

ALABAMA BOARD OF EXAMINERS IN COUNSELING

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MINUTES

Board Meeting

June 11, 2021 - Amended

The Alabama Board of Examiners in Counseling (ABEC) held its regular meeting on Friday, June 11, 2021 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. Anna Barksdale (Board Chair), Dr. Latofia Parker (Vice Chair), Dr. Debra Atchison (member), Ms. Karole Ohme (member), Dr. Jennifer Brown (member) and Dr. Robyn Simmons (new member). Dr. Sheila Webb (member) attended virtually. Also in attendance were Dr. Keith Cates (Executive Director), Mrs. Hendon Coody (Legal Counsel), Mr. Keith Warren (Administrative Director), Mrs. Cindy Edgar (Assistant Administrator), Mr. Mike James (Investigator) and Ms. Renee' Reames (recording secretary).

CALL TO ORDER: Board Chair, Ms. Barksdale, called the meeting to order at 9:02 a.m. Mr. Warren called Board roll and a quorum of the members were present onsite to conduct business. Ms. Barksdale welcomed all participants. The regular 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.

Mr. Warren administered the oath of office to new board member, Dr. Robyn Simmons.

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. Dr. Brown made a motion to approve the agenda as presented. The motion was seconded by Dr. Parker and unanimously approved by the Board.

APPROVAL OF MEETING MINUTES: Ms. Barksdale presented the minutes from the March 19, 2021 regular meeting and May 14, 2020 special/called meeting minutes. Dr. Brown made a motion to approve the March and May meeting minutes as presented. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

EXECUTIVE DIRECTOR'S REPORT: Dr. Cates reported that he had no applications to present following the special/called meeting held in May. He provided an update on iGOV establishing a new licensee database. He also indicated that licensee files were being reviewed and identified for scanning to allow digital access. He indicated that the Wellness Program Committee would have a report at a future Board meeting and reminded the Board that the committee comprised of Dr. Brown, Dr. Atchison and Ms. Barksdale. He also commented on having received comments from members about the changes to the Board's Codes and Rules for future consideration by the Board. Mr. Warren explained the difference between legislative approval of changes to the Board's statute and the public comment process required in making changes to the Board's Rules.

ADMINISTRATIVE DIRECTOR'S REPORT: Mr. Warren presented the Administrator's Report to the Board that included the financial activities of the Board, as of April 30, 2021. Mr. Warren reported that the iGOV system would allow more comprehensive report of licensee activities. Also reported was a summary of the number of complaints received by the Board during each of the fiscal years 2018 through 2021 and the current status.

LEGAL COUNSEL REPORT: Mrs. Coody presented the legal counsel report to include cases reviewed by the Investigative Committee during its meeting held on June 10, 2021.

Mr. Warren recommended an opening statement at the beginning of each Board meeting that included the process of requesting to appear before the Board at meetings. Dr. Brown made a motion to adopt the opening statement to be read aloud at the beginning of each meeting. The motion was seconded by Ms. Ohme and unanimously approved by the Board.

Following a presentation by Mrs. Coody of the recommendations of the Investigative Committee, the Board approved the following action:

Ms. Ohme made a motion to rescind the Board order in Cases 2018-017 and 2018-018. The motion was seconded by Dr. Parker and unanimously approved by the Board.

Ms. Ohme made a motion to approve the recommendation of the Investigative Committee for a \$500 fine in the matter of Case 2018-017 and 2018-018. The motion was second by Dr. Parker and unanimously approved by the Board.

Dr. Brown made a motion to approve the recommendation of the Investigative Committee to offer a consent agreement in Cases 2019-009 and 2019-013. The motion was seconded by Ms. Ohme and unanimously approved by the Board.

Dr. Parker made a motion to rescind the 1-year probation in the matter of Case 2019-029 and approve a \$1,000.00 fine and a boundary CE course recommended by the Investigative Committee. The motion was seconded by Dr. Brown and unanimously approved by the Board.

Ms. Ohme made a motion to approve the recommendation of the Investigative Committee to offer a consent agreement in Case 2020-012, which included a \$5,000 civil penalty pursuant to § 34-8A-18. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

Ms. Ohme made a motion to approve the recommendation of the Investigative Committee to offer a joint stipulation in Cases 2021-004 and 2021-005 to include 1 (one) year probation effective today, \$500 fine per case, and if the Respondent violates the agreement, the Board will take action to revoke the license or to take other administrative action. The motion was seconded by Dr. Parker and unanimously approved by the Board.

Mrs. Coody indicated that additional recommendations would be forthcoming from the Committee on other cases.

Ms. Barksdale called a 5-minute recess at 10:06 a.m.
The Board meeting was reconvened at 10:18 a.m. by Ms. Barksdale.

The Board discussed adding Alabama (AL) as an identifier to the license number issued by the Board and subsequent changes to the Board's Rules.

Dr. Cates reported that Governor Ivey planned to lift the COVID 19 State of Emergency in July and the Board discussed the Emergency Rule to waive real-time CE requirements for LPC through July 31, 2021 and for ALC through the end of the calendar year (December 31, 2021). The Emergency Rule also allowed full-distance supervision, which the Board agreed to consider at their July Board meeting. Ms. Barksdale asked Dr. Cates to present a draft for the Board's consideration.

Ms. Barksdale presented Final Rule 255-X-1-.08 Finances for Board approval. Mr. Warren reported that no comments had been received from the public. Dr. Parker made a motion to approval Final Rule 255-X-1-.08. The motion was seconded by Dr. Webb and unanimously approved by the Board.

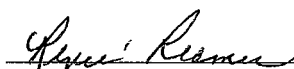
NEW BUSINESS – AG's Opinion regarding State Personnel Compensation

Mr. Warren provided a copy of the Attorney General's Opinion on compensation to State personnel who worked part-time in two state jobs.

Dr. Cates commented on recent public speaking activities by him and Ms. Barksdale and the public relation benefits to the Board.

There being no further business of the Board, Dr. Brown made a motion that the meeting be adjourned. The motion was seconded by Ms. Ohme and unanimously approved by the Board. Ms. Barksdale adjourned the meeting at 10:52 a.m.

Respectfully Submitted,



Renee Reames, Recording Secretary



Anna Barksdale, Board Chair

Approved on: 9-17-2021 /rr