



Nikki Haley
Governor

Catherine B. Templeton
Director

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 and Licensee Appearance Hearing

February 15, 2011

Synergy Business Park, Kingstree Building, Room 105
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
M. Ellenor Mahon, M.Ed., Chairperson of Continuing Education Committee
Linda E. Womack, Public Member

Also present were:

Lillie Boatwright
Kate K. Cox, Board Administrator
Jon Davidson, RPP
Todd D. Hanson, SCAMFT
Sheliah Jones, Board Administrative Assistant
David Love, LLR Investigator - OIE
Tracey McCarley, OBS
Cheryl C. McNair, LLR Investigator - OIE
Joe Shank, SCAMFT
Frank Sheheen, RPP
David L. Smith, LPC Applicant
Richard Wilson, Counsel for RPP

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 105, 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 9:05 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 Ms. Fleshman to approve the agenda. Mr. Evans seconded the motion. The motion carried.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the September 28, 2010 meeting.

Motion: A motion was made by Dr. Garnett to accept the minutes of the last meeting as printed. Dr. Clark 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 (OIE), presented the February 8, 2011 Investigative Review Committee's (IRC) reports concerning disciplinary matters. The IRC report included (1) Cease & Desist, and two (2) Formal Complaints to be authorized.

Motion: A motion was made by Ms. Womack to accept the February 8, 2011 IRC recommendation. Dr. Clark seconded the motion. The motion carried.

Mr. Love gave the statistical reports of OIE investigations and the Office of General Counsel (OGC) cases for the 2010 statistics and the 2011 statistics to date. The Board accepted them as information.

Mrs. Cox also reported on the issuing of a Temporary Suspension Order (TSO) on Rael M. Cox, LPC.

APPLICANT APPEARANCE:

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 (Part a and Part g) of the application. The Board was advised by Sheridan Spoon, and Mr. Smith was present and was not represented by counsel. A quorum was noted as present for the hearing. The hearing commenced. Witnesses were called.

Motion: A motion was made by Dr. Garnett to go into Executive Session. The motion was seconded by Mr. Evans. The motion passed.

Motion: A motion was made by Dr. Garnett to come out of Executive Session. The motion was seconded by Ms. Mahon. The motion passed.

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Motion: A motion was made by Dr. Garnett to allow Mr. Smith to continue in his application process to take the national examination. An Order will be written. The motion was seconded by Dr. Clark. The motion passed.

REPORTS/INFORMATION:

Administrative Information:

Mrs. Cox reported on the new Director for LLR, Catherine B. Templeton. She reported to the Board the licensure total of all licensees as well as continuing education providers to be 2760 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 was completed on-line through the Office of licensure and Compliance (OLC) for the first time. Mrs. Cox remaindered the Board of the e-mail regarding filing of Statement of Economic Interests and handed out hard copies of the instructions for on-line filing. Mrs. Cox noted proposed Legislation for House Bill 3093 regarding a Music Therapy Practice Act.

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 gave the Office of Information Services (OIS) statistical licensure reports.

Financial Report:

The report was provided by Tracey McCarley, was given to each Board member, and was 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.

NBCC Biennial Testing Meeting, Annual Meeting of AASCB, and Annual Meeting of AMFTRB:

Ms. Williams gave the National Board of Certification for Counselors (NBCC) testing meeting report from August 12 - 13, 2010 in Washington, DC. She reported on NCE and NCMHCE test reviews, exam security, legal and ethical practice, innovation and leadership, legislative update, counselor job analysis, and computer based testing.

Dr. Clark and Dr. Garnett reported on the Association of Marriage and Family Therapy Regulatory Boards (AMFTRB) Annual Meeting September 21- 23, 2010 in Atlanta, GA. They reported on continued competency, MFT National Examination testing and hopes for more frequent testing, web site reviews, COAMFTE, supervision issues, and model law discussions. They said social networking and cyber counseling were discussed.

Ms. Mahon and Ms. Williams reported on the American Association of State Counseling Boards (AASCB) meeting January 5 - 7, 2011 in San Diego, CA regarding issues for counselors to include CACREP, non-traditional applications for licensure, supervision, requirements for equivalency, religious beliefs as reason for refusal to see certain types of clients, record keeping, complaints, and more. They reported there were discussions on who is the client and when do people become a client. Discussion followed the reports and it was noted many new issues may lead to promulgation of Regulations in the future.

LEGAL ISSUES:

Mr. Spoon announced that Sharon Dantzler has been named General Counsel for the Agency.

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UNFINISHED BUSINESS:

South Carolina Association of marriage for Family Therapy: Presentation on Discrepancy of Testing Dates for LPC and LMFT and Post Graduate Supervision:

Todd Hanson appeared before the Board for his presentation regarding allowing for a different license date or requirements for accruing post graduate supervision and taking the national test. Discussion followed. The Board stated they will research the intent of the current statute and regulations in regards to testing and post graduate supervision requirements Mr. Spoon addressed the Board to say that they are taking up an issue that involves the interpretation of their statute and regulations and it is not always a good thing to set aside what is already in law. He advised that they might need, or not, a regulatory change. The Board stated they will take this information from Mr. Hanson and Mr. Spoon under advisement.

Letter Regarding SC Supreme Court Terminology in the certification of Family Court Mediators:

A letter was presented by Ronald H. Reames for an opinion of the use of term "Associate Counselor" in one type of requirement by the SC Supreme Court for certification of Family Court Mediators vs. the use of Licensed Professional Counselor – Intern used in this state. Discussion followed. The Board agreed to write a letter to both the SC Supreme Court and Mr. Reames to define Licensed Professional Counselor - Intern.

NEW BUSINESS:

Board elections were held. Tanya Williams was re-elected as Board President; Danny Garnett was reelected as Vice President; and Dave Evans was elected as Secretary/Treasurer. The Board confirmed Dr. Chrys Harris as the Investigative Review Chairman.

DISCUSSION TOPICS:

Dr. Clark discussed the timeframe that Center for Credentialing and Education (CCE) uses in reviewing files for application, especially for marriage and family therapy applicants due to the limited testing schedule they have. The Board will have a letter sent to CCE inquiring about the number of weeks needed for review.

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 September 29, 2010 through February 15, 2011. 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;

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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);
Approval of One-Time Continuing Education Providership; and
Approval of 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.

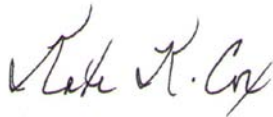
ANNOUNCEMENTS:

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 June 7, 2011. The Board was again reminded to file their Statement of Economic Interests.

ADJOURNMENT:

There being no further business the meeting was adjourned at 11:30 a.m.

Respectfully submitted,



Kate K. Cox
Administrator