

**BOARD OF COUNSELING
DRAFT MINUTES
QUARTERLY BOARD MEETING
August 10, 2007**

TIME & PLACE: The meeting was called to order at 9:45 AM on August 10, 2007 in Board Room 1 at the Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

PRESIDING: Linda Seeman, Ph.D., Chair

MEMBERS PRESENT: Mary Lou Argow
Donnie G. Conner, Ph.D.
Kevin Doyle, Ed.D.
Philip Haber
Nan Harris
Sandra Malawer
Vivian Sanchez-Jones
William R. Scott, Ph.D.
Linda K. Seeman, Ph.D.
John Penn Turner

MEMBERS ABSENT: Charles McAdams, Ed.D.
Yvonne Ortega
Natale Ward

STAFF PRESENT: Sandra W. Ryals, Director, DHP
Evelyn B. Brown, Executive Director
Patricia Larimer, Deputy Executive Director
Diana Pollick, Administrative Assistant

WELCOMING OF NEW MEMBERS: Dr. Seeman welcomed two new Board members: Nan Harris, Citizen Member; Sandra Malawer, MFT; and acknowledged Eric McCollum, Ph.D. from Virginia Tech who was unable to attend the meeting.

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

PUBLIC COMMENT:

Allen Lewis, VCU Department of Rehabilitation Counseling, Associate Professor & Vice Chair stated that VCU intends to have more of a presence at Board meetings and referenced his attendance at the Regulatory Committee meeting on Thursday, August 9, 2007 to express VCU's Rehabilitation Counseling Department's position on the proposed changes to the regulations to remove "CORE" as an accrediting program to prepare individuals to practice counseling.

APPROVAL OF MINUTES:

A motion was made by Mary Lou Agrow to approve the minutes of the May 11, 2007 Board meeting with corrections as noted. John Penn Turner seconded the motion which passed unanimously.

CHAIR'S REPORT:

Dr. Seeman announced that Dr. Rosen would be unable to fill her second term with the Board. A plaque will be sent to her in recognition of her dedicated service.

DIRECTORS REPORT:

SANDRA W. RYALS, DIRECTOR, DHP
Ms. Ryals explained Governor Kaine's Performance Expectations for DHP. She reviewed the Key Performance Measures for the Agency and the Board of Counseling. The Board has high performance standards in most areas, but all Boards need improvement in the area of closing health related disciplinary cases within the Governor's time frame. Discussion followed regarding ways to improve the closure statistics for the Board.

EXECUTIVE DIRECTOR

EVELYN B. BROWN: Ms. Brown presented the Board with a request for delegation of authority to Board staff to close non-jurisdictional cases, and cases that clearly do not constitute a violation of the Standards of the Board of Counseling. This would assist the Board in meeting the performance standards

regarding disciplinary cases. Discussion followed concerning the delegation of authority. Dr. Doyle moved to delegate authority to the Executive Director, Evelyn Brown, to close non-jurisdictional cases, and cases that clearly do not constitute a violation of the standards of the Board of Counseling and that Ms. Brown report disciplinary closure action. Dr. Conner seconded the motion which passed unanimously. Ms. Ryals and Ms. Brown assured that Board that this could be revisited at any point the Board felt the need to.

Ms. Brown updated the information regarding DHP's move to the Perimeter Center.

Ms. Brown further reported that the 2007 CE audit would not be performed until after the move and the formation of a new CE Committee.

COMMITTEE REPORTS:

Board of Health Professions: John Penn Turner

Mr. Turner stated he would give a presentation on "Duty to Report" for both senior citizens and children during the Board's lunch break.

Regulatory Committee: Kevin Doyle

Dr. Doyle reported that the Public Hearing for portability, supervision and requirements for supervisors of LPC's, MFT's and LSATP's had many people in attendance as well as a high number of emails submitted in opposition to removing "CORE" from 18 VAC115-20-52 – "Residency Requirements". A letter from the American Counseling Association was also presented in opposition. Those present in opposition to the proposed regulatory change were: Becky Bowers-Lanier representing the Virginia Counseling Association, Anne Allen and Allen Lewis representing

the VCU Department of Rehabilitation Counseling Shannon Hamm, graduate of VCU's Rehabilitation program, and Jim Rothrock, Commissioner of the Department of Rehabilitation Services and adjunct professor at VCU.

Dr. Doyle reported that the Regulatory Committee concurs that "CORE" remain in the regulations and that the Regulatory Committee approves the proposed regulations with that condition.

Dr. Doyle reported that the Public Comment period would close on August 10, 2007 at 5:00 pm and that no action was needed at this time.

Dr. Doyle also reported that the Regulatory Committee voted unanimously to accept the proposed regulations for MFT supervision and licensure by endorsement.

Dr. Doyle further reported that the Regulatory Committee denied the request by Tracy Bushkoff for the Northern Virginia Licensed Professional Counselor to amend the regulations to allow a resident practicing under supervision to bill directly for services rendered. Dr. Doyle then moved that the Board accept the recommendation of the Regulatory Committee and deny the request to make regulatory change that would allow residents to directly bill for services. A vote was taken and the motion was passed with one opposing vote cast by Mary Lou Argow.

Dr. Doyle reported that the Committee discussed "carry over" of CE hours from one year to the next. After discussion the Committee determined that there was no need to revise the regulations for Continued Competency requirements.

Dr. Doyle also reported that the Committee received a report from Dr. McAdams prepared by graduate

students on the subject of online/electronic counseling and supervision. Discussion followed and it was then determined that the Committee also needs to review what AASCB has done in this area and to continue to monitor what progress ACA is making in this area. Dr. McAdams will be asked to have his graduate students follow up on their research and Dr. Scott's graduate students will assist in this effort.

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

Ms. Argow reported that the Committee reviewed 10 applications with 4 being approved and 6 being denied. One attestation was reviewed with the applicant being approved to proceed with the licensure process.

A discussion was held regarding supervisors who supervise multiple residents using copies when submitting supervision forms. Recently a supervisor who had been using copies made an error for more than thirty residents resulting in them not being able to take the upcoming exam. The Committee determined that no supervisor can submit copies of any document in the future and that any submitted will be returned to the resident requiring originals.

One Credentials Informal Conference is tentatively scheduled for November 16, 2007.

Discipline Committee: Linda Seeman, Ph.D.

Dr. Seeman reported that 16 complaints are in investigation, 2 cases are at Board level, 1 informal fact finding conference has been scheduled, 1 informal fact finding conference is to be scheduled and one case has been returned to Enforcement for further investigation.

PUBLIC RELATIONS: PHILIP HABER

Mr. Haber reported that the next issue of the news letter will be going out after DHP moves to its new location. The discipline section of the next newsletter has been sent to Howard Casway for review and will be ready for print when approval has been received. A discussion was held on the best way to have the newsletter reach the licensees and general public. It was the concensus that mailing the material might be more effective than internet access and that email was not practical. Ms. Brown will investigate the cost of mailing vs. internet. If it is reasonable to mail the Board wanted to do so. Mr. Haber would like to develop articles that would stimulate public interest.

NEW BUSINESS:

Ms. Argow requested clarification on exactly what “on-site supervision” means. This topic will be on the Regulatory Committee agenda for the upcoming October meeting.

ANNOUNCEMENT OF NEW COMMITTEES:

Dr. Seeman appointed the new committees as follows:

Executive Committee:

Linda Seeman, Chair

Donnie Conner, Vice Chair

Kevin Doyle, Past Chair

John Penn Turner, BHP Representative

Credentials Committee:

Lou Argow, Co-Chair

Rip McAdams, Co-Chair

Eric McCollum

John Penn Turner

Natale Ward

Discipline Committee

**Linda Seeman, Co-Chair
Donnie Conner, Co-Chair
Sandra Malawer
William Scott**

Public Relations Committee

Philip Haber, Chair

Regulatory Committee

**Kevin Doyle, Chair
Rip McAdams
Eric McCollum
Vivian Sanchez-Jones
Linda Seeman
Natale Ward**

ANNOUNCEMENT OF TENTATIVE 2008 DATES

February 7 & 8, 2008

May 8 & 9, 2008

August 7 & 8, 2008

November 13 & 14, 2008

John Penn turner moved to accept the 2008 calendar with Dr. Conner seconding the motion which passed unanimously.

A request was made to move the upcoming November 15 & 16, 2007 meeting to October 25 & 26, 2007. Ms. Argow moved to accept the change in the date for the next meeting. Mr. Turner seconded the motion which passed unanimously.

PRESENTATION:

Mr. Turner presented the “Duty To Report” for both senior citizens and children to the Board.

NEXT MEETING: **October 25 & 26, 2007**

ADJOURN: **Philip Haber made a motion to adjourn the meeting at 12:47 PM. The motion was seconded by Mary Lou Argow and passed unanimously.**