

West Virginia Board of Examiners in Counseling
Minutes
July 20, 2007

- Time and Place: The West Virginia Board of Examiners in Counseling met July 20, 2007 at the South Charleston Campus of Marshall University.
- Board Members Present: John Charonko, Chair
Adrienne Biesmeyer, Board Member
Donna Evans, Board Member
Deborah Frost, Board Member
Robert Masson, Board Member
John Niles, Secretary
Chris Schimmel, Board Member
(No current Member was absent.)
- Others present: Jean Ann Johnson, Executive Director
James W. Wegman, WV Assistant Attorney General
(Not present for Complain Proceedings or case reviews: Tony Onorato)
- Quorum Established: The meeting was called to order at 9:15 a.m. A quorum was established.
- Approval of Minutes: April 16, 2007 Minutes and June 14, 2007 Minutes were approved. M/P (Evans).
- Travel Forms: Travel Forms were distributed and signed.
- P-Card Approval: Having examined the P-Card records for April through June of 2007, Adrienne Biesmeyer recommended that the Board approve them. M/S/P (Niles/Evans).
- Credentialing: The Credentialing Committee recommended twenty-five applicants for licensure. The Board approved new licenses for Tamara Cart Burrow, Brenda K. Clayton, Ryan Conner, Deborah Jo Cook, Jamie Juanita Davis, Mary Dean, Christie A. Eastman, Joumana Elkhansa, Laurel Faulkenberr, Wendy Franke, Leah Graham, Susan Smith Hammond, Roohi S. Khan, Beth Anne Kutcher, Loretta L. Lewis-Wells, Rachel Criss Loggains, Leah M. Losh, Jill Irvine Maloney, Jean Ann Price, Ron Schwenkler, Dorothy M. Watson, Demetra I. Weaver,

Derrick L. West, Zedah Melissa Westfall, and Kathy Diane Wyrick. M/S/P (Schimmel/Evans).

- Felony Conviction:** A potential applicant with a past felony conviction wished assurance of approval prior to completing her application. The Board instructed the Executive Director to send a letter advising that a full explanation of the conviction and its aftermath be submitted along with the person's application.
- Executive Director's Report:** The Board's account balance on June 30, 2007 was approximately \$125,917.77. Financial documents for February through June, 2007 were available for review. The Expenditure Schedule has been approved. The number of license renewals for 2005 and 2007 were reported, along with the expected number in 2009.
- Rule Decisions:** With the revisions in Series 1, Licensing Rule taking effect on July 1 of this year, the Executive Director has received several questions and sought guidance from the Board.
- 1) Some persons have been under supervision and have not passed the counseling exam prior to July 1, 2001. The Board decided that they should continue accumulating supervised hours until they pass the exam and apply for the new provisional license.
 - 2) The Board further instructed the Executive Director to these few persons that they are to take and pass the exam by December 31, 2007. If they do not, then any supervised hours after that date will not count toward the requirements of the application for licensure.
 - 3) The Board decided to term a recipient of the new provisional license a "Provisional Licensed Counselor." Such licenses will be numbered with the prefix: P-.
 - 4) In order to streamline the application of the this portion of the new Rule, there will be a monthly review until December 31, 2007 of all provisional licenses and a signed approval by a member of the Credentialing Committee. M/S/P (Biesmeyer/Frost).
 - 5) As with a regular license, a provisional license shall have a disclosure statement posted next to it.
 - 6) The Board affirmed the provisions of paragraph 6.2.b in the Licensing Rule that both there be a minimum of one hour of direct individual supervision for every twenty hours of practice and this supervision shall occur at least twice in each calendar month.

- 7) The Board advised some specific revisions to the ALPS report form.
- 8) The Board authorized signing a contract to provide more frequent NBCC-approved examinations by computer.
M/S/P (Schimmel/Evans).

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 5-9A-4(b)(6) possible invasion of privacy. The Board voted to enter executive session.
M/S/P (Schimmel/Charonko). The Board held preliminary discussion of nine cases, four applications, and some specific renewals.

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

Complaint Summary:

Case #07-03: The probationary period is over. The person is paying the necessary expenses, and the ALPS has made favorable reports. The Board voted to restore the licensee to the status of counselor in good standing. M/S/P (Niles/Frost).

Case #06-05: A letter from the LPC claimed difficulty in finding the required three-hour graduate-level ethics course. The Board extended the period in which to complete this course from June 30, 2007 to December 31, 2007. M/S/P (Frost/Masson).

Case #09-05: In a matter of non-compliance, the former LPC is not paying the prescribed administrative costs. The Board asked the Assistant Attorney General to send a letter to the person that we intend to take this to court for summary judgment.

Case #02-06: In non-compliance, the person under discipline has not paid administrative costs. The Board decided to delay license revocation and to ask the Assistant Attorney General to review the Consent Order and possibly to send a warning letter to the LPC. M/S/P (Charonko/Frost).

Case #07-06: The Consent Order has been signed. The Board approved a particular ethics course to be taken. M/S/P (Frost/Evans).

Case #04-07: The Board dismissed the complaint. M/S/P (Evans/Masson). Niles and Frost, as members of the Complaint Review Committee, abstained from voting.

- Case #05-07: The Board was unable to discuss this case due to the scheduled hearing.
- Case # 06-07: An LPC caused damage to clients through billing irregularities that have been admitted. The Consent Agreement is to provide for a license suspension of one year during which a graduate course in ethics is to be completed. Probation for two years will follow; during which the Alps will make monthly reports on the LPC's billing practices. M/S/P (Niles/Biesmeyer). Schimmel and Frost, as members of the Complaint Review Committee, abstained from voting.
- Case #07-07: An LPC violated the Code of Ethics regarding abandonment. The Consent Agreement is to include probation for six months. During that time, she is to arrange counseling for dealing with stress and an ALPS is to focus on termination procedures. M/S/P (Frost/Evans). Masson and Niles, as members of the Complaint Review Committee, abstained from voting.
- Application Summary:** The Board voted to send a letter to an applicant to tell her that, based on her ALPS' recommending her not being licensed at this time, she has not completed the application process for licensure. The letter will invite her to discuss this matter informally with the Board. M/S/P (Schimmel/Charonko).
- After reviewing an application together the Board voted to approve an applicant for licensure. M/S/P (Frost/Evans).
- An applicant with a doctorate is somewhat short of the required hours of supervision. The Board voted to inform her of this by letter. M/S/P (Biesmeyer/Frost).
- A person who has failed the counseling exam three times will be urged to take a special class to help preparation for the examination.
- The Board was made aware of renewal applications from persons previously under discipline. It was agreed they should go forward.
- Renewals and Ethics: The Board affirmed that continuing education hours in ethics need to be substantially based on the ACA code of Ethics.

Elections: The Board voted to elect John Charonko President and Donna Evans Secretary. M/S/P (Niles/Biesmeyer).

Adjournment: The meeting adjourned at 4:00 p.m. M/S/P (Frost/Schimmel).

Respectfully submitted,

John H. Niles, Secretary