

DRAFT
BOARD OF COUNSELING
QUARTERLY BOARD MEETING
Friday, August 17, 2012

TIME & PLACE: The meeting was called to order at 9:11 a.m. on Friday, August 17, 2012, in Board Room 2 at the Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia. Because a quorum of the Board could not be established, the Board would receive comments and reports, but no decisions would be rendered that day.

PRESIDING: John Penn Turner, Chair

MEMBERS PRESENT: Johnston Brendel, Ed.D., LPC, LMFT
Sandra Malawer, LPC, LMFT
Charlotte Markva, LPC, LMFT, CSAC
Charles McAdams, III, Ed.D., LPC, LMFT
Patricia Mullen, LPC
William Scott, Ph.D., LPC, LMFT
John Penn Turner, LPC, LSATP

MEMBERS ABSENT: Zena Bowen, LPC, LMFT, MAC, ATR-BC
Donnie Conner, Ph.D., LPC, LMFT
Michael Fletcher
Catherine Shwaery
Linda Seeman, Ph.D., LPC, LMFT
Terry Tinsley, Ph.D., LPC, LMFT

STAFF PRESENT: Sharon Bowles, Administrative Assistant
Howard Casway, Senior Assistant Attorney General
Catherine Chappell, Executive Director
Jennifer Lang, Administrative Assistant
Patricia Larimer, Deputy Executive Director-Discipline
Arne Owens, Agency Chief Deputy
Elaine Yeatts, DHP Senior Policy Analyst

ORDERING OF AGENDA: Ms. Chappell asked that the Credentials Committee present their recommendations to the Board immediately following public comment. The agenda was accepted as amended.

PUBLIC COMMENTS: *Eustace Stapler.* Mr. Stapler expressed his concern about the process to accept his pending LPC application.

Michael Greelis. Mr. Greelis expressed his support for the application of his resident, Eustace Stapler.

Hunter Jamerson. Mr. Jamerson, attorney for Patrick Ryan and Katharine Ryan, LPC applicants for registration of supervision, addressed the Board regarding his clients' educational preparation and their desire to provide counseling services to the citizens of the Commonwealth of Virginia.

**CREDENTIALS
COMMITTEE
RECOMMENDATIONS:**

Closed Session. Ms. Mullen moved that the Board of Counseling convene in closed meeting pursuant to Section 2.2-3711(4) in accordance with Section 2.2-3704(A) and 54.1-108 of the Code of Virginia in order to discuss applications for licensure. She moved that Sharon Bowles, Howard Casway, Catherine Chappell, Jennifer Lang, Patricia Larimer, Arne Owens, and Elaine Yeatts attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its consideration of the matters.

Open Session. Ms. Mullen moved that pursuant to Section 2.2-3712 of the Code of Virginia, that the Board heard, discussed or considered only those public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act and only such public business matters identified in the original motion.

Recommendations from the Credentials Committee would be reported by Dr. Brendel during committee reports.

**CHIEF DEPUTY'S
REPORT:**

Mr. Owens reported on behalf of Dr. Cane and advised that new board member training would be available on September 28, 2012. Board appointments were ongoing.

**CREDENTIALS
COMMITTEE REPORT:**

Dr. Brendel reported that the Credentials Committee had met with Agency staff and representatives from the Attorney General's Office three (3) times since the last Board meeting and offered the following recommendations:

- I. The Credentials Committee recommended to the Board that it ratify all current applicants who received a letter of approval for registration of supervision and approval of education programs, but they must be advised of any of the thirteen (13) core areas of coursework, pursuant to 18VAC115-20-51, which must be completed before they are eligible to sit for the licensure examination. They may continue to work under supervision while

they complete their remaining coursework. Applicants should be advised of the importance of compliance with 18VAC115-20-52(B)(10).

2. The Credentials Committee recommended to the Board that it approve for supervision any individual who has submitted an application for registration of supervision and holds a graduate degree in a program approved by the Board since April 12, 2000. The thirteen (13) core areas of coursework, pursuant to 18VAC115-20-51, must be completed before they are eligible to sit for the licensure examination. Applicants should be advised of the importance of compliance with 18VAC115-20-52(B)(10).
3. The Credentials Committee recommended to the Board that applicants holding a graduate degree in a program approved by the Board since April 12, 2000, may apply to register supervision until July 1, 2013. The thirteen (13) core areas of coursework, pursuant to 18VAC115-20-51, must be completed before they are eligible to sit for the licensure examination. Applicants should be advised of the importance of compliance with 18VAC115-20-52(B)(10). After that date, the Board will no longer accept applications from individuals holding degrees which are not in compliance with 18VAC115-20-49(B)(1)-(3).

LEGISLATIVE UPDATE:

Ms. Yeatts presented draft legislation to amend the definition of Counseling and to clarify licensure requirements. She advised that the Board had previously considered draft legislation that included a proposed Resident License, but because public comment did not support the additional licensure, the concept had been removed from the proposal. An enactment clause had been added to the legislation to allow individuals who were approved to begin supervision prior to the effective date of the changes to complete all coursework and supervised residency hours as required by the regulations by July 1, 2017.

EXECUTIVE DIRECTOR'S REPORT:

Ms. Chappell thanked the seven (7) board members in attendance for their dedication and support for the Board's activities. She emphasized the importance of board member participation in order to vote on board issues, yet recognized that several board seats had expired which had impacted the quorum for the day. She asked that the Board members consider dates for rescheduling the meeting as soon as possible.

Board Member Appointments. Terms had expired for Dr. Conner, Dr. Seeman, and Ms. Shwaery, and one open seat had been vacated for several years. New appointments by the Governor's office were forthcoming. The Board would honor the three (3) expired board members at a future meeting and present a recognition plaque to each for their participation.

Licensing Activity. She reported that during the last quarter, ending June 30, 2012, the Board was responsible for 6201 licensees and over 3400 residents. Board staff received 119 new applications and 216 registration requests and issued 111 new licenses during the quarter. She thanked Jennifer Lang, Sharon Bowles, and Deborah Harris for their dedication to the busy board office.

Financial Status Update. Ms. Chappell distributed a report of the Board's finances for the past month in an effort to provide transparency and for Board member information. She noted that as of June 30, 2012, the Board's cash balance was sufficient. With annual licensure renewal, the Board is able to sustain itself.

NBCC Meeting. Ms. Chappell reported that she and Mr. Turner had attended the NBCC annual meeting in Greensboro, which had been fully funded by NBCC which sponsors the licensing examinations for LPC and CSAC. It was an opportunity to discuss national concerns and trends regarding the counseling profession with administrators and board members from other jurisdictions.

Meeting with Stakeholders. Ms. Chappell reported that she, Dr. Cane, and Ms. Yeatts had the opportunity to meet with stakeholders from both Counseling and Social Work to discuss issues relating to educational requirements and supervision. The Board and its stakeholders play essential roles in ensuring that appropriate mental health services are provided to citizens of the Commonwealth of Virginia.

**DEPUTY EXECUTIVE
DIRECTOR'S REPORT:**

With respect to disciplinary matters, Ms. Larimer reported that since the last Board meeting, 13 new disciplinary cases had been received. Staff closed 7 cases and currently was carrying 32 open cases. Nine (9) cases were being investigated by the Enforcement Division, with 21 cases at Board level to be reviewed for probable cause. One case was at the Administrative Proceedings Division level for preparation of an

informal conference notice. One case was scheduled for a formal hearing in November.

COMMITTEE REPORTS: Regulatory Committee. Dr. McAdams reported that review of the *Regulations Governing the Practice of Marriage and Family Therapists* was ongoing.

AdHoc Educational Summit. Dr. McAdams reminded the Board that the educational summit would be held on October 5, 2012 and that counselor education programs throughout Virginia had been invited to attend.

Board of Health Professions. Ms. Markva reported that the BHP was reviewing the scope of practice for pharmacists who intend to work in a team with physicians.

AdHoc Outreach Committee. Ms. Markva suggested that the Board postpone its outreach program to stakeholders until after the General Assembly session in 2013.

BOARD COUNSEL REPORT:

Howard Casway updated the Board on recent litigation:

- Verniecia Bell appealed her denial of supervision registration to the Prince William Circuit Court.

NEW BUSINESS:

Proposed Meeting Dates for 2013. Ms. Chappell suggested that the Board meet on February 15, May 17, August 16, November 15, 2013 for its quarterly meetings.

Rescheduled Meeting to Vote on Board Matters. The Board agreed that a meeting should be scheduled within the next 30 days in order to vote on pending board matters. The Board asked staff to poll board members for their availability and tentatively scheduled the next meeting for Friday, August 24, 2012, at 8:00 a.m.

OLD BUSINESS:

None.

ADJOURNMENT:

The meeting was adjourned at 11:30 a.m.

John Penn Turner, Chair

Catherine Chappell, Executive Director