

**Oregon Board of Licensed Professional Counselors and Therapists  
Minutes of December 6, 2013 Board Meeting**

Meeting called to order at 8:30 a.m. and adjourned at 2:06 p.m.

**Members Present:** Scott Christie, LMFT, Chair      Lynne Nesbit, LPC, Vice-Chair  
Tina Ancil, LPC, Faculty      Doug Querin, LPC  
Tony Lai, LPC      Susan Turley, Public Member

**Others Present:** Becky Eklund, Executive Director      Brian Johnson, Board Staff  
Lonnie Knotts, Board Staff      Janelle Houston, Board Staff  
Kelly Gabliks, AAG

**PUBLIC SESSION**

**CALL TO ORDER**

Chair Scott Christie called the meeting to order at 8:30 a.m. in the second floor large conference room of the Morrow Crane Building, 3218 Pringle Road SE, Salem, Oregon.

Susan Turley moved and Doug Querin seconded a motion nominating Lynne Nesbit as Vice-Chair. The motion passed unanimously.

**FINANCIAL REPORT**

Becky Eklund presented the financial report. Suzan Turley asked about the biennial total of \$127,826 for Agency Program Related Services and Supplies, code number 4575. It appears that background check funds authorized by the legislature, were placed into the budget item. Ms. Eklund will check with the Budget Analyst to ensure that the money is for the criminal background checks and that the money has its own designated category.

**APPROVAL OF AGENDA AND MINUTES**

Suzan Turley moved and Lynne Nesbit seconded a motion to approve the August 2, 2013 meeting minutes as submitted. The motion passed unanimously.

Tina Ancil moved and Doug Querin seconded a motion to approve the October 4, 2013 meeting minutes as submitted. The motion passed unanimously.

**PUBLIC INPUT**

The Board directed staff to establish two phone lines for board meetings – one for executive session and one as a public line for Board meetings.

**COORDINATION OF BOARDS**

Currently the offices of the Board of Psychologist Examiners and the Board of Counselors and Therapists are located on separate floors of the Morrow Crane Building. Janelle's office is located in the Board of Psychologist Examiners office, and she is available to help with research and other duties for both Boards. Ms. Eklund is still trying to get the Boards on the same floor so work can be better coordinated.

**DIAGNOSIS/DSM V**

The Board discussed the application and use DSM V and when it will go into effect. It appears that October 1, 2014 will be the effective date. The Board directed Becky Eklund to talk with the Board of Psychologist Examiners, letting them know that law allows LPCs and LMFTs to diagnose and treat mental, behavioral and emotional disorders. The Board also recommended that the issue be included in an upcoming Board newsletter.

### **INTERN SUPERVISION GAP**

The Board reviewed the proposed administrative rules requiring registered interns to remain under supervision until licensed. Lynne Nesbit moved and Tina Anciaux seconded a motion sending out the proposed rule for review and comment. The motion passed unanimously.

### **INFORMED CONSENT**

The Board reviewed a proposed administrative rule that would allow for a waiver from distributing written informed consent to clients. Lynne Nesbit moved and Suzan Turley seconded a motion sending out the proposed administrative rule for public comment and review. The motion passed unanimously.

### **UNLICENSED PRACTICE**

Representatives of the Board, members of the Oregon Counseling Association and the Oregon Marriage and Family Therapy Association are going to meet in Portland to discuss the unlicensed practice issue. The Board discussed the unlicensed practice issue and who should attend the meeting.

### **QMHA/QMHP**

The Board discussed the issue of unlicensed individuals who are working as QMHAs and/or QMHPs. The Board directed staff to contact the appropriate agency and voice the Board's concerns about possible public perception of the titles QMHA and QMHP.

### **HIPAA**

Scott Christie related that a licensee went to a HIPAA training indicating that HIPAA did not apply to people in private practice because they were not submitting electronic records for billing. The APA seems to recommend that psychologists need to be HIPAA compliant. There were some recent changes to HIPAA compliance that broaden the scope of what is covered under HIPAA.

**BREAK: 10:30 a.m.**

**RECONVENED: 10:42 a.m.**

### **SPECIAL CONSIDERATIONS**

Registered Intern Michael Griffin requested that the Board reinstate intern hours that had been denied because his report was submitted after the deadline. Suzan Turley moved and Doug Querin seconded a motion deny Mr. Griffin's request. The motion passed on a 5-1 to vote.

### **EXECUTIVE SESSION**

The Board convened in executive session at 10:47 a.m. to discuss complaints and investigations through authority provided in ORS 192.660(2) (h) and (k).

**BREAK: 11:38 a.m.**

### **EXECUTIVE SESSION**

The Board convened in executive session at 11:41 a.m. to discuss complaints and investigations through authority provided in ORS 192.660(2) (h) and (k).

**BREAK: 11:49 a.m.**

## **EXECUTIVE SESSION**

The Board convened in executive session at 12:03 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 1:56 p.m.

## **COMPLIANCE ISSUES**

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

**Resolved Case # 2012-010** Lynne Nesbit moved and Tina Anctil seconded a motion to accept the settlement offer. The motion passed unanimously.

**Resolved Case # 2012-024** Suzan Turley moved and Tina Anctil seconded a motion to accept the settlement offer. The motion passed unanimously.

**Case #2012-034** Doug Querin moved and Lynne Nesbit seconded a motion to issue a default order. The motion passed unanimously.

**Case #2012-042** Doug Querin moved and Lynne Nesbit seconded a motion to issue a default order. The motion passed unanimously.

**Resolved Case # 2012-061** Lynne Nesbit moved and Suzan Turley seconded a motion to accept the settlement offer. The motion passed unanimously.

**Case #2013-006 and #2013-030** Suzan Turley moved and Tina Anctil seconded a motion to revoke license and combine with **Case #2012-049**. The motion passed unanimously.

**Case #2013-022** Doug Querin moved and Lynne Nesbit seconded a motion to issue a default order. The motion passed unanimously.

**Resolved Case # 2013-029** Lynne Nesbit moved and Tony Lai seconded a motion to accept the settlement offer. The motion passed unanimously.

**Resolved Case #2013-0031** Doug Querin moved and Lynne Nesbit seconded a motion to dismiss the complaint and issue a letter of concern. The motion passed unanimously.

**Case #2013-045 and #2013-068** Tina Anctil moved and Tony Lai seconded a motion to issue a notice of intent to impose discipline of suspension. The motion passed 5-1.

**Resolved Case #2013-055** Suzan Turley moved and Tony Lai seconded a motion to dismiss the complaint. The motion passed unanimously.

**Case #2013-061** Lynne Nesbit moved and Doug Querin seconded a motion to issue a notice of intent to impose discipline of supervision and an ethics course. The motion passed 5-1.

**Resolved Case #2013-065** Suzan Turley moved and Tina Anctil seconded a motion to dismiss the complaint and issue a letter of concern. The motion passed unanimously.

**Resolved Case #2013-066** Doug Querin moved and Tony Lai seconded a motion to allow licensure. The motion passed unanimously.

**Case #2013-067** Lynne Nesbit moved and Tony Lai seconded a motion to issue a notice of intent to impose discipline of suspension, supervision with a report from the licensee's supervisor. The motion passed 5-1.

Staff requested extensions for the investigations of the following cases due to heavy workload. **2013-015, 2013-018, 2013-019, 2013-020, 2013-021, 2013-026, 2013-028, 2013-032, 2013-033, 2013-034, 2013-036, 2013-041, 2013-042, 2013-043, 2013-048, 2013-050, 2013-052, 2013-053 and 2013-54.** Suzan Turley moved and Tony Lai seconded the motion to grant extensions for investigation. The motion passed unanimously.

#### **ADJOURNMENT**

Chair Scott Christie adjourned the meeting at 2:06 p.m.