

**DRAFT**

Virginia Board of Counseling
Regulatory Committee Meeting Minutes
Friday, October 18, 2024, at 10:00 a.m.
9960 Mayland Drive, Henrico, VA 23233
Board Room 4

- PRESIDING OFFICER:** Maria Stransky, LPC, CSAC, CSOTP, Committee Chairperson
- BOARD MEMBERS PRESENT:** Terry R. Tinsley, PhD, LPC, LMFT, CSOTP
Tiffinee Yancey, PhD, LPC
- BOARD MEMBERS ABSENT:** Nakeisha Gordon, LPC
Luanne Griffin, LPC
- BOARD STAFF PRESENT:** Latasha Austin, Licensing & Operations Supervisor
Krystal Blanton, Discipline & Compliance Case Specialist
Jaime Hoyle, JD, Executive Director
Jennifer Lang, Deputy Executive Director- Discipline
Charlotte Lenart, Deputy Executive Director – Licensing
Dalyce Logan, Licensing Specialist
- DHP STAFF PRESENT:** Erin Barrett, JD, Director of Legislative and Regulatory Affairs, Department of Health Professions
Matthew Novak, Policy Analyst, Department of Health Professions *(left meeting at 10:44a.m.)*
Arnie Owens, Agency Director, Department of Health Professions *(left meeting at 11:04a.m.)*
- PUBLIC ATTENDEES:** Denise Konrad, Virginia Health Care Foundation *(left meeting at 11:57a.m.)*
- CALL TO ORDER:** Ms. Stransky called the Regulatory Committee Meeting to order at 10:03a.m.
- ROLL CALL/ESTABLISHMENT OF A QUORUM:** An introduction was done of all Committee members and staff. Three members of the Committee were present at roll call; therefore, a quorum was established.
- MISSION STATEMENT:** Ms. Stransky read the mission statement of the Department of Health Professions, which was also the mission statement of the Committee. Ms. Stransky also read the emergency egress instructions.
- ADOPTION OF AGENDA:** The meeting agenda was adopted as presented.
- APPROVAL OF MINUTES:** The Board reviewed the minutes from the last meeting held on July 19, 2024. Ms. Stransky made a correction to the last name of public attendee Juliann Tripp.
- Motion:** Ms. Stransky made a motion, which Dr. Yancey properly seconded, to approve the minutes from the July 19, 2024, meeting as amended. The motion passed unanimously.
- PUBLIC COMMENT:** No public comment was provided.
- NEW BUSINESS:**
- **Discussion of Licensed Residents in Counseling**
 - **Timeframe/Renewal of Resident Licensing**
- The Committee discussed the requirement for a resident by reviewing the time frame in which the resident must complete their supervised experience. The Committee had a

long discussion on the effects of changing the regulations to allow for residents to hold a resident license and be under a Board approved supervisor for an undetermined time. The Committee discussed how this change could affect the workforce and if the change would negatively affect the clients being served in the Commonwealth of Virginia.

○ ***Supervised Experience Hours***

The committee discussed the supervised experience hours for residents in comparison to other jurisdictions. Questions were raised on how many hours would be required for the Compact and how Virginia requirements would compare. After lengthy discussion the following motion was made;

Motion: Ms. Stransky made a motion, which Dr. Tinsley properly seconded, to recommend to the Board by Fast track action the following changes to the requirements for residents in counseling, marriage and family therapy and substance abuse treatment:

- Continue to require residents to complete at least 2,000 hours of face-to face client contact.
- Continue to require residents to complete a minimum of 200 hours of in-person supervision.
- Continue to require residents to complete the residency in not less than 21 months.
- Allow residents to place their license in inactive status.
- Simplify the regulations by eliminating the requirement for residents to complete 3,400 specific hours (face-to-face client contact plus ancillary hours).
- Eliminate the requirement for the resident to complete all residency hours within 4 years but require the resident to complete at least half of the face-to-face client contact hours and half of supervision hours within two years of applying for licensure.
- Eliminate the definition of ancillary hours.
- Eliminate the provision that allows excess graduate internship and doctoral internship/practicum to be counted toward licensure.
- Eliminate the provision that allows up to 20 hours from an internship supervised by an LPC to be counted toward licensure.
- Allow residents to renew their resident license more than 5 times.
- Eliminate the requirement to pass the examination within 6 years of issuance of the resident licensure and require passage before applying for licensure.
- Change renewal date for all residents to June 30th of each year.

The motion passed unanimously.

Ms. Lenart suggested that the Committee look at discussing how long the supervisor needs to keep documentation at a future meeting.

○ ***Billing***

The Committee discussed changing the regulation allowing residents to directly bill for services and directly receive payments from clients. The Committee reviewed billing requirements from other jurisdictions. The Committee agreed that residents should not be allowed to directly bill for services and that there was no need to amend the regulations.

● **Discussion /Comparison of Current Endorsement Requirements**

The Committee briefly discussed the endorsement requirements for LPCs and LSATPs. After discussion, it was determined that the Committee would further discuss the topic at a future meeting. Depending on what legislation is introduced during the General Assembly, the Board may potentially take an exempt action to change the endorsement requirements for LPCs and LSATPs to mirror the endorsement requirements for LMFTs.

- **Discussion of the use of Artificial Intelligence and the Board's Role**

The Committee discussed the use of ChatGPT and artificial intelligence in the profession and the need to develop guidelines and guidance that was briefly discussed by the Board at its last meeting on October 4, 2024. The Committee also discussed looking into having a disclaimer on the Board's website regarding the use.

Action Item: After discussion, Mr. Tinsley requested that Ms. Hoyle discuss the matter with Board Counsel to determine if the Board could issue a disclaimer on its website and what language would be appropriate. Ms. Hoyle would also gather information that is already being developed by other stakeholders regarding the uses of AI and bring the information from other entities and Board Counsel back to the next meeting scheduled for March 2025.

- **Discussion on Development of a Scope of Practice Chart**

The Committee reviewed Guidance Document 115-11, the Scopes of Practice for Persons Regulated by the Board to provide Substance Abuse Treatment to determine if there are any scopes or services that should be added or taken off or other terms that are missing.

Action Item: After discussion it was determined that the chart would be provided to DMAS to see if they have any changes they feel should be made to the chart and bring that information back to the committee for consideration. If committee members have any thoughts about changes to the chart they should email the information to Ms. Hoyle.

NEXT MEETING DATES:

The next meeting is scheduled for Friday, March 28, 2025.

ADJOURNMENT:

Ms. Stransky adjourned the October 18, 2024, meeting at 12:25 p.m.

Maria Stransky, LPC, CSAC, CSOTP, Committee Chairperson

Jaime Hoyle, JD, Executive Director