

West Virginia Board of Examiners in Counseling
Minutes
January 13, 2006

- Time and Place: The West Virginia Board of Examiners in Counseling met January 13, 2006 at the South Charleston Campus of Marshall University.
- Board Members Present: Deborah Frost, President
Adrienne Biesmeyer, Board Member
John Charonko, Board Member
Donna Evans, Board Member
John Niles, Secretary
Dave Srebalus, Board Member
(No current Member was absent.)
- Others Present: Jean Ann Johnson, Executive Director
(Not present for Complaint proceedings or case review:
Darlene Danaker and Chris Schimmel)
- Quorum Established: The meeting was called to order at 9:27 a.m. A quorum was established.
- Approval of Minutes: October 28, 2005 Minutes were approved. M/P (Charonko).
- Travel Forms: Travel forms were distributed and signed.
- Ethics Forms: Board Members completed Annual Disclosure Statements as required by the West Virginia Ethics Commission.
- P-Card Approval: The Board approved P-Card records for October through December of 2005. M/S/P (Charonko/Niles).
- Credentialing: The Credentialing Committee recommended ten applicants for licensure. The Board approved new licenses for Denise Ammons, Mary Barber, Anna Brown, Karen Flynn, Judith Gyovai, Jeanne Johnson, Alexa Rinschler, Patreca Swanson, Jennifer Reed-Grimmett, and Loretta Swartzmiller. M/S/P (Srebalus/Evans).
- Series 1 Rule: The Board discussed possible recommendations of changes in Title 27, Series 1, Licensing Rule. [See attached copy with revisions.]
The Board decided to consider a new temporary license.
M/S/P (Biesmeyer/Srebalus).

- Supervision Reports: Supervision reports have been received in connection with two consent agreements case # 02-04 and #08-05.
- Renewal Date: The Board decided that licensees who do not renew their licenses by the required renewal date will be notified that their license is in jeopardy and they must renew immediately.
- PERD Review: The Board discussed the recent PERD review. In response to one concern raised, the Board will request the Assistant Attorney General for definition of an “essential record” and for determination whether the Board of Examiners in Counseling is a “covered entity” under HIPPA. The Board asked the Executive Director to investigate renting office space and to report to the Board for its further consideration.
- Executive Director’s Report: CLEAR training in the investigation and handling of complaints will be held on dates yet to be determined.
- There is some progress being made on Board member appointments by the Governor.
- The Board’s account balance on January 9, 2006 was \$108,900.00.
- Jean Ann has been asked to testify in a federal hearing on a Medicare fraud case.
- The Executive Director is speaking with several LPC’s who might consider volunteering as complaint investigators.
- Complaint Status: The hearings set for today on Case #05-05 and Case #06-05 were continued by mutual agreement in anticipation of settlements. The relevant Complaint Committee continues work on Case #09-05. The hearing set for today on Case #02-06 was continued by mutual agreement in anticipation of settlement, and a new hearing date was set for February 10, 2006.
- Enter Executive Session: The Chair announced that the Board needed to enter executive session in accord with WV Code 6-9A-4(b)(4) possible license suspension and 6-9A-4(b)(6) possible invasion of privacy. The Board voted to enter executive

session. M/S/P (Srebalus/Evans). The Board then held preliminary discussion on one case.

Exit Executive Session: The Board exited executive session. M/S/P (Niles/Srebalus).

Complaint Summary:

Case #01-06 The Board determined that there was no probable cause of violations and, therefore, no grounds for disciplinary action. M/S/P (Charonko/Biesmeyer). Niles and Srebalus, as members of the Complaint Review Committee, abstained from voting.

Renewal Reviews: The Board examined CEU's on three renewal applications and gave instruction to the Executive Director. The Board also affirmed the practice of retiring certain records on which there has been no activity for eighteen months. M/S/P (Srebalus/Biesmeyer).

Questions for Application: Dave Srebalus presented an analysis of questions in Section 15 of our current application, questions on other states' applications, and possible additional questions for our consideration. The Assistant Attorney General will be asked to advise the Board about the legality and feasibility of these questions.

Clarification to Applicant: Darlene Danaker, a counseling educator, is applying for licensure. She appeared before the Board to request clarification of the requirements. The Board affirmed the need for at least 50% of supervision to be in the direct service of clients.

Adjournment: The meeting adjourned at 4:09 p.m. M/S/P (Evans/Srebalus).

Respectfully submitted,

John H. Niles, Secretary