

MINUTES September 17, 2021
Louisiana Licensed Professional Counselors Board of Examiners
DRAFT

The meeting was called to order by R Salgado at 12:30 PM. N Pierce took the roll call and determined a quorum was present.

Members Present (Via Zoom):

E Airhia
R Cathey
L Fazio-Griffith
C Guillotte
C Hebert
E Johns
J Mims
F Nash
N Pierce
R Salgado
K Tyner

Staff Present (Via Zoom):

J Doming
R Lundin

Guests Present (Via Zoom):

J Raines
M Brown
E Dixon
M Perry
Y Pogue
V Rodriguez

Agenda

R Salgado asks to approve the agenda. E Airhia motions to accept. L Fazio-Griffith seconds. N Pierce indicates that a piece of correspondence from the Louisiana Department of Education needs to be added to the agenda. E Airhia motions to accept the amended agenda. L Fazio Griffith seconds. All in favor. No opposed.

Board Meeting Minutes

E Airhia motions to accept the July Board Meeting minutes. L Fazio-Griffith seconds. All in favor. No opposed.

Committee on Legislative Affairs Report: C Guillotte, E Airhia, J Mims, E Johns
Presented by C Guillotte. Not currently in legislative session and not aware of any legislation pending.

E Airhia asks about update on the LDH manual regarding the SMI language. J Doming states that we have not received an update but will reach out to LDH again and will provide committee with any updates. Adrienne Trogden from LCA is not available for meeting. Previously communicated that LCA will be meeting with Representative Stagni next month regarding the licensing compact and will be able to provide update after that for November meeting.

Committee on Disciplinary Affairs Report: R Salgado, N Pierce, K Tyner, J Raines, J Doming

Consent Agreement, #16/17-03, LPC #2775, #MFT492 presented by J Raines. R Cathey motions to accept Consent Agreement, #16/17-03, LPC #2775, #MFT492. C Guillotte seconds. All in favor. No opposed.

Consent Agreement, #17/18-69, LPC #4743 presented by J Raines. J Mims motions to accept Consent Agreement, #17/18-69, LPC #4743. N Pierce seconds. All in favor. No opposed.

Voluntary Surrender, #19/20-139, LPC #7050 presented by J Raines. J Doming informs the Board that information will be sent to the Georgia state licensure Board. E Airhia motions to accept Voluntary Surrender, #19/20-139, LPC #7050. L Fazio-Griffith seconds. All in favor. No opposed.

R Salgado presents the Disciplinary Affairs Committee Report:

Unofficial Complaints Received since July 15th, 2021:

- | | | |
|----|----------|------------------------------------|
| 1. | 21/22-7 | Practicing without License |
| 2. | 21/22-9 | Dual Relationship |
| 3. | 21/22-11 | Misrepresentation; expired license |
| 4. | 21/22-16 | Dual Relationship |
| 5. | 21/22-22 | Insurance Fraud |
| 6. | 21/22-29 | Unprofessional Conduct |
| 7. | 21/22-30 | Misrepresentation |

Official Complaints Received since July 15th, 2021:

- | | | |
|----|----------|-------------------------------------|
| 1. | 21/22-3 | Sexual Misconduct |
| 2. | 21/22-4 | Sexual Misconduct/Dual Relationship |
| 3. | 21/22-5 | Unethical Conduct |
| 4. | 21/22-6 | Unethical Conduct |
| 5. | 21/22-8 | Confidentiality |
| 6. | 21/22-10 | Unethical Conduct/Dual Relationship |
| 7. | 21/22-12 | Unprofessional Conduct |
| 8. | 21/22-13 | Confidentiality |
| 9. | 21/22-14 | Unprofessional Conduct |

10. 21/22-15	Unethical Conduct
11. 21/22-16	Dual Relationship
12. 21/22-17	Dual Relationship
13. 21/22-18	Confidentiality
14. 21/22-19	Unethical Conduct
15. 21/22-20	Duplicate Complaint
16. 21/22-21	Sexual Harassment
17. 21/22-23	Illegal Activity; Identity Theft
18. 21/22-24	Unethical Conduct
19. 21/22-25	Unethical Conduct
20. 21/22-26	Illegal Activity *
21. 21/22-27	Fraudulent Application *
22. 21/22-28	Negligence *

Cases to Open:

1. 21/22-3	Sexual Misconduct
2. 21/22-9	Dual Relationship
3. 21/22-10	Unethical Conduct/Dual Relationship
4. 21/22-13	Confidentiality
5. 21/22-15	Unethical Conduct
6. 21/22-16	Dual Relationship
7. 21/22-17	Dual Relationship
8. 21/22-19	Unethical Conduct
9. 21/22-21	Sexual Harassment
10. 21/22-22	Insurance Fraud
11. 21/22-23	Illegal Activity; Identity Theft
12. 21/22-26	Illegal Activity *
13. 21/22-27	Fraudulent Application *
14. 21/22-28	Negligence *
15. 21/22-29	Unprofessional Conduct
16. 21/22-30	Misrepresentation

Complaints to Close:

1. 17/18- 69	Consent Agreement *
2. 15/16-03	Consent Agreement *
3. 19/20-139	Voluntary Surrender *
4. 20/21-115	False Application *
5. 20/21-119	Patient Abandonment
6. 20/21-125	Scope of Practice
7. 20/21-129	Unethical Conduct
8. 20/21-130	Unethical Conduct
9. 20/21-149	Misrepresentation
10. 20/21-153	Unprofessional Conduct

- | | |
|---------------|------------------------|
| 11. 20/21-154 | Unprofessional Conduct |
| 12. 21/22-15 | Unethical Conduct |
| 13. 21/22-26 | Consent Agreement * |

Complaints to Dismiss:

- | | |
|--------------|-----------------------|
| 1. 20/21- 64 | Not Licensed |
| 2. 20/21-131 | Duplicate Complaint |
| 3. 21/22- 5 | Not Licensed |
| 4. 21/22- 6 | Duplicate Complaint |
| 5. 21/22- 7 | Not Licensed |
| 6. 21/22- 11 | Not Licensed |
| 7. 21/22- 12 | No evidence/witnesses |
| 8. 21/22- 20 | Duplicate Complaint |
| 9. 21/22- 24 | No evidence/witnesses |

TOTAL OPEN CASES TO DATE: 88

Case Hearings Scheduled:	21/22-126
Pending Legal Action:	20/21-34
Overdue Responses:	19/20-110 20/21-34 20/21-91

No Public Comments

N Pierce motions to accept the Committee on Disciplinary Affairs Report. K Tyner seconds. All in favor. No opposed.

Committee on Licensure/Supervision/Appraisal Report LPC: J Mims, R Salgado, L Fazio-Griffith, E Johns

L Fazio-Griffith presents the LPC Committee on Licensure/Supervision/Appraisal Report

Total Number of LPC Applications Reviewed: August & September 2021				
Application	Aug	Sept	Expedited	Total
LPC Application for Licensure	11	9	20	40
<i>38 APPROVED; 2 DENIED</i>				
LPC Endorsement Application	2	5	6	13
<i>12 APPROVED; 1 DENIED</i>				
PLPC Application (Section 1, 2, 3)	21	23	40	84
<i>74 APPROVED; 7 DENIED; 3 INCOMPLETE</i>				
PLPC Application: Section 1 Only	0	1	0	1
<i>0 APPROVED; 1 DENIED</i>				
PLPC Application: Section 1 and 2 Only	0	0	0	0
<i>NA</i>				
PLPC Application: Section 2 Only	0	0	0	0
<i>NA</i>				
PLPC Application: Section 2 and 3 Only	0	0	0	0
<i>NA</i>				
PLPC Application: Section 3 Only	0	0	0	0
<i>NA</i>				
LPC Supervisor Application	8	8	4	20
<i>18 APPROVED; 0 DENIED</i>				
Appraisal Privilege	0	0	0	0
<i>NA</i>				
PLPC: Change/Add Supervisor	17	7	0	24
<i>24 APPROVED</i>				
PLPC Practice Setting Updates	44	34	0	78
<i>78 APPROVED</i>				
PLPC Audited Renewal Approvals				1
PLPC Standard Renewal Approvals				29
LPC Audited Renewal Approvals				14
LPC Standard Renewal Approvals				0
Telehealth Approvals				159
Total LPC Applications Reviewed	103	87	70	463
<i>Expedited: Totals from Approvals from 7/14/2021 to 9/14/2021</i>				

M Brown states that she submitted reinstatement correspondence to the Board. License was not renewed in 2016. Requesting that the Board reinstate her license without completion of additional coursework.

L Fazio- Griffith states that Board Rules state that once a license has expired, one must fulfill the current licensure requirements and current educational requirements would include these 3 graduate courses.

M Brown asking that the Board waive those coursework requirements.

L Fazio- Griffith Board Rules state that once license is expired, you must fulfill current licensure requirements and educational requirements would include those 3 graduate courses.

R Salgado states that the Board will go into executive session later in the meeting and the Board will need to discuss case during executive session. Will be notified of Board's decision.

Y Pogue submitted correspondence to the Board. Began doctoral program at the University of New Orleans three years ago that consists of a counselor supervision component. Requesting that the Board consider reducing the amount of time taken to obtain LPC-S for those who have completed a CACREP accredited doctoral program be eligible to obtain LPC-S designation upon graduation.

R Salgado states that this will be discussed during executive session. No further public comments.

K Tyler motions to accept the Committee on Licensure/Supervision/Appraisal Report LPC report. J Mims seconds. All in favor. No opposed.

L Fazio-Griffith presents appeal from T Senegal. Appeal will be reviewed during executive session.

L Fazio-Griffith states that the Licensure Committee would like to make recommendation for endorsement applicants that they be allowed to have application processed and approved and allow them 90 days to complete background check.

J Doming states that endorsement applicants have been licensed in another state and are required to meet all current licensure requirements. It is in our statute that allows them to complete background check within 90 days. Applicant can submit application if they meet all licensure requirements, they could begin practice in Louisiana once approved without having to wait until the background check results are received.

G Guillotte expressed concern about foregoing background check and the liability that the Board may have.

L Fazio-Griffith motions to accept the recommendation of the Licensure Committee. No second. R Salgado states that this will be discussed further in executive session.

Committee on Licensure/Supervision/Appraisal Report LMFT: C Guillotte, F Nash, R Cathey, K Tyner

C Guillotte presents that 5 PLMFTs have requested to take National MFT Exam. A total of 6 PLMFTs sat for the National MFT Exam of which 3 passed and 3 failed.

R Cathey presents report.

Total Number of LMFT Applications Reviewed:				
August & September 2021				
Application	Aug	Sept	Expedited	Total
LMFT Application for Licensure	0	0	2	2
<i>2 APPROVED; 0 DENIED</i>				
LMFT Endorsement Application	1	0	1	2
<i>2 APPROVED; 0 DENIED</i>				
PLMFT Application (Section 1, 2, 3)	2	4	2	8
<i>7 APPROVED; 1 INCOMPLETE</i>				
PLMFT Application: Section 1 Only	0	0	0	0
<i>NA</i>				
PLMFT Application: Section 2 and 3 Only	0	0	0	0
<i>NA</i>				
PLMFT: Change/Add Supervisor	0	0	0	0
<i>NA</i>				
PLMFT Practice Setting Updates	3	1	0	4
<i>4 APPROVED</i>				
LMFT Supervisor	0	1	0	1
<i>1 APPROVED; 0 DENIED</i>				
LMFT Supervisor Candidate	0	0	0	0
<i>NA</i>				
PLMFT Audited Renewal Approvals				1
LMFT Audited Renewal Approvals				0
Total LMFT Applications Reviewed	6	6	5	18
<i>Expedited: Totals from Approvals from 7/14/2021 to 9/14/2021</i>				

C Guillotte motions to accept the Committee on Licensure/Supervision/Appraisal Report LMFT. L Fazio-Griffith seconds. All in favor. No opposed. No public comments.

Committee on Rules: J Mims, L Fazio-Griffith, E Johns, R Salgado, R Cathey

Presented by Fazio Griffith

Board Rules finalized in the LA State Register:

Ch. 6, 605 A.2.c. technical change to allow 100% supervision online for PLPCs

Ch. 33, 3315 B and C.2. technical change to allow 100% supervision online for PLMFTs

Ch. 1, 111 B. Notification of Arrest within 30 days for LPCs and provisional licensees

Ch. 27, 2709 B. Notification of Arrest within 30 days for LMFTs and provisional licensees

Rules Committee would like to clarify what constitutes direct vs indirect hours and broaden definitions.

L Fazio-Griffith clarifies that this is only for students that are enrolled in a doctoral program.

C Guillotte expresses concern with expanding the term. Does not consider supervision to be counseling or watching someone provide counseling is not direct.

E Airhia states that the Board needs to draw line. Come back and deal with this issue in the next 2 months. What do counseling-related activities mean to the Board. Need to reflect upon what counseling related duties are.

F Nash states that with MHR, struggling with what really constitutes as counseling specifically with CPST and PSR. Would vote to table with further discussion.

F Nash motions to table discussion. E Airhia seconds. All in favor. No opposed.

L Fazio-Griffith motions to accept the committee on rules report. C Guillotte seconds. All in favor. No opposed.

Recess

R Salgado motions to recess at 1:32 PM.

R Salgado motions to reconvene at 1:42 PM.

Committee on Professional Assistance Program Report: R Cathey, E Airhia, L Fazio-Griffith

Presented by E Airhia. Working committee always on standby.

No questions or comments.

E Airhia motions to accept the Committee on Professional Assistance Program report. C Guillotte seconds.

Marriage and Family Therapy Advisory Committee Report: R Cathey, C Guillotte, K Tyner, F Nash

Presented by R Cathey. MFTAC met in the morning prior to Board meeting. Found a place in the rules that are not up to date. Specifically, 3316 D & E regarding the number of CEHs needed for a PLMFT to renew is incorrect. Will use language from PLPC rules to correct PLMFT renewal requirements.

Have adapted presentation for both LMFT-S and LPC-S. LCA conference has been rescheduled. Working on making sure presentation is accurate. Extending invitation to attend meeting in November. Promote the profession and encourage those that are interested in supervising. MFTAC has appointments that need to be made and alerting association to fill those positions.

No questions or comments.

No public comments

K Tyner motions to accept the Marriage and Family Therapy Advisory Committee report. E Airhia seconds.

Committee on Correspondence: N Pierce, R Salgado

Name Change Fee correspondence presented by N Pierce.

J Doming states that financially name change fees include about \$2600 per year. Research does indicate that other states do not require this fee.

G Guillotte states that allocation that only women are affected is not true. Costs money for the Board to make this change.

J Doming indicates that it does take time for staff to process.

J Mims states that she would be in favor of waiving fee for name change. You have the option of practicing under current name. Agreeable to the name change fee and keep the wall certificate fee.

R Cathey motions to accept the name change fee being removed but still maintaining certificate fee. J Mims seconds. All in favor. No opposed.

Letter from the Louisiana Department of Education received night prior to Board meeting asking for clarification on activities that are appropriate in school settings presented by N Pierce.

J Mims states that confidently and privacy is a huge problem in school setting. Ask that this be sent to licensure committee for further discussion.

J Doming states that they are seeking scope of practice for LPC working within school setting. LDH is not wanting to confirm what they may or may not do in a school setting. Need to review and provide statement for LDH.

R Salgado states that the Licensure Committee will review the correspondence and provide feedback at later date.

Correspondence committee motions to accept report. L Fazio-Griffith seconds. All in favor. No opposed.

Executive Director Report: J Doming

Discipline and PAP Work ;Calls w/Jim Raines; Reviewed Multiple Cases and Draft CAs; Meeting with Committees; Preparation for Administrative Hearing; PAP Correspondence with Assurance Recovery Monitoring;Correspondence Follow Up and Applicant Issue Resolution ;Corresponding and providing information for the Performance Audit; Radio Advertisement; Civil Service reporting on personnel; Submitted State Reports (SEFA,OSRAP AP Report ,AFR, Risk Exposure Report Cash Management Report); E-Newsletters for Provisional Renewals; Website updates ;Rules meeting and correspondence with over sight committees; Financials (Staff Payroll, Deposits, Accounts Payable, Authorize.net report/reconciliation); Set up automatic electronic financial transfers for NPDB; OLRC Meeting

No Public Comments

K Tyner motions to accept the Executive Director report. F Nash seconds. All in favor. No opposed.

Review of Financial Reports:

July 2021 Financials presented by J Doming

No questions.

No public comments

N Pierce motions to accept the financial report. K Tyner seconds. All in favor. No opposed.

L Fazio-Griffith motions to move into executive session. R Cathey seconds.

Executive Session

New Business

LCA Conference to be rescheduled

Training Certificates-Ethics, Sexual Harassment, and Driver

Next Board Meeting: Date/Time November 19th at 12:30pm

E Airhia motions to close meeting. All approve.

Adjourn at 2:52 pm

