

ALABAMA BOARD OF EXAMINERS IN COUNSELING

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MINUTES

Board Meeting
January 19, 2024

The Alabama Board of Examiners in Counseling (ABEC) held its regular meeting on Friday, January 19, 2024, to conduct business. The meeting was held at the Board's office located at 2777 Zelda Road in Montgomery, Alabama. Members in attendance were Dr. Debra Atchison (Board Chair), Ms. Anjanette Robinson (Board Vice Chair), Dr. Sheila Webb (member attending virtually), Dr. Glenn Hollingsworth (member), Ms. Jessie Bowie (member) and Dr. Sherrionda Crawford (member). Board member absent was Ms. DeAnna Tidwell (member). Also in attendance were Mr. Keith Warren (Acting Executive Director), Mrs. Hendon Coody (Board Legal Counsel), Mr. Mike James (Investigator), Ms. Karen Harlow (Legal Assistant), Ms. Sheila Dopson (Board Administrator), Ms. Tracie Holt (Licensing Specialist), Ms. Angela Warr (Executive Assistant) and Ms. Renee' Reames (recording secretary). Public guests were also present and attending virtually.

CALL TO ORDER

Dr. Atchison, Board Chair, called the meeting to order at 10:00 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 member roll, and a quorum of the members was in attendance. Mr. Warren read the Opening Statement regarding Robert's Rules of Order, and Chairperson Atchison welcomed attendees. Actions by the Board were voted by roll call vote and Chairperson Atchison did not vote except in case of a tie vote.

APPROVAL OF MEETING AGENDA

Chairperson Atchison 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. Webb made a motion to approve the January 19, 2024, meeting agenda as presented. The motion was seconded by Ms. Bowie and, following a roll call vote by Mr. Warren, the motion was unanimously approved by the Board.

APPROVAL OF MEETING MINUTES

Chairperson Atchison presented the minutes from the November 1, 2023 regular meeting. Dr. Crawford recommended a correction to the minutes on page 3, indicating a meeting break at 12:02 p.m.

MOTION: Dr. Crawford made a motion to approve the November meeting minutes as corrected. The motion was seconded by Dr. Hollingsworth and, following a roll call vote, the motion was unanimously approved by the Board.

Chairperson Atchison called a 5-minute break at 10:06 a.m.

Chairperson Atchison reconvened the meeting at 10:11 a.m.

EXECUTIVE DIRECTOR REPORT

Mr. Warren presented the Executive Director report to include financial activities of the Board for the period ending December 31, 2023. In reviewing the Board's budget, the Board discussed sponsoring an ethics seminar for licensees and allocating grant funds to promote counseling. The Board agreed to consider these financial discussions at a future meeting.

Mr. Warren reported on establishing a virtual portal for Board members to review meeting documents and access reference materials. He explained the software capabilities in video conferencing, document data storage and scheduling meetings, etc. He reported that electronic devices would be required as part of this program. Mr. Warren estimated the purchase of devices to be approximately \$750-\$1000 per device. MOTION: Dr. Crawford made the motion to approve funds for the purchase of Board member devices. The motion was seconded by Ms. Robinson and, following a roll call vote, the motion was unanimously approved by the Board.

Mr. Warren reported on the current number of licensees (report available in the Board's official Book of Minutes). He also reported on complaints received in FY 2023 and FY 2024. He reported that an Investigative Committee report would be provided later in the meeting.

MOTION: Dr. Hollingsworth made the motion to accept the financial report as presented. The motion was seconded by Ms. Robinson and, following a roll call vote, the motion was unanimously approved by the Board.

Mr. Warren also reported on the success of the Board's Wellness program, indicating few states have a Wellness program. He reported there were 2 licensees currently in the program.

Mr. Warren also announced that the annual Counseling Regulatory Boards Summit (CRBS) was scheduled to be held in June in Puerto Rico. Mr. Warren reported that additional information would be sent to them regarding this meeting.

MOTION: Ms. Robinson made the motion to authorize members of the Board and staff to attend the annual CRBS meeting in Puerto Rico. The motion was seconded by Dr. Hollingsworth, and following a roll call vote, the motion was unanimously approved by the Board.

Mr. Warren distributed a copy of the revised Resource Manual for Alabama Regulatory Boards and Commissions.

The Board discussed the licensee search capabilities on the Board's website and requested that the database be revised to include the option to searching for licensees by city and county. The Board also requested that the supervisor forms for LPC-S and LPC be digitized to make the completion more convenient.

LEGAL COUNSEL REPORT

Mrs. Coody reported that the Investigative Committee (IC) had met to review complaint cases and 16 of the 20 open cases were to be presented for approval. Mr. James reported on the recommendations by the Investigative Committee and a list of the cases was provided to the Board (report available in the Board's official Book of Minutes). He indicated that Chairperson Atchison was abstained from voting as a member of the Committee.

MOTION: Ms. Bowie made the motion to approve the IC's recommendation case 2024-001 that was previously reported at the last meeting be closed as no jurisdiction. The motion was seconded by Dr. Hollingsworth, and following a roll call vote, the motion was unanimously approved by the Board.

MOTION: Ms. Bowie made the motion to approve the IC's recommendation to issue a letter of concern in cases 2024-012 and 2024-013, and to close case 2024-003 as unfounded, case 2024-006 as no violations, cases 2024-002, 2024-004, 2024-005, 2024-015 and 2024-001 as no jurisdiction and to authorize the Board's legal counsel to negotiate in case 2024-007BR with one-year probation and 6 months to pay \$2,000 accessed fine, and to set for hearing if unable to negotiate. The motion was seconded by Dr. Hollingsworth and, following a roll call vote, the motion was unanimously approved.

Mrs. Coody presented proposed Rule 255-X-8-.11 Petition for Declaratory Ruling. Following a review of the proposed rule, she explained a form would be completed by the petitioner and the Board would consider the matter, within the scope of the profession, and should the properly submitted petition not be ruled upon within 45 days following the Board's review, that would constitute a denial of the petition as well as a denial of the merits of the petition.

MOTION: Dr. Hollingsworth made the motion to approve the new rule and authorize the Board's legal counsel to draft a petition form. The motion was seconded by Ms. Robinson and, following a roll call vote, the motion was unanimously approved by the Board.

Mrs. Coody reported that she would be working with staff in reviewing and updating the application forms, in accordance with Rule 255-X-1-.09 Forms and Instructions.

MOTION: Ms. Bowie made the motion to approve the Board's legal counsel to work with staff in reviewing Board forms. The motion was seconded by Ms. Robinson and, following a roll call vote, the motion was unanimously approved by the Board.

Mrs. Coody recommended that the Board enter into an Executive Session to discuss potential litigation.

MOTION: Dr. Crawford made the motion that the Board enter into an Executive Session, with an anticipated exit to be around 30 minutes, to discuss potential litigation. The motion was seconded by Ms. Robinson, and Mrs. Coody certified the purpose of the Executive Session. Following a roll call vote by Mr. Warren, the motion was unanimously approved by the Board. Chairperson Atchison called the Board into Executive Session at 11:04 a.m.

MOTION: Ms. Robinson made the motion to exit the Executive Session. The motion was seconded by Ms. Bowie, and following a roll call vote, the motion was unanimously approved by the Board.

Chairperson Atchison reconvened the business meeting at 11:37 a.m.

MOTION: Dr. Crawford made the motion to withdraw the request in case 2023-043 and case 2023-045 due to no jurisdiction. The motion was seconded by Ms. Bowie, and following a roll call vote, the motion was unanimously approved by the Board.

UPDATE ON COUNSELING COMPACT

Chairperson Atchison reported that Dr. Parker, Board liaison to the Interstate Counseling Compact, was not available to report and would be deferred to the next Board meeting.

ACADEMIA RULE REVISION COMMITTEE REPORT

Committee Chairman Hollingsworth reported that he had no updates at this time from the Academic Rules Review Committee.

SUPERVISION COMMITTEE REPORT

Chairperson Atchison reported that the current Committee members, Dr. Atchison, Ms. Pruitt, Dr. Webb and Dr. Crawford, had not met recently and she was rolling-off of the Committee.

MOTION: Dr. Crawford made the motion that a new Supervision Committee be appointed. The motion was seconded by Dr. Hollingsworth, and following a roll call vote, the motion was unanimously approved by the Board.

Chairperson Atchison appointed Dr. Hollingsworth, Dr. Webb and Dr. Crawford. Mr. Warren indicated that he would notify the previous members of the new appointments.

The Board discussed proposed Rule 255-X-3-.02 Associate Licensed Counselor that was published in the *Administrative Monthly* and reviewed several comments from the public, in the interim of the comment period ending in February. Mr. Warren indicated that the Board would receive, at the March Board meeting, a copy of all of the comments when considering adoption of Final Rules 255-X-3-.02 and 255-X-4-.08.

OLD BUSINESS

Chairperson Atchison called for any old business and there were none.

NEW BUSINESS

Review of Applications and License Requests: Mr. Warren and Ms. Dopson presented licensing requests on the following for the Board's approval (report available in the Board's official Book of Minutes):

Initial ALC: Dr. Crawford made the motion to approve the ALC requests for initial issuance of license. The motion was seconded by Ms. Bowie and, following a roll call vote, the motion was unanimously approved by the Board.

ALC to LPC: Dr. Hollingsworth made the motion to approve the ALC requests to become an LPC. The motion was seconded by Ms. Robinson and, following a roll call vote, the motion was unanimously approved by the Board.

LPC-Supervisor: Dr. Crawford made the motion to approve the LPC-Supervisor requests for licensure. The motion was seconded by Ms. Robinson and, following a roll call vote, the motion was unanimously approved by the Board.

LPC by Endorsement: Dr. Hollingsworth made the motion to approve the LPC applications by endorsement requests. The motion was seconded by Ms. Robinson and, following a roll call vote, the motion was unanimously approved by the Board.

Requests to Inactive Status: Dr. Crawford made the motion to approve the requests from AG and LM to inactive status and to authorize the Board Chair to approve inactive status requests. The motion was seconded by Ms. Robinson and, following a roll call vote, the motion was unanimously approved by the Board.

Provisional License: Dr. Crawford made the motion to approve EPE's request for Provisional license and obtain additional supervision hours and submission of supervision PPO. The motion was seconded by Ms. Robinson and, following a roll call vote, the motion was unanimously approved by the Board.

Dr. Crawford made the motion to approve TKP's request for Provisional license and obtain additional supervision hours. The motion was seconded by Ms. Robinson, and, following a roll call vote, the motion was unanimously approved by the Board.

NCE Accommodations: Dr. Webb made the motion to approve the requests from ED, DA and SH for NCE accommodations and to authorize the Board Chair to approve NCE accommodation requests. The motion was seconded by Dr. Crawford and, following a roll call vote, the motion was unanimously approved by the Board.

MOTION: Dr. Robinson made the motion that it was the discretion of the Board Chair to forward requests to the Board to review. The motion was seconded by Dr. Hollingsworth and, following a roll call vote, the motion was unanimously approved by the Board.

Activation Requests: Dr. Hollingsworth made the motion to approve the requests to reactivate license. The motion was seconded by Dr. Crawford and, following a roll call vote, the motion was unanimously approved by the Board.

Dr. Hollingsworth made the motion to authorize the Board Chair to approve license reactivation requests. The motion was seconded by Dr. Crawford and, following a roll call vote, the motion was unanimously approved by the Board.

Examination Waiver: Ms. Robinson made the motion to deny the appeal request from CMJ to waive the LPC examination. The motion was seconded by Ms. Bowie, and, following a roll call vote, the motion was unanimously approved by the Board. Mrs. Coody explained that by denying the request, the Board had upheld the statutory requirements for licensure examination and the appeal would not be addressed again by the Board.

Educational Request: Ms. Robinson made the motion to approve the licensure request from ELD. The motion was seconded by Dr. Hollingsworth and, following a roll call vote, the motion was unanimously approved by the Board.

Ms. Robinson made the motion to approve the licensure request from DMB. The motion was seconded by Dr. Crawford and, following a roll call vote, the motion was unanimously approved by the Board.

Dr. Crawford made the motion to approve the licensure request from CMP. The motion was seconded by Ms. Bowie and, following a roll call vote, the motion was unanimously approved by the Board.

CE Request: The Board reviewed the CE request for programs that were not NBCC or other eligible Board approved provider, e.g., CRCC and others in the Board's CE guidelines. Dr. Hollingsworth made the motion to deny the CE request and require officially sanctioned CE hours. The motion was seconded by Dr. Crawford and, following a roll call vote, the motion was unanimously approved by the Board.

OTHER BUSINESS AND ANNOUNCEMENTS

Alabama Counseling Association Update: Dr. Driver reported that the annual meeting of the Alabama Counseling Association (ALCA) would be held November 20-22, 2024, in Montgomery. She indicated that the ALCA was working on district representation in future board member nominations. She offered to work with the Board in promoting the board-sponsored training event and in keeping members aware of changes in the Board's rules, etc. The Board discussed the composition of the Board, to include 2 citizen members, and not all practicing in the profession.

Next Board Meeting: Chairperson Atchison reminded the members that the next regularly scheduled meeting of the Board was March 22, 2024, beginning at 10:00 a.m.

ADJOURNMENT

There being no further business, Dr. Crawford made a motion that the meeting be adjourned. The motion was seconded by Ms. Bowie and unanimously approved by the Board. Chairperson Atchison adjourned the meeting at 12:58 p.m.

Respectfully Submitted,



Debra H. Atchison, Ed.D.

Board Chair



Keith E. Warren
Executive Director

Approved on: March 22, 2024 (KA)/rr