



Counselor, Social Worker & Marriage and Family Therapist Board

50 West Broad Street, Suite 1075
Columbus, Ohio 43215-5919
614-466-0912 & Fax 614-728-7790
<http://cswmft.ohio.gov> & cswmft.info@cswb.state.oh.us

State of Ohio Counselor Professional Committee Meeting April 19, 2007

Members Present were: Mr. Jan White, Ms. Randi Cohen, Dr. Victoria Kress, Dr. Susan Huss and Mr. Fred Dailey.

Staff Present were: Mr. Jim Rough and Mr. Simeon Frazier.

Guests Present: Dr. Alan Demmitt (Associate Professor at the University of Dayton), Dr. Lynne Guillot Miller (Assistant Professor at Kent State University), Carolyn Towner (Lobbyist with the OCA), Dr. Steve Rainey (OACES President), Rachel Vitale (Student at Kent State University), Amanda Brace (Student at Kent State University), and Dr. Daniel Cruikshanks (Associate Professor at Heidelberg College and President elect of OCA)

Mr. White opened the Counselor Professional Standards Committee (CPSC or “the committee”) meeting at 8:30 a.m. and requested a moment of silence for the students and families affected by the incident at Virginia Tech University. The moment lasted for 30 seconds. Mr. White then stated that the main purpose for the day was to accomplish the rule review. He acknowledged that there may be other items to discuss, but the rule review was to be the focus.

1. **Approval of Agenda:**

Huss moved to approve the agenda, as presented. Cohen seconded. There was no discussion as the agenda was approved unanimously.

2. **Approval of March Minutes**

Cohen requested that the minutes not be approved until the May board meeting. White indicated that he intended to table the approval of the minutes. The body agreed.

3. **Rule Review**

Dr. Cruikshanks asked if the board will alleviate confusion by either dropping the “L” in the “LPC” license or using it exclusively. His concern was that it appears as though the state licensed more than one two types of counselors (PC and PCC). Mr. Rough recommended that he (Dr. Cruikshanks) gather evidence

of the confusion from licensees and clients to present to the board. The committee identified that they would keep the "L," but they should take steps to eliminate as much ambiguity as possible.

4757-3-01(T)

The proposed underlined changes will be deleted.

(DD)

Ms. Cohen asked if audio taping will be added as an option. The current feeling is that audio tape does not provide a sufficient scope of the trainee's work. Ms. Cohen offered the example of a prison system that doesn't allow a camera. She asked the committee how one would gain first hand knowledge in this scenario. Huss stated that the reason that it is in place is because there was concern with the quality of supervision. Dr. Cruikshanks advised that Health Insurance Portability Accountability Act (HIPPA) does not prohibit audio recordings, and added that agencies are very reluctant against video recordings. It was agreed by the committee that audio recording is a weaker account than video recording, which is a weaker account than live supervision. The committee agreed to add audio recordings as an option.

4757-5-02

Dr. Huss suggested calling this section "Standards of Practice", which was accepted by the committee.

(A)-(5)

The discussion determined that this was more of an aspiration than an operational rule. Also, it was agreed that it would be difficult to take someone to task under this rule. Additionally, it was discussed that it should be left in, as it will provide consistency and claims should be able to be supported in professional literature.

(F)

The committee agreed to add "The duty of the licensee is based on that particular licensee's knowledge of a client's identity prior to starting a relationship" to 5-04-A and 5-04-D

4757-5-03

The committee decided to delete (A)-(3)

4757-5-06-F-2

Changes were approved as written

4757-5-07-C

Ms. Cohen asked if this was an important piece to place in, as the results are not currently required to be shared. The committee agreed to look further into this.

4757-5-08-B

Ms. Cohen offered that she believes bartering should not be pre-approved. Mr. White asked Mr. Rough to place this issue on the 5/16/07 board meeting agenda to discuss with the other committees

4757-5-09-(A)

The committee agreed that records held by the licensee will be kept for seven years to match HIPPA requirements. This is a change from five years.

4757-5-10-(A)

Ms. Cohen suggested replacing "Unethical" with "Acting in an unethical way." The committee agreed on the change.

4757-5-11

A time frame of 90 days was added in the first sentence.

4757-7-01-B-(2)

The committee agreed that this is clear as written, and will be accepted.

4757-7-01-D

The time frame of "30 Days" was added to the fourth sentence.

4757-9-02

The committee recommended that "administration" be removed, and that "Legal & Ethical Responsibilities" is where "Record Keeping" and other similar administrative tasks should be addressed. The committee recognized that many counselors have administrative positions, but the majority of those tasks are no the practice of counseling.

The committee took a break at 10:24

The committee returned from break at 10:34

4757-13-01

Mr. Rough cited from an attorney client privileged memo written by Mr. PR Casey (Board Counsel) that the board may not require a student to apply for the counselor trainee (CT) status, per the statute 4757.41(A)(6) exceptions for students. Additionally, students are not subject to the laws and rules, though the university may make registration as a CT a requirement, which places them under the laws and rules of the board. Thus, the rule must be changed to encourage registration, rather than requiring it.

Additionally, the committee may not require schools to hire licensees, but they may require licensed faculty for program approval. Furthermore, the committee decided to require that a teacher does not need to be licensed, as long as for the

practicum and internship they have a “go-to director” for the course who is licensed as a PCC or PC.

Dr. Huss also confirmed with the committee that a PC may teach the course or provide supervision, as long as diagnosing or treating mental and emotional disorders are not occurring. She noted that there should be consistency throughout the laws and rules. No additional changes are needed in the proposed rule as written.

(A)-(4)

The committee accepted new language that will allow the board to enforce a policy to have one course per content area.

(A)-(4)-(iv)

The committee agreed that “should” will replace “shall” to read “All practicum students should be registered as a counselor trainee...”

(A)-(4)-(vi)

Proposed wording was accepted by the committee.

(A)-(4)-(vii)

The committee agreed that this is consistent with language elsewhere in the rules.

(A)-(4)-(d)

This will be placed on the 5/16/07 agenda to be discussed at greater length.

Dr. Cruikshanks left the meeting at 11:13 am.

The committee agreed to go over 4757-13-01 from the beginning to clearly outline changes. Dr. Huss reiterated that it was critical that any changes that are made should read consistently throughout the laws and rules.

4757-9-05-(A)-(2)-(a)

The committee agreed that the phrase “Each program is required to have review and or input by a counselor, social worker and or marriage and family therapist as appropriate.” should be moved to section (B)-(4)-(K). The range of presenters should be moved to (B)-(5)-(K).

4757-9-05-(B)-(5)-(K)

Ms. Cohen expressed concern that this shuts out smaller providers that don't offer a lot of programs and opens it up for larger national programs. Mr. Rough reported that if there are small numbers of programs offered, then it may be easier to simply submit an individual program approval form. The committee determined that once a quarter over the course of a two year period and five programs in the first year would be the standard to require from program providers for approval. Additionally, there was discussion to alter requirements for colleges and universities under this rule. The committee also decided to not

grant automatic approval status for out of state bodies (i.e. NBCC, ACA, etc.) as too many offerings did not meet the requirements of 4757-9-02.

4757-9-06

(A)-(11)

The distance learning definition will be discussed at the 5/16/07 board meeting.

(C) through (F)

Ms. Cohen expressed concern regarding consistency among these paragraphs, but no proposed changes were made.

Dr. Alan Demmitt left the meeting at 12:01 p.m.

4757-9-06(F)-(1)

Ms. Cohen offered concern that there may be appropriate associate or bachelors level classes that should qualify. The committee agreed to add a new paragraph "(3)" to the rule offering an option for post program approval for associate or bachelors level courses, otherwise, "(F)" is fine.

The committee broke for lunch at 12:27 p.m.

Mr. Dailey left at 12:28 p.m.

The Committee returned from lunch at 1:08 p.m.

4. Ursuline College

The committee agreed that at this point, the program name is the only remaining issue. Dr. Kress moved to accept Ursuline College's program approval submission with the contingency that they change their master's program name to reflect a more appropriate title within the next 12 months.

Ms. Cohen seconded.

During the discussion, Dr. Kress stated that she still has concerns regarding their faculty. The motion passed unanimously.

5. NBCC Review

Huss moved that the board send Mr. Rough and one other to the NBCC Bi-Annual Review. Ms. Cohen seconded.

During the discussion, it was agreed that Dr. Kress will go pending the approval of the board. The motion unanimously passed.

6. Sale of the Texas/Ohio PCLE

Dr. Huss moved that the committee agree with the sale of PCLE questions with Texas to the NBCC. Ms. Cohen seconded. During the discussion, Dr. Kress stated that she did not believe there would be political ramifications to the sale.

The motion passed unanimously.

7. **Continuation of Rule Review**

4757-17-01

In the last sentence of the opening paragraph “and” was added to read diagnosing and treating mental “and” emotional disorders.

(A)-(1)

Ms. Cohen expressed strong concern about the students not falling under statutory authority. Mr. Rough confirmed that students are exempt unless they are registered with the board as stated in Mr. Casey’s memo.

(C)-(5)

The words “with the supervision credential” will be added to read “All supervisees engaging in training supervision for licensure as professional clinical counselors shall be under the supervision of professional clinical counselors with the supervision credential.”

(D)-(1)

“by letter or online registration verification” will be changed to read “The status of these applications shall not be ‘active’ until the supervision documentation is complete in its entirety and approved by letter or online registration verification.”

(D)-(4)

“to the Board” will be changed to read “Notification to the board of a change or addition to supervisors, sites...”

E

The committee agreed that the goal is to improve the quality of supervision training.

(1)-(A)

After discussing various elements of changes, it was determined that Mr. Rough will research how many programs offer required supervision coursework. It will then be discussed in the 5/17/07 board meeting. The language will read “Academic preparation in board approved continuing education coursework or CEUs in Counselor Supervision training”

(F)-(1)

“On a form designated by the board” will be changed to read “Applicants for counselor trainee status shall apply using the board’s online application or a form designated by the board...”

“And is indicated by letter or registration verification” will be changed to read “The status of these applications shall not be made ‘active’ until the form is completed properly and the board receives email confirmation from the supervisor, and the applicant is approved by letter or registration verification from the board licensing system.”

(A)

Dr. Huss left the meeting at 1:32 p.m.
The rule review was completed at 1:48 p.m.

Ms. Cohen requested that the "NCE Examination/Registration packet" be placed in the subject heading when it is being emailed to applicants to prevent the student deleting the unknown email.

8. May 16 Meeting

Mr. White voiced concern that offering too many agenda items will prevent a lot of work getting accomplished during this special meeting. The committee agreed that the following topics will be added:

- 1) Bartering
- 2) E-Therapy
- 3) Tax Violations

The meeting was adjourned at 1:58 p.m.

Minutes Approved by Chair Jan White

Date