



Counselor, Social Worker & Marriage and Family Therapist Board

50 West Broad Street, Suite 1075
Columbus, Ohio 43215-5919
614-466-0912 & Fax 614-728-7790
<http://cswmft.ohio.gov> & cswmft.info@cswb.state.oh.us

State of Ohio Counselor Professional Standards Committee Meeting September 16, 2010

Members Present were: Ms. Francine Packard, Dr. Susan Huss, Dr. Victoria Kress, Dr. Otha Gilyard and Mrs. Mary Venrick

Staff Present were: Mr. William Hegarty and Mr. James Rough, Ms. Tracey Hosom, Mrs. Tammy Tingle and Mr. Simeon Frazier

Venrick called the meeting to order at 9:20 am.

Discussion/Approval of Agenda

Gilyard moved to approve the agenda. Kress seconded. There was no discussion and the motion passed unanimously.

Executive Committee Report

Venrick reported that the committee met at 8:15 a.m., and discussed CEU issues, budgeted items, like fees for wall certificates, and CEU providers. Huss asked if they are close to making recommendations.

Rough entered at 9:25 a.m.

Rough stated that a nominal charge of \$15.00 to change wall certificates for name changes, etc., would prevent a fee increase for everyone else. Approximately 500 certificates are requested, annually, for this purpose.

Kress stated that she felt fine about this, since it's traditionally an administrative issue.

Rough stated that it's the same with CEUs, the proposed charge for program approval is \$25.00 a program, and \$100 for provider approval.

Huss clarified that this holds true to agencies.

Rough confirmed with Packard that it would be discussed in a rule making process to see how things work.

Kress presented scenarios for consideration, i.e., Charging nominal fees to provide food, but not to profit, etc. and asked the spirit of the rule.

Rough Left at 9:35 a.m.

Venrick discussed how the committee discussed custody rules, and the counselor's role. The committee discussed the role of the Guardian ad Litum (GAL) vs. the counselor.

Hegarty entered at 09:36 a.m.

They discussed, further, how to deal with court and judicial orders. Venrick shared that they discussed what to do with records in the case of the licensee's disability or death.

Investigation Report

Hegarty passed out cases reviewed by Huss and Kress. Kress moved to close her cases, as indicated. Packard seconded there was no additional discussion and the motion passed unanimously.

Huss moved to close her cases, as indicated. Gilyard seconded. During the discussion, Hegarty clarified what is meant by "Strong Caution." A strong caution is a more serious/more specific caution spelled out in the close letter to the licensee. This would be the kind of case where the investigative liaison could have possibly gone for formal discipline but decided to go informal instead. There was no additional discussion and the motion passed unanimously.

Hegarty passed out a letter from Dale Eilerman with a question regarding the counseling practicum. Kress stated that her first reaction is that it's not the committee's place to make a call with this. Hegarty said that if it's allowed, the committee mustn't have a role fore it. Packard pointed out that there is a conflict. Hegarty stated that the committee should reference the rule for dual relationships and state that it's not their place.

Hegarty requested that the committee go into Executive Session.

Venrick called for Executive Session. All members answered roll call with "Yes." The Committee entered executive session at 9:50 a.m., and returned at 9:53 a.m.

Mary Brown

Hegarty asked for a motion for Mary Braun. Kress moved to deny Mary Braun's request to have her degree recognized for licensure because she doesn't have a degree in counseling and is deficient in coursework. Huss seconded.

There was no additional discussion and the motion passed unanimously.

George Martin

Huss moved to approve the consent agreement with George Martin because he failed the audit, and requested to surrender his license. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

Huss announced that there will be a meeting at 11 a.m. and a hearing at 1 p.m.
Hegarty left at 9:57 a.m.

CEU Committee Report

Packard stated that she attended a meeting at 11 a.m.
Rough entered at 9:59 a.m. and discussed Bowling Green State University's program with Kress, along with the NCMHCE.

NCMHCE

Rough reported that Shawn O'Brien reported the August results had a greater than 84% pass rate. From September '09 thru August '10, nationally, the pass rate was 66%. From November '08 thru October '09, the pass rate was 68%. Right now, so far, they can't find any significant ties. Ohio seems to be an anomaly. He'll go through each of the 10 scenarios to see if Ohio answers any of them differently.

Packard has questions regarding the individual test takers, for example, who takes the exam right out of school, etc.
Hegarty left at 10:06 a.m., to meet with the Assistant Attorney General, and returned at 10:11 a.m.

Gilyard shared that Thelma Greaser shared that students who were supervised properly did better on the exam, so far, though it appears to be an anomaly. He'll continue to research it.

Rough reported that any applicant who wanted Counselor Trainee (CT) status but is still engaged with the court process, or under custody of the court, will not be eligible. Rough's recommendation is that the applicant wait one year following completion of all court requirements before CT approval.

Hosom entered at 10:14 a.m.

Sexual offenses/offenders

Huss shared that research doesn't support that sexual offenders can be rehabilitated. Rough stated that, for purposes of defining policy, one must define "sexual offender" and recommend what guidelines and basic decisions would be made, particularly with respect to sexual offenders, i.e., "if you have more than one of any of the following X offenses, you *may* be denied" for those that aren't identified as a sexual offender.

Discussion ensued regarding the committee's responsibility, i.e.; Huss stating that the responsibility of the committee to protect the public while not discriminating against individuals.

Hosom shared that guidelines should be treated on a case by case basis.

Huss wants the most current research on recidivism for sexual offenders, and she wants to prevent it, but if something does happen, there is still something that the committee can do about it.

Rough and Hosom will work on the wording, then submit it to Huss and Packard.

Rough reported that Gilyard will be reappointed and a new appointee should be assigned by November. Discussion of CEUs took place until 11:00 a.m. where the committee attended meetings.

**State of Ohio
Counselor Professional Standards Committee Meeting
September 17, 2010**

Members Present: Dr. Susan Huss, Ms. Francine Packard, Ms. Mary Venrick

Staff Present: Mrs. Rena Elliott, Mr. Bill Hegarty, Mr. Jim Rough, Mr. Simeon Frazier

Guests Present: Glenn Karr and Thelma Greaser (OCA)

Venrick called the meeting to order at 9:06 a.m.

Approval of Agenda

Kress moved to approve the agenda. Huss seconded.

Kress added "BGSU Rehab Program"; Huss added "a discussion regarding the CEU committee", Kress added "Remediation Plans", Huss added "Post Program Approval", Kress added "Ashland University Course Approval request".

Bartering Rule Change," "Banking CEU hours," Wall Certificate cost being added to the budget," and, if time allows, "Professional Disclosure Statements."

Venrick added "Provider Status."

There was no further discussion as the motion passed unanimously.

Approval of July Minutes

Kress made the following change:

The minutes taken July 16th were changed from "Kress" to "Venrick" to read "Kress called the meeting to order at 9:03 a.m."

There was no additional discussion and the motion passed unanimously.

Executive Report

Rough reported that Huss and Packard are at their last meeting. LISW-S Robert Nelson and Rev. Gilyard were reappointed to the board. Two PCCs will be added.

The board has received input from everyone, but the NASW regarding the statute.

Rough forwarded a letter to the Supreme Court with six supporting letters regarding the rule 66. For HB 682, 201 and 208 nothing is moving, and most likely won't move until after the election.

He must file the budget by 11/1/10.

At the full board meeting, a vote is needed for authority to charge for wall certificates and program provider status fees.

There are several rules for review: Custody changes, Draft of records for licensees, Death, absence, etc.

Packard asked that, in the process, the committee prompts a recommendation that caretakers of records are other licensed professionals.

Venrick confirmed that the committee didn't record worksite addresses for licensees.

Rule changes:

Banking hours draft and automatic approval for university provider status.

House Bill 130 passed in December of '08 concerning developing a framework for addressing legal and other barriers to employment for individuals released from prison.

The Ohio Re-Entry Coalition is working on these issues and is being kept apprised of licensure issues by Medical and Nursing Board representatives.

In Idaho, a conscience clause states that licensees don't have to do things that violate their morals, religion, etc. and aren't required to provide referrals. The committee took exception to the lack of a requirement to refer, and discussion ensued. They discussed concern that the sentiment may come to Ohio, so they believe that they should not dismiss it altogether.

The number of visitors to the website doubled from 2004-2009. The counselor and social worker licensing sites were the most visited.

The Laws & Rules page was the most downloaded, followed by Social Worker applications, and then Counselor information.

Rough went to a Nursing board training, and introduced "Just Culture," a training booklet outlining how, at times, systems fail and aren't addressed in discipline issues. It offered a new filter through which to view discipline. He'd like a board member to attend the training when they, as a body, are further along.

The Board received a letter from HIPDB stating that there was a missing name of a disciplined licensee on our website, the issue was resolved.

Hegarty entered at 9:30 a.m.

The executive committee reviewed items that came from the planning meeting. They'll be finalized at the next meeting.

Karr asked if consolidation is an issue that's back on the table. Rough doesn't believe so. He believes that there is no savings to consolidate, in this case.

Kress would like to present to the AASCB regarding Ohio's mentoring initiatives. Rough stated that, if, the board believes it's important enough, funds could be found, but at this point, it doesn't appear to be critical.

Any issues, nationally, should be monitored, including test passage. Kress discussed that she hopes future boards monitor the test, it's use, and that a culture is created to have the test taken very seriously by all parties involved. Huss asked that the board to continue to review what is being gained by having two tests.

Greaser stated that there is a Federal House Bill for Tri-Care (Military Interns) for a licensee not being able to practice without passing the NCMHCE. Huss is concerned about the constitutionality for the law by specifically naming a test that is a money maker, for a private organization. Rough left at 9:47 a.m.

PC approval

Huss moved to approve the list of 89 PC applicants. Packard seconded. There was no additional discussion and the motion passed unanimously.

PCC Approval

Packard moved to approve the list of 39 PCC applicants. Kress seconded. There was no additional discussion and the motion passed unanimously.

Counselor Application Coordinator's Report

Elliot reported that Frazier processed 548 Counselor Trainee and Clinical Resident applications.

136 Exam packets were sent.

In July, there were 58 candidates for the NCE. 44 passed, and 14 were unsuccessful. There were 25 candidates for the NCMHCE. 15 passed, and 10 were unsuccessful.

In August, there were 61 candidates for the NCE 56 passed and 5 were unsuccessful. There were 26 candidates for the NCMHCE 21 passed and 5 were unsuccessful.

The committee voiced their frustration by the inconsistencies in the results.

Packard suggested that, perhaps, the summer term interns are accumulating hours during an abbreviated period of time, and not getting the same experiences.

Kress also suggested that, if a program is supplementing an out of state degree with classes will have a new transcript, they may not have, quite the same learning experiences and understandings.

Huss stated that a rehab program's results will still be reflected in the failure rate.

Kress shared that supplementary PhD programs also have the same issue.

Old Business

BGSU Rehab Program

Kress moved to approve the BGSU Rehab Program contingent upon their making the recommended changes. Packard seconded. Huss abstained. There was no additional discussion, and the motion passed, unanimously.

Ashland Course Review

Kress reported Ashland asked that an elective be included in their pre-approved status. The Board does not approve elective courses, and the course was not reviewed. Kress moved to approve their Counseling Tech Meeks lab per the Counseling Techniques requirement. Packard seconded. There was no additional discussion, and the motion passed, unanimously.

A course was presented to the committee called “Spiritual Themes in Clinical Counseling” with the request being that it be included in preapproval. Kress moved to reject this course, as it is not clinically focused. Huss Seconded. During the discussion, it was mentioned that the course is not treatment focused, even though it could be made to do so. The new textbook wasn’t related to intervention and treatment, nor did it show how the current book relates. It was mentioned that the syllabus is weak and not very detailed. There was no additional discussion, and the motion passed, unanimously.

New Business

Fees

Huss moved that the Committee support the concept of a fee for a second licensure certificate. Kress Seconded. There was no additional discussion, and the motion passed, unanimously.

Huss moved that the Committee support the concept of a fee for provider status and “per program” for CEUs. Kress Seconded. There was no additional discussion, and the motion passed, unanimously.

Banking, Custody & Records Custodian

Custody

Changes were made to help counselors understand their role and making some areas more concrete.

Huss moved to adopt the changes and move forward with them. Packard seconded. There was no additional discussion, and the motion passed, unanimously.

Banking

12 hours may be banked for renewal.

Huss moved to support the proposal. Gilyard Seconded. During the discussion, Venrick and Packard stated that they believe that the number of hours are excessive and that a more appropriate number would be 3, 4, 5 or no more than 6, with the fear that any more than this would lead to complacency of the licensee with respect to the spirit of their professional development.

Greaser confirmed that 15 hours may be renewed online.

Kress left at 10:17 a.m. and returned at 10:23 a.m.

The committee took a break at 10:22 a.m. and reconvened at 10:29 a.m.

There was no additional discussion, and the motion passed with Huss, Kress and Venrick supporting it, and Packard opposing it.

Rule 4757-9-05

Huss moved to accept the changes in Paragraph(C)(6) and (C)(7) regarding automatic approval for universities. Packard seconded.

During the discussion, Huss withdrew her motion. Kress shared that YSU does three CE programs/year for community, and she enjoys the freedom of not needing pre-approval. The discussion was tabled.

CEU Committee Report

Packard reported that Lisa Drummond from OSU came in and their provider number lapsed. The committee agreed to look at these issues on a case by case basis, and took a vote to agree upon having a punitive fee for these types of issues. An exception was made, stating that from now through November, all programs must be approved by Patty Miller. They will also apply for a CEU number that encompasses all three disciplines and must be approved by all three disciplines, as indicated by the application. They must also provide a corrective action plan.

They are still looking to hear back from INR about phone calls regarding programs offered that are medical in nature and not counseling based. They voted on Provider number fees, and punitive fees for lapsed numbers (they voted for a change in the statute).

Record Keeping

Huss moved to support the new record keeping rule. Kress Seconded. There was no additional discussion, and the motion passed, unanimously.

Correspondence

Samuel Manz

He wanted school counseling hours to count as indirect hours towards his internship requirement.

Kress moved that Jim Rough explore if Ohio University is allowing school settings to be included for clinical internships. Packard seconded. There was no additional discussion, as the motion passed, unanimously.

Huss moved to deny Manz's request and to cite the law. Kress seconded. There was no additional discussion, and the motion passed, unanimously.

Dr. Schwartz

Kress moved to explore the request to accept NBCC's *Approved Clinical Supervisor* credential as meeting the requirements of rule 4757-17-01 for supervision designation. Packard seconded. During the discussion it was mentioned that this would require a rule change, not a statute change.

There is concern that NBCC would approve CEUs that the committee would never approve.

Rough should find out NBCC's requirements and expectations.

The motion was then withdrawn.

Packard moved not to accept the NBCC Supervision Credential as proof of eligibility for Ohio's credential. Kress seconded. There was no additional discussion, and the motion passed, unanimously.

Kress recommended a survey among the supervisor applicants to see how the process works for them and see if they're finding enough trainings that meet Ohio's stringent Supervising Counselor Designation requirements.

Laura Tiberlan

She wants a PC license in Ohio and wants her Florida experience to apply for the PCC in Ohio.

Huss moves that her request be granted. Kress seconded. There was no additional discussion, and the motion passed, unanimously.

Remediation Plans

Vanessa Brown

Huss shared that she and Packard reviewed plans. She shared that, historically, the committee has allowed the weekend NCE Review workshops to suffice. An applicant is asking that her doctorate courses and a study guide suffice.

She went on to say that she wants to know if courses were taken before the test was failed.

Huss moved to accept the remediation plan of the "Professional Orientation" course at Cincinnati Christian University. Packard seconded. There was no additional discussion, and the motion passed, unanimously.

Andrew Moss

He failed the NCMHCE 3 times. The last time, he took the review workshop before sitting for the exam. He did not submit a remediation plan, he only requested us not to require him to remediate.

Huss moved to tell him to submit a remediation plan outlining a process of remediation. Packard seconded. There was no additional discussion, and the motion passed, unanimously.

Cathryn Mumford.

She enrolled in Cleveland State University as remediation.

Huss moved to approve her plan. Packard seconded. There was no additional discussion, and the motion passed, unanimously.

Renewal Issue (Post-Program Denial)

A CEU was only approved for Social Workers, even though it was advertised as being also for Counselors.

Packard moved to approve the renewal. Kress seconded. During the discussion, it was

stated that a letter will be sent to the provider, encouraging that future brochures should include the provider numbers as it is incumbent upon the licensee to assure that the program is approved. There was no additional discussion, and the motion passed, unanimously.

Huss moved to look at the Hospice agency making the claims of being approved for Counselors. Packard seconded. There was no additional discussion, and the motion passed, unanimously.

Rough entered at 11:38 a.m. and brought in further NBCC requirements for supervision, for the committee to consider.

Rough will also explore requirements and report back.

Huss said that it's a real privilege to work with the group and she challenged the committee to continue the high standards and nurture relationships with the professional organizations.

Kress mentioned that she appreciates Huss and Packard, and that she learned to question everything to help the cause.

Packard repeated that she regrets not seeking a 2nd term and that she enjoyed her time on the board. She embraces protecting the public.

Venrick thanked, both, Packard and Huss.

He meeting adjourned at 11:47 a.m.

MaryVenrick, Chair