

ALABAMA BOARD OF EXAMINERS IN COUNSELING

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MINUTES

Board Meeting
January 15, 2021

A meeting of the Alabama Board of Examiners in Counseling (ABEC) was held on Friday, January 15, 2021 at the Board's new office located at 2777 Zelda Road in Montgomery, Alabama. Board members in attendance were Ms. Anna Barksdale (Board Chair), Dr. Latofia Parker (Vice Chair), Dr. Debra Atchison (member), Ms. Karole Ohme (member), Dr. Jennifer Brown and, participating by conference call was Dr. Sheila Webb (member). Also in attendance were Dr. Keith Cates (Executive Director), Mr. Ben Albritton (Assistant Attorney General and Legal Counsel), Mr. Keith Warren (Administrator), and Administrator's staff: Ms. Renee' Reames (recording secretary), Ms. Hope Childers (Licensing), Mr. Mike James (Investigator) and Ms. Karen Harlow (Legal Secretary).

CALL TO ORDER: Board Chair, Ms. Barksdale, called the meeting to order at 9:04 a.m., with a quorum of the members present onsite to conduct business. Ms. Barksdale welcomed all participants. The regularly scheduled meeting was advertised to the public on the Board's website, (www.abec.alabama.gov), as well as the Secretary of State's website, (www.sos.alabama.gov), in accordance with the Alabama Open Meetings Act.

APPROVAL OF MEETING AGENDA: Ms. Barksdale presented for the Board's approval the Board meeting agenda. A copy of the agenda was provided to the Board members prior to the meeting for their review. Ms. Ohme made a motion to approve the agenda as presented. The motion was seconded by Dr. Parker and the motion was unanimously approved by the Board.

APPROVAL OF MINUTES: Ms. Barksdale presented for the Board's approval the Board meeting minutes from the November 13, 2020 meeting of the Board. A copy of the minutes was provided to the Board members prior to the meeting for their review. Ms. Hope Childers was not present at the meeting and removed from the list of attendees. Dr. Brown made a motion to approve the November minutes as amended. The motion was seconded by Dr. Atchison and the motion was unanimously approved by the Board.

EXECUTIVE DIRECTOR'S REPORT: Dr. Cates reported on efforts to update the forms on the Board's website, along with meeting with iGOV to create a new licensee database that would include online applications, etc.

ADMINISTRATOR'S REPORT: Mr. Warren presented the Administrator's Report to the Board. He reported on the financial activities of the Board, as of December 31, 2021, to include a line-item report of expenditures for the same accounting periods. He commented on deposits made from mailed received at the Birmingham office and efforts to move the licensee files from the Birmingham office to the Montgomery office. He reported on plans to move the Server from the Birmingham office to Montgomery. The Server supports the Board's electronic communications and activities.

The Board discussed the past legislative efforts to transfer funds of some Boards to the General Fund and Mr. Warren reported that no legislation had yet been pre-filed and proposed for the 2021 legislative session.

Dr. Brown made the motion to approve the financial report as presented. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

Mr. Albritton, Board's legal counsel, presented a consent agreement in complaint case #2018-004 for the Board's approval. Following a discussion of the violations and voluntary surrender of the license, Dr. Parker made a motion to approve the consent agreement as presented. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

Mr. Albritton updated the Board of the status of complaints to the Board and the investigations that had been completed by the Board investigator, Mr. James. He recommended that the Board close 31 complaint cases due to no probable cause (list available in the Board's Official Book of Minutes). Dr. Parker made a motion to approve the recommendation to close cases as presented by the Board's legal counsel. The motion was seconded by Dr. Webb and unanimously approved by the Board.

OLD BUSINESS – 2021 Meeting Calendar

Dr. Cates presented for the Board's approval a list of dates in 2021 for the Board to meet. Dr. Parker made a motion to approve the following meeting dates: March 19, May 14, July 16, September 17, and November 12, 2021. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

NEW BUSINESS – Ratification of Executive Orders

Dr. Cates presented for the Board's approval four (4) Executive Orders concerning licensees (list available in the Board's Official Book of Minutes). Ms. Ohme made a motion to ratify the action by the Board's Chairperson regarding the Executive Orders. The motion was seconded by Dr. Parker and unanimously approved by the Board.

OUT OF STATE LICENSURE vs. RESIDENCE IN ALABAMA

Dr. Cates presented an inquiry from a licensed counselor in Georgia, who resided in Alabama and provided virtual counseling to residence of Georgia. The Board's discussed potential violations if geographical division were not maintained. Violations would occur if the patients came to Alabama to receive counseling by the counselor who lacked licensure in Alabama. Dr. Atchison made the motion that based on the inquiry, the individual would not have to be licensed in Alabama to counsel patients that reside in the State where the individual was licensed.

FEEES FOR ALC REDUCTION IN DIRECT SERVICE HOURS

Dr. Cates recommended that a \$150 fee be charged for requests for reduction in professional experience hours, which included an academic review of curricula and other related administrative services by the Board's staff. Dr. Brown made the motion to approve the fee as recommended and proceed with modifications of the Board's rules. The motion was seconded by Ms. Ohme and

unanimously approved by the Board. Dr. Cates indicated that he would develop a form to be posted on the Board's website to coincide with this process.

ACCEPTABLE CONTINUING EDUCATION

Dr. Cates recommended to the Board that the list of associations and professional organizations be expanded for licensees' professional development. Ms. Ohme made the motion to approve the additional three (3) organization to be added to the list of CE providers: Alabama Department of Mental Health, Alabama Board of Social Work and Association of Social Work Boards. The motion was seconded by Dr. Brown and unanimously approved by the Board.

CE PERCENTAGE IN 2021

Dr. Cates discussed with the Board a request to waive the 75% of continuing education (CE) activities required of real-time participation. The Board discussed the CE opportunities available to both LPCs and ALCs to meet the 75/25 percent CE requirements. Dr. Parker made the motion to waive the 75% CE requirement for the 2020-2021 renewal cycle. The motion was seconded by Dr. Brown and unanimously approved by the Board.

ACCOMMODATIONS IN SUPERVISIONS

Dr. Cates presented a request for an exemption in supervision. A copy of the request was provided to the Board. The applicant requesting the exemption used an interpreter in American Sign Language (ASL) and requested supervision by someone fluent in ASL, but not licensed in Alabama. It was the consensus of the Board that Dr. Cates would inform the application to explore all resources in Alabama for LPC for supervision.

NCE TESTING

Dr. Cates presented a request to take the NCE exam under the auspices of the Board, for a teaching certificate, without seeking licensure by the Board. It was the consensus of the Board that the individual seek assistance through the college dean group associated with her teaching certificate.

CE EXTENSION

Dr. Cates presented a request for an extension period to obtain continuing education credits for an ALC. Following discussion of the opportunities in continuing education, it was the consensus of the Board to deny an extension period.

PROVISIONAL LICENSURE

Dr. Cates presented a request for a provisional license due to deficiencies in experience required in Board Rule 255-X-10-.03. Following a review of the request, it was the consensus of the Board to deny the provisional licensure.

RECESS: Ms. Barksdale called the Board into a 30 minute recess at 10:54 a.m. to allow an opportunity for Mr. Warren to inquire with iGov about a presentation to the Board members about the new licensee database. The Board reconvened at 11:21 a.m.

Mr. Warren reported that the meeting with iGOV would be held after the Board meeting for those members who would like to stay and learn more about the function of the proposed licensee database.

REVIEW OF APPLICATIONS: Dr. Cates presented applications for the Board's approval (list available in the Board's official Book of Minutes).

Initial ALCs: Dr. Brown made the motion to approve the initial ALC applications as recommended by Dr. Cates. The motion was seconded by Dr. Parker and unanimously approved by the Board.

ALC to LPC: Dr. Brown made the motion to approve the ALC to LPC requests as recommended by Dr. Cates. The motion was seconded by Ms. Ohme and unanimously approved by the Board.

LPC Endorsement: Dr. Parker made the motion to approve the LPC Endorsement applications as recommended by Dr. Cates. The motion was seconded by Dr. Webb and unanimously approved by the Board.

Lapsed LPC Renewal: Ms. Ohme made the motion the approve the LPC application to renew their lapsed license as recommended by Dr. Cates. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

Inactive Status Request: Dr. Parker made the motion to approve the Inactive Status requests as recommended by Dr. Cates. The motion was seconded by Dr. Brown and unanimously approved by the Board.

Reactivation: Ms. Ohme made the motion the approve the application to reactivate their LPC license as recommended by Dr. Cates. The motion was seconded by Dr. Parker and unanimously approved by the Board.

Reinstatement: Dr. Parker made the motion the approve the application to reinstate their license as recommended by Dr. Cates. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

NCE Accommodations: Dr. Brown made the motion the approve the request for NCE accommodations as recommended by Dr. Cates. The motion was seconded by Ms. Ohme and unanimously approved by the Board.

Ms. Barksdale announced that the Board's next meeting was scheduled March 19, 2021 at 9:00 a.m. at the Board's office in Montgomery.

There being no further business of the Board, Dr. Brown made a motion that the meeting be adjourned. The motion was seconded by Dr. Webb and unanimously approved by the Board. Ms. Barksdale reminded the members about the meeting with iGOV and adjourned the meeting at 11:26 a.m.

Respectfully Submitted,



Renee' Reames, Recording Secretary



Anna Barksdale, Board Chair

Approved on: 3-19-2021 /rr