

DRAFT
VIRGINIA BOARD OF COUNSELING MINUTES
NOVEMBER 5, 2004

TIME & PLACE: The meeting was called to order at 9:45 a.m. on November 5, 2004 in Board Room 3 at the Department Of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

PRESIDING: Janice F. McMillan, Ph.D., Chair

MEMBERS PRESENT: Mary Lou Argow
Abigail Barnes
Donnie G. Conner, Ph.D.
Kevin S. Doyle, Ed.D.
Alan W. Forrest, Ed.D.
Maurice Graham, D.Min.
Howard R. King, Ph.D.
Jack Knapp, D.D.
Linda K. Seeman, Ph.D.
Lynnette L. Shadoan
Natale A. Ward

MEMBERS ABSENT: Karen Rosen
Luke Torian

STAFF PRESENT: Evelyn B. Brown, Executive Director
Benjamin Foster, Deputy Executive Director
Elaine Yeatts, Senior Policy Analyst
Diana Pollick, Administrative Assistant
Howard Casway, Sr. Assistant Attorney General

GUESTS PRESENT: None

PUBLIC COMMENT: None

APPROVAL OF MINUTES: A motion was made to accept the minutes of the August 27, 2004 meeting, as amended, by Jack Knapp and seconded by Kevin Doyle. The motion passed unanimously.

CHAIR: Dr. McMillian shared with Board members that it is now mandatory for all Board members and staff to receive “Conflict of Interest” training. The first of such trainings would start at this Board meeting.

EXECUTIVE DIRECTOR: Ms. Brown gave a brief update of the newsletter currently being developed. Ms. Brown shared with the Board two letters of concern regarding the nine month time frame licensees were given to accrue Continuing Competency units

instead of twelve due to the hold up in receiving final approval to publish the regulations. Discussion followed. It was the consensus of the Board that adequate notice of the Continuing Education requirement had been given to licensees and that the time frame did not represent a hardship and that there is a provision for extension should a case by case decision for an extension be made by the Board.

10:00 – 11:10: “Conflict of Interest Training”: Emily Wingfield, AAG

11:10 – 11:30: Regulations for Delegation To An Agency Subordinate:
Elaine Yeatts

A brief history of the Regulations was given for new Board members. The proposed permanent language was presented and the process was explained. Discussion followed. A motion was made to accept the proposed language by Lou Argow and seconded by Howard King. The motion passed unanimously.

The Guidelines were also presented for adoption. Kevin Doyle made a motion to adopt the Delegation to an Agency Subordinate Guidelines and the motion was seconded by Mary Lou Argow. The motion passed unanimously.

COMMITTEE REPORTS:

- O Board of Health Professions: Natale Ward**
Case completion standards by quarter were reviewed. The Board Health Professions suggested overall improvement is needed across all Boards. The Board of Counseling, however, is in a very good position regarding case completions.
- **Regulatory Committee/Standards of Practice: Ben Foster**
The proposed regulations are being reviewed by the Department of Planning and Budget and the Board is now waiting for approval to publish. Mr. Foster also reported that the approval for publication regarding the portability NOIRA has been received.
- **Discipline Committee: Lynnette Shadoan**
Ms. Shadoan reported that there are 17 cases in investigation, 4 cases at Board level, 1 Informal Conference to be scheduled, 0 reinstatement/probation hearings, 5 cases dismissed with no action and 0 consent orders to be presented to the Board.

- **Newsletter Committee: Alan Forrest**
It was reported that the next issue of the newsletter will contain information about Continued Competency requirements, disciplinary action that has taken place since the last issue of the newsletter, and other items of interest. The target date to publish is early December.

11:30: Recess for Lunch

12:45: Reconvene

**COMMITTEE
REPORTS
CONTINUED:**

- O **Credentials Review Committee: Howard King**
Dr. King reported that seven files were reviewed. A request was made to form a committee to establish guidelines regarding attestation statements related to felonies and misdemeanors on applications for licensure. The committee members are Kevin Doyle, Howard King, Abigail Barnes, Natale Ward, Mary Lou Argow and Donnie Conner.

OLD BUSINESS: Dr. McMillan announced that she and Howard Casway will be presenters the at the AASCB Conference. Linda Seeman will be the Delegate.

NEW BUSINESS: Jack Knapp suggested that in the future those Board members who have completed their terms with the Board be recognized at the last Board meeting they will be attending rather than being invited back to receive acknowledgement for their service. The three Board members who recently left the Board will, however, be invited to the February meeting to be honored.

Ms. Brown shared a letter from the Virginia Association of Clinical Counselors requesting the Boards assistance in providing documentation that counselors are able to administer, interpret, and otherwise use psychological testing. Discussion followed. It was determined that the Board's ability to assist in this matter is limited. A response letter to the licensee will be prepared by Ms. Brown clarifying the Code of Virginia § 54.1-3500 defining "Counseling".

NEXT MEETING: February 17 & 18, 2005

ADJOURN: Jack Knapp made a motion to adjourn at 2:45 p.m. It was seconded by Abigail Barnes. The motion carried unanimously.

