

**South Carolina Board of Examiners for the Licensure of Professional Counselors, Marriage and Family Therapists,
Addiction Counselors and Psycho-Educational Specialists
TELECONFERENCE BOARD MEETING AGENDA
Tuesday, February 8, 2022 at 10:00 a.m.**

MINUTES

Board Members Present

Jennifer C.L. Jordan, Chair
Robert B. Carter, Vice Chair
Ann Kirven
Danny J. Garnett
Nikita M. Harrison
Jeannie James
Charles D. Stinson

Absent Members – None

Staff Present

Jack Beasley, Assistant Deputy Director, POL
Tina Brown, Disciplinary Counsel
Roselind Bailey-Glover, Board Administrator
Dean Grigg, Deputy Division Director
Mary League, Advice Counselor
Travis McLeod, Court Reporter
Wanda Peake, WebEx Host
Michelle Phillips, Risk Management/Compliance
Mark Sanders, Office of Investigations
Tracey Solet, Disciplinary Counsel

Public Notice of this meeting was properly posted at the office of the South Carolina Board of Examiners for the Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors and Psycho-Educational Specialists, Synergy Business Park, Kingstree Building, 110 Centerview Drive in Columbia, SC was posted on the Board website 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. A quorum is noted as *present/not present*. All votes referenced herein were unanimous unless otherwise indicated.

This meeting was held via teleconference. Members of the public who attended logged in by telephone. The telephone number and access code was provided on the final agenda.

Call to Order

Board Chair, Dr. Jennifer Jordan called the meeting to order at 10:00 a.m. The meeting was held via teleconference.

Approval of the Agenda

MOTION: Mr. Carter made a motion to approve the agenda. Ms. James seconded the motion. All were in favor and the motion passed.

Approval/Disapproval of Absent Members – There were none.

Approval of the September 13, 2021 Meeting Minutes

MOTION: Ms. James made a motion to approve the September 13, 2021 minutes. Ms. Harrison seconded the motion. All were in favor and the motion passed.

Approval of the October 5, 2021 Meeting Minutes

MOTION: Mr. Garnett made a motion to approve the September 13, 2021 minutes. Ms. Harrison seconded the motion. All were in favor and the motion passed.

Legislative Update.....Katie Phillips / Holly Beeson – Office of Communications and Governmental Affairs

Ms. Beeson provided the legislative update to the board. Regarding the Behavioral Analysts, there has been no movement since last spring when the Senate Subcommittee last met. There is also a companion bill in the House, but no meetings have been held. The Agency is monitoring bills related to licensure compacts. The Counselors Board and the Psychology Board have bills related to establishing a licensure compact. Legislative updates will provide highlights for any new bills filed and hearings summarized each week so that board members are aware. The Counselors Board has regulation updates pending which have not been scheduled for a subcommittee meeting yet. Probably within the next month on the House and Senate side there will be meetings which will give way to a full hearing. Assuming there are no objections to the changes, around the 4th Friday of May, 2022 the updates will be in effect. Ms. Beeson will update the Board with any changes. Regarding the Medical Ethics and Diversity Bill, SC 5811 still being debated and has not advanced. An update will be provided to the Board if any movement happens.

The ‘No Surprises Act’ was provided to board members from the NBCC as information only.

Chair’s RemarksDr. Jennifer Jordan

Ms. Jordan extended a happy New Year greeting to all and proceeded with the meeting.

Administrative Reports

Office of Investigations and Enforcement Reports (OIE/IRC).....**Mark Sanders, Office of Investigations**

Review and Vote. Mr. Ervin Bond covered the reports on Mr. Sanders behalf.

Office of Investigations and Enforcement Reports (OIE/IRC)Ervin Bond, Office of Investigations

Mr. Bond covered the Office of Investigative Enforcement Statistical Report for the reporting period covering September 30, 2021 – January 31, 2022 as information only. For the record there are forty-three (43) Active Investigations, seventeen (17) Closed Cases and twenty-eight (28) Complaints received.

For the IRC Report, there are eight (8) dismissals for review and vote.

MOTION: Mr. Carter made a motion to approve the eight (8) dismissals. Mr. Garnett seconded the motion. All were in favor and the motion passed.

**Office of Disciplinary Counsel Report (ODC)..... Shayla Hayes, Disciplinary Counsel
Information Only**

Ms. Hayes reported from the Office of Disciplinary Counsel (ODC). As of January 25, 2022 there are sixteen (16) Open Cases, four (4) Pending Hearings and Agreements, one (1) case closed since last report on 09/29/2021, and no cases closed since 01/01/2022.

Administrator’s RemarksRoselind Bailey-Glover, Board Administrator

The Financial Reports were provided to the board as information only. Any questions regarding the cash summary can be emailed to the Administrator for the finance department. The finance department provided definitions for direct and indirect expenditures related to the cash report. There was also a monthly expense report by general ledger code broken down by category.

CE Broker: Monthly Report – CE Broker is present to answer questions during their presentation today.

Ethics Commission Filing and Deadline – Anyone who did not receive their 2021 statements let the Administrator know by separate email. The website address for the Ethics Commission appears in the board materials. The deadline for filing is March 30, 2022. The In December, 2021, the Board Administrator updated board member address using the new electronic process. Each board member receives a direct response from the Commission once they complete their online filing as the Administrator will not receive a notice of filing completed.

2022 New Mileage Rate – Information only. As of 58.5 cents per mile as of January 2022.

Applicants contacting board members directly – Any applicants contacting board members directly, should be directed to the Board Administrator for assistance. Have applicants to call the Administrator directly if they did not receive a response by emailing the common board email address.

Application Hearings: NONE

Disciplinary Hearings: Closed Session

FOH MOA-2019-108Tina Brown

MOTION: Ms. James made a motion to go into closed session in compliance with state and federal confidentiality laws. Mr. Garnett seconded the motion. All were in favor and the motion passed.

MOTION: Ms. Kirven made a motion to return to public session. Mr. Garnett seconded the motion. All were in favor and the motion passed.

MOTION: Ms. James made a motion to accept the Memorandum of Agreement (MOA) with sanctions. An eight (8) hours course is required with training on boundaries, approved by the board. Obtain a supervisor who is an LPC-S. Provide the name of the supervisor to the board. Must be supervised for six (6) months with a monthly report to the board from the supervisor every two (2) months with a notice or letter of opinion on fitness to practice. A \$1,000 fine is to be paid within ninety (90) days to the board. This will be a public reprimand. Failure to comply with the MOA will require a return to the board for review. Ms. Kirven seconded the motion. All were in favor and the motion passed.

Disciplinary Hearings: Closed Session

FOH Panel – 2019-8.....Tina Brown

Board member, Nikita Harrison provided a recusal statement and was recused from the hearing.

MOTION: Ms. Kirven made a motion to go into closed session in compliance with state and federal confidentiality laws. Mr. Carter seconded the motion. All were in favor and the motion passed.

MOTION: Ms. Kirven made a motion to return to public session. Mr. Garnett seconded the motion. All were in favor and the motion passed.

MOTION: Ms. James made a motion to accept the Hearing Officers recommendations. Ms. Kirven seconded the motion. All were in favor and the motion passed.

Ms. Harrison returned to open session.

Lunch (Time of Lunch will be at the discretion of the Board Chair)

New Business

Travel / Teleconference Meetings:

2022 American Association of State Counseling Boards (AASCB) Virtual Conference – February 8th and 18th, 2022

MOTION: Ms. Kirven made a motion for Mr. Garnett or Mr. Carter to attend the virtual conference. Mr. Garnett seconded the motion. All were in favor and the motion passed.

American Counseling Association (ACA) Conference & EXPO 2022– April 7-9, 2022, Atlanta Georgia. VOTE on Attendees.

MOTION: Ms. James made a motion for Mr. Garnett or Mr. Carter to attend the virtual conference. Mr. Garnett seconded the motion. All were in favor and the motion passed.

National Association for Alcoholism and Drug Abuse Counselors (NAADAC) 2022 Annual Conference – October 7-12, 2022, Indianapolis, IN – VOTE on Attendees:

Ms. Glover will find out how many board members can attend the NAADAC Conference in IN. The board voted on two to four members to attend. Ms. Glover will let board members know how many can attend since it depends on the travel budget. Will find out more information about the state conference and the AMFT Conference at the next board meeting.

MOTION: Ms. Kirven made a motion for Ms. James and Mr. Carter to attend. If more than two can attend then, Ms. Kirven and Mr. Stinson will attend. Mr. Stinson seconded the motion. All were in favor and the motion passed.

Mr. Garnett asked about the AMFTRB, Marriage and Family Therapy Conference and attendees. Since there was no information available yet this conference was tabled for the April 12, 2022 meeting. The Conference is scheduled for June 3rd and 4th, 2022. Board members will contact Ms. Glover if they are going to attend the June meeting.

MOTION: Mr. Garnett made a motion for Ms. Harrison and Ms. James to attend the regional meeting. Ms. Harrison seconded the motion. All were in favor and the motion passed.

Number of New Licenses Issued (10/05/2021 – 02/01/2022). Information only.

Number of Continuing Education Providers Approved – (10/05/2021 – 02/01/2022). Information only.

Ratification of New Licenses and Continuing Education Sponsors - Vote

MOTION: Ms. James made a motion to approve the new licenses and continuing education sponsors as presented to the board. Mr. Garnett seconded the motion. All were in favor and the motion passed.

Number of ACTIVE Licenses by Credential Type – Information only

Application Review Committee: Applications Reviewed – None

Discussion

Application Revisions Roselind Bailey-Glover, Board Administrator

Ms. Glover reported that the update of Counselor Board Online Applications: LPC / LPC-A / LMFT / LMFT-A, and the Transfer Form along with instructions are ongoing. The Communications Department had to make additional changes. No online applications go live date is available at this time. Additional changes are being made to the language. Still working with CCE for the initial applications until our applications are refined. The applications must be correct prior to placing them online. Ms. Glover apologized for the delay, but the updates are necessary since the language was outdated. The revision are almost complete and the applications are ready they will provide a good template to work with for the paper applications. The forms that were on the website were outdated and should not have been placed on the website with outdated language. The applications are a complete re-write.

Continuing Education and an AuditJennifer Jordan

CE Broker CE Audit Q/A

CE Broker – Register CE Providers – Information for Discussion

Ms. Deb Carter from CE Broker provided the board with an overview of the audit process and how CE Broker can help and what they can and cannot do. Ms. Carter shared her screen and the presentation on the Audit Tool and the limitations they have with working with our board's IT department and the data shared. Data from the board does not include email addresses so the audit communication would come from the board.

CE Broker can create an INTERNAL ONLY random selection of licensees for audit without notifying the licensees. The data generated will let the board know who is compliant with a CE Broker account and completed their CEs and who is not in compliance. The report will be generated from within Board Suite and given to the Administrator to contact the percentage of licensees who will be audited. The FREE Basic account and all other accounts set-up with CE Broker would be included in the report to the Administrator. A FORMAL AUDIT cannot be done at this time since email address are not provide to CE Broker from the Board's nightly download.

The CE Broker report from within Board Suites will show how many licensees have completed the CE requirement and how many have not. Ms. Glover can work with the IT department to send out audit notices to the 5% and give licensees time to enter their CE's into CE Broker by a certain date.

There is also the option for Board member to obtain access (with a User ID and Password) to Board Suites in order to review the licensees data of those selected for the audit. Licensees will either pass or fail the audit and the board member will be able to see how many CEs are missing and see any of the courses they wish to reject. At this time, 4,135 have an account out of about 5,999 licensees and 1,864 are without an account. This number will change as new licensees sign up with CE Broker. A discussion ensued to audit 5% and give licensees two (2) months to obtain the CE's and get them into CE Broker.

First, the board would send licensees a notice of audit with a deadline for entering their CE's into CE Broker. Licensees with an account can review the number of hours they completed and the number of hours still needed to complete for compliance.

The audit process (consequences of non-compliance etc.) will be decided at the next meeting. The Board will address those who are not in compliance separately and how much time they will have to determine what can be done if licensees are not compliant.

Next, the actual notice of audit would be a separate notice to 5% of the now 1,800. Give the licensee time to enter their CEs into CE Broker. Audit those who are not in compliance. CE Broker needs to know what settings the board wants, for example, if CEs were taken after the fact can they roll the new CEs into their account now, after the renewal deadline, without the CEs being counted twice for this past renewal and the upcoming renewal. CE Broker can also filter out those who were audited this time so they are not audited the next time.

Ms. Glover can work with the IT department (DOTS) to notify the 1,800 people from the CE Broker report and send out an e-blast to them only.

However, an E-blast must go to all licensees making them aware an audit is coming and to get an account with CE Broker. The 5% to be audited will be selected randomly from the entire population. At the meeting on the 12th the board will discuss the compliance process.

MOTION: Mr. Garnett made a motion for the Administrator to send out an e-blast to all licensees to submit their CEs into CE Broker as there will be an audit. Ms. James seconded the motion. All were in favor and the motion passed.

Add the Audit as an agenda item for the next meeting to discuss the process (first letter, 2nd letter etc.).

2022 Board Meeting Dates Remaining- Information only

Public Comments

Adjournment: 1:56 p.m.

MOTION: Ms. Kirven made a motion to adjourn. Mr. Garnett seconded the motion. All were in favor and the motion passed.

ROSELIND BAILEY-GLOVER
BOARD ADMINISTRATOR