Counselor, Social Worker & Marriage and Family Therapist Board

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State of Ohio
Counselor Professional Standards Committee Meeting
July 16, 2015

Members Present: Matt Paylo, Mary Venrick, Otha Gilyard, Christin Jungers, Terri Hamm

Staff Present: Brian Carnahan, Bill Hegarty, Tammy Tingle, Tracy Hosom, Rena Elliott and Simeon Frazier

Guests Present: Glenn Karr

Hamm called the meeting to order at 9:23 a.m.

I. Discussion/Approval of Agenda

Jungers moved to approve the, amended, agenda. Venrick seconded. There was no further discussion, and the motion passed, unanimously.

II. Election of Committee Chairperson

Venrick moved to have Hamm reappointed as committee chairperson. Jungers seconded. There was no additional discussion as the motion passed, unanimously. As a courtesy to the existing Board chair, whose term will be up tomorrow, the election for the new chair will take place at the end of tomorrow's meeting.

III. Investigator Report

Hegarty thanked Hamm and Venrick for reviewing cases.
He then passed out cases and discussed *Transcranial Direct Current Stimulation* (TDCS) and *Transcranial Magnetic Stimulation* (TMS) and needed to know what needed to be done in order to perform these modalities. It appears to be a medical procedure that, for now, is beyond the scope of practice for an LPC/LPCC. The Psychology Board in Ohio is not doing it. The committee agrees, accordingly.

A. Reviewed Cases Recommended for Closure

Hegarty passed out the cases to the Committee that were recommended for closure, since they did not lead to formal discipline.
Venrick moved to close the 6 cases that she reviewed.
Cases included:

2015-33 Non-Sexual boundaries. Closed as unsubstantiated.
2015-61 Competency. Close as unsubstantiated.
2015-70 Record Keeping. Close with a caution.
2015-83 Records. Close with a caution.
2015-105 Supervision Issues. Close with no violation.
2015-107 Record keeping. Close with caution.

Gilyard seconded. There was no additional discussion and the motion passed unanimously.

Hamm moved to close the 4 cases that she reviewed.
Cases included:

2015-72 Competency. Close with no violation
2015-77 Competency. Allegation not substantiated.
2015-97 Confidentiality. Close with no violation.
2015-100 Practice without a license. Allegation not substantiated.

Gilyard seconded. There was no additional discussion and the motion passed unanimously.

B. **Goldman Cases**

Hegarty discussed the following Goldman cases:

1. *Serena Houser*

   She hasn't been in compliance with communicating regarding her failed audit.

   Venrick moved to revoke her license due to her audit failure. Jungers seconded.

   Gilyard entered at 9:32 am

2. *Benjamin Kelch*

   He sexually harassed a client, via requesting a female inmate client to lift her blouse. He didn't request a hearing.
   Tingle reminded the committee that the investigators recommended a 5 year suspension. He rejected it, but didn't request a hearing.

Glenn Karr asked if he worked for the prison system. It was shared that he was contracted to work there.
Though he denies it, it was established that there was a video.
Hegarty shared that their belief is that the evidence supports the charges.

Jungers moved to revoke his license. Gilyard seconded. During the discussion period, Venrick confirmed that with a suspension, he would be able to come back after the suspension period. Hamm confirmed that he opted not to defend himself against the charges. There was no additional discussion, as the motion passed, unanimously.

C. <u>Proposed Consent Agreements</u>

1. *Monica Bryant*
   She was audited, and was unable to show that she accumulated 30 hours. She is surrendering her license.
   Gilyard moved to accept the consent agreement where her license is surrendered. Jungers seconded. There was no, additional, discussion, as the motion passed, unanimously.

2. *Christine Killa*
   She is a PCC that voluntarily surrendered license in PA, due to participating in a sexual encounter with a client. She may not re-apply. This is permanent.
   Jungers Moved to accept the consent agreement. Gilyard seconded. There was no, additional, discussion, as the motion passed, unanimously.

D. <u>Proposed Notice of Opportunity for a Hearing</u>

1. *Benjamin Kelch*
   He allegedly sexually harassed a client.
   Gilyard moved to authorize the board to mail out the notice of opportunity for a hearing. Jungers seconded. There was no further discussion and the motion passed unanimously.

2. *Abby Barwick*
   Gilyard moved to move forward with the current consent agreement and accept the hearing officer's report. Jungers seconded. There was no further discussion and the motion passed unanimously.

3. *Lynn Skunta*
   This surrounded Non-compliance with her consent agreement. Discipline will be issued 8/1/15 if not in compliance
   Gilyard moved to move forward with the current consent agreement and accept the hearing officer's report. Venrick seconded. There was no further discussion and the motion passed unanimously.

Carnahan entered at 09:55 am

E. Executive Committee Report

Hamm reported that Carnahan discussed the possibility of a reciprocity agreement with the Ohio Chemical Dependency board re: CEUs (what they accept/approve, we'd accept/approve). Chemical Dependency already accepts our CEUs. Carnahan shared that only 15 of their 30 hours (for chemical dependency, only) could be approved for Counselors. Paylo shared that if it is evidence based, and it has something to do with substance and treatment, then it would be approved, anyway. He also shared that, as counselors, they'd be expected to perform dual diagnosis, anyway. Hamm shared that her only concern was that quite a few of their licensees were licensed at the bachelor's level, and asked if the committee was comfortable accepting a lot of CEUs that were created for bachelors level practitioners. The committee discussed the various options, available, including making stipulations re: who is presenting, etc.
Carnahan stated that he suggested offering provider status, and then discussed that various pros and cons.
Hamm shared that with CACREP accreditation requirements, we're going to start to see more masters level presenters, as there will be some overlap.
Hamm asked, if Provider status was approved, then the only bachelors' level CEU presenters would be presented by an LPC. Carnahan shared that this is something that could be explored. Gilyard shared that, often, some of the areas that will be discussed would be areas where LPCs didn't have experience.
Paylo asked if we approve CEUs for RN presenters, as they are bachelors' level. He added that there is much to be learned by people's lived experiences. He went on to offer that most students take a 3 hr course in certain areas, which isn't enough to get experience, and even some of the LPC's experience are limited.
Hamm reminded that if a, conference was approved, and 7 speakers were bachelor's level, it may be problematic.
Hamm shared that she'd be comfortable with accepting 6 hours, instead of 15.
Venrick confirmed that it's harder to come down from a higher number, than it is to add to a lower number, if needed.
The committee seems to be good with that.
Hamm shared that the executive committee discussed renewals, and making things easier for the staff. All the renewal dates would be the same for each license. An example would be, January: Everyone renews for the LPC; June, everyone renews for the LPCC. Everyone gets more time than they had, before. It would make it easier to make one blanked notification for 30, 60, 90 days, etc. There would be no cost savings, but the licensees would benefit from having savings from the Board's reduction in opportunities for having to pay for something due to administrative reasons. The committee seems to be accepting of this.
Removing Clinical Resident status was discussed. Paylo reminded the committee that several meetings ago, the committee discussed requiring Clinical Residency. They discussed the pros and the cons of it. It was confirmed that the 6 supervisee limit would need to be neutralized since there would be no way to attach and monitor. The committee

was reminded that the licensee would, still, document their 1st 1500 hours, so it could be detected, earlier, if there were an issue. Ultimately, the title would be removed, and the supervisor's ability to make decisions regarding how many licensees they supervise.
It was also determined that there would be no penalty for those that don't file their first 1500 hours, but without their proper number of hours ultimately submitted, their license may be denied.
Gilyard moved to discontinue CR status. Jungers seconded. There was no further discussion and the motion passed unanimously.

Rules will need to be changed, but this starts, today.

Music therapy: This is still in the works. Sponsor and proponent testimony went well. There doesn't seem to be a desire to include art therapy in this movement.

The National Association for Forensic Counseling was founded by Francis Deisler. He was convicted of bank robbery and rape. He is not, really, connected, anymore, to this association. He's loosely affiliated, only, because he's the founder. Now, the church of Scientology is trying to shut them down, due to his affiliation with it. The committee should be aware of what's going on.
Paylo looked him up, and though he doesn't know how credible the information is, he, now, has an LSW in Michigan, after losing his psychology license.

Carnahan gave a little more context to why the board is, potentially, going to be asked to not award CEUs to the conference.
Glenn Karr shared that the Church of Scientology is not in favor of mental health counselors, period, particularly, since they have a credential that they are going to be offering.

Carnahan and Gilyard left at 10:50 ; Gilyard returned at 10:55am

F. <u>Agreement between Ohio and Kentucky</u>

The committee seems to be in favor of it, and there seems to be no issue with it from our AAG. The only issue is that KY has a 1 tier license, and OH has a 2 tier. If they want the LPCC when coming from KY, they'd need to satisfy other requirements.
Paylo confirmed that KY has reciprocal agreements with TN, but TN has a different and lesser standard.
Hamm shared that it wouldn't affect many, and we have to start somewhere. It was discussed that, as states move towards CACREP accreditation, it makes it easier to lessen concerns about unbalanced reciprocity standards.

G. <u>4757-3-01 Definitions of Grade</u>

1. CACREP, Only vs. CACREP and B-

The committee shared that they'd like to see the B-.
It was confirmed that in the definition, the B- must be in the graduate coursework, as it doesn't just hold for Core courses.
Paylo confirmed that if the student accumulated more than 60 hours.
Hamm confirmed that if the definition is removed , then it neutralizes the standard, overall.
Gilyard shared that it's important to have the standard.
G moved keep definition of 60 hours of B- or better. Jungers seconded. There was no further discussion and the motion passed unanimously.

IV. Correspondence

A. Valencia Dickerson

Requesting that C's be accepted on her transcript.
The committee shared that they kept the definition, so they will not be accepting her coursework with C's.

B. Ms. Meaghan Iandolo

Applicant in expressive therapy. The committee wants her to provide them with the syllabi for the classes that she is discussing.
Jungers thinks that, potentially, she could get credit for treatment, as she may be beyond the Board's requirements. They want all syllabi, to re-review it, as she doesn't believe that the committee reviewed her entire file.

Gilyard left at 11:35am

V. Remediation Plans

A. Amy Williams

She is submitting that she take 2 courses at Walden University in areas where she is weak. She'd also take the NCE and the NCMHCE in Cleveland. The committee will accept this, and also share that other students have been successful with taking the Association for Advanced Training in the Behavioral Sciences program, as they believe that it would allow her to also take the opportunity to use practice tests.

VI. Conversion Therapy Resolution

Carnahan passed out 2 potential resolutions

1. Is considered more enthusiastic in terms of passing new bills with respect to the subject.
2. This is more conservative with respect to passing new bills.

The committee doesn't seem to believe that a new resolution is necessary, as the code of ethics addresses this sufficiently. The committee is concerned that there would, potentially, be a statement issued when a considerable amount of people (including the entire CPSC committee) are

against making the statement. The committee soundly believes that they wouldn't be in support for anything that was in conflict with the existing code of ethics, particularly; as they shared that they are against non-evidence based practices that may be harmful to clients.

Carnahan shared that a resolution would allow the board to express some opinion without having to bind them to action.
Jungers shared concern that a statement of any sort would carry weight.
Carnahan shared that he believes that making a statement would indicate that they are paying attention, and understanding their vested interests.
Jungers shared her concern that not making a statement doesn't, necessarily, mean that they're not paying attention, particularly, when she believes that, as professionals, they should always look out for their client, while seeking the most helpful outcome, not the outcome that may or may not conform to their personal beliefs. She isn't interested in singling this issue out.
Hamm shared that her concern is that the statement may go forward if this isn't what the entire board, necessarily, thinks, particularly, since there are many treatments in the marketplace, where the board hasn't made a statement, so it's unclear why a statement would be warranted, this time.

Paylo left at 12:04pm

The committee took a break for lunch at 12:15 pm, and returned at 1:30pm. They, then, continued to work on programs and application for the remainder of the work day.

State of Ohio
Counselor Professional Standards Committee Meeting
July 17, 2015

Members Present: Matt Paylo, Mary Venrick, Christin Jungers, and Otha Gilyard

Staff Present: Brian Carnahan, Bill Hegarty, Tracey Hosom, Rhonda Franklin, and Simeon Frazier

Guests Present:

Hamm called the meeting to order at 9:30 a.m.

I. **Discussion and Approval of Agenda**

Hamm added "Executive Committee"
Venrick added "CT Issue"
Gilyard moved to accept the amended agenda. Venrick seconded. There was no additional discussion and the motion passed unanimously.

II. Approval of May 2015 Minutes

The change was made to ensure that the typos were adjusted. Additionally, Hamm wanted to ensure that the minutes, more clearly, reflected the committee's belief in the validity of the code of ethics. Venrick moved to accept the minutes, as amended. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

III. Approval of Counselor License Applications

A. LPC

Venrick moved to license the 167 applicants for the PC license. Jungers seconded. There was no additional discussion and the motion passed unanimously.

B. LPCC applicants

Venrick moved to license the 47 applicants. Paylo seconded. There was no additional discussion and the motion passed unanimously.

IV. Counselor Trainee Issue

The committee agreed that, in the cases, where a Supervising Counselor Designation is being addressed, they would require that applicants adhere to the rule whereby their practice includes direct services of clients, which, would also, include the Diagnosis and Treatment of mental and emotional disorders. If it did not, then they'd need to acquire clients in order to meet the requirement.

V. Counselor Application Coordinator's Report

Elliott reported that, she was unable to secure the passage rates for the current cycle of testing applicants since the last board meeting; he processed 385 Counselor Trainee/Clinical Resident applications.
He reported the following statistics with regard to the 81 examination approvals that Rena Elliott submitted.
She then shared that, though, the rule states that the test results are valid for 2 years, an applicant, longer than 2 years ago, passed the NCE more than 2 years ago for the school counselor license. She won't have all of the coursework, but the question is, did she apply under our rule. She can't apply under endorsement, as she doesn't have the proper coursework or degree.
Jungers stated that the NBCC stated that the test results are valid for 5 years.
Hegarty shared that this is for the dependent license, and that the NCE from 10 years ago under endorsement.
The committee stated that they are inclined to accept her results, and are willing to meet with Carnahan to remove the 2 year time limit from the rule.

VI. CEU Committee

Venrick shared that they discussed Human Trafficking, the CEU Broker program, and the renewal letters. There were 800 PC letters that didn't reach their destinations. They will be re-sent. Those that ask for extensions to complete CEUs a number of times, adjustments can be made.

VII. Old Business

There was no old business to discuss.

The Meeting Adjourned at **10:02 a.m.**

Terri Hamm

Terri Hamm, Counselor Professional Standards Committee, Chair