



PROFESSIONAL COUNSELOR SECTION

MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING AND SOCIAL WORK EXAMINING BOARD

Room 121B, 1400 East Washington Avenue, Madison

Contact: Dan Williams (608) 266-2112

April 15, 2015

The following agenda describes the issues that the Section plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Section. A quorum of the MPSW Joint Board may be present.

12:00 P.M.

AGENDA

CALL TO ORDER – ROLL CALL – OPEN SESSION

- A. **Adoption of the Agenda (1-3)**
- B. **Approval of the Minutes of December 19, 2014 (4-5)**
- C. **Administrative Matters – Discussion and Consideration (6-9)**
 - 1) Staff Updates
 - 2) Election of Officers
 - 3) Appointment of Liaisons and Delegation of Authority
 - 4) Board Member – Term Expiration Date
 - a. Allison Gordon – 7/1/2018
 - b. Charles Lindsey – 7/1/ 2016
 - c. Leslie Mirkin – 7/1/2009
 - d. PC Public Member – **Vacancy**
- D. **Legislative and Administrative Rule Matters – Discussion and Consideration (10)**
 - 1) Amendments to MPSW 10,11,12,14 Relating to Professional Counseling Licensure, Education, Examination, and Supervised Practice
 - 2) Update on Legislation and Pending or Possible Rulemaking Projects
- E. **Review of Colorado Christian University Request – Discussion and Consideration (11)**
- F. **Section Goals – Discussion and Consideration**
- G. Discussion and Consideration of Items Received After Preparation of the Agenda:
 - 1) Introductions, Announcements and Recognition
 - 2) Administrative Updates
 - 3) Education and Examination Matters
 - 4) Credentialing Matters
 - 5) Practice Matters
 - 6) Legislation and Administrative Rule Matters
 - 7) Liaison Reports

- 8) Informational Items
- 9) Disciplinary Matters
- 10) Presentations of Petitions for Summary Suspension
- 11) Presentation of Proposed Stipulations, Final Decisions and Orders
- 12) Presentation of Proposed Decisions
- 13) Petitions for Re-Hearing
- 14) Petitions for Assessments
- 15) Petitions to Vacate Orders
- 16) Petitions for Designation of Hearing Examiner
- 17) Requests for Disciplinary Proceeding Presentations
- 18) Petitions
- 19) Appearances from Requests Received or Renewed
- 20) Speaking Engagement(s), Travel, or Public Relation Request(s)

H. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

I. **Deliberation of Division of Legal Services and Compliance (DLSC) Matters**

- 1) Administrative Warnings
 - a. 14 CPC 045 (D.M.R.) **(12-13)**
- 2) Proposed Stipulations, Final Decision and Order
 - a. 14 CPC 010 (K.M.E.) **(14-19)**
 - b. 14 CPC 015 (P.J.B.) **(20-26)**
 - c. 14 CPC 020 (S.A.K) **(27-33)**
 - d. 14 CPC 032 – Recusal Discussion

J. **Case Closings and Case Status Report (34)**

K. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Disciplinary Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Proposed Stipulations, Final Decisions and Order
- 8) Administrative Warnings
- 9) Proposed Decisions
- 10) Matters Relating to Costs
- 11) Case Closings
- 12) Case Status Report
- 13) Petitions for Extension of Time
- 14) Proposed Interim Orders
- 15) Petitions for Assessments and Evaluations
- 16) Petitions to Vacate Orders
- 17) Remedial Education Cases
- 18) Motions
- 19) Petitions for Re-Hearing
- 20) Appearances from Requests Received or Renewed

L. Consulting with Legal Counsel

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Voting on Items Considered or Deliberated on in Closed Session, If Voting is Appropriate

ADJOURNMENT

The next scheduled meeting is July 28, 2015

**PROFESSIONAL COUNSELORS SECTION
MEETING MINUTES
December 19, 2014**

PRESENT: Allison Gordon, Charles Lindsey, Leslie Mirkin

STAFF: Dan Williams – Executive Director, Taylor Thompson – Bureau Assistant, Sharon Henes – Rules Coordinator, and other DSPS Staff

CALL TO ORDER

Charles Lindsey called the meeting to order at 1:30 p.m. A quorum of three (3) members was confirmed.

ADOPTION OF AGENDA

MOTION: Leslie Mirkin moved, seconded by Allison Gordon, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 8, 2014

MOTION: Allison Gordon moved, seconded by Leslie Mirkin, to approve the minutes of September 8, 2014 as published. Motion carried unanimously.

CLOSED SESSION

MOTION: Leslie Mirkin moved, seconded by Allison Gordon, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). Leslie Mirkin read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Allison Gordon – yes; Charles Lindsey – yes; and Leslie Mirkin – yes. Motion carried unanimously.

The Section convened into Closed Session at 2:59 p.m.

RECONVENE TO OPEN SESSION

MOTION: Leslie Mirkin moved, seconded by Allison Gordon, to reconvene into open session. Motion carried unanimously.

The Section reconvened into Open Session at 4:00 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Allison Gordon moved, seconded by Leslie Mirkin, to affirm all motions made in closed session. Motion carried unanimously.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

M.M.T. – 14CPC032

Charles Lindsey recuses himself for the deliberation and voting in the matter of M.M.T. – 14CPC032.

MOTION: Leslie Mirkin moved, seconded by Allison Gordon, to table the disciplinary decision until a future date in the matter of M.M.T. – 14CPC032. **Reason for Tabling:** Lack of quorum. Motion carried.

CASE CLOSINGS

MOTION: Leslie Mirkin moved, seconded by Allison Gordon, to close DLSC case number 13 CPC 025, against S.P., for insufficient evidence (IE). Motion carried unanimously.

ADJOURNMENT

MOTION: Leslie Mirkin moved, seconded by Allison Gordon, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 4:06 p.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Nilajah Madison-Head – Bureau Assistant		2) Date When Request Submitted: 02/18/15 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Marriage and Family Therapy, Professional Counselor and Social Work Board - Professional Counselor Section			
4) Meeting Date: 04/15/15	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? C. Administrative Matters 1) Staff Updates 2) Elections of Officers 3) Appointments of Liaisons and Delegation of Authority 4) Board Member – Term Expiration Date	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Board is to Elect Officers, Have the Chair Appoint Liaisons, and do Delegations of Authority.			
11) Authorization			
<i>Nilajah Madison-Head</i>		02/18/15	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

2014 OFFICER ELECTION RESULTS	
Board Chair	Charles Lindsey
Vice Chair	Allison Gordon
Secretary	Leslie Mirkin

2014 LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Leslie Mirkin , Allison Gordon , Charles Lindsey
DLSC Monitoring Liaison	Allison Gordon
Professional Assistance Procedure (PAP) Liaison	Allison Gordon
Education and Examination Liaison	Charles Lindsey
Screening Panel	Allison Gordon <i>(Alternate: Charles Lindsey)</i>

DELEGATION MOTIONS

MOTION: Allison Gordon moved, seconded by Leslie Mirkin, that the Section delegates authority to the Chair to sign documents on behalf of the Section. In order to carry out duties of the Section, the Chair has the ability to delegate this signature authority to the Section's Executive Director for purposes of facilitating the completion of assignments during or between meetings. Motion carried unanimously.

MOTION: Allison Gordon moved, seconded by Leslie Mirkin, in order to facilitate the completion of assignments between meetings, the Section delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Section, to appoint liaisons to the Department where knowledge or experience in the profession is required to carry out the duties of the Section in accordance with the law. Motion carried unanimously.

MOTION: Allison Gordon moved, seconded by Leslie Mirkin, to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” document. Motion carried unanimously.

MOTION: Allison Gordon moved, seconded by Leslie Mirkin, to delegate authority to the Credentialing Liaison(s) to address all issues related to credentialing matter. Motion carried unanimously

MOTION: Allison Gordon moved, seconded by Leslie Mirkin, to delegate authority to the Education and Examination Liaison(s) to address all issues related to continuing education and examinations. Motion carried unanimously.

Additional Motions for 2015 and All Future Years

Licensure Delegation

MOTION: moved, seconded by , to delegate credentialing authority to DSPS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Section or Section liaison review. Motion carried unanimously.

SPS 1.08 Delegation

MOTION: moved, seconded by , that Board Counsel or another Department attorney is formally authorized to serve as the Board’s designee for purposes of Wis. Admin. Code SPS § 1.08(1). Motion carried unanimously

Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors to enforce Board/Section orders as explained below.

Current Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.
6. **Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.**

Monitoring Liaison currently has the authority to grant an extension up to 90 days. This change will allow the Liaison to grant payment plans and longer extensions on a case-by-case basis, which will be particularly helpful for Board/Sections that do not meet every month.

7. **Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.**

This addition was initiated and approved by the Medical Examining Board in October 2014. The Liaison may choose to defer a particular request to the full Board/Section for review if needed.

Current Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Sharon Henes Administrative Rules Coordinator		2) Date When Request Submitted: 31 March 31, 2015 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Professional Counselor Section			
4) Meeting Date: 15 April 2015	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislation and Rule Matters – Discussion and Consideration 1. Amendments to MPSW 10, 11, 12, 14 relating to Professional Counseling licensure, education, examination and supervised practice. 2. Update on legislation and pending or possible rulemaking projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
<i>Sharon Henes</i>		<i>31 March 2015</i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Dan Williams		2) Date When Request Submitted: Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 	
3) Name of Board, Committee, Council, Sections: MPSW Joint Board - Professional Counselor Section			
4) Meeting Date: 4/15/15	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Review of Colorado Christian University request – Discussion and Consideration	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing? <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: <p>My name is Elisabeth Tuten and I am the Program Assistant for Colorado Christian University’s Master of Arts in Counseling Program. I am in need of assistance to complete research in relation to our Online Master of Arts in Counseling Program.</p> <p>Our professional counseling degree is accredited by the Higher Learning Commission and CACREP, and does require 700 clinical hours. For our online students these clinical hours would be completed in the state where the student resides. After research of your coursework requirements I would like to clarify more specifically regarding the online component. Being that our coursework and core curriculum is CACREP approved, the 2 specific elements of online coursework and in-state clinical hours are additionally what I want to ensure will be accepted when our students would seek licensure within your state.</p> <p>We would like to know if your Board of Examiners would require approval for our online program? And if so, what is the process for obtaining approval in your state?</p> <p>If Colorado Christian University was part of the State Authorization Reciprocity Agreements (SARA), would the SARA agreement eliminate the need for a separate authorization by your Board of Examiners?</p> <p>If you could please assist or direct me to the answer to these questions I would greatly appreciate it!</p> <p>Elisabeth Tuten Administrative Assistant – CAGS Social Sciences and Humanities Program Assistant – Master of Arts in Counseling etuten@ccu.edu 303.963.3110</p>			