

**VIRGINIA BOARD OF COUNSELING
REGULATORY COMMITTEE
MEETING MINUTES
November 2, 2017**

TIME AND PLACE: A meeting of the Regulatory Committee (Committee) of the Virginia Board of Counseling (Board) convened on Thursday, November 2, 2017, at the Department of Health Professions (DHP), 9960 Mayland Drive, 2nd Floor, Board Room 1, Richmond, Virginia.

PRESIDING OFFICER: Johnston Brendel, Ed.D., LPC, LMFT, Chairperson

COMMITTEE MEMBERS PRESENT: Danielle Hunt, LPC
Vivian Sanchez-Jones, Citizen Member

COMMITTEE MEMBERS ABSENT: Kevin Doyle, Ed.D., LPC, LSATP
Holly Tracy, LPC, LMFT

STAFF PRESENT: Tracey Arrington-Edmonds, Licensing Specialist
Jaime Hoyle, J.D., Executive Director
Jennifer Lang, Deputy Executive Director
Charlotte Lenart, Licensing Manager
Elaine Yeatts, DHP Senior Policy Analyst

OTHERS PRESENT: Debra Riggs, National Association of Social Workers, Virginia Chapter (NASW-VA)
Kelly Fitzgerald, NASW-VA
Jamie Sacksteder, Virginia Department of Behavioral Health and Developmental Disabilities (DBHDS)
Ashley Harrell, Virginia Department of Medical Assistance Services (DMAS)
Representatives from New Y-CAPP
Representatives from Lynchburg Comprehensive Treatment Center
Representative from Magellan Health
Representative from St. Joseph Villa
Katie Hellebush, Virginia Association of Clinical Counselors
Representative from Virginia Association of Medication Assisted Recovery Programs (VAMARP)
John Salay, Virginia Association of Community Based Providers

ORDERING OF THE AGENDA: Dr. Brendel requested that the public comments be heard before the approval of the minutes. A motion was made to approve the revised agenda. The motion was seconded and passed unanimously.

APPROVAL OF THE MINUTES:

A motion was made by Ms. Hunt to approve the minutes of the July 21, 2017 meeting. The motion was seconded by Ms. Sanchez-Jones and passed unanimously.

PUBLIC COMMENT:

Mr. Salay requested the Committee address the following issues regarding the emergency qualified mental health professional (QMHP) regulations:

- Provide clarification as to the type of services a QMHP-A and QMHP-C can provide, and what experience is required for a QMHP-C to become a QMHP-A.
- Consider DBHDS's list of acceptable human services and related fields degrees for QMHP's or provide a guidance document of acceptable human services related degrees for QMHP's.
- Allow QMHP's that were granted a variance years ago to register as a QMHP through the grandfathering period.

Genevieve King representing Virginia Association of Medication Assisted Recovery Programs (VAMARP) spoke about the shortage of CSACs in Virginia, the issues surrounding CSAS credentialing and requested clarification on the requirements for obtaining the CSAC credential especially through the endorsement process.

OLD BUSINESS:

Petition for Rulemaking – Doctoral Internship and Practicum Hours: Ms. Yeatts informed the committee that the Notice of Intended Regulatory Action (NOIRA) was approved by the Governor, and the public comment period ended. The Board received three comments in favor of the regulation. Now the Regulatory Board needs to recommend that the full Board adopt the proposed regulation:

*18VAC115-20-52.B.7.
Supervised practicum and internship hours in a CACREP-
accredited doctoral counseling program may be accepted for up
to 900 hours of the residency requirement and up to 100 of the
required hours of supervision provided the supervisor holds a
current, unrestricted license as a professional counselor.*

A motion was made by Ms. Hunt to recommend the Board adopt the proposed regulations. The motion was seconded by Ms. Sanchez-Jones and passed unanimously.

Foreign degree discussion: The Committee Members agreed to discuss foreign degree requirements at the next scheduled meeting.

Review definition of required courses: The Committee agreed to discuss the required courses definitions at the next scheduled meeting.

NEW BUSINESS:

Discussion on QMHP

- **Degrees approved as human services and related fields:** The Committee reviewed DBHDS's list of acceptable human services related degrees for QMHP's to incorporate into a Guidance Document. A motion was made by Ms. Hunt to remove Pharmacy and Sociology from the list. The motion was seconded by Ms. Sanchez-Jones and passed unanimously.
- **Variations:** The Committee suggested the creation of a frequently asked questions (FAQs) document to address the DMAS September 1, 2010 QMHP variance requirements in regards to the current proposed QMHP regulations.

Discussion on draft joint guidance document on assessment titles and signatures: The Committee agreed to discuss the issue at the next scheduled meeting.

Affirmative criminal conviction reports: Currently applicants self-report criminal convictions, but it is not always reliable. The Committee discussed its grave concern and the need for requiring a Federal Criminal Background check and asked why the Board has not moved in that direction. Ms. Yeatts explained that additional staff, equipment and budget would be required in order to properly facilitate the duties of processing the criminal records reports. It would also require a Code change. Additionally, the Board would need to decide when to require the report. In the meantime, having staff request a state background check when an applicant self reports a criminal conviction, would be a step in the right direction. However, Board Counsel needs to be consulted and provide feedback before the Committee can make a decision. The Committee tabled this discussion to a future meeting.

CSAC endorsement requirements: Staff proposed that Guidance Document 115-1.9 be amended to specify that the credentials listed in the Guidance Document are only considered equivalent for endorsement purposes if they required an applicant to pass an exam.

A motion was made by Ms. Hunt to accept the proposed change(s) to the Guidance Document:

"For the purpose of meeting the requirement of Section 45, the Board has determined that the following national certifications are deemed substantially equivalent **with the verification of passing score on a national examination at the level for which the applicant holds certification.**"

The motion was seconded by Ms. Sanchez-Jones and passed unanimously.

CSAC-A supervisor requirements: Staff requested clarification on whether the Code of Virginia allows a CSAC to supervise a CSAC-A. The Committee Members agreed that the Code of Virginia allows LSATP, mental health professional licensed by the Department and CSAC to supervise CSAC-A experience toward certification. Individuals only holding a national certification would not qualify.

Supervisor requirements and standards of practice: The Committee agreed to discuss the topics at the next scheduled meeting when more member are in attendance.

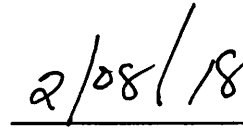
Periodic review discussion: A Notice of Intended Periodic Review would need to be adopted before the Board begins a Periodic Review. The Committee can address this issue at a future meeting since the Board initiated its most recent periodic review in 2014. Periodic Reviews should occur every four years.

NEXT SCHEDULED MEETING: February 8, 2018 at 1:00 p.m.

ADJOURNMENT: The meeting adjourned at 2:40 p.m.



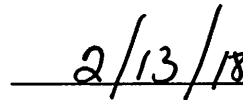
Johnston Brendel, Ed.D., LPC, LMFT
Chairperson



Date



Jaime Hoyle, JD
Executive Director



Date