

MINUTES March 19, 2021
LICENSED PROFESSIONAL COUNSELORS BOARD OF EXAMINERS
APPROVED

The meeting was called to order by R Salgado at 12:31 PM. N Peirce took the roll call and determined a quorum was present.

Members Present:

E Airhia
R Cathey
R Salgado
K Tyner
F Nash
C Guillotte

Via Zoom:

L Fazio-Griffith
N Pierce
A Johns
J Mims
K Hebert

Staff Present:

J Doming
R Lundin

Guests Present:

J Raines
E Briseno
T Morgan

Via Zoom:

A Trogden
G Smith
R Beauchamp
D Knight
S Brown

Agenda

R Salgado asks to approve the agenda. K Tyner motions to accept. E Airhia seconds. All approved; no abstentions.

Welcome new board member, Foley Nash, LPC, LMFT

Presented by R Salgado

Board Meeting Minutes

R Salgado motions to approve the January Board Meeting minutes. L Fazio-Griffith seconds. All approved; no abstentions.

Committee on Disciplinary Affairs Report- R Salgado, K Tyner, N Pierce, J Doming, J Raines

Summary Suspension #19/20-141, LPC#5154

R Salgado presents the details of the Summary Suspension, K Tyner motions to accept; E Airhia seconds

Voluntary Surrender, Consent Agreement #19/20-46, #PLC6718

R Salgado motions to approve; K Tyner seconds; all approve.

R Salgado presents the Disciplinary Affairs Committee Report:

Unofficial Complaints Received since January 15, 2021:

1. 20/21-84: Unprofessional; illegal conduct *
2. 20/21-92: Sexual Misconduct
3. 20/21-93: Unprofessional Conduct
4. 20/21-96: Dual Relationship
5. 20/21-102: Unlawful Practice
6. 20/21-103: Unprofessional Conduct
7. 20/21-104: Unprofessional Conduct
8. 20/21-105: Unprofessional Conduct
9. 20/21-106: Confidentiality

Official Complaints Received since January 15, 2021:

1. 20/21-80, 81: Unprofessional conduct; Confidentiality
2. 20/21-82: Sexual Misconduct
3. 20/21-83: False documentation*
4. 20/21-85: Confidentiality
5. 20/21-86: Unprofessional Conduct; Unethical Conduct
6. 20/21-90: False documentation
7. 20/21-91: False documentation
8. 20/21-87,101: Sexual Misconduct
9. 20/21-89,88,95,97: Dual Relationship
10. 20/21-99,100: Unethical Conduct
11. 20/21-101: False Documentation *
12. 20/21-107: Unlawful Practice

Cases to Open:

1. 20/21-80, 81: Unprofessional conduct; Confidentiality

- | | |
|-----------------------|---|
| 2. 20/21-82: | Sexual Misconduct |
| 3. 20/21-83: | False documentation* |
| 4. 20/21-84: | Unprofessional, illegal conduct * |
| 5. 20/21-86: | Unprofessional Conduct; Unethical Conduct |
| 6. 20/21-87,101 | Sexual Misconduct |
| 7. 20/21-90 | False documentation* |
| 8. 20/21-91 | False documentation* |
| 8. 20/21-89,88,95,97: | Dual Relationship |
| 9. 20/21-99,100: | Unethical Conduct |
| 10. 20/21-101: | False Documentation |
| 11. 20/21-102: | Unlawful Practice |

Complaints to Dismiss:

- | | |
|---------------|------------------------|
| 9. 20/21-85: | Confidentiality |
| 10. 20/21-92: | Sexual Misconduct |
| 11. 20/21-93: | Unprofessional Conduct |
| 12. 20/21-96: | Dual Relationship |

Complaints to Close:

- | | |
|--------------|--|
| 1. 20/21-63: | Unprofessional Conduct |
| 2. 20/21-66: | Dual Relationship/Unprofessional Conduct |
| 3. 20/21-67: | Client Abandonment |
| 4. 20/21-71: | Mandated failure to report |
| 5. 20/21-73: | Unethical Conduct |

TOTAL OPEN CASES TO DATE: 63

No public comments

**Committee on Licensure/Supervision/Appraisal Report- LPC: L Fazio-Griffith, J Mims,
R Salgado, E Johns**

Report presented by L Fazio-Griffith:

Total Number of LPC Applications Reviewed:				
February & March 2021				
Application	Feb.	Mar.	Expedited	Total
LPC Application for Licensure	17	23	9	49
<i>43 Approved; 6 Denied</i>				
LPC Endorsement Application	2	9	2	13
<i>13 Approved; 0 Denied</i>				
PLPC Application (Section 1, 2, 3)	22	28	27	77
<i>66 Approved; 11 Denied</i>				
PLPC Application: Section 1 Only	0	1	0	1
<i>0 Approved; 1 Denied</i>				
PLPC Application: Section 1 & 2 Only	0	0	1	1
<i>1 Approved; 0 Denied</i>				
PLPC Application: Section 2 Only	0	0	0	0
<i>NA</i>				
PLPC Application: Section 2 & 3 Only	1	0	0	1
<i>1 Approved; 0 Denied</i>				
PLPC Application: Section 3 Only	0	0	0	0
<i>NA</i>				
LPC Supervisor Application	9	5	2	16
<i>16 Approved; 0 Denied</i>				
Appraisal Privilege	0	1	0	1
<i>1 Approved; 0 Denied</i>				
PLPC: Change/Add Supervisor	9	7	0	16
<i>16 Approved</i>				
PLPC Practice Setting Updates	43	29	0	72
<i>72 Approved</i>				
PLPC Audited Renewal Approvals				13
LPC Audited Renewal Approvals				3
Teletherapy Approvals				61
Total LPC Folders Reviewed	103	103	41	324
<i>Expedited: Totals from Approvals from 1/9/2021 to 03/12/2021</i>				

Public comments/questions:

K Tyler- request for extension to take exam.

T Morgan- PLPC expiring May 1, 2021.

E Briseno- PLPC expiring October 31, 2021.

R Beauchamp- PLPC expiring May 1, 2021. No test dates until June and must wait 90 days, per NBCC, to register for exam.

D Knight- No test sites available to take exam.

All public comments to be discussed while in Executive Session.

L Fazio-Griffith presented appeal from J Webb regarding previous denial of LPC application. J Mims motions to deny appeal. L Fazio-Griffith seconds. All in favor. No opposed

L Fazio- Griffith presented appeal from M. Bueche regarding previous denial of renewal extension request. J Mims motions to deny appeal. C Guillotte seconds. All in favor. No opposed.

L Fazio-Griffith presented appeal from C. Wiley regarding previous denial of PLPC application. E Airhia motions to deny appeal. L Fazio- Griffith seconds. All in favor. No opposed.

N Papale- Inquiring about status of application. Applicant notified that online dashboard will be updated following the meeting of the Board.

No further public comments.

L Fazio-Griffith motions to accept the report. J Mims seconds. All in favor.

C Guillotte presents LMFT report:

Total Number of LMFT Applications Reviewed:				
February & March 2021				
Application	Feb.	Mar.	Expedited	Total
LMFT Application for Licensure	1	0	0	1
<i>1 Approved; 0 Denied</i>				
LMFT Endorsement Application	0	0	0	0
<i>NA</i>				
PLMFT Application (Section 1, 2, 3)	0	1	0	1
<i>1 Approved; 0 Denied</i>				
PLMFT Application: Section 1 Only	0	0	0	0
<i>NA</i>				
PLMFT Application: Section 2 and 3 Only	0	0	0	0
<i>NA</i>				
PLMFT: Change/Add Supervisor	1	0	0	1
<i>1 Approved</i>				

PLMFT Practice Setting Updates	2	2	0	4
<i>4 Approved</i>				
LMFT Supervisor	0	1	0	1
<i>0 Approved; 1 Denied</i>				
LMFT Supervisor Candidate	0	0	0	0
<i>NA</i>				
Total LMFT Applications Reviewed	4	4	0	8
<i>Expedited: Totals from Approvals from 1/9/2021 to 03/12/2021</i>				

Five individuals took the NMFTE, of which, two passed.

No public comments

C Guillotte motions to accept report from Committee on Licensure/ Supervision/ Appraisal Report LMFT. R Salgado seconds. All in favor. No opposed.

Staff recently pulled criminal record data which shows how many applicants have been approved/denied with criminal backgrounds.

Fiscal Year	Total Applied w/ Criminal Record	Total Approved	Total Denied
FY 14/15	2	2	0
FY 15/16	15	15	0
FY 16/17	19	18	1
FY 17/18	21	21	0
FY 18/19	42	42	0
FY 19/20	65	63	2

No public comments.

Committee on Rules: J Mims, L Fazio-Griffith, E Johns, R Salgado, R Cathey

Presented by L. Fazio-Griffith. Emergency rules re teletherapy will expire March 31, 2021 if the Governor does not extend proclamation.

J Doming- Notice of Intent has been published regarding the collaboration with professional on diagnosing Serious Mental Illnesses (SMI) and has been approved by oversight committee. Once finalized, it will be published. LDH manual has not been updated regarding SMI language.

New rules have been published regarding teletherapy. Required hours for education/training is 3 hours and can be completed online (asynchronous of

synchronous). Graduate students can complete telehealth training as part of their program and be approved by the Board.

L Fazio-Griffith motions to accept the Committee on Rules report. J Mims seconds. All in favor. No opposed.

Committee on Legislative Affairs Report: C Guillotte, E Airhia, J Mims, E Johns, A Trogden

A Trogden presents information on State Counseling Compact- Purpose is for reciprocal licensing agreements between states and movement towards national guidelines. Cooperative agreement between states. Currently at a standstill-Need to find someone to author/draft legislation.

C Guillotte-This has been going on for a long time to establish national standards. Agrees on national title for profession.

J Doming- Meetings for national compact. Our licensees would not be able to join compact until they were licensed in Louisiana. Not currently writing telehealth into compact. Criminal record checks would be required. A draft has been written and would be easy for someone to author the required. bill.

J Mims- Board must be sure to review requirements with potential compact states.

E Airhia inquired about an updated on LDH updating manual regarding diagnosing SMI.

A Trogden- LCA has had hard time getting in touch with anyone from LDH. Currently moving forward with legislation regarding school Counseling. Chapter 17 language change from guidance counselor to just counselor. Drafting bill currently in education department of law.

C Guillotte- There are bills before congress to allow LPC/LMFT Medicare eligible providers. It is a fiscal only session and legislators are restricted to five bills.

E Airhia motions to accept Committee on Legislative Affairs report. C Guillotte seconds. All in favor; no opposed

Recess

R Salgado motions to recess at 2:01pm.

R Salgado motions to reconvene at 2:16pm.

Committee on Professional Assistance Program Report: R Cathey, E Airhia, L Fazio-Griffith

E Airhia presents the report- indicates that the PAP committee informed the board of the situation and the response to the participant will be reviewed by J Raines. License is current suspended, and PAP is asking for a continuation of suspension. F Nash motions to continue suspension. C Guillotte seconds. All in favor; no opposed.

PAP 19- Committee met with participant this morning. PAP 21- Participant has tested positive for substances. License is suspended. C Guillotte motions to continue suspension. F Nash seconds. All in favor; no opposed.

PAP 22- Participant has tested positive for substances. License is currently facing suspension for failing drug test. Board is providing monitoring and MOU is not being followed. Committee is requesting motion to release participant based on history repetitive behavior. E Airhia motions to release participant from PAP. C Guillotte seconds. All in favor. No opposed.

Letter of dismissal will be drafted and sent to PAP 21 and 22 licensees.

Marriage and Family Therapy Advisory Committee Report: R Cathey, C Guillotte, K Tyner, K Steele

Presented by R Cathey. F Nash has been appointed to the MFTAC. Committee has approved technical changes regarding videoconferencing rules in 3313 B. and 3315 C 2 A. Retreat has been scheduled May 20, 2021 prior to May Board Meeting. Plan to update supervision handbook. The supervision handbook is not just for supervisors but helpful for supervisees and LPCs.

No public comments.

C Guillotte motions to approve the Marriage and Family Therapy Advisory Committee report. K Tyner seconds. All in favor; no opposed.

E Airhia motions to move forward with meeting without recess. K Tyner seconds.

Executive Director Report: J Doming

Presented by J Doming:

State reports completed, Discipline and PAP work, Licensee correspondence and meetings, Practice Setting Apps, new board member orientation, Criminal Records Check Audit with LSP and FBI, Financials and Deposits, work with Council for State Government, Staff Training and Support

No questions or comments.

E Airhia motions to accept. R Cathey seconds. All in favor. No opposed.

Financial Report:

Presented by J Doming:

December and January 2021 Financial Reports. Slight change month over month in operating account due to slow renewal period. Changes in liabilities due to new FT employee hired in December. Currently operating at a loss until largest renewal period April-June.

No comments/questions.

N Pierce motions to approve. No abstentions. All approve.

New Business:

R Salgado presents Board Resolutions for FY21/22 legal expenses.

R Salgado motions for the Board to accept the resolution for Breazeale, Sachse & Wilson, LLC. F Nash seconds. All in favor; no opposed. No abstentions.

R Salgado motions for the Board to accept the resolution for Thomas Devillier Law Firm, LLC. K Tyner seconds. All in favor; no opposed. No abstentions.

No questions or public comments.

Reminder Tier 2.1 Statements due May 15th

Next Board Meeting Date/Time: May 21, 2021 at 12:30pm

Ad Hoc committee needed to put together welcome video presentation. Board has previously discussed that applicants/licenses are not familiar with the Board Rules. Video will have discussion of rules, regulations, supervision, etc. R Cathey would also like consideration of tutorial of website and how to do things. Possibility of additional project.

Ad Hoc Committee will be L Fazio-Griffith, R Salgado, and A Johns. C Guillotte motions to accept Ad Hoc committee. K Tyner seconds.

Executive session. Public dismissed.

L Fazio-Griffith motions to deny the public request of T Morgan to grant licensure. N Pierce seconds. All approve.

L Fazio-Griffith motions to deny E Briseno's request to grant licensure. E Airhia seconds. No abstentions, all approve.

L Fazio-Griffith motions to deny K Tyler's request for licensure. K Tyner seconds. No abstentions, all approve.

Close of Business

Submit Tier 2.1 Financial Statement by May 15th, 2021

Respectfully Submitted By,
Jamie S. Doming, Executive Director