



Counselor, Social Worker & Marriage and Family Therapist Board

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State of Ohio Counselor Professional Committee Meeting September 21, 2006

Members Present were: Dr. Randi Cohen, Dr. Victoria White Kress and Mr. Jan White.

Staff present: Ms. Rena Elliott, Mr. Simeon Frasier and Mr. James Rough.

Dr. Huss opened the Counselor Professional Standards Committee meeting at 8:27 a.m. Dr. Huss established that the first order of business is to elect a new committee chair. Mr. White nominated Dr. Cohen via a motion. Dr. Kress seconded Discussion: Dr. Cohen was not interested in the position, and believes that Mr. White would serve better in the office. Mr. White stated that he believes that the office should go to: "Who's best, not who's next." Dr. Cohen expressed that she believes that Mr. White is the best for the office. Though he believes that Dr. Cohen is the best candidate for the position, he was willing to withdraw the motion with agreement of the second. Dr. Cohen nominated Mr. White via a motion. Dr. Kress seconded. Mr. White was unanimously elected. Mr. White accepted the position.

Mr. White stated that the "Faculty issue" and the "Supervision issue" need direction and finality, as outlined in the board mailings. Dr. Cohen moved to amend the agenda to include faculty issues, coursework issues, and supervision issues for the 9/21/06 meeting. Dr. Huss seconded. The motion unanimously passed.

1. Application Review:

- Mr. White offered that he reviewed and signed off on the licensure applications the previous day and the Committee approved the applications.
- 2.** Dr. Cohen believed that the subject of coursework ought to be addressed. Dr. Huss asked if the committee ought to change the rule, and accept a "B-." Dr. Kress made a motion to accept a "B- or higher." Dr. Cohen seconded. Discussion: Dr. Kress suggested that a B- does not appear to be a C. Dr. Cohen offered that universities that don't use the "+/-" system would accept a "B- as a B", and not a "C." Dr. Huss called the vote to question. The motion passed unanimously.

3. Supervision Issue:

Dr. Cohen offered that her supervision committee was “awesome.” It included counselor educators, graduate students, program directors, agency directors, private practitioners (urban and rural) and part time educators/part time practitioners.

“They are truly a consensus.”

She also stated that she believes that the committee should consider changes to rule 4757-13-01. The recommendation, being, that persons teaching specific courses that are not ancillary should be a PCC-S.

Dr. Huss questioned how that was related to supervision.

Dr. Cohen advised that it relates to the practicum and internship requirements.

Dr. Huss offers that this bleeds into “faculty issues” and is not confined to “Supervision.”

Dr. Cohen offered that clinical training should be done by a PCC-S.

Dr. Huss: stated that one may be clinically trained via a PhD without being a PCC.

Mr. Rough suggested that a supervisor or instructor of a practicum or an internship be either a PCC or clinically trained.

Dr. Huss offered that she has concerns with the committee dictating to colleges and universities who they may hire for teaching practicum and internships.

Dr. Cohen stated that she has concerns that clinical training is important, and a grand parented PC-S with no clinical training may be fielding questions by students that bring issues from their practicum clients.

Dr. White questioned whether or not there are scenarios where practicum and internships are considered much different from one another, in practice (vs. in theory).

Mr. White stated that he’s not certain that a lot of field supervisors appreciate the distinction between practicum and internship.

Dr. Huss asked if, via discussing qualifications for practicum and internship, as a committee, they are really discussing “Program Review?”

Dr. Cohen added “Emphasizing clinical training vs. licensure”.

4. Faulty Issue – Program Review:

Dr. Huss suggested that an off campus supervisor should be a PCC-S, but the same shouldn’t necessarily be true for an on campus supervisor; additionally, a Masters level licensee should not be teaching. A teacher should be licensed and a PhD. Also, an instructor and supervisor should meet specific clinical qualifications.

Dr. Cohen offered that it’s a masters level license and asked why a person shouldn’t be able to teach what they know if they are independently licensed.

Dr. Huss stated that regardless of what is decided, universities sometimes try to get around the rules.

Mr. White stated that this is avoided when the focus is on license and training qualifications.

Dr. Huss stated that the Dr. Cohen’s suggestion is the easiest way to deal with the issue, but her concern is that the PC license is not made an unviable license in Ohio.

Dr. Cohen outlined a draft of supervision changes, including definitions for “Umbrella supervision,” “Collaborative supervision, and “First hand knowledge” along with “documented training” in various areas. Additionally, the administrative burden would be on the staff and persons in the field to track their paperwork.

A break was taken at 10:17am

Meeting resumed at 10:24am

Dr. Huss stated that someone called her, asking “Who could teach practicum or internship? Dr. Huss proposed that the committee leave the rule as it is, with the exception of practicum and internship.

Dr. Kress seconded.

Discussion: The CPSC agreed the laws and rules should not dictate a university’s program outside of the practicum and internship.

Dr. Kress asked “What does ‘appropriately licensed’ mean?”

Mr. Rough offered that, per P.R. (Board’s Assistant Attorney General) it means all licensees must be a PC or a PCC. It needs to be rewritten. Should the rewritten rule go to the program approval section, it would resolve the issue with JCARR, believing that the committee has out-stepped their bounds with regards to the issues of degree standards vs. program standards vs. university standards (being a PC vs. an approved program in Ohio).

Dr. Huss asked are we going to hold out-of-state applicants to the same standard as in-state licensees. The suggestion is that they should.

Mr. Rough suggested that if an out-of-state applicant had 5 years experience, they could be licensed as a PC, but unable to renew their license until they meet Ohio’s licensure requirements. He will draft the rule changes and place it in the endorsement rule for review.

Dr. Huss asked what kind of licensure or training should faculty have for teaching practicum and internship.

Dr. Cohen proposed, for a practicum, a supervisor shall be a PC-S or a PCC-S, or have appropriate clinical training.

Dr. Huss recommended that practicum supervisors should have specific qualifications met, separate from internship supervisors, and that a PC-S should not supervise a practicum, off campus.

Mr. Rough suggests outlining that, if, an off site practicum includes diagnosis and treatment, it must be supervised by a PCC-S.

Dr. Cohen stated that the following need to be addressed separately, before the committee moves forward: Faculty for practicum, faculty for internship; post PC supervision, on-site supervision for practicum, and on-site supervision for internship.

5. Program Approvals:

Program approval issues were then discussed. Dr. Kress offered that Ursuline was approved provisionally in 2002 and again in 2004. After a review of their

application for approval there were a number of deficiencies noted. The committee agreed with the fact that deficiencies were there and needed better delineation.

The committee broke for lunch at 11:05 a.m.

The meeting resumed at 12:15 p.m.

6. Rule Review:

Dr. Cohen suggested the committee identify in the rules the initials "PC-S and PCC-S" as they currently do not appear in 4757-3-02 (committee agrees).

Also discussed during this time were topics such as:

-4757-5-02-A-1-f; Third party access: a third party will have the rights to individual session notes in which he/she participated if the client signs a release;

-4757-5-02-A.2.c; cultural sensitivity concerns: i.e., must the PC/PCC arrange and pay for an interpreter in the cases of having clients that do not speak English? ;

-4757-5-02-A4-b-1; Multiple Relationships: i.e. beneficial relationships vs. harmful relationships. Dr. Cohen believes that in rural Ohio you cannot avoid multiple relationships, but you **shall** avoid harmful relationships.

-4757-5-04-A-3 Sex with a client: Dr. Huss believes that a counselor must Never engage in sex with a current or former client, as the counselor has received information that could be used to harm the client. "Once a client, always a client"; and that the committee should not be afraid to say "Never" at times.

Dr. Cohen: believes that the numbers 2 and 5 (years a client must wait before being able to ethically have sex with a client) are arbitrary, but there should be a limit.

Ultimately, "Never" was preferred, but 5 years was the agreed upon limitation.

-4757-5-11-K A.9 End of life provisions/choices: Dr. Huss stated that it's not an issue that's been researched enough, and she does not believe that it's necessary, but she's comfortable being outvoted.

Dr. Cohen recommended taking a chance and dealing with a topic that people want to avoid. The committee agreed to discuss with Jim Rough.

-4757-5-09-A.21 Counselors maintaining user friendly sites on the World Wide Web; this was considered fine, as long as counselors do not multitask during sessions, if counseling over the internet.

-4757-9-02 Continuing Education requirements or renewal of a professional counselor or a professional clinical counselor: It was suggested that if a counselor is a PCC-S, engaged in a collaborative supervision setting, they may get up to 3 hours of CEUs.

-4757-9/05 was briefly discussed, with no conclusion.

*The meeting adjourned for the evening at 4:00 p.m.

September 22, 2006

Meeting was called to order by: Mr. Jan White at 8:04 a.m.

Members present were: Dr. Randi Cohen, Dr. Victoria White Kress and Mr. Jan White

Staff present was: Mr. James Rough, Mr. William Hegarty, Ms. Rena Elliott, Mr. Simeon Frazier, and Mrs. Tamara Tingle

Guest present: Attorney Glen Karr, Mr. John Coventry (Ohio Counselor Association)

Meeting was called to order at 8:05 a.m. by Mr. White

1. DISCUSSION OF AGENDA:

The topic of Criminal background checks and rule changes regarding CEUs were added to the agenda. Deleted from the agenda were the topics regarding supervision, rule changes to accept a B- and the testing update.

Dr. Huss moved to approve the agenda as amended. Dr. Cohen seconded
The motion was unanimously passed.

Dr. Cohen moved to accept a “B-” Dr. Huss seconded.
The motion passed unanimously with the clarification that any kind of “B” will be accepted, and the committee will “Clarify that 4757-3-01 J1 is being changed to read that ‘...applicant receives a grade of B- or higher’.”

2. Investigative Report:

Mr. Hegarty advised that he will re-issue a study that was done on ethical violations; Dr. Huss moved to close Case 2006-110 with a strong cautionary letter. Dr. Cohen seconded. Motion unanimously passed. Dr. Huss moved to close 2006-34 – 2006-132. Dr. Cohen seconded.

Discussion: Dr. Huss acknowledges that custody cases are a point of contention for many.

Mr. Karr stated that it’s a large complaint with psychologists, also, and that there is a lot of ignorance.

The consensus is that, though attorneys may request the information, PCs and PCCs must not even respond.

Additionally, Bill asked for clarification regarding issuing the PC-S designation.

Mr. White acknowledges that discussion is pending on this topic.

Bill requested executive session to discuss cases. All members present responded with “Yes to a roll call vote.”

When the committee returned from executive session following a roll call vote, Dr. Cohen moved to issue notice of opportunity for case 2006-02. Dr. Kress seconded.
The motion passed.

Mr. Hegarty advised that there are no hearings, and nothing is pending with regards to licensure denial or discipline cases.

Dr. Cohen asked if it was true, in Ohio, that it is not a felony for counselors to have sex with their clients. Mr. Karr acknowledged that it cannot be done as part of the therapeutic process. OPA fought the original tough language. It is a clear ethical violation, but it is not criminal.

Dr. Huss asked if there is a legal definition of the word “Induce”.

Mr. Karr answered that there was not.

Dr. Cohen stated that she is “very bothered by this”

There was a break at 8:57

The meeting resumed at 9:06

3. Approval of Minutes:

Dr. Kress moved to approve the minutes of the July CPSC committee meeting. Dr. Huss seconded. There was no discussion, and the motion passed.

4. APPROVAL LIST FOR PC AND PCC APPLICATIONS:

Dr. Cohen moved to approve the list of PC candidates, with the addition of Alicia VonVille. Dr. Kress seconded. The motion passed.

Dr. Cohen moved to approve the list of PCC candidates as submitted. Dr. Huss seconded. The motion passed.

5. Application Coordinator’s Report:

Mrs. Elliott shared that, on top of returning calls and emails, she issued 94 exam packets and processed 509 supervision agreements. To supplement the executive director’s report, Mrs. Elliott offered that 54 or the 63 NCE candidates passed the exam, and all 4 of the NCMHCE candidates passed the exam.

Mr. White advised that the agenda will be followed out of order, and that “Supervision of Laws & Rules” will be revisited later if time allows.

6. Remediation Plans:

Dr. Huss moved to accept the proposed remediation plan of Selena Daniels. Dr. Cohen seconded. The motion passed.

7. Correspondence:

- Kim Brennan: Because she did not follow the rule, Dr. Kress moved to reject the request of Kim Brennan. Dr. Huss seconded. The motion passed.
- Eric Limegrover: Mr. Limegrover applied, for licensure as a PCC, out of state, via endorsement. He Passed the NCMHCE in July and documented a minimum of 10 hours in CEUs. Additionally, he met other requirements for the Supervising Counselor’s credential. Dr. Huss motioned to approve the Supervision Designation status of Eric Limegrover. Included in her motion was that Mr. Limegrover brought 3 years of experience with him prior to coming to Ohio. Dr. Cohen seconded. The motion passed.

- Jimmy McKeller: Dr. Huss stated that the committee needs documentation that Mr. McKeller has a disease, and that it would affect him taking the exam. Dr. Cohen suggests sending a letter citing the law, stating that he must submit a remediation plan and fulfill it to sit for the exam. Dr. Cohen moved to send a letter denying the award of a PC license, citing law, and denying the request to waive the 3 month waiting period, stating the law for the remediation process. Dr. Kress seconded. Dr. Huss Abstained. The motion passed.
- Darcy Stephens: She submitted a consent agreement (she completed everything that was outlined) with her Supervising Counselor Designation application. Dr. Cohen offered that she is concerned that counselors often don't appreciate that boundaries are blurred when they decide to "give things." Tammy Tingle offered that she believes that Stephens does, now, appreciate her violations, through the process of completing her consent agreement. She completed the agreement at the beginning of July. It is not know if she followed through with any non-required supervisory support. Her new supervisor had no pre-existing relationship with her. The committee acknowledges that they have on record that the supervisory issues have been addressed; consequently, Mr. White believes that the matter does not require a motion.

It was suggested that future Supervising Counselor Applications with consent agreements in the file should be forwarded to the CPSC's attention. Dr. Huss moved that files with consent agreements, when applying for the Supervising Counselor Designation, should be forwarded to the CPSC, regardless or whether or not the issues in Stephen's case arise. Dr. Cohen seconded. The motion passed.

- Kenya Stewart: Dr. Kress moved to reject Stewart's "C" in her research course, but to accept the "B-" on her transcript. Dr. Cohen seconded. Discussion: Dr. Huss requested to attach a letter outlining "as a future counselor, it is her responsibility to read and understand the law". Dr. Kress amended her motion to include the suggestion. Motion passed.
- Tiffany McKinney: Dr. Kress stated that the committee received a number of complaints regarding the Cleveland testing site, and the NBCC needs to be addressed. Dr. Cohen expressed support. Mr. White offered that the committee should address this, as they have addressed others, i.e. retesting at no cost. Dr. Kress confirmed with Mr. Rough that if they notify the CSWMFT office, we forward it to the NBCC to investigate. If it is determined to be an issue, they must change the issues at the site, and absorb the cost, allowing the applicant to sit per the applicant's requested date. Mr. White reminded the committee that in the past, this was accepted without further investigation. Dr, Kress moved to contact the NBCC to advise of the issues surrounding the Cleveland testing site, and absorb the cost if it is determined that the issues are valid. Dr. Cohen seconded. The motion passed.

Executive session was called to discuss "Standard of Care and proposed consent agreement at 9:33

All members present answered the roll call vote with "Yes".

The committee returned from executive session at 9:56 following an affirmative roll call vote.

- Xavier University: Dr. Huss moved to send a letter clarifying that the rule of “B-” or above has been accepted. Dr. Kress seconded. The motion passed. Dr. Huss recommended sending an email to counselor educators in Ohio to advise them of the rule adjustment.
- PC Temporary: Mr. Rough advised that PC candidates with a provisional license are signing off as “PC Temporary,” however; it is not defined in the rule. Mr. Rough advised that he will add it to the changes in the rule for the committee to review at the November board meeting.

8. New Business:

There is a National Conference in Sarasota, FL on January 11-13, 2007. Dr. Cohen stated that she will go if it is approved by the full board. Not including the conference fee, the approximate cost is estimated to be \$900.00-\$1000.00.

Mr. White stated that he would prefer to send 2 representatives and Mr. Rough, which the full committee agreed.

Supervision Credential: It was determined that a lot has been added to this topic, and time constraints mandate that it must now be discussed at the November board meeting.

Code of Ethics: This will be discussed during the Thursday work session of the November CPSC meeting when the rule changes are discussed.

Ursuline: Dr. Kress moved to disapprove Ursuline College’s application for counselor program approval for the following reasons: with respect to 4757-13-01 A1(a), the degree awarded is not a degree in counseling, (b) the program does not specify intent to train Professional Counselors, (c) the program does not have adequate counseling faculty licensed as PCs or PCCs, (d) the counseling program does not meet requirements in the following coursework areas: (d)(i) Counseling Theory, (ii) Counseling Techniques, (iii) Practicum, and (iv) internship.

Dr. Huss seconded.

Discussion: it was determined that the letter should be reviewed by the CPSC prior to being sent, and this is a beginning of what may occur in the future. In as much as the committee must be consistent and meticulous. Mr. Rough will draft the letter and ask for CPSC review prior to mailing.

Mrs. Elliot asked if the applicants will now be reviewed on a case by case basis vs. being outright denied.

Dr. Cohen clarified that the applicant will now be denied.

Dr. Huss suggested, that the letter should include that students in Ursuline’s program, while it was considered acceptable, may still have the program accepted. The suggestion for the grace period was two years, but legal counsel will be consulted prior to making that determination.

The motion passed.

The committee took a break at 10:26

The meeting resumed at 10:31

9. Continuing Education Units:

Dr. Huss moved that the CPSC develop a CEU approval policy that specifically states the programs to be approved by the CPSC. A grid will be constructed to show where areas fit, to create the ability to make the CEUs more defined. (She will construct the grid by November). Dr. Cohen seconded. .

Discussion: Dr. Huss offered that it makes more sense. Rather than giving blanket approval, it prevents unqualified programs to go forward.

Dr. Cohen asked why the committee wouldn't eliminate provider status, and simply do program approval.

Dr. Huss responded that she believes that the quantities of programs are too great for an exclusive program approval policy to work. Dr. Cohen believes that would happen anyway.

Dr. Huss offers that a provider may submit paperwork once, with a group of programs. Any additional programs may be applied for separately.

Via consultation with Ms. Patty Miller, it was determined that programs and providers will be placed in the CAVU system to allow renewal notices to be sent to providers, and complete applications online. There could be a minimal number of programs that would need to be provided in order to gain provider status.

Dr. Huss stated that the goal is to gain better control over what is approved. People are abusing the system. Dr. Cohen asked: "Do we feel like we can give the free reign of provider status?"

Dr. Huss withdrew her motion. Dr. Cohen withdrew her second.

Dr. Huss moved to bring to the November meeting, a proposal to address the CEU discussion. Dr. Cohen seconded.

Mr. Rough offered that we may not have funding in the budget to have additional staff to complete the task.

The motion passed.

10. Rule Review:

Dr. Huss asked why, as a committee, they are accepting umbrella supervision at a site, if they are not accepting it at the universities.

It was determined that the November meeting will include conversations including Dr. Huss' suggestion to place a prohibition in the code against Professor/student having sex with each other.

Mr. White identified that he wants it on the agenda.

Dr. Huss commends those taking minutes, and asks staff (Mrs. Elliott, and Mr. Frazier) if there are any issues that may arise on the end of the staff as a result of the decision to bring it to her attention. She did not expect an answer at that time, but wanted them to ponder it.

The CPSC meeting adjourned at 11:57.

Mr. Jan White
Chairperson