

**Oregon Board of Licensed Professional Counselors and Therapists  
Minutes of October 4, 2013 Board Meeting**

Meeting called to order at 8:34 a.m. and adjourned at 4:15 p.m.

**Members Present:** Scott Christie, LMFT Chair      Tina Anctil, LPC, Faculty  
Doug Querin, LPC                                      Lynne Nesbit, LPC  
Tony Lai, LPC

**Members Absent:** Suzan Turley, Public Member

**Others Present:**      Becky Eklund, Executive Director      Brian Johnson, Board Staff  
Lonnie Knotts, Board Staff                      Janelle Houston, Board Staff  
Kelly Gabliks, AAG                                      Julia Smith, LPC  
Wendy Bruton, LPC                                      Kay Bruce, LPC  
Larry Conner, LPC, Pres. COPACT      Andrea Johnson, Intern  
Karen Hixson, LPC                                      Vanieca Kraus, LMFT  
Oana Nita    Matt Morscheck, LPC, Pres. ORCA  
Wendy Curtis, LPC                                      Rebecca Pearce, LMFT  
CJ Strauss, LPC    Elizabeth Sunzeri, LMFT, Pres. OAMFT

**PUBLIC SESSION**

**CALL TO ORDER**

Chair Scott Christie called the meeting to order at 8:34 a.m. in the second floor large conference room of the Morrow Crane Building, 3218 Pringle Road SE, Salem, Oregon.

Janelle Houston introduced herself to the Board. Janelle is the Operations and Policy Analyst that will be working with both the Board of Licensed Professional Counselors and Therapists and the Board of Psychologist Examiners.

The Board Meetings for 2014 will be February 7; April 11; June 6; August 1; October 3; and, December 5.

**FINANCIAL REPORT**

Becky Eklund presented the financial report.

**APPROVAL OF AGENDA AND MINUTES**

The election of vice chair and approval of the minutes for August 2, and September 11, 2013 were not voted on due to lack of a quorum at this point of the meeting.

**PUBLIC INPUT**

Karen Hixson, LPC, raised the reimbursement issues for student interns under the new health care plans. The Board discussed the issue and recommended that the Oregon Counseling Association get involved in the issue.

**INTERN SUPERVISION GAP**

The Board discussed the following questions:

1. Does an intern need supervision once their hours are completed?
2. Can an Intern practice without supervision once hours are completed?
3. Are master level graduates able to practice post-graduate prior to internship?

4. What is liability of a supervisor once an intern has completed their hours and supervision prior to the intern's licensure?

Kelly Gabliks, the Board's attorney, stated that once an intern has completed their hours and supervision an intern cannot practice without supervision. Ms. Gabliks also believes that the Board could require supervision for those individuals who meet the hours and experience requirements but have not yet obtained licensure. Ms. Gabliks will review the law and rules and believes that a Rule change may be in order. Ms. Gabliks will report to the Board at the next meeting.

The Board asked staff to revise the six-month report to include whether an intern has completed the national examination.

The Board asked staff to create proposed rules that would extend supervision until an intern meets all requirements for licensure.

#### **INFORMED CONSENT**

Ms. Eklund presented the Board with sample draft rules to waive the informed consent requirement. The Board discussed the need for informed consent and the possibility of waiving the requirement. Staff will revise the draft rules for review at the next Board meeting.

#### **CUSTOMER SERVICE SURVEY RESULTS**

The Board reviewed the 2013 customer service survey results. The Board discussed the possibility of a reduced fee for retirees based upon a response from the Customer Service Survey. The Board decided not to pursue the issue at this time.

#### **PEER PROVIDED MENTAL HEALTH SERVICES**

The Oregon Health Authority Addictions and Mental Health Services may require local mental health agencies to provide peer delivered services. The requirement may create a problem with dual relationships for LPCs, LMFTs and registered interns. The Board discussed different scenarios that may occur because of peer delivered services. Staff will prepare a letter to the Oregon Health Authority Addictions and Mental Health Services director expressing the Board's concerns.

**BREAK: 10:07 a.m.**

**RECONVENED: 10:19 a.m.**

The Board recognized Dr. Julia Smith, LPC and LeeAnne Wichmann, LMFTs years of services and commitment to the Oregon Board of Licensed Professional Counselors and Therapists.

The Board also recognized the years of services of commitment of LeeAnne Wichmann, LMFT, who recently resigned from the Board.

#### **COORDINATION OF BOARDS**

There are now two staff members working for both Boards. The interagency agreement has been signed by the Board's chair and has been approved by the Board of Psychologist Examiners.

#### **PROPOSED DISCIPLINE NOTIFICATION**

Scott Christie inquired how notification of discipline is given after the Board takes action. Ms. Eklund will make the notification a higher priority for staff. Brian Johnson explained to the Board how notification currently occurs. The Board discussed the impact of their decisions on licensees and interns.

## **REGIONALLY ACCREDITED UNIVERSITIES**

The Board received a letter from a graduate school in Washington State, The Seattle School, formally known as Mars Hills Graduate School. The school is not regionally accredited and the Board has not accepted their students for licensure. The school stated that the Board's administrative rules allow the Board to accept students from non-regionally accredited schools. The Board's legal counsel opinion is that the school does not meet the requirements in the rules. The Board directed staff to file a temporary rule and then go through the regular process to file a permanent rule that more accurately reflects the intent of the graduate degree standards language.

## **SPECIAL CONSIDERATIONS**

Jennifer Doucette, requested that the Board allow her to retake the LPC national examination. The Board decided to deny her request. Ms. Doucette may sit for the national examination once she completes 20 clock hours of continuing education including an ethics course.

Kristy Seagren, LCSW, requested that the Board grant an exception to the requirement to be licensed in Oregon for a minimum of three years in order to supervise LPC and LMFT interns. The four members present at the time denied the request and asked staff to notify Ms. Seagren of the decision.

**BREAK: 11:27 a.m.**

## **EXECUTIVE SESSION**

The Board convened in executive session at 11:49 a.m. to discuss complaints and investigations through authority provided in ORS 192.660(2) (h) and (k).

## **PUBLIC SESSION**

The Board reconvened in public session at 1:43 p.m.

## **UNLICENSED PRACTICE**

The Board and members of the Oregon Counseling Association and the Oregon Marriage and Family Therapy Association discussed the issue of unlicensed practice in the counseling profession. Chair Scott Christie welcomed everyone and explained the Board's concerns about unlicensed practice. Mr. Christie asked those present for ideas on how to curtail the unlicensed practice of counseling in Oregon. The Board is particularly concerned about unlicensed practitioners harming clients with no board to hold them to ethical principles. Mr. Christie also asked about public perception of the profession.

Since 2010, the Board has received 19 complaints against 14 unlicensed individuals. The Board has been unable to discipline these individuals because they do not meet the education requirements for licensure (currently an exemption for licensure) so do not fall under the Board's purview.

Members of the associations raised the following questions: What can the Board do about the generic use of term "counselor" without weakening the practice act. How to curtail individuals who are counseling clients in Oregon and have had their licenses revoked in other states? The Board and Associations talked about the possible solutions to the unlicensed practice situation without harming the practice act.

Those present recommended that the state associations, the Board of Counselor and Therapists, Board Clinical Social Workers and Board of Psychologist Examiners meet to create solutions to deal with the unlicensed counselors and therapists. Everyone agreed that all stakeholders should be involved with not just counselors and therapists.

The Associations believe that creating an alternative provider Board may resolve the majority of the unlicensed practice issues. The associations do not want to create any issues that would put the practice act in danger.

The Board and Associations agreed that educating the public and the legislature regarding what services counselors and therapist provide their clients would be beneficial. The group agreed that more discussion would need to occur before taking any action.

**BREAK: 3:10 p.m.**

### **EXECUTIVE SESSION**

The Board reconvened in executive session at 3:17 p.m. to discuss complaints and investigations through authority provided in ORS 192.660(2) (h) and (k).

### **PUBLIC SESSION**

The Board reconvened in public session at 3:58 p.m.

### **COMPLIANCE ISSUES**

The Board took the following actions on license applications and compliance cases:

**Case #2012-040** Lynne Nesbit moved and Tony Lai seconded a motion to issue a final order by default. The motion passed unanimously.

**Case #2012-046** Doug Querin moved and Lynne Nesbit seconded a motion to issue a final order by default. The motion passed unanimously.

**Resolved Case #2012-058** Doug Querin moved and Tina Anctil seconded a motion to dismiss the complaint. The motion passed unanimously.

**Resolved Case #2012-059** Lynne Nesbit moved and Doug Querin seconded a motion to dismiss the complaint. The motion passed unanimously.

**Resolved Case #2012-060** Doug Querin moved and Tina Anctil seconded a motion to dismiss the complaint. The motion passed unanimously.

**Resolved Case #2013-002** Lynne Nesbit moved and Tina Anctil seconded a motion to dismiss the complaint. The motion passed unanimously.

**Resolved Case #2013-014** Doug Querin moved and Lynne Nesbit seconded a motion to dismiss the complaint. The motion passed unanimously.

**Resolved Case #2013-016** Doug Querin moved and Tina Anctil seconded a motion to dismiss the complaint and issue a letter of concern. The motion passed unanimously.

**Resolved Case #2013-023** Lynne Nesbit moved and Doug Querin seconded a motion to dismiss the complaint and issue a letter of concern. The motion passed unanimously.

**Resolved Case #2013-035** Doug Querin moved and Lynne Nesbit seconded a motion to dismiss the complaint, issue a letter of concern and make application for licensure. The motion passed unanimously.

**Case #2013-039** Doug Querin moved and Tina Anctil seconded a motion to impose discipline in the form of a letter of reprimand and take an ethics course. The motion passed unanimously.

**Resolved Case #2013-044** Doug Querin moved and Lynn Nesbit seconded a motion to dismiss the complaint. The motion passed unanimously.

**Resolved Case #2013-049** Tina Anctil moved and Lynne Nesbit seconded a motion to dismiss the complaint and issue a letter of concern. The motion passed unanimously.

**Resolved Case #2013-051** Tina Anctil moved and Tony Lai seconded a motion to dismiss the complaint. The motion passed unanimously.

**Case #2013-063** Doug Querin moved and Lynne Nesbit seconded a motion to issue a notice of intent to impose discipline of supervision and an ethics course. The motion passed unanimously.

Staff requested extensions for the investigations of the following cases due to heavy workload. **2013-003, 2013-007, 2013-015, 2013-018, 2013-019, 2013-020, 2013-021, 2013-026, 2013-028, 2013-030, 2013-031, 2013-032, 2013-033, 2013-034, 2013-036, 2013-041, 2013-042 and 2013-043.** Doug Querin moved and Tony Lai seconded the motion to grant extensions for investigation. The motion passed unanimously.

#### **AND ELECTION OF VICE CHAIR**

Lynne Nesbit was nominated for Vice Chair and by voice vote was unanimously elected as Vice Chair.

#### **ADJOURNMENT**

Chair Scott Christie adjourned the meeting at 4:15 p.m.