

VIRGINIA BOARD OF COUNSELING**BYLAWS****ARTICLE I: AUTHORIZATION**

Statutory Authorization

The Virginia Board of Counseling is established and operates pursuant to §54.1-2400 and §54.1-3500 through §54.1-3626 of the Code of Virginia. Regulations promulgated by the Virginia Board of Counseling may be found in “Regulations Governing the Practice of Professional Counseling,” 18 VAC 115-20-10, “Regulations Governing the Practice of Marriage and Family Therapy,” 18 VAC 115-50-10, “Regulations Governing the Practice of Substance Abuse Treatment Practitioners”, 18 VAC 115-60-10, “Regulations Governing the Certification of Substance Abuse Counselors and Substance Abuse Counseling Assistants”, 18 VAC 115-30-10, “Regulations Governing the Certification of Rehabilitation Providers”, 18 VAC 115-40-10.”

Duties

The Virginia Board of Counseling is charged with promulgating and enforcing regulations governing the practice of professional counseling, marriage and family therapy and substance abuse professionals, as well as the certification of substance abuse counselors and rehabilitation providers in the Commonwealth of Virginia. This includes, but is not limited to: setting fees; creating requirements for licensure and certification; issuing licenses for practice; setting standards of practice; and creating and implementing a system of disciplinary action.

ARTICLE II: THE BOARD

The membership of the Board shall consist of 14 members, appointed by the Governor as follows: eight licensed professional counselors, two marriage and family therapists, two licensed substance abuse treatment practitioners, and two citizen members pursuant to §54.1-3503.

Officers of the Board

- A. The Chair or his/her designee shall preserve order and conduct all proceedings according to parliamentary rules and the Administrative Process Act, and demand conformity thereto on the part of the members. Except where specifically provided otherwise by the law, or as otherwise ordered by the Board, the Chair shall appoint all committees, and shall sign his/her name as Chair to the certificates authorized to be signed by the Chair. The Chair shall make decisions on behalf of the Board in matters of urgency. The Chair, upon receipt of information regarding a possible summary suspension, shall be authorized to determine whether to convene teleconference calls to consider a possible summary suspension. The Chair may appoint Ad Hoc Committees as deemed necessary.
- B. The Vice Chair shall act as Chair in the absence of the Chair and assume the duties of Chair in the event of an unexpired term.

ARTICLE III: ELECTION OF OFFICERS

Election of Officers

- A. Persons shall be nominated at a meeting of the Board with a quorum present. A simple majority shall prevail with the Chair casting a vote only to break a tie. Voting shall be by voice vote unless otherwise decided by a vote of the members present. Special elections shall be held to fill unexpired terms at the subsequent full meeting of the Board following the occurrence of an office being vacated.
- B. Election of officers shall occur at a Board meeting scheduled by the Board.

Term of Office

All officers of the Board shall serve terms of two years.

Frequency of Meetings

The full Board shall meet at least three times a year.

Order of Business Meetings

Period of Public Comment

Approval of minutes of preceding regular Board meeting and any called meeting since the last regular meeting of the Board

Reports of Chair and staff

Reports of Committees

- Regulatory Committee
- Discipline Committee
- Credentials Committee
- Public Relations Committee
- Board of Health Professions
- Executive Committee
- Continuing Education Committee

Election of Officers (As Needed)

Unfinished Business

New Business

The order of business may be changed at the discretion of the Chair.

ARTICLE V: COMMITTEES

Members appointed to a committee shall faithfully perform the duties assigned to the committee. The standing committees of the Board shall consist of the following:

Executive Committee
Regulatory Committee
Credentials Committee
Discipline Committee
Public Relations Committee
Continuing Education Committee

Members of the Board of Counseling holding a voting office in any related professional association or one that takes a policy position on the regulations in the Commonwealth of Virginia while serving on this Board shall abstain from voting on issues where there may be a conflict of interest present.

All standing committees shall meet as necessary as determined by the Chair of the committee.

- A. **Executive Committee.** The Executive Committee shall consist of the Chair, Vice Chair, the Board's representative to the Board of Health Professions, and the immediate past Chair. The Executive Committee shall serve as a nominating committee for Board elections. The Chair of the Board shall serve as Chair of the Executive Committee.
- B. **Regulatory Committee.** The Regulatory Committee shall monitor, coordinate and make recommendations to the Board on all matters regarding the nature and limits of practice, and the role and function of professions regulated by the Board. The Committee shall review all regulations and make recommendations to the Board regarding the need for changes or modifications, including additions and deletions. The Committee shall monitor, coordinate and make recommendations to the Board on matters regarding the supervision of applicants for licensure and certification. The Committee shall consider all questions bearing upon State and Federal legislation and regulations. The Committee shall recommend changes in the law and regulations as it may deem advisable and, at the direction of the Board, shall take such steps as may further the desire of the Board in matters of legislation and regulations, including cooperation and coordination with appropriate professional organizations, institutions and individuals.
- C. **Credentials Committee.** The Credentials Committee shall consist of Board members appointed by the Chair of the Board. The Committee shall review and act on applicants' credentials for licensure in exceptional and problematic situations. The Credentials Committee shall be authorized to make decisions on behalf of the Board.
- D. **Discipline Committee.** The Discipline Committee shall consist of members of the Board appointed by the Chair of the Board. The Discipline Committee shall consider all complaints that are brought to the attention of the Board by the Executive Director and the Enforcement Division of the Department of Health Professions. The Chair of the Discipline Committee will report decisions and make recommendations to the full Board regarding complaints concerning the practice of individuals regulated by the Board. The Discipline Committee will also review

policy and/or procedural changes regarding disciplinary actions, and the Chair of the Discipline Committee will then make the appropriate recommendations to the full Board.

- E. **Public Relations Committee**. The Public Relations Committee shall consist of members of the Board appointed by the Chair of the Board and shall monitor, review and prepare information regarding activities of the Board which may be of interest to licensees, certificate holders, and the general public. The Committee shall publish annually not less than one informational mailing which shall be sent to all licensees, certificate holders and supervisees of the Board. The Chair of the Committee shall serve as Editor of the newsletter.
- F. **Continuing Education Committee**: The Continuing Education Committee shall consist of Board members appointed by the Chair of the Board, with the Chair of the Continuing Education Committee appointed by the Chair of the Board. The Committee shall review documentation of continuing education to fulfill the renewal requirements of the Board. The Continuing Education Committee shall also review policy and/or procedures regarding the continuing education process, and will make decisions on behalf of the Board requiring continuing education compliance.

ARTICLE VI: AMENDMENTS

Amendments to these bylaws shall be proposed by presenting the amendments in writing to all Board members, the Executive Director of the Board, and the Board's legal counsel prior to any scheduled Board meeting. Amendments to the bylaws shall become effective with a majority vote, in favor of the amendment, of the quorum of the Board present at that meeting.

ADOPTED: 06/03/2005