th</sup>, 2015. E Cowger seconded. All approved; no abstentions. L Choate asked for a motion to approve the financial report. J Mims motioned to approve the June 2015 financial report. G Perkins seconded. All approved; no abstentions.

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

M Olsan presented the actual numbers for FY 14/15, the 15/16 amended budget, and the 16/17 proposed budget. E Cowger motioned to accept the budgets as presented with the flexibility for the Board Chair and/or Budget Committee to approve amendments as needed at a later date. K Lammert seconded. All approved; no abstentions.

L Choate presented the revised Board Member travel policy. G Perkins suggested consideration of payment for meals (in accordance with state travel guidelines) if attending the Board Update at the LCA or LAMFT conference. The Board agreed to revise the policy accordingly. K Lammert motioned to approve the amended policy. J Mims seconded. All approved; no abstentions.

### **Executive Director Report – M Olsan**

M Olsan presented the Executive Director report. She provided an update on the status of the Board's Legislative Audit and explained notice from the LLA that the contracted auditor would not be performing the Board's audit approximately one week before the audit was to take place. She explained a representative of the LLA performed the audit and was in the process of

preparing the report. M Olsan reported on a finding by LLA RE inappropriate distribution of duties. J Mims motioned to add the review of the financials (monthly bank reconciliation, reimbursement payments made to the Executive Director, financial reports, appropriateness of disbursements) to the duties of the Board Secretary and to reflect such a change as part of the next set of rules promulgated by the Board. E Cowger seconded. All approved; no abstentions.

L Choate asked for a motion from the Board, in the interest of time, to table items 16(b)(c), 17(a), and 18(a)(c). G Perkins made the motion and K Lammert seconded.

**LAMFT Liaison Report – M Olsan**

Tabled.

**LCA Liaison Report – M Olsan**

L Choate reminded the Board about the Board Update at the LCA conference. The Board discussed the details of the presentation.

**New Business – L Choate**

L Choate reminded the Board of the next Board Meeting on November 13<sup>th</sup>, 2015.

**Closing**

L Choate asked for a motion to adjourn the meeting. G Perkins motioned to adjourn the meeting at 5:08PM. E Cowger seconded. All approved; no abstentions.

Respectfully Submitted By,

Mary Alice Olsan  
Executive Director