

# ALABAMA BOARD OF EXAMINERS IN COUNSELING

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## MINUTES

Board Meeting  
January 13, 2023

The Alabama Board of Examiners in Counseling (ABEC) held its regular meeting on Friday, January 13, 2023, to conduct business. The meeting was held at the Board's office located at 2777 Zelda Road in Montgomery, Alabama. Members in attendance were Ms. Deanna Tidwell (Board Chair), Dr. Debra Atchison (Board Vice Chair attending virtually), Dr. Sheila Webb (member attending virtually), Dr. Sherrionda Crawford (new member), Ms. Anjanette Robinson (new member), Dr. Glenn Hollingsworth (new member) and Ms. Jessie Bowie (new member arriving at 9:20 a.m.). Also in attendance were Mr. Keith Warren (Acting Executive Director), Ms. Hendon Coody (Board Legal Counsel), Mrs. Cindy Edgar (Assistant Director), Dr. Charlotte Daughhetee (Academic Reviewer), Ms. Karen Harlow (Legal Assistant), Ms. Sheila Dopson (Licensing Specialist), Mr. Mike James (Investigator) and Ms. Renee' Reames (Recording Secretary). Public guests were also present: Dr. Latofia Parker, Board liaison with the Counseling Compact, Dr. Nisha Warbington and Dr. Brad Willis with the University of West Alabama, Dr. Heath Willingham with Faulkner University, Ms. Necoal Driver and Dr. Jane Coleman with the Alabama Counseling Association.

### CALL TO ORDER

Ms. Tidwell, Board Chair, called the meeting to order at 9:04 a.m. The regularly scheduled meeting was advertised to the public on the Board's website, ([www.abec.alabama.gov](http://www.abec.alabama.gov)), as well as the Secretary of State's website, ([www.sos.alabama.gov](http://www.sos.alabama.gov)), in accordance with the Alabama Open Meetings Act. Mr. Warren called official roll and a quorum of the members was in attendance. Mr. Warren read the Opening Statement regarding Robert's Rules of Order, and Chairperson Tidwell welcomed attendees and the board members were introduced.

Mr. Warren administered the oath of office to the following new members: Dr. Crawford, Dr. Hollingsworth and Ms. Robinson.

### APPROVAL OF MEETING AGENDA

Chairperson Tidwell presented the Board meeting agenda for the Board's approval. A copy of the agenda was provided to the Board members prior to the meeting for their review.

MOTION: Dr. Atchison made a motion to approve the January 13, 2023, meeting agenda as presented. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

### APPROVAL OF MEETING MINUTES

Chairperson Parker presented the minutes from the November 4, 2022 regular meeting.

MOTION: Dr. Atchison made a motion to approve the November meeting minutes as presented. The motion was seconded by Dr. Crawford and approved by the Board.

Chairperson Parker presented the amended minutes from the July 22, 2022 regular meeting.

MOTION: Dr. Hollingsworth made a motion to approve the amended July meeting minutes as presented. The motion was seconded by Dr. Crawford and approved by the Board.

Ms. Bowie arrived at 9:20 a.m. Mr. Warren administered the oath of office to new Board member, Ms. Bowie, and she was introduced to those in attendance.

## **EXECUTIVE DIRECTOR REPORT**

Mr. Warren introduced Board staff and staff with Smith Warren Management Services to the new Board members and guests. He presented the Executive Director report to include financial activities of the Board for the period ending December 31, 2022. He reported that use of funds would be discussed at a future Board meeting, along with establishing committees by the new Board Chairperson. He also reported on licensing activities during the fiscal year and reported on the number of licensees (report available in Official Book of Minutes). He reported on the number of complaints received by the Board in fiscal year 2022 which totaled 56 cases, and the 6 cases that had been received to-date in fiscal year 2023.

Mr. Warren recommended that a Board Training session be held separate from the Board's business meeting.

MOTION: Dr. Crawford moved that the financial report be accepted. The motion was seconded by Ms. Robinson and unanimously approved by the Board.

## **LEGAL COUNSEL REPORT**

Ms. Coody presented the Legal Counsel report and reported that the Investigative Committee (IC) had met to review complaints received by the Board. She explained that reports from the IC to the Board were by case number to remove any prejudices in cases and that Mr. James would be presenting the report during her report.

Ms. Coody explained the Board members' liability when acting outside of the full Board and she indicated that more information would be presented on this matter during the Board training session.

She reported that she had been busy rewriting the Board's statute and a draft of the changes to the Board's statute would be distributed to the Board and would be on the next meeting agenda for the Board's approval. The Board discussed including in these changes the authority to assess the Respondent in Administrative Hearings for the cost of hearings, on a case-by-case basis.

MOTION: Dr. Hollingsworth made the motion to include in the proposed changes to the statute the authority to assess hearing cost as discussed. The motion was seconded by Ms. Robinson and unanimously approved.

The Board further discussed including the authority to define any terms not previously determined by the Legislature in the Board's statute and Ms. Coody referenced the recent employee/independent contractor matter presented to the Attorney General's office.

MOTION: Dr. Crawford made the motion to include in the proposed changes to the statute the Board's authority to define any terms not previously determined by the Legislature, as discussed. The motion was seconded by Ms. Bowie and unanimously approved by the Board.

Ms. Coody recommended that the Board continue with establishing a Wellness Program through the Alabama Physician's Health Program (APHP). She reminded the Board that they had voted to contract with APHP to manage the Wellness Program for treatment, and Dr. Rob Hunt was formulating the program for the Board, e.g., boundary issues, ethics, and addiction.

Ms. Coody recommended that the Board approve a list of courses available to licensees for boundary, ethics and mental health subject matter. She reported that some courses are virtual training and others are in-person training. She explained that the Board was responsible for the administrative cost of the Wellness Program and the licensee was responsible for cost of the treatment and courses.

MOTION: Dr. Crawford made the recommendation to approve the list of courses for the Wellness Program as presented by Ms. Coody and to continue to look for other alternatives to include as Wellness Program courses. The motion was seconded by Ms. Robinson and unanimously approved by the Board. (A list of courses is available in the Official Book of Minutes.

Dr. Atchison asked to be removed from the Wellness Committee, since currently serving as the Supervision Committee chairperson.

MOTION: Ms. Bowie made a motion that the following members serve on the Wellness Committee: Dr. Hollingsworth, Ms. Robinson and Ms. Bowie. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

Investigative Committee (IC) Report: Mr. James reported on the following recommendations from the IC for Board action:

- Case 2022-032 – Dr. Webb made a motion to approve the recommendation of the Investigative Committee to administratively close the case. The motion was seconded by Dr. Hollingsworth and unanimously approved by the Board.
- Case 2022-100 - Dr. Webb made a motion to approve the recommendation of the Investigative Committee to administratively close the case. The motion was seconded by Dr. Hollingsworth and unanimously approved by the Board.
- Case 2022-053 - Dr. Atchison made the motion to approve the recommendation of the Investigative Committee to close the case as unfounded with no evidence to support the allegations. The motion was seconded by Ms. Robinson and unanimously approved by the Board.
- Case 2023-003- Dr. Atchison made the motion to approve the recommendation of the Investigative Committee to close the case as unfounded with no evidence to support the allegations. The motion was seconded by Ms. Robinson and unanimously approved by the Board.
- Case 2023-004 - Dr. Atchison made the motion to approve the recommendation of the Investigative Committee to close the case as unfounded with no evidence to support the allegations. The motion was seconded by Ms. Robinson and unanimously approved by the Board.
- Case 2023-0005 - Dr. Atchison made the motion to approve the recommendation of the Investigative Committee to close the case as unfounded with no evidence to support the allegations. The motion was seconded by Ms. Robinson and unanimously approved by the Board.
- Case 2023-006 – Dr. Crawford made the motion to approve the recommendation of the Investigative Committee to close the case due to having no jurisdiction. The motion was seconded by Ms. Bowie and unanimously approved by the Board.

Counseling Compact Licensing Report: Dr. Latofia Parker reported that Governor Ivey had signed the Counseling Compact Act and, while serving as Board Chair, she had attended the inaugural meeting held in October 2022. She distributed a copy of the December 14, 2022, Counseling Compact Executive Committee Meeting Minutes. She updated that Board on the progress made by the Counseling Compact to organize and obtain funding. She reported that she had been serving on the Executive Committee and the Finance Committee of the Compact.

MOTION: Dr. Atchison made the motion to approve Dr. Parker as Board representative and liaison between the Board and the Compact. The motion was seconded by Ms. Robinson and unanimously approved by the Board.

## **OLD BUSINESS**

Supervision Committee Report: Dr. Atchison reported that she and Ms. Michelle Pruitt were the remaining members on the Supervision Committee. Chairperson Tidwell called for volunteers to serve on the Committee and Dr. Crawford volunteered. Dr. Atchison reported on the work by the Committee that had

previously been presented and forms approved for supervision oversight. She reported that she would have additional information at the next Board meeting.

Chairperson Tidwell called a recess of the Board at 10:25 a.m. for approximately 20 minutes. Chairperson Tidwell reconvened the Board meeting at 10:43 a.m.

Report on Proposed Statute Changes: Ms. Coody indicated, by her earlier report, that a draft of the proposed changes to the Board's statute would be distributed to the members and placed on the next meeting's agenda for Board approval.

#### **NEW BUSINESS**

ALCA/ABEC Liaison Introductions: Dr. Necoal Driver, a representative with the Alabama Counseling Association (ALCA), introduced herself and Dr. Jane Coleman, President of the State Association. Mr. Warren commented on his pleasure in attending the recent annual meeting of the ALCA. Mr. Warren reported that the ALCA had submitted a request for changes in the Board's rules and he recommended that the matter be deferred to later and Chairperson Tidwell tabled the matter to later in the meeting.

CACREP Extension Requests: The Board reviewed communications from the University of West Alabama and Faulkner University requesting CACREP extension of time. Dr. Driver spoke in support of the CACREP extension requests from the University of West Alabama and Faulkner University, as did Dr. Jane Miller and Dr. Jeri Ward-Jackson with the University of West Alabama who attended virtually. Various attendees from the two Universities reported on the progress made at the university to become CACREP accredited and the lengthy process and CACREP delays in conducting site visits.

MOTION: Dr. Atchison made the motion to table the requests for approval of a CACREP extension. The motion failed for lack of a second motion.

MOTION: Ms. Robinson made the motion to approve the request for an extension to December 31, 2023. The motion was seconded by Dr. Hollingsworth and the motion passed with 6 ayes, which included Chairperson Tidwell, and one nay. The motion passed by majority vote.

Chairperson Tidwell thanked the guests for attending.

Legal Services Contract Renewal: Mr. Warren presented the Legal Services contract, and a copy was provided to the members. Following a review of the contract, the contract limit and compensation were adjusted based on the proposed \$195 per hour.

MOTION: Dr. Webb made the motion to renew the contract at \$195 per hour commencing March 1, 2023, through February 28, 2025, and not to exceed \$210,000 during the two-year period. The motion was seconded by Ms. Robinson and unanimously approved by the Board.

Review of Applications and License Requests: Mr. Warren explained that abstaining from vote was required when members were involved in the supervision, discipline and family relations in considering matters before the Board.

Initial ALC: Dr. Webb made the motion to approve the ALC requests for initial issuance of license. The motion was seconded by Dr. Atchison and unanimously approved by the Board, with Ms. Robinson abstaining from voting.

ALC to LPC: Dr. Crawford made the motion to approve the ALC requests to become an LPC. The motion was seconded by Ms. Bowie and unanimously approved by the Board with Ms. Robinson abstaining from voting.

**Inactive Status:** Ms. Edgar presented four requests for license to be placed on inactive status. Ms. Bowie made the motion to approve the requests for inactive status. The motion was seconded by Ms. Robinson and unanimously approved by the Board.

**Reactivation Requests:** Ms. Edgar presented two requests to reactive a license. She explained that K.D. was in compliance. Dr. Atchison made the motion to reactive the license requested by K.D. The motion was seconded by Ms. Robinson and unanimously approved by the Board.

Ms. Edgar reported that D.S. was a military exception and licensure fee waived. Dr. Crawford made the motion to approve D.S. request for reactivation and the licensing fee waived due to deployment. The motion was seconded by Dr. Atchison and unanimously approved by the Board with 5 ayes and 1 nay. Ms. Coody recommended that she be provided with a summary of the Reactivation Rule.

**Reinstatement of License:** Mr. Warren reported that there were no requests to present.

**LPC by Endorsement:** Dr. Hollingsworth made the motion to approve the 12 LPC applications by endorsement requests. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

**NEC Accommodation:** Ms. Edgar presented A.D.'s request for NEC accommodations. She also referred to C.P.'s request for accommodations. Dr. Atchison made the motion to approve the two NEC accommodation requests. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

**Provisional Licensure Requests:** Ms. Edgar presented L.T.'s request and explained that the applicant applied by endorsement and lacked supervision hours. Dr. Crawford made the motion to approve L.T. for provisional license. The motion was seconded by Ms. Robinson and unanimously approved by the Board.

Ms. Edgar presented E.B. request for provisional license. Dr. Hollingsworth made the motion to approve E.B.'s request for provisional license. The motion was seconded by Ms. Bowie and unanimously approved by the Board.

**LPC-Supervisor:** Ms. Robinson made the motion to approve the three LPC-Supervisor requests for licensure. The motion was seconded by Ms. Bowie and unanimously approved by the Board.

**Other Reviews.**

J.H.'s request for waiver as a military spouse regarding supervision hours was presented by Ms. Edgar. Dr. Atchison made the motion to approve J.H.'s request for a waiver of requirements. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

G.S.'s request for ALC special academic request was presented by Ms. Edgar. She reported that the academic review indicated that the academic requirements met the CACREP equivalent, and the degree met the European requirements and could be considered as a military exception. Dr. Hollingsworth made the motion to approve the application on a case-by-case basis for special academics. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

F.C.'s appeal request regarding direct supervision breakdown was presented by Ms. Edgar. The Board discussed the 75/25 supervision requirements. Dr. Atchison made the motion to deny the request. The motion was seconded by Dr. Crawford and unanimously approved by the Board. The Board suggested that the supervisor ratio be placed on the application form for clarity.

K.K.'s request regarding waiver of supervision requirements was presented by Ms. Edgar. She explained that the applicant was not able to document the required direct vs. virtual hours while deployed and serving in the military. The Board discussed the hours obtained while serving in the military and the Board considered the matter as a military exemption. Dr. Crawford made the motion to approve the request under the military exemption. Dr. Atchison seconded the motion and unanimously approved by the Board.

R.L.'s request for LPC by Endorsement was presented by Ms. Edgar. Ms. Coody reported that the application had been reviewed by the Investigative Committee due to criminal history background and the Committee recommended denial of license. Ms. Coody explained that a legal course of action would be to receive a limited relief order or pardon concerning the violations and present the documentation for the Board's consideration. Dr. Webb made the motion to deny the application. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

ALCA Request for Rule Changes: Mr. Warren presented a copy of the letter from the Alabama Counseling Association concerning Board Rules in the matter of CACREP accreditation requirements. Mr. Warren recommended that an Academia Rule Revision Committee be established to study and make recommendations regarding the concerns outlined in the ALCA's request (letter available in the Official Book of Minutes). The following members and ex-officio-members were appointed to the Committee: Dr. Hollingsworth (Chair), Dr. Crawford, Dr. Daughhettee, and Dr. Necoal Driver, along with Board staff, as needed. The Board discussed the additional information for the Committee's review: current Board rules, Counseling Compact summary, CACREP summary, and blacklined copy of relevant Board Rules. MOTION: Dr. Robinson made the motion to approve the creation of the Rules Committee as discussed. The motion was seconded by Ms. Bowie and unanimously approved by the Board.

#### **OTHER BUSINESS AND ANNOUNCEMENTS**

Performance Evaluation Committee: Mr. Warren reported that a report from the Performance Evaluation Committee would be presented at the next Board meeting and reminded the Board that Ms. Tidwell and Dr. Atchison served on this Committee.

Board Member Service: Mr. Warren reported that he will be requesting from the Governor's office a proclamation of service for board members who recently served on the Board.

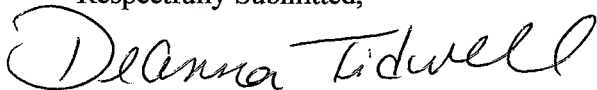
Proposed 2023 Board Meeting Schedule: Dr. Crawford made the motion to approve the following 2023 Board meeting dates: March 17<sup>th</sup>, May 19<sup>th</sup>, July 21<sup>st</sup>, September 15 and November 1, 2023, and March 16<sup>th</sup> as a Board training session. The motion was seconded by Ms. Bowie and unanimously approved by the Board.

Next Board Meeting: Chairperson Parker reminded the members that the next regularly scheduled meeting of the Board was March 17<sup>th</sup> at 9:00 a.m. and Board training on March 16<sup>th</sup>, at 10:00 a.m.


#### **ADJOURNMENT**

There being no further business of the Board, Dr. Atchison made a motion that the meeting be adjourned. The motion was seconded by Dr. Crawford and unanimously approved by the Board. Chairperson Tidwell adjourned the meeting at 12:34 p.m.

Respectfully Submitted,



DeAnna Tidwell  
Board Chair



Keith E. Warren  
*Acting Executive Director*

Approved on: *B. Beau Ramey* / *BR* / *TR*  
Date *May 19, 2023* Initials