West Virginia Board of Examiners in Counseling
Meeting Minutes
February 6, 2015

The WV Board of Examiners in Counseling held a telephone board meeting on February 6, 2015. The meeting was called to order at 11:06 AM.

Board Members
Present: Deborah Frost, Chair, LPC
Dr. Christine Schimmel, Secretary, Counselor Educator-WVU, LPC
Dr. Lori Ellison, Counselor Educator-MU, LPC
Dr. Marilyn Cassis, LMFT, LPC
Beth Wright-Bragg, LPC
Guy Gage, LPC
Layperson-Vacant

Others Present: Jean Ann Johnson, Executive Director
Roxanne Clay, Program Director

Quorum Established: A quorum was established.

Public Comment Period: No appearances for public comment.

Approval of Minutes: A motion was made to accept October 24, 2014 minutes. M/S/P (Schimmel/Wright-Bragg)

Credentialing: The credentialing committee recommended the following persons for licensure: (M/S/P): (Cassis/Ellison)
Emma B. Fredette  
Robert J. Freedlander  
Audra L. Hamrick  
Stephen A. Givens  
Molly E. Barberio  
Kimberley P. Courts  
Julie A. Bozarth  
Bethany B. Owen, Reciprocity-PA  
Angelina M. Allen, Reciprocity-PA  
Kara L. Bailes, Reciprocity-PA

**Approved Licensed Professional Supervisors-(ALPS)**

approved since last board meeting

Candace D. Layne-Cabell  
Hewlett Trogdon-Wayne  
John Clark-Berkeley  
Denise Tonkin-Marion  
Thomas Hill-Monongalia  
Ginger Conley-Greenbrier

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**2015 Requirement/Consequences:** ED sent out notices to folks who will not be coming into compliance with the "2015" Rule within the required time frame. Several folks who feel they will have trouble coming into compliance has asked what the consequence will be for not complying. We anticipate that approximately 20 that will fail to comply. ED noted that most licensees have had since 2007 to comply. The following recommendations were discussed:

1. Inform, via letter, all persons who may be impacted;
2. Outline all attempts at contacting them and informing of the compliance process and requirements;
3. Inform impacted persons that failure to comply will result in suspension of the license until educational requirements are met.

**Update on Boyce Hearing:** Hearing was held last January 30, 2015. Several parties had the opportunity to testify, including an attorney from AAMFT and WVBECS ED. The attorneys were given six weeks from the hearing date to submit their legal findings to the Administrative Law Judge. ED will report back
when a decision is received from the Administrative Law Judge.

ED Report:

Current balance as of February 6, 2015 is $86,403.95

Program Director’s Report

State Auditor’s Annual Seminar for Licensing Boards:

PD attended the State Auditor’s Required Annual Seminar for State Licensing Boards on December 2, 2014. Numerous topics were covered and updates provided for wvOasis Phase D, P-Card Oversight, and Panel Discussion by representatives of the AG’s office. Other topics covered that will be particularly helpful to the board over the next year include: ‘E-Rules filing and Rulemaking Review’, and ‘Board Appointments and Working with the Legislature’. All Boards expressed they currently have members serving under expired terms. ED and PD will schedule a meeting with the representatives from the governor’s office to discuss reappointments of current board members filling expired terms as well as those needing replaced.

Annual Reports:

WVBEC’S 2012-2014 Annual report was submitted to all required parties on December 16, 2014. Annual Reports are due by December 31, 2014.

Legislative Updates:

PD reported on HB2239 which relates to creating a Health Professionals Umbrella Board involving 25 health regulatory boards. Board members have been updated via emails since the bill was introduced on January 22, 2015. Other bills of concern include HB2205 which relates to prohibited sexual contact by psychotherapists and providing criminal penalties for such behavior. WVBEC will monitor the movement of this bill. Ethical code already addresses the issues included in this bill and it supersedes our codes of ethics. HB2259 would require the Governor to fill vacant Board seats within 60 days.

ALPS Training with
Don Hall:

In the past, Board members and staff have provided ALPS training to the current and prospective ALPS at continuing education conferences. Don Hall, LPC and ALPS, also provides a 2 day ALPS training that incudes the requirements to become an ALPS. PD was present at his last training in October with the goal of continuing to reach out to the ALPS to share board related topics as it relates to the ALPS credential. PD will continue to share at Dr. Hall’s future trainings.

wvOASIS Update:

wvOASIS Phase D, which involves Payroll, Human Resource Management, Time Leave Management and the conversion to biweekly pay for state employees was originally expected to go-live January 1, 2015. More delays have been experienced. Many issues have come to light as the system has rolled out. The first wave of agencies are now expected to go-live sometime between April and July. WVBEI is unclear when full implementation for this Board will happen, however, there will be ongoing trainings that will be available.

AASCB Conference:

PD attended the American Association of State Licensing Boards Conference in Savannah Georgia on January 7-9, 2015. It was a good experience beginning with the ‘Administrator’s Forum’ in which representatives from numerous states provided a brief report with updates and concerns specific to rules, CE, fees, legislation, disciplinary cases and sanctions, and supervisors. Some of the big topics during the conference that was highlighted included Portability of licensure and education requirements where the emphasis is on requiring CACREP educational standards. In the coming months, a letter will be issued by AASCB that will formally request each state accept the endorsement language proposed at the conference. They believe this policy encourages trust between states to properly vet licensees for licensure and honors a licensee’s experience. PD also reported that she has volunteered to serve on a committee with AASCB whose topic is ‘determining an appropriate path to licensure portability’.

Endorsement Language For Rule Change:

The Board looked at language for adjusting the Series 1 and Series 8 rule regarding endorsements. The Board looked at both Louisiana and Michigan as examples. The Louisiana language totally reflects the language recommended by
AASCB. The Board discussed various elements of language that was preferred. The Board agreed that our language should, with minor changes, come into agreement with the recommendation from AASCB. Changes were made to the AASCB recommendations and will be reflected in Series 1 and Series 8 rule proposals.
M/S/P: (Gage/Ellison)

Code Changes in 30-1-7A: Due to 30-1-7a, effective July 1, 2017 LPC’s must begin to obtain continuing education in issues related to mental health conditions common to veterans and family members of veterans. Language for Series 3 and Series 10 was presented and accepted for the proposed rule change.
M/S/P: (Ellison/Cassis)

Proposed Fee Rule Change: Did not get to this item.

Disclaimer for LPC Teaching Oils: Did not get to this item.

Use of PH.D. in Counseling Practice:

New – Bryson: LPC is requesting clarification on appropriate use of the PH.D. credentials in counseling when PH.D. is not a related field to counseling. LPC claims that a PH.D. in criminal justice is a related field to counseling. The Board determined that a letter in response should highlight that using the PH.D. credentials in regards to his counseling work is a violation of the code of ethics and he will need to find a solution to using that credential that does not violate the code.

Previous – Gibson: Applicant for LPC responded to cease and desist for using PH.D. credential incorrectly. The Board appreciates the effort to correct the issue, however still feels that the
applicant’s LinkedIn page implies that his PH.D. is in a related field to counseling.

Entered Executive Session: 1:00 p.m.

Complaint #01-15: LPC accused of breaching confidentiality, practicing outside their scope of practice and being negligent in providing appropriate information on monitoring a client’s drug screens (an area in which they were not trained). M/S/P: (Frost/Ellison)

Exit Executive Session: 1:20 p.m.

Meeting Adjourned: The meeting was adjourned at 1:30pm M/S/P: (Schimmel/Wright-Bragg)

Respectfully Submitted,

[Signature]

Dr. Christine Schimmel, Secretary, LPC