



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

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### **State of Ohio Counselor Professional Standards Committee Meeting January 20, 2011**

**Members Present:** Ms. Maureen Cooper, Dr. Terri Hamm, Dr. Victoria Kress, Dr. Otha Gilyard, and Mrs. Mary Venrick

**Staff Present:** Mr. William Hegarty and Mr. James Rough, Ms. Tracey Hosom, Mrs. Tammy Tingle and Mr. Simeon Frazier

**Guests Present:** None

Venrick called the meeting to order at 9:16 a.m.

#### **Discussion/Approval of Agenda**

Gilyard moved to approve the agenda. Cooper seconded. During the discussion, there were no additions as motion passed unanimously.

Rough entered at 9:20 a.m. and left at 9:22 a.m.  
Hegarty, Hosom and Tingle entered at 9:25 a.m.

#### **Investigation Report**

Hegarty thanked the committee for agreeing to come on 4/1/11 for hearings, unless adjustments are made, this is the date for the hearings.

He distributed a list of cases that have been reviewed and will be recommended or closure by Kress and Venrick.

Venrick moved to close the cases on the list, reviewed by, both, Venrick and Kress. Gilyard seconded. There was no discussion and the motion passed, unanimously.

Venrick and Hegarty explained what "Closed with strong caution" meant to Cooper.

Hegarty, then, discussed the process of how the investigation department submits recommendations and how their goal is to be consistent over time, even though new facts sometimes warrant that they deviate (with lighter or harsher discipline) with each case.

Hegarty requested that the committee go into Executive Session. All members answered roll call with "Yes."

The Committee entered Executive Session at 09:34 a.m. and returned at 09:49 a.m.

Rough re-entered at 09:43 a.m.

John Eaton

Cooper moved to deny his license because he doesn't have a counseling degree. Gilyard seconded. There was no discussion and the motion passed, unanimously. Hamm abstained from the vote, as she reviewed the case.

Andrew Leonard

Hamm moved to accept the consent agreement based on the information in the provided document. Gilyard seconded. There was no discussion and the motion passed, unanimously.

Samuel Ciccolini

Gilyard moved to accept his consent agreement based on the information in the provided document. Hamm seconded. There was no discussion and the motion passed, unanimously.

David Perlaki

Gilyard moved to accept his consent agreement based on the information in the provided document. Hamm seconded. There was no discussion and the motion passed, unanimously.

Hosom and Tingle left the meeting at 09:52 a.m.

Hegarty left the meeting at 09:55 a.m.

Gilyard left the meeting at 09:55 a.m. and returned at 09:58 a.m.

Rough left the meeting at 09:55 a.m. and returned at 09:58 a.m.

Kress arrived at 09:59 a.m.

Executive Committee Meeting

Venrick reported that the committee discussed policy reviews and the introduction, particularly that breastfeeding in the workplace, is now in policy. The policy for staff duties, now, include back up and changes to policies for the governor's new common sense initiative and the "Joe the Plumber" law.

The costs are being reduced by approximately \$845 per month.

HB62 died.

Rough re-entered at 10:17 a.m.

The committee broke for lunch at noon and returned at 1:00 p.m.

The committee reviewed programs, applications and CEUs until the 1:30 p.m. Hearing

Hegarty arrived at 1:20 p.m. to escort the committee to the mezzanine for their 1:30 p.m. hearing.

**State of Ohio  
Counselor Professional Standards Committee Meeting  
January 21, 2011**

**Members Present:** Dr. Terri Hamm, Ms. Maureen Cooper, Ms. Mary Venrick, Dr. Otha Gilyard, Dr. Victoria Kress

**Staff Present:** Mrs. Rena Elliott, Mr. Bill Hegarty, Mr. Jim Rough, Mr. Simeon Frazier, Ms. Tracey Hosom

**Guests Present:** Glenn Karr

Venrick called the meeting to order at 9:07 a.m.

**Approval of Agenda**

Kress moved to approved agenda. Gilyard seconded.

Cooper added “CEU Committee Report”

Kress added “Ashland Course change and the Rule review”

Cooper added “Independent Studies”

There was no additional discussion as the amended motion passed, unanimously.

**Approval of November ‘10 Minutes**

Hamm moved to approve the minutes. Gilyard seconded.

Kress proposed the following changes:

In the Consent Agreement section, the word “original” was replaced with “revised” to read “Gilyard shared that, in writing, the revised consent agreement, Hegarty and the past board members did a good job in protecting the public.”

In the “Approval of November ’10 minutes” section, “Venrick” was replaced with “Kress” to read “Kress made the following change”

In the CEU Correspondence section, the word “Disciplines” was replaced with “Other standards Committees” to read: “Kress shared that the professional standards committee’s and the other standards committees at the board don’t need to agree.”

In the “Counselor Application Coordinator’s Report” section, the words “if,” “we” were added; the words “with state(Ohio)” was replaced with “States,” “requires” was replaced with “require;” “When Ohio PCs diagnose and treat” was removed, along with “This isn’t tolerated and a;” and “is what Ohio has;” “More” and “would wand” were removed. They were replaced with “Would not be tolerated” and “issue of the exams and passage rates she would invite” to read:

*If, as one of the best NCE passage rates, states that require a 60 hour Masters in Counseling degree; we have one of, if not the worst NCMHCE passage rates.*

*Gilyard shared that in other professions 50% passage rates for the NCMHCE would not be tolerated.*

*Kress recommends that a critical eye should be applied to this issue of the exams and passage rates and she would invite future committees to keep this as a priority.*

In the CEU report, “That” was replaced with “Who” to read “Fines for non-renewal of provider status was another topic discussed regarding providers who provided after their provider number expired.”

“very” was removed to read “(to discuss religious modalities that aren’t tied into counseling)”

In the Remediation Plans section, “in conjunction” was removed, and “she ordered a program” was added. Also, “that was developed” to read “Hamm reported that a very good remediation plan was submitted that was developed with her supervisor, including supervision coursework at the University of Akron, and she ordered a program. Self study is pending.”

In the same section, “A PCC could, hypothetically.” “A student could list him or herself;” “if the;” “is in” and “the PCC” were added to read:

*He has a PhD in Psychology. He wanted to know if a PCC or a student could, hypothetically list him or herself as a doctor if the doctorate in Ministry is in “formation of Prayer. Hosom and Gilyard’s belief is that this is misleading. Cooper agreed. Kress moved to send Wetherbee a letter advising that, after consultation, it is misleading to formally list one’s self as a doctor, after the PCC. Gilyard seconded. There was no additional discussion, as the motion passed, unanimously.*

### **Executive Director Report**

Rough reported that the statute change hasn’t gone forward. He’s been working on the IT structure to share costs.

The internet router will be shared with the engineering board to save costs.

Some DAS services have been cancelled, which can yield an expected savings of \$800/month. It will have an up front cost of \$1500.00.

The Proposed CE provider/program change for fees must be resolved by May to put forth in the rules.

With regard to the state auditor’s Bi-Annual report, there was nothing on the report that showed concern.

An issue arose with foreign Counselor Trainee students wanting the status without having a social security number. A student Visa number will be used in non-paid work, as it’s essential to the curriculum. Rough notified the schools.

The Social work committee will consider an “Emeritus” status for volunteer, non-paid work, and it won’t require CEUs. A statute change would most likely be needed. This was brought to the committee by a retired licensee that wanted to volunteer for the Red Cross). Cooper asked if the Red Cross would pay for the CEUs for this particular volunteer that brought it up.

Kress suggested it would cause problems of where to draw the line with paying for CEUs.

Rough discussed, administratively, if the IT system could accommodate the logistics, it would be easiest.

Karr shared that the medical board has an “Emeritus” status, but he doesn’t know what it includes.

Rough believes we’ll know more in the next few months.

No one attended the public hearing for the rules changes to propose any changes, while Rough met with JCARR.

There was a memo in the packet that discussed including a paragraph on Diversity CEUs in ethics training.

The AAMFT doesn't use "Diversity" in their guidelines, but the ACA and NASW does. Within this, Diversity trainings would count towards ethics CEUs, so additional hours wouldn't be required. It wouldn't be needed, but it would count.

The NCE/NCMHCE report was discussed.

Hamm asked for a list of schools. Rough shared that he can get a list to those that asked, but because the sample sizes aren't sufficient, the comparison between schools aren't statistically reliable.

He also shared that test anxiety plays a large part in non-passage rates. Ohio exceeds a 90% pass rate.

Regarding the NCMHCE, Rough discussed that Mr. O'Brien of NBCC wasn't getting his emails. There was a 65% passage rate for all test takers, and a 68% passage rate for first time test takers. He's still not sure where the drop off occurs (the passage rates were 78% and 82% prior to November 2009).

Kress shared that the five year program reviews should include this information.

Kress and Rough discussed a student centered vs. curriculum centered approach in addressing the issue.

Rough discussed a 5-10 year analysis of the data.

Kress and Hamm discussed universities that are graduating poor students, or students that aren't remediated from ethical and/or scholastic and behavioral concerns.

Gilyard restated that the board's mission is to protect the public by licensing competent and ethical practitioners.

Rough shared that the board doesn't control the academic institutions. They could keep statistics and cases and bring it to the board of Regents.

Gilyard stated "We can't make people do things, but we do have a voice, and the voice should be heard, whether it's adhered to or not."

Karr shared that, probably 5% of the damage and damagers that occur are reported.

Rough recommended putting it on the agenda and discuss an implementation strategy. It may be based around (starting an) article(s) which Kress presented.

Governor Kasich's first executive order was regarding helping small businesses. It was aimed, more so, at larger state agencies like the EPA, that are needed, but are viewed as too bureaucratic/inefficient.

Regarding the planning meeting, in July, a meeting will be held, identifying items the board needs to address, including statute changes and improving the disciplinary process.

House Bill 62 (the civil service exemption) died. The board must start over.

Kress shared that she was surprised at how positive the results of the supervisor survey were.

Rough shared that the results gave some insight on who had a stronger focus on being a stronger professional vs. who was more focused on just completing the program.

Kress and Rough discussed another survey being submitted. It will be an agenda item at the next meeting, and it can probably be submitted to OACES.

### **Approval of PC Applicants**

Cooper moved to approve the list of PC applicant. Gilyard seconded. There was no additional discussion, as the motion passed, unanimously.

### **Approval of PCC Applicants**

Kress moved to approve the list of PCC applicants. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

### **Counselor Application Coordinator's Report**

125 Exam packets were sent.

In November, there were 33 candidates for the NCE. 26 passed, and 7 were unsuccessful. There were 21 candidates for the NCMHCE. 12 passed, and 9 were unsuccessful.

In December, there were 66 candidates for the NCE 62 passed and 4 were unsuccessful. There were 24 candidates for the NCMHCE 17 passed and 7 were unsuccessful.

Elliot reported that Frazier processed 500 Counselor Trainee and Clinical Resident applications.

Elliot shared that Dr. Wetherbee, from Ashland, thanked the committee for their response to his request.

Elliott requested that the committee email her any requests if they wish to have something placed on the agenda.

### **Old Business**

There was no old business to discuss

### **New Business**

There was no new business to discuss.

### **Correspondence**

#### *Marybeth Crowe*

Kress suggested denying her request to count her time as a school counselor towards her PC license, along with supervision done under a psychologist. Additionally, there was no evidence that her time was registered.

Elliott shared that she requested this, before (2004) and the board, then requested that she submit a copy of her duties. She did not.

Kress moved to deny her request to count past hours as a school counselor for licensure, as outlined in the rule. Gilyard seconded. The motion passed unanimously.

#### *Linda Rodgers*

She is a PhD and graduated from a Non-Ohio school, with a pre-doctoral internship.

Kress shared that the committee needs evidence that she did an internship in her PhD program. The committee wanted to know if there was any documentation that she diagnosed and treated

during her 1500 hours, and who her supervisor was. They want to know if it was in a structured internship per Ohio's requirements and if her doctoral education was in a Counseling program. Her PhD is in Urban Education and her minor is in Psychology, but she's licensed as a PC in Ohio, but there's no documentation that she did any diagnosing and treating post-masters degree towards her PCC.

Kress left at 10:22 a.m. and returned at 10:25 a.m.

Hamm moved to deny her request to count 1,500 pre-doctoral clinical internship hours, as she didn't graduate from an accredited doctoral counseling education program. Cooper seconded. There was no additional discussion, as the motion passed, unanimously.

Cooper moved to deny her request for 30 CEUs to be allowed as distance learning. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

### **CEU report**

Cooper shared that proposed fee increases will be a \$15 charge for a wall certificate, and a \$30 fee for each program. There will be a \$125 provider fee good for two years. There wasn't a distinguishing between a for-profit and a non-profit agency.

Venrick confirmed that this applies to non profit agencies that do CEUs in their own agencies, as a provider.

Once approval status expires, up to \$500 in fines may ensue, if programs are offered prior to renewal/re-application. Courses offered less than 2 weeks after expiration get a cautionary letter. After 2 weeks (but before 8 weeks) there will be a \$250 fine. After 8 weeks, there will be a \$500 fine.

This generates income to supply an administrative budget for a new employee to operationalize this.

Cooper discussed providers that offered programs after the expiration of their license. The committee is highly recommending that the Social Work Professional Committee change their blanket approval of NASW and ASW approved CEUs, as they stand to undermine the board by having accepted programs that were otherwise denied by the board.

Rough will send out correspondence that the NBCC approved CEUs weren't necessarily approved by the board.

Margaret-Ann does 10% audits, on licensure renewals, and it was voted that she will now do 20% audits with a goal of 100% being implemented if/when the next employee is hired.

Kress suggested sending out an annual email, listing who has been disciplined that year to increase awareness, as fewer people notice this on the website than previously, when it was on the newsletter.

The committee discussed INR.

Rough connected with their attorney on 1/18/11 and they asked 6 weeks ago for 2 more weeks to come into compliance (it's taken almost a year to get a meaningful response).

Medicaid training was discussed for providing fewer hours for trainings and insisting that a Mental Health professional be involved for the planning and presentation.

A formula is needed to determine what counts as an hour of training for online CEUs. The committee agrees that it's so individualized that it's difficult to determine.

Hamm shared that she doesn't like the idea of getting all hours online, as often, people skim information to find the answers, rather than learning.

Hamm and Kress shared that the ACA and OCA don't have verified attendance at their workshops due to a lack of checks and balances.

Kress shared that in Texas, they issue stickers at the end of the program to place on the paperwork before they're submitted, for accountability.

For a two day conference, they're not issued until the end of the second day.

Hamm discussed that psychologists have a "sign-in, sign-out" process to consider.

Cooper discussed a card that gets stamped by a proctor, in lieu of the sticker.

Venrick discussed that counselors don't make much money, so, at times, people find ways to circumvent accountability for financial reasons.

Gilyard shared that 15 hours online seems excessive and more than that appears to suggest that they're not as serious about CEUs.

Kress shared that it's wonderful for three professions to serve on one board, but at times, pressure to be on the same page may lead to resentment between the professions. Historically, things may have been contentious, however, it's important to remain thoughtfully autonomous with respect to professions.

Hegarty shared that the larger contention has been amongst the professionals, not the committees or the boards.

### **Ashland Theological Seminary Course**

Kress moved to approve Ashland's introduction to marriage counseling course. Gilyard seconded. There was no additional discussion, and the motion passed, unanimously.

Kress thanked David Mann for being so communicative throughout the process.

Cooper left at 11:10 a.m. and returned at 11:13 a.m.

### **Independent Study**

*Diane Sweeny*

Submitted her Independent Study (it was not being done through a school) on her own to come up with a treatment protocol. She included no hours and requested that it be accepted.

Gilyard shared that if she does what she reported, it could be rewarding for her.

Kress shared concern of a lack of accountability with these types of presentations and accepting it would invite people submitting similar items. This would lead to a slippery slope with acceptance.

She shared that an authored book or journal publication could receive credit, regardless, there should be accountability, throughout.

Gilyard suggested that getting it published would provide accountability.

Hamm shared that an independent study within an approved counseling program at a University would do the same.

Cooper shared that "publishing it" would need to be defined, as people want to publish online and not necessarily in a paper/hardcopy academic journal.

Kress moved to deny the request for the independent study to be accepted for her CEUs. Gilyard seconded. There was no additional discussion, and the motion passed, unanimously.

*Caroline Baker*

She is requesting 10 clock hours for a three part series, entitled: “Doublespeak: the art of Passive-Aggressive Behavior” as an independent study to be published on huffingtonpost.com. Kress moved to deny the request because it is not a peer reviewed study. Gilyard seconded. There was no additional discussion, and the motion passed, unanimously.

The committee requested removing the provision for receiving credit for blanket independent study, exception, outside what is otherwise listed in the rules.

The meeting adjourned at 11:40 a.m.

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**Mary Venrick, Chair**