



GOVERNMENT OF THE DISTRICT OF COLUMBIA

Health Regulation and Licensing Administration

BOARD OF PROFESSIONAL COUNSELING OPEN SESSION MEETING MINUTES

March 12, 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 MARCH 12, 2021

OS-0321-01	<p>CALL TO ORDER AND ROLL CALL</p> <p>The March 12, 2021 Open Session was called to order at 10:03am and a quorum was established.</p> <p><u>Board Members:</u></p> <ul style="list-style-type: none"> • Dr. Victoria Sardi-Brown (Chairperson) – Present • Laurie Ferreri (Vice-Chairperson) – Present • Victoria Sherk – Present • Vanessa Ruffin-Colbert – Present <p><u>Board Staff:</u></p> <ul style="list-style-type: none"> • Aisha Nixon- Executive Director • David Walker – Health Licensing Specialist • Panravee Vongjaroenrat – Board Attorney • Leonard Howard – Board Investigator <p><u>Open Session Guests:</u></p> <ul style="list-style-type: none"> • Ashley Harrell • Dr. Sadiqa Long 	
OS-0321-02	<p>APPROVAL OF THE OPEN SESSION AGENDA</p> <p><u>Motion:</u> Motion made by Ms. Ferreri to approve the March 12, 2021 Open Session agenda without modifications. Seconded by Ms. Sherk.</p> <p><u>Vote:</u> Dr. Sardi, Ms. Ferreri, Ms. Sherk, and Ms. Ruffin-Colbert voted in favor of the motion. The motion passed unanimously.</p>	

OS-0321-03	<p>EXECUTIVE DIRECTOR’S REPORT</p> <p>DC Health remains in a telework posture. Board Staff continue to process applications in a timely matter. To assist with this, Ms. Nixon and Mr. Walker have started returning to the office on a limited schedule due to pandemic protocols.</p> <p>The Processing Center has begun allowing in-person appointments for individuals to submit applications as of January 25, 2021. To schedule an appointment, individuals should use the scheduling link on the Board’s website. Appointments will be on Mondays and Wednesday from 9am to 1pm.</p> <p>The public health emergency was extended to May 20, 2021. All Executive orders pertaining to the public health emergency (including the licensure waiver) have been extended to May 20, 2021 as well. Health professionals looking for information about the vaccine should visit https://coronavirus.dc.gov/vaccine. Health professionals with questions about the vaccine should contact covid-19.vaccine@dc.gov . To sign-up to receive the vaccine, licensees should visit https://coronavirus.dc.gov/vaccinatedc .</p> <p>Ms. Nixon provided information obtained from attending the AASCB conference related to how various boards are handling licensure and discipline during COVID-19. In addition, updated information related to the establishment of a Professional Counseling Compact and various pathways to portability.</p> <p><u>Licensure Census as of March 12, 2021:</u> LPC – 1252 LGPC – 310 CACI- 81 CACII - 161</p>	
OS-0321-04	<p>BOARD ATTORNEY’S REPORT No Report</p>	
OS-0321-05	<p>CHAIRPERSON’S REPORT No Report</p>	

OS-0321-06	<p>MINUTES</p> <p><u>Board Action:</u> Consideration of the Open Session Minutes from the February 12, 2021 meeting.</p> <p><u>Motion:</u> Motion made by Ms. Ferreri to approve the Open Session Minutes from the February 12, 2021 meeting with modification on page 9. Seconded by Ms. Ruffin-Colbert.</p> <p><u>Vote:</u> Dr. Sardi, Ms. Ferreri, Ms. Sherk, and Ms. Ruffin-Colbert voted in favor of the motion. The motion passed unanimously.</p>	
OS-0321-07	<p>SCOPE OF PRACTICE REVISION</p> <p><u>Board Action:</u> Review and discuss whether to update current scope of practice.</p> <p><u>Background:</u> While updates to the Health Occupational and Revisions Act (HORA) are taking place, the Board can update its scope of practice. The following is the current scope of practice for counseling and addiction counseling:</p> <ul style="list-style-type: none"> • 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 interfere with mental health and wellness. The practice of professional counseling includes: 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; and 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.

- **Practice of addiction counseling** means providing services, with or without compensation, based on theory and methods of counseling, psychotherapy, and addictionology to persons who are experiencing cognitive, affective, or behavioral psycho-social dysfunction as a direct or indirect result of addiction, chemical dependency, abuse of chemical substances, or related disorders. The practice of addiction counseling includes: Addiction prevention; Crisis intervention; Diagnosis; Referral; Direct treatment; Follow-up, which is rendered to individuals, families, groups, organizations, schools, and communities adversely affected by addictions or related disorders; the education and training of persons in the field of addiction counseling.

Discussion:

Discussion related to the Board composition was added. Clarification regarding the composition was provided related to sub -section D:

- At least 3 LPC and one consumer member.
- The Board expressed that the educator must be a licensed professional counselor (LPC).
- Also, that one of the LPC positions would have 3 years of experience in the field of addiction counseling.
- Additionally, the Board stated that the position for the art therapist can be held by a person licensed solely as an art therapist or one that holds a LPC license as well.

Motion:

Motion made by Ms. Ruffin-Colbert to revise the HORA related to clearly reflect the Board composition to require at least 3 LPC of which one will be an educator, one will have at least 3 years of experience in addiction counseling, 1 art therapist that could be dually licensed as an LPC, and one consumer member. Second portion of the motion is to include teaching of counseling in the scope of practice definition. Seconded by Ms. Ferreri.

Vote:

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

<p>OS-0321-08</p>	<p>ASSESSMENT FEE SCHEDULE</p> <p><u>Board Action:</u> Review and determine whether to approve the assessment fee schedule.</p> <p><u>Background:</u> To assist the Board with its work, Board Staff drafted an assessment fee schedule for the Board to review. The schedule features the Board’s most frequently assessed matters.</p> <p><u>Motion:</u> Motion made by Ms. Ruffin-Colbert to accept the assessment fee schedule without modifications. Second by Ms. Sherk</p> <p><u>Vote:</u> Dr. Sardi, Ms. Ferreri, Ms. Sherk, and Ms. Ruffin-Colbert voted in favor of the motion. The motion passed unanimously.</p>	
<p>OS-0321-09</p>	<p>REMOTE SUPERVISION GUIDANCE</p> <p><u>Board Action:</u> Decide whether to extend the expired remote supervision guidance previously issued by the Board.</p> <p><u>Background:</u> In June 2020, the Board issued Policy Statement 20-001: Guidance on Remote Supervision during COVID-19 Emergency. The policy was applicable to professional counseling practice and supervision between February 1, 2020 and December 31, 2020. Accordingly, LGPCs who were accruing practice experience to qualify for an LPC license during the time would have met the relevant regulatory requirement based on tele-supervision outlined in this policy guidance.</p> <p><u>Motion:</u> Motion made by Ms. Ruffin-Colbert extend the remote supervision guidance to December 31, 2021. Second by Ms. Ferreri.</p> <p><u>Vote:</u> Dr. Sardi, Ms. Ferreri, Ms. Sherk, and Ms. Ruffin-Colbert voted in favor of the motion. The motion passed unanimously.</p>	

OS-0321-10	<p>QUESTION ON WHO CAN DIAGNOSIS AND/OR DEVELOP TREATMENT PLANS</p> <p><u>Board Action:</u> The Board is to discuss the question and provided feedback.</p> <p><u>Background:</u> "Is either diagnosis or treatment planning reserved to independent practitioners only? Or may supervised professionals also perform same? If the supervisees cannot perform them, how do they learn?"</p> <p><u>Motion:</u> No formal motion. The Board stated that a LGPC can diagnose and create treatment plans under the appropriate supervision.</p>	
OS-0321-11	<p>LPC TITLE USAGE</p> <p><u>Board Action:</u> Determine whether an LPC can advertise as a "LPC Supervisor".</p> <p><u>Background:</u> An LPC submitted the following question to the Board for review:</p> <p><i>Am I able to advertise myself as an LPC Supervisor for the District of Columbia and is there any paperwork my resident needs to submit to the board if they select me?</i></p> <p><u>Motion:</u> No formal motion. The DC Board does not authorize special designations related to supervisors at this time. The Board recommended that the individual refer to the code of ethics.</p>	

OS-0321-12	<p>DISCUSSION – ETHICAL CONCERNS WITH DC SEXUAL ASSAULT VICTIMS’ RIGHTS AMENDMENT ACT OF 2019</p> <p><u>Discussion:</u> Discuss the potential impact the law will have on licensees and determine whether to take any action(s).</p> <p><u>Background:</u> The DC Sexual Assault Victims’ Rights Amendment Act of 2019 included the right to an advocate for 13 to 17-year-old youth in DC who have experienced sexual assault. For youth in this age range who were specifically impacted by peer-on-peer or stranger assault, the right to an advocate comes with an exemption to mandated reporting. Licensees would like to ensure that this exemption to mandated reporting under the law for these specific kinds of cases would not present a problematic ethical concern in the eyes of the Board.</p> <p>The Board discussed this matter during the November and December 2020 meetings. Dr. Sardi requested that the individual that brought the matter before the board be included in the subcommittee meeting.</p> <p><u>Motion:</u> Motion made by Ms. Sherk to refer this matter to the subcommittee for further discussion and the development of a policy statement or guidance. Seconded by Ms. Ferreri.</p> <p><u>Vote:</u> Dr. Sardi, Ms. Ferreri, Ms. Sherk, and Ms. Ruffin-Colbert voted in favor of the motion. The motion passed unanimously.</p>	
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OS-0321-13	<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. Ferreri to close the March 12, 2021 Open Session meeting at 12:37pm. Seconded by Ms. Sherk</p> <p><u>Vote:</u> Dr. Sardi, Ms. Ferreri, Ms. Sherk, and Ms. Ruffin-Colbert voted in favor of the motion. The motion passed unanimously.</p>	
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The next open session meeting scheduled for April 9, 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.

OSFYI-0321-01	<p>TELEHEALTH</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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