

MINUTES
Texas State Board of Examiners of Professional Counselors
September 25, 2004

The meeting was called to order at 10:10 a.m. by Judith Powell, and a quorum was established. Board members present were James Castro, Glynda Corley, Alma Leal, Michelle Eggleston, J. Helen Perkins and Dan Wilkins. Others present were Bobbe Alexander, Executive Director; Linda Coy, Administrative Assistant; Dan Meador, Board Attorney, Debbie Peterson, Division Director, Professional Licensing and Certification Division.

The second order of business was action concerning absent board members. The motion was made by Dr. Leal to excuse the absence of board members, Diane Boddy and Ana Bergh. Ms. Corley seconded the motion. **The motion passed.**

The third order of business was approval of the minutes for the April 17, 2004, board meeting. Dr. Wilkins made the motion to accept the minutes. Ms. Powell seconded the motion. **The motion passed.**

The fourth order of business was public comment. **No action to be taken.**

The fifth order of business was discussion and possible action concerning the approval to accept the Order for revocation on L.W. Dr. Wilkins made the motion to accept the order. Dr. Leal seconded the motion. **The motion passed.**

Agenda item 6 was discussion and possible action concerning the approval to accept the Order of Surrender for J.P. Dr. Wilkins made the motion to accept the order. Ms. Powell seconded the motion. **The motion passed.**

Agenda item 7 was discussion and possible action concerning the approval to accept the Order of Surrender for K.C. Dr. Leal made the motion to accept the order. Dr. Wilkins seconded the motion. **The motion passed.**

Agenda item 8A was the Testing and Continuing Education Committee Report. Dr. Leal made a report to the committee that the appeal for re-examination for Maria Christina Serrano was denied. Dr. Leal stated that Judy Powell gave a summary of the Adhoc Testing Committee recommendation regarding the National Counseling Exam with a jurisprudence section and the Clinical Mental Health Exam. Dr. Leal then reported to the board the discussion regarding the accommodation for testing for those individuals whose primary languages is not English. Dr. Leal reported to the board, the discussion about test scores, job analysis, testing sites and the impact of the law on LPC and LPC-Interns. Dr. Leal reported that two items for continuing education provider were denied. John Bragg's course lacked variable and variable teaching components, however he could resubmit his paperwork in with the additional information for consideration. The second item, Anna McMurray was denied. Dr. Leal reported that Mr. Castro made a recommendation that the committee developed guidelines for on-line course-work. The members of this committee would submit their information to Dr. Leal who will then forward them to Bobbe Alexander to develop a draft and present it at the next board meeting in January. Dr. Leal made a motion to approve the Testing and Continuing Education Committee Report. Dr. Wilkins seconded the motion. **The motion passed.**

The Adhoc testing committee was added to this report. Ms. Powell reported to the board that the committee was in discussion whether the LPC board should go to a National Exam opposed to the State Exam. Ms. Powell stated the committee's recommendation is that the board should move from administering its own test to administering the National test. She stated the committee would like to add a jurisprudence examination. Due to the complaints committee meetings, most of the licensees state they were not aware of the rules or that they do not review the rules frequently. In response, the committee will be asking the itemized writers to develop two hundred questions regarding the rules and from that be able to develop the jurisprudence exam, which will be administered at the same time with the NCE. Ms. Powell reported that the committee would like to make a recommendation at the January board meeting, about the NCE or Clinical Exam, or both and be able to provide a more thorough presentation. Ms. Powell stated that currently the committee would like to do the Jurisprudence Exam as well as the National test. Ms. Powell made a motion to accept the Adhoc testing committee report. Dr. Wilkins seconded the motion. **The motion passed.**

Agenda item 8B was the Administration and Finance Committee Report. Ms. Powell reported to the board of the upcoming events that will be taken place. The CLEAR conference will be taking place at the end of October-November. The TCA conference will be in Fort Worth and will be the first week of November. Ms. Powell reported that herself and Bobbe Alexander would be attending the AASCB conference in January. Ms. Powell reported that the Division Director gave the financial report and Bobbe Alexander gave her Executive Director report. Ms. Powell made a motion to accept the Administration and Finance Committee Report. Dr. Wilkins seconded the motion. **The motion passed.**

Agenda item 8C was the Applications Committee Report. Ms. Corley made a motion to accept the appeal for Judy Bridges regarding her criminal history. Ms. Corley made the motion to deny the appeal for Lucy Dunnehoo based on expired license. Ms. Corley made a motion to deny the appeal for Pablo Bobbio, based on not meeting requirements. Ms. Corley made a motion to deny the appeal for Englantina Casares and for Ms. Casares to return her temporary license certificate to the board. Ms. Corley made the motion to deny the appeal for Earl Dorber, based on not sending in Supervisory Agreement Form prior to completing supervision hours. Ms. Corley made a motion to table the appeal for Antoniette Foster until additional information is received from the supervisor. Ms. Corley made a motion to deny the appeal for Jill Frances, based on her expired licensed. Ms. Corley made a motion to deny the appeal for Alicia Gonzalez. Ms. Corley made a motion to accept the appeal for Patricia Kennedy based on stipulations. These stipulations would be to granted a provisional license, complete a graduate course in Social/Cultural/Family and to have the Executive Director, Bobbe Alexander, contact Ms. Kennedy's employer and to grant Bobbe Alexander the authority to make her own judgment regarding reciprocity. Dr. Wilkins seconded the motion. **The motion passed.** Ms. Corley made a motion to deny the appeal for Gerald Malone-Lewis. Ms. Corley made a motion to accept the appeal for Michael Charles Russell, based on the phone call to his employer with a positive response. Ms. Corley made a motion to deny the appeal for Karen Weems, based on her license expiring in 2001. Ms. Corley made a motion to accept the appeal for Clarence Williams regarding his criminal history. Ms. Corley made a motion to accept the courses that are in THEO as electives. Dr. Wilkins seconded the motion. **The motion passed.** Ms. Corley made a motion to accept the Applications Committee report. Dr. Leal seconded the motion. **The motion passed.**

Agenda item 8D was the Complaints Committee Report. Ms. Powell reported that on September 23, 2004, the committee heard 32 cases, closed 26 cases and determined that disciplinary action were necessary on 5 cases, and 1 case needed additional information. Ms. Powell reported that the on November 19, 2004, the committee heard 22 cases, closed 12 cases and determined that disciplinary action were necessary on 8 cases, and 2 cases needed additional information. Ms. Powell made a motion to accept the Complaints Committee report. Ms. Corley seconded the motion. **The motion passed.**

Agenda item 8E was the Professional and Regulatory Trends Committee Report. Dr. Leal reported to the board that Ms. Powell gave information concerning the AASCB conference. The conference was related to the CACREP of the 60 hrs programs, which would strengthen the LPC identity and help with probability. Dr. Leal made a motion to accept the Professional and Regulatory Trends Committee Report. Dr. Wilkins seconded the motion. **The motion passed.**

Agenda item 8F was the Rules Committee Report. Ms. Eggleston reported the minor changes and comments made in the proposed rules. Ms. Eggleston made a motion to accept the proposed rules as final. Dr. Wilkins seconded the motion. **The motion passed.**

Ms. Powell made a motion to make a policy to direct the Executive Director, Bobbe Alexander, to administratively closed complaint cases that have already been adjudicated on which the factual or legal issues of the complaint have been heard by court of law. Dr. Leal seconded the motion. **The motion passed.**

Agenda item 10 was announcements. The next board meeting will be on January 27-29, 2005 in Austin, TX. The next following board meeting will be on May 12-14, 2005 in Amarillo, TX. There will be a Complaints Committee Meeting on November 19, 2004 in Austin, TX. The Adhoc meeting should take place in the next couple of months.

The last order of business was adjournment. A motion was made, seconded, and passed to adjourn at 10:30 a.m.

Judith D. Powell, Chair

Date

Bobbe Alexander, Executive Director

Date