

BEFORE THE
BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS
OF THE STATE OF OREGON

In the Matter of the Audit of the Continuing Education) **FINAL ORDER BY DEFAULT**
Report filed for License Renewal in Year 2000 by) **ASSESSMENT OF CIVIL PENALTY**

TO: Marti L. Bradley-Kufchak

On or about September 19, 2001 and again on or about November 6, 2001, the Board of Licensed Professional Counselors and Therapists (Board) served Notice stating that the Board intended to assess a civil penalty of \$1,000 against Marti L. Bradley-Kufchak (Licensee), C0643, for failing to document meeting the continuing education standards adopted pursuant to ORS 675.784(14). The Notice further granted Bradley-Kufchak an opportunity for hearing, if requested within 30 days from service of the Notice. No such request for hearing has been received by the Board during the specific period. The Notice designated the Board's file on this matter as the record for purposes of default.

NOW THEREFORE, after consideration of the record and file of the board relating to this matter at a meeting held December 7, 2001, the Board enters the following Order.

Finding of Fact

1. Licensee was notified that she had been selected for audit of her continuing education report to determine compliance with the continuing education standards.
2. Standards for continuing education type of training and documentation requirements are set forth in administrative rules. Licensees are required to maintain documentation as proof that licensee has satisfied the continuing education standards, to make them available for inspection, and ensure the documents include proof of actual attendance or completion as well as content, duration and information about the provider.
4. Licensee was provided with a brochure entitled "Guidelines for Continuing Education Requirements In License Renewal."
5. Licensee signed the renewal form March 1, 2000 indicating compliance with the continuing education requirement, accuracy of report, and that supporting documentation was in her possession.
6. Licensee reported completion of 51.5 hours of continuing education. Licensee submitted documentation that provided adequate proof 7.5 hours were in compliance with continuing education standards. The documentation of the 44 remaining hours listed on the continuing education report does not provide proof of compliance content and program standards:
 - A. The documentation for the training entitled St. Vincent Hospital Adolescent Psychiatric Unit (1 hour) does not include proof of attendance and completion. The documentation does not indicate the content of the program is counseling related or that it was oriented toward preparing the licensee to better meet counseling therapeutic needs of clientele. The documentation does not show the training was offered by individuals with appropriate academic training, professional licensure or certification, or professionally recognized experience with identifiable involvement in human services.
 - B. The documentation for the training entitled Tragedy Response Team (7 hours) does not include proof of attendance and completion.

C. The documentation for the training entitled Directors of Admission of Eight National Colleges (1 hour) does not include proof of attendance and completion. The documentation does not indicate the content of the program is counseling related or that it was oriented toward preparing the licensee to better meet counseling therapeutic needs of clientele. The documentation does not show the training was offered by individuals with appropriate academic training, professional licensure or certification, or professionally recognized experience with identifiable involvement in human services.

D. The documentation for the training entitled Teaching Respect for All (1.45 hours) does not include proof of attendance and completion.

E. The documentation for the training entitled Portland Community College High School Counselor Workshop does not include proof of attendance and completion. The documentation indicates the probable content of the program is counseling related by title, but no specific content is listed.

F. The documentation for the training entitled College/University Options does not include proof of attendance and completion. The documentation does not indicate the content of the program is counseling related or that it was oriented toward preparing the licensee to better meet counseling therapeutic needs of clientele. The documentation does not show the training was offered by individuals with appropriate academic training, professional licensure or certification, or professionally recognized experience with identifiable involvement in human services.

G. The documentation for the training entitled Glencoe High School Teacher Inservice 9/1/99 does not indicate the content of the program is counseling related or that it was oriented toward preparing the licensee to better meet counseling therapeutic needs of clientele. The documentation does not show the training was offered by individuals with appropriate academic training, professional licensure or certification, or professionally recognized experience with identifiable involvement in human services.

H. The documentation for the training entitled 1999 CIS Fall Workshops (7.5 hours) does not include proof of attendance and completion. The documentation does not indicate the content of the program is counseling related or that it was oriented toward preparing the licensee to better meet counseling therapeutic needs of clientele. The documentation does not show the training was offered by individuals with appropriate academic training, professional licensure or certification, or professionally recognized experience with identifiable involvement in human services.

I. The documentation for the training entitled Whitman College does not include proof of attendance and completion. The documentation does not indicate the content of the program is counseling related or that it was oriented toward preparing the licensee to better meet counseling therapeutic needs of clientele. The documentation does not show the training was offered by individuals with appropriate academic training, professional licensure or certification, or professionally recognized experience with identifiable involvement in human services.

J. The documentation for the training entitled Glencoe High School Staff Inservice Focuses on Safety (7.5 hours) shows compliance with continuing education standards.

K. The documentation for the training entitled K-12 Counselor Professional Development Workshop 11/99 (6 hours) does not include proof of attendance and completion. The documentation indicates the probable content of the program is counseling related by title, but no specific content is listed.

L. Generic documentation includes letter from employer verifying attendance at mandated training, but no documentation was submitted for training entitled Glenco High School Staff Development 2/22/00 (3 hours).

M. The documentation for the training entitled K-12 Counselor Inservice 2/22/00 (3 hours) does not include proof of attendance and completion. The documentation indicates the probable content of the program is counseling related by title, but no specific content is listed.

7. Licensee did not obtain attendance or content and program information for reported continuing education hours.

Ultimate Findings of Fact

Licensee did not obtain and present to the Board documentation to show that 44 of the 51.5 hours of continuing education claimed by the licensee met the standards for approval.

Conclusions of Law

Licensee violated:

1. OAR 833-025-0050(1) by failing to document at least 40 clock hours of qualifying continuing education taken between April 1, 1998 and April 1, 2000.
2. OAR 833-025-0060(2) by failing to document that training met content or provider requirements.
3. OAR 833-025-0060(3) by failing to maintain or document details about the program attended and certified, and failing to make these documents available for inspection within a reasonable period of time following notification of audit.
4. OAR 833-025-0060(4) by certifying programs not meeting approval requirements.

Opinion

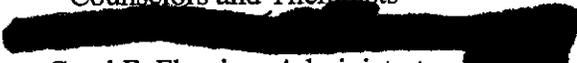
The Board notes that it was not required to send a second Notice, but in light of the September 11, 2001 terrorist attack in New York City and subsequent problems with the US Postal Service deliveries, they felt additional attempts to provide notice were justified.

Order

A civil penalty in the amount of \$750 is hereby levied against Marti Bradley-Kufchak. Payment is due within 10 days from the effective date of this order.

Dated this 26 day of December, 2001

State Board of Licensed Professional
Counselors and Therapists


Carol F. Fleming, Administrator

Certificate of Service

I certify that on December 26, 2001, I served the preceding Final Order Assessing Civil Penalty by mailing in a sealed envelope, with first class postage pre-paid, a copy addressed as follows:

Marti L. Bradley-Kufchak
PO Box 8220
Black Butte Ranch, OR 97759


Connie L. Brown, Administrative Assistant
Board of Licensed Professional Counselors & Therapists