

MINUTES

**UTAH
PROFESSIONAL COUNSELOR LICENSING BOARD
MEETING**

March 15, 2011

**Room 475 - 4th floor – 2:00 P.M.
Heber M. Wells Building
Salt Lake City, UT 84111**

CONVENED: 8:56 A.M.

ADJOURNED: 12:27 P.M.

Bureau Manager:

Richard J. Oborn

Board Secretary:

Lee Avery

Board Members Present:

Jason H. King, Chairperson
Ruth A. Baxter, Vice Chairperson
Rodger Bischoff
Dee Zarkos
Jerri Sena

Guests:

IwaLani DiPrima
Meghan Marks
Randall Apgood
Jeffrey C. Smith
John H. Knoche
Doug Jungquist
David Daroff
Flecita F. FoolBear
Megan Vernon
Debbie Messe
Misty Killpack
Veronica Kasprzak
Sue Stephenson
Mark Burnhurst
Jessica Stephenson
Joan Landes
Brandi Brawn
David C. Haymond
Heatherlee Benson
Jeff Horton
Nate Pond
Jenica Guarisco
Kristen Stoddard

DOPL Staff Present:

Ronda Trujillo, Compliance Specialist

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

MINUTES:

Compliance Report:

Ronda Trujillo, Compliance Specialist

Preliminary review of discussion items

APPOINTMENTS:

Joanie Jones, probation interview

DECISIONS AND RECOMMENDATIONS

The Board reviewed the minutes dated December 21, 2010. Ms. Baxter motioned to approve the minutes with changes, seconded by Ms. Zarkos. The motion carried unanimously.

#1. Joanie Jones, probation interview. Ms. Jones is in compliance with her stipulation. The Division received her supervisor report and support group record.

#2. John Washington, probation interview. Mr. Washington is not in compliance with his stipulation. He submitted his supervisor report. The Division has not received his psychological evaluation that was due February 4, 2011. At the December meeting, the Board asked him to supply court documents and a resume for his therapist and he has not submitted either. Mr. Washington advised the Division that he completed the evaluation, and is waiting for Dr Peter Byrne to submit it. Mr. Washington stated that he is still involved in the court system. He will submit these documents in July 2011 once he finishes with the court requirements. Mr. Washington submitted his practice plan.

Mr. Oborn reviewed Mr. Brallier's application with the Board. Mr. Oborn noted that Mr. Brallier education is deficient by a single quarter credit in the following subjects:

(1) Professional Roles & Standards of Mental Health Counselor and (2) Cultural Foundations.

Ms. Jones met with the Board for her probation interview. Ms. Baxter conducted the interview. Ms. Jones advised the Board that things have been going well for her. She is working on dealing with stress better. The Board advised her that she had one UA indicating "out of range" and encouraged her to watch the dilutes as this will make her out of compliance

with her stipulation. Ms. Jones stated that she decided to return to her regular therapist. She continues working on the 12 step program. Currently she is on step 4. Ms. Jones stated she is working on her CE hours. The Board referred her to Salt Lake Behavioral Health for CE hours. The Board asked to see Ms. Jones on June 21, 2011. **Ms. Jones is in compliance with her stipulation.**

John Washington, probation interview

Mr. Washington met with the Board for his probation interview. Ms. Sena conducted the interview. Mr. Washington advised the Board that things have been going well. He is attending 12 step programs in chemical and sexual addiction. He has a sponsor for each program and is currently on step 2. His family and employer are his support system. Mr. Washington advised the Board that he teaches classes including Prime for Life in Spanish. He works mostly within the Spanish community. At 9:57 A.M. Ms. Baxter motioned to close the meeting to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Sena. The motion carried unanimously. There were no written notes or recordings. At 10:17 A.M. the Board meeting opened. The Board asked to see Mr. Washington on June 21, 2011. **Mr. Washington is in compliance with his stipulation.**

Ronald Brallier, applicant for LAPC

The Board contacted Mr. Brallier via telephone. Mr. Brallier advised the Board that he is moving to Utah. He worked for LDS Services in Oregon. The Board reviewed Mr. Brallier's transcripts, supporting documentation, including NBCC exam scores. The Board noted that passing the exam helped to demonstrate competency. In addition, Mr. Brallier completed a course in every required subject. Ms. Baxter motioned to approve Mr. Brallier's application for Associate Professional Counselor, seconded by Ms. Sena. The motion carried unanimously.

Colleen Bingham, applicant for LPC

Ms. Bingham met with the Board. Board introduced itself. Ms. Bingham submitted an application for Licensed Professional Counselor by Endorsement. The Board reviewed Ms. Bingham's transcripts and supporting documents. The Board noted that Ms. Bingham's education is deficient in ethics, career

development, and advance assessment of mental status. Ms. Baxter motioned to accept Ms. Bingham's education being deficient in ethics, career development and advance assessment of mental status, seconded by Ms. Sena. The motion carried unanimously. The Board encouraged Ms. Bingham to focus the ethics course on an APC accredited course. The Board advised Ms. Bingham that she does not qualify for an extern license because her education is deficient in one of the core classes, ie. ethics. The Board advised Ms. Bingham that she could complete the 3 courses and reapply for a license and pass the NCE and NCMHCE exams.

DISCUSSION ITEMS:

Mr. Oborn advised the Board that Ms. Thorell had a conflict and is unable to keep her appointment with the Board.

Mr. Oborn advised the Board that Utah Legislature did not pass HB 229, 249 and 243. HB 229 would have allowed APCs to be 1099 employees. HB 249 would have clarified online mental health therapy. HB 298 would have allowed qualified psychologists to have limited prescription authority. HB 243 amends the DOPL licensing act. The Division now has fine citation authority for the practice of unlicensed individuals and allows Board members with expiring terms to continue with their terms to serve until the Governor appoints their replacement.

1. Changes to Professional Counselor Licensing Act Rule that became effective on February 24, 2011

Mr. Oborn summarized changes that became effective on February 24, 2011.

2. Possible changes to Professional Counselor Licensing Act Rule.

Mr. Oborn advised the Board that there has been interest in making the following changes to the Professional Counselor Licensing Act Rule:

1. *Expanding the number of supervisees per supervisor;*
2. *Defining direct, face to face supervision;*
3. *Allowing some of those supervision hours to be gathered via live video conference with supervisor;*
4. *Requiring supervisors to obtain CEs directly related to supervision; and*
5. *Modifying the definition of an employee in the*

Mental Health Professional Practice Act Rule.

The Board tabled this discussion until the June 21, 2011 Board meeting. Mr. Oborn will send information to the Board for review.

3. Changing of December 2011 Board meeting

Mr. Oborn advised the Board that the meeting for December is tentatively schedule December 20th 2011. This is just before Christmas. The Board discussed changing this date and decided to meet on December 7, 2011 at 9:00 A.M.

4. NBCC State Licensure Boards Meeting,
August 11-12, 2011

Mr. Oborn advised the Board that DOPL is a member of NBCC. Part of this benefit will allow the Division to send a Board member to the NBCC annual meeting. Ms. Sena and Ms. Baxter expressed interest in attending the next meeting. Mr. Oborn stated that arrangements are made through NBCC and to contact him for details.

Mr. Oborn reviewed part of Governor Herbert's State of the State address delivered on January 26, 2011. In the address he covered many issues regarding economic development, he said that one of the most important ways that "government can nature a business-friendly environment" is to make regulation fair.

"I understand that the purpose of government regulation is to maintain a level playing field. As a small business owner, I have also experienced the cost and frustration of over-reaching and irrational regulation. In order to separate regulation that serve an important purpose, from those regulations that serve no purpose at all, I have asked each member of my Cabinet to review existing business regulations and determine which could be kept, which should be modified and which will be eliminated."

The Governor's Office has asked each department to determine an effective method of conducting the review of that department's rules. This review process will begin in earnest after the Legislative General Session concludes its business on 3/10/2011. A meeting for the department review coordinators has been scheduled for 3/15/2011. This process will culminate in a report back to the Governor's Office later this year.

BOARD MEETINGS:

The next Board meeting is June 21, 2011.

2011 Board meetings have been tentatively scheduled:

June 21, September 20, December 7.

Motion to adjourn at 12:27 P.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

June 21, 2011
Date Approved

(ss) Jason King
Chairperson, Utah Professional Counselor Licensing Board

April 11, 2011
Date Approved

(ss) Richard J. Oborn
Bureau Manager, Division of Occupational & Professional Licensing