

TEXAS STATE BOARD OF EXAMINERS OF PROFESSIONAL COUNSELORS
Complaints Committee
Thursday, September 14, 2006, 10:00 a.m.
Laguna Madre Learning Center, Port Isabel High School
State Highway 100
Port Isabel, Texas 78578

Minutes

Committee Members Present:

Judy Powell, Chair
Dan Wilkins
Glynda Corley
Ana Bergh

DSHS Staff Present:

Dan Meador
Bobbe Alexander
Stewart Myrick
Steve Slough
Gerard Bonner

Guests Present:

Kenda Dalrymple
Vicki Williams-Patterson
James Florence
Shane Harrold
Kevin Hoffman
Cassandra Cochrane-Rhodes
Tom Hartsell
Peggy Cook
Arlington Kadzis
Helena Van Orden

Agenda Item 1 was the call to order by Ms. Powell at 10:10 am.

Agenda Item 2 was the introduction of guests.

Agenda Item 4 was the discussion and possible actions concerning pending complaints:

1061060084 (N.A.) – Ms. Bergh made a motion to close the complaint as unsubstantiated. The motion was seconded and passed unanimously.

1061060073 (C.B.) – Ms. Corley made a motion to close the complaint as unsubstantiated. The motion was seconded and passed unanimously.

1061050117 (V.W.) – Dr. Wilkins made a motion to close the complaint as unsubstantiated. The motion was seconded and passed unanimously.

1061060057 (S.B.) – Dr. Wilkins made a motion to issue an advisory letter regarding the clarification of defining a client. The motion was seconded and passed. One member abstained.

The committee recessed at 11:13 am. The committee reconvened at 11:26 am.

1061060103 (J.K.) - Dr. Wilkins made a motion to issue an advisory letter regarding the clarification of refusal of release in regards to Health and Safety Code, Chapter 611, and regarding inclusion of documentation of court orders in intake documentation. The motion was seconded and passed unanimously.

The committee recessed at 12:00 pm. The committee reconvened at 12:08 pm.

1061060045 (C.C.) – Dr. Wilkins made a motion to issue an advisory letter regarding the timely response to a request for release of records as noted in Health and Safety Code, Chapter 611. The motion was seconded and passed unanimously.

1061060099 (J.F.) – Ms. Corley made a motion to close the complaint as unsubstantiated. The motion was seconded and passed unanimously.

1061060096 (T.B.) – Dr. Wilkins made a motion to close the complaint as unsubstantiated. The motion was seconded and passed unanimously.

1061050123 (P.C.) – Dr. Wilkins made a motion to close the complaint as unsubstantiated. The motion was seconded and passed unanimously.

1061060076 (M.B.) – Ms. Powell made a motion to issue an advisory letter regarding time allotment and boundaries with clients. The motion was seconded and passed unanimously.

1061050022 (B.D.) – Ms. Powell made a motion to issue an advisory letter Health and Safety Code, Chapter 611, and mandating the release of the records in question. The motion was seconded and passed unanimously.

1061060060 (R.W.) – Ms. Powell made a motion to close the complaint as non-jurisdictional and refer the complaint to the court of appointment. The motion was seconded and passed unanimously.

1061060061 (A.K.) – Ms. Corley made a motion to close the complaint as unsubstantiated. The motion was seconded and passed unanimously.

1061060070 (S.M.) – Dr. Wilkins made a motion to close the complaint as unsubstantiated. The motion was seconded and passed unanimously.

1061060083 (R.F.) – Dr. Wilkins made a motion to propose a 12-month probated suspension with monthly supervision and quarterly reports by a board-approved supervisor. The motion was seconded and passed unanimously.

1061060086 (J.A.) – Ms. Corley made a motion to refer the complaint back to Investigations for more information regarding billing procedures. The motion was seconded and passed unanimously.

1061060091 (P.R.) – Dr. Wilkins made a motion to close the complaint as unsubstantiated. The motion was seconded and passed unanimously.

1061060092 (L.K.) – Ms. Corley made a motion to close the complaint as unsubstantiated. The motion was seconded and passed unanimously.

1061060095 (R.R.) – Dr. Wilkins made a motion to close the complaint as unsubstantiated. The motion was seconded and passed unanimously.

1061060122 (A.S.) – Ms. Corley made a motion to deny the application based on falsifications of his application. The motion was seconded and passed unanimously.

1061060020 (R.A.) – Ms. Corley made a motion to propose revocation based on billing fraud and to refer the complaint to the Medicaid Fraud Unit. The motion was seconded and passed unanimously.

Agenda Item 5 was the discussion and possible action regarding updates on disciplinary actions taken or proposed. Ms. Alexander gave the report. Ms. Powell made a motion to propose a probated suspension for 12 months for licensee D.D., with the license inactivated or the licensee under supervision. The motion was seconded and passed unanimously.

Agenda Item 3 was the review and acceptance of the committee minutes from the July 17, 2006 meeting. A motion was made by Ms. Corley made a motion to accept the minutes. The motion was seconded and passed unanimously.

The committee recessed at 3:21 pm. The committee reconvened at 4:02 pm.

Agenda Item 6 was discussion and possible action regarding proposed rule changes to 22 Texas Administrative Code (TAC), Chapter 681, concerning the licensure and regulation of licensed professional counselors. Ms. Powell made a motion to propose an amendment to 22 TAC §681.41 stating that client records are to be kept for seven years after the last contact between the licensee and the client. The motion was seconded and passed unanimously.

Agenda Item 7 was public comment. There was none.

Agenda Item 8 was the adjournment of the meeting. A motion was made by Ms. Powell to adjourn at 4:40 pm. The motion was seconded and passed unanimously.

Approved by the committee on December 14, 2006
Judith Powell, Chair