

Louisiana Licensed Professional Counselors Board of Examiners
January 20th, 2023
Board Meeting
LPC Board Office, Baton Rouge, LA
APPROVED

AGENDA

The meeting was called to order by R Salgado at 12:04pm. N Pierce took the roll call and determined a quorum was present.

Members Present:

R Salgado
N Pierce
A Hays
E Johns
K Hebert
K Tyner
F Nash
E Airhia
C Butler

Members Absent:

L Fazio-Griffith

Staff Present:

J Doming
R Lundin

Guests Present:

J Raines
S Morris
J Dara
W Smith

Agenda

N Pierce motions to accept the agenda. K Tyner seconds. All in favor. No opposed.

LPC Licensure Hearings for Applicants Scheduled to Appear

Wendy Smith

<<see court reporter minutes>>

LPC Licensure Hearings for Applicants not Scheduled to Appear

Presented by J Raines. Board Members recused from LPC licensure hearings: E Johns and R Salgado.

Kelsi McIntyre case presented by J Raines. N Pierce motions to accept the Findings of Fact and Conclusion of Law for Kelsi McIntyre. F Nash seconds. All in favor. No opposed.

Carolyn Brown case presented by J Raines. E Airhia motions to accept the Findings of Fact and Conclusion of Law for Carolyn Brown. N Pierce seconds. All in favor. No opposed.

Celia Percle case presented by J Raines. N Pierce motions to accept the Findings of Fact and Conclusion of Law for Celia Percle. K Tyner seconds. All in favor. No opposed.

LMFT Licensure Hearings for Applicants not Scheduled to Appear

Presented by J Raines. Board Members recused from LMFT licensure hearings: A Hays, F Nash, K Tyner

Kathleen Flach case presented by J Raines including letter from Flach dated January 13, 2023. N Pierce motions to accept the Findings of Fact and Conclusion of Law for Kathleen Flach. E Airhia. All in favor. No opposed.

No Public Comments

Board Meeting Minutes

E Johns motions to accept the January Board Meeting minutes. C Butler seconds. All in favor. No opposed.

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

Disciplinary Affairs Report presented by R Salgado.

Unofficial Complaints Received since November 11, 2022:

1. 22/23-106 Client Abandonment
2. 22/23-111 Client Abandonment
3. 22/23-114 Inappropriate Relationship
4. 22/23-117 Unprofessional Behavior
5. 22/23-119 Unethical Behavior
6. 22/23-122 Unethical Behavior
7. 22/23-125 Unethical/Unprofessional Behavior
8. 22/23-127 Unethical Behavior
9. 22/23-134 Unethical Behavior

Official Complaints Received since November 11, 2022:

1. 22/23-107 Unreported Arrest*
2. 22/23-108 Unreported Arrest*
3. 22/23-109 Unreported Arrest*
4. 22/23-110 Unreported Arrest*
5. 22/23-112 Unreported Arrest*
6. 22/23-113 Unethical Behavior
7. 22/23-115 Unethical Behavior
8. 22/23-116 Practicing w/lapsed license*
9. 22/23-118 Renewed Without Meeting Requirements*
10. 22/23-120 Unprofessional Behavior
11. 22/23-121 Unreported Arrest *
12. 22/23-123 Inappropriate/Unethical Behavior
13. 22/23-124 Working Without License*
14. 22/23-126 Unethical Behavior
15. 22/23-128 Unprofessional Behavior
16. 22/23-129 Failure to Disclose*
17. 22/23-130 Failure to Disclose*
18. 22/23-131 Failure to Disclose*
19. 22/23-132 Duplication
20. 22/23-133 Duplication

Cases to Open:

1. 22/23-103 Practicing without a license
2. 22/23-104 Practicing without a license
3. 22/23-106 Client Abandonment (Complaint 22/23-25)
4. 22/23-107 Unreported Arrest*
5. 22/23-108 Unreported Arrest*
6. 22/23-109 Unreported Arrest*
7. 22/23-110 Unreported Arrest*
8. 22/23-111 Client Abandonment (Complaint 22/23-25)
9. 22/23-112 Unreported Arrest*
10. 22/23-113 Unethical Behavior
11. 22/23-114 Inappropriate Relationship
12. 22/23-115 Unethical Behavior
13. 22/23-116 Practicing w/lapsed license*
14. 22/23-118 Renewed Without Meeting Requirements*
15. 22/23-121 Unreported Arrest *
16. 22/23-123 Inappropriate/Unethical Behavior

- 17. 22/23-124 Working Without License*
- 18. 22/23-126 Unethical Behavior
- 19. 22/23-128 Unprofessional Behavior
- 20. 22/23-129 Failure to Disclose*
- 21. 22/23-130 Failure to Disclose*
- 22. 22/23-131 Failure to Disclose*

Cases to Close:

- 1. 20/21-152 Records
- 2. 21/22-127 Dual Relationship
- 3. 22/23-06 Unreported Arrest
- 4. 22/23-39 Unprofessional Behavior
- 5. 22/23-45 Confidentiality
- 6. 22/23-49 Confidentiality
- 7. 22/23-51 Unethical Behavior
- 8. 22/23-73 Renewed without meeting requirements*
- 9. 22/23-75 Renewed without meeting requirements*
- 10. 22/23-76 Renewed without meeting requirements*
- 11. 22/23-77 Renewed without meeting requirements*
- 12. 22/23-83 Renewed without meeting requirements*
- 13. 22/23-84 Renewed without meeting requirements*
- 14. 22/23-86 Renewed without meeting requirements*
- 15. 22/23-88 Renewed without meeting requirements*
- 16. 22/23-89 Renewed without meeting requirements*
- 17. 22/23-90 Renewed without meeting requirements*
- 18. 22/23-91 Renewed without meeting requirements*
- 19. 22/23-92 Renewed without meeting requirements*
- 20. 22/23-94 Renewed without meeting requirements*
- 21. 22/23-95 Renewed without meeting requirements*
- 22. 22/23-96 Renewed without meeting requirements*

Complaints to Dismiss:

- 1. 22/23-117 Unprofessional Behavior
- 2. 22/23-119 Unethical Behavior
- 3. 22/23-120 Unprofessional Behavior
- 4. 22/23-122 Unethical Behavior
- 5. 22/23-125 Unethical/Unprofessional Behavior
- 6. 22/23-132 Duplication
- 7. 22/23-133 Duplication

8. 22/23-134 Unethical Behavior

TOTAL OPEN CASES TO DATE: 122

Consent Agreements: 22/23-31

Pending Legal Action: 20/21-76
20/21-127
22/23-25
22/23-46

J Raines presents Consent Agreement #22/23-31, LPC #5519. F Nash motions to accept Consent Agreement #22/23-31. C Butler seconds. All in favor. No opposed.

J Doming presents Disciplinary Procedures for *Unreported* Criminal History. E Airhia motions to approve the Disciplinary Procedures for *Unreported* Criminal History. F Nash seconds. All in favor. No opposed.

N Pierce states that any changes or updates to procedures will be brought up for review in the future.

A Hays motions to accept the Committee on Disciplinary Affairs Report. K Tyner seconds. All in favor. No opposed. No public comments.

Committee on Legislative Affairs Report: E Airhia, K Hebert

Committee on Legislative Affairs Report presented by J Doming for A Trogden.

Advocacy for Medicaid provider rate increases:

- a. LCA has been working with a couple of members and other provider associations to advocate for Medicaid rate increases for providers and facilities across the state over the past year
- b. LDH has continued their systematic review of their reimbursement rates across the board over the next 3 years
- c. Reminder that professional codes for counselors are among the rates being reviewed in the first year due to the Counseling Compact passage
- d. LDH is presenting their budget on 1/20/23 to the Joint Budget Committee requesting a raise to the Medicaid rates for counselors among others.
- e. A letter template is being drafted to send to legislators in the committee to advocate for LDH's requested Medicaid budget increases to bring us on par with surrounding states and be in line with Medicare rates. The letter will be sent out to LCA members to send to legislators in support of rates increases.

Counseling Compact update:

Commission has been meeting weekly. Currently in need of funding. Associations must come together for funding. ACA will give more information in April regarding funding. NBCC is also interested in providing funding.

Preparing for 2023 Regular Legislative Session starting April 10, 2023

- a. This is a fiscal session, and each legislator can only file 5 non-fiscal bills during the session.
- b. LCA will host our annual Mental Health Forum to gather GR representatives from behavioral health professional associations before the legislative session to review pre-filed bills that have interest for each profession and coordinate lobbying efforts.
- c. LCA will host "A Day at the Capitol" where LCA members will come to Baton Rouge for a day of advocacy and meet/greet with some legislators. We usually are able to provide an hour or two continuing education credit for those that attend.

Discussion on mental health rehabs not having enough staff which is making it more difficult for the providers that are there, and clients are suffering due to 1-2 month waiting periods to be seen.

E Airhia motions to accept the Committee on Legislative Affairs Report. K Tyner seconds. All in favor. No opposed. No public comments.

Committee on Licensure/Supervision/Appraisal Report- LPC: L Fazio-Griffith, A Johns, R Salgado

The LPC Committee on Licensure/Supervision/Appraisal Report presented by R Salgado

Total Number of LPC Applications Reviewed:				
December 2022 & January 2023				
Application	Dec	Jan	Expedited	Total
LPC Application for Licensure	7	11	21	39
<i>39 Approved</i>				
LPC Endorsement Application	7	4	6	17
<i>17 Approved</i>				
PLPC Application (Section 1, 2, 3)	13	28	56	97
<i>85 Approved; 11 Intent to Deny; 1 Incomplete</i>				
PLPC Application: Section 1 Only	0	0	0	0
<i>NA</i>				
PLPC Application: Section 1 and 2 Only	0	0	0	0
<i>NA</i>				
PLPC Application: Section 2 Only	0	0	0	0
<i>NA</i>				
PLPC Application: Section 2 and 3 Only	0	0	0	0
<i>NA</i>				

PLPC Application: Section 3 Only	0	0	0	0
<i>NA</i>				
LPC Supervisor Application	2	11	6	19
<i>19 Approved</i>				
Appraisal Privilege	0	0	0	0
<i>NA</i>				
PLPC: Change/Add Supervisor	7	12	0	19
<i>19 Approved</i>				
PLPC Practice Setting Updates	24	20	0	44
<i>44 Approved</i>				
PLPC Audited Renewal Approvals				10
PLPC Standard Renewal Approvals				0
LPC Audited Renewal Approvals				5
LPC Standard Renewal Approvals				0
Telehealth Approvals				28
Total LPC Applications Reviewed	60	86	89	278
<i>Expedited: Totals from Approvals from 11/16/2022-1/17/2023</i>				

Proposal for endorsement applicants receiving temporary licensure presented by R Salgado.

The committee proposes that applicants in good standing in another jurisdiction can receive a temporary license for 90 days upon submission of a complete application. A complete application includes proof of submission of the fingerprint packet.

Board Authority for this action below:

Practice Act, Section 1107

G. (1) Pending the results of the criminal history information inquiry, the board may issue a temporary license or a temporary provisional license authorizing the practice of mental health counseling, for a period of time not to exceed ninety calendar days from the date of issuance.

R Salgado motions to accept the LPC Committee on Licensure/Supervision/Appraisal Report and temporary license proposal. F Nash seconds. All in favor. No opposed. No public comments.

Committee on Licensure/Supervision- LMFT: A Hays, K Tyner, F Nash

The LMFT Committee on Licensure/Supervision Report presented by F Nash.

Total Number of LMFT Applications Reviewed:				
December 2022 & January 2023				
Application	Dec	Jan	Expedited	Total
LMFT Application for Licensure	0	0	2	2
<i>2 Approved</i>				
LMFT Endorsement Application	3	0	0	3
<i>3 Approved</i>				
PLMFT Application (Section 1, 2, 3)	1	2	1	4
<i>3 Approved; 1 Intent to Deny</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	0	0	0	0
<i>NA</i>				
PLMFT Practice Setting Updates	2	3	0	5
<i>5 Approved</i>				
LMFT Supervisor	0	0	0	0
<i>NA</i>				
LMFT Supervisor Candidate	0	0	0	0
<i>NA</i>				
PLMFT Audited Renewal Approvals				0
PLMFT Standard Renewal Approvals				0
LMFT Audited Renewal Approvals				73
LMFT Standard Renewal Approvals				186
Total LMFT Applications Reviewed	6	5	3	273
<i>Expedited: Totals from Approvals from 11/16/2022-1/17/2023</i>				

K Tyner motions to approve the LMFT Committee on Licensure/Supervision Report. A Hays seconds. All in favor. No opposed. No public comments.

Committee on Correspondence: R Salgado, N Pierce

Correspondence regarding website development presented by N Pierce. Board is open to improvement and suggestions but unable to provide access for focus group.

Marriage and Family Therapy Advisory Committee Report: K Tyner, F Nash, A Hays

K Tyner presents Marriage and Family Therapy Advisory Committee Report. C Guillotte has resigned from the Board and currently waiting on new nomination from the LAMFT. MFTAC officers: K Tyner Committee Chair, F Nash Committee Vice-Chair, A Hays Secretary.

Work Groups:

F Nash: Licensure and Supervision

A Hays: Rules and Policy

K Tyner: Legislative

MFTAC accepted LMFT endorsement temporary license, same as LPC. COAMFTE updates with rules reviewed by Committee.

E Johns motions to accept the Marriage and Family Therapy Advisory Committee Report. E Airhia Seconds. All in favor. No opposed. No public comments.

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

Committee on Professional Assistance Program Report presented by E Airhia.

Committee currently has 5 active cases and 2 pending cases. PAP 24 recently completed MOU and discharged from program.

K Tyner motions to accept the Committee on Professional Assistance Program Report. A Hays seconds. All in favor. No opposed. No public comments.

Committee on Budget Report: N Pierce, R Salgado, J Doming

Presented by J Doming Review and Approval of October and November 2022 Financial Report N Pierce motion to approve the Committee on Budget report. E Airhia seconds. All in favor. No opposed. No public comments.

Executive Director Report: J Doming

Presented by J Doming

Discipline Work: Notification Letters, Correspondence w/Jim Raines, Reviewed Multiple Cases, Correspondence with disciplinary assistant, Policy and Procedures draft for Unreported Arrest; Discipline Committee meeting/preparation; Chaired the counseling compact commission meetings held in December and January; Attended the Interstate Compact Commission conference with CSG; Multiple meetings with administrative staff, funding sources and IT vendors for development of the counseling compact; Fiscal Economic Impact Statement (FEIS) for MFTAC rule; Presented rules to the Occupational Licensing Rules Commission (OLRC); Submitted State Reports: Act 611 Report, Act 627 Report, Risk Property Exposure Report, Risk

Exposure Mileage Report, Accounts Receivable Report; Website updates and revisions; Social Media updates; Staff support to help problem solve and work with licensees/applicants; Taxes and W-2s; Financials and Deposits: Review of budgets for coming fiscal year, QuickBooks management, Deposit preparation and record keeping, Accounts Payable, Authorize.net reports and reconciliation.

N Pierce motions to accept the Executive Director report. K Hebert seconds. All in favor. No opposed. No public comments.

Deputy Director Report: R Lundin

Presented by R Lundin

Application Orientation for Southeastern University students; Act 590 State Report; Submitted Rules to Occupational Licensing Review Commission (OLRC; PAP Work: PAP meetings, Correspondence with PAP participants and Assurance Recovery Monitoring, Meeting regarding new testing procedure-DNA Authenticated Drug Testing; Licensure Committee Meetings; Discipline notification letters; HR work for Civil Service; Staff Payroll; Expense Reports; LMFT Renewal correspondence to licenses and processing of audited license renewals; General Licensee Correspondence via email and phone calls; Staff support and assisting Credentialing Specialist; Reviewed Rapsheets received.

E Airhia motions to accept the Deputy Director report. C Butler seconds. All in favor. No opposed. No public comments.

New Business

A Hays motions to approve current Board officers for 2023. E Johns seconds. All in favor. No opposed.

R Salgado motions to nominate C Butler to the Professional Assistance Program Committee (PAP). A Hays seconds. All in favor. No opposed. C Butler accepts nomination to join PAP.

A Hays motions to nominate E Airhia as Chair of the Legislative Committee. E Johns seconds. All in favor. No opposed

Next Board Meeting: Date/Time March 17th, 2023, at 12:00pm

E Johns motions to adjourn. A Hays seconds. Board Meeting adjourns at 2:11 p.m.