

**MARRIAGE AND FAMILY THERAPY SECTION
MEETING MINUTES
JANUARY 26, 2009**

PRESENT: Arlie Albrecht, Bruce Kuehl, Ann Marie Starr, Abe Rabinowitz

STAFF: Jeff Scanlan, Bureau Director; Jacquelynn Rothstein, Legal Counsel; Kimberly Wood, Minute Taker and other DRL Staff

GUESTS: No names listed on sign-in sheet.

CALL TO ORDER

Arlie Albrecht called the meeting to order at 9:04 a.m. A quorum of four (4) members was present.

APPROVAL OF AGENDA

Amendments:

- After Item "E" (closed session) – Proposed Administrative Warning, J.A.M., 08 MFT 005

MOTION: Ann Marie Starr moved, seconded by Abe Rabinowitz, to approve the January 26, 2009 agenda as amended. Motion carried unanimously.

ELECTIONS

MOTION: Ann Marie Starr moved, seconded by Abe Rabinowitz, to nominate Bruce Kuehl as Section Chair. Motion carried unanimously.

MOTION: Ann Marie Starr moved, seconded by Arlie Albrecht, to nominate Abe Rabinowitz as Vice Chair. Motion carried unanimously.

MOTION: Ann Marie Starr moved, seconded by Abe Rabinowitz, to nominate Arlie Albrecht as Secretary. Motion carried unanimously.

2009 ELECTION RESULTS	
Section Chair	Bruce Kuehl
Vice Chair	Abe Rabinowitz
Secretary	Arlie Albrecht

APPROVAL OF MINUTES OF OCTOBER 28, 2008

Amendments:

- Page 7 of the Agenda – Under “Update on WAFCA Ad-Hoc Committee” – Rewrite the first sentence of this paragraph to clarify that the Section discussed events that occurred at the MPSW Joint Board meeting.
- Page 7 of the Agenda – Under “Update on WAFCA Ad-Hoc Committee” – Change the last sentence as follows: “...Ann Marie Starr thanked the ~~hard work of this~~ Ad-Hoc Sub-Committee for the hard work ~~to deal with issues the Sections of this Board have been dealing with over several years~~ in addressing these issues.

MOTION: Ann Marie Starr moved, seconded by Arlie Albrecht, to approve the minutes of October 28, 2008 as amended. Motion carried unanimously.

BOARD ASSIGNMENTS

Bruce Kuehl, Chair, made the following appointments:

Screening Panel Members: Abe Rabinowitz; Ann Marie Starr

Credentialing Liaison: Arlie Albrecht

DOE Board Monitor: Ann Marie Starr

CE Liaison: Bruce Kuehl

AMFTRB Report: Ann Marie Starr

Coalition Report: Bruce Kuehl

WAMFT Report: Arlie Albrecht

ADMINISTRATIVE REPORT

The Section was informed of the State of Wisconsin budget shortfalls for the current fiscal year and was provided information as to the methods being utilized by the State of Wisconsin to address these issues. Jeff Scanlan went on to explain that Office of Education and Examinations will temporarily discontinue continuing education (CE) audits due to the lack of resources. In addition, the Division of Enforcement will not conduct an automatic CE audit for all complaints that are received, as has been the practice in the past. It was clarified that complaints that are received relative to the lack of CE will still be handled by DOE. The Department is requesting authorization to fill the vacancy in the Office of Education and Examinations and will to continue audits after this position has been filled. The Section was further informed that CE audits can be backdated up to five years.

Personnel Changes

Jeff Scanlan advised the Section of a number of staff changes within the Department. The Section was advised of the following:

- Melissa Fordahl, Education Approval Processor, has left Regulation and Licensing creating a vacancy in the Office of Education and Examinations.
- Mike Berndt is currently acting as interim General Counsel, creating a vacancy in the Division of Enforcement – Health Attorney Supervisor.
- Jack Temby is now handling supervision for Health and Business Attorneys in the Division of Enforcement.
- Gina York has retired and Kimberly Wood is assisting with the workload.
- Kim Nania will be retiring as of February 13, 2009.
- The Department is merging the Office of Legal Counsel and the Division of Board Services. An implementation team is working through issues relating to this merger.
- The Department is working to transfer the Administrative Law Judge (ALJ) function to Office of Hearings & Appeals. In the interim Nick Schweitzer, DOE Attorney, has been temporarily transferred from the DOE Business Team to the Office of Legal Counsel to act as Administrative Law Judge assuming the majority of case load.
- Arthur Thexton has been moved from DOE's Health Team to the DOE Business Team to assist with the workload left by Nick Schweitzer.

Board Member Satisfaction Surveys

Jeff Scanlan directed the Section's attention to a survey which was provided at today's meeting. This survey is intended to be used as a self evaluation tool for the Section. Instruction on the completion, collection and review of the Board Member Satisfaction Survey was given. The Department encourages the utilization of this evaluation but was also advised that completion is voluntary and subject to open records requests. The need to continue this survey will be reviewed by the Department in six (6) months. Additionally, the Section was advised of the implementation of an electronic survey by end of 2009.

Board Chair Training

Jeff Scanlan advised the Section that the Department would like to conduct Board Chair training in November 2009. In order to obtain advance knowledge of the potential attendance numbers it was requested that the Section consider changing elections to the October timeframe. Furthermore, it was explained that the elected individuals would not assume their duties until January of the following calendar year.

ANNUAL POLICY REVIEW WITH THE BOARDS

Jeff Scanlan, advised the Section that he will conduct the Annual Policy review with the MPSW Joint Board in order to avoid repetitious reporting. The Section's attention was directed to a list of approved 2009 meeting dates.

PRESENTATION OF PROPOSED STIPULATIONS

None.

**PRESENTATION OF PROPOSED STIPULATIONS THAT MAY BE RECEIVED IN
THE BUREAU AFTER MAILING OF AGENDA**

None.

**SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND
ADMINISTRATIVE RULES AND PRESS RELEASES**

Jeff Scanlan advised the Section that he will review the summary reports at the MPSW Joint Board meeting as a matter of efficiency. The Section was informed that a list of approved 2009 meeting dates were included in their agenda packets.

STATUS OF RULES AND STATUTES

**UPDATE ON DEPARTMENT OF HEALTH AND FAMILY SERVICES REWRITE
OF HFS 61.96 AS HFS 35 REGULATING CERTIFIED OUTPATIENT MENTAL
HEALTH CLINICS**

The Section was advised that HFS 35 has passed and that it is expected to become effective in March or April 2009.

**REVISION OF S. MPSW 1.09 AODA SPECIALTY – SECTION DISCUSSION ON
AMENDMENT OF RULE, REPEAL OF RULE, OR AMENDMENT TO CHAPTER 457
RELATING TO RESTRICTIONS ON SUBSTANCE USE DISORDER TREATMENT BY
A LICENSEE OF A BOARD**

The Section reviewed this topic in order to provide its recommendations to the MPSW Joint Board. The Section deliberated what action to take, if any, regarding MPSW 1.09. Ultimately the Section elected to share its discussion with the MPSW Joint Board in lieu of making recommendations. Ann Marie Starr was thanked for her efforts in her role as reviewer of AODA specialty applications.

**REVIEW OF DRAFT RULES: CHANGES TO S. MPSW 1.11 WIS. ADM. CODE
REGARDING PSYCHOMETRIC TESTING**

Jacquelynn Rothstein informed the Section that this rule draft is in its final stages and will be sent to the Legislative Clearinghouse in the near future. The Section made a typographical change to the draft rule at today's meeting.

LETTER FROM THE WISCONSIN ASSOCIATION FOR MARRIAGE AND FAMILY THERAPY (WAMFT) BOARD, LINDA PELLMAN, PRESIDENT OF WAMFT, REGARDING DEPARTMENTAL COMPLAINTS – APPLICATION ISSUES, INCORRECT INFORMATION, RESPONSE TIMES, JURISPRUENCE EXAMINATION, NATIONAL EXAM REGISTRATION, ETC.

The Section reviewed a complaint letter from Linda Pellman, President of WAMFT. The Section discussed concerns within the letter with reference to the Division of Professional Credentialing and the Office of Education & Examinations. The Section reviewed draft responses from Aaron Knautz, Credential Processor, Division of Professional Credentialing, and from Gail Pizarro, Exam Specialist, Office of Education and Examinations.

DISCUSSION REGARDING RECIPROCITY, PRO'S AND CON'S OF SUPERVISION, AND SUPERVISORY ELIGIBILITY

The Section discussed issues regarding the portability of licensure. Jacquelynn Rothstein advised the Section that creating the ability for applicants to be licensed by reciprocity would require a statute change. The Section went on to discuss the current requirements for a license holder to act as a supervisor. This item will be added to the report provided by the Section to the MPSW Joint Board.

UPDATE ON WAFCA AD-HOC COMMITTEE

Ann Marie Starr deferred the report of this item until the MPSW Joint Board meeting.

AMFTRB REPORT – ANN MARIE STARR

None.

COALITION REPORT – BRUCE KUEHL

None.

WAMFT REPORT – BRUCE KUEHL

Bruce Kuehl reported that WAMFT sent out an announcement about HSF 61.96 changing to HFS 35 as previously discussed at today's meeting. Bruce Kuehl then imparted his knowledge regarding the functions of the Sections' WAMFT Liaison.

CORRESPONDENCE AND INQUIRIES RECEIVED BY LEGAL COUNSEL

None.

INFORMATIONAL ITEMS

The Section acknowledged Gina York's retirement and wished to thank her for service. The Section then acknowledged Bruce Kuehl for his contribution to Family Therapy Magazine, specifically an article he authored titled "Narrative Description of the Genogram".

PUBLIC COMMENT

None.

CLOSED SESSION

MOTION: Ann Marie Starr moved, seconded by Abe Rabinowitz, to convene to closed session pursuant to Wisconsin State statutes 29.85(1)(a)(b)(f) and (g), to review applications, deliberate on proposed stipulations, deliberate on administrative warning; deliberate on hearings or appearances for denial of applications; review monitoring cases; review DOE cases, and consult with legal counsel. Roll Call Vote: Arlie Albrecht-yes; Bruce Kuehl-yes; Abe Rabinowitz -yes; Ann Marie Starr-yes. Motion carried unanimously.

The Board convened into Closed Session at 1:22 p.m.

RECONVENE TO OPEN SESSION

MOTION: Ann Marie Starr moved, seconded by Arlie Albrecht, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 3:07 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF VOTING IS APPROPRIATE

MONITORING

None.

MONITORING ISSUES RECEIVED AFTER THE MAILING OF THE AGENDA

None.

SUPERVISOR APPROVALS

None.

SUPERVISOR APPROVALS RECEIVED AFTER THE MAILING OF THE AGENDA

None.

**DELIBERATION OF PROPOSED STIPULATIONS
RECEIVED AFTER THE MAILING OF THE AGENDA**

None.

**DELIBERATION OF ADMINISTRATIVE WARNING
ISSUED AFTER MAILING OF AGENDA**

**J.A.M.
(08 MFT 005)**

MOTION: Ann Marie Starr moved, seconded by Arlie Albrecht, to accept the administrative warning in the matter of J.A.M., case number 08 MFT 005. Motion carried unanimously.

**DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS
RECEIVED AFTER THE MAILING OF THE AGENDA**

None.

**DELIBERATION OF PETITIONS FOR REHEARINGS RECEIVED AFTER THE
MAILING OF THE AGENDA**

None.

DIVISION OF ENFORCEMENT & CASE STATUS REPORT

D.J. (08 MFT 007)

MOTION: Ann Marie Starr moved, seconded by Arlie Albrecht, to close case 08 MFT 007 for no violation. Motion carried unanimously.

CONSULTING WITH LEGAL COUNSEL

None.

APPLICATION REVIEWS

RECIPROCITY

Blu Kallies – Approved
Karen Heyer - Approved

EDUCATION

Rebecca Rusch - Approved
Tammy Bergum - Additional Information Requested
Linda Stilling - Denied

MOTION: Ann Marie Starr moved, seconded by Arlie Albrecht, to approve the applications approved, deny the applications denied, and to request further information on applications where needed. Motion carried unanimously.

DOE – SIGNATURE COLLECTION

None.

OTHER SECTION BUSINESS

None.

ADJOURNMENT

MOTION: Ann Marie Starr moved, seconded by Arlie Albrecht, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:08 p.m.