

**BOARD OF COUNSELING  
DRAFT MINUTES  
QUARTERLY BOARD MEETING  
May 11, 2007**

**TIME & PLACE:** The meeting was called to order at 9:37 AM on May 11, 2007 in Board Room 1 at the Department of Health Professions, 6603 West Broad Street, 5<sup>th</sup> Floor, Richmond, Virginia.

**PRESIDING:** Kevin S. Doyle, Ed.D., Chair

**MEMBERS PRESENT:** Mary Lou Argow  
Donnie G. Conner, Ph.D.  
Kevin Doyle, Ed.D.  
Charles R. McAdams, Ed.D.  
Yvonne Ortega  
Vivian Sanchez-Jones  
William R. Scott, Ph.D.  
Linda K. Seeman, Ph.D.  
John Penn Turner

**MEMBERS ABSENT:** Philip Haber  
Karen Rosen, Ed.D.  
Luke Torian, D. Min.  
Natale Ward

**STAFF PRESENT:** Evelyn B. Brown, Executive Director  
Patricia Larimer, Deputy Executive Director  
Howard Casway, Sr. Assistant Attorney General  
Diana Pollick, Administrative Assistant  
Elaine Yeatts, Agency Policy Analyst

**ORDERING OF AGENDA:** Dr. Doyle opened the floor to any changes in the agenda. The agenda was accepted.

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**PUBLIC COMMENT:**

None

**APPROVAL OF  
MINUTES:**

A motion was made by Mary Lou Agrow to approve the minutes of the February 9, 2007 Board meeting. Yvonne Ortega seconded the motion which passed unanimously.

**CHAIR'S REPORT:**

Dr. Doyle announced that Dr. Stith and Luke Torian had resigned from the Board and thanked them for their service.

**EXECUTIVE  
DIRECTOR**

**EVELYN B. BROWN:** Ms. Brown reported that the renewal notices were sent out and that online renewal is being used by most licensees which does require a continued competency attestation. Ms. Brown further reported that an audit will be done after the Board moves to its new location which will be during the week of August 11-15, 2007.

**DEPUTY  
EXECUTIVE  
DIRECTOR:**

**PATRICIA LARIMER:** Reported as follows:  
**Presentation of the Consent Order for Gregory Briehl:**  
Dr. Seeman made a motion to go into Executive Session which was seconded by John Penn Turner and passed unanimously. Ms. Larimer then presented the Consent Order for Mr. Briehl. Howard Casway informed the Board of the options open to them concerning Mr. Briehl. Discussion followed. Dr. McAdams certified in a motion that the Board discussed only issues for which it convened in Closed Session. A vote was taken and passed unanimously. John Penn Turner made a motion for the Board to ratify the Consent Order as presented for Gregory Briehl. Lou Argow seconded the motion which passed unanimously.

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Presentation of the Consent Order for Lois Curry:  
Dr. McAdams moved that the Board go into Executive Session to deliberate. The motion was seconded by Mary Lou Argow and passed unanimously. Howard Casway informed the Board of the options open to them concerning Lois Curry. Discussion followed. Dr. McAdams certified in a motion that the Board discussed only issues for which it convened in closed session. A vote was taken and passed unanimously. John Penn Turner then motioned to ratify the Consent Order for Lois Curry as presented. Yvonne Ortega seconded the motion which passed unanimously.

**COMMITTEE  
REPORTS:**

**BOARD OF HEALTH PROFESSIONS: JOHN PENN  
TURNER**

Mr. Turner reported that the Department of Health Professions (DHP) Performance Measures were the primary focus of the Board of Health Professions (BHP) at this time and that statistical analyses for the Boards of Nursing, Dentistry, Medicine and Pharmacy were underway. Mr. Turner reported that there has been no update regarding guidelines for issues involving electronic health care for Boards to date. Mr. Turner noted that the tapes BHP viewed on the subject of mandatory reporting requirements for both children and adults at risk were to be viewed at this Board meeting and requested that they be on the August 10, 2007 agenda.

**REGULATORY COMMITTEE: KEVIN DOYLE**  
Dr. Doyle invited Howard Casway to discuss the Counseling Standards of Practice requirement to report known or suspected violations of licensees of other health professions. Mr. Casway informed the Board that at present if a counseling licensee becomes

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aware that someone might be harmed by a health profession licensee's misdeed he or she can report it or inform the client of the reporting process. Mr. Casway stated that this is consistent with statute. Discussion followed. Elaine Yeatts stated that it is better to make regulatory language consistent with the law. Suggested language was "Persons licensed by the Board shall inform their clients of their right to report to the Department of Health Professions." Dr. Doyle asked for a motion to accept this language. Dr. Seeman made a motion to accept with Yvonne Ortega seconding. The motion passed unanimously.

**CREDENTIALS COMMITTEE: DONNIE CONNER**  
**& MARY LOU ARGOW**

Dr. Conner reported that the Committee reviewed 13 applications with 1 being approved and 11 being denied. One applicant was requested to submit more documentation. One attestation was reviewed with the applicant being approved to proceed with the certification process.

Dr. Conner reported that the "descriptors" for core content areas listed in 18VAC115-20-51-A have been finalized.

Dr. Conner further reported that a discussion was held regarding what authority the Committee and/or Board has concerning the disapproval of supervisors who do not abide by the regulations relative to supervision. Howard Casway stated that the Board does not have the power to deny approval of specific supervisors since there are no regulatory provisions to designate "approved" supervisors. Discussion followed with a suggestion being made that the residents could be sent a letter stating the concerns of the Board with a courtesy copy sent to the supervisor.

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**DISCIPLINE COMMITTEE: LINDA SEEMAN**

Dr. Seeman reported that 19 complaints are in investigation, 2 cases are at Board level, 1 informal fact finding conference is to be scheduled, 1 informal fact finding conference has been held, 1 case is in APD for IFC notice, 6 Confidential Consent Agreements have been offered and 2 Consent Orders were presented to the Board for ratification.

**PUBLIC RELATIONS: PHILIP HABER**

Dr. Doyle reported that several articles have been submitted and that they have been forwarded to Betty Jolly, Deputy Director for Policy Education, for her review and approval. It was suggested that the discipline section of the newsletter state that more information is available on the website regarding disciplinary cases rather than only stating the disciplinary action taken. It was decided that a three fold notice will go out to licensees notifying them of the online newsletter as was done last year.

**NEW BUSINESS:**

**Election of Chairperson:** Dr. Doyle stated that it is the tradition of the Board to have the current Vice Chair move to the position of Chair. Dr. Doyle then nominated Linda Seeman and asked for other nominations. No other nominations were made. Dr. Doyle made a motion that Linda Seeman become the next Chair of the Board. Dr. Conner seconded the motion. The motion passed unanimously.

**Election of Vice Chairperson:** Dr. Doyle asked for nominations for Vice Chair. Dr. Donnie Conner was nominated. John Penn Turner moved to elect Dr. Conner as Vice Chair. The motion was seconded by Mary Lou Argow and passed unanimously.

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**Petition for Rule Making:** Evelyn Brown shared a letter sent by Tracy Bushkoff , Chair of the Northern Virginia Licensed Professional Counselors (NVLPC) requesting a Petition for Rulemaking regarding the language of 18VAC 115-20-52-B (9), specifically the issue of residents not being allowed to directly bill for services. The NVLPC is requesting that the language be changed to allow supervisees to direct bill with the supervisors name and license number also appearing on the bill. Elaine Yeatts stated that the administrative process for Petition for Rulemaking is that there be a publication of the Petition and allow for a 30 day comment period. May 23, 2007 is the next submission deadline for the June 11, 2007 Registry. Any comments must be responded to within 14 days which would mean that the Regulatory Committee would have to convene prior to their August 9, 2007 meeting to decide what action to take to the full Board.

**Carryover of Continued Competency Hours:** A discussion was held regarding the carry over of Continued Competency hours from one renewal period to the next. It was decided that this should be allowed and would go to the Continued Competency Committee for further study. Once determined it was suggested that this regulatory change be fast-tracked.

**Electronic/Cyber Counseling & Supervision:** Discussion took place regarding what other states are doing and what this Board may consider acceptable. It was suggested that a survey be done and presented to both the Regulatory and Credentials Committees prior to their August 9, 2007 meetings so that they can review the materials and prepare a report to present to the full Board at their August 10, 2007 meeting. It was also discussed that an Ad-Hoc Committee be formed inviting people with expertise in this area to attend. Dr. McAdams volunteered to begin the survey utilizing one or more students, with Dr. Wally Scott offering to assist.

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**OLD BUSINESS:           None**

**NEXT MEETING:       August 9 & 10, 2007**

**ADJOURN:               Mary Lou Argow made a motion to adjourn the meeting at 12:45 PM. The motion was seconded by John Penn Turner and passed unanimously.**