

MINUTES OCTOBER 21st, 2011
LICENSED PROFESSIONAL COUNSELORS BOARD OF EXAMINERS
Approved November 18th, 2011

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:

T Moore G Bockrath
L Choate M Reynaud
E Cowger P Millhollon
A Allen A Williams
G Perkins F Selby

Staff Present:

M Olsan
R McCarthy

Absent:

D Dowling

Guests: S Adams, K Green, H Brownell, L Maiden, D Dupont, C Bradley

Agenda

G Perkins moved to accept the agenda. E Cowger seconded. All approved; no abstentions.

Board Minutes

T Moore moved to amend the September 16th, 2011 Meeting Minutes. He asked that the MFTAC report reflect that T Moore attended the LAMFT Executive meeting teleconference before the September Board meeting. L Choate moved to accept the September 16th, 2011 Meeting Minutes as amended. G Perkins seconded. All approved; no abstentions.

Legislative Updates – G Bockrath, M Olsan

M Olsan presented information from D Patterson, G Waddell, and D Tateman regarding the possibility of legislation for fee increases for the Board.

Executive Session: T Moore discussed issues regarding J. Comaty's actions toward the LPC Board.

T Moore moved to expedite receipt of an Attorney General's Opinion on the issues regarding scope of practice discussed during Executive Session. G Perkins seconded. All approved; no abstentions.

Committee on Disciplinary Affairs – L Choate

L Choate presented the Discipline report. Two unofficial complaints were received since the last Board meeting. Three official complaints were received.

The following cases were closed:

- 10/11-03 – Practicing without a License
- 10/11-25 – Unprofessional Behavior
- 10/11-37 – Psychological Testing
- 10/11-30 – Unprofessional Behavior/Fraudulent Activity
- 10/11-38 – Practicing without a License
- 10/11-41 – Unprofessional Conduct

The following complaints were dismissed:

- 11/12-07 – Fraud/Falsification of Records*
- 11/12-10 – Unprofessional Conduct

*This complaint was submitted anonymously. No evidence was provided to substantiate the allegations presented.

The following cases were opened:

- 11/12-06 – Unprofessional Conduct
- 11/12-08 – Unprofessional Conduct
- 11/12-09 – Practicing with an Inactive License*

*Board-Initiated

There are a total of 32 active cases.

L Choate introduced Katherine Green, the new Attorney General representative for the LPC Board. K Green spoke briefly about her role with the Board and asked for any feedback from the Board that might help her in her position.

L Choate introduced the idea of creating a subcommittee of the Discipline committee specifically for cases related to those practicing without a license. E Cowger suggested forming a new committee rather than a subcommittee. T Moore agreed. M Olsan and K Green discussed the idea of a new complaint form, specific to practicing without a license cases. L Choate determined more discussion was needed. The Disciplinary Committee will meet to discuss this further and report back to the Board.

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

E Cowger moved to allow for public comments before proceeding with the approved agenda for the convenience of the guests in attendance. G Perkins seconded. All approved; no abstentions.

Public Comments

D Dupont asked the Board to consider accepting 300 hours of supervised experience gained beyond the seven (7) year Counselor Internship time period. She asked for special consideration due to her disability and her struggle with the aftermath of

Hurricane Katrina. G Bockrath suggested S Adams review the provisions of the American Disability Act before the Board makes a decision.

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

P Millhollon reported no new cases and two open PAP cases. PAP 10/11-02 was not turned over to the Disciplinary Committee upon receipt of additional information. T Moore asked if the PAP Committee knew if the person in question was practicing. P Millhollon said the PAP Committee was in the process of looking into that issue.

P Millhollon asked for feedback from the Board regarding the PAP Committee's discretion to determine and regulate PAP case deadlines. The Board agreed the PAP Committee had the right to determine and regulate deadlines. P Millhollon presented a Memorandum of Understanding (MOU) template for PAP participants and asked for Board feedback. She also asked for names of professionals interested in helping with PAP cases. P Millhollon reported the PAP Committee's next project is to develop written policies and procedures for the committee. P Millhollon motioned to accept the PAP Report. All approved; no abstentions.

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

P Millhollon reported 7 folders were reviewed for registration/licensure/supervision for LMFT.

Registration of Supervision: 3 approved, 0 denied.

Licensure: 3 approved, 0 denied.

Supervision: 1 approved, 0 denied.

A Allen reported 86 folders were reviewed for registration/licensure/supervision for LPC.

Part One: 6 approved, 1 denied

Part Two: 1 approved, 0 denied

Part One and Two: 4 approved, 0 denied, 1 other

Part Two and Three: 7 approved, 0 denied

Change of Supervisor: 12 approved, 0 denied

Registration of Supervision: 19 approved, 4 denied

Licensure: 13 approved, 0 denied

Privileging: 5 approved, 0 denied

Supervision: 13 approved, 0 denied

A Williams presented the case of a Registration of Supervision applicant with a felony conviction for possession of a controlled substance. Her record was expunged. A Williams recommended her for Registration of Supervision.

A Williams presented a case for a person who was convicted for a 4th offense DUI. G Bockrath asked for formal documentation regarding the felony. S Adams suggested a certified copy of the court minutes where she was sentenced as well as a letter from her probation officer. The Board will review additional documentation before making a decision regarding her application for Registration of Supervision.

G Bockrath motioned to accept the report on registration/licensure/supervision for LPC/LMFT. All approved; no abstentions.

Committee on Privileging – A Williams, A Allen

A Allen reported five (5) folders were reviewed and approved for appraisal privileges.

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

G Perkins announced A Allen as the Co-Chair of the Rules Committee and A Williams as the Secretary. G Perkins thanked T Moore for his work for the Rules Committee. G Perkins reported that S Adams did not recommend another Emergency Rule extension for Act 320 Rules. G Perkins said the Rules Committee would have rule-writing retreats in November 2011, December 2011, and January 2012. G Perkins asked for feedback from the Board regarding any additional rule revisions desired.

Marriage and Family Therapy Advisory Committee Report – T Moore

T Moore reported that Howie Brownell, from LAMFT, joined the October MFTAC meeting. T Moore said they invited H Brownell to review the fiscal and legislative strategies related to the MFT license. The MFTAC also discussed requesting an AG Opinion regarding the LMFT scope of practice.

T Moore reported that the MFTAC provided H Brownell with an overview of the Board's fiscal responsibilities. T Moore discussed both LAMFT and LCA supporting legislation for fee increases. M Olsan said the Board could ask the professional organizations to support a law change providing for Board discretion over all fees and future fee changes.

T Moore reported the Executive Board for LAMFT will meet November 12th, 2011. T Moore stated the MFTAC will continue to work on changes to MFT supervision rules. T Moore also welcomed F Selby back.

Committee on Correspondence – A Williams, M Olsan

A Williams presented the issue of Counselor Interns re-applying every seven years to maintain their Counselor Internship. He raised the concern that such individuals are not committed to becoming an LPC. M Olsan added that such people are also not receiving CEU's regularly. G Bockrath asked if a new policy should be drafted. A Williams said a rule change was needed. T Moore said there is no current policy regarding this issue. G Bockrath suggested M Olsan work with the Committee on Licensure to develop both a new Board policy and a suggested rule change to resolve this issue.

M Olsan presented an email asking for clarification regarding the 60 hour degree requirement for LPC's effective September 1st, 2015. G Bockrath stated the Board is in the process of writing permanent rules for this law change.

M Olsan presented the concerns of an LPC-S over allowing a Counselor Intern (CI) to have more than one supervisor. His concern was that if the CI were to violate a law or rule, would both supervisors be liable? S Adams said all supervisors assigned to the CI would be held liable in a court of law. Current Board rules and laws do not hold the

supervisor(s) liable for CI violations. A Allen asked if there was currently any notification sent to current supervisors when a new supervisor was assigned to a CI? M Olsan reported that current supervisors were not notified. P Millhollon suggested any supervisors who have concerns should include required notification of additional supervisors as part of their contract with the CI. G Bockrath said the LPC-S always has the option of choosing not to supervise the CI.

M Olsan presented a question from an individual wishing to count supervision hours gained under a NBCC approved supervisor. The Board determined that without a rule change, supervision hours may only be gained under Louisiana Board-approved supervisors.

M Olsan presented an email from the American Counseling Association (ACA) asking for input on the revision of the ACA Code of Ethics. G Bockrath volunteered to provide input.

M Olsan presented a letter from the ACA regarding changes to their definition of "counseling".

M Olsan presented an email asking for clarification of how best to transition from an agency to private practice. The person's concern was how to handle those clients she saw while working at her agency who wished to follow her when she began her private practice. M Reynaud presented a Board rule restricting recruitment. T Moore said the person was not recruiting clients. G Bockrath said that agency policies should be followed and suggested the person consult with a colleague and review Board laws and Code of Conduct.

Committee on Personnel – D Dowling

No report.

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

T Moore reported that the Budget Committee would have a teleconference in early November.

Financial Report – M Olsan

M Olsan presented the August and September 2011 financial reports. G Bockrath motioned to approve the financial reports. All approved; no abstentions.

Executive Director Report – M Olsan

M Olsan presented the Executive Director report.

LAMFT Liaison Report – T Moore

T Moore reported that he was hopeful F Selby would be able to attend the LAMFT Executive Board meeting in November.

LCA Liaison Report – E Cowger

E Cowger reported that he communicated the need for fee increases to LCA.

Unfinished Business

The newsletter was discussed briefly during the Executive Director report.

New Business

The next Board meeting is November 18th, 2011 at the Board office.

Closing

G Perkins motioned to adjourn the meeting at 4:23 PM. P Millhollon seconded. All approved, no abstentions.

Respectfully Submitted by
Mary Alice Olsan
Executive Director