

**Oregon Board of Licensed Professional Counselors and Therapists
Minutes of August 12, 2011 Board Meeting**

Meeting called to order at 8:35 a.m. and adjourned at 2:46 p.m.

Members Present: Ryan Melton, LPC, Chair
Julia Smith, LPC
Suzan Turley, Public Member
LeeAnne Wichmann, LMFT
Nila Epstein, LMFT

Others Present: Becky Eklund, Executive Dir.
Brian Johnson, Board Staff
Lonnie Knotts, Board Staff
Kelly Gabliks, AAG
Opal Bontrager, DAS/SCS

Members Absent: Linda Gray, LPC, Vice Chair
Elizabeth Hartshorn, LPC

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 & MINUTES

Julia Smith moved and Suzan Turley seconded a motion to table the approval of the June 3, 2011 minutes. The motion passed unanimously. Suzan Turley moved and Nila Epstein seconded the motion to approve the minutes of the July 8, 2011 Special Board meeting as submitted. 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. Bontrager will have the 2011-2013 ready to present at the next Board meeting.

REVIEW OF BOARD POLICIES

The Board reviewed the board policies regarding graduate degree standards. The Board's policies should cover all graduate programs and not just a specific graduate program. The former policies regarding specific graduate programs will be archived and retrievable if needed.

The Board would like Ms. Eklund to have a final draft of the graduate degree standard policies ready for review at the next Board meeting. The Board would like to ensure that all policies be in complete sentences.

Julia Smith relayed to the Board that CORE will not have the same educational requirements as CACREP as of January 2012. Ms. Smith requested that the Board review CORE requirements and that the issue be on the Board's agenda.

“LOW RESIDENCY” GRADUATE PROGRAMS

Julia Smith gave a brief presentation on low residency graduate programs. The Board discussed low residency, distance and online graduate degree programs. The Board discussed the differences between CACREP and non-CACREP accredited schools. CACREP does not differentiate between online and on-ground programs when accrediting a program. The Board is looking toward a policy change and would like to get legal advice from the Board's legal counsel regarding the Board's policy of accreditation.

SPECIAL CONSIDERATIONS

Robert Anderson - Mr. Anderson would like the Board to allow other qualified professionals to give supervision of supervision to supervisor candidates for the Board's supervisor registry. The supervisor registry workgroup looked at the possibility of other professionals performing supervision of supervision. The Board's desire to create a professional identity for LPCs and LMFTs is the reason for the decision to exclude other professionals from the supervision of supervision requirement.

The Board agreed that group supervision would be appropriate for supervision of supervision.

9:25 a.m. Becky Eklund, Executive Director joined the meeting by conference call.

MULTNOMAH UNIVERSITY

Ms. Eklund gave a presentation regarding Multnomah University's application to become a Board approved program. Ms. Eklund stated that she, Ryan Melton and Julia Smith met and reviewed Multnomah University's application. The workgroup has requested that Multnomah University submit additional information to the workgroup for its review. Multnomah University is still compiling the information and should have everything ready to submit to the Board for the October Board meeting.

Ryan Melton pointed out that Multnomah University asks their students to adhere to the American Counseling Association (ACA) code of ethics and the American Association of Christian Counselors (AACC) code of ethics. There seems to be language in the ACCA's code of ethics that contradicts the ACA code of ethics particularly treatment where it concerns diversity. The workgroup has asked Multnomah University for clarification.

DEFINITION WORKGROUP

The workgroup's function is to define assessment, diagnosis and treatment. The definitions will clarify who needs to and who does not need to have a license as a professional counselor or marriage and family therapist. The workgroup consists of Board members Ryan Melton and Linda Gray, Michelle Cox from George Fox University, Carolyn Johnson, a dance therapist, and Tracie McDowell, who is the legislative coordinator for the Oregon Counseling Association. The group had discussions and a number of suggestions for definitions. Ms. Eklund is compiling the suggestions and other information to send out to the workgroup for comment.

SEMI-INDEPENDENT AGENCY

Several other Health licensing boards are interested in going semi-independent. There is data being compiled showing the costs that agencies are currently paying for their services. The information should be ready by the Board's October meeting. The agencies are talking with the governors' office to make sure that the governor supports the idea. The Board would like to get feedback from the Oregon counselor and therapist associations about becoming a semi-independent agency.

AFFIRMATIVE ACTION PLAN

Ms. Eklund spoke about the Board's affirmative action plan that she developed and subsequently approved by the governor's office. The effectiveness of the affirmative action plan will be part of the director's evaluation. Ms. Eklund relayed that there are commitments from DAS for training and there is a requirement to ensure that the office is a welcoming place for people with disabilities and those from different cultures. Ms. Eklund has had discussion with the other Boards in this building to develop training programs, split the costs and to conduct joint training. Board members decided that they would review the affirmative action plan and send any comments by email to Ms. Eklund.

CUSTOMER SERVICE SURVEY

Ms. Eklund summarized the customer services trends and improvements from 2008 through 2011. The Board received more comments responses licensees this year than any previous year. The website is still generating responses. Comments about the Board's website continue to ask for improvement. The survey results continue to show improvement and increased satisfaction with services from the Board. Ms. Eklund agreed to do a qualitative analysis of the survey responses for specific areas that may need addressing and will have the analysis ready to present to the Board the next Board meeting.

SPECIAL ACCOMMODATIONS

There are individuals who need special accommodations when taking licensing national examinations. NBCC pays for any special accommodations necessary to complete the examination and AAMFTRB does not. The Board received a letter from the Disability Rights Oregon (DRO). DRO stated they believed the Board was violating the Americans with Disability Act by requiring exam candidates to pay for special accommodations. Ms. Eklund spoke with Board member, Julia Smith, the Board's legal counsel to get their opinion and reviewed the contract with AMFTRB. The contract stated that the Board is responsible for payment. After consultation and review of the contract, Ms. Eklund wrote a letter to Disability Rights Oregon thanking them for informing the Board of their obligation and told them that the Board would pay for the special accommodations.

ART THERAPIST NATIONAL EXAMINATION

A LPC applicant by reciprocity has taken and passed the national art therapist examination. The question is whether the test meets the Board's competency examination requirement for licensure. The Board would like to know if the art therapist examination is comparable to the national counselor examination. The Board would also like to see a copy of the examination. Ms. Eklund will contact the certification board to see what information they can provide and review the examination.

NON-IMPATIENT MENTAL HEALTH PROVIDERS

The Addictions and Mental Health Division of the Oregon Health Authority recently notified a number of counseling agencies that the agencies were no longer certified. There is an exemption to the Board's rules allowing unlicensed individuals to counsel, as long as the unlicensed individual works for an agency certified by a government agency. There could be a number of individuals now practicing, that no longer qualify for license exemption. The notification could also be detrimental to the Board's registered interns because of certification decisions' impact on funding. Ms. Eklund will investigate and report to the Board. There may be some ethical implications that the Board needs to review, e.g., abruptly ending services to clients.

10:05 a.m. Becky Eklund, Executive Director terminated her conference call and left the meeting.

BREAK 10:05 a.m.

EXECUTIVE SESSION

The Board convened in Executive Session at 10:15 a.m. to discuss complaints and investigations through authority provided in ORS 192.660(2)(k).

BREAK 12:00 a.m.

EXECUTIVE SESSION

The Board reconvened in Executive Session at 12:15 a.m. to discuss complaints and investigations through authority provided in ORS 192.660(2)(k).

PUBLIC SESSION

The Board reconvened in Public Session at 1:30 p.m.

COMPLIANCE ISSUES

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

Resolved: Case #2010-053 – Julia Smith moved and LeeAnne Wichmann seconded the motion to issue a letter of concern. The motion passed unanimously.

Resolved: Case #2011-008 – Suzan Turley moved and Nila Epstein seconded the motion to issue a letter of concern. The motion passed 4-0 with LeeAnne Wichmann recusing herself from the matter.

Resolved: Case #2011-009 – Julia Smith moved and Nila Epstein seconded the motion to dismiss the matter for lack of jurisdiction. The motion passed 4-0 with LeeAnne Wichmann recusing herself from the matter.

Resolved: Case #2011-010 – Nila Epstein moved and Julia Smith seconded the motion for dismiss the matter. The motion passed 4-0 with LeeAnne Wichmann recusing herself from the matter.

Case #2011-011 – Suzan Turley moved and LeeAnne Wichmann seconded the motion to impose discipline in the form of a letter of reprimand. The motion passed unanimously.

Case #2011-014 – Nila Epstein moved and Julia Smith seconded the motion to impose discipline in the form of a letter of reprimand. The motion passed unanimously.

Resolved: Case #2011-017 – LeeAnne Wichmann moved and Suzan Turley seconded the motion to dismiss the matter. The motion passed unanimously.

Resolved: Case #2011-019 – Suzan Turley moved and Julia Smith seconded the motion to issue a letter of concern. The motion passed unanimously.

Resolved: Case #2011-026 – Julia Smith moved and Nila Epstein seconded the motion to issue a letter of concern. The motion passed unanimously.

Resolved: Case #2011-029 – Suzan Turley moved and LeeAnne Wichmann seconded the motion to deny application for registered internship. The motion passed 4-0 with Julia Smith recusing herself from the matter.

Resolved: Case #2011-030 – LeeAnne Wichmann moved and Julia Smith seconded the motion to issue a letter of concern. The motion passed 4-1.

Staff requested an extension for the investigations in cases #2011-015, #2011-016, #2011-022, #2011-023, #2011-024, #2011-025, #2011-027, #2011-028 and #2011-032 due to caseload. Suzan Turley moved and LeeAnne Wichmann seconded the motion to grant extensions for investigation. The motion passed unanimously.

EXECUTIVE SESSION

The Board reconvened in Executive Session at 1:40 p.m. to discuss complaints and investigations through authority provided in ORS 192.660(2)(k).

PUBLIC SESSION

The Board reconvened in public session at 2:20 p.m.

CONSUMER PROTECTION

Jean Lasater gave a presentation on her activities on behalf of the Board. Ms. Lasater has already met and interviewed with six therapists to gather their ideas about licensing and how to increase consumer protection. Ms. Lasater would like to meet with Board members to hear their ideas. Ms. Lasater said that she should have a final report by the October 14, 2011 Board meeting.

SPECIAL CONSIDERATIONS

Kinsey Miller – Ms. Miller appealed denial of her 6-month intern report and hours, which the Board denied, as the report was submitted after the deadline. Ms. Miller sent her report to George Fox instead of the Board and George Fox did not return them to Ms. Miller until after the deadline. Because Ms. Miller forwarded the 6-month report to George Fox prior to the deadline, the Board voted to allow the hours. LeeAnne Wichmann moved and Julia Smith seconded a motion to grant Ms. Miller her direct client contact hours previously denied. The motion passed unanimously.

Dr. Cathy Moonshine – Dr. Moonshine is a licensed psychologist in the state of Oregon. Dr. Moonshine's requests the Board to grant her LPC licensure by reciprocity. The Board's administrative rules regarding reciprocity are for licensees of another state. Julia Smith moved and LeeAnne Wichmann seconded a motion to grant an exception to the rules and allow Dr. Moonshine's application for Licensed Professional Counselor is approved subject to her completing 1 quarter credit hour of group dynamics. The motion passed unanimously.

ADJOURNMENT

Chair Ryan Melton adjourned the meeting at 2:47 p.m.