

**West Virginia Board of Examiners in Counseling**  
**Minutes: January 7, 2005**

Time and Place: The West Virginia Board of Examiners in Counseling met January 7, 2005 at the South Charleston Campus of Marshall University.

Board Members Present: John Charonko, Chair  
Adrienne Biesmeyer, Board Member  
Donna Evans, Board Member  
Deborah Frost, Board Member  
John Niles, Secretary  
Bob Rubenstein, Board Member  
Dave Srebalus, Board Member

Others Present: Jean Ann Johnson, Executive Director  
Doren Burrell, WV Assistant Attorney General  
(Not present for Complaint proceedings or case review:  
Tony Onorato)

Quorum Established: The meeting was called to order at 9:28 a.m. A quorum was established.

Approval of Minutes: October 22, 2004 Minutes were approved. M/P (Biesmeyer).

Enter Executive Session: The Board entered Executive Session. M/S/P (Frost/Evans). The Board held preliminary discussions on two cases and took necessary actions.

Exit Executive Session: The Board exited Executive Session. M/S/P (Srebalus/Frost).

**Complaint Summary:**

Case #07-03: The former licensee had not signed a previous consent agreement. The Board agreed to his request for an informal interview.

Enter Executive Session: The Board entered Executive Session. M/S/P (Niles/Srebalus). The Board discussed a case in preparation for an informal interview.

Exit Executive Session: The Board exited Executive Session. M/S/P (Frost/Evans).

Case #07-03 Interview: Present for the interview was former licensee Brendan Murphy and his wife Sara Murphy. He affirmed to Doren Burrell and the Board that he knowingly appeared without legal counsel and that he was waiving the right to a formal evidentiary hearing. Mr. Murphy did not contest the charges against him, but did wish to speak to the matter of sanctions in this case. The Board heard his personal appeal and then listened to the personal statement made by Sara Murphy.

Enter Executive Session: The Board entered Executive Session. M/S/P (Niles/Srebalus). The Board discussed a case and took necessary action.

Exit Executive Session: The Board exited Executive Session. M/S/P (Frost/Charonko).

### **Complaint Summary**

Case #07-03: The Board adopted a revised Order of Disposition to be presented to the former licensee through the Attorney General's office. M/S/P (Srebalus/Evans with Charonko and Rubenstein abstaining).

Enter Executive Session: The Board entered Executive Session. M/S/P (Srebalus/Rubenstein). The Board discussed a case and took necessary action.

Exit Executive Session: The Board exited Executive Session. M/S/P (Srebalus/Evans).

### **Complaint Summary**

Case #02-04: The Complaint Review Committee (John Niles and Bob Rubenstein) reported on an informal conference with the LPC and his attorney. The committee recommended a Consent Agreement and Order that imposes a one-year suspension. The Board will stay the suspension if the LPC fulfills specific requirements of continuing education, supervision, and payment of legal and administrative expenses. The Board voted to approve the committee's recommendation. M/S/P (Evans/Srebalus).

Enter Executive Session: The Board again entered Executive Session in order to discuss a case and to take necessary action.

Exit Executive Session: The Board exited Executive Session. M/S/P (Charonko/Biesmeyer).

### **Complaint Summary**

- Case #01-05: Complaint against an LPC alleged incompetence and breach of confidentiality. The Complaint Review Committee (Deborah Frost and Dave Srebalus) recommended dismissal of the complaint. The Board voted to dismiss the complaint. M/S/P (Biesmeyer/Rubenstein).
- Rule Change, Credentialing: Tony Onorato presented a possible revision of Rule 27-1-6 to include degrees from programs accredited by the Council of Rehabilitative Education. The Board also discussed increases in the required minimum of graduate course work to 60 semester hours and in supervised experience to 3000 hours. Board members see merit in these proposals and plan to work on a final draft of a Rule Change proposal at the Board's April 22 meeting.
- Credentialing: New licenses were approved for Josie Bush, Mark Iobst, Indu Bhatia, Jean Klemm, Stephanie Savitch, Morgan Sutton, Lisha Vannoy, Mary Stottlemyer, and Dana Sloan. M/S/P (Srebalus/Frost).
- Communications: A person has sent a threatening letter and made threatening phone calls to our Executive Director. The Board wishes to turn over this matter to the proper law enforcement authorities, and will seek guidance from the West Virginia Attorney General's office. M/S/P (Frost/Biesmeyer).  
A letter expressed confusion and frustration over hours of supervision. We shall communicate to her the need for documentation which the Board will then evaluate.  
A letter raised the issue of supervision by an ALPS at a distance. The inquirer will be provided the relevant portion of the current law, and the Board will discuss this subject at its April meeting.
- Board Brochure: The Board reviewed the Executive Director's draft WVBEBC brochure and suggested a few changes in this informative and well-done piece.
- P-Card Approval: The Board approved the P-Card records for October through December of 2004. M/S/P (Niles/Frost).
- Executive Director's Report: The Executive Director reported that the Board's account balance on January 6, 2005, was \$39,502.09. Discussions with the Attorney General's office are in progress with regard to paying for their services to the Board. The 2005 Renewal Applications were mailed on January 4 of the current year. Our office will soon institute the acceptance of payments over the Internet. Our materials on Open Meeting and Bylaws, Series 7 have been filed.

The Board approved the Executive Director's report. M/S/P (Srebalus/Evans).

Travel Forms: Travel forms were distributed and signed.

[Subsequent Approval]: Following the meeting, on January 11, 2005, the Executive Director contacted Board Members by telephone. A majority approved crediting continuing education contact hours to LPC's for service on our investigative committees.

Adjournment: The meeting adjourned at 3:25 p.m. M/S/P (Biesmeyer/Niles).

Respectfully submitted,

John H. Niles, Secretary