

**PROFESSIONAL COUNSELORS SECTION
MEETING MINUTES
NOVEMBER 18, 2011**

PRESENT: Nancy Clark, Charles Lindsey, Leslie Mirkin

STAFF: Dan Williams, Executive Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant; and other Department Staff

GUESTS: Tammy Scheidegger, Mount Mary College/Wisconsin Counseling Association (WCA); Ruth Lynch, University of Wisconsin-Madison

CALL TO ORDER

Charles Lindsey, Chair, called the meeting to order at 9:30 a.m. A quorum of three (3) members was present.

APPROVAL OF AGENDA

MOTION: Leslie Mirkin moved, seconded by Nancy Clark, to approve the November 18, 2011 agenda as published. Motion carried unanimously.

APPROVAL OF MEETING MINUTES

Meeting Minutes of July 25, 2011

- Page 3 of the Minutes: Under the header titled “Class 1 Hearings on Denial of Applications for Licensure”, sub-header titled “10:25 A.M. APPEARANCE: Hearing on the Denial of the Application for Professional Counselor License of David Winter” correct the first sentence of the paragraph to read:
 - “David Winter appeared before the Section to support his appeal of the denial of ~~her~~ his application...”

MOTION: Nancy Clark moved, seconded by Leslie Mirkin, to approve the minutes of July 25, 2011 as amended. Motion carried unanimously.

Application Review Meeting Minutes of September 12, 2011

MOTION: Leslie Mirkin moved, seconded by Nancy Clark, to approve the minutes of September 12, 2011 as published. Motion carried unanimously.

ELECTION OF OFFICERS FOR 2012

NOMINATION: Leslie Mirkin nominated the 2011 slate of officers to continue in 2012.

Charles Lindsey called for other nominations three (3) times.

Charles Lindsey was re-elected as Chair and Nancy Clark was re-elected as Secretary.

VICE CHAIR

NOMINATION: Nancy Clark nominated Leslie Mirkin for the Office of Vice Chair.

Charles Lindsey called for other nominations three (3) times.

Leslie Mirkin was elected as Vice Chair.

| 2012 ELECTION RESULTS | |
|------------------------------|-----------------|
| Section Chair | Charles Lindsey |
| Vice Chair | Leslie Mirkin |
| Secretary | Nancy Clark |

ADMINISTRATIVE MATTERS**Review of 2012 Meeting Schedule**

The Section reviewed its 2012 meeting schedule and requested changes as follows:

- February 3, 2012 – Change times to 8:30/10:30
- July 24, 2012 – Correct times to 12:30/1:00
- October 22, 2012 – Correct times to 8:30/9:00

PRESENTATION OF APPLICANT'S WITHDRAWAL OF REQUEST FOR HEARING ON DENIAL OF APPLICATION**Joshua D. Tackes (09 CPC 024)**

Aaron Konkol, Division of Enforcement (DOE) Prosecuting Attorney, provided the Section with a presentation regarding withdrawal of a request for hearing on the denial of the application of Joshua Tackes. This matter will be deliberated in closed session.

SECTION DISCUSSION REGARDING AMENDMENTS TO MPSW 10, 11 & 14, RELATING TO MINIMUM DEGREE REQUIREMENTS, MINIMUM CREDIT REQUIREMENTS AND EDUCATION APPROVAL**Report from Charles Lindsey Regarding the Creation of the Section's Taskforce on Educational Requirement Increases**

The Section discussed its goal of increased minimum degree/credit requirements for obtaining a Wisconsin professional counselor credential. Continued Section discussion of forming a taskforce of stakeholders to discuss rule promulgation ensued.

Tammy Scheidegger, Wisconsin Counseling Association, and Ruth Lynch, University of Wisconsin-Madison, were invited to join the Section for discussion of this topic. The Section pursued a discussion of a two tiered system and of CACREP and CORE accreditation. Colleen Baird informed the Section that the pursuit of a two-tiered system would require statutory authority.

**DISCUSSION REGARDING THE STATUS OF REIMBURSEMENT FROM MEDICAID
OF QUALIFIED TREATMENT TRAINEES**

The Section reviewed a letter from Marc Herstand to Richard DeSensi of DHS regarding the status of reimbursement of qualified treatment trainees and took the following action:

MOTION: Leslie Mirkin moved, seconded by Nancy Clark, to direct Dan Williams to contact Marc Herstand to inquire about the status of reimbursement from Medicaid of qualified treatment trainees. Motion carried unanimously.

CLASS 1 HEARINGS ON DENIAL OF APPLICATIONS FOR LICENSURE:

10:00 A.M. APPEARANCE: Hearing on the Denial of the Application of Jessica Brumm-Larson for Professional Counselor License

Jessica Brumm-Larson appeared before the Section to support her appeal of the denial of her application for a professional counselor license. The Section will deliberate on this issue during closed session.

**SECTION REVIEW OF MOUNT MARY COLLEGE APPLICATION FOR
PROGRAM APPROVAL**

The Section reviewed the application of Mount Mary College for program approval.

MOTION: Leslie Mirkin moved, seconded by Nancy Clark, to accept the application of Mount Mary College for approval of its art therapy program for the purpose of obtaining a Wisconsin professional counselor credential. Motion carried unanimously.

SECTION REVIEW OF THE LICENSING APPROVAL PROCESS

Colleen Baird addressed the Section regarding efficiency measures relating to the licensing approval process. The Section reviewed a memo prepared by Colleen Baird relating to measures that could be pursued in terms of streamlining of this process.

MOTION: Leslie Mirkin moved, seconded by Nancy Clark, to accept the revised licensing procedure presented by Colleen Baird dated October 24, 2011. Motion carried unanimously.

SECTION DISCUSSION AND REVIEW OF MPSW JOINT BOARD GOALS FOR 2011

Department of Health Services (DHS) Mental Health Provider Status Letter Holders – Discussion on What Actions Should Be Taken to by MPSW Joint Board to in Terms of Recognizing Unlicensed DHS-Recognized Mental Health Providers

a) **Section Review of Revised Position Paper**

The Section reviewed and spoke favorably of George Kamps (Social Worker Section) revisions to the Board's draft position paper regarding the MPSW Joint Board's effort to bring DHS letter holders under its purview.

Create Supervisory Guidelines and Address Disparity of Supervisor Regulations Across Regulations of the 3 Professions of the MPSW Joint Board

b) **Review of Section Supervisory Forms**

The Section reviewed proposed changes to its supervisory forms and discussed the language of these forms. A number of changes to the supervisory forms were identified by the Section. Leslie Mirkin will write up changes discussed at the meeting and send this information to Dan Williams.

Amendment of Wis. Stat. 457.02, Regarding Repeal of Provisions Which Restrict Board License Holders from Providing Treatment of Substance Abuse and Substance Use Disorders

The Section did not pursue discussion of this topic at today's meeting.

SPEAKING ENGAGEMENT(S), TRAVEL, OR PUBLIC RELATION REQUEST(S)

Section Consideration of Designating a Member to Attend the American Association of State Counseling Boards 25th Annual Conference: January 4-6, 2012 – Charlestown, SC

The Section discussed attendance at this meeting, but did not designate a member to attend. The Section noted that should one of the Section members identify the ability to attend this conference, Nancy Clark will handle approval of the Section designation in her role as travel liaison.

**REPORT OF THE 2011 WISCONSIN COUNSELING ASSOCIATION (WCA) SUMMIT
SPEAKING ENGAGEMENT – NOVEMBER 5, 2011 – CHARLES LINDSEY**

Section Review of Licensure PowerPoint Presentation and Consideration of Posting to the Department Website

Charles Lindsey reported to the Section that he spoke at the Wisconsin Counseling Association (WCA) summit on November 5, 2011. The Section reviewed a PowerPoint presentation that Charles Lindsey presented to the WCA and discussed whether this document should be posted to the Department website.

MOTION: Nancy Clark moved, seconded by Leslie Mirkin, to authorize Charles Lindsey to make changes, conduct final approval of amendments to the “Overview of the Licensing Application Process for New Graduates” PowerPoint document, and to direct the Department to post this document to the Department website once approved. Motion carried unanimously.

CLOSED SESSION

MOTION: Nancy Clark moved, seconded by Leslie Mirkin, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g), to consult with legal counsel to deliberate on proposed stipulations, deliberate on administrative warnings, deliberate on monitoring issues, application review, monitoring report and DOE case status reports. Roll Call Vote: Nancy Clark-yes; Charles Lindsey-yes and Leslie Mirkin-yes. Motion carried unanimously.

The Board convened into Closed Session at 1:24 p.m.

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 3:35 p.m.

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

DELIBERATION ON CLASS 1 HEARINGS

1) **Jessica Brumm-Larson – Professional Counselor License**

MOTION: Leslie Mirkin moved, seconded by Nancy Clark, to accept the education of Jessica Brumm-Larson based upon documentation provided at today’s hearing. As such the Section would approve issuance of a professional counseling training license, provided that she completes an application for this credential. Alternatively the Section would approve the supervised hours accrued without a training license and issue a full license subject to a reprimand because Ms. Brumm-Larson accrued the supervised hours without a training license. Motion carried unanimously.

2) **David Winter – Professional Counselor License**

MOTION: Nancy Clark moved, seconded by Leslie Mirkin, to affirm the denial of the application for professional counselor license of David Winter due to lack of documented clinical hours under supervision. Motion carried unanimously.

**DELIBERATION ON APPLICANT'S WITHDRAWAL OF REQUEST FOR HEARING
ON DENIAL OF APPLICATION**

1) **Joshua D. Tackes (09 CPC 024)**

MOTION: Nancy Clark moved, seconded by Leslie Mirkin, to accept the withdrawal of the request for hearing on the denial of application of Joshua Tackes (09 CPC 024). Motion carried unanimously.

**DELIBERATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND
ORDERS**

1) **Michael J. Hermsmeier (11 CPC 012)**

MOTION: Charles Lindsey moved, seconded by Nancy Clark, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Michael J. Hermsmeier (11 CPC 012). Motion carried. Abstained: Leslie Mirkin

2) **Jeffrey L. Miller (10 CPC 032)**

MOTION: Nancy Clark moved, seconded by Leslie Mirkin, to reject the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Jeffrey L. Miller (10 CPC 032). Motion carried unanimously.

DELIBERATION OF ADMINISTRATIVE WARNINGS

1) **11 CPC 028**

MOTION: Nancy Clark moved, seconded by Charles Lindsey, to issue an administrative warning in the matter of case number 11 CPC 028. Motion carried unanimously.

DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS

1) **Susan J. McAley, LPC, Respondent – Division of Hearing and Appeals (DHA)
Case # DRL-11-0040, Division of Enforcement (DOE) Case # 10 CPC 005**

MOTION: Leslie Mirkin moved, seconded by Nancy Clark, to adopt the Findings of Fact, Conclusions of Law, Proposed Decision and Order in the matter of disciplinary proceedings against Susan J. McAley, LPC, Respondent – Division of Hearing and Appeals (DHA) Case # DRL-11-0040, Division of Enforcement (DOE) Case # 10 CPC 005, contingent upon correction of typographical errors. Motion carried unanimously.

DIVISION OF ENFORCEMENT

1) **Case Status Report**

The Section did not receive a case status report at this meeting.

2) **Case Closings**

10 CPC 016

MOTION: Nancy Clark moved, seconded by Leslie Mirkin, to close case 10 CPC 016 for insufficient evidence. Motion carried unanimously.

08 CPC 004

MOTION: Nancy Clark moved, seconded by Charles Lindsey, to close case 08 CPC 004 for prosecutorial discretion (P5 – Flag). Motion carried. Abstained: Leslie Mirkin

OTHER SECTION BUSINESS

The Section discussed scheduling of an alternative date for review of application files. Charles Lindsey and Leslie Mirkin agreed to meet on Tuesday, November 29, 2011 for this purpose. In the case of more emergent application issues Justin Tomer will work with individual members of the Section to conduct file reviews.

The Section requested that accommodations be made for application reviews to be conducted from 8:30 a.m. to 10:30 a.m., prior to the start of its February 3, 2012.

ADJOURNMENT

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

The meeting adjourned at 3:47 p.m.