



Counselor, Social Worker & Marriage and Family Therapist Board

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State of Ohio Counselor Professional Committee Meeting September 18, 2008

Members Present were: Dr. Susan Huss, Dr. Otha Gilyard, Dr. Victoria Kress, Mr. Jan White, Ms. Francine Packard

Staff Present were: Mr. Jim Rough, Mrs. Rena Elliott, Mr. Simeon Frazier.

Guest Present: None

Kress called the meeting to order at 9:19am.

Huss shared that she appreciated how thorough the July minutes were.

Committee Chair Nomination and Election

White nominated Kress as CPSC chair. White then moved that she be voted as chair. Packard seconded. There was no discussion as the motion passed unanimously.

Kress thanked the committee.

Discussion/Approval of Agenda

Gilyard moved to approve the agenda. White seconded. During the discussion, white added the Executive Committee report.

Rough requested that White add "the discussion of counselor files being reviewed if they are complete, sans the Criminal Records Check." It would be approved when the criminal records check is received by staff. If there is an issue, it would wait until the next board meeting.

The committee agreed to the process during the discussion.

Kress added "Xavier University's practice of listing students as being enrolled via 'incomplete' status."

Packard added "Amending the July Goldman Reviews for Paula Gillotti and Jennifer Jackson."

The motion passed, unanimously.

Review PC/PCC Applications

White announced that he completed the file reviews on 9/17/08.

Gilyard received clarifications on some of the industry terms. He then introduced that he'd appreciate the data of school performances on the NCE. He shared that he believes that passage rates for schools should be public information, available on the board's website.

It was discussed that the test scores are high in Ohio, and Kress will ask Rough if they are on our website.

The committee agreed to wait for the new Assistant Attorney General to attend the meeting to discuss the "Definition of a Counseling degree."

Executive Committee Meeting

Kress reported that Ken Trivison will give a global charge to the CEU committee regarding reviewing the definition and requirements for provider status, and providers taking responsibility for providing feedback on their programs.

Rough will ask for an interpretation from the Attorney General's office to determine if the board has the authority over persons that were licensed by the board, but in an exempt setting. It could take up to 6 months.

Gilyard asked who keeps up with what's going on, nationally, in the profession, as it makes sense to track trends to prevent reinventing the wheel.

Kress shared that it ties into a discussion in the personnel meeting that the conference for the National American Association of State Licensure Boards. She offered that it was very helpful. Huss agreed, but she believes that the agendas are conflicting. She stated that her charge as a board member is to protect the public in Ohio. The agenda of the conference seemed to be to allow for the portability and parity of the counselor license. Kress shared that they will vote on 9/19/08 regarding whether or not to send board members to the conference.

White asked where this falls under the Governor's latest mandate regarding essential travel, as it is, still, vague.

Gilyard shared that he believes it is essential to maintain contact within the field across the country, as isolation is dangerous. He also stated that the state is strengthened by inclusion in this process by considering it essential travel. The committee agreed. Huss added that there should be caution and limits with regard to the number of people that attend, with respect to cost and other logistical considerations.

Packard added that consulting with other professionals is a mantra of the committee, and that this is an extension of that.

Kress discussed paying for Rough and one other board member.

Huss added that if money is the issue, Rough should be the attendee, as he is the only constant on the board, while board members change, but there is a value in preventing bias by two people attending.

White concurred that he is in favor of sending, at least, one person.

Gilyard suggested reviewing each committee member's strengths to determine who the best to send is. He then left the meeting at 10:03 to get his building identification badge.

Rough entered at 10:02, and added that, given travel constraints, he would recommend only sending one person. He stated that he'd like a board member to go. The committee shared that they'd prefer Rough to go.

They (the committee) will define it as essential, but they will only send one member.

White added that the committee must be careful what is listed as essential.

Counselor Trainee status while being listed as "Incomplete"

Rough shared that schools are allowing students to be listed as incomplete, rather than re-registering for a practicum or internship, and treating it as though the student was enrolled in the class.

Huss recommended getting a signature for the faculty supervisor on the Internship Supervisor Evaluation Rating Form to confirm that the requirements were met.

Rough shared that a letter should go out to school stating that this must be done in a way that is consistent with, both, the laws and rules, and their accreditation standards, or their pre-approved status would be jeopardized. The suggestion is that CACREP language must be used when they send the letter to verify the student's proof of enrollment in a practicum or an internship, to confirm that they are meeting the accreditation requirement.

Huss shared that Bowling Green State University allows, only one additional semester for a student to re-enroll in an internship after they, otherwise, meet the degree requirements.

The consensus of the committee is that Counselor Trainee status via being listed as incomplete may be done, but schools must document that the student is receiving the proper supervision by faculty, and on-site, meeting CACREP standards, or their pre-approved status may be jeopardized.

It was also discussed that it is the supervisee's responsibility to document the logged hours of supervision.

Huss suggested that, on the Internship Supervisor Evaluation Rating form, it should be stated that the log hours should be made available upon request. This is listed in 4757-23-01 C(4) of the Ohio Administrative Code.

Rough suggested putting it in the rule during the 5 year rule review.

Protocol Corrections for Goldman Reviews

Paula Gillott

White moved to deny the request for PCC licensure. Gilyard seconded. As the case reviewer, Packard recused herself from the vote. There was no discussion as the motion passed unanimously.

Jennifer Jackson

White moved to deny the request for PCC licensure. Gilyard seconded. As the case reviewer, Packard recused herself from the vote. There was no discussion as the motion passed unanimously.

Investigation Report

Hegarty welcomed Gilyard to the board.

He then distributed a list of recommended cases for closure, reviewed by Kress and Huss. He explained the case review process to Gilyard

Kress moved to close the cases that she reviewed, as presented. Packard seconded. There was no discussion as the motion passed, unanimously.

Huss moved to close the cases that she reviewed, as presented. White seconded. There was no discussion as the motion passed, unanimously.

Hegarty announced that P.R. Casey is no longer the Assistant Attorney General (AAG) Melissa Wilburn is the new AAG.

He also announced that there will be a hearing in November. He will notify the committee member that may not attend due to reviewing the case.

Hegarty recommended that the committee go into Executive Session.

Kress called for Executive Session. Each committee member answered the roll call with "Yes." The committee entered Executive Session at 10:40 and returned from Executive Session at 10:46.

Ja'Ree Ward

Hegarty asked the committee for a motion for a consent agreement for Ja'Ree Ward. Huss offered a point of order, that Kress may only make a motion, as acting chair, when, first appointing someone else as chair, temporarily.

White, then, moved to accept the consent agreement for Ward. Gilyard seconded. There was no discussion as the motion passed, unanimously.

Paula Schoenberg

Huss moved to accept the consent agreement for Shoenberg. Gilyard seconded. There was no discussion as the motion passed, unanimously.

Goldman Reviews

Mary Swyt

Packard moved to deny Swyt's request for a PC license. Gilyard seconded. As the reviewer of the case, Packard recused herself from the vote. There was no discussion as the motion passed, unanimously.

Jennifer Krase

Packard moved to deny Krase's request for a PC license. Gilyard seconded. As the case reviewer, Packard recused herself from the vote. There was no discussion as the motion passed, unanimously.

Huss asked where the committee was with the argument of "Hardship Requests vs. Consistency?" it was confirmed that it was tabled at the last meeting so that Huss could be a part of the discussion.

Huss also asked where the committee was regarding Art Therapy as a separate license. Packard asked for a definition of Art Therapy. There was, then, discussion, regarding what makes up a license and a modality vs. pulling from various modalities regarding treatment methods. They then discussed Rough's proposal to list specialties associated with the license. The committee is by and large against moving forward with this, but they will discuss this with Rough for further clarification.

The committee reviewed university programs and program providers until they broke for lunch at 12:15am.

They reconvened from lunch at 1:11pm.

4757-13-01: What Qualifies as a Counseling Degree

Rough, Tracy Hosom, and Wilburn and P.R. Casey entered at 1:15.

Counseling Psychology (degree)

Kress shared that the issue has gotten more complicated over the years.

White shared that their efforts have caused more problems than they have helped.

Casey shared that he would recommend focusing, more so, on the content of the class, rather than the title of the degree. He then left.

Kress shared that her mentor wrote the law, who shared that the law was written to be specific towards counseling, but now, *counseling* is such a broad term, as there are a lot of various branches (rehab, community, etc.) types of counseling. She's concerned of the new types of degrees that are being introduced without any structure, making it difficult to continue.

Rough shared that the intent of the drafter is irrelevant; the intent of the legislator is relevant. Wilburn shared that if someone met the criteria, met the exhaustive

requirements, even independent of the title of the degree, they may possibly win in a hearing.

Huss asked if “School Psychology” degree would qualify without all 11 factors in the content areas.

Wilburn stated that the applicant would need to have all 11 areas in order to qualify, but she encouraged the committee to look beyond the title of the degree. She went on to say that the title is important, but the statutory requirement is equally important, as it would protect against standards from other states that are too broad and liberal.

Hosom shared that the statute wasn’t opened in 1997.

Rough stated that it was opened because the program requirement was changed from 60 to 90 quarter hours. He also shared that 4757-22 and 23 have “that is acceptable by the committee” listed in the language.

He also shared that the way the law is written, if the applicant has 11 core areas, counseling in the degree title, and the proper number of hours, they may qualify even if they must complete additional diagnosis and treatment courses. If they are missing, even, 1 of the 11, then they may be denied.

Gilyard shared concern with “comparing apples to apples” with regards to universities and institutions.

Rough shared that this would be equitable, based on their receiving accreditation.

Kress shared that her schooling warranted her getting licensed as a counselor, and a psychologist, though she never did pursue psychology.

Rough shared that, with a counseling psychology degree, all 11 areas, and the hours, the PC license could be awarded.

Kress confirmed that, if the committee wished to be strict, in terms of carefully reviewing the content of the 11 areas for consistency with the rules, they could.

Rough also shared that clinical coursework (diagnosing and treating) could be completed post-graduation. He also shared that licensing persons with a consent agreement is not disciplinary, as language, has been changed on the consent agreement, and they’re not reported to the authorities as a result. They are flagged, though, so they may not be renewed.

Huss confirmed that there is no way to move to Ohio to get a PC without the coursework.

Gilyard asked how this compares with other states. Rough shared that Ohio is one of the few states that requires additional diagnosis courses and Ohio requires more than CACREP, stating that CACREP has 8 core areas, but it is missing Ethics, the Practicum, and the Internship.

He also shared that the Methodist Theological Seminary requires other Christian based courses, but it’s in addition to the 11 core requirements.

Huss asked how Ohio stands against the rest of the country with ethical violators.

Hegarty and Hosom answered that it was much higher, as they have more counselors,

and PCCs that may independently diagnose and treat; also, Ohio has mandatory reporting.

Gilyard asked if the AAG must attend the Board member training. Rough answered, only if it's essential, but shared that Casey was sent when he was an AAG.

Kress recommended Rough draft a document with step by step language to send to out of state applicants.

The final logic is that if Counseling is in the degree title, there are 11 content areas which adhere to the curriculum requirements in our rules, and there are sixty semester hours in the degree (the clinical coursework may be taken post-masters), the degree may be considered a counseling degree.

The committee continued to renew programs until the meeting adjourned at 4:40pm.

**State of Ohio
Counselor Professional Committee Meeting
September 19, 2008**

Members Present: Dr. Victoria Kress, Dr. Susan Huss, Ms. Francine Packard, Dr. Otha Gilyard

Staff Present: Mr. Jim Rough, Mrs. Rena Elliott, Mr. Simeon Frazier

Guests Present: Sam Wolfe (Ohio Counselor Association), Thelma Greaser (Ohio Counselor Association), Holly Hauser (OACES)

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

Approval of Agenda

Packard moved to accept the agenda. Huss seconded. During the discussion, "OAC" and "Program Approval" added under "New Business."

Packard moved to accept the revised agenda. Huss seconded. There was no additional discussion as the motion passed unanimously.

Approval of Minutes for July

Packard moved to approve the May Minutes. Huss seconded.

Gilyard arrived at 9:10 am.

During the discussion, the following corrections were made:

Under "New Business" when discussing Hardship requests, the words "With regard to hardship" were added to read "White suggested that the bigger issue with regard to hardship for the committee is that they value consistency so much that it serves as a barrier to utilize the rule."

Under "Executive Director's Report," when discussing Rep. Bacon's request, the word "diagnosis" replaced the word "specialty" to read "Packard suggested that often times, insurance companies won't reimburse the licensee if MRDD is the primary diagnosis, and that the licensees may wish to use this list to connect with the MRDD constituency.

In the same report, when discussing the State Auditor's audit, the name "Nemec" was replaced with the name "O'Connell" twice (Bill Nemec did not attend the meeting), and the name "White" was replaced with the name "Kress" to read "Kress shared that the committee wants the OCA to have complete and accurate information to prevent misinterpretation due to lack of communication."

Under the Executive and Personnel Committee Report, when discussing Jeanette Hall, the word "all" was replaced with the word "much" to read "Also, much of her supervision was done over the phone and online, so she has capabilities to do distance learning supervision" and the word "is" was replaced with the word "as" to read "Kress discussed the concept of protecting the public is the ultimate goal."

Packard moved to accept the minutes as revised. Huss seconded. There was no discussion as the revised minutes were passed unanimously.

Huss shared that she was not present at the July meeting, but she appreciated how thorough the minutes were, as when reviewing them, she felt as though she were there.

Approval of PCC applications

Gilyard moved to approve the list of PCC applicants. Packard seconded. There was no discussion as the motion passed, unanimously.

Approval of PC applicants

Huss moved to approve the list of PC applicants. Gilyard seconded. There was no discussion as the motion passed, unanimously.

Huss asked that White's earlier comment that the Criminal Record's Check has made the process more interesting in the review be noted as it has been helpful, and has made a difference.

Rough entered at 9:13.

Executive Director's Report

Rough reported that the Governor's office sent notice that all boards must comply with the attendance statute. He confirmed that this had, only, to do with full board meetings, not professional standards committee meetings.

He stated that the budget was due Monday (9/22/08) but it was turned in the previous Monday (9/15/08).

With regards to the laws and rules test, it was up and running. Kress and Randi Cohen took it along with several others. He is awaiting feedback.

Kress noted that she learned from taking the test, and that the feedback she heard was very positive.

The common issues were highlighted, and the question would then be asked. She added that it was cumbersome and it took her approximately an hour to complete.

Rough reported that the applicant cannot fail. The test question is asked until you get the answer right. The test is over when you get them all right, after which, you would receive a certificate.

When discussing the 5 year rule review, he shared that there are changes, none substantive, yet; mostly minor grammar changes.

The OBM memo regarding non-essential travel out of state; there was debate with regards to what is essential. Rough sees attendance at professional conferences (i.e. the OAC) as essential and at least 1 representative should be sent.

(Hosom entered at 09:21)

Huss asked if the new AAG would be given the same opportunity to attend a conference as Casey did. Rough stated that several boards paid for Casey's attendance, in part, since he services several boards. The new AAG does, as well.

The ASWB paid for Gilyard to attend a conference.

Regarding the Civil Service Exemption, there have been 2 complaints by Ohio Legal Rights services felt that there wasn't a process to deal with licensees in exempt settings with complaints. There was a meeting to discuss different interpretations. He shared that they will send a letter requesting, to identified members, that they may only use the title of Counselor, Social Worker, or Marriage and Family Therapist if licensed by the board.

Regarding House Bill 427, it passed the house and is in the senate. It will not be on first senate meeting agenda in November.

A public rules hearing was held on 9/9/08. No one attended.

He sent a report to the Governor and several others, and placed it on the website. All Fiscal Year reports since 2004 are on the website.

Representative Bacon met with several boards to introduce legislators to his idea regarding providers listing their specialty next to their license via a drop down menu on the website for consumers to find.

Kress shared with Rough that the committee had concerns moving forward with this, as a regulatory board, serving to protect the public, it may compromise the public's trust of the board if, disclaimer aside, the board can't verify/validate the licensee's self ascribed claims to their specialty.

Rough shared that this is a similar concern with all boards. He shared that he sees this as a benefit over time.

Hosom left at 9:34 and re-entered at 9:36

Huss shared that current training doesn't specify when one is actually qualified in a certain area.

Rough referenced 4757-5-02 of the rule.

Bill Karr shared that this has a lot to do with scope of practice.

Rough also advised that the board would always be able to make changes to submissions.

The Bi-annual state audit was held. One thing was noted, and it was fixed within a week. Patty miller and Margaret-Ann Adorjan did their jobs well, which is one of the reasons it went well. The auditor was looking for fraud.

Juss confirmed that the report isn't published, but it is public information made available upon request. The board members were emailed a copy by the auditor.

Counselor Trainee Status

Thelma Greaser shared that Counselor Trainee (CT) status is a problem getting turned around. The Criminal Records Check (CRC) and CT took a while to be turned around, giving one example of a student sending 3 CRCs, and paying for it each time, while waiting to months to receive their CT status.

Rough shared that the process went into affect prior to being able to implement the rules to operationalize it. He thought there would be 6 months to do this.

He also shared that 90% of the student's results were received within 3-4 days; additionally, many other agencies implemented the policy, overwhelming the BCI&I, where a call to them could end up taking about 45 minutes.

Greaser also shared that in some cases, its costing students an additional semester when it's held up, but sometimes the problems were at the board.

Rough shares that often times, calls to the board are not succinct. And it prevents the work from being processed. Huss verified that this has historically been the case with the board. She also suggested that institutions make it so that everything is in place before a student is enrolled in an internship. She also recommends requiring CT status for all interns to solidify compliance.

Karr left at 09:56 am.

It was universally agreed that the process occurred quickly taking many by surprise.

May Meeting Minutes

Huss moved to accept the revised may meeting minutes. Packard seconded.

During the discussion, page 8 of the May minutes was corrected in the following way: under Jean Ann Johnson was Janet Richards' description. This was corrected, and Johnson's name and description was added.

The motion passed unanimously. Gilyard recused himself from the vote, as he was not a member of the board in May 2008.

Counselor Applications Coordinator's Report

Elliot reported that Frazier processed 392 Counselor Trainee and Clinical Resident Agreements.

120 exam packets were mailed.

In July, 54 candidates took the NCE. 49 passed, 5 were unsuccessful.

22 candidates took the NCMHCE. 18 passed, 4 were unsuccessful.

In August, 66 candidates took the NCE. 58 passed and 8 were unsuccessful.

16 candidates took the NCMHCE. 12 passed 4 were unsuccessful.

Gilyard confirmed that the NCE passage rate for first time test takers is approximately 90%. He requested that it be tracked how many times people take the exam before passing.

Elliott shared that Rough will share with him, success rates of schools.

Huss confirmed with Elliott that the reason that the NCMHCE results are not consistent with the number of approved PCC applicants is because in many cases, the NCMHCE is taken prior to the 3000 hours being accumulated.

Kress thanked Elliott and Frazier noting that she "wouldn't want their jobs."

Old Business

Hardship requests vs. Consistency

Kress requested tabling the discussion until White is present.

New Business

Process for PC-S and PCC-S

The committee agrees that it is appropriate to upgrade the PC-S to the PCC-S when they upgrade their license to the PCC, in light of the law change.

Logging Supervision Hours

Kress shared that given recent events, the committee should consider adding in the rules, that the supervisee would document hours met with the supervisor and make it available upon request. A supervisor would sign off on it, quarterly, including where they met for supervision, for how long and what was discussed.

Huss shared that she isn't sure that the board is able to make the mandate of interns for CT status. The committee agreed that it isn't necessary at the university level as there is a lot of oversight.

The feeling is that this will only apply to PCC applicants, and will exclude CTs. They will ask Rough to send this out for comment.

Kress updated the guests that the committee drafted a letter for the OCA and OACES regarding giving incomplete grades to CTs to formally keep them enrolled in an internship for CT status, but not be re-enrolled or meeting with students. The letter indicates that the situation has come to the committee's attention. The committee is fine for schools to give incompletes, but they must continue to follow CACREP standards regarding supervision.

Program Approval

Walsh University

Huss moved to approve Walsh University. Gilyard seconded. There was no discussion as the motion passed unanimously.

Ashland Theological Seminary

Huss shared that they were previously rejected. After a meeting with Rough, they made necessary adjustments. Although 2 of their courses aren't acceptable, there are 2 courses that do. They will be notified. Also, the syllabi must reflect the requirements, as they are on the course descriptions. She noted that syllabi already indicated what requirements are met and how they are met.

Huss moved to approve Ashland. Gilyard seconded. There was no discussion as the motion passed unanimously.

Kress thanked Huss. Gilyard did as well; noting that it is a very difficult process to differentiate recognition of DSM based courses vs. bible based courses. He also commended Rough for visiting Ashland.

Correspondence

Lisa Batey

Her supervisor is Joannah Kuhn, who has fallen ill. She asked to be supervised by a PCC that is working towards the supervising counselor designation. The PCC isn't close to meeting the requirements and there are lots of supervisors in the Toledo area.

Huss moved to deny her request for non PCC-S supervision. Gilyard seconded. There was no discussion as the motion passed unanimously. Huss commended Batey for immediately attempting to solve the problem and she is to be given a list of PCC-S in Toledo.

Nicole Cleland

She's missing the supervision credential requirement by 1 month. Gilyard noted that exceptions would have to be made for all if this were approved.

Gilyard moved to deny her request for the PCC-S to be awarded. Huss seconded. There was no discussion as the motion passed unanimously.

Lois Carter for Bridgette Hopson

Carter was writing a letter for her granddaughter that has Multiple Sclerosis. There was a systems failure at the end of the test. Gilyard stated that she didn't pass and she should be encouraged to sit for the test again, noting that, when someone is unsuccessful, there are, often, external reasons given for the shortcoming.

Huss stated that it is illegal for the board to license her when she hasn't passed the exam. At best, she should petition the NBCC to sit for the exam again.

Huss moved to deny her request to allow the test result to represent that she passed when she did not; and to send her a letter recommending a negotiation with the NBCC regarding sitting for the exam, again. Gilyard seconded. There was no discussion as the motion passed unanimously.

It was noted that she failed the test three times.

Kress wants the letter to include that she must also send a remediation plan to the board.

Jeff Holcomb

Holcomb is a PCC wanting the PCC. He works for an insurance company negotiating whether or not symptoms justify insurance coverage. He's asking this to count towards his PCC. Gilyard moved to reject his request to allow his job duties to count towards the PCC license. Huss seconded. There was no discussion as the motion passed unanimously.

Annette Nemeth

The applicant is requesting an LISW to supervise her as her current supervisor suffered a stroke.

Huss moved to deny her request. Gilyard seconded. There was no discussion as the motion passed unanimously.

Huss shared that the hardship exemption was listed since, at the time, there weren't a lot of training supervisors around. There are now, and there is, also, electronic supervision that is acceptable, as well.

Kress requested, one day, a visit or a teleconference with the NBCC to discuss the NCE and NCMHCE.

Huss recommended the committee plan to review the contract and compare how Ohio does on the NCE and discuss whether or not they want to continue using the test. She noted that they made a commitment to their profession that this would be revisited.

Gilyard requested of Rough that the schools passage rates be made available, stating that it is unfair to the students not knowing this up front.

Rough shared that it is possible, but in the meantime, it's public information for those that ask. Rough also shared that as it is, the numbers are not statistically significant to be considered good data for comparison (at least 100 schools is a statistically significant sample.) Gilyard insisted that some attempt to be made to post this information as it is critical for students to be able to use this information when deciding on graduate programs.

The committee continued to work on program approvals and CEUs until the meeting adjourned at 11:15 am.



Dr. Victoria Kress, Chairperson