

# ALABAMA BOARD OF EXAMINERS IN COUNSELING

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## MINUTES

Board Meeting  
November 10, 2021

The Alabama Board of Examiners in Counseling (ABEC) held its regular meeting on Friday, November 10, 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), and Dr. Jennifer Brown (member). Board members attending virtually were Dr. Sheila Webb and Dr. Robyn Simmons (joining at 3:00 p.m.). Also in attendance onsite were Dr. Keith Cates (Executive Director), Mrs. Hendon Coody (Legal Counsel attended virtually), Mr. Keith Warren (Deputy Director), Mrs. Cindy Edgar (Assistant Administrator), Dr. Charlotte Daughetee (Academic Reviewer), Ms. Latoya Vickers (administrative assistant) and Ms. Renee' Reames (recording secretary). Guests attended virtually.

CALL TO ORDER: Ms. Barksdale, Board Chair, called the meeting to order at 1:36 p.m. The regular meeting, scheduled at 1:30 p.m., 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 in-person. Dr. Cates read aloud the Board's mission and Mr. Warren read the Opening Statement. Ms. Barksdale welcomed attendees and guests and she thanked the members and staff for their support while serving as Board Chair over the last two years.

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 September 17, 2021 regular meeting. Dr. Parker made a motion to approve the September meeting minutes as presented. The motion was seconded by Dr. Webb and unanimously approved by the Board.

EXECUTIVE DIRECTOR'S REPORT: Dr. Cates updated the Board on the development of the iGov licensee database indicating a target operational date of December 31, 2021.

MANAGEMENT REPORT: Mr. Warren reported on the financial activities of the Board for fiscal year 2021 ending September 30, 2021, and for fiscal year 2022 as of October 31, 2021. He reported on the number of licensees, indicating that the new licensee database would provide more detailed information. Mr. Warren also reported on the number of complaints received in FY 2018 through FY 2022. A written report was provided regarding the iGOV licensee database migration of data, electronic conversion of licensing files, development of a new website and changes in Ms. Edgar's employment with the Board (report available in Official Book of Minutes). He also reported that the audit exit meeting was recently held to review audit findings.

LEGAL COUNSEL REPORT: Ms. Coody reported that the Investigative Committee had met the day before the Board meeting to review complaints. Following a presentation by Mrs. Coody concerning complaint cases, the Board approved the following action:

Dr. Brown made a motion to subpoena documents from the courts that had appointed the LPC Respondent in the matter of Board Case 2020-008, as recommended by Ms. Coody. The motion was seconded by Dr. Parker and unanimously approved by the Board.

Dr. Brown made a motion to approve the recommendation from Ms. Coody in the matter of Board Case 2021-011, that the LPC Respondent be assessed a \$2,000 fine, given a 1-year probationary period and required to complete within 1-year a boundary course that had been approved by the Dr. Cates. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

Dr. Brown made a motion to approve the recommendation from Ms. Coody in the matter of Board Case 2021-012, involved a criminal case, that a Consent Order be issued, with a 2-year probationary period, \$5,000 assessed in civil penalties due within 60 days and violations of the Order would give grounds to re-open the matter and proceed with more strict disciplinary action. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

Dr. Brown made a motion to approve the recommendation from Ms. Coody in the matter of Board Case 2021-022 that the case be closed with no evidence of violations. The motion was seconded by Dr. Webb and unanimously approved by the Board.

Dr. Brown made a motion to approve the recommendation from Ms. Coody in the matter of Board Case 2021-024, that the case be closed with no evidence of violations. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

OLD BUSINESS: Virtual Supervision – Dr. Cates reminded the Board that 100% virtual supervision had been approved by the Board during the COVID-19 State of Emergency (SOS); however, no rule changes were made regarding supervision beyond SOS conditions. Dr. Brown made a motion that the Board retain the Supervision Rule to 50% virtual and 50% in-person. The motion was seconded by Dr. Parker. The Board discussed the benefits and disadvantages impacting those being supervised. Ms. Coody reviewed the Board’s current rule and reminded the Board that changes would require promulgation as a rule change, allowing public comment and Board’s approval as a final rule. Following further discussion, Dr. Brown withdrew the motion and Dr. Parker agreed.

The Board clarified, that in the interim of developing online renewal processes, a notary public signature was required on application documents.

Ms. Barksdale called a recess of the Board at 2:40 p.m. for 5 minutes.  
The Board meeting was reconvened at 2:46 p.m. by Ms. Barksdale.

NEW BUSINESS – Ms. Barksdale modified the order of the agenda to allow guests, who may be called upon, to address the Board.



LICENSING SPECIAL REVIEW: The Board continued discussions from the last Board meeting concerning Ms. Hunt's request for consideration of substantial equivalent in hours pertaining to the Board's Rule 255-X-3-.01(2), regarding her academic credentials to sit for the ALC exam. Dr. Webb made the motion to approve the 6 hours from Ms. Hunt's EdS program. The motion died for lack of a second and discussions continued about equivalent hours. Dr. Parker made the motion to uphold the Board's rules and deny the request. The motion was seconded by Dr. Brown. The motion was approved by the majority of the members, with Dr. Webb opposing the motion and no members abstaining from vote.

LEGAL COMMITTEE REPORT: Mr. Warren reported that the Legal Committee had met a day prior to the Board meeting and a report would be presented at a future meeting.

Dr. Simmons joined the Board meeting at 3:05 p.m.

WELLNESS COMMITTEE REPORT: Ms. Barksdale reported that the Wellness Committee had met a day prior to the Board meeting to consider establishing a wellness program to benefit licensees. Mr. Warren reported that the Committee met virtually with two providers: Dr. Rob Hunt with the Physician Health Program of the Alabama Medical Association and Dr. Michael Garver, an independent provider serving several Alabama State Boards. Mr. Warren reported that the Board recommended that the Board procure the wellness program services from the Physician Health Program (PHP). He explained that the PHP legal counsel would review the Board's statute regarding the Board's jurisdiction to establish a wellness program and pursue contractual arrangements. Mr. Warren reported that more information would be reported at a future Board meeting.

ANNUAL ELECTION OF BOARD OFFICERS: Dr. Cates reported that Ms. Barksdale would not be available to serve as Board Chair, and he opened the floor for nominations for Board officers effective January 1, 2022.

Dr. Atchison nominated Dr. Parker as Board Chair. Dr. Parker accepted the nomination.

Dr. Parker nominated Dr. Brown as Board Vice Chair. Dr. Brown accepted the nomination.

Dr. Parker was elected by the majority of votes as Board Chair, with no opposing votes.

Dr. Brown was elected by the majority of votes as Board Vice Chair, with no opposing votes.

Dr. Cates reported that the new officers would be sworn in at the next Board meeting to serve January 1, 2022 through December 31, 2022, along with the swearing in of new Board members.

Dr. Cates reported that a reminder letter was sent to ACA about board terms and the Board discussed removing some of the restrictions in filling Board positions.

PROPOSED 2022 BOARD MEETING SCHEDULE: Ms. Barksdale reported that January 21, 2022 had been proposed as the next Board meeting date. Dr. Parker made the motion that the Board meet on January 21, 2022. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

APPLICATION REVIEW: Dr. Cates presented applications for the Board's approval:

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

Inactive Status Request: Dr. Atchison made the motion to approve the request for Inactive Status of their license as recommended by Dr. Cates. The motion was seconded by Dr. Brown and unanimously approved by the Board.

Reactivation: Dr. Brown made the motion to approve the reactivation request of license as recommended by Dr. Cates. The motion was seconded by Dr. Parker 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. Brown and unanimously approved by the Board.

LPC Supervisor: Dr. Atchison made the motion to approve the LPC Supervisor requests as recommended by Dr. Cates. The motion was seconded by Dr. Webb and unanimously approved by the Board.

NCE: Dr. Brown made the motion to approve the NCE accommodations request as recommended by Dr. Cates. The motion was seconded by Dr. Parker and unanimously approved by the Board.

Provisional: Dr. Parker made the motion to approve the Provisional request as recommended by Dr. Cates. The motion was seconded by Dr. Brown and unanimously approved by the Board.

ADMINISTRATIVE MANAGEMENT CONTRACT: Mr. Warren presented a written proposal for administrative management services by Warren & Company, Inc. Following a review and discussion of the proposal, Dr. Brown made the motion to approve an emergency contract with Warren & Company for administrative management services through September 30, 2022. The motion was seconded by Dr. Webb and unanimously approved by the Board.

PROPOSED RULES REVISION: Dr. Cates presented changes in the Board's Rules. Following some discussion, Dr. Brown made the motion to approve the proposed revisions as presented, except section 255-X-8-.03(1)(a), (b) and (c) of Complaint Procedures. The motion was seconded by Dr. Simmons and unanimously approved by the Board.

OTHER BUSINESS AND ANNOUNCEMENTS: Ms. Barksdale reminded the Board that the next regularly scheduled meeting was January 21, 2022 at 9:00 a.m.

There being no further business of the Board, Dr. Brown made a motion that the meeting be adjourned. The motion was seconded by Dr. Parker and unanimously approved by the Board. Ms. Barksdale adjourned the meeting at 3:50 p.m.

Respectfully Submitted,

  
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Renee Reames, Recording Secretary

  
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Anna Barksdale, Board Chair

Approved on: 1-21-2022 /rr