

**DRAFT**

**Virginia Board of Counseling
Regulatory Committee Meeting Minutes
Friday, July 19, 2024, at 10:00 a.m.
9960 Mayland Drive, Henrico, VA 23233
Board Room 2**

- PRESIDING OFFICER:** Terry R. Tinsley, PhD, LPC, LMFT, CSOTP, Committee Chairperson
- BOARD MEMBERS PRESENT:** Nakeisha Gordon, LPC
Luanne Griffin, LPC
Maria Stransky, LPC, CSAC, CSOTP
Tiffinee Yancey, PhD, LPC
- BOARD STAFF PRESENT:** Latasha Austin, Licensing & Operations Supervisor
Shannon Brogan, Licensing Specialist
Sandie Cotman, Registration Program Coordinator
Jaime Hoyle, JD, Executive Director
Jennifer Lang, Deputy Executive Director- Discipline
Charlotte Lenart, Deputy Executive Director - Licensing
- DHP STAFF PRESENT:** Erin Barrett, JD, Director of Legislative and Regulatory Affairs, Department of Health Professions
Matthew Novak, Policy Analyst, Department of Health Professions
- PUBLIC ATTENDEES:** Ruth Ann Walker, Department of Behavioral Health & Developmental Services
Brandie Williams, Rappahannock Area Community Services Board
Julianne Tupp, Department of Behavioral Health & Developmental Services
Jennifer Fasion, Virginia Association of Community Services Boards
Kevin Headly, Germanna Community College
Jonathan Melloul, Sylvain Melloul International Hair Academy
Denise Konrad, Virginia Health Care Foundation
- CALL TO ORDER:** Dr. Tinsley called the Board Meeting to order at 10:00 a.m.
- ROLL CALL/ESTABLISHMENT OF A QUORUM:** An introduction was done of all Board members and staff. Five members of the Committee were present at roll call; therefore, a quorum was established.
- MISSION STATEMENT:** Dr. Tinsley read the mission statement of the Department of Health Professions, which was also the mission statement of the Board. Dr. Tinsley also read the emergency egress instructions.
- ADOPTION OF AGENDA:** The agenda was adopted as presented.
- APPROVAL OF MINUTES:** The Board reviewed the minutes from the last meeting held on July 14, 2023.
Motion: Dr. Yancey made a motion, which Ms. Gordon properly seconded, to approve the minutes from the July 14, 2023, meeting as presented. The motion passed unanimously.
- PUBLIC COMMENT:** No public comment was provided.
- NEW BUSINESS:**

- **Petition for Rulemaking**

Ms. Barrett reviewed and discussed a petition for rulemaking received to amend 18VAC115-20-52 to:

- ❖ Reduce the total required residency hours from 3,400 to 3,000;
- ❖ Reduce residency client contact hours from 2,000 to 1,500; and,
- ❖ Change supervision requirements from a minimum of 200 hours to a requirement for weekly supervision with no minimum.

76 public comments were received regarding the petition. 45 were clearly in support, or in support of two of the three requests. 19 were in opposition. 6 contained complex responses that were not easily categorized. 3 did not address the petition at all but suggested other requirements or commented on other aspects of the practice of counseling. Several comments were not counted in these numbers because the comments were duplicates or extensions of a previous commenter's earlier reply that was already counted.

Recommended Motion: Ms. Griffin made a motion, which Dr. Yancey properly seconded, to deny the petition because the changes requested would impact multiple other regulations and requirements which need to be reviewed as well. The recommendation passed unanimously.

Action Item: The Regulatory Committee would like to review the matter more in depth at a future meeting once more data has been gathered. Board staff will gather data on the multiple impacts to the regulations and the requirements.

- **Review of draft exempt regulatory changes pursuant to Senate Bill 403**

Ms. Barrett reviewed and discussed with the committee Senate Bill 403 from the 2024 General Assembly Session; the draft regulations from new professions of behavioral health technicians and behavioral health technician assistants; and the draft regulatory changes to QMHP regulations.

After review, the following additional changes were suggested to be made to the draft regulations from new professions of behavioral health technicians and behavioral health technician assistants:

1. Add current report from the National Practitioner Data Bank (NPDB) as a requirement for reinstatement under 18VAC115-90-100(B).
2. Add submit evidence of completion of 2 hours of continuing education in ethics for each year in which the registration has been inactive or lapsed, not to exceed 8 hours as a requirement under 18VAC115-90-100(B).

After review, the following additional changes were suggested to be made to the draft regulatory changes to QMHP regulations:

1. Add current report from the National Practitioner Data Bank (NPDB) as a requirement for reinstatement under 18VAC115-80-110(B).
2. Edit continuing education requirement language to read as: submit evidence of completion of 8 hours of continuing education for each year in which the registration has been inactive or lapsed, not to exceed 32 hours under 18VAC115-80-110(B).

Action Item: The remaining decisions to be made related to the number of didactic hours of training required for registration as a behavioral health technician, behavioral health technician assistant, or qualified mental health professional, and will be discussed at the full Board meeting on October 4, 2024. Board staff will provide information on the number of hours in existing programs as a guide.

The full Board will review these exempt regulatory changes at its meeting on October 4, 2024. The Board will vote to adopt the regulations at the meeting, following a public hearing on the changes.

- **Committee discussion of potential board-approved trainings pursuant to Senate Bill 403**

Action Item: After discussion, Board staff will gather and provide additional information to the entire board on the number of hours for existing programs and the any associated costs that will be discussed at the Board meeting on August 2, 2024.

NEXT MEETING DATES:

The next meeting is scheduled for Friday, October 18, 2024.

ADJOURNMENT:

Dr. Tinsley adjourned the July 19, 2024, meeting at 11:43 a.m.

Terry R. Tinsley, PhD, LPC, LMFT, CSOTP, Chairperson

Jaime Hoyle, JD, Executive Director

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