

MINUTES September 21st, 2012
LICENSED PROFESSIONAL COUNSELORS BOARD OF EXAMINERS
Approved November 9th, 2012

The meeting was called to order by G Perkins at 12:05 p.m. A roll call was taken and a quorum was present.

Members Present:

G Perkins P Millhollon
L Choate A Williams
M Reynaud D Dowling
E Cowger K Lammert

Members Absent:

T Moore
A Allen

Staff Present:

M Olsan

Guests Present:

S Adams
K Green
C Nardini
B Ceasar

Agenda

K Lammert motioned to approve the agenda. M Reynaud seconded. All approved; no abstentions.

Board Minutes

L Choate moved to accept the July 20th Meeting Minutes. P Millhollon seconded. All approved; no abstentions.

Legislative Updates – G Perkins, M Olsan

M Olsan reported on the BACB meeting regarding SR 159. G Perkins discussed Act 276 and the Rule Committee's plans to address this new law. C Nardini reported that she was not aware of any specific legislation affecting LPCs. She reported that Novitas would be issuing a new LCD whereby LPCs would be listed as providers for outpatient facilities. M Reynaud asked C Nardini if LMFTs were included in the LCD. C Nardini said she did not know but would consult with H Brownell.

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

P Millhollon reported that the PAP has received no new cases but has developed a spreadsheet to track providers. She asked the Board members for referrals for professionals interested in helping the PAP Committee with future cases. M Reynaud suggested the Board consider outsourcing the PAP program like the Social Work Board. P Millhollon motioned to accept the PAP report. All approved; no abstentions.

Committee on Licensure and Supervision – A Allen, A Williams, P Millhollon

P Millhollon reported seven applicants were reviewed for registration/licensure/supervision for LMFT.

Registration of Supervision: 0 approved, 0 denied
Licensure: 2 approved, 1 denied, 1 approved to take NMFT exam
Change of Supervisor: 2 approved, 0 denied
Supervision: 1 approved, 0 denied

A Williams reported 64 folders were reviewed for registration/licensure/supervision for LPC.

Part One: 8 approved, 3 denied, 2 need additional information

Part Two: 0 approved, 0 denied
Part One and Two: 0 approved, 0 denied
Part Two and Three: 2 approved, 0 denied
Change of Supervisor: 6 approved, 0 denied
Registration of Supervision: 11 approved, 4 denied
Licensure: 19 approved, 6 denied
Privileging: 1 approved, 0 denied
Supervision: 2 approved, 0 denied
Areas of Expertise: 0 approved, 0 denied

A Williams presented an applicant from South Dakota applying for endorsement with less than five years of experience who did not have documentation of at least 3000 hours of supervised experience. L Choate said we could accept other forms of documentation of experience for a portion of the supervised experience—i.e. a letter from the individual’s supervisor.

A Williams presented an applicant applying for endorsement with *less than* five years of experience and a master’s degree in clinical psychology. M Olsan stated the person should be denied based on previously approved Board polices. G Perkins agreed.

A Williams presented an applicant applying for endorsement with *more than* five years of experience and a master’s degree in clinical psychology. M Olsan stated the person should be approved based on previously approved Board polices.

A Williams presented an applicant applying for LPC licensure with a master’s of science degree with a concentration in counseling psychology. The Board determined this degree could only be accepted if no other counseling program was available at the university at the time the person attended.

A Williams presented an applicant applying for registration of supervision as a Counselor Intern with only one credit in Ethics. The Board asked M Olsan to recommend to the applicant that they take a three-hour Ethics course, as it will be required in the future. The applicant was denied for failure to have completed an abnormal behavior course.

A Williams presented an applicant for LPC licensure who completed an oral interview. The Board determined the applicant should be denied based on concerns over moral character and sent to the Disciplinary Committee for further review.

M Olsan presented the potential new PAP and discipline related application questions with the accompanying number of votes by each Board member for each question (as of the last Board meeting). The Board asked M Olsan to present only the high scoring questions at the November meeting for further consideration.

M Olsan and L Choate discussed the need to change “Areas of Expertise” and “Specialty Areas” to “Areas of Focus” on declaration statements/statements of practice so as to avoid confusion for the public. G Perkins explained enforcing this requirement would require a rule change. D Dowling suggested creating an educational video to explain declaration statements. G Perkins motioned to require new applicants to change the title on their declaration statements/statements of practice from “Areas of Expertise” and/or “Specialty Areas” to “Areas of Focus” unless they have an approved area of expertise or specialty area. L Choate seconded. M Reynaud opposed; all others approved. Motion carried. The Board asked M Olsan to update the sample statements on the Board website.

L Choate motioned to amend the agenda to allow K Green to present a Consent Agreement. E Cowger seconded. All approved; no abstentions.

Executive Session: K Green presented the Consent Agreement for Alysius Allen, Disciplinary Case 11/12-12.

G Perkins called for a vote to accept the Consent Agreement in Disciplinary Case 11/12-12. M Reynaud and A Williams abstained from voting. All others approved; motion carried.

M Olsan explained the requirements from the Attorney General's office regarding Medicaid fraud reporting. K Green and S Adams explained under what circumstances the AGs office should be notified. The Board agreed that in addition to the Louisiana Department of Insurance, any instance of suspected Medicaid fraud should be reported to the AGs office by the Executive Director.

M Olsan asked the Board for feedback with regard revisions to declaration statements and practice setting changes. L Choate motioned to amend the current policy regarding interns who have a change of supervisor with no practice setting. If the intern submits a letter indicating they do not have a practice setting, then they do not have to submit a revised declaration statement. E Cowger seconded. All approved; no abstentions. D Dowling moved that the intern in question who did not submit the requested information on time be exempt from the additional application fee due to extenuating circumstances. L Choate, A Williams, and M Reynaud abstained from voting. All others approved; motion carried.

K Lammert motioned to table all other Licensure Committee items until the November meeting. A Williams seconded. All approved; no abstentions. P Millhollon motioned to accept the Licensure Committee report. All approved; no abstentions.

Committee on Appraisal Privilege – A Williams

No report.

Committee on Rules – G Perkins, A Allen, E Cowger, A Williams, M Olsan

G Perkins presented Act 636 rules for Board review. K Lammert moved to accept the Emergency Rules with the discussed revisions. D Dowling seconded. All approved; no abstentions. G Perkins motioned to accept the Rules Committee report. All approved; no abstentions.

Marriage and Family Therapy Advisory Committee Report –M Reynaud, M Olsan

M Reynaud reported that the final LMFT rules, including those related to supervision, were officially promulgated in the August 20th Louisiana Register. M Reynaud reported that to date, no response had been received by the MFTAC in response to their requested AG opinion. He also reported that the MFTAC is still waiting on new Board member appointees to the MFTAC.

M Reynaud stated the MFTAC is still working on the supervisor handbook and explained all LMFT supervisors will be required to attend supervisor training at the LAMFT conference. M Olsan presented information regarding the LMFT renewal period. M Reynaud motioned to accept the MFTAC report. All approved; no abstentions.

Committee on Correspondence – A Williams, M Olsan, S Adams

M Olsan presented the letter from LSBEP in regard to K Parker's SB 216 testimony. S Adams provided his legal opinion on the situation. D Dowling motioned to respond to the LSBEP letter and explain that should there be any further violations—the LPC Board will be required to take

appropriate action, including contacting the Inspector General and Board of Ethics. P Millhollon seconded. All approved; no abstentions. S Adams will draft a letter to LSBEP.

Committee on Disciplinary Affairs – L Choate, M Reynaud

L Choate presented the Disciplinary Committee report. Zero unofficial and thirty-three official complaints were received since the last Board meeting. Nine complaints were dismissed.

The following cases were closed:

- 08/09-04 – Fraudulent Application/Felony
- 11/12-12 – Hiring Individuals who are not Registered with the Board
- 11/12-15 – Misrepresentation of Credentials/Psychological Testing
- 11/12-43 – Unethical Conduct
- 11/12-50 – Unprofessional Conduct/ Dual Relationship
- 11/12-51 – Unprofessional Conduct/ Misrepresentation of Credentials

The following cases were opened:

- 12/13-09: Inappropriate Supervision*
- 12/13-10: Misrepresentation of Credentials*
- 12/13-11: Misrepresentation of Credentials*
- 12/13-13: Unprofessional Conduct
- 12/13-14: Practicing without Board-Approved Supervision*
- 12/13-15: Abandonment of Supervision*
- 12/13-16: Practicing without Board-Approved Supervision*
- 12/13-18: Practicing without Board-Approved Supervision*
- 12/13-19: Practicing without Board-Approved Supervision*
- 12/13-21: Misrepresentation of Credentials/Practicing with an Inactive License*
- 12/13-22: Fraudulent Application RE Felony Conviction
- 12/13-24: Misrepresentation of Credentials/Practicing with an Inactive License
- 12/13-25: Practicing without Board-Approved Supervision*
- 12/13-26: Inappropriate Supervision*
- 12/13-27: Abandonment of Supervision*
- 12/13-30: Sexual Misconduct
- 12/13-31: Failure to Obtain Consent
- 12/13-32: Unprofessional Conduct
- 12/13-33: Practicing without a License/ Misrepresentation*
- 12/13-34: Practicing without Board-Approved Supervision*
- 12/13-39: Practicing without Active Supervision*
- 12/13-40: Practicing without Active Supervision*

*Board-Initiated Complaint

There are a total of 51 active cases.

S Adams presented updates on two ongoing discipline cases: 06/07-09 and 07/08-02.

L Choate presented the final draft of the new disciplinary policies developed by L Choate and M Olsan related to supervision and applicant issues. S Adams recommended these new policies become part of the next set of rule revisions. The Board discussed revisions to the policy

statement. K Lammert motioned to accept the policy statement with amendments. M Reynaud seconded. All approved; no abstentions. M Olsan to post the new policy statement on the Board website and to send an e-newsletter to all registrants and licensees. L Choate motioned to accept the Disciplinary Committee report. All approved; no abstentions.

Public Comments

None.

Committee on Personnel – D Dowling, M Olsan

M Olsan presented the personnel report. D Dowling motioned to accept the Personnel report. All approved; no abstentions.

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

M Olsan presented the amended FY 12/13 and proposed FY 13/14 budget. E Cowger motioned for the Board to approve both budgets as presented. A Williams seconded. All approved; no abstentions.

Financial Report – M Olsan

M Olsan presented the July and August financial reports. K Lammert motioned to approve the the financial reports. P Millhollon seconded. All approved; no abstentions.

Executive Director Report – M Olsan

M Olsan presented the Executive Director report.

LAMFT Liaison Report – M Olsan

M Olsan presented the LAMFT Liaison report.

LCA Liaison Report – E Cowger

M Olsan presented the LCA Liaison report.

New Business – G Perkins, M Olsan

M Olsan discussed E Cowger's interest in the AASCB Secretary position as it relates to Board finances.

G Perkins discussed the Board's presentation at the LCA conference and asked for additional input from the Board.

G Perkins reminded the Board that the November Board meeting date was changed to November 9th, 2012.

Closing

M Reynaud motioned to adjourn the meeting at 5:03 PM. P Millhollon seconded. All approved; no abstentions.

Respectfully Submitted by,

Mary Alice Olsan
Executive Director