

April 15, 2022

Regulatory Committee Meeting Minutes

Virginia Board of Counseling



Virginia Department of
Health Professions
Board of Counseling

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Regulatory Committee Meeting Minutes
Friday, April 15, 2022 at 10:00 a.m.
9960 Mayland Drive, Henrico, VA 23233
Board Room 1

- CALL TO ORDER:** Ms. Tracy called the Regulatory Committee meeting to order at 10:07 a.m.
- PRESIDING OFFICER:** Holly Tracy, LPC, LMFT, Committee Chair
- COMMITTEE MEMBERS PRESENT:** Barry Alvarez, LMFT
Johnston Brendel, Ed.D, LPC, LMFT, Board Chair
Gerard Lawson, PhD, LPC, LSATP (*virtually from Salem, VA-Dr. Lawson was not in attendance due to responsibilities on campus for Virginia Tech's Day of Remembrance*)
Terry Tinsley, PhD, LPC, LMFT, CSOTP
- COMMITTEE MEMBERS ABSENT:** Vivian Sanchez-Jones, Citizen Member
- BOARD STAFF PRESENT:** Jaime Hoyle, J.D., Executive Director
Jennifer Lang, Deputy Executive Director- Discipline
Charlotte Lenart, Deputy Executive Director- Licensing (*virtually*)
Jared McDonough, Administrative Assistant
Leoni Wells, Executive Assistant
- DHP STAFF PRESENT:** Erin Barrett, Senior Policy Analyst, Regulatory Compliance Manager
- PUBLIC ATTENDEES/ COMMENTS:** Ms. Becky Bowers-Lanier
- ESTABLISHMENT OF A QUORUM/ROLL CALL:** Ms. Tracy requested a roll call by Ms. Hoyle. Ms. Hoyle announced that with four members present and one member virtual a quorum was established.
- MISSION STATEMENT:** Ms. Hoyle read the mission statement of the Department of Health Professions, which is also the mission statement of the Committee and Board.
- ADOPTION OF AGENDA:** Agenda was adopted as presented.
- APPROVAL OF MINUTES:** Meeting minutes from the Regulatory Committee Meeting held on May 14, 2021 were approved as written.
- PUBLIC COMMENT:** There were no public comments.

1 I. Consideration of Telehealth Guidance Documents

The Committee had a lengthy discussion on the changes needed to Guidance Document 115-1.4 Guidance on Technology-Assisted Counseling. Ms. Hoyle will send the Committee an email with the updated guidance document to ensure that staff captured all of the changes requested.

Motion: Dr. Brendel moved to recommend to the full Board to accept the updated guidance document on technology with changes. The motion was seconded and carried unanimously.

NEW BUSINESS:

I. Regulatory Report

Ms. Barrett updated the Board on the current regulatory actions. Ms. Barrett stated that the full Board will need to discuss the comments received from the period review of the regulations. The Board received 181 comments that were all related to the endorsement section of the regulations. Ms. Barrett suggested that the Board consider rewording the endorsement section of the regulations to make ensure that licensees understand that graduating from a CACREP accredited school is not a requirement for licensure by endorsement.

II. Review & Consideration of Guidance Documents

a. Discussion of Guidance Document 115-2 Impact of Criminal Convictions

The Committee and staff discussed recommended revisions to the guidance document related to criminal convictions.

Motion: Dr. Brendel moved to recommend to the full Board to reaffirm Guidance Document 115-2 with changes. The motion was seconded and carried unanimously.

b. Discussion of Guidance Document 115-2.1 Use of Hypnosis

The Committee discussed the need for a guidance document on the use of hypnosis.

Motion: Mr. Alvarez moved to recommend to the full Board to rescind Guidance Document 115-2.1. The motion was seconded and carried unanimously.

c. Discussion of Guidance Document 115-1.9 Certification Accepted for CSAC Endorsement

The Committee discussed no changes to the Certification Accepted for CSAC Endorsement Guidance Document.

Motion: Dr. Tinsley moved to recommend to the full Board to reaffirm Guidance Document 115-1.9. The motion was seconded and carried unanimously.

d. Discussion of Guidance Document 115-4.1 Evidence of Clinical Practice for Licensure Endorsement.

The Committee reviewed the document and did not recommend any changes.

Motion: Dr. Tinsley moved to recommend to the full Board to reaffirm Guidance Document 115-4.1. The motion was seconded and carried unanimously.

e. Discussion of Guidance Document 115-8 Approved Degrees in Human Services for QMHP Registration

The Committee had a lengthy discussion about a revision to the Approved Degrees in Human Services for QMHP Registration Guidance Document. The Committee suggested that the Board have three approval categories for the QMHP-Trainee. (QMHP-A, QMHP-C and QMHP-A/QMHP-C). The Committee requested the guidance document be revised and prepared by the staff and discussed at the next Committee meeting.

f. Discussion of Guidance Document 115-4.11 Confidential Consent Agreement

The Committee reviewed the document and did not recommend any changes.

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Motion: Mr. Alvarez moved to recommend to the full Board to reaffirm Guidance Document 115-4.11. The motion was seconded and carried unanimously.

RECESS: The meeting recessed at 11:43p.m.

RECONVENTION: The meeting reconvened at 12:00p.m.

III. Discussion of Reinstatement for Licensed Resident

The Committee unanimously agreed not to have a lengthy discussion about the Reinstatement for Licensed Residents at this meeting.

Action Item: Reinstatement of licensed residents to discussed at the next Committee meeting.

IV. Discussion of the need for Active/Inactive Status for Licensed Residents

The Committee unanimously agreed not to discuss the need for active/inactive status for Licensed Residents at this meeting.

Action Item: Active/inactive status for residents will be discussed at the next Committee meeting.

V. Consideration of request for LMFT Reciprocity with Maryland

The Committee discussed in great details the request for LMFT Reciprocity with Maryland. The Committee thoroughly reviewed Maryland’s standards. After careful review it was determined that Maryland’s requirements are significantly lower than Virginia’s standards. Ms. Hoyle stated that she is scheduled to speak with the Executive Director in Maryland and will gather more information about Maryland’s requirements. The Board agreed to wait to make a decision on this issue once the Committee receives additional information from Ms. Hoyle.

Action Item: Consider LMFT Reciprocity with Maryland at the next Committee meeting.

NEXT MEETING:

Ms. Tracy announced that the next Regulatory Committee Meeting will occur on July 15, 2022 at 10:00am.

ADJOURNMENT:

Ms. Tracy adjourned the April 15, 2022 Regulatory Committee meeting at 12:38 p.m.

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7/18/2022
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Holly Tracy, LPC, LMFT, Committee Chair

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7/18/2022
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Jaime Hoyle, JD, Executive Director