



## ***Counselor, Social Worker & Marriage and Family Therapist Board***

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### **State of Ohio Counselor Professional Standards Committee Meeting November 18, 2010**

**Members Present were:** Ms. Maureen Cooper, Dr. Terri Hamm, 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 9:04 a.m. and welcomed Maureen Cooper and Terri Hamm to the Board and Professional Standards Committee. She encouraged them to ask questions, while advising that their duties will require some personal time. She went on to explain how the meetings work.

#### **Discussion/Approval of Agenda**

Gilyard moved to approve the agenda. Kress seconded. During the discussion, Kress added "Rule Review" and recommended that there be an appointment to the CEU committee. There was a brief discussion regarding some of the rules to the new board members. The motion passed unanimously.

Kress stated that she would review the PC and PCC applications.

#### **Appointments**

Venrick appointed Hamm to review the Out of State Endorsements along with the Remediation Plans.

The committee discussed testing statistics and incidents where test anxiety appeared to play a part in the test results, particularly for ESL (English as a Second Language) test takers that may, initially, read a question to mean something else.

They stated that remediation plans should address problem areas.

Cooper was appointed to the CEU committee.

Hegarty entered at 9:15 a.m.

## **Investigation Report**

Hegarty explained to the new board members how his report is done, and what it is. He passed out a list of cases reviewed by Kress and Dr. Susan Huss. Huss is no longer on the board, so Venrick will take over as the Investigations liaison.

Rough left at 9:22 a.m.

Kress moved to close the cases that were reviewed by Huss and her. Gilyard seconded. There was no discussion and the motion passed, unanimously.

Hegarty passed out a sheet regarding 4757-17-01-c-4

Kress recalled the discussion and discussed diagnostic assessments, treatment plans, ISPs, correspondence.

Hegarty shared that the committee should decide whether or not the rule should be changed and then change the rule if that was the consensus.

The committee agreed to discuss it, fresh, with the new members.

Hegarty, then, passed out correspondence from someone that committed a Class 5 felonious sex offense with a minor and was wondering whether it makes sense to even invest the time and money to go to school, the application process, etc.

Hegarty shared that the committee, at the time of the application, not the current board, makes the decision regarding his application.

The current committee stated that it was unfair to give him hope if they weren't likely to approve his application. They each agreed that if this was a current application, then they, each would decline signing off on it. A letter will be written that it is "Highly Unlikely" that he would be licensed by this board, but they can't determine that, now.

Hegarty requested an Executive Session.

At 9:32 a.m., Venrick called for an executive session. All board members answered roll call with "Yes." They returned from Executive Session at 9:50 a.m.

### **Impairment Evaluation**

Kress moved to order an impairment evaluation on case # 2010-21, including drug testing. Gilyard seconded. There was no discussion and the motion passed, unanimously.

### **Goldman Reviews**

#### ***Zoe Van Eaton***

Kress moved to deny Van Eaton's license as she doesn't meet the educational criteria. Gilyard seconded. There was no discussion and the motion passed, unanimously.

#### ***Amy Hansen***

Kress moved to deny Amy Hansen's license as she doesn't meet the educational criteria. Gilyard seconded. There was no discussion and the motion passed, unanimously.

*Kathleen Doyle*

Kress moved to revoke her license due to ostensible CEU compliance and audit failure. Gilyard seconded. There was no discussion and the motion passed, unanimously.

*Consent Agreement*

*Patricia Glens*

Gilyard moved to accept the amended consent agreement. Hamm seconded. Kress and Cooper recused themselves. There was no additional discussion and the motion passed, unanimously.

Gilyard shared that, in writing, the revised consent agreement, Hegarty and the past board members did a good job protecting the public.

Hegarty and Tingle left the room at 9:58 a.m.

Kress discussed the gravity of the investigative liaison position, particularly regarding ethics cases.

The committee, then, reiterated how they are charged with protecting the public.

Cooper shared that grace is important. She tends to err on the side of grace with the victim, as opposed to the perpetrator.

Rough entered the room at 10:11 a.m.

**Executive Director Report**

Rough reported that the associations have agreed to work on statute changes. All associations are in agreement for all but 1 issue.

The Supreme Court forwarded a letter regarding the issues with superintendent to appoint people.

There is no movement on the bills they've put up. HB 62 includes credit for veterans for their training, but our board can't do that since the schools issue the degrees and a Master's in counseling is required. HB62 also includes the removal of the exemption from licensure for civil service employees.

The Budget is filed. It will probably need to be redone when the new governor provides his direction.

The board will get a cheaper and more efficient internet connection via shared cost and use with another agency in the building.

Budget language will say we "may" charge fees, which are set by rule.

The statute requires at least three votes of “for” by the Professional Standards Committee members for a motion to pass. If only three are present, it must be a unanimous vote to pass.

The Bi-Annual state audit was done, and it went well.

4757-5-09; came from the planning meeting, regarding what is done, in private practice, with a client’s file if a counselor dies. The name, address, and phone number must now be on record.

4757-13-07: Counselor Program Approval will take “CACREP” by name, out of the rule, while maintaining the requirements.

Several other rules that are pending have been filed with JCARR.

Rough’s work plan is, in large part, based on the annual planning meeting.

Improving Disciplinary issues: an ad hoc committee was formed and he discussed how this was progressing.

The revised custody rule (4757-6-01) was approved.

They are looking to find ways to educate guardian ad litem, family practice attorneys, etc.

CEU issues are still being discussed, as well as consumer education and the civil service exemption.

The committee took a five minute break at 10:40 a.m. and returned at 10:45 a.m.

Cooper left for the CEU committee meeting at 11:12 a.m.

The committee worked on programs and licensure applications until the CEU committee report could be given.

**State of Ohio  
Counselor Professional Standards Committee Meeting  
November 19, 2010**

**Members Present:** Dr. Terri Hamm, Ms. Maureen Cooper, Ms. Mary Venrick, Dr. Otha Gilyard, Dr. Vicki Kress

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

Guests Present: Dr. Mona Robinson (Ohio Rehabilitation Association); Dianne Auerbach, President (ORA), Carrie Moreland (ORA)

Venrick called the meeting to order at 9:30 a.m.

### **Approval of Agenda**

Kress moved to approved agenda. Gilyard seconded.

Kress added “Rule Review”;

Venrick added “Language for Supervision paperwork”, “Remediation plans”, and “CEU report”

There was no discussion and the motion passed, unanimously.

### **Approval of September ‘10 Minutes**

Kress made the following change:

In the “Correspondence” section under “Dr. Schwartz,” the words “enough” and “supervisor credential” were added to read “Kress recommended a survey among the supervisor applicants to see how the process works for them and see if they’re finding *enough* training that meets Ohio’s stringent *supervisor credential* requirements.”

In the “Remediation Plans,” section under “Vanessa Brown”, the words “NCE Review” were added to read “She shared that, historically, the committee has allowed the weekend *NCE review* workshops to suffice.”

In the “Renewal Issue (Post-Program Denial)” section, under “Rule 4757-9-05,” the words “of not needing preapproval” were added to read “Kress shared that YSU does three CE programs/year for community, and she enjoys the freedom of not needing preapproval.”

In the “CEU Committee Report” section, “CEU” was added to read “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.”

Under Correspondence, in “Samuel Manz’s” section, “If” was added and “Is” replaced “for” was added to read “Kress moved that Jim Rough explore if Ohio University is allowing school settings to be included for clinical internships”.

Under “Ashland Course Review,” “It’s not what the board does, so it won’t be approved,” was replaced with “The board does not approve elective courses and the course was not reviewed.”

Also “Relates” replaced “is” to read “The new textbook wasn’t related to intervention and treatment, nor did it show how the current book relates.”

In the “Banking” section of “New Business”, “And it’s use” was added, to read “Kress discussed that she hopes future boards monitor the test and it’s use, and that a culture is created to have the test taken very seriously by all parties involved.”

In the CEU Committee Report section, “Who” replaced “That,” and “they” was removed, to read:

“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”.

Kress moved to approve the amended minutes. Gilyard seconded. There was no additional discussion, and the motion passed, unanimously.

### **CEU Report**

Cooper reported that the CEU committee discussed INR’s CEU offerings, and how they discuss, mostly, medical issues, with not very many having to do with counseling. INR’s not been responsive to Rough’s attempt to contact them. They agreed that, if INR does not reply by January, then their provider status may, then, be revoked.

There will be a yet to be determined fee for provider status (i.e. \$100/2years or \$25/program) to pay for more audits for license renewals.

Gilyard shared that the suggestion made sense and that the fees were neither exorbitant, nor arbitrary.

Fines for non-renewal of provider status were another topic discussed regarding providers who provided after their provider number expired.

Gilyard recommended notification to forewarn providers that a fine for non-compliance The Spirituality issue for continuing education (to discuss religious modalities that aren’t very tied to counseling) did not have any current issues to discuss.

### **Remediation Plans**

Hamm reported that a very good remediation plan was submitted. That was developed with her supervisor, including supervision, coursework at the University of Akron, and she ordered a program; self study is pending.

Gilyard confirmed that this is an employee at Mount Union College. He expressed concern regarding the amount of help (or lack thereof) some test takers receive and perhaps the committee could format a helpful way to make recommendations.

Cooper offered that if she requires an accommodation, it would be available.

Hamm shared that it wasn’t offered and it didn’t come out in an academic setting, but she’s happy with the remediation plan.

Cooper moved to accept the remediation plan. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

### **CEU Correspondence**

One licensee, Christy Danzuso, offered that she and others were frustrated that Counselors are not able to achieve 30 CEUs online or home study. Rhonda Franklin replied and forwarded her reply to the committee.

Kress shared that the professional standards committee's and the other standards committees at the Board don't need to agree.

She shared that all other, along with previous, committee Counselor Board members were strongly for face-to-face hours. All current committee members (except Kress and Hamm) don't have strong opinions about it one way or the other.

The committee believes that Franklin responded appropriately.

The next correspondent shared that she needs 60 CEUs for her 2011 renewal (though Franklin shared that this is not due until 2012).

She is writing a book, along with some other coursework.

Franklin offered that she was unable to provide guidance for her pre-novel work.

Kress shared that the committee can't regulate what the university approves, so if the university works with her and approve it, and it's related to their field, they can accept it.

The question arose that if the coursework was completed in another department (non-counseling) then it shouldn't be approved. This is supported by the rules.

Franklin arrived at 10:05 a.m. and shared that this wasn't an independent study, it's a special project. The committee discussed that this is a fiction novel, but even then, the research isn't approvable before it's finished, verified, and published.

Kress expressed concerns regarding when the "Special Project" provision was added, and she discussed with Rough regarding the type of judgment that was used.

Kress moved to deny the request for a licensee to write a novel and have it accepted for CEUs. Gilyard seconded. There was no additional discussion, and the motion passed, unanimously.

Franklin left at 10:10 a.m.

### **PC approval**

Kress moved to approve the list of PC applicants. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

### **PCC Approval**

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

### **Counselor Application Coordinator's Report**

Elliot reported that Frazier processed 590 Counselor Trainee and Clinical Resident applications.

143 Exam packets were sent.

In September, there were 57 candidates for the NCE. 51 passed, and 6 were unsuccessful. There were 23 candidates for the NCMHCE. 18 passed, and 5 were unsuccessful.

In October, there were 34 candidates for the NCE 28 passed and 6 were unsuccessful. There were 19 candidates for the NCMHCE 9 passed and 10 were unsuccessful.

Kress shared the history of the various tests that have been offered for licensure, and their relationship with the NBCC, the state, etc. She expressed validity concerns with the exam as one of the best NCE passage rate states that require a 60 hour Masters in Counseling degree, if we have one of, if not the, worst NCMHCE passage rates.

Gilyard shared that in other professions, a 50% passage rate for the NCMHCE would not be tolerated.

Kress recommends that a more critical eye should be applied to this issue of the exams & passage rates and she would like to invite future committees to keep this as a priority.

### **Rule Review**

4757-13-07

Kress offered edits changing the language from "CACREP" to "CACREP-similar," etc. She wants to include additions, college counseling (as CACREP has these requirements).

The committee wants the language to be much more specific. There's a lot of general language, particularly language that suggests the supervisor is responsible to make sure the supervisee turns in their paperwork.

### **Custody Evaluation Changes**

The committee confirmed that a pre-existing therapeutic relationship may not exist if a custody evaluation will be done.

The Guardian ad litem is only allowed to speak of the therapy that they are providing. There was concern, as often, more than just the one client is being treated.

Kress moved to change the wording on 4757-17-01-(5) to read:

"The PCC-S supervisor shall sign off on all diagnosis, change in diagnosis, ISPs, Treatment plans, and correspondence to any third party outside of the agency.

Gilyard seconded. There was no additional discussion and the motion passed unanimously.

Franklin shared 4757-9-06; it doesn't state "Special Projects."

Kress shared that the committee isn't in the business of approving research projects, as they are a counseling regulatory board.

Cooper shared that the applicant (novel author) didn't provide the items listed in the rule.

Franklin left at 10:49 a.m.

### **Correspondence**

#### *Melissa Allen-Wilder*

She got un-licensed experience as an intern in Florida and wants it counted; the supervisor was a mental health counselor and psychologist. She was registered to the Florida Board.

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

#### *Christy Danzuso*

This was discussed earlier in the meeting.

Cooper moved to deny her request for 30 CEUs to be allowed as distance learning. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

#### *Margaret Harris*

Kress shared that the committee can't legally grant a PC license without passing the NCE.

Kress moved to reject the request to acknowledge a failed exam as passed. Cooper seconded. There was no additional discussion, and the motion passed, unanimously.

Rough entered at 10:57 a.m.

#### *Emily Fleisher*

Rough referred to the correspondence that Hegarty and the Board's Assistant Attorney General (AAG) reviewed.

The AAG suggested **considering** changing wording, but that nothing illegal or unethical was being done.

Kress shared that the committee would want to make more of a good faith effort to be more generic when referring to health issues, but the minutes reflect what was discussed.

Cooper moved that the committee will make a good faith effort to be more generic when referring to health issues, while continuing to have the minutes reflect what was discussed. Kress seconded. There was no additional discussion and the motion passed unanimously.

### **Continuing Education Item**

Rough shared that, regarding 4757-9-06, he placed, in a newsletter, that different alternatives to CEUs exist, and listed it.

Gilyard shared that, currently, the application wasn't valid, but a future one may be.

The committee mentioned that their concerns with NCMHCE passage rates and their concerns with its validity.

Representatives of the Ohio Rehabilitation Association entered at 11:06 a.m. to present to the committee.

They asked the committee to reconsider their application for CEU provider status.

Moreland shared that the counseling process is essential.

Venrick confirmed that approximately 70-90 courses were presented, and Kress shared that the way the items were presented would've influenced the denial.

Robinson shared that, along with presenting a way that shows how it applies to counseling, they will better screen which programs are submitted for approval.

They agreed to include and present more information to make the next presentation more likely to be approved.

The O.R.A. reps left at 11:18 a.m.

### **Correspondence**

Carrie Miller

Kress moved to inform the applicant that the required evaluations must be submitted, and if she submits the required forms to the supervisor, then the supervisor is required to complete and submit it. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

Judy Reist

She wants her six years of professional work to be accepted as her practicum, along with the additional hours of coursework that she'll complete.

Kress shared that the rule states a coursework for her practicum is required.

Hamm shared that in Pennsylvania this practice may be allowed, but this doesn't validate it in Ohio.

Kress moved to deny the request. Gilyard seconded. There was no additional discussion and the motion passed.

Linda Stockton

Elliott confirmed that she was licensed via endorsement as a PC and had appropriate supervision. She wasn't licensed for two years.

Kress moved to deny the request to include West Virginia hours to count towards the PCC. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

Lee Wetherbee  
He has a PhD in Psychology, and wanted to know if a PCC could, hypothetically, or a student could list him or herself as a Doctor, if the doctorate in Ministry is in “Formation of Prayer.”  
Hosom and Gilyard’s belief is that this is misleading. Cooper agreed.  
Kress moved to send Wetherbee a letter advising that, after consultation, it is misleading to formally list one’s self as a Doctor, after the PCC. Gilyard seconded. There was no additional discussion and the motion passed unanimously.

**Program Review**

*Bowling Green State University*

Kress reviewed BGSU Rehabilitation Counselor program re-submission of the rehab counseling materials and found it satisfactory.

The meeting adjourned at 11:38 a.m.

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**Mary Venrick, Chair**