

West Virginia Board of Examiners in Counseling
Minutes
April 11, 2008

Time and Place: The West Virginia Board of Examiners in counseling met April 11, 2008 at Marshall University Graduate College's South Charleston campus.

Board Members present: John Charonko, Chair
Chris Schimmel, Secretary
Deb Frost
Bob Masson via telephone
Excused Absence – Donna Evans, Adrienne Biesemeyer

Others Present: Jean Ann Johnson-Executive Director
Roxanne Clay-Assistant to the Executive Director

Quorum Established: Meeting called to order at 9:23am. A quorum was established.

Discussion: Board prepared for upcoming visit from LPC applicant; reviewed file and timeline of events.

Approval of Minutes: Minutes were reviewed for January 28, 2008 WVBECC meeting.
Minutes were approved. M/S/P (Charonko/Frost)

Travel Forms: Travel forms were distributed and signed.

P-Card Approval: Having examined the P-Card records for January, February and March 2008 and correcting a minor error, the board approved all purchased. M/S/P (Frost/Masson).

Ethics Commission
Financial Forms: Jean Ann reported that as of March 13, 2008 two board members have not completed their forms for the state. Niles and Biesemeyer have been contacted and instructed to submit these forms as soon as possible. Niles responded April 10, 2008 that he had mailed the form that day. All other members have successfully submitted the appropriate forms.

Credentialing: The credentialing Committee recommended 2 applicants for licensure. The Board approved new licenses for:

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Jennifer Logan
Timothy Vaughn
M/S/P (Schimmel/Charonko)

Marriage and Family
HB 4146:

This bill died the last day of session. HB 4593 became a committee substitute and encompassed all of 4146 which would have established a Marriage and Family licensing Board. The originally introduced HB 4593 would have allowed for the practice of marriage and family counseling without a license.

It is reported that CR 93, a study resolution on the establishment of a separate license for Marriage and Family therapists, is on the list of study resolutions that will be discussed in the legislative interim sessions over the next year.

Discussion involved the possibility of creating a seat on the board to be rotated between and among individuals of various specialties. Additionally, we discussed creating specialty endorsements for licensure. The WVBE does want to engage in some level of discussion with the individuals involved with the Marriage and Family licensure process to try to find a resolution that will best benefit the citizens of West Virginia. Further discussion on one of this Board's main concerns throughout this process - which has always been to make sure there is not a reduction of counseling services to citizens in West Virginia due to improper wording in the proposed M&F legislation. Services are already scarce in certain areas.

The decision was made to invite leadership from the Marriage and Family movement to discuss options for the two entities to work together. Jean Ann will contact representatives from PERD to attempt to determine when the study resolution may be taken up in the interims so that we may attempt to convene a meeting prior to that interim session. If necessary, a committee meeting will be called.

The board expressed thanks to Jean Ann Johnson for her work on keeping board members up to date on the progress of the Marriage and Family licensure bill and keeping members posted on legislative contacts and timelines.

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PERD:

HB 4073 –New language in the WVBE code replaces the section that assigns the board a sunset date after a PERD audit. The new insertion to the code that reads: “The board is subject to a regulatory board review pursuant to the provisions of article ten, chapter four of this code.”

In the most recent (2008) PERD report, it was recommended that this board conduct State Police background checks on all current practitioners and new applicants. The board discussed the implementation of this step to the licensing of individuals. Jean Ann reported there would be no cost involved for the board. Chairman Charonko is opposed to this policy of background checks. The board then discussed a policy that would allow the board to conduct background checks on an “as necessary” basis, specifically in instances where complaints are filed against LPCs.

The proposal was made then to give the board the authority to place in Series 5 or 6 the option to require a State Police background check on an individual (LPC or an applicant) against whom a formal complaint is filed. M/S/P (Masson/Charonko)

It was decided that the board would table the idea of mandatory background checks for applicants until the time that a full review and revision of the Board rules is necessary. Jean Ann will report back to the board at the next meeting.

Jean Ann reported that we have identified potential office space in three locations. Real Estate Division was given our space requirements and needs. The Morrison, the People’s and the Union buildings are all being considered. The executive director and her assistant requested permission to pursue these spaces.

Motion was made to permit executive director and assistant to obtain needed office space and submit the WV 14 to the Real Estate Division. M/S/P (Frost/Charonko)

Guest:

Chairman Charonko began the interaction. Mr. Haws related his educational experiences. Experiences included work in juvenile services and with CPS in Arizona.

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A motion was made to licensee:

A. Kim Haws
M/S/P (Schimmel/Charonko)

Sex Offenders Txment
Providers Licensure:

Jean Ann provided the board members with a copy of a proposed rule in its draft form that if passed will affect the centers that treat sex offenders. This was just for the board's information.

Executive Director's Report: The Board will experience an increase in expenses in May 2008 due to the acquisition of an office in Charleston. ED reports that a preliminary review of the current and future financial expectations indicate that a fee increase may not be necessary; however, she needs more time to determine the need. Jean Ann reports that her plan is to work only 20 hours a week through June, July and August and Roxanne will work full time at that point.

Current balance is \$99,782 as of April 10, 2008.

Financial records were reviewed and approved.

Chris, Bob and Jean Ann will speak at the Counseling Conference on May 15, 2008 in Charleston.

Process for License
Revocation as result
Of Worker's Comp
Default:

Board reviewed WV Offices of the Insurance Commissioner memo of January 16, 2008 for revocation of professional license as a result of defaulting on worker's compensation.

Executive Session:

Enter executive Session at 12:45pm.

Case #02-06:

LPC is making restitution as part of her parole on her case in Cabell Co. court. Payment will be made each month.

Case #05-07

Update on current status. If consent agreement is not finalized by May 9, 2008, then notice of hearing will be sent.

Case #08-07

Update on current status. LPC was provided two names of counselors from which he could receive services. He was

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supposed to inform the board by March 1, 2008 of his selection. He has not informed the board of this choice of therapist. Received letter from therapist on March 31, 2008. Copy of the consent agreement faxed to the therapist.

Case #09-07 Update on case made by Schimmel and Charonko. They met with LPC on March 12, 2008 to gain more information. Recommendation was made to dismiss case. M/S/P (Frost/Masson)

Case #01-08 Recommendation made to dismiss case. (Charonko/Schimmel)

Exit Executive Session: 1:27pm M/S/P (Frost/Masson)

WV Advocates Letter: Board discussed April 2, 2008 correspondence received from WV Advocates re: Elizabeth Crawford and will respond.

Item from AASCB on Supervisors: Board was provided copies of the American Association of State Counseling Board's Approved Supervision Model to review. ED is to revise the current ALPS agreement form to include some of the good ideas in the above document. Additionally, next meeting, Chris will add the thoughts on guidelines for supervisors of LPCs under consent agreements to assist those persons in working effectively with those persons.

Articles of Interest: Executive director provided relevant articles to board members. The first article reports psychologists in KY are attempting to stop testing by any other professionals in the field.

The second article reports on the Nevada licensure law which requires a Master's Degree from a school that is CACREP accredited. Additional articles supplied on various other issues.

Exit Executive Session: Motion to exit executive session at 2:17pm M/S/P (Frost/Masson)

Board Appointments: Biesemeyer appointment runs though 06-09 not 06-08 as

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previously reported by ED.

Beth Wright Bragg VITA submitted for possible appointment to the board

Charonko, Frost and Schimmel submitted for reappointment to Governor's office after last board meeting.

Motion to submit John T. Griffith to serve on the board as a layperson. M/S/P (Masson/Schimmel)

Adjourn 2:07pm M/S/P (Schimmel/Frost)

Respectfully submitted,

Christine Schimmel, Secretary