



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Health Regulation and Licensing Administration

BOARD OF PROFESSIONAL COUNSELING OPEN SESSION MEETING MINUTES

April 9, 2021

10:00 am to 2:00 pm

Virtual Meeting Notice

Due to the COVID-19 pandemic, all board meetings will be held virtually during the declared public health emergency.

Information on how to access the public portion of the meeting is listed below:

OPEN SESSION APRIL 9, 2021

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| OS-0421-01 | <p>CALL TO ORDER AND ROLL CALL</p> <p>The April 9, 2021 Open Session was called to order at 10:05am and a quorum was established.</p> <p><u>Board Members:</u></p> <ul style="list-style-type: none"> • Dr. Victoria Sardi-Brown (Chairperson) – Absent • Laurie Ferreri (Vice-Chairperson) – Present • Victoria Sherk – Present • Vanessa Ruffin-Colbert – Present <p><u>Board Staff:</u></p> <ul style="list-style-type: none"> • Frank Meyers – Associate Director substituting for Aisha Nixon • Mavis Azariah Armattoe – Health Licensing Specialist substituting for David Walker • Panravee Vongjaroenrat – Board Attorney • Leonard Howard – Board Investigator • Gregory Scurlock – Compliance Officer | |
| OS-0421-02 | <p>APPROVAL OF THE OPEN SESSION AGENDA</p> <p><u>Motion:</u> Motion made by Ms. Ruffin to approve the Open Session Agenda. Seconded by Ms. Sherk.</p> <p><u>Vote:</u> Ms. Ferreri, Ms. Ruffin-Colbert, and Ms. Sherk voted in favor of the motion.</p> | |

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| OS-0421-03 | <p>EXECUTIVE DIRECTOR’S REPORT</p> <p>I. New Executive Director Mr. Meyers informed the Board that Ms. Aisha Nixon has accepted the position as Executive Director with the Board of Medicine. Ms. Nixon will continue to serve as Executive Director for the Allied and Behavioral Health Boards until a full-time replacement is found.</p> <p>II. New Licensure System Mr. Meyers provided a brief update on the new licensure system, which is tentatively scheduled to go live in mid-April 2021. More information will be shared as it becomes available.</p> <p>III. Licensure Census Mr. Meyers provided the most recent licensure census numbers, as follows:</p> <ol style="list-style-type: none"> 1. Licensed Professional Counselor: 1279 2. Certified Addiction Counselor I: 81 3. Certified Addiction Counselor II: 161 4. Licensed Graduate Professional Counselor: 329 | |
| OS-0421-04 | <p>BOARD ATTORNEY’S REPORT</p> <p>I. Regulation Subcommittee 2nd Meeting Questions need to be discussed before the full board meeting in May 2021, as guidance is still needed.</p> <p>II. Legislative Update The Board Attorney informed the Board of recent legislation that significantly alters the Boards ability to review criminal history in making licensure and/or disciplinary actions. DC Health is reviewing the full impact and will provide more information soon.</p> | |
| OS-0421-05 | <p>CHAIRPERSON’S REPORT No Report</p> | |

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| OS-0421-06 | <p>MINUTES</p> <p><u>Board Action:</u> Consideration of the Open Session Minutes from the March 12, 2021 meeting.</p> <p><u>Motion:</u> Ms. Ferreri identified an error on OS-0321-11. Specifically, where it says “...DC Board does authorize...” it should instead say “...DC Board does not authorize...”.</p> <p>Additionally, Ms. Ruffin-Colbert notes that the open session minutes show Ms. Sherk was absent but also shows that she participated in the voting. Ms. Sherk believes that she was present at the March meeting. Staff will check record to confirm her attendance and correct the minutes accordingly.</p> <p>Motion made by Ms. Ruffin-Colbert to approve the minutes pending the corrections identified. Seconded by Ms. Ferreri.</p> <p><u>Vote:</u> Ms. Sherk, Ms. Ruffin-Colbert, and Ms. Ferreri voted in favor of the motion. The motion passed unanimously.</p> | |
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| <p>OS-0421-07</p> | <p>DISCUSSION – CO-SIGNATURES ON CAC CLINICAL ENCOUNTERS</p> <p><u>Board Action:</u> Review and discuss whether co-signatures are required on CAC clinical encounter notes.</p> <p><u>Background:</u> The Board received an inquiry from the DC Department of Behavioral Health (DBH) on whether co-signatures were required on each encounter note for CACIs and CACIIs. Board Staff has provided documents for the Board to review.</p> <p><u>Motion:</u> Motion made by Ms. Sherk to respond that existing regulations do not require co-signatures and the Board expects clear evidence of appropriate supervisory oversight, but if DBH wishes to require such co-signatures as part of their operating procedures then nothing in the existing laws prohibit that. Seconded by Ms. Ruffin-Colbert.</p> <p><u>Vote:</u> Ms. Sherk, Ms. Ruffin-Colbert, and Ms. Ferreri voted in favor of the motion. The motion passed unanimously.</p> | |
| <p>OS-0421-08</p> | <p>DISCUSSION – SCOPE OF PRACTICE VS. VOCATIONAL COUNSELING</p> <p><u>Board Action:</u> Review and discuss whether if the definition of the practice of professional counseling require a “vocational counselor” or “career counselor” be licensed.</p> <p><u>Background:</u> The Board received an inquiry regarding if vocational counselors require a license in the District. Here is the current practice definition for professional counseling (note the highlighted portion is to be added).</p> <p><i>(15A) Practice of professional counseling means engaging in counseling or psychotherapy activities, including cognitive behavioral therapy or other modality, with or without compensation, to facilitate human development and to identify and remediate mental, emotional, or behavioral conditions and associated difficulties that</i></p> | |

interfere with mental health and wellness. The practice of professional counseling includes:

- A. the processes of conducting interviews, tests, and other forms of assessment for the purpose of diagnosing individuals, families, and groups, as outlined in the Diagnostic and Statistical Manual of Disorders or other appropriate classification schemes, and determining treatment goals and objectives;*
- B. Determining and evaluating treatment goals and objectives and implementing counseling techniques and evidence-based counseling methods, models, and interventions to achieve treatment plan goals;*
- C. Assisting individuals, families, and groups through a professional relationship to achieve long-term effective mental, emotional, physical, spiritual, social, educational, or career development and adjustment; and*
- D. Teaching and supervising the practice of professional counseling.*

Motion:

The Board Attorney clarified that the request is whether the proposed modifications to the definition of professional counseling would now require a vocational counselor and/or a career counselor be licensed as professional counselors.

Motion made by Ms. Ruffin-Colbert that currently vocational/professional counselors are not required to be licensed at this time, so long as they don't engage in clinical practice. Seconded by Ms. Sherk.

Vote:

Ms. Sherk, Ms. Ruffin-Colbert, and Ms. Ferreri voted in favor of the motion. The motion passed unanimously.

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| <p>OS-0421-09</p> | <p>DISCUSSION – USE OF SUPERVISED PRACTICE FORM PENDING INVESTIGATION</p> <p><u>Board Action:</u> Review and discuss whether a supervised practice form can be approved while an investigation is pending.</p> <p><u>Background:</u> Historically, supervised practice forms have not been offered or approved while an investigation is pending. Board staff is recommending the Board review and discuss the current policy with Board counsel.</p> <p><u>Motion:</u> Motion made by Ms. Sherk to allow the issuance of a supervised practice letter to individuals who are under investigation. Seconded by Ms. Ferreri.</p> <p><u>Vote:</u> Ms. Sherk, Ms. Ruffin-Colbert, and Ms. Ferreri voted in favor of the motion. The motion passed unanimously.</p> | |
| <p>OS-0421-10</p> | <p>OPEN SESSION CONSENT AGENDA</p> <p><u>Board Action:</u> Consideration of the applications approved for purposes of review and/or ratification of Board actions taken since the last Board meeting.</p> <p><u>Background:</u> The Consent Agenda is a record of the decisions and/or actions taken by the Board or its staff since the last meeting.</p> <p><u>Motion:</u> Motion made by Ms. Ruffin-Colbert to approve the Consent Agenda. Seconded by Ms. Sherk.</p> <p><u>Vote:</u> Ms. Sherk, Ms. Ruffin-Colbert, and Ms. Ferreri voted in favor of the motion. The motion passed unanimously.</p> | |

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| OS-0421-11 | <p>MOTION TO CLOSE</p> <p><u>Board Action:</u> To go into closed session to discuss confidential matters as permitted in DC Official Code § 2-575(b).</p> <p><u>Background:</u> Upon conclusion of the open session meeting pursuant to the DC Official Code 2-575(b) and for the purposes set forth therein, the Board will move into the closed executive session portion of the meeting to consult with the Board attorney, discuss disciplinary matters and hear reports concerning violations of the law or regulations.</p> <p><u>Motion:</u> Motion made by Ms. Ruffin-Colbert to go into closed session. Seconded by Ms. Ferreri.</p> <p><u>Vote:</u> Ms. Sherk, Ms. Ruffin-Colbert, and Ms. Ferreri voted in favor of the motion. The motion passed unanimously.</p> | |
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The next open session meeting is scheduled for May 14, 2021 at 10:00am.

The Open Meetings Act governs this meeting. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

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| OSFYI-0421-01 | <p><u>TELEHEALTH</u></p> <p><u>Background:</u> DC Health has created an inter-professional workgroup comprised of the Board Chairs from different licensure boards. The group was established to generate ideas on solving health matters from a multi-discipline approach. The Workgroup has decided to focus its efforts on the development of legislation to address telehealth. A subcommittee will be formed with representation from each health professional board.</p> | |
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