



Counselor, Social Worker & Marriage and Family Therapist Board

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

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

Staff Members Present: Ms. Yolanda Berry, Ms. Rena Elliott and Ms. Tracey Hosom

Guests Present: Sean Gorby, OCA Liaison

Dr. Hamm called the meeting to order at 9:38 a.m.

I. Discussion/Approval of Agenda

The agenda was amended to include the Executive Committee report. Dr. Paylo motioned to approve the amended agenda. Mr. Pickut seconded. There was no further discussion and the motion passed unanimously.

II. Approval of May 19-20, 2016 Minutes

Dr. Paylo thanked Ms. Berry for the minutes. Mr. Pickut motioned to approve the May 19-20, 2016, minutes. Dr. Jungers seconded. There was no further discussion and the motion passed unanimously.

III. Approval of Applications Licensed by Staff from 5/21/16 – 7/22/16

Dr. Jungers motioned to approve the licensure of 201 Professional Counselors. Mr. Pickut seconded. There was no further discussion and the motion passed unanimously.

Mr. Pickut motioned to approve the licensure of 90 Professional Clinical Counselors. Dr. Gilyard seconded. There was no further discussion and the motion passed unanimously.

IV. Executive Director Report – Mr. Brian Carnahan

Mr. Carnahan informed that NBCC conducts a practice analysis every 5-7 years and suggested the Board consider implementing a seven year expiration date unilaterally across all three professions. This would apply to individuals who were never licensed or their license had expired.

Mr. Carnahan discussed the future rule change involving temporary permission to render services. Dr. Paylo commented that another prevalent issue warranting more in depth discussion is tele-counseling. There are various on-line methods to obtain counselors licensed by our Board. Mr. Carnahan noted there are existing rules covering this type of delivery method however a review of the adequacy of these rules as it pertains to the performance of licensees is worth pursuing. Ms. Hosom added there are inquiries regarding the rules and requirements for this type of service delivery but no complaints.

Mr. Carnahan discussed with the committee the availability of LPCC-S supervision, evaluation of the supervision experience by supervisees and how supervision evaluations are affected by the relationship of the supervisor and supervisee. A survey is being conducted by OSU faculty to assess the number of licensees not actively utilizing their supervision credential or have never performed supervision. There have been discussions of possibly incorporating a similar survey beyond the evaluation process to ascertain supervisor/supervisee relationships.

Mr. Carnahan reviewed the budget for fiscal 2016 and 2017. Dr. Jungers inquired as to what amount of funds are received by the Board from tax revenue. Mr. Carnahan informed the Board is totally self-supported in that every expenditure is solely generated from licensees or continuing education providers. Mr. Pickut inquired how the Board finances are handled. Mr. Carnahan advised that the Central Service Agency is responsible for the Board's payables and payroll. The Board deposits checks that are received with the state treasurer's office and credit card revenue is deposited directly from the merchant bank.

Mr. Carnahan concluded his report.

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

Ms. Berry processed 338 Counselor Trainee, Supervising Counselor Designation and Counselor Trainee Extension applications between May 21, 2016 – July 22, 2016. There was no report from Ms. Elliott at this time.

VI. Old Business

There was no old business to discuss.

VII. New Business

There was no new business to discuss.

VIII. Lunch 11:45 a.m. – 12:45 p.m. – Addams Conference Room

IX. Correspondence

Ms. Michelle Paul is an LPC who submitted a hardship request for supervision based on her inability to secure appropriate supervision by an LPCC-S within her area of Cleveland, Ohio. Ms. Paul included with her request a roster of LPCC-Supervisors and agencies with whom she made contact and the reasons for their unavailability. Mr. Picket commented on the unusual circumstances of some responders.

Dr. Hamm expressed concern with Ms. Paul's request due to the location where she lives and works which is in/near the Cleveland, Ohio area. After discussion the committee agreed to deny Ms. Paul's hardship request based on her location. Dr. Paylo recommended the Board assist Ms. Paul with her efforts to locate supervision by providing a list of area LPCC-Supervisors. Dr. Gilyard concurred with Dr. Paylo's recommendation.

X. Remediation Plans

There were no remediation plans presented.

XI. Executive Committee Report – Dr. Christin Jungers

Dr. Jungers reported there was discussion regarding the one day meeting for September and subsequent meetings which was tabled for future review. Dr. Gilyard commented that it would be difficult for the committees to perform the test set before them within one day. Dr. Jungers added the September meeting would be a trial for the one-day concept.

A vote is expected in the Executive Board meeting regarding the proposed fee increases. A report was distributed with the Board's current fees, proposed fees and projected revenue. A corrected report will be forthcoming from Mr. Carnahan as well as additional information in the Board newsletter.

There was discussion regarding NBCC administering the Laws and Rules examination. Dr. Jungers advised that Mr. Carnahan indicated oftentimes there are systematic glitches and IT support concerns with the Board administering this examination. Currently the fee is \$10 for the Board-administered the exam and NBCC would charge approximately \$15-30. Dr. Jungers noted that Ms. Knerr recommended exploring options with continued discussion on this issue.

Mr. Pickut expressed concern regarding the lack of communication between the Board and committee members as issues are raised by proxy that should come directly from the Board's executive director. Mr. Pickut added that the lack of communication or being ill-informed regarding Board issues impacts decisions made by the various committees.

Mr. Sean Gorby, OCA liaison, gave an update on the status of OCA. There is a shift in leadership and permeating conversations such legislative issues as medical marijuana and a push for an endorsement to have psychologist prescribe medication. Mr. Gorby advised that Mr. Robert Thomas is the new Executive Director and Ms. Martha Fleming is the incoming President.

Dr. Jungers concluded her report.

XII. Meeting Adjourned

Dr. Hamm advised the committee this will be the final meeting of her attendance. The committee thanked Dr. Hamm for her service as chairperson of the Counselor Professional Standards Committee.

Dr. Hamm adjourned the meeting.

Dr. Terri Hamm, Chairperson
Counselor Professional Standards Committee



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

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

Members Absent: Dr. Otha Gilyard

Staff Members Present: Ms. Yolanda Berry

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

I. Discussion/Approval of Agenda

The agenda was amended to include the election of a new committee chairperson and appointment of a committee investigative liaison and Mr. Pickut's report from the NBCC State Administrators Forum.

Dr. Jungers motioned to approve the amended agenda. Mr. Pickut seconded. There was no further discussion and the motion passed unanimously.

II. Election of Board Chairperson

There was a brief review and discussion of Dr. Paylo's acceptance of the committee's nomination for the position of chairperson of the Executive Board.

III. Review Applications for LPC/LPCC and Continuing Education

The committee reviewed applications for licensure.

IV. Review Continuing Education Program/Provider Applications

There were no continuing education programs or provider applications to review at this time.

Ms. Elliott shared an e-mail that inquired whether elective courses should utilize a letter grade or if the pass/fail grade mode is acceptable to the Board. After a discussion the committee agreed that the pass/fail grade mode would be acceptable. Dr. Hamm noted that it is not the domain of the Board to make this type of decision for universities.

V. Executive Committee Report – Dr. Terri Hamm

Dr. Hamm briefly reviewed Mr. Hegarty's previous discussion with the committee with respect to voting on cases with limited information and immunity issues. The Ethics Commission continues to evaluate the process. Historically all Boards process cases in this manner and will continue to do so until advised otherwise.

There was discussion on the proposed rule regarding temporary licensure for out of jurisdiction professionals. This rule would allow a licensee in good standing in another United States jurisdiction with a license equivalent to one issued under Ohio Revised Code 4757 to petition the Board to be allowed to render services on a temporary basis under certain conditions. Mr. Pickut questioned if a time frame had been set for the temporary licensure. Dr. Hamm indicated from her understanding the temporary license would be valid for approximately 4-6 weeks. This rule change will necessitate more discussion in the future.

Regarding the Board's proposed fee increases, Dr. Hamm reported the Board has been operating for the past 30 years without increasing fees. Some of the proposed increases will include \$125 for new applicants (which is an increase of \$50) and \$100 for the renewal fee (an increase of \$25). The allocation of the revenue from the fee increases will be a continued discussion.

There is also exploration of creating a Board staff position of licensing manager. This position would encompass the coordinating of licensure across all three professions to create a more efficient and streamline process.

Dr. Hamm motioned for an executive session at 10:43 a.m. to discuss a personnel issue. Mr. Pickut seconded. Present were Mr. Ryan Pickut, Dr. Christin Jungers, Dr. Matthew Paylo and Dr. Terri Hamm. The committee resumed the meeting at 11:15 a.m. Present were Mr. Ryan Pickut, Dr. Christin Jungers, Dr. Matthew Paylo and Dr. Terri Hamm.

The State Auditor's has returned to the Board for completion of the regulatory audit. Ms. Knerr has requested the results from the audit which will be forthcoming in the near future.

Dr. Hamm advised the committee that the Board meeting for September, 2016 has been changed to the 22nd and 23rd due to scheduling conflicts with some of the Board members. A review of the agenda for September indicated the possibility of reducing the September meeting to one day with a review of this concept for future meetings in 2017. The committee discussed the one-day concept and collectively agreed that the Board's two-day sessions should continue.

Mr. Carnahan joined the meeting to discuss the potential Board meeting dates for 2017, the one-day concept for Board meetings, proposed fee increases and the proposed budget for fiscal years 2016 and 2017.

Mr. Pickut inquired of the possibility of limiting the September meeting to one day. Mr. Carnahan offered that based on discussions regarding the September agenda an observation was the one day meeting would be sufficient. Mr. Carnahan added there are Boards with a smaller member base and meeting for one day every other month is not unusual. The September meeting would be just an exploration of the one day concept as well as a review of what committees are tasked with. Dr. Jungers

commented there are decisions made specifically by committee members that is relevant to the work being performed. Mr. Carnahan agreed.

The committee discussed with Mr. Carnahan budget organization and allocation of revenue. Mr. Carnahan explained how baseline budget amounts are projected and the process of petitioning for funds. Additional funds may be included in the budget by anticipating contractual increases thus creating a differing payroll amount that is set irrespective of generated revenue. Mr. Carnahan informed the committee of the various accounts such as payroll, central service fees, outside purchasing and a small account for refunds and how the aggregate amount of non-payroll spending is determined.

Dr. Hamm concluded her report.

VI. Investigative Report – Mr. William Hegarty

Mr. Hegarty reviewed the investigation process. Numerous conversations regarding the process of various Boards concluded the investigative process is identical, specifically that protection is provided under the immunity clause. In terms of case presentation, limited information is intentional notwithstanding the fact that providing data for three committees would be a significantly time-consuming effort.

Dr. Hamm commented that an on-going ethical issue is the anonymity of the individual being voted on and the possibility of a dual relationship. Mr. Hegarty reassured Dr. Hamm the Board would respond if such an issue were to occur. Mr. Pickut noted the state board's symposium indicated there were a number of states that have board members investigate all complaints. Mr. Hegarty added that this is accomplished by most states due to having a smaller member base and budget as well as being understaffed.

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

Dr. Paylo reviewed the following cases and recommended closure as they did not lead to formal discipline:

2016-40	Competency. Allegations not substantiated.
2016-53	Non-sexual boundaries. Close with strong caution.
2016-75	Confidentiality. Close with strong caution.
2016-100	Misrepresentation of credentials. Close with caution.
2016-103	Mandated reporting. Close with no violation.
2016-106	Record Keeping. Close with caution.
2016-116	Billing. Allegation not substantiated.
2016-119	Non-sexual boundary. Close with strong caution.
2016-120	unlicensed practice. Close with caution.
2016-132	Misrepresentation of credentials. Close with caution.

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

Dr. Hamm reviewed the following cases, with the addition of case 2016-99 Custody case. Allegation unsubstantiated.

2015-215	Recordkeeping. Close with caution.
2016-68	Competency. Close with no violation.
2016-84	Non-sexual boundaries. Allegation not substantiated.
2016-89	Confidentiality. Allegation not substantiated.
2016-91	Billing. Allegation not substantiated.
2016-110	Competency. Close with caution.
2016-111	Misrepresentation of credentials. Close with no violation.

Dr. Hamm motioned to close the cases including the addition of case 2016-99. Dr. Jungers seconded. There was no further discussion and the motion passed unanimously.

Mr. Hegarty advised that contained in the Board mailing was information regarding a Goldman review on Ms. Rachel Jones which is a licensure denial case. Ms. Jones applied for LPCC licensure and has a degree in psychology. Dr. Jungers reviewed the application and determined Ms. Jones does not meet the educational qualifications under the laws and rules. The Board issued a Notice of Opportunity for Hearing to which Ms. Jones has not requested a hearing. Dr. Jungers is recused from voting on the licensure denial. Mr. Pickut moved to deny licensure for Ms. Jones based on lack of education qualifications. Dr. Paylo seconded. There was no further discussion and the motion passed unanimously.

The Board entered into four endorsement consent agreements since the May Board meeting for:

- a. Beth Allegrini, LPC
- b. Emily Benning, LPCC
- c. Reta Goldman, LPCC
- d. Lorianna Joos, LPCC

These individuals have one or two courses to complete for license renewal. Mr. Hegarty informed the committee that Ms. Franklin of the Board's Renewal Department indicated there are numerous licensees with endorsement consent agreements that are not completing the coursework for renewal. On-line renewal is prevented in these circumstances as proof of course completion is required prior to license renewal.

Mr. Hegarty concluded his report.

VII. CEU Committee Meeting – Addams Conference Room 1:00 p.m.

The CEU committee meeting will be attended by Mr. Ryan Pickut.

VIII. CEU Committee Report – Mr. Ryan Pickut

Mr. Pickut reported there were 3,600 respondents from the social work survey which included questions on the benefit of and accessibility to continuing education. The quality of the data collected was reviewed by two local university social work interns who found numerous answers were inapplicable. Of interest was 40% of the responders were in a non-clinical setting and not practicing social work. Mr.

Mr. Carnahan will explore the the survey information will be utilized by the Board. Mr. Picket expressed the possibility of a similar survey for counselors. The audit report was shared by Ms. Broome and a couple of general topics were addressed by Ms. Miller.

Mr. Pickut informed the committee of the unexpected passing of Ms. Franklin's mother. Thoughts and prayers are extended from the Counselor Professional Standards Committee to Ms. Franklin and family.

Mr. Pickut concluded his report.

IX. Planning Meeting 3:30 Pm-5:00pm – Addams Conference Room

The planning meeting agenda will include discussions regarding the Ohio Department of Medicaid-Behavioral Health Redesign, Planning Meeting Feedback and Future Topics.

X. Election of Counselor Professional Standards Committee Chairperson and Appointment of Investigative Liaison

Dr. Hamm nominated Dr. Jungers as the chairperson of the Counselor Professional Standards Committee. Mr. Pickut seconded. Dr. Jungers accepted the nomination. There was no further discussion. Dr. Hamm recommended that Dr. Jungers attend the Executive Committee meeting on July 22, 2016, on her behalf.

Mr. Pickut was appointed by the committee as the investigative liaison and will meet with the Board's Investigation Department for a short base training.

XI. NBCC State Administrators Forum – Mr. Ryan Pickut

Mr. Pickut reported on his attendance at the NBCC State Administrators Forum recommending newly appointed board members attend this very informative meeting. Various topics were covered including portability variances from state to state, reciprocity and distance counseling which is anticipating a future growth by 50%. Regarding portability NBCC and AASCB have both made suggestions and recommendations for the unification of state boards. A continuing education discussion with the NBCC director revealed that NBCC conducts reviews of continuing education units for other states to provide a unification of standards. Dr. Hamm commented it would be a major accomplishment for Ohio should NBCC become the approver of continuing education units. There is a minority fellowship program in conjunction with the NBCC foundation that had approximately 200 awardees.

Mr. Pickut concluded his report.

Meeting adjourned.

Dr. Terri Hamm, Chairperson
Counselor Professional Standards Committee

