

ALABAMA BOARD OF EXAMINERS IN COUNSELING

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MINUTES

Board Meeting
May 19, 2023

The Alabama Board of Examiners in Counseling (ABEC) held its regular meeting on Friday, May 19, 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 (member), Ms. Anjanette Robinson (member), Dr. Glenn Hollingsworth (member) and Ms. Jessie Bowie (member). Also in attendance were Mr. Keith Warren (Acting Executive Director), Mrs. Hendon Coody (Board Legal Counsel), Ms. Cindy Edgar (Assistant Director), Dr. Charlotte Daughhettee (Academic Reviewer), Ms. Karen Harlow (Legal Assistant), Ms. Sheila Dopson (Licensing Specialist), Mr. Mike James (Investigator), Ms. Lora Evans (Executive Assistant) and Ms. Renee' Reames (Recording Secretary). Public guests were also present: Ms. Necoal Driver with the Alabama Counseling Association, Dr. Latofia Parker, Board liaison with the Counseling Compact (virtually), and other public members attending virtually.

CALL TO ORDER

Ms. Tidwell, Board Chair, called the meeting to order at 9:08 a.m. 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. Mr. Warren called the 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.

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. Crawford made a motion to approve the May 19, 2023, meeting agenda as presented. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

APPROVAL OF MEETING MINUTES

Chairperson Tidwell presented the minutes from the January 13, 2023, regular meeting.

MOTION: Dr. Atchison made a motion to approve the January meeting minutes with a correction to the spelling of Dr. Robinson's name and adding Dr. Crawford to the Supervision Committee. The motion was seconded by Dr. Webb and unanimously approved by the Board.

Chairperson Tidwell presented the March 17, 2023, application review meeting.

MOTION: Dr. Webb made a motion to approve the March meeting minutes as presented. The motion was seconded by Ms. Bowie and unanimously approved by the Board.

EXECUTIVE DIRECTOR REPORT

Mr. Warren presented the Executive Director report to include financial activities of the Board for the period ending April 30, 2023. He reported that revenue was expected to increase during the upcoming license renewal period. 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 indicated a frameable license would be mailed to the licensees in July, after the close of the renewal period. Mr. Warren reported that all of the

complaints received in FY 2022 had been closed, which totaled 56 cases, and 6 of the 25 cases received in FY 2023 had been closed.

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

Mr. Warren reported on proposed legislation to give the Board the authority to create a wellness program for licensees (copy available in Official Book of Minutes).

He also commented on the Board Training session that was held on May 18, 2023, and thanked the members for attending. He indicated that he planned to provide the members with a printed and bound copy of the reference material.

Mr. Warren reported that during the recent audit conducted by the Examiners of Public Accounts, there appeared no clear evidence of approval of the Legal Counsel contract for the period of February 1, 2022, through January 31, 2023.

MOTION: Dr. Atchison made the motion to amend the March 19, 2021, minutes to reflect approval of the two-year contract for Legal Services with Mrs. Hendon Coody. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

Mr. Warren reminded the members about the Sunset Audit and meeting with the Sunset Committee later this year. He reported that the members would be notified of the meeting dates once the meeting had been set.

Mr. Warren reported that licensees are working with an expired license and are renewing licenses late.

MOTION: Dr. Hollingworth made the motion that the (acting) Executive Director be authorized to initiate a complaint when licensure staff become aware of licensees practicing without a license following a renewal period and at other times during the licensure process. The motion was seconded by Ms. Bowie and unanimously approved by the Board. Mr. Warren reported that the renewal form would be modified to inquire about practicing after a license has expired.

LEGAL COUNSEL REPORT

Mrs. Coody commented on the proposed legislation SB 355 authorizing the Board to create a wellness program for licensees. She reported on a recent Alabama Professional Health Program that she and investigator Mike James attended in relation to the Board having a wellness program. She encouraged the Board members and licensees to contact their legislators in support of this proposed wellness program Bill (copy available in Official Book of Minutes).

Mrs. Coody presented the Legal Counsel report and reported that the Investigative Committee (IC) had met to review complaints received by the Board. She provided a report on 12 cases (report available in Official Book of Minutes) with recommendations from the IC to close cases 2023-007, 2023-009, 2023-010, and 2023-016 as having no evidence of violations, close cases 2023-011BR, 2023-012BR, 2023-013BR, 2023-017, and 2023-019 as having no jurisdiction and close cases 2023-008 and 2023-020 by accepting the withdrawal of the complaint by the complainant.

MOTION: Dr. Crawford made a motion to accept the recommendations of the Investigative Committee as reported by Mrs. Coody. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

Counseling Compact Licensing Report: Dr. Latofia Parker reported on the progress being made by the Counseling Compact and she provided a copy of the Counseling Compact Memorandum to Member States

on the Requirements for Participation. She updated that Board on the Compact's recent success in obtaining funding through two national organizations and continued efforts to fund projects.

Supervision Committee Report: Dr. Atchison reported that she, Dr. Webb and Ms. Michelle Pruitt were on the Supervision Committee had meet virtually. She stated that she did not realize that Dr. Crawford had been added as a new member and she would be notified of future Committee meetings. Dr. Webb reviewed the components of the survey conducted by the Committee and commented on survey responses, which included requesting additional Board-approved CE providers.

MOTION: Dr. Webb made the motion that PESI be added as a new provider for ALC and LPC continuing education. The motion was seconded by Dr. Atchison. The Board discussed PESI not being NBCC certified, although some PESI courses were NAADAC-approved for state ALC and LPC eligible credits. The Board also discussed allowing licensees to make requests for individual CE credit approval by the Board.

Chairperson Tidwell assigned to the Supervision Committee the review of current rules and consider a policy to allow licensees to request individual course approval in advance of coursework and/or post-approval requests.

CACREP Extension Requests: Dr. Hollingsworth reported that the Academia Rule Revision Committee had met virtually to discuss modifications to the Board's rules regarding CACREP requirements. He reported that the Committee members did not reach a consensus about removing the current CACREP requirements and adding back the equivalent-course language in the rules. Dr. Hollingsworth advocated in support of removing CACREP requirements. He reported that the Counseling Compact, which the state was a member, did not require CACREP and was restrictive. He indicated that qualifications of regional accreditation were sufficient, and the Board had the necessary academic review procedures in place to evaluate applicants for licensure.

MOTION: Dr. Hollingsworth made the motion to remove CACREP-only requirements from Rule 255-X-3-.01 and return to the previous standards of CACREP or equivalent educational qualifications. The motion was seconded by Ms. Robinson and the following roll call vote was recorded: Dr. Atchison, nay, Dr. Webb, abstained, Dr. Hollingsworth, aye, Ms. Bowie, aye, Dr. Crawford, nay and Ms. Robinson, aye. The motion passed.

Dr. Hollingsworth clarified that content equivalent would be added to Rule. He also reported that the Academic Rules Revision Committee would be presenting, at a future meeting, recommendations regarding single-degree requirements.

Chairperson Tidwell opened the floor to Dr. Necoal Driver with the Alabama Counseling Association. She invited the members to hold a Board meeting in connection with the annual Association meeting and asked that the Board consider continuing education credit for licensee attending the Board meeting. She reported that the annual ALCO meeting was scheduled November 15-17, 2023, in Birmingham.

OLD BUSINESS

Chairperson Tidwell called for any old business and there was none.

NEW BUSINESS

Review of Applications and License Requests: Mr. Warren presented applications for the following designations for the Board's approval (report available in the Official Book of Minutes):

Initial ALC: Dr. Hollingsworth made the motion to approve the ALC requests for initial issuance of license. The motion was seconded by Ms. Bowie and unanimously approved by the Board.

ALC to LPC: Dr. Webb made the motion to approve the ALC requests to become an LPC. The motion was seconded by Dr. Hollingsworth and unanimously approved by the Board.

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

LPC by Endorsement: Dr. Atchison made the motion to approve the LPC applications by endorsement requests, with exception to the appeal request from JCD. The motion was seconded by Dr. Hollingsworth and unanimously approved by the Board.

Provisional Licensure Requests: Request from BH for provisional license who applied by endorsement and lacked evidence of 500 supervised direct client hours. Also requested for provisional license from MJC who applied by endorsement and lacked 346 supervised direct client hours. Dr. Hollingsworth made the motion to approve the two applicants for provisional licenses. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

Inactive Status: Requests from eight (8) licensees for license to be placed on inactive status. Dr. Atchison made the motion to approve the requests for inactive status. The motion was seconded by Ms. Bowie and unanimously approved by the Board.

Reactivation Requests: One request received to reactive a license. Dr. Crawford made the motion to reactive the license as requested by SSA. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

NEC Accommodation: Ms. Edgar presented requests from seven (7) applicants requesting NEC accommodation. A copy of the requests from ANL, CJ, CCP, JE, LT, MM and NRM was provided to the Board to review. Ms. Bowie made the motion to approve the 7 NEC accommodation requests. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

Other Licensure Reviews:

Request from RMJ for LPC by endorsement – Ms. Edgar reported applicant met the endorsement educational qualifications but did not have an active license from the original state of licensure. Following discussion of the qualifications, Dr. Hollingsworth made the motion to approve RMJ application by endorsement. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

Academic appeal request from JCD - Ms. Edgar reported applicant had been in the review process since early 2000; however, no board communications were available concerning JCD being advised to obtain additional hours above the 42 graduate hours that would allow her to meet the Board's licensure requirement. The Board discussed transfer hours recognized between schools.

Chairperson Tidwell called a recess of the Board at 11:11 a.m. for 10 minutes.
Chairperson Tidwell reconvened the Board meeting at 11:25 a.m.

The Board continued to discuss JCD's request in relation to the Board's future consideration of the single-degree rule. Dr. Hollingsworth made the motion to table discussion of JCD's request. The motion was seconded by Dr. Webb and unanimously approved by the Board.

EMDR appeal request from AW – Ms. Edgar presented request from AW for EMDR training course hours through a non-approved provider. Dr. Atchison made the motion to deny the request due to no Board

procedures to allow approval. The motion was seconded by Ms. Robinson and unanimously approved by the Board, with one abstaining vote.

Request for gap extension for RM – Ms. Edgar presented a request from the supervisor of RM to allow a 90-day continuum of care by RM for clients. The gap resulted from the time between RM's graduation and obtaining an Associate license. After referencing the ALC rules, Dr. Crawford made the motion to deny the request. The motion was seconded by Dr. Atchison and unanimously approved by the Board, with one abstaining vote.

ALC Academic Appeal from SK – Ms. Edgar reported that SK was previously denied licensure due to her conferred degree Counseling Psychology. Dr. Daughhete reported that her coursework met the content requirements, however, based on current policy she was not eligible based on a conferred degree in Psychology. Dr. Webb made the motion to approve the appeal. The motion was seconded by Dr. Hollingsworth and unanimously approved by the Board, with two abstaining votes.

Request by OEM for fee adjustment – Ms. Edgar presented the request from OEM for lower fees to reactive license. Dr. Webb made the motion to deny the request in accordance with Board rules and not for lack of compassion for applicant's circumstances. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

HL's request for LPC-S exception – Ms. Edgar presented the request from HL for LPC-S exception. Dr. Crawford made the motion to deny HL's request for LPC-S exception. The motion was seconded by Ms. Robinson and unanimously approved by the Board.

Request by AW to transfer hours – Ms. Edgar presented a request from AW to transfer supervision hours acquired in Kentucky. Following a review of the request, and no evidence of an application to consider for licensure, the Board, by consensus, recommended that AW apply for licensure first.

LPC and ALC Application Review Procedures – Mr. Warren recommended that the Board consider ratifying approval of applications, authorizing the Executive Director to expedite the approval of applications, with exception to applications by endorsement, requests for exceptions, special reviews. A draft of the procedure was provided to the Board (procedure available for review in Official Book of Minutes). Dr. Hollingsworth made the motion to accept the new procedures as presented. The motion died for lack of a second to the motion.

Mrs. Coody recommended modifications to the procedure, by including verification by the Academic Reviewer. The Board discussed having a Board member(s) involved in the approval process in the interim of the Board reviewing and approving applications in the months when Board meetings were held. Chairperson Tidwell tabled further discussion of the proposed procedure to allow time to consider the matter further.

Specifications for Administrative Management Services– Mrs. Coody reported that the public discussion of Board business had concluded, and the Board would discuss contract specifications and proposal opportunities. The Zoom access ended. Staff members and public attendees left the meeting at 12:25 p.m. Dr. Webb rejoined the meeting virtually. Mrs. Coody presented proposed specifications for Board management services. She explained that the State had modified the procedures for Requests for Proposals and Bids. Mrs. Coody reported that the emergency contract with Smith Warren Management Services would expire in September 2023. Mrs. Coody presented a template for specifications and the Board discussed standards to be set for performance of services and qualifications. Dr. Webb made the motion to accept the current specifications as discussed and authorize the Board attorney to submit the

specifications to the State Purchasing Department. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

Dr. Webb left the meeting at 1:00 p.m.

Performance Evaluation Committee – Mrs. Coody presented a summary of personnel actions and reported on an individual’s request for a bonus and an increase in salary. Mrs. Coody responded to questions regarding State Personnel requirements. Dr. Webb made the motion to deny the request for a bonus and the request for an increase in salary. The motion was seconded by Dr. Atchison and unanimously approved by the Board.

Dr. Crawford made the motion to move forward with requesting a job description and official performance evaluation to align with the job description. Dr. Crawford withdrew her motion.

Next Board Meeting: Chairperson Tidwell reminded the members that the next regularly scheduled meeting of the Board was July 21, 2023, at 9:00 a.m.

ADJOURNMENT

There being no further business, Dr. Crawford made a motion that the meeting be adjourned. The motion was seconded by Dr. Hollingsworth and unanimously approved by the Board. Chairperson Tidwell adjourned the meeting at 1:28 p.m.

Respectfully Submitted,

DeAnna Tidwell

DeAnna Tidwell
Board Chair



Keith E. Warren
Acting Executive Director

Approved on: July 19, 2023 / (KR)rr
Date Initials