

**Oregon Board of Licensed Professional Counselors and Therapists
Minutes of April 25, 2014 Board Meeting
Portland State University**

Meeting called to order at 8:33 a.m. and adjourned at 3:18 p.m.

Members Present: Bradley Scott Christie, LMFT, Chair Tina Anctil, LPC, Faculty
Doug Querin, LPC Tony Lai, LPC
Suzan Turley, Public member

Others Present: Becky Eklund, Executive Director Brian Johnson, Board staff
Lonnie Knotts, Board staff Janelle Houston, Board staff
Kelly Gabliks, AAG

PUBLIC SESSION

CALL TO ORDER

Chair Scott Christie called the meeting to order at 8:33 a.m.

INTRODUCTIONS/ROLL CALL

EXECUTIVE SESSION

The Board convened in executive session at 8:34 a.m. to discuss complaints and investigations through authority provided in ORS 192.660(2) (h) and (k).

BREAK 10:30 a.m.

EXECUTIVE SESSION

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

PUBLIC SESSION

The Board convened in public session at 11:04 a.m.

COMPLIANCE ISSUES

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

Case # 2012-018 Doug Querin moved and Tony Lai seconded a motion to accept the Settlement Agreement as signed. The motion passed unanimously.

Case # 2012-028 Tony Lai moved and Suzan Turley seconded a motion to withdraw the Notice of Intent to Impose Discipline. The motion passed unanimously.

Case # 2012-055 Tony Lai moved and Suzan Turley seconded a motion to approve the Settlement Agreement and Stipulated Final Order. The motion passed unanimously.

Resolved Case # 2013-007 Tony Lai moved and Suzan Turley seconded a motion to dismiss the complaint. The motion passed unanimously.

Case # 2013-009 Tony Lai moved and Tina Anctil seconded a motion to approve the Corrective Action Agreement. The motion passed unanimously.

Case # 2013-024 Tina Anctil moved and Suzan Turley seconded a motion to approve the Settlement Agreement and Stipulated Final Order. The motion passed unanimously.

Resolved Case # 2013-034 Tony Lai moved and Tina Anctil seconded a motion to dismiss the complaint. The motion passed 4-0. Scott Christie recused himself.

Resolved Case # 2013-042 Suzan Turley moved and Tony Lai seconded a motion to dismiss the complaint. The motion passed unanimously.

Resolved Case # 2013-052 Tina Anctil moved and Suzan Turley seconded a motion to dismiss the complaint. The motion passed 4-0. Tony Lai recused himself.

Case # 2013-062 Suzan Turley moved and Tina Anctil seconded a motion to issue a Notice of Intent to Impose Discipline in the form of a \$1,500 civil penalty. The motion passed unanimously.

Case # 2013-067 Tony Lai moved and Suzan Turley seconded a motion to issue a Final Order by Default. The motion passed unanimously.

Case # 2013-069 Doug Querin moved and Tina Anctil seconded a motion to issue a Notice of Intent to Impose Discipline in the form of a letter of reprimand. The motion passed 4 ayes; Tony Lai voted no.

Resolved Case # 2014-001 Suzan Turley moved and Tina Anctil seconded a motion to dismiss the complaint. The motion passed unanimously.

Resolved Case # 2014-003 Tina Anctil moved and Doug Querin seconded a motion to dismiss the complaint and refer the matter to the Board of Psychological Examiners. The motion passed unanimously.

Resolved Case # 2014-004 Doug Querin moved and Tina Anctil seconded a motion to dismiss the complaint. The motion passed unanimously.

Resolved Case # 2014-005 Suzan Turley moved and Tony Lai seconded a motion to dismiss the complaint. The motion passed unanimously.

Case # 2014-006 Suzan Turley moved and Tina Anctil seconded a motion to issue a Notice of Intent to Impose Discipline imposing license revocation. The motion passed 4-0. Doug Querin recused himself.

Case # 2014-043 Tina Anctil moved and Tony Lai seconded a motion to issue a Notice of Intent to Impose Discipline in the form supervision and additional training. The motion passed unanimously.

Staff requested extensions for the investigations of the following cases due to heavy workload. **2013-015, 2013-020, 2013-021, 2013-026, 2013-028, 2013-032, 2013-036, 2013-050, 2013-054, 2013-056, 2013-071, 2013-073, 2014-007 and 2014-008.** Tina Anctil moved and Tony Lai seconded the motion to grant extensions for investigation. The motion passed unanimously.

With no vice-chair, Chair Scott Christie turned the meeting over to Doug Querin to serve as acting chair.

APPROVAL OF AGENDA AND MINUTES

Tony Lai moved and Scott Christie seconded a motion to approve the February 6, 2014 meeting minutes as submitted. The motion passed unanimously.

11:25 a.m. Chair Christie left the meeting. [Editor's note: The Board no longer had a quorum.]

BOARD MEMBER STATUS

Ms. Eklund told the Board that Lynne Nesbit is no longer on the Board at the request of the Governor. The Governor's office has names for filling the open LPC and LMFT Board positions. The confirmation of the individuals will occur on May 28, 29 and 30 by the Senate Rules Committee. All the positions will be full with the exception of one public member.

FINANCIAL REPORT

Becky Eklund summarized the spreadsheet distributed to Board members. The spreadsheet contained actual expenditures and revenues through February 2014 and projections through the end of the biennium.

SPECIAL CONSIDERATIONS

An applicant requested that the Board allow him to become a registered intern without completing all the necessary education requirements. The Board had granted internship to a student who was in the same graduate program. The Board directed staff to inform the applicant that he would need to complete all of the courses to meet licensure requirements. The staff will also inform the intern who was mistakenly granted internship that he will need to complete the educational requirements prior to licensure.

A registered LMFT intern who is close to completing her supervised client hours for licensure has taken and failed the national exam three times. The Board administrative rules require that after failing the exam 3 times, the applicant must complete graduate level coursework in the content areas failed in the exam. Once the additional coursework is completed, he or she must re-apply for licensure. She has now applied for LPC and will be taking the National Counselor Examination (NCE). The Board directed staff to let her know that she may want to request special accommodations during examination if needed.

A licensee requested that the Board place a limit on the duration that discipline remains posted on the Board's website. She completed the discipline that the Board imposed, but the information remains on the website. The Legislature directed state health related licensing boards to meet and agree on what disciplinary information will be posted on the boards' website and how long the information will remain posted. The directors of the boards are planning to meet in the summer of this year to develop a plan. The Board's legal counsel would like to conduct research to explore potential options for clarifying the discipline information on the website. The Board will reconsider the request at the next meeting.

CRIMINAL BACKGROUND CHECKS

In 2010, the Board mandated that all licensees and interns complete a fingerprint based criminal background check. The rule further states that every five years, each licensee would have another criminal background check. Ms. Eklund suggested to the Board that instead of a fingerprint based criminal background check, the Board may want to have a state background check, eliminating the need for fingerprints. The Board will reconsider this issue at the next Board meeting in June.

BREAK 11:55 a.m.

EXECUTIVE SESSION

The Board reconvened in executive session at 12:13 p.m. to discuss complaints and investigations through authority provided in ORS 192.660(2) (h) and (k).

BREAK 12:44 p.m.

PUBLIC SESSION

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

CHILD ABUSE REPORTING

Erica Strauss from the Child Abuse Hot Line presented information and training to the Board regarding child abuse reporting requirements. The Board viewed a video regarding child abuse reporting and had a question and answer session with Ms. Strauss.

2015-2017 BUDGET PROCESS

Ms. Eklund summarized the upcoming 2015-2017 budget process. The development process has already started. The Agency Budget Request is due to the governor's office by August 1, 2014. Ms. Eklund has already been discussing the budget request with the DAS budget analyst.

The Board directed Ms. Eklund to pursue additional staffing in conjunction with the Board of Psychologist Examiners to secure an administrative specialist and an investigator. The new positions would be funded half by the Psychologist Board and half by the Board of Professional Counselors and Therapists.

The Board may need to send an additional request to the legislature to fund office space that would enable the staff of the Board of Psychologist Examiners and the Board of Counselors and Therapists to be in one place. Currently the two staff are located two separate floors in the same building. There is not sufficient space in the current building to join the two administrative staffs. The Department of Administrative Services is looking for a new location.

Ms. Eklund will be presenting more details and projections to the Board at the June meeting about the 2015-2017 biennium budget.

ADMINISTRATIVE RULES

Ms. Eklund presented draft administrative rules for LPC and LMFT experience and direct client contact hour requirements. The Board directed staff to post the draft rules ask for public comment.

QUALIFIED MENTAL HEALTH PROVIDERS/ASSOCIATES (QMHP/QMHA)

Ms. Elizabeth Hartshorn, Licensed Professional Counselor, gave a presentation to the Board outlining her concerns regarding QMHPs and QMHAs. Ms. Hartshorn stated that QMHPs are not required to be licensed, but may assess, diagnose or treat individuals. Ms. Hartshorn has presented similar information to the Board of Psychologist Examiners. The Board of Psychologist Examiners has expressed interest in serving on a work group. Board member, Tony Lai, volunteered to be on a workgroup to help with this issue. Ms. Eklund will work with Ms. Hartshorn to organize and convene a workgroup and to include a representative from the Board of Licensed Social Workers.

LEGISLATIVE CONCEPTS

The Board reviewed a document that Ms. Eklund prepared suggesting possible legislative concepts for the 2015 legislature. Ms. Eklund sent the document to the Oregon Counseling Association,

COPACT, several Board members and other persons of interest several weeks prior to the Board meeting. The possible legislative concepts ranged from grandfathering art therapists to eliminating the educational exception from licensure. The Board directed Ms. Eklund to submit a placeholder legislative concept to allow the Board time to determine what changes would be beneficial to consumers. The Board will revisit the legislative concept at the next Board meeting.

BOARD APPROVED PROGRAMS

Ms. Eklund gave a brief overview of the Board's role in approving counseling and marriage and family therapy programs at Oregon colleges and universities. Doug Querin relayed to the representatives of Multnomah University and their attorneys present at the meeting that the Board did not have a quorum and would not be able to reach a decision at this meeting. Multnomah University requested that they be allowed to participate in the decision making process. Ms. Eklund will be providing additional information regarding Board approved programs at the next meeting.

ADJOURNMENT

Doug Querin adjourned the meeting at 3:18 p.m.