

MINUTES NOVEMBER 18TH, 2011
LICENSED PROFESSIONAL COUNSELORS BOARD OF EXAMINERS
Approved December 16th, 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:

G Bockrath D Dowling
L Choate M Reynaud
E Cowger A Williams
A Allen F Selby
G Perkins

Staff Present:

M Olsan

Absent:

T Moore
P Millhollon

Guests: K Green, C Nardini

Agenda

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

Board Minutes

G Perkins moved to accept the October 21st, 2011 Meeting Minutes. F Selby seconded. All approved; no abstentions.

Legislative Updates – G Bockrath, M Olsan

No report.

Committee on Disciplinary Affairs – L Choate

L Choate presented the Discipline report. Three unofficial complaints were received since the last Board meeting. Four official complaints were received. No complaints were dismissed.

The following cases were closed:

06/07-15 – Practicing without a License
11/12-05 – Practicing without a License

The following cases were opened:

11/12-02 – Unprofessional Conduct/Fraudulent Billing*
11/12-11 – Unprofessional Conduct/Abandonment of Supervision
11/12-12 – Unprofessional Conduct*
11/12-13 – Unprofessional Conduct
11/12-17 – Unprofessional Conduct

*Board-Initiated

There are a total of 35 active cases.

M Reynaud led a discussion regarding the submission of anonymous complaints. M Reynaud noted that cases should be opened based on evidence rather than on the severity of the accusation. K Green explained the harm in opening a case without sufficient evidence—stating that the Board must protect the members of the profession from being erroneously attacked as well as protect the public. K Green said anonymous complaints submitted with sufficient evidence may be opened as Board-Initiated cases.

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

Committee Professional Assistance Program (PAP) –E Cowger

E Cowger reported case PAP-03 missed a deadline and therefore may be referred to the Disciplinary Committee. G Bockrath stated that another member may need to be added to the PAP Committee due to the amount of work associated with each PAP case.

E Cowger motioned to accept the PAP Report. All approved; no abstentions.

Committee on Licensure and Supervision – A Williams, A Allen, M Reynaud

M Reynaud reported 1 folder was reviewed for registration/licensure/supervision for LMFT.

Registration of Supervision: 0 approved, 0 denied.

Licensure: 1 approved, 0 denied.

Supervision: 0 approved, 0 denied.

One person was approved for MFT licensure pending revisions to their Statement of Practice. Additionally, M Reynaud reported this person's previous supervisor would receive a letter for inadequately completing the documentation of experience form.

G Bockrath suggested a sample form for tracking supervision hours be developed. A Williams offered to provide the form he uses with his supervisees. G Bockrath suggested this form be posted on the LPC Board website. D Dowling suggested such changes to our website should be highlighted in the LCA and LPC Board newsletters.

M Reynaud also reported that a box of old supervisor folders was located by Board staff. These folders will need to be re-reviewed at the December MFTAC meeting.

A Allen reported 46 folders were reviewed for registration/licensure/supervision for LPC.

Part One: 4 approved, 0 denied

Part Two: 0 approved, 0 denied

Part One and Two: 2 approved, 0 denied

Part Two and Three: 5 approved, 0 denied

Change of Supervisor: 3 approved, 0 denied
Registration of Supervision: 9 approved, 2 denied
Licensure: 17 approved, 0 denied
Privileging: 1 approved, 0 denied
Supervision: 3 approved, 0 denied

Committee on Privileging – A Williams, A Allen

A Williams reported one (1) application was reviewed and approved for appraisal privileges.

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

G Perkins said the Rules Committee is focusing on rule revisions required as a result of Act 320. However, during this process, they are also creating a “wish list” of other rules changes desired. The goal is to have a completed draft of all rules and rule changes associated with Act 320 by the end of the November retreat, allowing the Board to review the review the first draft at the December Board meeting.

G Perkins addressed previous questions from the Board regarding specifying additional courses for Counselor Interns as part of the rule revisions. G Perkins stated that this would only be possible with a law change. G Perkins stated that the Board may wish to ask LCA for support to change this law. M Reynaud suggested that we define the Abnormal Psychology course in the rules. G Perkins said we could refine the definition of this course via rule revisions but we could not add hours in this area—which is the ultimate goal. G Perkins also stated that the Rules Committee would like to add CEU’s for LPC renewal, requiring CEU’s specific to diagnosis and ethics.

C Nardini asked the Rules Committee to consider further defining the list of serious mental illnesses in the rules, specifically defining the level of severity required for each type of illness to be considered serious. M Olsan questioned whether or not this would be possible within the rule writing process. G Perkins asked M Olsan to consult with S Adams regarding this question.

Marriage and Family Therapy Advisory Committee Report – M Reynaud

M Reynaud reported the Skype meeting planned by MFTAC to discuss MFT rule revisions was cancelled due to concerns over violating Open Meeting Laws. M Reynaud thanked K Green for providing an informal opinion about the letter drafted by S Adams with regard to Open Meeting Laws. M Reynaud asked the Board to review the letter from S Adams and provide feedback.

Committee on Correspondence – A Williams, M Olsan

M Olsan questioned the Board about what licensee information should be released to various entities, when requested. M Reynaud suggested that we only release information available on the LPC Board website. K Green agreed with M Reynaud and said we should only release the information licensees have expressly given us consent to share. D Dowling said we should charge a fee to provide information if staff spends

additional time to compile special reports for an entity. M Olsan will consult with S Adams about whether or not we can accept payment for these types of requests. G Perkins stated that sharing information with LAMFT and LCA is very important. A Williams asked what information could be posted on the website. D Dowling suggested revising applications to allow licensees to specify what information may be made public.

M Olsan presented a letter from Reach Inc. Comprehensive Mental Clinic. The letter requested the Board consider other entities as pre-approved CEH providers. G Bockrath stated that NBCC approves providers. The Board agreed they would not change the rules to include additional pre-approved CEH providers at this time.

M Olsan presented a letter from The Guidance Center regarding whether or not an LPC may diagnose and treat individuals with serious mental illnesses who are clients of an agency where "services are provided with the oversight of a licensed psychiatrist". The letter also stated that "all recipients of service are evaluated by a psychiatrist as part of the enrollment process and have routine contact with a psychiatrist throughout treatment". A Allen and G Bockrath answered affirmatively to aforementioned inquiry, based on the information submitted. L Choate asked why a LPC would provide a diagnosis if the person has already seen a psychiatrist. G Perkins said the inquirer should refer to Act 320 and stated that a person with a serious mental illness, under the active care of a person licensed by the State Board of Medical Examiners, may be assessed, diagnosed, and treated by a LPC.

M Olsan stated the Board office has received multiple inquiries from LPC's with appraisal privileges asking if they could use a special designation to identify themselves as having appraisal privileges. G Perkins stated that she did not believe we needed another acronym. L Choate states that the meaning of this topic is already unclear to the public and that we do not want to mislead the public with more acronyms. D Dowling agreed with L Choate. G Perkins stated that a person could list appraisal privileges as an "Area of Specialty" on their Declaration Statement of Practices and Procedures but not as part of marketing materials for their practice. D Dowling suggested this topic be an article in the next newsletter.

The Board reviewed the letter from S Adams regarding Open Meeting Law concerns. K Green said the public should be allowed to participate in all deliberations which apply to them. K Green said that if the Board is acting on a finished product, then the meeting must be open to the public. K Green also stated the Board needed a public records exception included as part of the Board's law. M Olsan will ask S Adams to clarify his letter at the December meeting.

M Olsan presented a letter to the Department of Justice requesting an Attorney General's opinion regarding the scope of practice of LMFT's for Board review.

Public Comments

C Nardini asked M Olsan to draft a formal explanation of the need for a fee increase for use by the Louisiana Counseling Association.

Committee on Personnel – D Dowling

D Dowling stated that he had met the new administrative assistant, Raelene McCarthy and liked her. D Dowling stated the M Olsan has authority to make any personnel changes as she sees fit.

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

D Dowling reported that the Budget Committee had not had an opportunity to meet but that he and M Olsan discussed changes to the FY 11/12 and 12/13 budgets.

Financial Report – M Olsan

M Olsan presented the October 2011 financial report. G Bockrath motioned to approve the financial reports. All approved; no abstentions.

FY 11/12 and 12/13 Budget Review – M Olsan

M Olsan presented the amendments to the FY 11/12 budget and the proposed FY 12/13 budget. D Dowling suggested the FY 11/12 budget be further amended to include M Olsan's attendance at the AASCB Conference in January. G Perkins motioned for M Olsan to attend the AASCB and AAMFT conferences in 2012 and to amend the budgets appropriately. F Selby seconded. All approved; no abstentions.

Executive Session: Executive Director Report – M Olsan

M Olsan presented the Executive Director report.

LAMFT Liaison Report – F Selby

F Selby reported that he attended a LAMFT conference call and emphasized the need for LAMFT to support a fee increase for the Board. F Selby also reported to LAMFT that MFTAC will finish MFT rule revisions by December of 2011.

LCA Liaison Report – E Cowger

No report.

New Business

The next Board meeting is December 16th, 2011 at the Board office.

Closing

G Perkins motioned to adjourn the meeting at 4:31 PM. E Cowger seconded. All approved; no abstentions.

Respectfully Submitted by
Mary Alice Olsan
Executive Director