



Counselor, Social Worker & Marriage and Family Therapist Board

77 S. High Street, 24th Floor, Room 2468
Columbus, Ohio 43215-6171
614-466-0912 & Fax 614-728-7790
<http://cswmft.ohio.gov> & cswmft.info@cswb.state.oh.us

State of Ohio Counselor Professional Standards Committee Meeting January 21, 2016

Members Present: Dr. Terri Hamm, Dr. Christin Jungers, Dr. Matthew Paylo, Mr. Ryan Pickut and Dr. Otha Gilyard

Staff Present: Ms. Rena Elliott, Ms. Yolanda Berry

Dr. Hamm called the meeting to order at 9:50 am

I. Discussion/Approval of Agenda

After review, Dr. Gilyard moved to approve the agenda. Mr. Pickut seconded. Motion carried.

II. Review Applications for PC/PCC & Continuing Education

The Committee reviewed Endorsement Applications, Applications in need of additional review and Out of State Coursework with staff member Ms. Elliott.

III. Review Continuing Education Program/Provider Applications

Dr. Jungers offered to discuss accepting supervision hours from applicants outside of Ohio and how that should be decided. It was agreed by the committee that topic would be tabled until a later time.

IV. Executive Committee Report Presented by Dr. Hamm

Reciprocity Agreement with North Carolina – Dr. Hamm shared that she had communicated with Executive Director, Brian Carnahan, regarding the reciprocity agreement with North Carolina. They are not able to enter into an agreement at this time as there is no language in their law that covers reciprocity. Therefore a legislative change would have to take place before anything could be accomplished. Dr. Paylo also indicated that he had shared our language which was taken verbatim.

Revision of Rule 4757-5-13 – Dr. Hamm informed the committee of a proposed revision to Ohio Revised Code 4757-5-13 Standards of Practice and Professional Conduct: electronic service delivery (internet, email, teleconference, etc.) that Executive Director Carnahan has requested the committee review regarding encryption.

The proposed revisions to ORC 4757-5-13 (B) Confidentiality in electronic service delivery shall be maintained by the licensee:

(1) Licensees shall use encryption methods for electronic service delivery, unless the client agrees through informed written consent to receipt of services through unencrypted methods. Services such as treatment reminders, scheduling contacts or other information provided outside of a therapeutic context are not required to be encrypted; and

(2) Licensees shall inform electronic service delivery clients details of data record storage.

The committee collectively agreed upon the proposed changes and Dr. Gilyard will inform Executive Director Carnahan of their agreement.

ASWB Training - Dr. Hamm discussed with the committee the possibility of the training being held in Ohio perhaps late spring or early summer provided they are able to obtain enough affirmative responses to attend. Dr. Hamm expressed that this is an excellent training as it highlights the roles and responsibilities of being a board member and has been helpful and informative based on her prior experience. Dr. Gilyard also shared his experience with the ASWB training in that he felt that the focus was on board training as well. Dr. Paylo and Mr. Pickut expressed an interested in attending the training. Dr. Hamm suggested that the training would be beneficial for staff, in particular Ms. Elliott and Ms. Berry, provided it was held in Ohio.

Parent Coordinating – The committee discussed the issue of parenting coordinating. Dr. Hamm offered a brief descriptive overview of parent coordinating as well as its definition and scope. She informed the committee that the Psychology Board actually developed a code and rule stating that their licensees could participate; separate and aside from other clinical duties. This was discussed in the Executive Committee meeting regarding our licensees and parenting coordination; however there should definitely be a separation of roles. If licensees are involved with parenting coordinating they shouldn't perform counseling nor can they assist with custody issues as well. This issue will be looked into further by Executive Director Carnahan and hopefully will be a moot point as the separation of roles has been addressed. The consensus of the committee was that a decision on this issue was not necessary at this time, however if the executive director needs to add to this rule it will be revisited.

Executive Director Salary Review - The committee reviewed a prospective letter along with supporting documentation drafted by the Executive Board Chairperson, Charlie Knerr, recommending a retroactive salary increase for Executive Director Carnahan which would be effective from the date of hire. After a discussion of concerns the committee decided that the letter of salary recommendation should go forth as written for further review and determination.

Election of Board Chair - Dr. Hamm also reviewed a discussion by the Executive Committee regarding the process of electing Board Chairs. The current process involves rotation among the three committees every two years. The committee expressed agreement with the current process as it gives an opportunity for each committee to be represented and serve as Board Chair.

V. Investigation Report – Mr. William Hegarty, Deputy Director

Prior to the presentation of the investigation report, the committee expressed concerns to Mr. Hegarty regarding parent coordinating with respect to dual relationships and separation of roles. Staff member,

Tammy Tingle, expressed concern that the current rule is vague. Mr. Hegarty explained that creating a new rule would be idealistic to provide clarity and specificity. After discussion, the Committee agreed with drafting a rule on parent coordinating for review.

Mr. Hegarty proceeded with investigative report along with staff members Ms. Tingle and Ms. Tracy Hosom. A list was distributed to the committee of cases recommended for closure by investigative liaisons, Drs. Paylo and Hamm.

The following cases were reviewed by Dr. Paylo and recommended for closure as they did not lead to formal discipline:

2015-141	Competency. Allegations not substantiated.
2015-196	Competency. No violation found.
2015-232	Non-sexual boundaries. Close with strong caution.
2015-239	Custody issues. Close with strong caution.
2015-242	Competency. Close with strong caution.

Dr. Paylo moved to close the above-referenced cases he reviewed. Dr. Jungers seconded. Motion carried.

The following cases were reviewed by Dr. Hamm and recommended for closure since they did not lead to formal discipline:

2015-195	Failure to Report. Allegation not substantiated.
2015-200	Competency. Close with no violation.
2015-201	Custody. No violation found.
2015-208	Custody. No violation found.
2015-235	Non-sexual boundaries. Close with caution.
2015-241	Impaired practice. Allegation not substantiated.
2015-250	Scope of practice. No violation found.
2015-251	Competency. Close with strong caution.
2015-253	Impairment. Close with strong caution.
2015-258	Sexual boundaries. Closed. CT since removed from program.

Dr. Hamm moved to close the above-referenced cases she reviewed since they did not lead to formal discipline. Dr. Jungers seconded. Motion carried.

Mr. Hegarty presented case 2012-208 and a proposed Notice of Opportunity for Hearing requesting the committee to initiate formal disciplinary action by allowing the mailing of the notice. In this case, this individual in November 2005 was found guilty of Aggravated Theft, a violation of ORC 2913.02 (A)(3), Falsification In a Theft Offence, a violation of ORC 2921.13 (A)(9) and Tampering with Evidence, a violation of ORC 2921.12(A)(2) which is not appropriate for an LPC

Dr. Jungers moved to accept the Notice of Opportunity for Hearing. Dr. Gilyard seconded. Motion carried.

Upon approval of the motion, Mr. Hegarty informed the committee that the individual involved in case 2012-208 is Loretta Phillips.

VI. CEU Committee Report – Mr. Ryan Pickut

Dr. Hamm suggested and Mr. Pickut agreed to move the CEU report to the agenda for January 22, 2016.

VII. Planning Meeting 3:30 – 5:00 p.m. in Addams Conference Room

The agenda for the planning meeting included discussions regarding Ohio Chemical Dependency Professionals Board with Amanda Ferguson and Bobbie Boyer, in addition to the process for electing the Board Chairperson as reflected in the minutes above.

Meeting adjourned.



Dr. Christin Jungers, Chairperson
Counselor Professional Standards Committee



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State of Ohio Counselor Professional Standards Committee Meeting January 22, 2016

Members Present: Dr. Terri Hamm, Dr. Christin Jungers, Dr. Matthew Paylo, Mr. Ryan Pickut and Dr. Otha Gilyard

Staff Present: Ms. Rena Elliott, Ms. Yolanda Berry, Executive Director Brian Carnahan and Deputy Director William Hegarty

Guest: Attorney Glenn Karr

Dr. Hamm called the meeting to order at 9:45 a.m.

I. Discussion/Approval of Agenda

Mr. Hegarty recommended that a summarization of a previous discussion regarding concerns expressed by the committee be reflected in the minutes.

The committee presented various concerns and observations regarding the length of meetings, relative agenda items and an overall change/shift in the climate and culture of the various committees and Executive board. Mr. Hegarty opined that there are catalyst issues that will continue to be dealt with into the future.

Mr. Carnahan stated that the Board although considered as one, it is viewed in thirds (Counselors, Social Workers and Marriage and Family Therapists). Mr. Carnahan expressed his continued commitment to promote consistency with respect to the management of the various committees. Mr. Pickut indicated, from his perspective and understanding, as a new board member there was a philosophy of eliminating the discrepancies between the committees.

Mr. Carnahan addressed the committee's concern regarding the length of various meetings. He advised that while there are issues/topics requiring more involvement in terms of discussion, the Executive Committee is a way to push through issues. Dr. Gilyard expressed agreement with Mr. Carnahan but also noted that there are members who work outside of the allotted time frame of meetings as well.

With respect to the committee's concern as to the relativity of agenda items Mr. Carnahan informed the committee while some agenda items may not be relative to a respective committee, the Executive Board does address issues that are beneficial and cross-cutting. The committee indicated there should

be input from the various committees when the agenda is formulated to provide a feel of contribution which would serve the interests of all three professional committees.

In conclusion, the committee agreed that working with a vision and philosophy, finding a point of connection and balance while moving forward as an organization to resolve various issues is what is necessary for an effective Board.

Dr. Hamm called for the addition of items to the agenda. The committee added Chemical Dependency, CEU Committee Report, Executive Committee information and a discussion regarding Vision.

Dr. Gilyard motioned that the agenda for the January 22, 2016 meeting inclusive of the additions be approved. Mr. Pickut seconded. There was no further discussion and the motion passed unanimously.

II. Approval of November 19-20, 2015 Minutes

Dr. Hamm asked if there were any changes or corrections to the November 2015 minutes. As no changes or corrections required, Dr. Gilyard motioned for the minutes to be approved as presented. Mr. Pickut seconded. Motion carried.

III. Motion to Approve Applicants Licensed By Staff From 11/21/15 – 1/22/16

a. LPC / LPCC

Dr. Jungers motioned to license 82 for the Licensed Professional Counselor licensure. Dr. Paylo seconded. There was no additional discussion and the motion passed unanimously.

Mr. Pickut motioned to license 41 for the Licensed Professional Clinical Counselor licensure. Dr. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

IV. Executive Director Report – Mr. Brian Carnahan

Mr. Carnahan discussed the “barriers” memo which outlined changes suggested by staff and to use this memo as a foundation for considering rule and policy changes during 2016.

Mr. Carnahan, at the request of Dr. Gilyard, addressed an issue raised by the social workers regarding the passage of a resolution and the options memo circulating in response to the counselor trainee issue. Mr. Carnahan informed the committee this was an inquiry as to the Board having the authority to decide non-controversial issues or the ability to pass a resolution.

Mr. Carnahan also reviewed information presented in the Executive Committee regarding Substance Abuse continuing education; whether recognition would be given to another Board’s approved CEs and its impact on the Board internally. The consensus was no decisions would be rendered currently, but would continue to be reviewed in addition to reciprocity with duly licensed professionals to enable effective management of continuing education.

Attorney Glenn Karr joined the meeting and briefly discussed his teaching a course in ethics, getting approval from the Chemical Dependency Professionals Board, the different set of laws that apply in terms of confidentiality and a changed approval process.

V. Application Coordinator Report – Ms. Rena Elliott

- **Number of CT/CR/Supervising Counselor**

Ms. Elliott reported that since December 31, 2015, Ms. Berry processed 159 Counselor Trainee applications.

In addition, Ms. Elliott requested clarification from the Committee with respect to 4757-13-03 of the Ohio Administrative Code regarding out-of-state supervision experience. The committee discussed this rule surmising the importance of providing supporting documentation identifying the supervisor's evaluation, completion of our clinical evaluation form provided one had not been completed previously. It was recommended that the applicant submit a detailed letter of supervision experience (i.e. hours, diagnosing and treating) and a review conducted on a case by case basis. Ms. Elliott requested that Dr. Paylo, as a clinician, review the clinical evaluation form currently being used for accuracy and possible changes. Dr. Paylo indicated that in special circumstances, when an applicant calls in, to put the ownership on the applicant to provide proof of inability to be licensed in their jurisdiction which would be helpful for the committee as well.

- **Number of Examination Approval Sent**

Ms. Elliott informed the Committee the total number of examination approvals that had been sent were not available at this time.

VI. Old Business

None discussed at this time.

VII. New Business

a. Reciprocity between Ohio and North Carolina

Dr. Hamm advised that the minutes will reflect that Reciprocity between Ohio and North Carolina was addressed in the Committee meeting held January 21, 2016.

b. Executive Committee Discussion – Dr. Otha Gilyard

Dr. Gilyard presented that there was continuing discussion in the Executive Committee regarding the barrier memo, Substance Abuse CEUs, the ASWB board training, the proposed salary recommendation for the Executive Director and shared the committee's comments on Parenting Coordinating and being ok with adding a rule. Dr. Hamm thanked Dr. Gilyard for attending.

c. CEU Committee Report from January 21, 2016 – Mr. Ryan Pickut

Mr. Pickut reported there was discussion regarding providers purchasing a program from an approved provider and utilizing their provider status to do the training. The Board's interpretation is that providers shouldn't be able to do this, however Mr. Carnahan indicated that it can be interpreted this way and the CEU committee concurred rather than change the rule. Mr. Pickut also expressed a frustration, as an agency, the Board's inconsistency in approval of CEUs and understanding their philosophy. He cited an example of this being the First Aid Mental Health for the General Public training. This training is worth reviewing as it is beneficial to clinicians. Although basic, counselors need these skills that are pertinent to our profession as well as client safety. There was also discussion as to what should be considered/defined as a CEU.

d. Chemical Dependency Discussion– Dr. Matthew Paylo

The committee agreed to table the Chemical Dependency issue and will be discussed at a future meeting.

The committee broke for lunch from 11:45 a.m. – 12:45 p.m.

VIII. Correspondence

Melanie Dente

The committee reviewed Ms. Dente's request for consideration of her proposed preparatory plan for retaking the NCMHCE examination. After review, the Committee agreed with Ms. Dente's plan provided she pursues a course designed to assist those that have had difficulty with passing this exam.

Dr. Gilyard moved to accept Ms. Dente's preparatory plan. Dr. Jungers seconded. The motion passed unanimously.

Eve Smith

Ms. Smith is an LPC (Licensed Professional Counselor) requesting that further education requirements be waived due to her lengthy experience in the counseling field to obtain LPCC (Licensed Professional clinical Counselor) licensure. Dr. Jungers recommended that Ms. Smith submit an application including a course review form as well as a resume identifying her job duties. The Committee concurred that they will not waive education requirements.

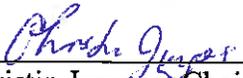
IX. Vision – Dr. Christin Jungers

The committee agreed not to discuss this agenda item at this time.

X. Supervision of Supervision

The committee, after a brief discussion, agreed to allow the training supervisee to receive credit for the 10 supervision of supervision hours accumulated by the aspiring LPCCS.

Meeting Adjourned.



Dr. Christin Jungers, Chairperson
Counselors Professional Standards Committee