

MINUTES March 20,2020
LICENSED PROFESSIONAL COUNSELORS BOARD OF EXAMINERS
APPROVED

The meeting was called to order by K Steele at 12:30 PM. N Peirce took the roll call and determined a quorum was present.

Members Present:

E Airhia
R Cathey
K Steele
J Cortez
J Mims
D Mayeux
N Pierce
R Salgado
K Tyner
L Fazio-Griffith

Members Absent:

C Guillotte

Staff Present:

J Doming
R Lundin

Guests Present:

J Raines
M Feduccia
P Chunn
K Rhodes
A Robertson
S Brown-Mims
L Husser
R Tokay
S Wilkerson
J Gianforte
J Brooks

Agenda

K Steele asks to amend the agenda to add correspondence from LCA and to discuss criminal background checks under rules committee. J Mims motions to accept the amendment. N Pierce seconds. All approved; no abstentions.

Board Meeting Minutes

K Steele asks for a motion to approve the January Board Meeting minutes. E Airhia motions to approve the January minutes. K Tyner seconds. All approved; no abstentions.

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

J Raines proposes Consent Agreement #18/19-99, LPC #5154
R Salgado motions to accept. J Fanguy Seconds. All approved; no abstentions.

J Raines presents Consent Agreement, 19/20-89, #PLC7101
J Mims motions to accept. N Pierce Seconds. All approved; no abstentions.

J Raines presents Consent Agreement, 19/20-90, #PLC6326
J Mims motions to accept. K Tyner Seconds. All approved; no abstentions.

J Raines presents Consent Agreement, 19/20-91, #PLC6972
J Mims motions to accept. L Fazio-Griffith Seconds. All approved; no abstentions

J Raines presents Consent Agreement, 19/20-96, #PLC6974
J Mims motions to accept. K Tyner Seconds. All approved; no abstentions.

J Raines presents Consent Agreement, 19/20-101, #PLC5085
J Mims motions to accept. L Fazio-Griffith Seconds. All approved; no abstentions

J Raines presents Consent Agreement, 19/20-103, #PLC6802
E Airhia motions to accept. K Tyner Seconds. All approved; no abstentions.

K Steele presents the Disciplinary Affairs Committee Report:

Unofficial Complaints Received since March 20, 2020:

1. 19/20-112*: Unlawful Practice/Practicing without a License
2. 19/20-114: Breached Confidentiality
3. 19/20-117: Not licensed with the Board
4. 19/20-119*: Unprofessional Conduct
5. 19/20-120*: Providing False Information
6. 19/20-121*: Providing False Information
7. 19/20-124: Not licensed with the Board
8. 19/20-126*: Unlawful Practice
9. 19/20-127: Inappropriate Relationship (*involves a minor*)
10. 19/20-129: Not Licensed with the Board
11. 19/20-131: Providing False Information
12. 19/20-132: Unprofessional Conduct

Official Complaints Received since March 20, 2020:

1. 19/20-111: Unethical Conduct
2. 19/20-113: Unprofessional Conduct/Unethical Conduct
3. 19/20-115: Unethical Conduct
4. 19/20-116: Unprofessional Conduct
5. 19/20-118: Unethical Conduct
6. 19/20-122: Inappropriate Relationship

7. 19/20-123: Breached Confidentiality/Unprofessional Conduct/Unethical Conduct
8. 19/20-128: Unprofessional Conduct
9. 19/20-130: Not Licensed with the Board

Cases to Open:

1. 19/20-111: Unethical Conduct
2. 19/20-112*: Unlawful Practice/Practicing without a License
3. 19/20-113: Unprofessional Conduct/Unethical Conduct
4. 19/20-115: Unethical Conduct
5. 19/20-116: Unprofessional Conduct
6. 19/20-118: Unethical Conduct
7. 19/20-119*: Unprofessional Conduct
8. 19/20-120*: Providing False Information
9. 19/20-121*: Providing False Information
10. 19/20-122: Inappropriate Relationship
11. 19/20-123: Breached Confidentiality/Unprofessional Conduct/Unethical Conduct
12. 19/20-125: Inappropriate Relationship
13. 19/20-126*: Unlawful Practice
14. 19/20-127: Inappropriate Relationship (*involves a minor*)
15. 19/20-128: Unprofessional Conduct
16. 19/20-131: Providing False Information

Complaints to Dismiss:

1. 19/20-114 – *Anonymous with no information on the complainant*
2. 19/20-117: Not licensed with the Board
3. 19/20-124: Not licensed with the Board
4. 19/20-125 – *Complainant emailed asking to withdraw complaint*
5. 19/20-129: Not licensed with the Board
6. 19/20-130: Not licensed with the Board
7. 19/20-132 – *Anonymous with no information on the complainant*

Complaints to Close:

1. 16/17-34: Fraudulent Billing (*MFU closed case*)
2. 17/18-60: Unprofessional Conduct
3. 19/20-69: Unethical Conduct
4. 19/20-78: Records
5. 19/20-104: Providing False Information

TOTAL OPEN CASES TO DATE: 67

N Pierce motions to approve. J Cortez seconds. All in favor; no abstentions.

K Steele asks for public comment. No comments.

Committee on Legislative Affairs Report: C Guillotte, J Mims, E Airhia, M Feduccia

Presented by M Feduccia

The LA Legislative Session has started but will be suspended until March 31st at earliest due to the COVID-19 health emergency. LCA has tracked 41 bills that involve mental health in some way.

The main concern is HB 505 which would allow licensure of Art Therapists. The author of the bill is Representative Bishop.

The Mental Health Forum was held on 3/5. Several people have suggested holding another meeting in the middle of the legislative session. LCA Day at the Capital was cancelled.

Concerns have been expressed by LDH regarding CPST and PSR within Mental Health Rehab Agencies and whether these unlicensed professionals can provide telehealth. R Salgado indicated that the University of Holy Cross is providing training to practicum/internship students in telehealth. He believes the board could make argument for unlicensed individuals in MHR and licensed staff to get training, specifically supervisors. K Steele states that the LPCBE does not regulate CPST/PSR. LDH is responsible to see that these individuals are trained to provide mental health services through teletherapy. J Mims agrees and prefers that the Board not take a position due to the fact that the Board does not regulate CPST/PSR/Bachelor level individuals and those issues should be left to LDH. E Airhia is concerned that as a Board, we do not go after these agencies/staff later on. K Steele states that as long as they are doing what they are legally required to do, the board would not go after them. M Feduccia recalls the Board studying this situation in the past and believes that some of the work these individuals did could hinge on mental health counseling. In so many of these cases, mental health issues will arise and need to be addressed. J Mims is still not comfortable taking a position. CPST/PSR is the responsibility of LDH and we recognize the potential impact to the public and encourage the department to take a position on mental health counseling through telehealth. E Airhia states he is still waiting on LDH to take a position.

K Steele says there is no motion at hand and time to move on to next topic. Rules are the rules as they stand. Allowing them to conduct telehealth would not change their scope of work. John Gianforte says LDH has not approved the use of telehealth for non-licensed individuals conducting CPST and PSR. K Steele again states the issue will not be resolved today and there is a need to table the discussion because the Board does not have enough information. She asks permission of the Board to move on.

Committee on Licensure/Supervision/Appraisal –LPC J Mims, J Cortez, L Fazio-Griffith

Peggy Chunn would like to appeal the Board's decision to expire her provisional license. J Doming explained she failed to take the NBCC test before January 31, 2020. J Mims asked if the Board had any questions for Ms. Chunn. No questions ; J Mims told Ms. Chunn that the Board would need to discuss the matter in executive session. J Mims recommend going into executive session later. J Cortez motioned to postpone the discussion until after the final item on the board meeting agenda so the public attendees could leave the phone call. E Airhia seconds. All in favor; no

abstentions. K Steele tells P Chunn she will receive any information discussed at a later date.

J Mims presents the LPC licensure report:

Total Number of LPC Applications Reviewed:				
February & March 2020				
Application	Feb.	Mar.	Expedited	Total
LPC Application for Licensure	20	10	11	41
39 APPROVED; 2 DENIED				
LPC Endorsement Application	0	4	1	5
5 APPROVED; 0 DENIED				
PLPC Application (Section 1, 2, 3)	21	18	23	62
56 APPROVED; 6 DENIED				
PLPC Application: Section 1 Only	0	2	0	2
0 APPROVED; 2 DENIED				
PLPC Application: Section 1 and 2 Only	0	0	0	0
NA				
PLPC Application: Section 2 Only	0	0	0	0
NA				
PLPC Application: Section 2 and 3 Only	0	0	0	0
NA				
PLPC Application: Section 3 Only	0	0	0	0
NA				
LPC Supervisor Application	5	12	1	18
13 APPROVED; 5 DENIED				
Appraisal Privilege	0	1	0	1
0 APPROVED; 1 DENIED				
PLPC: Change/Add Supervisor	16	9	0	25
25 APPROVED				
PLPC Practice Setting Updates	26	25	0	51
51 APPROVED				
Total LPC Folders Reviewed	88	82	36	206
<i>Expedited: Totals from Approvals from 1/15/2020-3/16/2020</i>				

K Steele asks for public comments. No Comments.

J Mims asks to approve the licensure report. All approve; no abstentions.

Committee on Licensure/Supervision/Appraisal –LMFT- C Guillotte, K Tyner, R Cathey, K Steele

R Cathey presents the LMFT licensure report:

Total Number of LMFT Applications Reviewed				
February & March 2020				
Application	Feb	Mar	Expedited	Total
LMFT Application for Licensure	2	1	1	4
4 APPROVED; 0 DENIED				
LMFT Out-of State Applications for Licensure	0	0	1	1

1 APPROVED; 0 DENIED				
PLMFT Section 1,2,3	3	2	4	9
8 APPROVED; 1 DENIED				
PLMFT Section 1 Only	0	0	0	0
NA				
PLMFT Section 2 and 3 Only	0	0	0	0
NA				
PLMFT Change/Add Practice Setting	2	2	0	4
4 APPROVED; 0 DENIED				
PLMFT Change/Add Supervisor	1	0	0	1
1 APPROVED; 0 DENIED				
LMFT SC Application: Section 1	0	0	0	0
NA				
LMFT SC Application: Section 2	0	0	0	0
NA				
LMFT Supervisor Candidate	0	0	0	0
NA				
LMFT Supervisor	0	0	0	0
NA				
Total LMFT Folders Reviewed	8	5	6	19
<i>Expedited: Totals from Approvals from 1/15/2020-3/16/2020</i>				

K Steele asks for public comment. P Chunn says she is trying to understand the CPST/PSR proposed- for MHR to provide telehealth. K Steele states this has not been approved.

R Cathey says there is 1 applicant that MFTAC is still reviewing. MFTAC did not meet today but have several things that they will be working on in May.

K Steele asks for comments from the public.

K Tyner motions to approve; R Salgado seconds; All in favor; no abstentions

Recess: 10 Minutes

At 1:44 pm E Airhia motions to recess; J Mims seconds. All in favor.

Reconvene at 1:56pm K Steele asks N Pierce to call roll and determines everyone is present.

Committee on Rules: J Mims, J Cortez, L Fazio-Griffith, K Steele, D Mayeux

K Steele reads from the agenda the items to be discussed due to the Governor's Declared state of health emergency. J Mims says she has not called a rules committee meeting. K Steele says the governor is requiring emergency rules and was partly discussed at an emergency meeting of the board earlier in the week. J Mims proposes an emergency rule to remove all telehealth requirements for 120 days. All approve, no opposition. K Steele would like to add removing section 503. J Mims offers an amended motion to remove Section 503 and 505 and anything that would not allow teletherapy for all licensees during the 120 emergency time frame. D Mayeux seconds. All approve; no abstention.

To clarify further J Mims makes a motion to allow PLPCs and PLMFTs to provide telehealth services. E Airhia seconds. All in favor.

K Steele says graduate students should be discussed but that the board does not regulate academic programs. CACREP has announced direct hours cannot be role play but schools will have to consider flexibility in direct hours for graduation purposes. J Mims says current rules say CACREP or equivalent. The position should remain we accept CACREP or equivalent. Board does not need to take any other action. Whatever position CACREP has taken, the Board will accept as well.

K Steele says no action. No position statement needed.

K Steele moves to criminal records check and asks for a motion to rescind Chapter 4 for 120 days via an emergency rule due to LSP not open to the public. The board would issue a license and once LSP is open, the licensee would have 90 days to complete the background check. J Mims suggests not removing the rule as it may cause confusion if the licensee is required to complete the check at a later date.

K Steele motions to remove Chapter 4 for 120 days. After 120 days new licensees will be required to complete a criminal records check within 90 days.

E Airhia motions to approve; R Salgado Seconds; All in favor; no abstentions

Committee on Budget: J Doming, K Steele, N Pierce

J Doming presents the financial numbers for January 2020. All cash assets do not have much change. Liabilities remain the same. The public awareness campaign has been launched and will cost the board \$250,000 over the next year.

K Steele reads the board resolution to contract with DOJ

K Steele motions to accept; N Pierce Seconds; All in favor; no abstentions.

K Steele states the same resolution is under consideration to contract with Breazeale, Sachse & Wilson

K Steele motions to accept; R Cathey Seconds; All in favor; no abstentions.

K Steele asks for public comments. No comments.

Executive Director Report – J Doming

J Doming presents the report. Policies and procedures have been implemented to continue operating the board office while the state is under a declared state of emergency. Phase two of the website will be launched next week. All provisional licensees will be able to complete their applications online. The LPCBE will be one of a handful of boards in the state to have the capacity to do all applications, renewals, CEHs, discipline, correspondence and financials online. The staff is preparing for LPC Renewals.

K Steele motions to accept the report. E Airhia seconds. All approved; no abstentions.

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New Business – K Steele, J Doming

Next board meeting May 15th, 2020 at 12:30pm

Tier 2.1 Financial Statements are due May 15th, 2020.

Closing

J Mims motions to adjourn. N Pierce seconds. All approved; no abstentions.
Adjourn meeting at 2:52 PM.

Respectfully Submitted By,
Jamie S. Doming, Executive Director