

MINUTES

**UTAH
Professional Counselor Licensing Board
MEETING**

June 21, 2011

**Room 474 - 4th floor – 9:00 A.M.
Heber M. Wells Building
Salt Lake City, UT 84111**

CONVENED: 8:56 A.M.

ADJOURNED: 12:27 P.M.

**Bureau Manager:
Board Secretary:**

Richard J. Oborn
Lee Avery

Board Members Present:

Jason H. King, Chairperson
Ruth A. Baxter, Vice Chairperson
Rodger Bischoff
Dee Zarkos
Jerri Sena

Guests:

Diane Jackson, UMHCA President
Jannie Wanless, Westminster College
Megan Requadt, Westminster College
Edye Dillingham, Argosy University

DOPL Staff Present:

Kent Barnes, Compliance Manager

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The Board reviewed the minutes dated March 15, 2011. Ms. Sena motioned to approve the minutes with changes, seconded by Ms. Zarkos. The motion carried unanimously.

Compliance Report:

Kent Barnes, Compliance Manager

#1. Joanie Jones, probation interview. Ms. Jones is in compliance with her stipulation. She missed calling CVI 5 times in May. She needs to be reminded to call daily even if her account is on hold because the computer records her calling. If she does not call, her number is selected, and she does not test, it will be considered a positive drug screen and additional sanctions will be given. The Division received her

supervisor report and support group attendance record. Her supervisor reports are positive.

#2. John Washington, probation interview. Mr. Washington is in compliance with his stipulation. He submitted his supervisor report. Mr. Washington is requesting that the Board approve his proposed therapist, Dr. Aharon Shulimson. Ms. Sena motioned to close the meeting at 9:18 A.M. to discuss the character, professional competence, or physical or mental health of an individual. There were no written notes or recordings made, seconded by Mr. Bischoff. The meeting opened at 9:40 A.M.

APPOINTMENTS:

Joanie Jones, probation interview

Ms. Jones met with the Board for her telephone probation interview. Ms. Baxter conducted the interview. The Board advised Ms. Jones that she failed to call the drug screen on May 14, 16, 18, 20 and 21st. In addition, if she had a UA and she did not call, she would not know when to show up and failure to test is considered a positive. Ms. Jones stated she did not call when her account was on hold and she now understands she needs to call regardless. Ms. Jones stated that her supervision is going well. She decided to go back to Dr. Mitch Coles for her therapy. Dr. Coles is in private practice with 3 or 4 other doctors. Dr. Coles is a psychologist. Ms. Jones stated her medications have not changed. She receives support from her family and friends. She has no urges for relapse. The Board lost telephone connection with Ms. Jones and was unable to reach her again. The Board requested to meet with Ms. Jones September 20, 2011. **Ms. Jones is in compliance with her stipulation.**

John Washington, probation interview

Mr. Washington met with the Board for his probation interview. Ms. Sena conducted the interview. Ms. Sena motioned to close the meeting at 10:18 A.M. to discuss the character, professional competence, or physical or mental health of an individual. There were no written notes or recordings made, seconded by Ms. Baxter. The motion carried unanimously. The meeting opened at 10:40 A.M. Mr. Washington stated that he has not been working in the field. He submitted a resume for Dr. Aharon Shulimson for

Board approval. Ms. Sena motioned to accept Dr. Shulimson as Mr. Washington's therapist, seconded by Ms. Sena. The motion carried unanimously. The Board asked to see Mr. Washington September 20, 2011. **Mr. Washington is in compliance with his stipulation.**

Joan Landes, proposal for amendment to Professional Counselor Licensing Act Rule

Taken out of order on the agenda:

Joan Landes met with the Board to submit a proposal for amendment to Professional Counselor Licensing Act Rule. Ms. Landes advised the Board that she would like to turn her home into a residential center. She would like to work there for full time and gain the 4,000 supervision hours required for full license. The Board reviewed R156-60c Unprofessional Conduct, R156-60c-401, Requirements to be Qualified as a Professional Counselor Training Supervisor and Mental Health Therapist Training Supervisor and R156-60c-402 Duties and Responsibilities of a Supervisor of Professional Counselor and Mental Health Therapy Training. The law requires that Ms. Landes practice as an Associate Professional Counselor at an agency she engages in mental health therapy that is somewhere other than a facility that she owns.

DISCUSSION ITEMS:

1. Completion of internship requirement in foreign country

Janine Wanless, Ph.D and Ms. Megan Requat met with the Board. Ms. Requat will be moving to Mongolia and would like to gain her supervised hours while working there. In Mongolia mental health counselors, including professional counselors, do not require licensure. The Board reviewed R156-60c-302a, R156-60c-302a. Qualifications for Licensure - Education Requirements And R156-60c-102. Definitions.

(1) "Internship" means:

(a) 900 clock hours of supervised counseling experience of which 360 hours must be in the provision of mental health therapy:

(i) in a public or private agency engaged in the clinical practice of mental health therapy as defined in Subsection 58-60-102(7); and

(ii) from a supervisor licensed as a mental health therapist as defined in Section R156-60c-401

The Board noted that this was written with individuals completing hours in the United States in mind. It did not anticipate an individual gaining their hours outside the country. Utah Admin. Code R156-60c-401, Requirements to be Qualified as a Professional Counselor Training Supervisor and Mental Health Therapist Training Supervisor states that supervision must be provided by a licensed mental health therapist. Ms. Requat needs to find a licensed psychologist in Mongolia to provide her supervision while completing the internship requirement.

2. Investigation report, Dee Thorell

Ms. Thorell reviewed the statistics of investigated cases involving professional counselors with the Board. She also shared information about types of cases that are reviewed by the Division.

3. Application review

Scott Taylor, Associate Professional Counselor application. Mr. Taylor's SSW license expired September 30, 2008. Mr. Taylor submitted course syllabi for the courses he completed at Adams State College. The Board noted that Counseling 554 fulfills the advanced assessment of mental status course requirement. The Board reviewed Mr. Taylor's application and noted the following deficiencies:

1. test and measurement theory course; and
2. internship.

Because internship is a core course, Mr. Taylor cannot be issued an extern license at this time. He will need to complete these courses and then reapply for his associate professional counselor license.

Mr. Oborn will advise Mr. Taylor regarding the Board's review.

Ms. Christine Daoust, Associate Professional Counselor Extern, education coursework. The Board reviewed Ms. Daoust's application and transcripts.

The Board noted the following education deficiencies:

1. Ethical Standards & Issues, Behavior Decision Making
2. Professional Roles & Standards of Mental Health Counselor
3. Dysfunctions Behaviors
4. Advanced Assessment of Mental Status
5. Practicum and internship

Mr. Oborn will advise Ms. Daoust regarding the

Board's review.

4. Discussion of possible amendments to
Professional Counselor Licensing Act Rule

The Board reviewed 58-60-405. Qualifications for licensure.

(f) document successful completion of not less than 1,000 hours of supervised training in mental health therapy obtained after completion of the education requirement in Subsection (1)(d), which training may be included as part of the 4,000 hours of training in Subsection (1)(e), and of which documented evidence demonstrates not less than 100 of the hours were obtained under the direct personal face to face supervision of a mental health therapist approved by the division in collaboration with the board.

Mr. Oborn noted that at the last Board meeting the Board discussed using skype or live video for supervision hours. This affects all of the mental health professions. Mr. Oborn stated that the Division is interested in drafting a universal definition to appear in the Mental Health Professional Practice Act Rule (R156-60a) that would apply to all mental health professionals. The rule would allow individual licensees to complete hours of supervision via live videoconference in cases approved on a case by case basis by the Board and Division as long as certain criteria are met. Required criteria under consideration by the Division includes the following criteria:

1. a contract in place between the supervisor and the agency supervising the supervisee;
2. the supervisee must practice in a geographic area where there is a shortage of qualified MFTs available to provide supervision when physically present;
3. the supervisee must submit a written request to the Division in order to be considered for approval to do the 100 hours of supervision via live videoconference; and
4. the supervisor must physically visit the site where the supervisee practices at least twice.

Mr. Oborn noted that at this time DOPL has interpreted "direct personal face to face supervision" to require that the supervisor be physically present with the supervisee.

The Board expressed support to Mr. Oborn regarding a proposal to make such an amendment to the Mental Health Practice Act Rule. He will share this with the Board for additional feedback and then he would have a representative from each mental health board and association attend a meeting to discuss the proposal. Mr. Oborn noted that this would be a temporary way to deal with this issue before it is addressed by the legislature in state statute.

Not on the agenda:

The Board discussed expanding the number of supervisees for supervisors. Mr. Oborn noted that keeping this on a case by case basis, then the Board would be able to review the specific circumstances, ie how often do the supervisees work part time or full time, what is their workload, what is the supervisor work load. The Board decided to not make any changes in this area.

Not on the agenda:

Mr. Oborn noted that this bill did not pass in the 2011 Legislative session. The mental health professions may want to make changes in their professional practice act rule to modify the language to clarify a 1099 contract employee and a W-2 employee. This may be an item the mental health Boards may want to consider when updating their rule.

5. DOPL position that providing mental health therapy via remote methods to patients physically located in Utah requires Utah license

Mr. Oborn advised the Board that the Division will be drafting a position regarding how providing mental health therapy via remote methods to patients physically located in Utah requires Utah license. Mr. Oborn will consult with other mental health Boards.

Not on the agenda:

Mr. Oborn advised the Board that the substance abuse counselor profession is in process of developing a proposal to create 4 different levels of substance abuse licensing. Mr. Oborn will keep the Board informed.

6. NBCC State Licensure Boards Meeting, August 11-12, 2011

Ms. Baxter is scheduled to attend the NBCC State Licensure Boards meeting to take place August 11-12, 2011.

BOARD MEETINGS:

The next Board meeting is September 20, 2011.

2011 Board meetings have been scheduled:
December 7.

Motion to adjourn at 12:49 P.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

September 20, 2011
Date Approved

(ss) Jason King
Chairperson, Utah Professional Counselor Licensing
Board

September 20, 2011
Date Approved

(ss) Richard J. Oborn
Bureau Manager, Division of Occupational &
Professional Licensing