



TELECONFERENCE/VIRTUAL MEETING

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

Room 121A, 1400 East Washington Avenue, Madison

Contact: Dan Williams (608) 266-2112

October 23, 2017

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.

AGENDA

9:00 A.M.

CALL TO ORDER – ROLL CALL – OPEN SESSION

- A. **Adoption of the Agenda (1-3)**
- B. **Approval of the Minutes of May 22, 2017 (4-8)**
- C. **Administrative Matters – Discussion and Consideration**
 - 1) Staff Updates
 - 2) Board Member – Term Expiration Date
 - a. Allison Gordon – 07/01/2018
 - b. Tammy Scheidegger – 07/01/2020 (*appointed, not yet confirmed*)
 - c. Kathleen Miller – 07/01/2017 (*appointed, not yet confirmed*)
 - d. Monica Vick – 07/01/2019 (*appointed, not yet confirmed*)
- D. **Implementation of New Education Requirements Effective September 2018**
- E. **Legislation and Administrative Rule Matters – Discussion and Consideration**
 - 1) Update on Legislation and Pending and Possible Rulemaking Projects
- F. **Licensure Portability (9-11)**
 - 1) American Counseling Association (ACA) Letter
- G. Speaking Engagement(s), Travel, or Public Relation Request(s) – Discussion and Consideration
- H. 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)

I. 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.).

J. **Brumm-Larson Request for Section Review as to Prior Discipline (12-20)**

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

- 1) Administrative Warnings
- 2) Proposed Stipulation(s), Final Decision(s), and Order(s)
 - a. 16 CPC 025 – B.R.M. **(21-26)**
- 3) Case Closings

L. Deliberation on Credentialing Matters

M. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Division of Legal Services and Compliance (DLSC) 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) Petitions for Extension of Time
- 12) Proposed Interim Orders
- 13) Petitions for Assessments and Evaluations
- 14) Petitions to Vacate Orders
- 15) Remedial Education Cases
- 16) Motions
- 17) Petitions for Re-Hearing
- 18) Appearances from Requests Received or Renewed

N. Consulting with Legal Counsel

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

ADJOURNMENT

The next scheduled meeting is January 23, 2018.

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED
WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**PROFESSIONAL COUNSELOR SECTION
MEETING MINUTES
MAY 22, 2017**

PRESENT: Allison Gordon (*via GoToMeeting*), Kathleen Miller, Tammy Scheidegger

EXCUSED: Monica Vick

STAFF: Dan Williams, Executive Director; Laura Smith, Bureau Assistant; Sharon Henes, Rules Coordinator; and other DSPS Staff

CALL TO ORDER

Allison Gordon, Chair, called the meeting to order at 8:39 a.m. A quorum of three (3) members was confirmed.

ADOPTION OF AGENDA

MOTION: Tammy Scheidegger moved, seconded by Kathleen Miller, to approve the agenda as published. Motion carried unanimously.

APPROVAL OF THE MINUTES OF FEBRUARY 13, 2017

MOTION: Kathleen Miller moved, seconded by Tammy Scheidegger, to approve the minutes of February 13, 2017 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Section Chair

NOMINATION: Allison Gordon nominated Tammy Scheidegger for the Office of Section Chair.

Dan Williams called for nominations three (3) times.

Tammy Scheidegger was elected as Chair by unanimous consent.

Vice Chair

NOMINATION: Tammy Scheidegger nominated Kathleen Miller for the Office of Vice Chair.

Dan Williams called for nominations three (3) times.

Kathleen Miller was elected as Vice Chair by unanimous consent.

Secretary

NOMINATION: Allison Gordon nominated herself for the Office of Secretary.

Dan Williams called for nominations three (3) times.

Allison Gordon was elected as Secretary by unanimous consent.

2017 ELECTION RESULTS	
Chair	Tammy Scheidegger
Vice Chair	Kathleen Miller
Secretary	Allison Gordon
2017 LIAISON APPOINTMENTS	
Credentialing Liaisons	Kathleen Miller, Tammy Scheidegger, Allison Gordon, Monica Vick
Education and Examination Liaison	Tammy Scheidegger
DLSC Monitoring and Professional Assistance Procedure (PAP) Liaison(s)	Kathleen Miller
Screening Panel (beginning June 2017)	Tammy Scheidegger (Alternate: Kathleen Miller)

MOTION: Tammy Scheidegger moved, seconded by Kathleen Miller, to affirm the Chair’s appointment of liaisons for 2017. Motion carried unanimously.

Delegations of Authority

Delegated Authority for Urgent Matters

MOTION: Allison Gordon moved, seconded by Kathleen Miller, that, in order to facilitate the completion of assignments between meetings, the Section delegates its authority to the Chair to appoint liaisons to carry out the duties of the Section in accordance with the law. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Kathleen Miller moved, seconded by Allison Gordon, that the 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.

Document Signature Delegation

MOTION: Allison Gordon moved, seconded by Kathleen Miller, 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.

Credentialing Authority Delegations

MOTION: Kathleen Miller moved, seconded by Allison Gordon, to delegate authority to the Credentialing Liaisons to address all issues related to credentialing matters. Motion carried unanimously.

Monitoring Delegations

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to adopt the ‘Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor’ document as presented. Motion carried unanimously.

Education Delegations

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

LEGISLATION AND ADMINISTRATIVE RULE MATTERS

MPSW 10, 11, 12, and 14 Relating to Licensure, Education, Examination, Supervised Practice and Continuing Education

MOTION: Kathleen Miller moved, seconded by Allison Gordon, to approve the Legislative Report and Draft for Clearinghouse Rule 16-009 for submission to the Governor’s Office and Legislature. Motion carried unanimously.

MPSW 14 Relating to Internship and Courses

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to authorize the Chair to approve the preliminary rule draft amending MPSW 14 relating to Internships and Courses for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

CLOSED SESSION

MOTION: Kathleen Miller 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.). The Chair read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Allison Gordon-yes; Kathleen Miller – yes; Tammy Scheidegger – yes. Motion carried unanimously.

The Section convened into Closed Session at 9:20 a.m.

RECONVENE TO OPEN SESSION

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

The Section reconvened into Open Session at 9:44 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

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

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Administrative Warnings

MOTION: Allison Gordon moved, seconded by Miller, to issue an Administrative Warning in the matter of disciplinary proceedings against Laura Janson, LPC, DLSC case number 16 CPC 038. Motion carried unanimously.

Proposed Stipulation(s), Final Decision(s) and Order(s)

15 CPC 030 – A.J.C.

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Angela J. Cathey, DLSC case number 15 CPC 030. Motion carried unanimously.

Case Closings

MOTION: Kathleen Miller moved, seconded by Allison Gordon, to close the DLSC case number 16CPC 018, against Hemingway, for Insufficient Evidence. Motion carried unanimously.

MOTION: Kathleen Miller moved, seconded by Allison Gordon, to close the DLSC case number 16 CPC 35, against Burrows, for P5 (Prosecutorial Discretion). Motion carried unanimously.

MOTION: Kathleen Miller moved, seconded by Allison Gordon, to close the DLSC case number 16 CPC 053, against Sturdevant, for P7 (Prosecutorial Discretion). Motion carried unanimously.

MOTION: Kathleen Miller moved, seconded by Allison Gordon, to close the DLSC case number 16 CPC 054, against Amundsen, for Insufficient Evidence. Motion carried unanimously.

CREDENTIALING MATTERS

Bonini, Silgi – Education Review

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to table the application of Silgi Bonini and seek further information to verify that the documented training and education meets the standards of the Section. Motion carried unanimously.

Rivas, Eladio – Education Review

MOTION: Allison Gordon moved, seconded by Kathleen Miller, to table the application of Eladio Rivas and seek further information to verify that the documented training and education meets the standards of the Section. Motion carried unanimously.

SECTION TRAINING REVIEW – PUBLIC RECORDS AND ETHICS AND LOBBYING

The Section reviewed training information relating to Public Records and Ethics and Lobbying requirements at this meeting.

ADJOURNMENT

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

The meeting adjourned at 9:48 a.m.

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Tammy Scheidegger, Chair		2) Date When Request Submitted: 7/11/2017 <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: Professional Counselor Section			
4) Meeting Date: 10/23/17	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Licensure Portability 1. American Counseling Association (ACA) Letter	
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:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
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.			

June 8, 2017

Mr. Dan Williams

Wisconsin Department of Regulation Licensing

PO box 8935

Madison, WI 53708

Dear Mr. Williams,

Recent keynotes and presentations at the annual conference of the American Association for State Counseling Boards will attest to the fact that licensure portability has been brought to the forefront of counselor licensure board issues. The American Counseling Association (ACA) is pleased that this issue is now actively being discussed.

State counseling boards are recognizing that licensure portability is a public protection issue and, as such, needs to be a priority. Multiple reports from the federal government have documented a dire shortage of professional counselors in rural areas. In fact, 60% of rural areas are designated mental health shortage areas by the federal government. The U.S. Department of Health and Human Services estimates that there are over 3,600 mental health shortage areas in the United States with a total population of almost 89 million people living in them – that is 1 in 4 Americans.

Since many licensed counselors wish to live and work in rural or non-urban areas, licensure portability is a critical component for meeting your mandate to serve the public. Facilitating the ability of licensed counselors who want to live in less populated areas to emigrate to your state is in the best interest of the rural population of your jurisdiction.

Despite the fact that promoting licensure portability is in the best interest of the public, transferring a professional counseling license from one state or U.S. jurisdiction to another is often exceedingly difficult and has become a crisis. *Counseling Today Online* has published seven articles on this issue in recent years and the American Counseling Association presented a keynote address on the lack of portability to licensing boards at the American Association of State Counseling Boards conference. ACA receives calls

every week from licensed counselors – often with many years of experience – who move to another state and experience licensure reciprocity roadblocks.

As the counseling profession moves toward increased standardization, the potential for true portability of licensure is within reach. We can note that AASCB identified a pattern of most state licensing boards requiring 60 hours of required coursework at the graduate level and 3,000 hours of post-masters' degree supervised hours. ACA has now promulgated an aspirational portability model that can take advantage of this increasing standardization:

THE AMERICAN COUNSELING ASSOCIATION

Licensure Portability Model

A counselor who is licensed at the independent practice level in their home state and who has no disciplinary record shall be eligible for licensure at the independent practice level in any state or U.S. jurisdiction in which they are seeking residence. The state to which the licensed counselor is moving may require a jurisprudence examination based on the rules and procedures of that state.

The ACA model promotes portability by removing virtually all barriers that may impede professional counselors from transferring their license to another state. At the same time, it recognizes that each jurisdiction may have additional requirements such as a jurisprudence exam.

The American Counseling Association would love to continue the dialogue on licensure portability. Please let me know your thoughts about the best way forward and how you think that the American Counseling Association and the ACA licensure portability model might play a role. My e-mail is nj_buff@yahoo.com.

Thank you in advance for your thoughts.

Very best,

Catherine B. Roland, Ed.D., LPC, NCC

President, American Counseling Association, 2016-2017