

**West Virginia Board of Examiners in Counseling
Minutes: January 9, 2004**

- Time and Place: The West Virginia Board of Examiners in Counseling met January 9, 2004 at the South Charleston Campus of Marshall University.
- Board Members present: John Charonko, Chair
Deborah Frost, Board Member
John Niles, Secretary
Bob Rubenstein, Board Member
Dave Srebalus, Board Member
- Others Present: Jean Ann Johnson, Executive Director
Karen Thornton, WV Assistant Attorney General
(Not present for Complaint proceedings or case review:
Roxanne Clay, Tony Onorato)
- Quorum Established: The meeting was called to order at 9:30 a.m. A quorum was established.
- Approval of the Minutes: October 24, 2003 Minutes approved. M/P (Srebalus).
- Forms: Board Members filled out forms on employment eligibility, federal taxation, financial disclosure, and personnel action.
- Executive Director's Report: The Executive Director reported that the Board's account balance on November 30, 2003 was \$91,660.93. There was discussion of income and expenses in connection with providing two counseling examinations each year. J. A. Johnson circulated a copy of the Board's Annual Report; it has been submitted on time and in good order.
- Pending Litigation: Karen Thornton described a general complaint involving all state agencies that do not have a main office within the boundaries of the capital city.
- Enter Executive Session: The Board entered Executive Session. M/S/P (Srebalus/Frost). The Board discussed several cases and took necessary actions.
- Exit Executive Session: The Board exited Executive Session. M/S/P (Frost/Srebalus).

Complaint Summary

- Case #01-01: The LPC has completed certain actions suggested by the

Board and agrees to the recommended continuing education. There are to be no specific restrictions on the LPC's license. The Board agrees to the Settlement Agreement on December 11, 2003. M/S/P Srebalus/Frost).

- Case #04-03: On Nov. 14, 2003, the LPC signed the Settlement Agreement described in the Minutes of October 24, 2003. Expenses will be paid to the Board. The Board will review the supervisory report at its next meeting. M/S/P (Srebalus/Frost).
- Case #03-04: An LPC received the cease-and-desist letter regarding his providing counseling without a license. His attorney states that he may file suit to try to gain a temporary license. Karen Thornton has sent a letter on behalf of the Board to warn the attorney may be continuing to practice without a license. The Board's complaint sub-committee will be asked to make a preliminary investigation.
- Case #01-04: The Complaint Review Committee (John Niles and Bob Rubenstein) reported on their review of the complaint sub-committee's conclusions and the accompanying documentation. The complaint against the LPC was lodged by the administrator of a counseling center. The Board accepted the Committee's recommendation that, without there being insufficient evidence to warrant further proceedings, the complaint be dismissed. A letter is to be sent to advise the LPC that his continuing education should emphasize record keeping. M/S/P (Frost/Srebalus).
- Case #02-04: The Complaint Review Committee reported on their review of a complaint against an LPC on grounds of sexual intimacy with a client. Investigation and documentation by complaint sub-committee indicates violations on several grounds. The Board accepted the Committee's recommendation that, there being probable cause of violations, the Board take further action. M/S/P (Srebalus/Frost).
- Case #08-03: The LPC has agreed to the modified Consent Agreement.
- Possible Rule Changes: The Executive Director distributed material from the WVLPCLCA regarding proposed Rule changes. The Board's committee on Rule changes will be convened soon.
- QRP Credentialing: Deborah Frost has examined the Rule and Code being

developed for workers' compensation with regard to Qualified Rehabilitation Professionals. Individuals may contact the Commissioner of Workers' Compensation about the need to maintain high standards in counseling, in accord with those published by the American Counseling Association.

- Mediation: Mediation, its relation to counseling and other licensed professions, will be put on the agenda of the April Board meeting.
- Miscellaneous: A survey on supervisors' fees was inconclusive; a more specific survey will be sent. The Board responded to requests for guidance on distribution of the LPC list for a research project, on an ethics course through home study for a stroke victim, and on other individuals' continuing education issues.
- P-Card Approval: Motion passed to approve October and November P-card accounts (Frost).
- Credentialing: New licenses were approved for Fred Clark, Pamela Bauman, Deborah Marion, Donna Dunford, Fannie E. Loughridge, TeAnn M. King, Joan M. Massey-Poole, Brent F. Stover, Jr., Hernando Escandon, and Hope K. Hartz. New licenses, pending the arrival of final supervision papers, were approved for Gerald Borrer and R. Kent Bowker. M/S/P (Rubenstein/Srebalus).
- Adjournment: 3:26 p. m. motion to adjourn passed.

Respectfully submitted,

John H. Niles, Secretary