DC | HEALTH
GOVERNMENT OF THE DISTRICT OF COLUMBIA
Health Systems & Preparedness Administration

BOARD OF PROFESSIONAL COUNSELING

OPEN SESSION MINUTES

July 24, 2026
10:00 AM – 2:00 pm

Virtual Meeting Notice
Information on how to access the public portion of the meeting is listed below:
Join by Web https://dcnet.webex.com/dcnet/j.php?MTID=mb7db2da02f1ac65acba8e248dc72d81a **Join by Phone** Call in Number: 1-650-479-3208 Call-in toll number (US/Canada) 1-202-860-2110 United States Toll (Washington D.C.) Access Code: 475 199 633

Open Session July 24, 2026

Call to Order:

OS-0724-01	**Roll Call:**
OS-0724-02	**Approval of the Agenda** **Board Action**: Consideration of the July 24, 2026, Open Session Agenda.
OS-0724-03	**Board and Department Reports** 1. **Executive Director's Report**: • Operational Status Update: • Licensure Census: • Legislative Updates 2. **Board Attorney's Report** 3. **Board Chair's Report**
OS-0724-04	**Open Session Minutes** **Board Action**: Consideration of the May 15, 2026 Open Session Minutes.
OS-0724-05	**Consent Agenda** **Board Action**: Consideration of the applications approved for purposes of review and/or ratification of Board actions taken since the last Board meeting.
OS-0724-06	**LGPC – Employment Status - 1099** **Board Discussion:** The Board is to discuss and make clear for the record the status of an LGPC supervision experience. **Background:** The board staff received an email from an LGPC and her potential employer asking whether an LGPC can be a Fee-for-Service, 1099 employee for the potential employer with supervision. The potential employer's human resource representative also emailed Ms. Herndon asking for clarification on behalf of the LGPC. Ms. Herndon stated to the LGPC and Human Resource representative that a Fee-for-Service, 1099 employee is considered self-

	employed and it does not matter whether the LGPC is being supervised. The LGPC believes she is not engaging in independent practice. The IRS defines a 1099 as someone being treated as an independent contractor and self-employed. The LGPC would not get W-2 form from the potential employer based upon his description of the employment set-up.
OS-0724-07	**Motion to Temporarily Close Open Session:** **Board Action**: To go into the closed executive session to discuss confidential matters as permitted in DC Official Code § 2-575(b). **Background:** Pursuant to DC Official Code § 2-575(b), the Board will move into the Closed Executive Session portion of the meeting to discuss the following: 1. To consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body, or to approve settlement agreements pursuant to § 2-575(b)(4)(a). 2. To discuss disciplinary matters pursuant to section § 2- 575(b)(9). At the end of every meeting, a motion to adjourn must be made in open session to close out the business of the Board.
	Roll Call Vote
	This temporarily concludes the Public Open Session of the meeting. The Board will now move into the Closed Executive Session portion of the meeting pursuant to D.C. Official Code § 2-575(b) for the reasons set forth in the motion.
	Executive Session Board Report
OS-0724-07	**Board Action:** Board report, as appropriate, of action taken during the Executive Session meeting. • Number of applications approved • Number of cases closed
OS-0724-08	**Motion to Adjourn**

The next open session meeting is September 18, 2026 at 10:00 am

THIS SECTION IS FYI ONLY NO BOARD DECISION OR ACTION IS NEEDED	
OS-FY1	**Board of Professional Counseling Delegate Authority** **BOARD OF PROFESSIONAL** To facilitate the business of the Board of Professional Counseling (Board) in addressing routine, frequently-encountered matters, , the Board has delegated various authorities to Board staff to help accomplish the goal of public safety. These delegated authorities are limited in nature and conditioned upon clear, established policies and practices. Accordingly, by authorizing the staff to address such matters, the Board's business is effectuated in an efficient and expedient manner, while at the same time ensuring public safety is always maintained. The authorities granted below are limited in scope to only those circumstances specified. Any ambiguities, either in the authorities themselves or the facts being presented, should be resolved by bringing said matter to the attention of the Board Chair, or the entire Board. The Board may withdraw the authorities at any time. **GENERAL DELEGATION OF AUTHORITY** A. The Board delegates the following authority to the Chairperson to act on behalf of the Board: 1. The Board delegates to the Chairperson, the authority to review and make decisions on behalf of the Board in matters that are routine such as reviewing a criminal background check (CBC) based on established policies, reviewing and approving continuing education, and determining whether an unlicensed practice has occurred. The Executive Director shall inform the Board of any such actions taken pursuant to this delegated authority at the next available Board meeting, placing the matter on the consent agenda. 2. In the event that the Chairperson is absent or otherwise unable to serve in his/her capacity as Chairperson, the Board may delegate a board member to act in place of the Chairperson for the purpose of the review and decision-making described in

	paragraph A.1., above. The Executive Director shall inform the Board of any such actions taken pursuant to this delegated authority at the next available Board meeting, placing the matter on the consent agenda. B. The Board delegates the following authority to the Executive Director, in consultation with Board Counsel, to act on behalf of the Board: 1. The Executive Director may initiate a review of and evidence collection on a complaint that has been found to be legally sufficient by the Board's Counsel. This may include the issuance of an order to answer to Respondent, as well as the issuance of a subpoena for records to Respondent and any subsequent providers as appropriate. The Executive Director shall inform the Board of any such actions taken pursuant to this delegated authority at the next available Board meeting by placing the matter on the FYI section. 2. The Executive Director may initiate investigation of matters where the health, safety and/or welfare of the public is clearly at risk. In the interest of conducting the investigation, the Executive Director may request a Board investigator to issue a subpoena to produce records, conduct interviews, and acquire additional information as pertinent to the investigation. The Executive Director shall inform the Board of any such actions taken pursuant to this delegated authority at the next available Board meeting by placing the matter on the FYI section. 3. The Executive Director may close a complaint deemed legally insufficient by Board Counsel. The Executive Director shall inform the Board of any such actions taken pursuant to this delegated authority at the next available Board meeting by placing the matter on the Consent Agenda. 4. The Executive Director, in consultation with the Board Counsel, may request relevant police or court records from an applicant who returns a criminal background check with a documented criminal history, and may request the applicant to provide a written explanation regarding any discrepancy between his/her answer and the results of the criminal background check. Next

	steps taken by the Executive Director or Board staff shall be in accordance with the Board's approved guidance for CBC Categories (enclosed).The Executive Director shall inform the Board of any such actions taken pursuant to this delegated authority at the next available Board meeting by placing the matter on the Consent Agenda. 5. The Executive Director, in consultation with Board Counsel, may issue a Negotiated Settlement Agreement (NSA) with the Board-approved assessment for matters of practicing without a license, supervising unlicensed individual, misrepresentation to the Board, and/or missing continuing education. The Executive Director shall inform the Board of any such actions taken pursuant to this delegated authority at the next available Board meeting by placing the matter on the Consent Agenda. The Executive Director is authorized to modify terms of an NSA or consent order if she determines good cause exists. When such a decision is made, the Executive Director shall place it on the consent agenda for ratification. 6. The Executive Director can review* and grant continuing education exemptions due to serious illness or disability . The Executive Director shall inform the Board of any such actions taken pursuant to this delegated authority at the next available Board meeting by placing the matter on the Consent Agenda. 7. The Executive Director may sign Negotiated Settlement Agreements (Board Chairperson's E-Signature) on behalf of the Board Chair for routine matters such as failing to meet continuing education requirements for license renewal. (Non-routine matters that require the Board Chair's signature, including Notices of Intent to take a Board action, will be forwarded to the Board Chair for review and approval prior to placement of electronic signature.) The Executive Director shall inform the Board of any such actions taken pursuant to this delegated authority at the next available Board meeting by placing the matter on the Consent Agenda.

	8. The Executive Director may approve applications for initial licensure, renewals, reactivations, and reinstatements that include affirmative answer(s) to screening questions related to and after review of the supporting documents: academic remediation, voluntary resignations, and previously reported and addressed criminal background. 9. The Executive Director will consult with Board Counsel on the above items when needed. C. The Board delegates the following authority to the Health Licensing Specialist (HLS) to act on behalf of the Board: 1. The HLS may review and approve **"clean" examination and re-examination applications to sit for the national examination. These approvals will be placed in the next available consent agenda for ratification by the Board 2. The HLS may review and approve **"clean" examination, re-examination, and endorsement applications, license renewals, and license reactivations and reinstatements. These approvals will be placed in the next available consent agenda for ratification by the Board. Approved: by the Board of Professional Counseling on February 12, 2021 (see OS minutes).