

MINUTES January 21, 2022
Louisiana Licensed Professional Counselors Board of Examiners
APPROVED

The meeting was called to order by L Fazio-Griffith at 12:30 PM. N Pierce took the roll call and determined a quorum was present.

Members Present:

R Cathey
K Hebert
C Guillotte
E Airhia
K Tyner

Via Zoom:

L Fazio-Griffith
E Johns
N Pierce
F Nash

Members Absent:

R Salgado
J Mims

Staff Present:

J Doming
R Lundin

Guests Present:

J Raines
Via Zoom:
A Trogden
J Webb
K Iglus
C Downs

Agenda

E Airhia motions to accept the agenda. K Hebert seconds. All in favor. No opposed.

Board Meeting Minutes

E Airhia motions to accept the November Board Meeting minutes. K Tyner seconds. All in favor. No opposed.

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

The LPC Committee on Licensure/Supervision/Appraisal Report presented by L Fazio-Griffith.

Total Number of LPC Applications Reviewed:				
December 2021 & January 2022				
Application	Dec	Jan	Expedited	Total
LPC Application for Licensure	3	10	24	37
<i>36 APPROVED; 1 DENIED</i>				
LPC Endorsement Application	3	5	6	14
<i>12 APPROVED; 2 DENIED</i>				
PLPC Application (Section 1, 2, 3)	8	35	48	91
<i>69 APPROVED; 13 DENIED; 9 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	8	8	6	22
<i>21 APPROVED; 1 DENIED</i>				
Appraisal Privilege	0	0	0	0
<i>NA</i>				
PLPC: Change/Add Supervisor	4	9	0	13
<i>13 APPROVED</i>				
PLPC Practice Setting Updates	13	41	0	54
<i>54 APPROVED</i>				
PLPC Audited Renewal Approvals				6
PLPC Standard Renewal Approvals				0
LPC Audited Renewal Approvals				3
LPC Standard Renewal Approvals				0
Telehealth Approvals				44

Total LPC Applications Reviewed	39	108	84	284
<i>Expedited: Totals from Approvals from 11/16/2021 to 1/18/2022</i>				

J Webb indicates that she would like to present to the Board regarding disciplinary action. Board informs her that unable to hear statement due to bad connection.

K Iglus states that her PLPC application was submitted for December review and informed it would have to be reviewed again during this meeting due to concern with academic background and required three additional courses. L Fazio-Griffith informed her that her dashboard would be updated following the meeting.

J Webb indicates that she became overzealous with submitting application and had to resubmit. Stated that the Board had placed disciplinary action and has already completed direct, indirect, and supervision hours. Stated that she was instructed that she needed to do another year of supervision. Would like to go through the process of becoming fully licensed and would like to appeal to the Board to become fully licensed instead of waiting until September of this year.

L Fazio-Griffith asked for clarification on the disciplinary action results.

J Webb responded that the disciplinary action was brought up due to falsifying records and was unsubstantiated.

J Doming informed J Webb that the Board would need to discuss during executive session.

C Downs states that license was suspended for six months. Suspension was up in 2021 and would like license reinstated. States she has completed CEHs and submitted payment along with emailing additional information. Expressed that she made terrible mistakes and realizes this now. Asking that license be reinstated.

L Fazio-Griffith informed C Downs that case will be reviewed during executive session.

No further public comments.

F Nash to accept LPC Committee on Licensure/Supervision/Appraisal Report. K Tyner seconds. All in favor. No opposed

Committee on Licensure/Supervision/Appraisal Report LMFT

The LMFT Committee on Licensure/Supervision/Appraisal Report presented by C Guillotte.

Total Number of LMFT Applications Reviewed:				
December 2021 & January 2022				
Application	Dec	Jan	Expedited	Total
LMFT Application for Licensure	0	1	0	1
<i>0 APPROVED; 1 DENIED</i>				
LMFT Endorsement Application	1	0	0	1
<i>1 APPROVED; 0 DENIED</i>				
PLMFT Application (Section 1, 2, 3)	0	3	0	3
<i>0 APPROVED; 3 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	0	0	0	0
<i>NA</i>				
PLMFT Practice Setting Updates	1	2	0	3
<i>3 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				1
PLMFT Standard Renewal Approvals				0
LMFT Audited Renewal Approvals				17
LMFT Standard Renewal Approvals				92
Total LMFT Applications Reviewed	2	6	0	118
<i>Expedited: Totals from Approvals from 11/16/2021 to 1/18/2022</i>				

No questions or comments. No public comments.

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

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

C Guillotte presents the Committee on Legislative Affairs Report. No surprise act requires that clients are presented with detailed list of estimated costs and process of appealing if any issues. Licensee's Declaration Statement does provide fees for services but looking for estimate on what total cost of services will be. Average amount of time is 18 months. F Nash has created document and will make available to Board and possibly website.

C Guillotte expresses that he has not heard anything or any news on national compact.

E Airhia states that ACA is becoming fast ahead and telling states to send message to legislators.

C Guillotte motions to accept the Committee on Legislative Affairs Report. K Tyner seconds. All in favor. No opposed.

A Trogden joins meeting via zoom. States that LCA has been working with Representative to draft legislation regarding the compact. Will provide Board with copy of draft when available for feedback. LCA is having members reach out to legislators or senators to talk about the compact and will also be speaking with other healthcare professionals. The compact does not impact the scope of practice. The Board will still have power regarding scope of practice of licensees. The compact makes pathway for individuals to be more mobile and able to get licensed in another state within the compact. Anyone applying in Louisiana through the compact, would still be required to fulfill requirements outlined in statute.

LCA will be having legislative forum with other professional organizations, social workers, psychologist, etc. to discuss bills. Typically, one or two prior to the legislative session beginning and will be speaking to them about the legislative compact. Can collectively work together if there is anything specific organizations are for or against.

There has been discussion with LCA members and Medicaid reimbursement and how low it is and has not changed since 2012. LCA will be looking at this next and advocacy around this concern.

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

Consent Agreement #21/22-47, LPC #7332 presented by J Raines. E Airhia motions to accept. K Tyner seconds. All in favor. No opposed.

Consent Agreement #21/22-49, LPC #2617 presented by J Raines. N Pierce motions to accept. K Tyner seconds. All in favor. No Opposed.

Consent Agreement #21/22-151, LPC #4513 presented by J Raines. N Pierce motions to approve. F Nash seconds. All in favor. No Opposed.

Committee on Disciplinary Affairs Report presented by K Tyner.

Unofficial Complaints Received since November 17th, 2021:

- | | | |
|----|----------|--|
| 1. | 21/22-65 | Unethical Behavior |
| 2. | 21/22-66 | Confidentiality/HIPAA Violation |
| 3. | 21/22-67 | Unethical Conduct |
| 4. | 21/22-71 | Unethical Conduct/Inappropriate Behavior |
| 5. | 21/22-75 | Unprofessional Behavior |
| 6. | 21/22-81 | Unethical Behavior |
| 7. | 21/22-84 | Unethical Behavior |
| 8. | 21/22-86 | Unethical Behavior |

Official Complaints Received since November 17th, 2021:

- | | | |
|-----|----------|--|
| 1. | 21/22-68 | Unethical/Unprofessional Behavior |
| 2. | 21/22-69 | Confidentiality/False Accusations |
| 3. | 21/22-70 | Unethical Conduct/Inappropriate Behavior |
| 4. | 21/22-72 | Unprofessional Behavior |
| 5. | 21/22-73 | Unprofessional Behavior |
| 6. | 21/22-74 | Unethical Behavior |
| 7. | 21/22-76 | False Application* |
| 8. | 21/22-77 | Blank Record; Error in System |
| 9. | 21/22-78 | False Application* |
| 10. | 21/22-79 | False Application* |
| 11. | 21/22-80 | Unethical Behavior |
| 12. | 21/22-82 | Unprofessional Behavior |

13. 21/22-83	Not a Completed Complaint
14. 21/22-85	Unethical Behavior
15. 21/22-87	Sexual Misconduct
16. 21/22-88	Sexual Misconduct/Unethical Behavior/Unprofessional Behavior
17. 21/22-89	Unprofessional/Unethical Behavior
18. 21/22-90	Correspondence
19. 21/22-91	Failure to Provide Care
20. 21/22-92	Failure to Provide Care
21. 21/22-93	Working with Suspended License

Cases to Open:

1. 21/22-59	
2. 21/22-66	Confidentiality/HIPAA violation
3. 21/22-67	Unethical Conduct
4. 21/22-68	Unethical/Unprofessional Conduct
5. 21/22-70	Unethical Conduct/Inappropriate Relationship
6. 21/22-71	Unethical/Inappropriate Behavior
7. 21/22-73	Unprofessional Behavior
8. 21/22-74	Unethical Behavior
9. 21/22-75	Unprofessional Behavior
10. 21/22-76	False Application
11. 21/22-78	False Application
12. 21/22-79	False Application
13. 21/22-80	Unethical Behavior
14. 21/22-85	Unethical Behavior
15. 21/22-87	Sexual Misconduct
16. 21/22-88	Sexual Misconduct/Unprofessional Behavior/Unethical Behavior
17. 21/22-89	Unprofessional/Unethical Behavior
18. 21/22-91	Failure to Provide Care
19. 21/22-92	Failure to provide Care
20. 21/22-93	Working with Suspended License

Complaints to Close:

1. 21/22-3	Sexual Misconduct
2. 21/22-25	Unethical Conduct
3. 21/22-35	Unethical Conduct
4. 21/22-78	False Application
5. 21/22-79	False Application

Complaints to Dismiss:

1. 21/22-14	Unprofessional conduct
2. 21/22-18	Unethical Conduct/HIPAA
3. 21/22-40	Dismiss
4. 21/22-46	Confidentiality
5. 21/22-55	Unethical/Unprofessional Behavior
6. 21/22-64	Fraudulent Billing
7. 21/22-65	Unethical Behavior

8. 21/22-67	Unethical Conduct
9. 21/22-69	Confidentiality/False Accusations
10. 21/22-72	Unprofessional Behavior
11. 21/22-77	Blank Record; Error in System
12. 21/22-81	Unethical Behavior
13. 21/22-82	Unprofessional Behavior
14. 21/22-83	Complaint not Completed
15. 21/22-84	Unethical Behavior
16. 21/22-86	Unethical Behavior
17. 21/22-90	Correspondence

TOTAL OPEN CASES TO DATE: 89

C Guillotte inquired if there is a policy in place for those who do not respond within the required timeframe.

J Doming states that individual will be stopped at the time of renewal and can also request to have Private Investigator involved.

J Raines adds that a summary suspension can be issued if needed.

N Pierce motions to approve the Committee on Disciplinary Affairs Report. C Guillotte seconds. All in favor. No opposed.

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

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Recess

L Fazio-Griffith motions to recess at 1:19 PM.

L Fazio-Griffith motions to reconvene at 1:29 PM.

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

The Committee on Professional Assistance Program Report presented by E Airhia. PAP has eight active cases. Two participants have not been compliant. PAP committee is recommending that cases 27 and 28 be sent to discipline.

PAP would like to dismiss cases 27 and 28 because there is an expectation of compliance which is indicated within the MOU. This program is a Board funded program which pays for the participants monitoring. When not in compliance, the participant has a contract that has been breached. These participants have not complied, and the contract has been breached. Therefore, it is the recommendation from the PAP committee to dismiss these cases and refer to discipline. E Airhia motions to dismiss PAP cases 27 and 28 and turn to discipline. R Cathey seconds. All in favor. No opposed.

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

Marriage and Family Therapy Advisory Committee Report presented by K Tyner. MFTAC discussed the no surprise act. The LAMFT conference is March 4-5 and MFTAC will be doing Board and MFTAC update along with presenting supervision training. Also discussed role MFTAC plays in viability of license and responsibility to public regarding this. Stated that LAMFT has a new chair.

No public comments.

K Tyner motions to accept the Marriage and Family Therapy Advisory Committee Report. R Cathey seconds. All in favor. No opposed.

Review of Financial Reports:

J Doming presents November and December 2021 financials. Need approval to remove name change fee from budget since fee eliminated at November Board Meeting. Seeking approval for increase in other professional services to \$95,000 which includes monitoring service, fees for services provided, any professional service that the Board does not have a contract for.

N Pierce motions to accept increase in budget for professional services. K Tyner seconds. All in favor. No opposed.

N Pierce motions to remove name change fee in budget. K Tyner seconds. All in favor. No opposed.

Executive Director Report: J Doming

Discipline and PAP work; LMFT renewal correspondence and review; committee meetings; state reports; website update and revisions; staff training and support; taxes and W-2s; financials and deposits

K Tyner motions to accept the Executive Director report. C Guillotte seconds. All in favor. No opposed.

New Business

Board Committees for 2022. R Cathey's last meeting and the Professional Assistance Program will have a vacancy for another member.

Farewell to Board Member R Cathey.

Next Board Meeting: Date/Time March 18, 2022, at 12:30pm

L Fazio-Griffith motions to move into executive session. F Nash seconds.

Executive Session

G Guillotte motions to move out executive session. K Tyner seconds.

L Fazio-Griffith motions that J Webb's letter of concern will be upheld but may apply for licensure. E Airhia seconds. All in favor. No opposed.

N Pierce motions that the license of C Downs will not be reinstated and must provide a professional evaluation. F Nash seconds. All in favor. No opposed.

R Cathey motions to adjourn. K Hebert seconds. Board meeting adjourns.