

**Oregon Board of Licensed Professional Counselors and Therapists
Minutes of June 6, 2014 Board Meeting
Salem, Oregon**

Meeting called to order at 8:37 a.m. and adjourned at 4:35 p.m.

Members Present: Bradley Scott Christie, LMFT, Chair Tina Anctil, LPC, Faculty
Doug Querin, LPC Tony Lai, LPC
Lindsay McGrath, LMFT Don Thomson, Jr., 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 8:37 a.m.

INTRODUCTIONS/ROLL CALL

The Board welcomed Lindsay McGrath, LMFT and Don Thomson, Jr., LPC, new members of the Board effective June 1, 2014.

ELECTION OF OFFICERS

Tony Lai moved and Tina Anctil seconded a motion nominating Doug Querin as the Vice Chair of the Board. The motion passed unanimously. Doug Querin moved and Tony Lai seconded a motion nominating Bradley Scott Christie as the Chair of the Board. The motion passed unanimously.

FINANCIAL REPORT

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

APPROVAL OF AGENDA AND MINUTES

Tina Anctil moved and Tony Lai seconded a motion to approve the revised minutes of October 4, 2013. The revision would correct the minutes to reflect that case #2013-049 be changed to 2013-048 and case #2013-051 be changed to 2013-050. The motion passed unanimously.

Tony Lai moved and Doug Querin seconded a motion to approve the April 25, 2014 meeting minutes as submitted. The motion passed unanimously.

COORDINATION OF BOARDS

Ms. Eklund updated the Board on the consolidation of the staff of the Board of Psychologist Examiners and the Counselors and Therapists Board. Ms. Eklund is currently looking for office space so that the staff of the two Boards can be located in the same area and not on separate floors. Both Boards have leases for their existing office space through 2018. In order to move, the boards would need to find other agencies to sub-let our current space.

There are differing opinions as to what the interagency agreement allows regarding coordination of staff and workload. The majority of the Board felt that the intent of the agreement was to streamline both Boards' staff to create efficiencies and to work together for the benefit of both Boards. Ms. Eklund will check with the Board of Psychologist Examiners to find out if they have the same understanding. If that is the case, the interagency agreement may need to be amended to reflect the wishes of the boards.

CRIMINAL BACKGROUND CHECKS

The Board instituted fingerprint based criminal background checks in 2010. At that time, the Board adopted a policy that follow-up background checks would occur every 5 years. The first five-year interval will begin in January of 2015. The Board discussed whether to conduct FBI fingerprint based criminal background checks or state background checks (LEDS) on current interns and licensees. The Board directed staff to continue following the current policy and conduct fingerprint based, FBI background checks.

ADMINISTRATIVE RULES

Staff posted on the Board's website the proposed administrative rules regarding the duration of supervision of interns and establishing a waiver process for distribution of a written informed consent document. The staff also sent the proposed changes to stakeholder associations as required by administrative rules. We received no comments on the rule changes. Suzan Turley moved and Tina Anttil seconded a motion to approve the changes to the administrative rules as posted. The motion passed unanimously.

PEER AUDIT RESULTS

Ms. Eklund explained the peer audit process and the results of the audit. Ms. Eklund presented the Board with a spreadsheet that listed the issues identified by the audit team with proposed actions to address the issues.

The audit team recommended that the Board approve issuance of licenses. The Board discussed the recommendation and decided that they would like to have all new license application information presented to the Board for ratification.

The peer audit report suggested exploring the possibility of moving to a 2-year renewal process. The Board suggested polling licensees or convening a workgroup to explore the interest in moving from a 1-year to a 2-year renewal period.

The peer audit also expressed concern that two of the complaint files they requested for review were not available. Mr. Johnson explained that one of the files was with the Department of Justice; a contract investigator had the second file. Johnson said that the file was not lost; the contract investigator had the file. The Board was concerned that the file containing confidential information was not retained in the office. The Board wants to ensure that the original files remain in the office. Contract investigators must meet all privacy and confidentiality requirements.

BREAK 10:33 a.m.

PUBLIC SESSION

The Board reconvened in public session at 10:50 a.m.

COUNSELOR EDUCATOR APPLICATION METHOD

Ms. Eklund explained the administrative rules regarding the counselor educator license application method. The rule was established to allow Oregon university counseling and therapy faculty to count

their teaching time toward licensure requirements. The rule is set to expire on June 30, 2014. The Board discussed the merits of the application method. Tina Anctil moved and Lindsay McGrath seconded a motion to extend the rule for six months, adopting a temporary rule that would take effect immediately and to begin the process to make the rule permanent. The motion passed unanimously.

SUPERVISOR SURVEY

Ms. Houston developed a survey to send to supervisors of registered interns to gather feedback on the supervision process, express any concerns they have, and whether the Board provides adequate information for supervisors.

QMHPs

Three mental health licensing boards have expressed concerns about unlicensed QMHPs' authority to assess, diagnose and treat mental health disorders. Representatives from the three boards formed a work group to gather information about the role of QMHPs, the certification process, and the requirements to become a QMHP, without the possibly not having the appropriate training.

The workgroup includes OBLPCT Board member Tony Lai; Board of Psychologist Examiners member Daniel Munoz; Randy Harnisch, Executive Director of the Board of Licensed Social Workers; Elizabeth Hartshorn, LPC and former member of this Board; Justin Hopkins, the Quality Assurance Manager with the Addictions and Mental Health division of the Oregon Health Authority; and staff from the OBPE and OBLPCT. The work group developed a list of questions about QMHPs and had a telephone conference call during which Mr. Hopkins provided answers. There will be another telephone conference to continue the discussion and explore possibilities for a centralized or standards for the certification process, a requirement for QMHPs to adhere to a code of ethics, and to address other concerns expressed by work group members during the call.

BREAK 11:40 a.m.

EXECUTIVE SESSION

The Board convened in executive session at 11:52 p.m. to discuss complaints and investigations through authority provided in ORS 192.660(2) (h) and (k).

COMPLIANCE ISSUES

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

Case # 2012-049 Tony Lai moved and Suzan Turley seconded a motion to approve the Settlement Agreement and Stipulated Final Order. The motion passed 5-2.

Case # 2013-043 Suzan Turley moved and Tina Anctil seconded a motion to approve the Settlement Agreement and Stipulated Final Order. The motion passed unanimously.

Case # 2013-069 Doug Querin moved and Tina Anctil seconded a motion to approve the Settlement Agreement and Stipulated Final Order. The motion passed unanimously.

Case # 2013-072 Tony Lai moved and Suzan Turley seconded a motion to issue a Final Order by Default. The motion passed unanimously.

Case # 2013-011 Tony Lai moved and Suzan Turley seconded a motion to issue a Notice of Intent to Impose Discipline in the form of ethics training. The motion passed unanimously.

Resolved Case # 2013-049 Suzan Turley moved and Tina Anctil seconded a motion to dismiss the complaint. The motion passed unanimously.

Resolved Case # 2013-073 Suzan Turley moved and Tina Anctil seconded a motion to dismiss the complaint. The motion passed unanimously.

Case # 2014-007 Suzan Turley moved and Tony Lai seconded a motion to issue a Notice of Intent to Impose Discipline imposing license revocation. The motion passed unanimously.

Resolved Case # 2014-012 Doug Querin moved and Tony Lai seconded a motion to dismiss the complaint. The motion passed unanimously.

Resolved Case # 2014-014 Suzan Turley moved and Tony Lai seconded a motion to dismiss the complaint. The motion passed unanimously.

Resolved Case # 2014-016 Suzan Turley moved and Doug Querin seconded a motion to dismiss the complaint. The motion passed 6-0. Tina Anctil recused herself.

Case # 2014-020 Lindsay McGrath moved and Suzan Turley seconded a motion to issue a Notice of Intent to Impose Discipline in the form of a letter of reprimand and ethics training. The motion passed unanimously.

Case # 2014-022 Don Thomson moved and Lindsay McGrath seconded a motion to develop a Corrective Action Plan. The motion passed 6-0. Tina Anctil recused herself.

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, 2013-054, 2013-056, 2013-071, 2014-008, 2014-009, 2014-010, 2014-011, 2014-013 and 2014-015.** Suzan Turley moved and Don Thomson seconded the motion to grant extensions for investigation. The motion passed unanimously.

BREAK 2:02 a.m.

PUBLIC SESSION

The Board reconvened in public session at 2:11 p.m.

LEGISLATIVE CONCEPT PLACEHOLDER

The Board discussed the merits of submitting a legislative placeholder for consideration during the 2015 legislative session. The Board directed staff to submit a placeholder concept expressing that the board wishes to address the issue of unlicensed counselors and therapists who are harming clients. The Board will work with stakeholders to identify methods to address the issue that all could support.

SPECIAL CONSIDERATIONS

A registered intern requested that the Board reinstate her internship without having to pay a new application fee. Scott Christie moved and Tony Lai seconded a motion to waive the reapplication fee of \$125 and reinstate the registered intern. The motion passed 6-1. Ms. Turley voted no.

A licensee requested that the Board accept her continuing education as submitted and reverse the decision to impose a civil penalty of \$500. Tina Anctil moved and Suzan Turley seconded a motion to deny the licensee's request. The motion passed 6-1. Dr. Christie voted no.

BOARD APPROVED PROGRAMS

Members continued discussions from prior meetings about the role of the Board in approving graduate counseling and marriage and family therapy programs at Oregon colleges and universities. More programs are moving toward national accreditation, and the Board would like to encourage that. The Board decided to discontinue approving programs effective June 30, 2016. This implementation date will allow current students to complete their graduate programs under the Board's approval. The Board directed staff to notify all of the board-approved programs of the decision, the effective date, and encourage them to pursue national accreditation.

ADJOURNMENT

Chair Scott Christie adjourned the meeting at 3:18 p.m.