

**DRAFT MINUTES
BOARD OF COUNSELING
QUARTERLY BOARD MEETING
November 13, 2009**

- TIME & PLACE:** The meeting was called to order at 8:42 a.m. on Friday, November 13, 2009, in Board Room 2 at the Department of Health Professions, 9960 Mayland Drive, Richmond, VA.
- PRESIDING:** Donnie Conner, Ph.D., Chair
- MEMBERS PRESENT:** Johnston Brendel, Ed.D.
Donnie Conner, Ph.D.
Sandra Malawer
Patricia Mullen
Vivian Sanchez-Jones
William Scott, Ph.D.
Linda Seeman, Ph.D.
John Penn Turner
- MEMBERS ABSENT:** Charles McAdams, Ed.D.
Eric McCollum, Ph.D.
Yvonne Ortega
Catherine Shwaery
Natale Ward
Mary Lou Argow
- STAFF PRESENT:** Howard Casway, Senior Assistant Attorney General
Evelyn B. Brown, Executive Director
Patricia Larimer, Deputy Executive Director
Diana L. Pollick, Operations & Compliance Manager
Deborah Harris, Administrative Assistant
- ORDERING OF AGENDA** Dr. Conner announced that this Board meeting was for “essential business only” and opened the floor to any changes in the agenda. The agenda was accepted as presented.
- APPROVAL OF MINUTES:** A motion was made by Mr. Turner to approve the minutes of the August 7, 2009 board meeting. The motion was seconded by Ms. Sanchez-Jones and passed unanimously.
- EXECUTIVE DIRECTOR’S REPORT** Evelyn B. Brown: Ms. Brown distributed the current Virginia Performs statistics for Board review.

**COMMITTEE
REPORTS:**

Discipline Committee: Linda K. Seeman: Dr. Seeman reported that there were 2 Informal Conferences held since the August 7, 2009 board meeting. There are 11 complaints in investigation, 2 cases at Board level to be reviewed for probable cause, 2 Informal Conferences currently scheduled and 2 cases in APD to prepare informal conference notices.

Credentials Committee: John Penn Turner: Mr. Turner reported that 12 applications were reviewed. Two of the files were re-reviewed at the request of the Administrative Proceedings Division regarding their status as counseling related degrees. The Committee shared the research document prepared by Dr. McAdams summarizing the necessary criteria to determine what a degree in counseling should consist of from representatives of the Association for Counseling Education & Supervision, the Virginia Association for Counselor Education & Supervision and the Counsel for Accreditation of Counseling & Related Educational Programs. Based on the information presented the Committee was in consensus that their original decision on previous denials was appropriate. Four additional applications were reviewed to determine if their degrees were counseling degrees. Three were not approved and one was approved. Two coursework appeals were presented with both being denied. Two supervision appeals were presented with both being denied. Two applications were reviewed regarding the applicants' previous arrest records. One was approved to proceed with the licensure process and one was denied. The Committee also discussed the possible need to develop a Guidance Document stating that applicants are under the regulations that were in effect when they began their first residency throughout the licensure process.

**RECOMMEN-
DATIONS OF
CREDENTIALS
INFORMAL
CONFERENCES:**

On October 23, 2009 one Credentials IFC was held at the request of the applicant to demonstrate that he had met the degree program requirements set forth in 18VAC115-20-49(B). A second IFC was held on October 23, 2009, at the request of the applicant, to demonstrate that he had met the degree program requirements set forth in 18VAC115-50-50-(A)(1).

Mr. Turner moved that the Board convene in Closed Meeting pursuant to Section 2.23711(A)(7) of the Code of Virginia for the purpose of consultation with legal counsel in the consideration of the Credentials Informal Conference Committee's recommendations. He further moved that Mr. Casway, Ms. Brown, Ms. Larimer, Ms. Pollick and Ms. Harris attend the Closed Meeting because their presence in the Closed Meeting is deemed necessary and will aid the Board in its deliberation.

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board reconvened in open session and announced its recommendations.

First Recommendation: The IFC Credentials Committee concluded that Duane Gray, LPC applicant, failed to satisfy the requirements of 18VAC 115-20-49(B) and recommended that his application be denied. Mr. Turner made a motion to accept the recommendation as presented. Ms. Malawer seconded the motion which passed unanimously.

Second Recommendation: The IFC Credentials Committee concluded that Philip Campbell failed to satisfy the requirements of 18VAC115-50-40(2)(B) and recommended that his application for licensure by endorsement as a Marriage & Family Therapist be denied. Dr. Seeman made a motion to accept the recommendation as presented. Mr. Turner seconded the motion which passed unanimously.

Mr. Turner moved that the Board convene in Closed Meeting pursuant to Section §2.2-3711(A)(27) of the Code of Virginia in order to consider a Consent Order in the matter of Virginia Wyse. He further moved that Mr. Casway, Ms. Brown, Ms. Larimer, Ms. Pollick and Ms. Harris attend the Closed Meeting because their presence in the Closed Meeting is deemed necessary, and they will aid the Board in its consideration of the matter.

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code of Virginia, the Board reconvened in open session and announced its decision.

Mr. Turner made a motion to accept the Consent Order for the Indefinite Suspension of Ms. Wyse's right to renew her license as a professional counselor in Virginia.

NEW BUSINESS: NEXT MEETING DATES: February 18 & 19, 2010

Donnie Conner, Ph.D., Chair

Evelyn B. Brown, Executive Director