The WV Board of Examiners in Counseling held a board meeting on March 1, 2019 in Charleston, WV. The meeting was called to order at 10:21 AM.

**Board Members Present:**
Guy Gage, Chair
Marilyn Cassis, Secretary
Lori Ellison
Jeff Jones
Regina Burgess
Anthony Onorato
Lisa Westfall

**Others Present:**
Roxanne Clay, Executive Director
Keith Fisher, Attorney General Representative

**Quorum Established:**
A quorum was established.

**Public Comment:**
No one appeared before the board for public comment.

**Travel - Members completed travel expense account settlement forms**

**Approval of Minutes:**
Draft minutes were distributed for review prior to the meeting. Amendment was made to the October 26, 2018 minutes to include Guy Gage as a member of the Personnel Committee. A motion was made to dispense with the reading of the following minutes and (1) approve as amended the October 26, 2018 minutes, and (2) Approve as distributed/printed for the December 7, 2018, and January 25, 2019. (M/S/P: Gage/Jones)

**Enter Executive Session:** (M/S/P: Cassis/Ellison) 10:23am
West Virginia Board of Examiners in Counseling  
815 Quarrier Street, Suite 212  
Charleston, WV 25301  
Telephone: (304) 558-5494 Fax: (304) 558-5496

Meeting Minutes  
FRIDAY, MARCH 1, 2019 @ 10:00 AM – 4:00 PM

Complaint Committee –

Currently Monitored or Pending Cases:

Case #03-18 – (Received 8/21/2017, 18-month mark – 2/21/2019) Board reviewed the Hearing Examiner’s order that included his recommendations.

Case #08-18 – (Received 11/14/2017, 18-month mark – 5/13/2019) Currently completing terms included in Consent Agreement and Order. (J. Jones Recusal when status update was provided.)


Case #11-18 – (Received 1/25/2018, 18-month mark – 7/24/2019) Board discussed the Supervision Agreement and considered the options for who will provide supervision in this case.

Case #01-19 (Received 7/2/2018, 18-month mark – 1/1/2020) – Investigation in this case is now complete. Board considered the alleged violations of the ACA Code of Ethics.

Exit Executive Session: (M/S/P: Jones/Ellison) 12:10pm

Enter Executive Session: (M/S/P: Cassis/Ellison) 1:06pm

New Complaint Cases:

Case #14-18 (Received 6/19/2018, 18-month mark – 12/18/2019) – Complaint against a licensee alleging violations of the ACA Code of Ethics.

Matter regarding provisionally licensed marriage and family therapist – Discussion of concerns brought to Board.

Matter regarding provisionally licensed counselor – Discussions of concerns brought to Board.

Exit Executive Session: (M/S/P: Cassis/Onorato) 2:22pm
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Case #03-18 – Rebecca Marcum, Provisionally Licensed Counselor #366 - (Received 8/21/2017, Six (6) Month Extension Agreement issued 2/7/2019) Board reviewed the Hearing Examiner’s order and recommendations in which he affirmed the Board’s determination that Respondent engaged in conduct that was a violation of the law and regulations as alleged and denied any objection made by the respondent. Subsequently, the Board determined the following disciplinary action: Revocation of licensure for a period of no less than five (5) years. Following this five-year period, Ms. Marcum may apply for a provisional license and will be required to complete 3,000 hours of supervised experience, but prior to application must have completed the following: 1. Shall engage a Board-approved counselor to complete a minimum of six months of individual counseling, and shall be responsible for all costs associated with said counseling, 2. Shall reimburse the Board the reasonable and necessary expenses incurred in its investigation and disposition of this matter, which expenses total $6,913.30, and 3. Any failure to comply with the conditions described herein will result in the denial of any subsequent application for a provisional or other license to practice professional counseling in the State of West Virginia. (M/S/P: Jones/Ellison)

Case #02-19 – (Received 8/6/2018, 18-month mark – 2/5/2020) Summary suspension was issued 8/30/2018. The Board is waiting for the outcome of criminal charges and the status hearing scheduled for March 1, 2019.

Case #11-18 – (Received 1/25/2018, 18-month mark – 7/24/2019) Board voted to accept Alan Cole as Approved Supervisor in this case. Supervision agreement will be prepared by AG representative. (M/S/P: Jones/Ellison)

Case #01-19 (Received 7/2/2018, 18-month mark – 1/1/2020) – Board determined the licensee violated the ACA Code of Ethics, specifically Section B.6.b, which prescribes that “[c]ounselors ensure that records and documentation kept in any medium are secure and that only authorized persons have access to them,” and Section B.6.i, which prescribes that “[c]ounselors take reasonable precautions to protect client confidentiality in the event of the counselor’s termination of practice, incapacity, or death and appoint a records custodian when identified as appropriate.” The Board voted to issue a consent agreement and order to include the following disciplinary action: 1) Reprimand, monetary fine of $500, reimburse the administrative and legal costs incurred by the Board within 60 days of entry of the Order. (M/S/P: Ellison/Jones)

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Case #14-18 (Received 6/19/2018, 18-month mark – 12/18/2019) – Board determined the licensee violated the ACA Code of Ethics, specifically Section C.4.a, which prescribes that “[c]ounselors claim or imply only professional qualifications actually completed,” and Section D.1.g, which prescribes that “[t]he acceptance of employment in an agency or institution implies that counselors are in agreement with its general policies and principles.” The Board voted to issue a consent agreement and order to include the following disciplinary action: 1) Reprimand, monetary fine of $250.00, reimburse the administrative and legal costs incurred by the Board within 60 days of entry of the Order. (M/S/P: Cassis/Jones)

Matter regarding provisionally licensed marriage and family therapist – Board took no action and is recommending the concerned parties to file a formal statement of complaint to include their allegations.

Matter regarding provisionally licensed counselor – Board determined there was sufficient information provided to the Board to initiate a full investigation. (M/S/P: Jones/Onorato)

Credentialing Committee – The following individuals were approved for licensure:

LPC:  
Brittany Baum  
Angela Dials  
Jessyca Gooch  
Josephine Lynch  
Tanya McClung  
Darrian Randall  
Mena Seyed-Ashraf  
Lee Alban – Endorsement from OH & PA  
Kathy Vallee – Endorsement from KY  
Corey VanSickle- Endorsement from PA

MFT:  
None

ALPS:
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Renee Bair – State PA  
Allyson Hedges – Kanawha County  
Catherine Love – Harrison County  
Natalie Riggleman – Berkeley County  
Kathleen Sauls – Raleigh County  
Tiara Wynn – Fayette County

A motion was made to accept the above list LPCs and ALPS. (M/S/P: Onorato/Jones)

**California MFT Exam** – Board voted to accept the California Marriage and Family Therapist (MFT) Written Clinical Vignette Exam and California Marriage and Family Therapist (MFT) Standard Written Exam to fulfill the exam requirement for MFT licensure. (M/S/P: Westfall/Gage)

**OBMAT-Unlicensed Counselors** – The committee reported to the Board that, according to DHHR OBMAT Rule 69 CSR 12 (effective date 6/2017) and the W. Va. Code § 16-5y-5d, individuals working in an OBMAT center are exempt from requiring LPC licensure to include those working for ‘for-profit’ centers. It should be noted that W. Va. Code § 16-5y-Medication Assisted Treatment Program Licensing Act, particularly section 5(d) - Operational Requirements, includes the qualifications of the counseling staff and that is mandated by DHHR.

Financial Committee:

**Purchasing Card Review:** Review was completed and approved for R. Clay – September, October, November, December 2018 & January 2019, and for A. Shawver – December 2018 & January 2019. (M/S/P: Burgess/Westfall)

**YTD Financial Summary ending January 31, 2018:** J. Jones presented the Board with a review of the YTD financial summary. The Board approved the report as presented. (M/S/P: Cassis/Onorato)
Distance Counseling/Mobility Committee – Committee presented and the Board adopted the guidance document titled “Guidance on Technology-Assisted Counseling or Therapy and Technology-Assisted Supervision”. (M/S/P: Westfall/Burgess)

Executive Director Report

Licensee Update –
LPC: 998 current
LPC-Retirement Status: 43
Provisionally Licensed Counselor: 123
Temporary Permit Counselor: 14
LMFT: 7
Provisionally Licensed Marriage & Family Therapists: 1
Temporary Permit Marriage & Family Therapist: 1
ALPS: 256

2018 & 2019 Trainings, Conferences and Presentations –

Attended since last formal Board meeting:

- PCard Certification Training – Agency Coordinator and Ethics Training – R. Clay completed both training requirements online 10/31/2018.
- Purchasing Training: Public Procurement Basics – R. Clay completed 1/16/2019 via webinar
- Association of WV licensing Boards meeting – R. Clay attended 1/22/19
- wvOASIS Subobject codes training – A. Shawver attended via webinar 2/21/2019
- Purchasing Training: Developing Specs and Contracting – R. Clay completed 2/27/2019 via webinar
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Upcoming:

- 3/28/19 CLEAR Webinar Series: ‘Roles & Responsibilities of Board Members’ (no cost to the BEC). R. Clay will attend along with any interested BM.


- 4/17/2019 – R. Clay to present the steps to LPC application and licensure at WVU, graduate internship students.


- April 30 – May 2, 2019 – WV Treasurer’s Office – Annual Cash Handling Conference. R. Clay will attend.

- May 16, 2019 CLEAR Webinar Series: Professional Discipline. R. Clay will attend. (No Cost to Board.)

- August 7-9, 2019 – AASCB/NBCC Summit in Washington, DC. R. Clay will attend along with Board member. L. Ellison will attend on behalf of AASCB, Treasurer position.

- September 17-18, 2019 – AMFTRB Annual Meeting @ Minneapolis, MN. Attendance TBD.

- November 2019 – Required Annual Auditor’s Seminar for Chapter 30 Boards.

2019 Legislative Session – The Board reviewed the list of proposed bills provided by ED that would have an effect on BEC and/or Chapter 30 boards. R. Clay will continue to track and notify the Board throughout the remainder of the session with any updates and/or concerns.

FY2018 Annual Report – ED reported that the Annual Report for FY2018 was completed and submitted to all required parties prior to the deadline of 12/30/2019.
2019 Licensee Renewal – ED Reported the LPC ‘Annual’ License Renewal materials and notices will be sent to all licensees by mid-March. The LPC ‘Annual’ license renewal includes the reporting of the licensees’ completed continuing education. Additionally, the LMFT ‘Annual’ License Renewal materials and notices will be provided by the first of April and only requires the submission of the two page renewal application and fee. All LPC and LMFT licenses expire 6/30/2019.

Investigative Committee checklist and revised report template – ED provided an update that the work to create a checklist and revise the report template is ongoing.

Board Appointments

Board voted to submit Patrick Ward, LMFT, LPC to fill the LMFT seat that expires 6/30/2019 and is currently held by M. Cassis in which she has completed two full terms and is not eligible for re-appointment. Board also voted to submit the following Board member names in which all members are eligible for re-appointment to the three seats that expire 6/30/2019: Lori Ellison (Counselor Educator), Guy Gage (LPC), and Anthony Onorato (LPC).

Adjourn

A motion to adjourn was made at 3:33PM. (M/S/P: Westfall/Ellison)

Respectfully Submitted,

Roxanne Clay, MA Executive Director