

**West Virginia Board of Examiners in Counseling  
Minutes  
October 15, 2007**

Time and Place: The West Virginia Board of Examiners in counseling met October 15, 2007 at Marshall University Graduate College's South Charleston campus.

Board Members present: Adrienne Biesemeyer  
Deb Frost  
Donna Evans  
Bob Masson  
Chris Schimmel, Secretary  
John Charonko, Chair (absent at meeting's start)

Others Present: Jean Ann Johnson-Executive Director  
Tony Onorato (Not present for Complaint Proceedings or case reviews)

Quorum Established: Meeting called to order at 10:29am. A quorum was established.

Approval of Minutes: Minutes were reviewed for July 20, 2007. Minutes were approved. M/P (Biesemeyer/Masson)

Travel Forms: Travel forms were distributed and signed.

P-Card Approval: Having examined the P-Card records for June, July and August and September. Two minor mistakes were found and corrected. Deb Frost then moved that the P-Card purchases be approved. M/S/P (Frost/Masson).

Credentialing: The credentialing Committee recommended fifteen applicants for licensure. The Board approved new licenses for:  
Frances Bennett  
Kathryn Beverly  
Darlene Daneker  
Allison Ellis  
Cynthia Harford  
Leah Hensley  
Melissa Huffs  
Doris King  
Catherine McCauley  
Lynn Plumley  
John Riffe  
Jamie Roberts

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Mitzi Sprigg  
Brian Tolka  
Daniel Liedl M/S/P (Frost/Biesemeyer)

**Rule Clarification:** Executive Director Johnson asked for board clarification on the rule (Series I) w/ regards to what degree title is acceptable for licensure consideration. Does the board accept degrees that do not include the word “counseling” even if the course work was in line with the current licensure requirements? Board discussed the acceptability of such degrees. The board voted to consider degrees with titles that may not include the word “counseling” as long as they meet the minimum requirements found in 6.1.b M/S/P (Evans/Masson)

**Bill Pay:** The IS&C employee that has processing the Board’s invoices for payment has taken a new position. Therefore, the ED is requesting permission from the Board to process invoices in-house through “FIMS”. This would result in an estimated savings of at least \$2000.00 a year to the board. It would also expedite the ability for the ED to track payments and reimbursements. The Board gives ED permission to pursue “FIMS” usage.

**FOIA:** The board discussed the appropriate fee for complying with FOIA requests. Pursuant to the rule as stated in Series 2I, the board decided to base the cost on what it pays the staff per hour. The board decided that FOIA requests will be billed prior to and must be paid in advance of the issuing of the information at a minimum of one hour. For requests that take longer than one hour to address, the Executive Director and staff will charge an hourly rate per hours invested in the time it takes to meet the request plus additional costs accrued (and not limited to) for copying, filing, mailing and complying. The person requesting the information must pay the estimate of the request before information will be delivered. A motion was made to pursue the above course of dealing w/ FOIA requests. M/S/P (Evans/Frost)

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National Counselor Exam: ED has communicated w/ NCE in attempting to work out the computer delivered exams. Instead of the WVBEC giving permission each time to take the exam, the board will issue a letter granting permission to sit of the exam. This letter will be good for one year. Examinees may retake the test after 90-day wait period should they fail the test the first time. Using Applied Measurement Professionals (AMP) applicants who desire to take the exam may use the AMP website to access an array of information regarding the exam (i.e., exam sites, directions, scheduling an exam, rescheduling an exam, etc.). The established of the computer based testing program is almost complete and should be ready to go by November 2007. The executive director is waiting on the contract to come from NBCC.

PERD Review: A request to gather information prior to the upcoming PERD review audit has been issued by the PERD research analyst. The Board has received and complied with the list of items requested for the upcoming review.

Executive Director's Report: The Board's account balance as of September, 2007 was \$125917.77. The financial documents were reviewed and appeared to be in order.

ED reported that she attended annual meeting for executive directors and she also attended P-Card training.

Executive Director presented several questions from applicants and LPCs.

Pursuant to a question of an LPC wanting to include "pastoral counseling" on their disclosure statement, the board is interpreting Series I, 27-1-10.2.c to include areas of competencies in counseling that are not specifically listed in said section.

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Enter Executive Session: Filling in for J. Charonko, Chair, Deb Frost announced that the Board needed to enter executive session. A motion was made to enter executive session. M/S/P (Evans/Masson)  
(Chair John Charonko arrived at meeting during executive session)

Exit Executive Session: Exit executive session  
M/S/P (Biesemeyer/Charonko)

**Complaint Summary:**

Applicant File Review: Invitation to attend board meeting had been extended. Applicant cancelled pre-arranged session with the board.

Case #09-05: Board agreed to accept payment amount of at least \$25 each month until the total debt is paid off.

Case #02-06: Controlled substance test not received since April 2, 2007 and no payment has received since March 2007. Revocation of license was recommended pursuant to the conditions of the consent agreement. The Board decided to request that the Assistant Attorney General seek revocation against LPC.

Case #05-07: Custody case involving 2 minors. Father was absent from initial referral. Father expected to pay ½ of bills. LPC will be invited to attend the next meeting to explain further the situation. The Board will also invite the father (the complainant) to the meeting as well to discuss this issue.

Case #06-07: Consent order mailed 10-01-07. It was received by LPC and LPC indicates she is returning the order signed as is. Pending signature.

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- Case #07-07: Consent order mailed to LPC's attorney. LPC has moved to Oklahoma. Pending signature.
- Case #08-07: LPC requesting change to consent agreement. The Board decided to move forward with asking the Assistant AG to make the requested changes and move forward with the consent agreement. The Board is unwilling to consider additional changes to the agreement and if the LPC refused to sign agreement after this change, the Board desires to return to a hearing on this matter.
- Previous Case LPC in Case #08-03 came to the previous board meeting stating that she had not been formally disciplined by WVBEAC. She was invited back to the October 2007 meeting to discuss this matter. She did not appear at this meeting. A consent agreement signed by the LPC on 01/28/04 and signed by the Chair of the Board on 02/05/04 was reviewed by the Board. The LPC was undisputedly disciplined for the actions cited in the formal complaint.
- Application Summary Applicant has not completed LPC process but is running a private practice under the title of a "counseling center." Therefore she is practicing without a license. The Board decided to send the applicant a letter to cease and desist with the operation of a private counseling practice. Additionally, the Board will advise the Assistant Attorney General to include language in the letter that if the Board is operating under incorrect information, to please clarify and defend the operation of said counseling center in writing immediately.
- Guidelines for Supervisors of disciplinary Actions: Chris emailed out the proposed "guidelines for supervisors" and has asked that all board members respond with ideas/thoughts/suggestions on this set of guidelines.

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2008 Meeting Dates:

The WVBEC decided on the following dates for its meetings for 2008:

January 28, 2008  
April 11, 2008  
July 28, 2008  
October 24, 2008

Vacant Board  
Seat:

With John Niles submitting his resignation and his term expired, the Board has a layperson vacancy. This person would preferably not have a counseling degree or counseling background. An LPC seat will be available on 06/30/08 as A. Biesemeyer has served two consecutive terms. Board members should make recommendations for new members to send to the Governor's office. Also, persons of interest should submit a letter of interest and resume to the board for consideration.

Respectively submitted,

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Christine Schimmel, Secretary