

**Oregon Board of Licensed Professional Counselors and Therapists
Minutes of February 8, 2013 Board Meeting**

Meeting called to order at 8:35 a.m. and adjourned at 2:56 p.m.

Members Present: Ryan Melton, LPC, Chair
Elizabeth Hartshorn, LPC
Lee Anne Wichmann, LMFT
Suzan Turley, Public Member
Julia Smith, LPC, Faculty
Scott Christie, LMFT
Ahjane Billingsley, Public Member

Others Present: Becky Eklund, Executive Director
Brian Johnson, Board Staff
Lonnie Knotts, Board Staff
CJ Strauss, LPC, ORCA
Mary Aguilera, Corban University
Matt Morscheck, LPC, ORCA, OCDA
Kelly Gabliks, AAG
Opal Bontrager, DAS/SCS
Karen Van Acker, LPC, ORCA
Roy Huggins, LPC, ORCA
Darcy Nyone, Registered Intern

PUBLIC SESSION

CALL TO ORDER

Chair Ryan Melton called the meeting to order at 8:35 a.m. in the second floor large conference room of the Morrow Crane Building, 3218 Pringle Road SE, Salem, Oregon.

APPROVAL OF AGENDA

Lee Anne Wichmann moved and Suzan Turley seconded a motion to approve the agenda. The motion passed unanimously.

FINANCIAL REPORT

Opal Bontrager, the accountant assigned to the Board from the Department of Administrative Services, presented the financial report. Ms. Eklund stated that the Board's budget goes before the Ways and Means Committee on February 12. Dr. Melton and Ms. Eklund will present information about the Board and the Governor's proposed budget for the Board.

STATUS OF BOARD MEMBERS AND ELECTION OF OFFICERS

Vice-Chair Linda Gray resigned from the Board and forwarded a letter of resignation to the Governor. The resignation was effective immediately. Ryan Melton's term expired in September and is staying on the Board until replaced. Elizabeth Hartshorn has withdrawn her application for a second term. The Board would like Ms. Eklund to send an email message to licensees regarding the opportunity for licensees to become Board members.

The Board held the annual elections for Chair and Vice-Chair of the Board. Lee Anne Wichmann moved and Elizabeth Hartshorn seconded the motion that Ryan Melton continue as the Board Chair and Scott Christie become as Vice-Chair. The motion passed unanimously.

APPROVAL OF MINUTES

Julia Smith moved and Ahjane Billingsley seconded a motion to approve the minutes as submitted for the December 14, 2012 board meeting. The motion passed 6-0 with Suzan Turley abstaining.

PDS WAIVERS

Ms. Eklund summarized the rules requiring licensees and registered interns to distribute professional disclosure statements (PDS). The rules provide for a waiver of distributing a professional disclosure statement to individuals working in crisis counseling. Scott Christie suggested that the Board consider

an agency wide waiver for organizations that handle crisis situations. Ms. Eklund suggested that if an organization waiver is considered that the Board consider putting the waiver a rule. The Board discussed reasons for a PDS, client rights, who may or may not distribute a PDS, and the process of granting a waiver to individuals and organizations. The Board would like a work group to look at the PDS issue and submit recommendations to the Board.

CURRENT LEGISLATION

Ms. Eklund provided an overview of pending legislation that may have an impact on the Board or licensees. The following are some of the bills that are currently in the House and Senate:

SB 5515 – The Board’s budget for 2013-2015.

SB 302 - Would move 9 health licensing boards to the Oregon Health Licensing Agency including the Board of Licensed Professional Counselors and Therapists. The Oregon Association of Social Workers asked the Social Workers’ Board (BLSW) director to draft an alternative to the bill. The Governor’s office gave the director permission to draft the concept paper. The concept is to create a behavioral health agency, combining administrative functions of the Board of Psychologist Examiners, the Board of Licensed Social Workers and the Board of Licensed Professional Counselors and Therapists. The concept recommends keeping the Boards’ current authority, but combined the administrative functions.

SB 491 - Proposes to would allow LPC and LMFT to treat 14 year of age and older without parental consent. The bill was requested by the Oregon Counseling Association.

HB2768 - Proposes to change the definitions of professional counseling and marriage and family therapy. The bill also places a definition of clinical experience into law, which is consistent with the Board’s administrative rules, and changing the LMFT requirement from “a minimum of three years of full-time supervised clinical experience” and gives the Board authority to establish an equivalency similar to the LPC requirements. The Association asked for Board feedback prior to requesting changes to the statute.

BREAK: 10 a.m.

RECONVENED: 10:15 a.m.

ADMINISTRATIVE RULES

The reciprocity rules that allowed CEUs to replace the national examination went into effect February 1, 2013. The proposed distance supervision rules are out for public comment. The comment period is February 1, through March 8, 2013. The Board has already received comments regarding the proposed distance supervision rules.

SPECIAL CONSIDERATIONS

License applicant Kelly O’Gorman requests that the Board grant an exception to the rules and allow her to retake the national counselor examination. Suzan Turley moved and Scott Christie seconded a motion to deny Ms. O’Gorman’s request for an exception. The motion passed 7-0.

Staff requested that a Board member review Ms. Rose Beck’s education to determine if she meets the educational requirements for licensure as a professional counselor. Within two weeks, Board member Julia Smith will review Ms. Beck’s education to determine if she meets Oregon’s educational requirements.

DIRECTOR'S REPORT

Ryan Melton signed the second interagency agreement with the Board of Psychological Examiners where Ms. Eklund is the acting director for the Board. The agreement is for an indefinite period of time. The Board offered to write to the Governor if Ms. Eklund needs assistance.

EXECUTIVE SESSION

The Board convened in executive session at 10:34 a.m. to discuss complaints and investigations through authority provided in ORS 192.660(2) (h) and (k).

BREAK: 11:50 a.m.

EXECUTIVE SESSION

The Board reconvened in executive session at 12:10 p.m. to discuss complaints and investigations through authority provided in ORS 192.660(2) (h) and (k).

PUBLIC SESSION

The Board reconvened in public session at 1:15 p.m.

The Board decided that the public Board meetings for the remainder of 2013 be held on April 26, June 7, August 2, October 4 and December 6.

Board member Suzan Turley excused herself from the meeting.

EXECUTIVE SESSION

The Board reconvened in executive session at 1:17 p.m. to discuss complaints and investigations through authority provided in ORS 192.660(2) (h) and (k).

PUBLIC SESSION

The Board reconvened in public session at 1:55 p.m.

COMPLIANCE ISSUES

The Board took the following actions on license applications and compliance cases:

Case #2011-014 Elizabeth Hartshorn moved and Scott Christie seconded a motion to issue the final order consistent with the proposed order. The motion passed unanimously. 6-0

Case #2011-037 Ahjane Billingsley moved and Julia Smith seconded a motion to approve the settlement agreement. The motion passed unanimously. 6-0

Case #2011-044 Ahjane Billingsley moved and Julia Smith seconded a motion to approve the settlement agreement. The motion passed unanimously. 6-0

Case #2011-061 Julia Smith moved and Scott Christie seconded a motion to approve the settlement agreement. The motion passed unanimously. 6-0

Case #2012-012 Lee Anne Wichmann moved and Ahjane Billingsley seconded a motion to resolve the matter using a corrective action agreement. The motion passed unanimously. 6-0

Resolved Case #2012-022 Julia Smith moved and Elizabeth Hartshorn seconded a motion to dismiss the complaint and issue a letter of concern. The motion passed unanimously. 6-0

Case #2012-024 Scott Christie moved and Lee Anne Wichmann seconded a motion to issue a notice of intent to impose discipline. The motion passed unanimously. 6-0

Resolved Case #2012-026 Julia Smith moved and Ahjane Billingsley seconded a motion to dismiss the complaint and issue a letter of concern. The motion passed unanimously. 6-0

Resolved Case #2012-029 Elizabeth Hartshorn moved and Scott Christie seconded a motion to dismiss the complaint. The motion passed unanimously. 6-0

Case #2012-033 Lee Anne Wichmann moved and Julia Smith seconded a motion to issue a notice of intent to impose discipline. The motion passed unanimously. 6-0

Case #2012-034 Ahjane Billingsley moved and Elizabeth Hartshorn seconded a motion to issue a notice of intent to impose discipline. Ryan Melton recused himself. The motion passed. 5-0

Resolved Case #2012-036 Elizabeth Hartshorn moved and Lee Anne Wichmann seconded a motion to dismiss the complaint. The motion passed unanimously. 6-0

Case #2012-042 Scott Christie moved and Julia Smith seconded a motion to issue a notice of intent to impose discipline. The motion passed unanimously. 6-0

Resolved Case #2012-043 Lee Anne Wichmann moved and Scott Christie seconded a motion to dismiss the complaint. The motion passed unanimously. 6-0

Case #2012-046 Ahjane Billingsley moved and Elizabeth Hartshorn seconded a motion to issue a notice of intent to impose discipline. The motion passed unanimously. 6-0

Resolved Case #2012-047 Elizabeth Hartshorn moved and Julia Smith seconded a motion to dismiss the complaint. The motion passed unanimously. 6-0

Resolved Case #2012-048 Lee Anne Wichmann moved and Ahjane Billingsley seconded a motion to dismiss the complaint. The motion passed unanimously. 6-0

Staff requested extensions for the investigations of the following cases due to heavy workload. **2012-020, 2012-044, 2012-049, 2012-052, 2012-053, 2012-054, 2012-055, 2012-056, 2012-057, 2012-058, 2012-059, 2012-060 and 2012-062.** Julia Smith moved and Ahjane Billingsley seconded the motion to grant extensions for investigation. The motion passed unanimously.

TRICARE/NATIONAL CLINICAL MENTAL HEALTH EXAMINATION

The Board discussed the Board's policy regarding the National Counselors Examination (NCE) and the National Clinical Mental Health Counseling Examination (NCMHCE). The Board directed Staff to investigate the possibility of contracting with NBCC to let the Oregon Board authorize individuals to take the NCMHCE and the NCE.

ADJOURNMENT

Chair Ryan Melton adjourned the meeting at 2:56 p.m.