



## ***Counselor, Social Worker & Marriage and Family Therapist Board***

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### **State of Ohio Counselor Professional Standards Committee Meeting March 17, 2016**

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

**Staff Present:** Ms. Rena Elliott, Ms. Yolanda Berry, Mr. Bill Hegarty and Ms. Tammy Tingle

**Absent:** Dr. Terri Hamm

Dr. Jungers called the meeting to order at @ 9:40 a.m.

#### **I. Discussion/Approval of Agenda**

Dr. Gilyard moved to approve the agenda. Mr. Pickut seconded. There was no further discussion and the motion passed unanimously.

Dr. Jungers called for an Executive Session to discuss a personnel matter at 9:48 a.m. with roll call. Present were Dr. Christin Jungers, Dr. Otha Gilyard, Dr. Matthew Paylo and Mr. Ryan Pickut.

The committee meeting resumed at 10:21 a.m. with roll call. Present were Dr. Christin Jungers, Dr. Otha Gilyard, Dr. Matthew Paylo and Mr. Ryan Pickut.

#### **II. Review of Applications for LPC/LPCC and Continuing Education**

The committee reviewed applications for Licensed Professional Counselors, Licensed Professional Clinical Counselors and applications for licensure via endorsement. Dr. Paylo reviewed Counselor Trainee and Supervising Counselor Designation applications.

#### **III. Reviewing Continuing Education Program/Provider Applications**

Dr. Jungers expressed an opinion of being flexible regarding on-line continuing education units (CEU). There is consistently 15 hours that are face to face and 15 hours on-line although with the face to face CEU experience it encompasses personal interest, motivation and time constraints. There are entire counseling programs delivered on-line which is outdated face to face CEUs. Dr. Gilyard indicated there's a disadvantage to on-line CEUs in that they are absent of an interactive physical classroom

atmosphere. Mr. Pickut related a personal experience with on-line CEUs and expressed a concern of there not being a check and balance system for this format of education.

#### **IV. Executive Committee Report – Dr. Christin Jungers**

Dr. Jungers shared information regarding a treatment facility that is or will soon close that provides treatment to impaired physicians. Ms. Knerr inquired as to how the “one bite rule” would potentially affect counselors in that rather than reporting physicians to the medical board, they participate in a diversion treatment program. A growing concern is whether counselors would be pressured into confidentiality issues and providing treatment under these circumstances.

There was continuing discussion regarding the process of electing an Executive Board Chairperson. Preferably, the prospective selectee should have previous experience as a chairperson prior to assuming the position. Dr. Gilyard added that rotation between respective committees is commendable and should be experienced by as many individuals as possible. However, if a candidate is not prepared, the opportunity should rotate to the next viable candidate.

There were numerous suggestions for future rule changes as outlined in the memo from the Executive Director Mr. Brian Carnahan. Dr. Jungers informed the committee that discussion regarding these issues were tabled for a later date.

There was a Marriage and Family Therapist, Ms. Boch, from OAMFT who gave a presentation on her experience with the National Health Loan Repayment Program. The program allows licensed health care providers to earn up to \$50,000 toward the repayment of student loans in exchange for a two-year commitment at an approved National Health Service Corps (NHSC) site in a high-need, underserved area. Approved sites are located across the U.S., in both urban and rural areas.

#### **V. Investigative Report – Mr. Bill Hegarty**

Mr. Hegarty briefly reviewed a previous discussion from the January committee meeting regarding the parental guidance rule recommending to take a step back to thoroughly think this issue through. Mr. Hegarty advised of a discussion with Board staff pertaining to this rule which gave insight to Chapter 4757-6-01 which already speaks on much of this.

Mr. Hegarty distributed a list of closed cases for review and thanked Dr. Hamm and Dr. Paylo for their assistance in reviewing these cases.

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

2015-131	Record Keeping. Allegation not substantiated.
2015-254	Improper Termination. Close with strong caution.
2015-275	Confidentiality. Close with strong caution.
2015-278	Confidentiality. Allegation not substantiated.

Dr. Paylo motioned to close the cases for the reasons identified. Mr. Ryan Pickut seconded. There was no further discussion and the motion passed unanimously.

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

2015-215	Custody issues. Allegation not substantiated.
2015-244	Custody issues. Close with a caution.
2015-256	Competency. Close with no violation.

Dr. Paylo moved to close the cases reviewed by Dr. Hamm for the reasons identified. Dr. Gilyard seconded. There was no further discussion and the motion passed unanimously.

Mr. Hegarty presented the following consent agreements for review by the committee:

#### Consent Agreements #1

Ms. Melissa Coan is an LPC who, in November 2015, was ordered to obtain a mental health evaluation. Upon receipt and review of the evaluation results, the Board recommended that Ms. Coan not be in solo private practice for a minimum of two years which can potentially be rescinded in the future, she must be supervised in all aspects of her counseling practice, receive face to face supervision at the rate of one hour for every 20 hours worked as well as receive personal counseling for two years. The Board is allowing her to practice in a specific setting where she and, moreover, the clients will be safe.

After the committee's discussion with Mr. Hegarty of the aspects of Ms. Coan's consent agreement and the Board's recommendations, Dr. Jungers moved to accept the consent agreement between the Board and Ms. Coan. Dr. Paylo seconded. There was no further discussion and the motion passed unanimously.

#### Consent Agreement #2

Ms. Evelyn Shira is an LPCC had been audited in September 2015 for compliance with continuing education requirements. Ms. Shira was unable to provide proof of the 30 hours necessary to renew her license. As a result, her failure to comply with the audit requirements will result in indefinite suspension of her license by the Board. Once Ms. Shira completes and provides the Board with proof of obtaining the 30 approved counseling CEUs her suspension will be lifted.

After discussion by the committee of Ms. Shira's consent agreement, Dr. Gilyard moved to accept the consent agreement of Ms. Shira. Mr. Pickut seconded. There was no further discussion and the motion passed unanimously.

#### Consent Agreement #3

Ms. Laura Thompson is a LPCC who, between December 2014 and March 2015, entered into a personal romantic relationship with a former client that she had terminated counseling with on or about November 2013. The Board's rule states that a licensed counselor must wait a minimum of 5 years from termination of service before engaging in a romantic relationship with a former client. Therefore her license will be suspended for three years beginning March 31, 2016. This will allow time for Ms. Thompson to work with her supervisor and agency regarding her termination with clients as well as provisions for proper referrals. In addition, Ms. Thompson will obtain personal counseling for two of the three years of her suspension while continuing license renewal during this time.

Mr. Hegarty informed the Board that the choices in this matter were either a consent agreement or a formal hearing. The general consensus is discipline is discipline wherein the ramifications (i.e., difficulty in locating employment or insurance) are significant. What this does, however, is protect the public.

There were questions from the committee on how this type of behavior is revealed. Mr. Hegarty identified how these types of cases are reported and discussed the rule of mandated reporting. Dr. Gilyard requested clarification and specifics regarding the consent agreement for this type of situation. Mr. Hegarty further explained the specifics of this particular case and the governing rule. In response, Dr. Gilyard expressed his disagreement with the rule; specifically the 5 year waiting period. Dr. Paylo added that these situations are difficult in that it's the standard, referring to the 5 year rule.

After copious discussion by the committee and Mr. Hegarty, Dr. Gilyard moved to accept the consent agreement of Ms. Thompson. Dr. Jungers seconded and the motion passed unanimously.

#### Consent Agreement #4

Mr. Hegarty informed the committee that the Board is waiting to receive a proposed consent agreement from Ms. Margaret Sciuva. Ms. Sciuva is an LPC who is questioning the restrictions of her consent agreement that she previously agreed to pertaining to the completion of a course. Her license renewal is today, March 17, 2016, and she is requesting an extension. Mr. Hegarty advised the committee that the preference would be to have the committee make the determination on this agreement as opposed to the Board staff. Due to the time constraint, upon receipt of the proposed consent agreement from Ms. Sciuva it will be presented to the committee. In the alternative, if the consent agreement is not received by the Board within sufficient time, the matter will be addressed at the May committee meeting.

Mr. Hegarty discussed the circumstances surrounding another proposed consent agreement that the Board is waiting to receive. Again, due to time constraints, it is not favorable to wait on receipt of this agreement due to time constraints. This consent agreement involves an LPC who practiced without a license for six months. The Board is recommending suspension of her license for one week commencing March 21, 2016. Mr. Hegarty requested a motion to accept the aforementioned consent agreement, and should it be received within sufficient time, it will be presented to the committee for review and a more formal determination.

Dr. Gilyard moved to accept the consent agreement for a week of suspension of the LPC who practiced without a license for six months. Dr. Jungers seconded. There was no further discussion and the motion passed unanimously.

Mr. Hegarty's investigative report concluded with the advisement of the following Endorsement Consent Agreements issued by the Board:

- a. Kelly Ziemann – LPC
- b. Rachael McEwen – LPC
- c. Jamie C. Matthews – LPCC
- d. Samantha Laffoon – LPC

#### VI. CEU Committee Report – Mr. Ryan Pickut

Mr. Pickut reported he will assume the position of chairperson of the CEU Committee as Dr. Demmit is leaving.

There was an update by Mr. Carnahan on the social work continuing education survey. The survey had 3600 respondents which is an excellent number with results still being tabulated. The trends found were not enough continuing education units offered in specific areas. For instance the medical field, which is becoming prominent with social work, wanting more actual offerings rather than on-line continuing education. Mr. Carnahan suggested a similar survey for the counselors and marriage and family therapists as well. The more feedback the better.

Board staff member, Ms. Paula Broom presented the audit report along with proposed changes to the 2016 CE Program and Provider Guidelines. Mr. Pickut distributed a copy of the proposed changes to the committee for review. Mr. Carnahan informed the committee that this issue does require Executive Board approval but can be approved at the committee level. There was also ample discussion on provider program purchasing.

Board staff member, Ms. Rhonda Franklin shared "Issues from the renewal desk."

Mr. Pickut shared a memo concerning a program from Shawnee State University regarding professional development on the use of emotional support animals. They are interested in feedback from the Board regarding the use of emotional support animals for individuals with disabilities. Dr. Jungers indicated although this is a particularly unfamiliar area, Equine therapy is not uncommon. Dr. Gilyard noted that hospitals frequently utilize animals in the treatment of patients.

The committee agreed that the ideals of the scope of practice should be reviewed and followed. Mr. Pickut shared a suggestion that was made of providing the CEU committee with a detailed proposal for the prospective sessions. Mr. Pickut concluded his report advising he would provide the CEU Committee with feedback from the Counselor Professional Standards Committee on this issue.

Dr. Matthew Paylo left the meeting at 2:00 p.m.

The committee tabled a discussion on the prospective rule changes until the March 18<sup>th</sup> committee meeting.

**VII. Planning Meeting 3:30 pm – 5:00 pm – Adams Conference Room**

The agenda for the planning meeting included discussions regarding technology and practice discussion with Rachel O'Neill and Brandy Gilyea and future rule changes (time permitting).

The meeting was adjourned.

  
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Dr. Christin Jungers, Chairperson  
Counselor Professional Standards Committee



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### **State of Ohio Counselor Professional Standards Committee Meeting March 18, 2016**

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

**Staff Present:** Ms. Rena Elliott, Ms. Yolanda Berry, Mr. Brian Carnahan and Mr. Bill Hegarty

**Absent:** Dr. Terri Hamm

Dr. Jungers called an Executive session to discuss a personnel matter at 9:38 a.m. with roll call. Present were Dr. Christin Jungers, Dr. Otha Gilyard, Dr. Matthew Paylo and Mr. Ryan Pickut.

The committee meeting resumed at 10:05 a.m. with roll call. Present were Dr. Christin Jungers, Dr. Otha Gilyard, Dr. Matthew Paylo and Mr. Ryan Pickut.

#### **I. Discussion/Approval of Agenda**

Mr. Hegarty requested to be added to the agenda.

Mr. Pickut motioned to accept the addition of Mr. Hegarty to the agenda. Dr. Gilyard seconded and without further discussion the motion passed unanimously.

#### **II. Approval of January 21-22, 2016 Minutes**

Mr. Pickut moved to approve the January 21-22, 2016 minutes. Dr. Gilyard seconded. There was no further discussion and the motion passed unanimously.

#### **III. Motion to Approve Applicants Licensed by Staff from 1/23/16 – 3/18/16**

Dr. Paylo moved to approve 104 Licensed Professional Counselors. Mr. Pickut seconded. There was no further discussion and the motion passed unanimously.

Dr. Gilyard moved to approve 64 Licensed Professional Clinical Counselors. Dr. Paylo seconded. There was no further discussion and the motion passed unanimously.

#### **IV. Executive Director Report – Mr. Brian Carnahan**

Mr. Carnahan reported that the rule change eliminating the Clinical Resident status has been officially filed. There have been a few questions regarding the usage of the credential but no negatives or issues regarding this rule change.

Mr. Carnahan informed the committee of his visitation to various counseling programs in Ohio and of plans for future visits during the off months between board meetings. On one particular visit, Mr. Carnahan met with Steve Fortson at Wright State who expressed concern about the Board's use of CACREP as the standard and individuals coming from other schools that are non-CACREP. The process is outlined in the rules. Mr. Carnahan added that it's not to prevent individuals from licensure; CACREP will make the process much easier.

Mr. Carnahan conveyed that on a visit to Mt. Vernon Nazarene University, one issue more so with social workers, but invariably applicable to all, were background checks. Ideally they would like a matrix to follow, however it's facts and circumstances rather than categorization of various offenses. There was continued discussion between Mr. Carnahan and the committee regarding BCI/FBI reports, convictions and the idea of obtaining background checks prior to admission to counseling programs.

There was discussion with Mr. Carnahan regarding the NBCC examination pass/failure rate. Dr. Gilyard expressed a concern for accountability or a form of record-keeping of the grades and number of candidates who are unsuccessful.

The committee inquired if the Board utilizes a form designed to enable supervisees to evaluate their supervision experience. Mr. Carnahan offered that there has been discussion with Board staff on the possibility of developing and implementing such a form and how the Board would respond to adverse evaluations, the honesty of evaluations and utilization of the information that's gathered. Dr. Jungers suggested devising a survey for supervisees to allow for a determination regarding the sufficiency of supervision. Mr. Picket agreed that there should be some type of accountability for supervisors.

Mr. Carnahan added that a survey would be interesting. Particularly, there are numerous supervisors in social work, marriage and family therapy and counseling but we hear from individuals who have difficulty locating a supervisor. There are some supervisors that have never experienced supervising, and a survey would give a sense of the number of supervisors actually performing supervision. Dr. Jungers added that this collective information could also be used when hardship requests are considered to determine the number of supervisors that are in a given area.

Mr. Carnahan informed the committee of the Board's first licensee under Kentucky Reciprocity; adding a reminder that the financial disclosure is due May 15, 2016. A link has been sent out regarding the ethics training made available by the Ethics Commission.

Mr. Carnahan concluded his report.

#### **V. Application Coordinators Report – Ms. Yolanda Berry and Ms. Rena Elliott**

Ms. Elliott reported that for January, 2016 there were 36 candidates for the NCE; 33 passed and 3 were unsuccessful and for the NCMHCE there were 37 candidates of which 28 passed and 9 were

unsuccessful. For February, 2016 there were 34 candidates the NCE; 30 passed and 4 were unsuccessful and the NCMHCE had 37 candidates of which 25 passed and 12 were unsuccessful.

Ms. Berry reported from January 25, 2016 – March 17, 2016 a total of 166 Counselor Trainee and Supervising Counselor Designation applications were processed.

#### **IV. Old Business**

Dr. Jungers tabled a discussion regarding the Rules memo until a future date.

#### **VII. New Business**

There was no new business discussed.

#### **XI. Correspondence**

##### **Cassie Eaton**

Ms. Eaton is an LPC who is requesting the acceptance of her supervision hours for two years. Ms. Elliott presented the evaluation forms to the committee for review.

After a discussion by the committee of Ms. Eaton's request, Mr. Pickut moved to accept 1,065 hours of counseling supervision. Dr. Gilyard seconded. The motion passed unanimously.

##### **Julie Hemmerich**

Drs. Michalec and Murphy on behalf of Ms. Hemmerich, who is an LPC, are collectively requesting approval of her supervision under psychological work supervision until the on-staff LPCC has obtained the Supervising Counselor Designation credential.

Dr. Paylo moved to accept the request by Ms. Hemmerich on behalf of Drs. Michalec and Murphy. Dr. Gilyard seconded. There was no further discussion and the motion passed unanimously.

##### **Allison Regan**

Ms. Regan is an LPC who requesting licensure based upon her experience and a reconsideration of the terms of her consent agreement. The current agreement with the Board is requiring the completion of a course. After review, the committee agreed that no exception will be made with respect to Ms. Regan's request.

Dr. Paylo moved that the requirements set forth in the initial consent agreement be upheld. Dr. Gilyard seconded. There was no further discussion and the motion passed unanimously.

##### **Kristen Kelly**

Ms. Kelly is requesting approval of her hours of supervision by a Licensed Independent Social Worker with Supervision Designation. After a review and discussion of Ms. Kelly's request the committee determined that it will be necessary for Ms. Kelly to obtain three months of supervision under a Licensed Professional Clinical Counselor with Supervision Designation. There was no motion requested regarding this determination.

**X. Investigative Report – Mr. Bill Hegarty**

Mr. Hegarty reviewed a consent agreement previously discussed at the March 17, 2016 committee meeting that had not yet been received. The Board is now in receipt of the consent agreement for Ms. Jennifer Schlagheck who is an LPC that practiced on a lapsed license and will be suspended commencing March 21, 2016 through March 25, 2016. This situation is more unusual due to the fact that the Board is suspending a licensee for the length of time Ms. Schlagheck practiced without a license.

Mr. Pickut moved to accept the consent agreement of Ms. Jennifer Schlagheck. Dr. Gilyard seconded. There was no further discussion and the motion passed unanimously.

Mr. Hegarty also reviewed the consent agreement of Ms. Margaret Sciuva that was previously discussed in the committee meeting on March 17, 2016. Ms. Sciuva, an LPC, is questioning the restrictions of her consent agreement involving the completion of a course which has to be taken if consideration is to be given to Ms. Sciuva's extension request.

Mr. Hegarty advised he would support the extension with the proviso that should the committee afford her one year, this would give her until March 2018 to complete the required course. In addition, the CEU will not count for any renewal, would require 30 clock hours for license renewal and there would be no more extensions. The question is whether the committee wants to provide an extension, and if so, for what length of time. The committee discussed the various circumstances for utilization of consent agreements with Mr. Hegarty.

Mr. Pickut moved to extend the consent agreement of Ms. Margaret Sciuva for one year with the understanding that these hours will not count toward renewal CEUs. Dr. Gilyard seconded. There was no further discussion and the motion passed unanimously.

**XI. Meeting Adjourned**

Dr. Jungers moved to adjourn the meeting. Dr. Paylo seconded. There was no further discussion and the motion to adjourn passed unanimously.

  
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Dr. Christin Jungers, Chairperson  
Counselor Professional Standards Committee