

ALABAMA BOARD OF EXAMINERS IN COUNSELING

2777 Zelda Rd
Montgomery, AL 36106
334/240-7229 Fax: 334/263-6115
www.abec.alabama.gov

MINUTES

Board Meeting
March 21, 2025

The Alabama Board of Examiners in Counseling (ABEC) held its regular meeting on Friday, March 21, 2025, 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. Anjanette Robinson (Board Chair), Dr. Glenn Hollingsworth (Board Vice Chair), Dr. Sherrionda Crawford (member), Ms. DeAnna Tidwell (member), and Mr. Jacques Austin (member). Members absent were Ms. Jessie Bowie (member) and Ms. Cynthia Hooper (member). Also in attendance were Mr. Keith Warren (Executive Director), Ms. Tara Hetzel, (Assistant Attorney General-Civil Division), Mr. Brannon Littleton (CFO), Ms. Dawn Durick (Licensing Specialist), Ms. Deborah Whitman (Licensing Specialist), Ms. Karen Entriken (Investigator attending virtually) Ms. Karen Harlow (Legal Assistant), Dr. Charlotte Daughhetee (Academic Reviewer), Dr. Latofia Parker (Board Compact Liaison attending virtually) and Ms. Renee' Reames (recording secretary). Public guests were also present and attended virtually.

CALL TO ORDER

Ms. Robinson, Board Chair, called the meeting to order at 10:02 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. Ms. Hetzel read aloud the opening statement regarding the meeting being conducted in accordance with Robert's Rules of Order and Alabama Open Meetings Act. Mr. Warren called the official member roll, and a quorum of the members was in attendance. Chairperson Robinson welcomed everyone present at the meeting and attending virtually.

APPROVAL OF MEETING AGENDA

Chairperson Robinson presented the meeting agenda for the Board's approval. A copy of the agenda for the March 21, 2025 meeting was provided to the Board members prior to the meeting for their review. MOTION: Ms. Tidwell made a motion to approve the March meeting agenda as presented. The motion was seconded by Dr. Crawford and unanimously approved by the Board. Chairperson Robinson did not vote except in the case of a tie vote.

APPROVAL OF MEETING MINUTES

Chairperson Robinson presented the minutes from the January 17, 2025 regular meeting for the Board's approval.

MOTION: Dr. Hollingsworth made a motion to approve the January meeting minutes as presented. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

EXECUTIVE DIRECTOR REPORT

Mr. Warren presented the Executive Director report to include the number of current licensees by designation, number of consumer complaints submitted to the Board in fiscal years 2022 through 2025 and status of disciplinary fines assessed (report available in the Board's official Book of Minutes).

He recommended modifications to the Board's Rule 255-X-2-.03 Associate Licensed Counselor requiring any ALC license to permanently expire after 6 years from the initial date of issue, and the licensee would

be required to reapply under the current regulations for initial ALC licensure, with forfeiture of all previous accrued supervision hours. He proposed changes to the 6-year rule to clarify the intent and amended to state *continuous* years from the date of the original issue date. The Board discussed whether the 6-year clock would stop when an ALC requested an active license be placed on inactive status and how many times an inactive request was allowed, and a deadline be established for current licensed ALCs to comply with the Rule. Mr. Warren reported that the LPC licensure examination could be retaken every 90 days. MOTION: Dr. Hollingsworth made the motion that the current ALC licensees be notified in writing of the current 6-year rule, with a December 31, 2025 deadline to comply. The motion was seconded by Mr. Austin and unanimously approved by the Board.

Mr. Warren reported that an email would be sent to the licensees notifying them about the CE guidelines and information about how to search for approved CE providers. He commented on prior Board discussions concerning PESI courses and explained that only the PESI courses approved by NBCC or CRCC, etc. as indicated in the Board's CE policy were eligible and the policy was listed on the Board's website under Continuing Education.

Mr. Warren also commented on licensure violations regarding a person performing counseling with an expired license, along with potential billing violations with contractual third parties. He indicated that the Board's proposed rule states that a LPC renewal application must be received in the Board's office by the end of business day of July 31st.

Mr. Warren reported on enhancements to the licensee database which included links to online applications. He reported that the LPC renewal application was available online, ALC online application renewal is being developed, along with developing all application process online to eliminate paper applications and fees being paid by check. He reminded the Board that the Examiner of Public Accounts required checks to be deposited within 5 days from receipt, and fees were non-refundable. He reported that the 15-year renewal of an LPC lapsed license had been incorporated into the LPC online renewal process.

Mr. Warren reported on plans for the Board-sponsored CE Program for supervisors to be held on May 2, 2025 in Prattville and he distributed a copy of the agenda for this event. He explained that the Alabama Counseling Association (ACA) had agreed to sponsor the continuing education credits as an approved CE provider with NBCC and the Association was also sponsoring the breaks refreshments during the program. He reported that he was working on expanding the space beyond 150 attendees and virtual access was discussed but not finalized. In addition to the agenda, Mr. Warren distributed a copy of the CE Program budget with an estimated total of \$7,500.

MOTION: Ms. Tidwell made the motion to approve a maximum budget of \$10,000 for the May 2, 2025 Board-sponsored CE program, to accommodate costs due to increased enrollment. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

MOTION: Dr. Crawford made the motion to amend the proposed agenda to include a Q&A lunch, if feasible, and add virtual supervision topic with a presenter. The motion was seconded by Mr. Austin and unanimously approved by the Board.

Mr. Warren reported that in further review of the discussions by the Board concerning student intern counseling services, the Board had no jurisdiction in the matter and no official position letter on the matter by the Board was necessary.

He indicated that he continued to work on obtaining a list from other states about the hourly rate of supervision. He stated that while the Board continued to consider modifications to the Board's rules, he was in the process of updating changes to the Board's policy manual and proposed modifications to the

licensing applications and would prepare a projection of revenue based on an increase in licensing fees for the Board's consideration.

FINANCIAL REPORT

Mr. Littleton presented the financial report for fiscal year 2025 second quarter through February 28, 2025. He reviewed the revenue and expenditures for the reported period, along with projected revenue and expenses for the remainder of the fiscal year, indicating a positive ending cash balance. A detailed list of vendors was also provided.

MOTION: Dr. Hollingsworth made the motion to accept the financial report as presented. The motion was seconded by Ms. Tidwell and unanimously approved by the Board.

Mr. Warren reported that he had provided quarterly reports to the Sunset Committee updating them on the recent audit findings and he included the CE programs and the Congressional Districts compliance as activities performed by the Board in addition to resolving the audit findings.

LEGAL COUNSEL REPORT

Investigative Committee Recommendations: Ms. Hetzel presented to the Board the recommendations of the Investigative Committee regarding complaints. A list of cases was provided to the members (report available in the Board's official Book of Minutes).

- Close complaints due to no jurisdiction to include 2024-094, 2025-016BR, 2025-020, 2025-026, 2025-028 and 205-029.
- Close complaints as unfounded to include 2024-088, 2024-090BR, 2025-001, 2025-002, 2025-009, 2025-011, 2025-014, 2025-017, 2025-018, 2025-019, 2025-021, 2025-022, 2025-023, 2025-024, 2025-027, 2025-037, and 2025-041.
- Administratively close cases to include 2023-034, 2024-089BR, 2024-095, and 2025-013BR.

MOTION: Dr. Crawford made the motion to approve the IC's recommendations as presented. The motion was seconded by Dr. Hollingsworth and unanimously approved by the Board with Chairperson Robinson recused in voting as an IC member.

Ms. Hetzel presented the IC recommendation on Case 2025-005 to close as founded and assess \$500 fine.

MOTION: Dr. Hollingsworth made the motion to approve the IC's recommendations as presented in Case 2025-005. The motion was seconded by Dr. Crawford and unanimously approved by the Board with Chairperson Robinson recused as an IC member.

Ms. Hetzel presented the IC recommendations to close Cases 2024-074 and 2024-087 and ratify the issuance of a cease and desist order.

MOTION: Dr. Hollingsworth made the motion to approve the IC's recommendations as presented. The motion was seconded by Mr. Austin and unanimously approved by the Board with Chairperson Robinson recused in voting as an IC member.

Mr. Warren presented a request by JM to adjust the requirement for random testing while enrolled in the APHP Wellness Program due to financial burden. A copy of the written request was provided to the Board citing recovery history and current employment, etc. Mr. Warren reported that the Wellness Program staff had supported JD's request, and he recommended that JM's Wellness agreement be modified for the remainder of his original 2-year agreement and he continue with an active ALC license.

MOTION: Dr. Hollingsworth made the motion to reduce random testing to five tests, subject to any positive tests, for the remainder of JD's 2-year agreement. The motion was seconded by Dr. Crawford and unanimously approved by the Board with Chairperson Robinson recused in voting as an IC member.

Chairperson Robinson called recess of the Board at 11:11 a.m. for 10 minutes and reconvened the meeting at 11:21 a.m.

Ms. Hetzel reported on Case 2024-060BR and non-compliance by the respondent, along with a new board-initiated complaint due to new criminal charges that had not been reported by the respondent and a third board-initiated complaint based on a recent anonymous complaint. Ms. Hetzel presented the IC recommendations to assess a \$5,000 fine for non-compliance in case 2024-060BR and open two new Board-initiated complaints, and the emergency suspension of the respondent's license for 120 days due to danger to public health, safety or welfare, and a formal Administrative Hearing scheduled for the respondent. The Board discussed having an Administrative Law Judge (ALJ) presiding over the hearing and the Board's decision-making process under the Alabama Administrative Procedures Act.

MOTION: Mr. Austin made the motion to approve the recommendations of the IC to emergency suspend the license of the respondent in the three cases discussed. The motion was seconded by Ms. Tidwell and unanimously approved by the Board with Chairperson Robinson recused in voting as an IC member.

MOTION: Dr. Hollingsworth made the motion that the respondent in the cases discussed be given a 21-day notice of the Administrative Hearing to be scheduled at 1:00 p.m. on May 16, 2025, with an ALJ presiding and the Board present at the hearing. The motion was seconded by Dr. Crawford and unanimously approved by the Board with Chairperson Robinson recused in voting as an IC member.

Update on Administrative Services Contract: Ms. Hetzel recommended an Executive Session of the Board to discuss the Administrative Services Contract. Chairperson Robinson deferred the matter to the end of the business meeting when the matter would be discussed in an Executive Session.

Update on Counseling Compact: Dr. Parker, Board's Compact Liaison, reported that the Compact held a business meeting in February and planned to begin issuing licenses based on the work completed on the database by the states onboarding licensing information. Mr. Warren recommended that the Board defer the decision about accessing a privilege practice fee for individuals licensed in other States, since the Board had a positive cash balance at present and to allow time to experience the licensing process through the Compact and monitor the changes in licensing demographics. Dr. Parker reported that she currently served on the Compact Finance Committee and Mr. Warren reported that he had volunteered to serve on the Compact's Rules Committee.

ACADEMIA RULES REVISION COMMITTEE REPORT

Dr. Hollingsworth reported that the Committee had no report at this time.

SUPERVISION COMMITTEE REPORT

Dr. Crawford reported that the Supervision Committee had worked on proposed changes to the supervision components of the Board's rules, specifically regarding the hours of supervision. She indicated that the Committee recommended that individual supervision hours be changed to direct supervision hours and explained as direct individual, in-person, one-to-one, face-to-face, and physically present. Chairperson Robinson deferred further discussion of the matter to later in the meeting when discussing adoption of Final Rules.

ALCA UPDATE

Dr. Necoal Driver reported she was excited about the upcoming CE program focusing on supervision and she reported that there had been interest by Association members requesting to expand the seating capacity at the program and interest in having a seminar in North Alabama. She reported that the Association's annual meeting was scheduled November 19-21, 2025 in Birmingham and additional information would

be available on the Association's website. She asked the Board to consider a supervision question and answer session at the annual meeting. She invited the Executive Director and Board members to attend the Association's Board meeting scheduled on May 8-9, 2025 in North Alabama. She commented on the Board rotating meetings and CE programs in different areas of the state.

OLD BUSINESS

Discussion of ALC 6-year rule: Chairperson Robinson reported that the discussion of the ALC 6-year rule requiring an ALC to become licensed as a LPC was discussed previously in the meeting during the Executive Director's report.

NEW BUSINESS

Public Hearing and Adoption of Final Rules:

The Board discussed the request that was presented at the March Board meeting by Charlie Health to allow 100% virtual supervision and consider changes to the ALC supervision requirements. The Board considered the 2022 rule change with the Board's intent to require face-to-face supervision and exceptions would be considered on a case-by-case basis. Further discussion continued about protection of the public in establishing supervision requirements and the 25 hours of direct supervision was not an excessive number of hours to attain.

MOTION: Dr. Hollingsworth made the motion to deny the request by Charlie Health to grant 100% virtual supervision to its employees applying for licensure in Alabama. The motion was seconded by Mr. Austin and unanimously approved by the Board.

Mr. Warren presented for final adoption the rules that had been published for public comment and considered at the March Board meeting.

Chairperson Robinson called recess of the Board at 12:39 p.m. for 5 minutes and reconvened the meeting at 12:44 p.m.

Rule 255-X-2-.23 Individual Supervision – The Board discussed replacing the word *individual* with *direct* as recommended by the Supervision Committee and changes added to clarify the full intent of the rule. The Board also agreed to add a FAQ on the Board's website and update the Policies and Procedures (P&P).

MOTION: Dr. Hollingsworth made the motion to approve Rule 255-X-2-.23 Direct Supervision as the direct supervision component for licensure supervision by an ABEC approved LPC-S requires that the supervision occur as direct individual, in-person, one-to-one, face-to-face, and physically present (utilizing virtual forms if LPC-S has virtual supervision certificate). The motion was seconded by Dr. Crawford and unanimously approved by the Board.

255-X-2-.24 Other Supervision – The Board discussed changes to Rule 266-X-2-.24 and no changes were made. The Board agreed to update the FAQ and PPOS based on the Supervision Committee recommendations.

MOTION: Dr. Crawford made the motion to approve as Final Rule 255-X-2-.24 as published. The motion was seconded by Mr. Austin and unanimously approved by the Board.

255-X-3-.01 Licensed Professional Counselor – The Board agreed that reference to rule requirements prior to the January 1, 2024 under Education requirements would be removed and rule requirements effective January 1, 2024 be stated, along with correction to typographical errors.

MOTION: Ms. Tidwell made the motion to approve as Final Rule 255-X-3-.01 as changed. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

255-X-3-.02 Associated Licensed Counselor – The Board discussed changes to Plan of Supervision section (255-X-3-.02(4)(a)) to better define the minimum 100 hours of supervision, of which 50 hours annually would be one to one direct supervision, except when the LPC-S had completed appropriate tele-supervision training and then the 50 hours of direct supervision would be reduced to 25 hours of direct supervision, allowing the other 25 hours of the 50 hours to become virtual supervision. The clarification of supervision hours was also changed in section 255-X-3-.02(4)(b) of the rule.

MOTION: Dr. Crawford made the motion to approve as Final Rule 255-X-3-.02 as changed. The motion was seconded by Ms. Tidwell and unanimously approved by the Board.

255-X-4-.01 General – The Board considered Rule 255-X-4-.01 as Final Rule.

MOTION: Dr. Hollingsworth made the motion to approve as Final Rule 255-X-4-.01 as published. The motion was seconded by Mr. Austin and unanimously approved by the Board.

255-X-4-.04 References -

MOTION: Dr. Crawford made the motion to approve as Final Rule 255-X-4-.04 as presented to repeal. The motion was seconded by Ms. Tidwell and unanimously approved by the Board.

255-X-4-.05 Board Decisions Related to Applications – Repealed.

MOTION: Ms. Tidwell made the motion to approve as Final Rule 255-X-4-.05 as published. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

255-X-4-.07 Denial of Application –

MOTION: Ms. Tidwell made the motion to approve as Final Rule 255-X-4-.07 as published. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

255-X-6 Licensure – The Board corrected the intent of the amended rule to indicate 10 contact hours of continuing education for an ALC.

MOTION: Dr. Crawford made the motion to approve as Final Rule 255-X-6, with section 255-X-6-.03 changes as discussed. The motion was seconded by Mr. Austin and unanimously approved by the Board.

255-X-7 License Renewal – The Board corrected the intent of the amended rule to reflect the Board must receive the LPC renewal applications and renewal fee in the Board's office by the close of business on July 31st of the renewal year.

MOTION: Mr. Austin made the motion to approve as Final Rule 255-X-7 with the discussed change. The motion was seconded by Ms. Tidwell and unanimously approved by the Board.

255-X-B Appendix - Other Supervision Guidelines – The Board made no action to accept as Final Rule and the rule was vacated.

Approval of Wellness Program Contract: Mr. Warren presented a copy of the current contract for the Alabama Professionals Health Program that was scheduled to expire September 30, 2025. He explained that the service provider was a sole source provider of the wellness services for the healthcare professionals in Alabama. He recommended that the contract be amended to allow applicants pending licensure to be referred to the wellness program.

MOTION: Ms. Tidwell made the motion to authorize the Executive Director to proceed with amending the contract to include applicants pending licensure. The motion was seconded by Mr. Austin and unanimously approved by the Board.

Academic Review Contract Expiration and RFP Specifications: Mr. Warren reported that the contract for Academic Review services was scheduled to expire September 30, 2025. Ms. Daughhetee indicated that she was retiring after the end of the contract. Mr. Warren presented a copy of the proposed RFP specifications for Academic Review services. The Board discussed key qualifications for individuals responding to the RFP to include possessing comprehensive understanding of CACREP, knowledge of accreditation requirements, and experience in interpreting transcripts. After further discussion about qualifications, Chairperson Robinson deferred the matter to the next Board meeting to allow time for the members to consider the proposed RFP specifications.

Review of Applications & License Requests

Mr. Warren presented licensing application requests for the Board's approval (list of applications available in the Board's official Book of Minutes) and he indicated that the applications had been reviewed by Dr. Daughhetee, for academic review as well as requests for reduction in supervision hours.

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

Provisional: Dr. Crawford made the motion to approve the requests of Provisional licensure. The motion was seconded by Mr. Austin and unanimously approved by the Board.

ALC to LPC: Dr. Hollingsworth made the motion to approve the requests from ALC to be licensed as LPC. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

LPC by Endorsement: Dr. Crawford made the motion to approve the LPC applications by endorsement requests. The motion was seconded by Ms. Tidwell and 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 Mr. Austin and unanimously approved by the Board.

Reduction in Hours: Dr. Hollingsworth made the motion to approve the requests for a reduction in supervision hours. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

Inactive: Ms. Tidwell made the motion to approve the requests for inactive licensure. The motion was seconded by Dr. Crawford and unanimously approved by the Board.

Reactivation: Dr. Crawford made the motion to approve the requests to reactivate their license. The motion was seconded by Dr. Hollingsworth and unanimously approved by the Board.

NCE Accommodations: Ms. Tidwell made the motion to ratify the Board's Chairperson's approval of NCE accommodation requests. The motion was seconded by Mr. Austin and unanimously approved by the Board.

Special Reviews: Mr. Warren presented three licensure requests for special review and Board approval.

DMs. Tidwell made the motion to approve the request for an extension of DH's provisional license for one year. The motion was seconded by Dr. Hollingsworth and unanimously approved by the Board. [See additional motions that follow concerning DH.]

Dr. Crawford made the motion to table RHC's request and that the Board request a letter of explanation for the extension request with a copy of the log documenting hours obtained and a plan of action for the completion of the remaining supervision hours. The motion was seconded by Ms. Tidwell and unanimously approved by the Board.

DH request and continued discussions.

MOTION: Ms. Tidwell made the motion to rescind the motion approving DH's request for an extension of provisional license. The motion was seconded by Dr. Hollingsworth and unanimously approved by the Board and the motion was rescinded.

MOTION: Dr. Crawford made the motion to table DH's request and that the Board request a letter of explanation for the extension request with a copy of the log documenting hours obtained and a plan of action for completion of the remaining supervision hours. The motion was seconded by Dr. Hollingsworth and unanimously approved by the Board.

TKP – requested an extension of their provisional license.

MOTION: Mr. Austin made the motion to approve the request for an extension of DH's provisional license for one year. The motion was seconded by Dr. Hollingsworth and unanimously approved by the Board.

ANNOUNCEMENTS AND OTHER BUSINESS

Chairperson Robinson reported that an Executive Session of the Board would be held after the following announcements:

Next Board meeting was scheduled on May 16, 2025 at 10:00 a.m. and an Administrative Hearing to follow beginning at 1:00 p.m.

Board travel expense forms were submitted by the members for meeting attendance.

Mr. Warren commented on scheduling another continuing education program in August 2025 and January 2026. He mentioned partnering with one of the university's Counseling Department and offering Zoom access for participants.

Administrative Services Contract:

Chairperson Robinson called for a motion to go into Executive Session.

MOTION: Dr. Crawford made the motion for the Board to adjourn into Executive Session for approximately 20 minutes to discuss the Administrative Services Contract. The motion was seconded by Mr. Austin. Ms. Hetzel certified the purpose for the Executive Session and the following votes were

recorded: Dr. Hollingsworth, Dr. Crawford, aye, Ms. Tidwell, aye, and Mr. Austin, aye. Chairperson Robinson adjourned the meeting into Executive Session at 2:01 p.m. All staff and guests left the meeting and the Zoom access for virtual participation ended.

MOTION: Ms. Tidwell made the motion to end the Executive Session and resume the business meeting. The motion was seconded by Dr. Crawford and unanimously approved by the Board. Chairperson Robinson reconvened the business meeting at 2:40 p.m.

ADJOURNMENT

There being no further business, Dr. Crawford made a motion that the meeting be adjourned. The motion was seconded by Ms. Tidwell and unanimously approved by the Board. Chairperson Robinson adjourned the meeting at 2:41 p.m.

Respectfully Submitted,

Anjanette B. Robinson
Board Chair

Keith E. Warren
Executive Director

/rr _____ Minutes approved on: _____