



Mark Sanford  
Governor

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South Carolina  
Department of Labor, Licensing and Regulation

Board of Examiners for Licensure of  
Professional Counselors, Marriage and Family  
Therapists, and Psycho-Educational Specialists



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Minutes of the South Carolina Board of Examiners for the Licensure of  
Professional Counselors, Marriage and Family Therapists and Psycho-Educational Specialists

Regular Board Meeting, Disciplinary Hearing and Licensee Appearance Hearing  
September 28, 2010

Synergy Business Park, Kingstree Building, Room 108  
110 Centerview Drive, Columbia, South Carolina 29210

Board members present were:

Tanya A. Williams, M.Ed., President, Chairperson of LPC Standards Committee  
Danny L. Garnett, D. Min., Vice President  
Pamela G. Clark, PhD, Secretary-Treasurer, Chairperson of LMFT Standards  
Committee  
David L. Evans, Jr., M.A., Chairperson LPES Standards Committee  
Jackie H. Fleshman, Public Member  
Linda E. Womack, Public Member

Board member with unexcused absences was:

M. Ellenor Mahon, M.Ed., Chairperson of Continuing Education Committee

Also present were:

Samantha L. Collins, LPC Applicant  
M. Dawes Cook, Jr., Attorney  
Kate K. Cox, Board Administrator  
Alissa DeCarlo, Attorney  
Dean Grigg, LLR Hearing Officer  
C. Rudy Guajardo, President AMHCA - SC  
Todd Hanson, SCAMFT  
Sheliah Jones, Board Administrative Assistant  
Richard L. Lawhon, LPC  
David Love, LLR Investigator - OIE  
Cheryl C. McNair, LLR Investigator - OIE  
Paula Magargle, LLR Litigation Attorney  
Barbara Melton, LPC and LPC-S  
Michael Seith  
Rene Seith  
Joe Shank, SCAMFT  
David L. Smith, LPC Applicant  
Deborah A. Smith, LPC Applicant  
Hope Threadgill, LPC and LPC-S  
Terri A. Winiarski, NCCR Court Reporter

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BOARD MEETING CALL TO ORDER:

President Williams stated that Public Notice of this meeting was properly posted at the office of the South

Carolina Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists, Synergy Business Park, Kingstree Building, Room 108, at 110 Centerview Drive, Columbia, SC 29210 and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the 1976 South Carolina Code, as amended, relating to the Freedom of Information Act. President Williams called the meeting to order at 9:15 a.m. It was noted that a quorum was present. All votes referenced herein were unanimous unless otherwise indicated.

APPROVAL OF AGENDA:

The Board reviewed the Agenda.

**Motion:** A motion was made by Dr. Garnett to approve the agenda. Dr. Clark seconded the motion. The motion carried.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the June 8, 2010 meeting.

**Motion:** A motion was made by Ms. Womack to accept the minutes of the last meeting as printed. Ms. Fleshman seconded the motion. The motion carried.

PRESIDENT'S REMARKS:

President Williams asked to add remarks later in the meeting as necessary.

DISCIPLINARY MATTERS:

IRC Report

David Love, Investigator from Office of Investigations and Enforcement, presented the September 7, 2010 Investigative Review Committee's (IRC) reports concerning disciplinary matters. The IRC report included one (1) Dismissal, two (2) Dismissals with Letters of Caution, one (1) Cease & Desist, and two (2) Formal Complaints to be authorized.

**Motion:** A motion was made by Dr. Clark to accept the September 7, 2010 IRC recommendation. Dr. Garnett seconded the motion. The motion carried.

Mr. Love gave the statistical reports of OIE investigations and the Office of General Counsel (OGC) cases of the 2009 statistics and the 2010 statistics to date. The Board accepted them as information.

DISCIPLINARY HEARING:

Richard L. Lawhon, LPC:

A disciplinary hearing was conducted regarding Mr. Lawhon, LPC License # 3401. The Board was represented by Paula Magargle; a court reporter was present; Mr. Lawhon was present and represented by Dawes Cook and Alissa DeCarlo; and Dean Grigg was the Hearing Officer. A quorum was noted as present for the hearing. The hearing commenced.

**Motion:** A motion was made by Dr. Clark to go into Executive Session. The motion was seconded by Ms. Fleshman. The motion passed.

**Motion:** A motion was made by Dr. Garnett to come out of Executive Session. The motion was seconded by Mr. Evans. The motion passed.

**Motion:** A motion was made to discipline Mr. Lawhon by issuing a public reprimand, assess investigative costs of \$405.05, and to require Mr. Lawhon to get 30 hours of supervision from a Board approved Licensed Professional Counselor - Supervisor (LPC-S), who did not participate in the hearing, with two hours being taken each month over a fifteen month period. The Board also required that Mr. Lawhon have submitted a letter of completion by the LPC-S within thirty days of the completion of the supervision to document his hours. The motion was seconded. The motion carried.

APPLICANT APPEARANCES:

David L. Smith, LPC Applicant:

An application hearing was conducted regarding Mr. Smith, LPC applicant, to see if he can continue to proceed with his licensure application due to “yes” answers in his Personal History Section #8 (a and g) of the application. The Board was advised by Sheridan Spoon; Mr. Smith was present and was not represented by counsel; and a court reporter was present. A quorum was noted as present for the hearing. The hearing commenced.

**Motion:** A motion was made to go into Executive Session. The motion was seconded. The motion passed.

**Motion:** A motion was made by Dr. Garnett to come out of Executive Session. The motion was seconded by Mr. Evans. The motion passed.

After discussion, Mr. Smith requested that his application be withdrawn without prejudice. The Board agreed and noted that his application is valid for three years up until May 2013. The Board agreed for Mr. Smith to appear at a later date with more information regarding his ‘yes’ answers on his Personal History.

Deborah A. Smith, LPC Applicant:

An application hearing was conducted regarding Ms. Smith, LPC applicant, to see if she can continue to proceed with her licensure application due to “yes” answers in her Personal History Section #8 (d and f) of the application. The Board was advised by Sheridan Spoon; Ms. Smith was present and was not represented by counsel; and a court reporter was present. A quorum was noted as present for the hearing. The hearing commenced.

**Motion:** A motion was made to go into Executive Session. The motion was seconded. The motion passed.

**Motion:** A motion was made to come out of Executive Session. The motion was seconded. The motion passed.

**Motion:** A motion was made to issue a Cease & Desist Order regarding unlicensed practice to be effective today, September 28, 2010 and for Ms. Smith be allowed to continue in her application process.

Samantha L. Collins. LPC Applicant:

An application hearing was conducted regarding Ms. Collins, LPC applicant by Endorsement , to see if she can continue to proceed with her licensure application due to “yes” answers in her Personal History Section #8 (a and g) of the application. The Board was advised by Sheridon Spoon; Ms. Collins was present and was not represented by counsel; and a court reporter was present. A quorum was noted as present for the hearing. The hearing commenced.

**Motion:** A motion was made to go into Executive Session. The motion was seconded. The motion passed.

**Motion:** A motion was made to come out of Executive Session. The motion was seconded. The motion passed.

**Motion:** A motion was made to allow Ms. Collins to proceed with her application process. The motion was seconded. The motion passed.

REPORTS/INFORMATION:

Administrative Information:

Mrs. Cox reported to the Board the licensure total of all licensees as well as continuing education providers to be 2695 active credentials in ten categories (licensees and sponsors of CE regulated by the Board.) A breakdown was provided. She also reported the Permanent CE Sponsor Renewal will be done on-line and will be done through Office of licensure and Compliance (OLC) for the first time.

OIE/OGC/OIS Reports:

It was stated that the OIE/OGC reports were given with the Disciplinary Issues by Mr. Love, and as stated in past meetings Mrs. Cox tracks all investigations in OIE and cases in Legal (OGC). Mrs. Cox said Office of Information Services (OIS) will provide licensure reports in future meetings as an ongoing part of the Administrative Reports.

NBCC Biennial Testing Meeting and Annual Meeting of AMFTRB:

Mrs. Cox asked for these reports to be carried over until the next meeting of the Board. The Board agreed.

Financial Report:

The report is provided as information. Revenue is collected biennially and is expended over a two-year period. The Board is audited annually and has been found financially sound with no audit exceptions being noted. All monthly financial reports in detail are kept in the Board’s office and in the Financial Department of LLR.

LEGAL ISSUES:

There were no legal issues brought before the Board.

UNFINISHED BUSINESS:

There was no unfinished business before the Board.

NEW BUSINESS:

Todd Hanson was not present for his presentation on SCAMFT Testing Dates. Mrs. Cox passed out his handout for the Board and asked for this business to be carried over until the next meeting of the Board. The Board agreed.

Mrs. Cox asked the Board to carry over the business of discussion on a letter sent to the Board regarding the use of the terminology of "Associate Counselor" in Rule 15 of the SC Supreme Court concerning the certification of Family Court Mediators until the next meeting of the Board. The Board agreed.

DISCUSSION TOPICS:

Mrs. Cox discussed social networking and the possible violations of ethical practice. The Board took the discussion on the matter as information.

PUBLIC COMMENTS:

There was no public comment.

REPORTS OF STANDARDS COMMITTEES AND CONTINUING EDUCATION COMMITTEE:

President Williams called for the ratification of the electronic reports of the Standards Committees and Continuing Education Committee beginning on June 9, 2010 through September 28, 2010. It was reported that the records are electronically maintained and can be for categories:

Recommended for Licensure as a Professional Counselor Intern;  
Recommended for Extension of LPC Intern Licensure Status for 2 years;  
Recommended for Transfer from LPC-Intern to Professional Counselor;  
Recommended for Licensure as a Professional Counselor by Endorsement;  
Recommended for Licensure as Licensed Professional Counselor Supervisor;

Recommended for Licensure as a Marriage and Family Therapy Intern;  
Recommended for an Extension of LMFT Intern Licensure Status for 2 years;  
Recommended for Transfer from LMFT/Intern to LMFT;  
Recommended for Licensure as a Marriage and Family Therapist by Endorsement;  
Recommended for Licensure as Marriage and Family Supervisor (LMFT/S);

Recommended for Licensure as Licensed Psycho-Educational Specialist;  
Recommended for Licensure as a Licensed Psycho-Educational Specialist by Endorsement;

Recommended for Reinstatement of Licensure or Re-application (all license types);  
One-Time Continuing Education Providership; and

Permanent Continuing Education Providership.

**Motion:** A motion was made by to ratify the reports by Ms. Womack. The motion was seconded by Mr. Evans. The motion passed.

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ANNOUNCEMENTS:

It was announced the next meeting of the South Carolina Board of Examiners for the Licensure of Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists will be held on February 15, 2011.

ADJOURNMENT:

There being no further business the meeting was adjourned at 4:00 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kate K. Cox".

Kate K. Cox  
Administrator