

**PROFESSIONAL COUNSELORS SECTION  
MEETING MINUTES  
April 15, 2015**

**PRESENT:** Allison Gordon, Charles Lindsey, Leslie Mirkin

**STAFF:** Dan Williams – Executive Director, Nilajah Madison-Head – Bureau Assistant, Sharon Henes – Administrative Rules Coordinator, and other DSPS Staff

**CALL TO ORDER**

Charles Lindsey called the meeting to order at 12:06 p.m. A quorum was confirmed.

**ADOPTION OF AGENDA**

**Amendments to the Agenda:**

- *Under Item I (2) Proposed Stipulations, Final Decision and Order: Add (e.)15 CPC 003 (J.A.E.)*

**MOTION:** Allison Gordon moved, seconded by Leslie Mirkin, to approve the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF DECEMBER 19, 2014**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to approve the December 19, 2014 minutes as published. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Election of Officers**

*Chair*

**NOMINATION:** Charles Lindsey nominated Allison Gordon for the Office of Chair.

Dan Williams called for nominations three (3) times.

Allison Gordon was elected as Chair by unanimous consent.

*Vice Chair*

**NOMINATION:** Leslie Mirkin nominated Charles Lindsey for the Office of Vice Chair.

Dan Williams called for nominations three (3) times.

Charles Lindsey was elected as Vice Chair by unanimous consent.

*Secretary*

**NOMINATION:** Allison Gordon nominated Leslie Mirkin for the Office of Secretary.

Dan Williams called for other nominations three (3) times.

Leslie Mirkin was elected as Secretary by unanimous consent.

| <b>2015 ELECTION RESULTS</b> |                 |
|------------------------------|-----------------|
| <b>Chair</b>                 | Allison Gordon  |
| <b>Vice Chair</b>            | Charles Lindsey |
| <b>Secretary</b>             | Leslie Mirkin   |

**Appointment of Liaisons**

The Chair appoints the following members to:

| <b>2015 LIAISON APPOINTMENTS</b>                                       |   |
|--|---|
| Credentialing Liaison(s)   | Leslie Mirkin , Allison Gordon ,<br>Charles Lindsey |
| DLSC Monitoring and Professional Assistance Procedure (PAP) Liaison(s) | Allison Gordon                                      |
| Education and Examination Liaison                                      | Charles Lindsey                                     |
| Screening Panel  | Allison Gordon (Alternative:<br>Charles Lindsey)    |

**Delegation of Authority**

**MOTION:** Charles Lindsey 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:** Leslie Mirkin moved, seconded by Charles Lindsey, 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:** Leslie Mirkin moved, seconded by Allison Gordon, that Section Counsel or another Department attorney is formally authorized to serve as the Section's designee for purposes of Wis. Admin. Code SPS § 1.08(1). Motion carried unanimously.
- MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, 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.
- MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to adopt the "Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor" document. Motion carried unanimously.
- MOTION:** Charles Lindsey 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:** Leslie Mirkin moved, seconded by Allison Gordon, to delegate authority to the Education and Examination Liaison(s) to address all issues related to continuing education and examinations. Motion carried unanimously.

### **LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS**

#### **Amendments to MPSW 10, 11, 12, 14 – Relating to Professional Licensure, Education, Examination, and Supervised Practice**

- MOTION:** Leslie Mirkin moved, seconded by Charles Lindsey, to designate the Chair to approve the revisions of MPSW 10, 11, 12, and 14 relating to Professional Licensure, Education, Examination, and Supervised Practice for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

#### **Update on Legislation and Pending or Possible Rulemaking Projects**

- MOTION:** Charles Lindsey moved, seconded by Leslie Mirkin, to request DSPS staff draft a Scope Statement revising MPSW 14.01 relating to Internship. Motion carried unanimously.

### **CLOSED SESSION**

- MOTION:** Charles Lindsey moved, seconded by Leslie Mirkin, 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.). Allison Gordon 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 1:52 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:** Leslie Mirkin moved, seconded by Allison Gordon, to affirm all motions made in closed session. Motion carried unanimously.

**DELIBERATION OF DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

**Administrative Warning**

*14 CPC 045 – D.M.R.*

**MOTION:** Charles Lindsey moved, seconded by Leslie Mirkin, to issue an Administrative Warning in the matter of DLSC case number 14 CPC 045 (D.M.R.). Motion carried unanimously.

**Proposed Stipulations, Final Decision and Order**

*14CPC 010 – K.M.E.*

**MOTION:** Charles Lindsey moved, seconded by Allison Gordon, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Katherine M. Elgin, DLSC case number 14CPC010. Motion carried unanimously.

*14CPC 015 – P.J.B.*

**MOTION:** Charles Lindsey moved, seconded by Leslie Mirkin, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Peter J. Bartoszewicz, DLSC case number 14CPC015. Motion carried unanimously.

*14CPC 020 – S.A.K.*

**MOTION:** Charles Lindsey moved, seconded by Leslie Mirkin, to reject the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Sally A. Klossner, DLSC case number 14CPC020. Motion carried unanimously.

**MOTION:** Charles Lindsey moved, seconded by Leslie Mirkin, to close DLSC case number 14 CPC 020, for Prosecutorial Discretion (P5- flag). Motion carried unanimously.

***14CPC 032 – Recusal Discussion***

**MOTION:** Allison Gordon moved, seconded by Leslie Mirkin, to delegate decision making authority to Mike Berndt, Chief Legal Counsel, in the matter of disciplinary proceedings against Marcia M. Thompson, DLSC case number 14CPC032. Motion carried unanimously.

***15 CPC 003 - J.A.E.***

**MOTION:** Leslie Mirkin moved, seconded by Charles Lindsey, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Jennifer A. Elliot, DLSC case number 15CPC003. Motion carried unanimously.

**CASE CLOSINGS**

**MOTION:** Charles Lindsey moved, seconded by Leslie Mirkin, to close DLSC case number 14 CPC 047 (S.S.), for Prosecutorial Discretion (P7). Motion carried unanimously.

**CREDENTIALING MATTERS**

**MOTION:** Leslie Mirkin moved, seconded by Allison Gordon, to require the appearance at the next Section meeting of Katherine M. Elgin to answer questions relating to her application for a Licensed Professional Counselor. Motion carried unanimously.

**ADJOURNMENT**

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

The meeting adjourned at 4:02 p.m.