



Virginia Board of Counseling
Full Board Meeting Minutes
Friday, January 20, 2023 at 10:00 a.m.
9960 Mayland Drive, Henrico, VA 23233
Board Room 4

- PRESIDING OFFICER:** Johnston Brendel, Ed.D., LPC, LMFT, Chairperson
- BOARD MEMBERS PRESENT:** Angela Charlton, Ph.D., LPC
Benjamin Allison, Esq., MBA, Citizen Member
Danielle Hunt, LPC, Vice-Chairperson
Gerard Lawson, Ph.D., LPC, LSATP
Matthew Scott, LMFT
Maria Stransky, LPC, CSAC, CSOTP
Natalie Franklin, LPC, LMFT
Tiffinee Yancey, Ph.D., LPC
Terry R. Tinsley, Ph.D., LPC, LMFT, CSOTP
- BOARD STAFF PRESENT:** Charlotte Lenart, Deputy Executive Director- Licensing
Jaime Hoyle, JD, Executive Director
Jennifer Lang, Deputy Executive Director
- DHP STAFF PRESENT:** Matthew Novak, Policy Analyst, Department of Health professions
- PUBLIC ATTENDEES:** Lisa Snider, Virginia Association of Community Services Board (VACSB), Mental Health Counsel
Alexis Aplasca, Chief Clinical Officer, Department of Behavioral Health & Developmental Services (DBHDS)
Rafaella Sale, Resident in Psychology, Center for Evidence-Based Partnerships
- CALL TO ORDER:** Dr. Brendel called the board meeting to order at 10:00 a.m.
- ROLL CALL/ESTABLISHMENT OF A QUORUM:** With ten members present at roll call, a quorum was established.
- MISSION STATEMENT:** Ms. Hoyle read the mission statement of the Department of Health Professions, which was also the mission statement of the Board.
- ADOPTION OF AGENDA:** Dr. Brendel requested that the Behavioral Health Workforce Discussion portion of the agenda be amended to allow for the representatives of VACB and DBHDS to provide their presentation first followed by information and statistics from Board staff and then move on to the Objectives and Key Results (OKRs) and Right Health Right Now discussion.
- MOTION:** Dr. Lawson moved, which was properly seconded, to amend the agenda as presented. The motion passed unanimously.
- PUBLIC COMMENT:** No public comment provided.

APPROVAL OF MINUTES: With small edits to the September 16, 2022 minutes, the minutes stand approved as presented.

AGENCY DIRECTOR REPORT: Ms. Hoyle indicated that Arne Owens, DHP Director and James Jenksins, Jr., DHP Chief Deputy were not in attendance because this meeting conflicted with their weekly meeting with the Governor's Office to discuss goals and initiatives for the administration. Ms. Hoyle stated that so far it has been an easy transition under the new Director. Mr. Owens was the Chief Deputy under the Bob McDonnell Administration, so he is familiar with the Agency.

BOARD CHAIR REPORT: Dr. Brendel stated that he felt optimistic about what is happening in the field and the recent Mental Health Access Improvement Act that will allow LPCs and LMFTs to be reimbursed by Medicare Part B as of January 1, 2024. Additionally, seventeen states have enacted the Counseling Compact and another eleven states have legislation pending and Virginia is one of those states.

Dr. Brendel stated that staff continues to be productive and hardworking.

Board member Bev Freda Jackson, Citizen member recently took new job which resulted in her needing to resign from the Board.

Dr. Brendel recognized Ms. Hunt and Ms. Stansky for their significant contributions to the Board with their role on the Special Conference Committee and acting as Agency Subordinates for the Board.

Dr. Lawson, Ms. Hunt and Ms. Lenart will attend the American Association of State Counseling Boards (AASCB) in February. Dr. Lawson will be running for the AASCB Office of Treasure.

Dr. Brendel and Dr. Lawson have been working with staff to put together a Regulatory Advisory Panel (RAP) meeting in March.

NEW BUSINESS

Behavioral Health Workforce Discussion

Behavioral Health Programs and Workforces – Alexis Aplasca, Chief Clinical Officer, Deputy Commissioner for Clinical and Quality Management at DBHDS

Dr. Aplasca provided a presentation and answered Board questions on the behavioral health workforce in Virginia. (*Attachment A*)

The Needs of the Community Services Board – Lisa Snider, VACB, Mental Health Counsel

Ms. Snider provided a presentation and answered Board questions related to the workforce needs in Virginia. (*Attachment B*)

Ms. Lenart gave the Board statistical information related to the Qualified Mental Health Professionals (QMHP) applications received, approved and denied. (*Attachment C*)

Dr. Brendel discussed the issues with reviewing individual human service coursework for QMHPs. He stated that the review of the coursework is a subjective process. Ms. Hunt stated that even the Special Conference Committee members

don't always agree which courses meeting the criteria but the appeal process allows the applicant the ability to give more information on how the course content prepared them to provide QMHP type services to clients. The critical issue is substantiating *Qualified*.

Ms. Lang provided details on the complaints received and disciplinary actions (violations) taken against QMHPs. She indicated that most of the violations were in the areas of fraud (billing and recordkeeping) and inappropriate relationships. (*Attachment D*)

Dr. Brendel indicated that the presentation and information from staff was to provide context to Board members before the Board considers actions on the petition for rule making filed by the Virginia Association of Community Services Board (VACB).

The Board took a break at 11:50 p.m. The meeting reconvened at 12.10 p.m.

Discussion on the Department of Health Professions, Technology Business Solution, Initiatives, Processes and Capabilities – Charlotte Lenart, Deputy Executive Director

Ms. Lenart indicated that the Board of Counseling recently initiated the use of BOTs to send standardized emails. A BOT is a software program that performs repetitive tasks. The BOT emails send an initial email once an application is received, after new documentation is received or after 30 days, and after the applicant has been approved by the Board. Ms. Lenart indicated that this new process has helped enhance the communication with applicants and reduces the time it takes staff to process an application.

Ms. Lenart also talked about new technology coming soon that will allow applicants to upload their documentation during the online application process.

Ms. Hoyle stated that at Dr. Brendel's request she shared the Florida website with Rob Jenkins, Director of Technology & Business Solutions, Initiatives, Processes and Capabilities. She stated that we have a lot more flexibility that we did in the past. Mr. Jenkins will hopefully be able to attend the next meeting to give more updates on DHP's IT initiatives.

Objectives and Key Results (OKRS) – Jaime Hoyle, Executive Director

The Administration is targeting for the Agency to reduce time to license by 10% to 25%. Ms. Hoyle indicated that this reduction requirement has prompted staff to re-evaluate our processes.

Right Help Right Now – Jaime Hoyle, Executive Director and James Jenkins, Chief Deputy Director

Ms. Hoyle indicated that DHP is involved in the Governor's three-year plan to transform Virginia's Behavioral system. Ms. Hoyle and Mr. Jenkins serve as co-leads on the Pillar 5 - Behavioral Workforce Committee.

LEGISLATION & REGULATORY Ms. Hoyle indicated that there was not much to share other than the counseling compact legislation which appears to be moving forward. Ms. Hoyle also indicated that the DHP submitted a bill to the General Assembly to authorize the DHP to use Agency Subordinates to review credential cases. Currently, Agency Subordinates

are only able to review discipline cases.

**EXECUTIVE DIRECTOR'S
REPORT:**

Ms. Hoyle reported on the budget for the board. A copy of the financial report was included in the agenda packet.

DISCIPLINE REPORT:

Ms. Lang reported on the disciplinary statistics for the Board of Counseling from September 1, 2022 through December 31, 2022. A copy of the report was included in the agenda packet. She noted that Dr. McAdams, discipline reviewer, reviewed 229 cases last year. Ms. Lang reported that staff completed the CE audit for the previous renewal period which included 173 individuals licensed, certified, or registered with the Board. Cases of noncompliance with renewal requirements will be processed in accordance with the board's Guidance Document 115-1.1

LICENSING REPORT:

Ms. Lenart discussed the licensure statistics, and satisfaction survey report as presented in the agenda packet. Ms. Lenart thanked her staff for their dedication and service to the Board.

**CONSIDERATION OF
RECOMMENDED DECISIONS
FROM THE AGENCY
SUBORDINATE**

(Attachment E)

NEXT MEETING DATES:

Dr. Brendel announced that the next Board meeting would occur on May 5, 2023.

ADJOURNMENT:

Dr. Brendel adjourned the January 20, 2023 Board meeting at 1:36 p.m.

DocuSigned by:

John Brendel

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

DocuSigned by:

Jaime Hoyle

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Jaime Hoyle, JD, Executive Director

Attachment E

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

BOARD MEMBERS PRESENT:

Johnston Brendel, Ed.D. LPC, LMFT, Chairperson
Danielle Hunt, LPC, Vice-Chairperson
Benjamin Allison, Citizen Member
Angela Charlton, Ph.D., LPC
Natalie Franklin, LPC, LMFT
Bev-Freda Jackson, Ph.D., Citizen Member
Gerard Lawson, Ph.D., LPC, LSATP
Matthew Scott, LMFT
Terry Tinsley, Ph.D., LPC, LMFT, CSOTP
Tiffinee Yancey, Ph.D., LPC

CLOSED MEETING:

Mr. Allison moved that the Board of Counseling convene in closed session pursuant to §2.2-3711(A)(27) of the *Code of Virginia* to consider agency subordinate recommendations. He further moved that Jaime Hoyle, Jennifer Lang, and Charlotte Lenart attend the closed meeting because their presence was deemed necessary and would aid the Board in its considerations. The motion was seconded and passed unanimously.

RECONVENE:

Mr. Allison certified that pursuant to §2.2-3712 of the *Code of Virginia*, the Board of Counseling heard, discussed or considered only those public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as identified in the original motion.

RECOMMENDATIONS:

Catherine Wright, LPC

License No.: 0701006749

Case Nos.: 196935 and 201612

Catherine Wright was not present at the board meeting. The board considered the agency subordinate's recommendation to indefinitely suspend Ms. Wright's license to practice as a professional counselor in the Commonwealth of Virginia.

Laurel Martin, LPC, LMFT

License Nos.: 0701001722 and 0717000049

Case No.: 201265

Laurel Martin was not present at the board meeting. The board considered the agency subordinate's recommendation to place no sanction on Ms. Martin's licenses to practice as a professional counselor and a marriage and family therapist in the Commonwealth of Virginia.

DECISION:

Dr. Lawson moved that the Board of Counseling accept the recommended decisions of the agency subordinate as presented. The motion was seconded by Dr. Yancey and passed unanimously.