



Counselor, Social Worker & Marriage and Family Therapist Board

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State of Ohio Counselor Professional Standards Committee Meeting March 20, 2014

Members Present: Maureen Cooper, Mary Venrick, Otha Gilyard, and Christine Jungers

Staff Present: James Rough, Bill Hegarty, Tammy Tingle, Tracy Hosom and Simeon Frazier

Guests Present: None

Cooper called the meeting to order at 11:50 a.m.

I. Discussion/Approval of Agenda

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

II. OVI Cases

Hegarty shared that it can be problematic to withhold someone's Counselor Trainee status, exclusively, for being convicted of a, single, OVI (Operating a Vehicle while Intoxicated) When there was no harm to anyone, or to property, as it prevents their livelihood, particularly, when the new law is in place. If it were severe, then it's a possible course of action, but if it's a single occurrence, then it would be difficult to win an argument charging "poor moral character."

Cooper shared that it's usually not a, flat, denial, based upon the connection of an OVI, but, if they look like their explanation is shaky, then the committee tends to require more information to make a decision.

III. CT Issues

- A. The applicant was arrested for OVI, plead guilty and was convicted for the misdemeanor. He spent 3 days in jail, and paid a fine. His driver's license suspension ended in 5/29/12. His probation ended 3/7/14. The applicant's FBI records check had not, yet, been received.

Cooper shared that, in light of the information presented by Hegarty and Rough. Venrick moved to award counselor trainee status, pending receipt

of the FBI records check, showing no additional violations. Gilyard Seconded. There was no further discussion and the motion passed, unanimously.

- B. Per the applicant's personal statement shared that they were arrested in early 2013, after refusing a sobriety test, on a suspicion of DUI. The committee agreed with the decision, a month earlier, to award the CT status, as the DUI charge was dropped, and reduced to a "physical control" violation, the applicant completed a recovery program, and satisfied all court requirements.
- C. The committee was made aware that a Counselor Trainee was charged with a misdemeanor OVI, after already being awarded CT status. By the time the hearing took place, the charge was reduced to reckless operation, as the applicant completed a program, and had evidence of rehabilitation. His driving privileges were restored, and his CT status was reinstated, once it lapsed. The committee was fine with this.
- D. The applicant's CT application was denied, based on the recent DUI offense, and that they hadn't, yet, satisfied the court requirements. The applicant submitted proof that the court requirements have, since been satisfied. Following Rough and Hegarty's explanation regarding single DUI offenses, the committee agreed to award the applicant's CT status. Venrick moved to award CT status. Gilyard seconded. There was no further discussion and the motion passed, unanimously
- E. The applicant was charged with a DUI, but was convicted of a "physical control" violation. The applicant submitted proof of seeking counseling. Following Rough & Hegarty's explanation regarding single DUI offenses, and given the fact that there was new information identifying the probation was terminated, the committee agreed to award the applicant's CT status. Gilyard moved to award CT status. Jungers seconded. There was no further discussion and the motion passed, unanimously.

IV. Executive Committee Report

Cooper reported that there is a new LISW board member. One vacant seat remains on the MFT committee, and someone is in process.

The bill will be sent to caucus for review then get a final senate committee hearing. Peer consultation was discussed. They are waiting to hear from NASW, but the associations have been supportive.

The 5 year rule reviews are in Rough's report.

The committee broke for lunch at 12:23 p.m., and returned from lunch at 1:15 p.m.

V. Investigator Report

Hegarty thanked Cooper and Venrick for their, continued, hard work and passed out cases to the Committee that were recommended for closure, since they did not lead to formal discipline.

Venrick moved to close the 3 cases that she reviewed.

Cases included:

2013-272	Improper Supervision.	No violation found.
2013-27	Custody issues.	Close with strong caution.
2014-48	Improper supervision.	Close with caution.

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

Cooper moved to close the 6 cases that she reviewed.

Cases included:

2013-184	Competency.	Closed with caution.
2013-193	Competency.	Closed with caution.
2013-278	Confidentiality.	Close with caution.
2014-34	Competency.	Close with caution.
2014-40	Confidentiality.	Close with caution.
2014-45	Unlicensed practice.	Close with caution.

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

Notice of opportunity for Hearing Jaclyn Picone

Hegarty shared that Picone, allegedly, walked off of the job without completing records, and didn't comply with the investigation.

Cooper moved to accept the notice of Opportunity. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

Proposed Consent Agreements

1. *Richard Anderson*

He will surrender his license after pleading guilty to a felony in Hamilton County.

Cooper moved to accept the consent agreement as written. Gilyard seconded. There was no further discussion and the motion passed unanimously.

2. *Nina Kucyk*

The PCC-S made recommendations for custody, while being a primary therapist. She'll be monitored, by a Board-approved therapist, for 2 years, and be required to complete 10 additional CEUs

Gilyard moved to accept the consent agreement as written. Jungers seconded. There was no further discussion and the motion was passed unanimously.

Audit Cases

1. *Beatty Neuman*

The PC is surrendering her license after failing the audit. Cooper moved to accept the licensure surrender. Venrick seconded. There was no additional discussion and the motion passed unanimously.

2. L. Elvin Kleinman

The PC is surrendering his license after not passing the audit.

Cooper moved to accept the licensure surrender. Gilyard seconded. There was no further discussion and the motion passed unanimously.

Goldman Cases

Amber Harris

The PC was convicted of 2 counts of unlawful sexual contact of a minor, that was, also, a client, and sexual assault (also, of a client). Cooper moved to revoke Harris' license. Jungers seconded. There was no further discussion and the motion passed unanimously.

Tiffany Hall

The PC walked off of the job, and failed to comply with the investigation. She didn't refer clients, preventing continuity of care. Venrick moved to revoke her license. Cooper seconded. There was no additional discussion and the motion passed unanimously.

Hegarty, Hosom, and Tingle left at 2:15 p.m.

VI. CEU Committee Report

Jungers reported that Paula Broom provided CEU audit data issues.

There is, possibly, one rule change, having to do with the language regarding certificate issuance.

There may be a CEU audit late-fee.

They discussed, possible, credit for teaching a college class, for a maximum of 10 hours per renewal.

The committee discussed partial hours for Board participation. An example was (up to) 3 hours of credit in ethics, when discussing cases, ethics, and peer consultation.

The committee adjourned for the day at 2:27pm.

**State of Ohio
Counselor Professional Standards Committee Meeting
March 21, 2014**

Members Present: Maureen Cooper, Mary Venrick, Christine Jungers, and Otha Gilyard

Staff Present: Rena Elliott, Bill Hegarty, Tracey Hosom, Jim Rough and Simeon Frazier

Guests Present: Matt Paylo (OCA), Attorney Glenn Karr

Cooper called the meeting to order at 9:18 a.m.

I. Discussion and Approval of Agenda

Venrick added “Glenn Karr” and “T. Evans” to New Business.

“Rebecca Conaway” was deleted as she was discussed the previous day.

Gilyard moved to accept the amended agenda. Jungers seconded. There was no additional discussion and the motion passed unanimously.

II. Approval of January 2014 Minutes

The change was made to ensure that the minutes listed “Cooper” as bringing the Thursday meeting to order, instead of “Venrick.”

Jungers moved to accept the minutes, as amended. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

The committee reviewed the executive committee materials until Rena Elliott provided the list of PC/PCC applications, and information regarding the 5 year rule.

III. Counselor Application Coordinator’s Report

Elliott reported that, since the last board meeting, Frazier processed 456 Counselor Trainee/Clinical Resident applications and that she had sent 249 examination approvals. Cooper asked when the NCE was going from the DSM-4 to the DSM-5. Elliott replied that it would take place on 4/7/14.

IV. PC applicants

Jungers moved to license the 107 applicants for the PC license. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

V. PCC applicants

Jungers moved to license the 114 applicants. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

VI. OCA Peer Consultation Proposal

Paylo discussed that the OCA proposed a one hour session at the All-Ohio Counselor Conference regarding peer consultation. It was discussed that “Peer Consultation” should be, at least, 3 people, 1-3 hours per renewal period.

Jungers asked if 3 was more purposeful than 2. Cooper suggested that it be with 3 people, then a meeting with, just a supervisor, would be able to be counted.

Gilyard asked Paylo how he felt regarding Board members getting credit for Peer Consultation for interaction during board meetings. He agreed that it is valuable, and should, minimally, account for all of the ethical requirements.

Jungers recommends developing a definition for “Peer Consultation” and/or “Peer Supervision.” Paylo recommended linking a case with an issue.

Rough entered at 10:26 a.m.

Paylo recommended defining “Triadic Supervision.” Jungers recommended including a definition of “Training Supervision.” She shared that she believes that there’s a value to counseling/supervising with, just, one other person. She mentioned that, with peer consultation, there’s no formal supervision/consultation agreement as a Clinical Resident’s peer is another Clinical Resident.

Rough recommended defining it “with respect to independently licensed private practitioners.”

Rough shared that an equivalent practice (including an LISW, etc.) would be effective.

Cooper recommends identifying that they wouldn’t count as training supervision hours.

VII. Executive Director’s Report

Rough shared that we’re waiting for one MFT to have all board members. There is one applicant.

Rough reminded members to complete/submit their financial disclosure statements.

The planning meeting went well, and will be on the agenda for the July meeting.

A licensee was requesting that a course be offered to explain the rule changes, and that there’s a way to do that with the new system.

HB232 passed the House, and had three hearings in the senate. No one’s speaking against it.

The budget is going well.

The 5 year rule review from September 2012 has rule 4757-9-04 for which there was a public hearing.

The JCARR hearing is pending.

The 5 year rule review will be due September of 2014 (to be in process with the common sense initiative).

The Board may, now, issue an administrative fee (instead of a disciplinary fine) for audit failures (i.e. renewing without all 30 CEUs).

eLicense2 will be here sooner than we thought. It’ll be implemented soon. All applications will be online.

Elliott asked how endorsements will work.

Rough shared that there will be qualifiers and request under, but they must apply. Cooper proposed changes/notes to the 5 year rule review.

VIII. New Business

A. *The NBCC Meeting* committee discussed Gilyard going to the conference. If he can go.

B. *Glenn Karr's correspondence*

Karr submitted a document and shared that Judge Ader went to use an LPCC in the Drug court. There is a potential issue with dual relationship roles in custody cases.

The psychology board has a protocol that they use.

There was a question regarding whether or not a judge can order an LPCC to do an evaluation, diagnose, and then provide treatment.

Psychiatrists have broad exceptions whereby they treat and offer a forensic recommendation, because they don't have the same rules as psychologists, counselors, etc.

Rough asked if these are "Dual Roles," or are they two separate roles where one tends to another.

Jungers shared that initial meeting with a client includes an evaluation/assessment of sorts.

Karr's recommendation was to order the LPCC so the order is in place, so the conflict doesn't exist for the license. Court ordered mandates will be requested. The concern is that 1) As unlikely that there are two separate counselors in that area, one providing diagnosis and one providing treatment. And 2), that even if it is an upstanding PCC that doesn't look out for their own pocket, and with looking for the welfare of the client, it could be fine, but it doesn't look good. The appearance of impropriety is diffused if she's following a court order.

IX. Correspondence

A. *Hugh Boggs*

He's trying to get a license. He's got a C in an ethics class, but he, now, teaches an ethics class at a college. He wants the PC application to be approved as his College instructorship should replace the grade. Gilyard moved to accept the collegiate instruction experience over the transcript. Jungers seconded. There was no additional discussion and the motion passed unanimously.

B. *Wilma DePior*

She wants Pennsylvania supervised hours to count for her PCC application. There are no PCCs in PA. Jungers requested the vitae/resume of the Psychologist, and the proof of the Psychologists supervising.

C. Laura Dekle

The source appears to be credible and the committee felt compelled to make an exception. The committee agreed to do this as an exception. Venrick moved to approve the ASCH Conference of CEUs as an exception. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

D. Charles DuVall

He submitted a remediation plan, and he identified that she experiences panic during the NCMHCE. Cooper believes that she should consult with a doctor for medical intervention to stop /assist stopping the panic, and work with a therapist to reduce anxiety. After he completes the recommendation, show the committee for further approval.

Rough believes that going through the practice test and review the results with three supervisors to increase his confidence with the exam. Also, the NCMHCE review is approved.

E. Carla L. Farga

She's asking to use the Graduate thesis course to fulfill her methods content area, and the Methods course (which was already approved for the methods requirement) to apply elsewhere.

The committee wants her work history for review earlier, and licensure history with endorsement, does it require five years of experience or five years of licensure. Rough clarified that it's five years of licensed experience, unless the state allows a different supervisor requirement (in compliance of the rules of the state, i.e. PA doesn't have a PCC). The five year experience discusses the waiving of the coursework. Otherwise, the coursework requirements must be met. She should complete application to supplement information to qualify her license.

F. Stacy Rollins

She is requesting that the Rational Living Therapy course (distance learning) be accepted for 18 hours instead of 15 hours. The Committee recommends banking 12 hours for her next renewal cycle. They acknowledge that she's choosing quality courses. Committee agrees that due to the quality of the program, they'll grant an exception and grant the full 18 hours (3 extra hours), and recommend banking future hours.

G. Shannon Trueblood

Cooper moved making an exception to use a Clinical Psychologist in Chicago as a specialized supervisor, in addition to her PCC-S. Jungers seconded. There was no additional discussion and the motion passed unanimously.

H. Tijuana Evans

Test anxiety issue is the base of the concern. Suggesting the NCE review, 8 hours weekly study, and therapy.

Cooper, also, recommended consulting a physician for medical intervention.

Paylo stated that he will request that the OCA help the Board define "Peer Consultation."

The Meeting Adjourned at 12:06 p.m.

Maureen Cooper, Chair