

MINUTES November 21st, 2014
LICENSED PROFESSIONAL COUNSELORS BOARD OF EXAMINERS
Approved January 23rd, 2015

The meeting was called to order by G Perkins at 12:03 p.m. A roll call was taken and a quorum was present.

Members Present:

J Thomas P Millhollon
G Perkins L Choate
K Lammert J Mims

E Cowger D Legendre
K Steele E Augustin

Staff Present:

M Olsan

Members Absent:

No members absent.

Guests Present:

M Ledet J Smith
M Reynaud

Agenda

G Perkins asked for a motion to amend the agenda to add "Elections" under New Business. Laura motioned to amend the agenda to add "Elections" under New Business. E Cowger seconded. All approved; no abstentions. E Cowger motioned to approve the agenda as amended. J Mims seconded. All approved; no abstentions.

Board Meeting Minutes

G Perkins explained M Olsan's workload and her request that M Olsan defer preparation of the September Meeting Minutes until the January Board Meeting.

Committee on Disciplinary Affairs – L Choate, K Steele, J Smith

L Choate introduced Jeddie Smith as the new Assistant Attorney General for the LPC Board and asked him to present the Consent Agreements for Holly Richardson and Barbara Williams. G Perkins noted that the proposed sanctions levied against Holly Richardson and Barbara Williams were not typical sanctions. She explained that there were a number of individuals connected with another case that went to hearing and the panel for the hearing noted significant concerns regarding the way in which the agency was operating. G Perkins stated that the individuals with Consent Agreements today cooperated fully with the Board.

J Smith presented the Consent Agreement for Holly Richardson and asked to Board to accept the terms of Consent Agreement. G Perkins called the matter to a vote. All present Board Members voted in favor of approval of the Consent Agreement. There were no abstentions. The Board Members present signed the Consent Agreement.

J Smith presented the Consent Agreement for Barbara Williams and asked to Board to accept the terms of Consent Agreement. G Perkins called the matter to a vote. All present Board Members voted in favor of approval of the Consent Agreement. There were no abstentions. The Board Members present signed the Consent Agreement.

J Smith presented an update regarding the Board's decision to seek an injunction against D Britton.

L Choate discussed the need to change the Board's official complaint form to include a clause regarding reporting to the Medicaid Fraud Unit (MFU) of the Attorney General's office. L Choate motioned to revise the complaint form to include information about reporting to the MFU per Baker Donelson's approval of language included. E Cowger seconded. All approved; no abstentions.

L Choate presented the Disciplinary Affairs report:

Unofficial Complaints Received since September 17th, 2014:

1. 14/15-36: Unprofessional Conduct
2. 14/15-38: Unprofessional Conduct

Official Complaints Received since September 17th, 2014: (*Board Initiated)

1. 14/15-32: Unprofessional Conduct
2. 14/15-33: Inappropriate Client Relationship
3. 14/15-34: Sexual Misconduct
4. 14/15-35: Sexual Misconduct
5. 14/15-37: Unprofessional Conduct
6. 14/15-39: Unprofessional Conduct
7. 14/15-40: Unprofessional Conduct
8. 14/15-41: Unprofessional Conduct
9. 14/15-42: No License
10. 14/15-43: No License
11. 14/15-44: No License
12. 14/15-45: Unprofessional Conduct/Fraudulent Billing*
13. 14/15-46: Practicing w/an Inactive License*
14. 14/15-47: Fraudulent Billing*
15. 14/15-48: Unprofessional Conduct

Cases to Open:

1. 14/15-32: Unprofessional Conduct
2. 14/15-33: Inappropriate Client Relationship
3. 14/15-34: Sexual Misconduct
4. 14/15-35: Sexual Misconduct
5. 14/15-37: Unprofessional Conduct
6. 14/15-39: Unprofessional Conduct
7. 14/15-40: Unprofessional Conduct
8. 14/15-41: Unprofessional Conduct
9. 14/15-42: No License
10. 14/15-43: No License
11. 14/15-44: No License
12. 14/15-45: Unprofessional Conduct/Fraudulent Billing*
13. 14/15-46: Practicing w/an Inactive License*
14. 14/15-47: Fraudulent Billing*
15. 14/15-48: Unprofessional Conduct

Cases to Close:

1. 10/11-27: Fraudulent Billing

2. 10/11-28: Fraudulent Billing
3. 12/13-14: Practiced without Supervision*
4. 12/13-93: Misrep. of Creds/Practiced without Supervision
5. 13/14-33: Unprofessional Conduct
6. 13/14-41: Practiced Prior to Registration*
7. 13/14-50: Unprofessional Conduct
8. 13/14-56: Fraudulent Billing*

Complaints to Dismiss:

1. 13/14-53: No License (Official Complaint Never Rec'd)
2. 13/14-59: No License (Official Complaint Never Rec'd)

There are a total of 99 disciplinary cases. L Choate motioned to accept the Disciplinary Committee report and recommendations. All approved; no abstentions.

Committee on Legislative Affairs –M Olsan, G Perkins, J Mims

M Olsan presented the report prepared by LATA regarding the Art Therapist Taskforce. The Board discussed the report, concerns regarding the proposed regulation of Art Therapists, the latest draft legislation prepared by LATA, and the Board's position. E Cowger motioned to oppose separate licensure for Art Therapists as proposed by the November 5th, 2014 draft legislation and the Task Force Report documentation prepared by LATA. J Mims seconded. All approved; no abstentions. J Mims motioned for the Board to authorize M Olsan to create a document outlining the Board's position regarding independent licensure for Art Therapists and the current practice of art therapy, to be approved by the Board Chair prior to dissemination. E Cowger seconded. All approved; no abstentions.

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

P Millhollon welcomed D Legendre to the PAP Committee and announced K Lammert would now serve as the Chair of PAP Committee. G Perkins thanked the PAP Committee for their service. K Lammert reported the PAP Committee has eight open cases and recommends opening PAP 11. K Lammert motioned to accept the PAP Committee's report and recommendations. All approved; no abstentions.

Committee on Licensure/Supervision/Appraisal – E Cowger, P Millhollon, M Olsan

E Cowger reported 120 applicants were reviewed for registration/licensure/supervision for CI/LPC/LPC-S in October and November.

Application Type	OCT	NOV	Total
LPC Application for Licensure	12	24	36
<i>32-APPROVED 4-DENIED</i>			
LPC Out-of-State Applications for Licensure	4	6	10
<i>2-APPROVED 6-DENIED 2-Re-Review</i>			
Counselor Intern: Part 1, 2, 3	14	22	36
<i>29-APPROVED 5-DENIED 2-Need more Info 0-Ext Denied 0-Ext Approved</i>			
Counselor Intern: Part 1	4	4	8
<i>6-APPROVED 2-DENIED 0-Need more Info</i>			

Counselor Intern: Part 1 and 2	0	0	0
<i>0-APPROVED -DENIED</i>			
Counselor Intern: Part 2	0	0	0
<i>0-APPROVED 0-DENIED</i>			
Counselor Intern Part 2 and 3	4	3	7
<i>7-APPROVED 0-DENIED</i>			
Counselor Intern: Part 3	1	0	1
<i>1-APPROVED 0-DENIED</i>			
Counselor Intern: Changing Supervisor	7	6	13
<i>13-APPROVED 0-DENIED</i>			
LPC Supervisor Application	2	5	7
<i>7-APPROVED -DENIED</i>			
Appraisal Privilege	2	1	3
<i>3-APPROVED 0-DENIED</i>			
LPC Areas of Expertise Review	0	0	0
<i>0-APPROVED 0-DENIED</i>			
Total Applicants Reviewed	50	70	120

E Cowger reported that the Licensure Committee had reviewed all applicants and that no applicants required full Board review.

P Millhollon reported 12 applicants were reviewed for registration/licensure/supervision for MFT-I/LMFT/LMFT-SC/LMFT-S in October and November.

Application Type	OCT	NOV	Total
LMFT Application for Licensure	1	2	3
<i>1-APPROVED 2-DENIED</i>			
LMFT Out-of-State Applications for Licensure	0	0	0
<i>0-APPROVED 0-DENIED</i>			
MFT Intern: Section 1, 2, 3	2	3	5
<i>4-APPROVED 0-DENIED 1-Ext Approved</i>			
MFT Intern: Section 1	0	0	0
<i>0-APPROVED 0-DENIED 0-Ext Approved</i>			
MFT Intern: Section 2 and 3	1	0	1
<i>1-APPROVED 0-DENIED</i>			
MFT Intern: Change of Practice Setting	1	2	3
<i>3-APPROVED 0-DENIED</i>			
MFT Intern: Changing Supervisor	0	0	0
<i>0-APPROVED 0-DENIED</i>			
LMFT SC Application: Section 1	0	0	0
<i>0-APPROVED 0-DENIED</i>			
LMFT SC Application: Section 2	0	0	0
<i>0-APPROVED 0-DENIED</i>			
LMFT SC Application: Section 1 and Section 2	0	0	0
<i>0-APPROVED 0-DENIED</i>			
LMFT Supervisor Application	0	0	0
<i>0-APPROVED 0-DENIED</i>			

Total Applicants Reviewed	5	7	12
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P Millhollon motioned to accept the Licensure Committee and Supervision report. All approved; no abstentions.

Committee on Rules –G Perkins, E Cowger, J Mims, M Olsan

G Perkins reported the status of rule revisions and reviewed a draft of all proposed revisions sent to Board Members, LCA, and to LAMFT in advance of the Board meeting. G Perkins thanked M Olsan for her many hours of work preparing the draft rule document. G Perkins presented feedback from LCA for review and approval. No suggested revisions were supplied by LAMFT. G Perkins announced that the Rules Committee recommended accepting all proposed changes by LCA except those affecting areas of the rules not discussed with the Board previously and not intended for revision during this set of rule changes. G Perkins also reported that the Rules Committee approved the draft rule document with approved LCA proposed revisions included.

G Perkins asked for feedback regarding whether or not doctoral supervision could be counted toward direct client contact hours for Counselor Interns. K Steele recommended allowing 40% of the doctoral supervision hours to count—as doctoral supervision is a type of career counseling and involves the application of the counseling model. L Choate stated that counseling and supervision are two different things and that supervision is not the same as face to face mental health counseling. J Thomas agreed with L Choate and asked for clarification regarding the type of supervision provided to master’s level counseling students by doctoral level students. M Olsan reminded the Board that doctoral students who are also Counselor Interns are allowed to count time spent with clients during their practicum toward their total direct client contact hours. K Steele motioned to allow 10% of doctoral supervision hours of master’s level students to count toward the required direct client contact hours needed for licensure. No second. Motion failed. K Lammert motioned to allow proposed rule to remain as is (no doctoral supervision hours may count toward direct client contact required for licensure). L Choate seconded. Nine of the Board members present voted in favor of the motion. K Steele opposed. Motion carried. No abstentions.

J Mims motioned to accept the draft rule document with the changes as recommended by the Rules Committee. J Thomas seconded. All approved; no abstentions. M Olsan notified the Board of the 30% increase of the cost to promulgate rules in the *Louisiana Register* due to higher charges per page. G Perkins thanked LCA and the Board Members for their feedback and motioned to accept the Rules Committee report. All approved; no abstentions.

Marriage and Family Therapy Advisory Committee Report –P Millhollon, D Legendre, K Steele

P Millhollon reported that the MFTAC elected her as the new Chair of the MFTAC, D Legendre as Vice-Chair, and K Steele as Secretary. G Perkins and the Board congratulated the MFTAC.

P Millhollon reported that the MFTAC discussed the letter from M Morris of LAMFT and is considering rule revisions relative to a reduced rate for a MFT Intern/Counselor Intern dual application. P Millhollon reminded the Board of the MFTAC Rule Retreat the following day and invited all to attend. P Millhollon motioned to accept the MFTAC report. All approved; no abstentions.

Committee on Correspondence – M Olsan

M Olsan presented information regarding a follow up conversation with M Morris of LAMFT RE graduates having difficulty obtaining a degree conferred transcript and thus delaying their ability to begin practicing. Specifically, M Olsan conveyed M Morris’s desire for the Board to consider

an “in progress transcript” for the issuance of the Counselor Intern or MFT Intern credential. M Olsan noted that M Morris agreed this issue was limited to very few individuals. G Perkins recommended the Licensure Committee work with M Olsan and R McCarthy to make a recommendation as how best to resolve this issue. All agreed.

M Olsan presented emails from J Sturm-Mexic expressing concern over the Board formally sanctioning Interns for practicing prior to registration with the Board. The Board discussed the September 21st, 2012 policy statement RE the Registration and Supervision of Interns. The Board determined that such policy statement was appropriate, effective, and should remain in effect as is.

G Perkins presented the announcement from NBCC regarding the acceptance of CACREP-only degrees. M Olsan explained AHMCA made a similar announcement.

Public Comments

M Reynaud provided feedback RE his experience as a member of the public rather than a Board Member. He expressed agreement with the Board’s positions regarding the regulation of Art Therapists and whether or not doctoral supervision hours may count toward direct client contact hours required for licensure. He also stated LAMFT’s request that the Board accept any transcript other than a degree conferred transcript was unreasonable. M Reynaud also expressed concern over the requirements to receive approval for appraisal privileges.

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

M Olsan updated the Board on the status of schedule changes and the disciplinary assistant position.

Financial Report(s) – M Olsan

M Olsan presented the August and September financial reports. E Cowger motioned to approve the financial reports. K Steele seconded. All approved; no abstentions.

Ad Hoc Committee on Budgeting –E Cowger, M Olsan

M Olsan reported that the amended FY 14/15 and proposed FY 15/16 budgets were submitted by the deadline and thanked the Board for their help in expediting the budget review process.

Executive Director Report – M Olsan

M Olsan presented the Executive Director Report. M Olsan reported that all required materials were submitted for the Baker Donelson Contract and that to date, no contract approval had been received. M Olsan thanked Baker Donelson, especially M Ledet, for her patience and support during a difficult contract renewal process. M Olsan also presented an update on state travel regulation changes and explained the Board had received two exemptions and would no longer have to use the “p-card”.

LAMFT Liaison Report – M Olsan

M Olsan presented the LAMFT Liaison report and provided a recap of the November 15th, 2014 LAMFT Executive Board meeting.

LCA Liaison Report – M Olsan

M Olsan presented the LCA Liaison report and discussed feedback received from D Austin RE CEH approval for workshops specific to supervision and diagnosis.

New Business – G Perkins, M Olsan

Elections: G Perkins stated that she enjoyed and was honored by her role as Chair of the Board but believes it is important for the future of the Board to have different leadership. She explained Board Elections are typically held in May but that this time of year does not work well for transitioning new officers, especially in terms of the legislative session. G Perkins proposed that Board elections be held in January of each year instead of May to give the incoming chair an opportunity to prepare for the legislative session. E Augustin asked if G Perkins would still be a member of the Board. G Perkins said she would remain as a Board Member just not as Board Chair and pointed out the importance of having the new Board Chair begin their term while the old Board Chair was still available to provide feedback. J Mims motioned to have elections in January for Board Chair, Vice-Chair, and Secretary. E Cowger seconded. All approved; no abstentions. M Olsan to email all Board Members with information about each position and a deadline to submit nominations.

L Choate presented historical information RE the current position statement RE appraisal activities and the need to revise both the position statement and Board Rules. She asked the Board to review the position statement and associated rules for discussion at the January Board Meeting.

M Olsan asked the Board to consider moving the January Board Meeting date from January 16th to January 23rd given the timing of the AASCB Conference. D Legendre motioned for the January Board Meeting to be held on January 23rd. K Lammert seconded. All approved; no abstentions.

Closing

D Legendre motioned to adjourn the meeting at 3:37 PM. E Augustin seconded. All approved; no abstentions.

Respectfully Submitted by,

Mary Alice Olsan
Executive Director