

MINUTES May 15,2020
LICENSED PROFESSIONAL COUNSELORS BOARD OF EXAMINERS
DRAFT

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
C Guillotte

Members Absent:

Staff Present:

J Doming
R Lundin

Guests Present:

J Raines
K Blum

Agenda

K Steele asks to approve the agenda. R Salgado motions to accept. J Cortez seconds. All approved; no abstentions.

Board Meeting Minutes

K Steele asks for a motion to approve the March Board Meeting minutes. C Guillotte requests to amend page 6 and remove his name from the approval of the LMFT licensure applications as he was not present. C Guillotte motions to approve the minutes once his name is removed. J Cortez 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 #18/19-98, LPC #2290
N Pierce motions to accept. J Fanguy Seconds. All approved; no abstentions.

J Raines presents Consent Agreement, 18/19-54, LPC#200
J Mims motions to accept. N Pierce Seconds. All approved; no abstentions.

J Raines presents Consent Agreement, 19/20-126, LPC#6204

J Cortez motions to accept. K Tyner Seconds. All approved; no abstentions.

J Raines presents Consent Agreement, 19/20-139, LPC #7050

E Airhia motions to accept. J Cortez Seconds. All approved; no abstentions

R Salgado motions to reinstate licenses: LPC #6427, LPC #2148, and LPC #5790. N Pierce seconds. All approve; no abstentions.

K Steele presents the Disciplinary Affairs Committee Report:

Unofficial Complaints Received since May 15, 2020:

1. 19/20-134: Not Licensed with Board
2. 19/20-137*: Unreported Arrest
3. 19/20-138*: Practicing outside of Scope
4. 19/20-139*: Failure to Cooperate
5. 19/20-141*: Failure to Cooperate
6. 19/20-143: Unprofessional Conduct
7. 19/20-144: Unethical Conduct
8. 19/20-145*: Providing False Information
9. 19/20-146*: Fraudulent Billing/Unprofessional Conduct
10. 19/20-147: Inappropriate Relationship

Official Complaints Received since May 15, 2020:

1. 19/20-133: Unprofessional Conduct/Breached Confidentiality
2. 19/20-135: Not Licensed with Board
3. 19/20-136: Not Licensed with Board
4. 19/20-140: Fraudulent Billing
5. 19/20-142: Unethical Conduct
6. 19/20-148: Not Licensed with Board
7. 19/20-149: Not Licensed with Board
8. 19/20-150: Unprofessional Conduct
9. 19/20-151: Child Custody Evaluation (CCE)
10. 19/20-152: Unethical and Unprofessional Conduct

Cases to Open:

1. 19/20-133: Unprofessional Conduct/Breached Confidentiality
2. 19/20-137*: Unreported Arrest
3. 19/20-138*: Practicing outside of Scope
4. 19/20-139*: Failure to Cooperate
5. 19/20-140: Fraudulent Billing
6. 19/20-141*: Failure to Cooperate
7. 19/20-142: Unethical Conduct
8. 19/20-143: Unprofessional Conduct
9. 19/20-144: Unethical Conduct

10. 19/20-145*: Providing False Information
11. 19/20-146*: Fraudulent Billing/Unprofessional Conduct
12. 19/20-147: Inappropriate Relationship
13. 19/20-150: Unprofessional Conduct
14. 19/20-151: Child Custody Evaluation (CCE)
15. 19/20-152: Unethical and Unprofessional Conduct

Complaints to Dismiss:

1. 19/20-134 – *Not licensed with Board*
2. 19/20-135 – *Not licensed with Board*
3. 19/20-136 – *Not licensed with Board*
4. 19/20-148 – *Not licensed with Board*
5. 19/20-149 – *Not licensed with Board*

Complaints to Close:

1. 18/19-25
2. 19/20-40
3. 19/20-48 – *PLPC is Expired*
4. 19/20-61
5. 19/20-63
6. 19/20-109
7. 19/20-111
8. 19/20-113
9. 19/20-115
10. 19/20-116
11. 19/20-118
12. 19/20-120
13. 19/20-121
14. 19/20-123
15. 19/20-128
16. 19/20-131
17. 19/20-133

TOTAL OPEN CASES TO DATE: 42

C Guillotte- Inquired about complaints to dismiss and individual not holding license.

K Steele- The Board does still send cease and desist letters if the individual is not licensed.

J Doming- A lot of the cases dismissed are individuals that hold a license with another Board or are licensed in another state, not Louisiana.

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 K Blum

On 5/27 ACA is having a meeting online. LCA has sent out an email blast for members to be a part of it. Will be talking about telehealth and Medicare. LCA still does not have someone to support Medicare bill-trying to get Senator Cassidy but not successful.

Legislative session is happening. There are a few different bills that were presented that have to do with Board. Some have been amended and ready to vote to go into law:

HB 505-art therapy bill. Trying to have bill go through which would give them licensure in LA. Initial proposed bill had lots of questions. Amendments have not been shared. LCA is opposed to bill.

HB 317-Bill for people with autism spectrum disorder to have this information be printed on driver's license. Study national crime information center to create database for developmental disorders.

HB 71-Suspending licensing fees for businesses.

HB498- Waive fees for applicants that meet certain criteria or provide payment plan. Only for Boards that are administering their own examinations. Does not apply to LPC Board

HB 613-passed. Board must issue license to military/Department of defense applicants and/or spouses

HB 622-Bill regarding reciprocity. If someone has a license in another state that is comparable to ours and not under investigation and fees paid, can be issued license.

HB 595 Opioid crisis. Very specific about what is going to happen and who will be on task force. One representative in the field-psychiatric professional.

HB 238-labor relations. Adding sexual orientation and gender.

HB 804-Client/Patient preference for where they get treatment. If someone goes to emergency rooms and needs to go to psychiatric facility, currently do not have a preference. Bill would provide language that a client/patient gets the ability to voice their preference as to where they would like to be treated.

J Mims- Interested in LCA’s position on these bills.

K Blum- LCA supported HB 613 and is opposed to HB 317 and HB 505. Getting schedules on Sunday and going through bills at that time to reach out to divisions. LCA has not written any bills at this time. Everything happens quickly and it is difficult to get information out to members for responses prior to the bill moving. HB 71 has not been passed but has moved forward.

K Steele- HB 622 is very important and the Board needs updates from LCA as they are received.

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

J Mims presents the LPC licensure report:

Total Number of LPC Applications Reviewed:
April & May 2020

| Application | April | May | Expedited | Total |
|---|-------|-----|-----------|-------|
| LPC Application for Licensure 34 APPROVED; 1 DENIED | 10 | 18 | 7 | 35 |
| LPC Endorsement Application 11 APPROVED; 1 DENIED | 4 | 4 | 4 | 12 |
| PLPC Application (Section 1, 2, 3) 31 APPROVED; 5 DENIED | 17 | 11 | 8 | 36 |
| PLPC Application: Section 1 Only 1 APPROVED | 0 | 1 | 0 | 1 |
| PLPC Application: Section 1 and 2 Only NA | 0 | 0 | 0 | 0 |
| PLPC Application: Section 2 Only NA | 0 | 0 | 0 | 0 |
| PLPC Application: Section 2 and 3 Only 1 APPROVED | 1 | 0 | 0 | 0 |
| PLPC Application: Section 3 Only NA | 0 | 0 | 0 | 0 |
| LPC Supervisor Application 8 APPROVED; 3 DENIED | 4 | 6 | 1 | 11 |
| Appraisal Privilege 2 APPROVED | 0 | 2 | 0 | 2 |
| PLPC: Change/Add Supervisor 5 APPROVED | 1 | 4 | 0 | 5 |
| PLPC Practice Setting Updates 42 APPROVED | 20 | 22 | 0 | 42 |
| Total LPC Folders Reviewed | 57 | 68 | 20 | 145 |

Expedited: Totals from Approvals from 3/17/2020 - 5/11/2020

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

C Guillotte presents the LMFT licensure report:

Total Number of LMFT Applications Reviewed
April & May 2020

| Application | April | May | Expedited | Total |
|--|-------|-----|-----------|-------|
| LMFT Application for Licensure | | 1 | 0 | |
| 2 Approved; 0 Denied | | | | |
| LMFT Out-of State Applications for Licensure | | | | |
| 2 Approved; 0 Denied | | | | |
| PLMFT Section 1,2,3 | 0 | 0 | 2 | 2 |
| 2 Approved; 0 Denied | | | | |
| PLMFT Section 1 Only | 0 | 0 | 0 | 0 |
| NA | | | | |
| PLMFT Section 2 and 3 Only | | 0 | 0 | 0 |
| NA | | | | |
| PLMFT Change/Add Practice Setting | | | 4 | 1 |
| 5 Approved; 0 Denied | | | | |
| PLMFT Change/Add Supervisor | | 0 | 0 | |
| NA | | | | |
| LMFT SC Application: Section 1 | | 0 | 0 | |
| NA | | | | |
| LMFT SC Application: Section 2 | | 0 | 0 | |
| NA | | | | |
| LMFT Supervisor Candidate | | 0 | 0 | 0 |
| NA | | | | |
| LMFT Supervisor 0 | 0 | 0 | 0 | |
| NA | | | | |
| Total LMFT Folders Reviewed | | 5 | 3 | 3 |

Expedited: Totals from Approvals from 3/17/2020 - 5/11/2020

K Steele asks for public comment. No comments.

C Guillotte motions to approve; All in favor; no abstentions

Committee on MFTAC Report: R Cathey, C Guillotte, K Tyner, K Steele

R Cathey presents the report. MFTAC had several discussions including reviewing endorsement applicant. Reviewed legislation that was previously presented in meeting. MFTAC proposes the following rule change:

§3701. Endorsement

A. Upon recommendation of the board and Marriage and Family Therapy Advisory Committee, the board shall issue a license to any person who has been licensed as a marriage and family therapist and has actively practiced marriage and family therapy for at least five years in another jurisdiction. The applicant must submit an application on forms prescribed by the board in the prescribed manner and pay the required licensure fee. Applicants must also have passed the Association of Marital and Family

~~Therapy Regulatory Board's examination in marital and family therapy.~~ An applicant must submit documentation of at least 40 CEHs, in accordance with the requirements listed in Chapter 35, within two years of the date of application for licensure endorsement in Louisiana. An applicant must also be in good standing in all jurisdictions in which they are licensed and must not have been disciplined in any jurisdiction for an act that would have constituted grounds for refusal, suspension, or revocation of a license to practice marriage and family therapy in the state of Louisiana at the time the act was committed.

B. Upon recommendation of the board and marriage and family therapy advisory committee, the board shall issue a license to any person licensed as a licensed as a marriage and family therapist for less than five years in another jurisdiction whose requirements for the license are substantially equivalent to or exceed the requirements of the state of Louisiana. The applicant must submit an application on forms prescribed by the board in the prescribed manner and pay the required licensure fee. Applicants must also provide proof of having passed the Association of Marital and Family Therapy Regulatory Board's examination in marital and family therapy **or an examination that is substantially equivalent as determined by the MFTAC.** An applicant must also be in good standing in all jurisdictions in which they are licensed and must not have been disciplined in any jurisdiction for an act that would have constituted grounds for refusal, suspension, or revocation of a license to practice marriage and family therapy in the state of Louisiana at the time the act was committed.

K Steele motions to approve. J Mims seconds. All approved; no abstention.

Committee on PAP Report: E Airhia, L Fazio-Griffith, R Cathey

Cases are progressing and there are no new participants to report.
All approved; no abstentions.

Recess at 1:48pm. Reconvene at 1:58pm.

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

Report presented by J Mims. Committee recommends removing the 1 year licensure requirement to provide teletherapy. Committee recommends a 3 hour CE requirement to practice teletherapy (remove the 9 hours training) or proof of training in an academic program.

C Guillotte motions to approve the committee's recommendation. J Cortez seconds. J Mims abstains from voting. No opposition.

K Steele asks for proposals to tele-supervision rules. Currently the rule allows 25% of supervision to be online.

C Guillotte motions to approve 100% of supervision to be conducted via a synchronous online platform and to remove the language that allows only 25%. R Salgado seconds. J Mims abstains from voting. No opposition.

J Doming says emergency rule for all online CEHs pertains only to LPC Renewal. J Mims motions to approve all CEHs can be online for the remainder of 2020. J Cortez seconds. All approve; no abstention.

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

Report presented by J Doming.

Major change in budget is the increased advertising expense of \$28,000 per month on billboards. E Airhia would like to know if advertising company will factor into contract timeframe due to COVID-19. J Doming is working with management on an amendment to the contract.

N Pierce motions to accept report. E Airhia seconds. No opposed.

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. Board business has been conducted as usual amid the pandemic and that board staff has been sharing “in” office hours as well as working remotely. There are approximately 500 LPCs who have renewed of the 2100 who were eligible to renew at the beginning of renewal period.

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

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Old Business – K Steele, J Doming

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

New Business- K Steele, J Doming

Next Board Meeting Date/Time: July 17th, 2020 at 12:30 pm

Closing

E Airhia motions to adjourn. J Cortez seconds. All approved; no abstentions.
Adjourn meeting at 2:43 PM.

Respectfully Submitted By,
Jamie S. Doming, Executive Director