

BOARD OF PROFESSIONAL COUNSELING

MEETING MINUTES

November 17, 2023

10:00 AM – 2:00PM

HYBRID MEETING NOTICE

Due to the COVID-19 pandemic, the Board will have a hybrid schedule of in-person and virtual meetings. In-person meetings will resume in FY 2023, meeting dates can be found on the Board's webpage.

In-person meetings will be at 899 North Capitol Street, NE, 2nd Floor, Washington, DC 20002.

Information on how to access the public portion of the meeting virtually 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)

Access Code: 475 199 633

OPEN SESSION November 17th, 2023

Call to Order:

OS-1117-01	<p><u>Roll Call:</u></p> <ul style="list-style-type: none"> Victoria Sherk – Chairperson-Present <p><u>Board Staff:</u></p> <ul style="list-style-type: none"> LaTrice Herndon- Executive Director Whitney Moore- Health Licensing Specialist Panravee Vongjaroent – Assistant General Counsel Gregory Scurlock, Compliance Officer Leonard Howard – Board Investigator Kera Johnson- Policy Analyst <p><u>Guest:</u></p> <ul style="list-style-type: none"> Jordan Potash 	
OS-1117-02	<p><u>Approval of the Agenda</u></p> <p><u>Board Action:</u></p> <p>Acceptance of the November 17th Open Session Agenda.</p> <p><u>Motion:</u></p> <p>Motion made by Victoria Sherk to accept the November 17 2023, Open Session Agenda. Seconded Victoria Shrek.</p> <p><u>Vote:</u></p> <p>Victoria Sherk voted in favor of the motion. The motion passed unanimously.</p>	
OS-1117-03	<p>EXECUTIVE DIRECTOR’S REPORT</p> <ul style="list-style-type: none"> Operational Status Update Licensure Census CAC1-87 CAC2-158 LGPC-466 LPC-1705 Sub Committee Legislative Update: <p><i>New Legislation and Upcoming Hearings:</i></p> <p>Alternative Restorative Therapy (ART) Options for Youth Amendment Act of 2023</p> <ul style="list-style-type: none"> Councilmember Henderson, alongside Councilmembers Pinto, Frumin, Allen, Lewis George, McDuffie, and R. White introduced the <i>ART Options for Youth Amendment Act of 2023</i> (B25-0500) on September 26, 2023. <ul style="list-style-type: none"> This bill amends the <i>Prevention of Child Abuse and Neglect Act of 1977</i> with the goal of expanding therapy options for children under the care of CFSA. It proposes the inclusion of alternative therapies 	

	<p>including art therapy, music therapy, drama therapy, dance or movement therapy, and narrative therapy to facilitate opportunities for youth to express their experiences non-verbally and physically.</p> <ul style="list-style-type: none"> • A hearing is scheduled for December 6th <p>Behavioral Analyst Licensure Amendment Act of 2023</p> <ul style="list-style-type: none"> • Councilmember Henderson, alongside Councilmembers T. White, Parker, R. White, and Frumin introduced the <i>Behavioral Analyst Licensure Amendment Act of 2023</i> (B25-0566) on November 6, 2023. <ul style="list-style-type: none"> ○ This bill establishes the profession of Behavior Analysts (BAs) as a licensed healthcare profession. This bill would place the profession under the oversight of the DC Health Board of Professional Counseling, aiming to enhance the professionalism of the field and expand the scope of practice for BAs, ultimately enabling them to address a broader range of behavioral and mental health challenges. • A hearing is scheduled for December 7th <p>Health Occupations Revision Act (HORA) Update:</p> <ul style="list-style-type: none"> • DC Health worked on a significant revision of the HORA. This would be the first significant revision in seventeen years. • The revised HORA received Mayoral approval, has been introduced in the Council as the <i>Health Occupations Revision General Amendment Act of 2023</i> (B25-0545), and referred to the Committee on Health on November 7th. • A hearing is scheduled for December 7th <p>Council Approved Legislation:</p> <p>DC Health Director Appointment:</p> <ul style="list-style-type: none"> • Acting Director Bennett’s nomination has officially been approved as of November 7th <p>Pathways to Behavioral Health Degrees Act of 2023:</p> <ul style="list-style-type: none"> • Councilmember Robert White has reintroduced the <i>Pathways to Behavioral Health Degrees Act of 2023</i> (B25-0055), which would establish the Behavioral Health and Human Services Scholarship Program administered by UDC for students with bachelor’s degrees seeking to obtain an accredited master’s degree required for licensure by the Board of Social Work or the Board of Professional Counseling. <ul style="list-style-type: none"> ○ The scholarship funds will pay for UDC tuition, academic costs such as books and supplies, a monthly stipend toward living expenses and transportation, and fees associated with obtaining a license for a behavioral health occupation in the District. Both District residents and employees are eligible for the program. ○ Once a participant completes their master’s program and obtains licensure, they are required to work in a behavioral health occupation at a District local education agency, government agency, or health care provider organization for at least two years. • Funding for this legislation was added into the proposed FY 2024 budget (\$1.2 million). 	
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	<ul style="list-style-type: none"> The bill passed its final reading on November 7th and is awaiting Mayoral approval. <p>Health Professional Licensing Boards Residency Requirement Amendment Act of 2023:</p> <ul style="list-style-type: none"> Councilmembers Henderson and Parker introduced the <i>Health Professional Licensing Boards Residency Requirement Amendment Act of 2023</i> (B25-0312) on June 2, 2023. <ul style="list-style-type: none"> This legislation permits non-District residents to serve on health professional licensing boards. There are restrictions, including that the Board Chair and Consumer Members are still required to be District residents and no more than 50% of the Board could be made up of non-District residents. The bill passed its final reading on November 7th and is awaiting Mayoral approval. DC HEALTH social media <ul style="list-style-type: none"> Facebook: @dchealth Twitter: @_DcHealth TikTok: @dchealth Instagram: @dchealth Additional Updates 	
OS-1117-04	BOARD ATTORNEY’S REPORT <ul style="list-style-type: none"> No Report 	
OS-1117-05	CHAIRPERSON’S REPORT <ul style="list-style-type: none"> No Report 	
OS-1117-06	<p><u>Open Session Minutes</u></p> <p><u>Board Action:</u> Consideration of the Open Session minutes from October 20 2023, meeting.</p> <p><u>Motion:</u> Motion made by Victoria Sherk to accept the minutes from October 20th, 2023 Open Session Minutes. Seconded Victoria Sherk.</p> <p><u>Vote:</u> Victoria Sherk voted in favor of the motion. The motion passed unanimously.</p>	
OS-1117-07	<p><u>Standard Fine and Assessments</u></p> <p><u>Board Action:</u></p>	

	<p>The Board is to review and discuss the increase of fines and assessments.</p> <p><u>Motion:</u> Motion made by Victoria Sherk to accept to table the standard and fine assessments discussion. Seconded Victoria Shrek.</p> <p><u>Vote:</u> Victoria Sherk voted in favor of the motion. The motion passed unanimously.</p>	
OS-1117-08	<p><u>CEU Approval</u></p> <p><u>Board Action:</u> The Board is to review the CEU applications submitted to the Board for approval.</p> <p><u>Motion:</u> Motion made by Victoria Sherk to approve the CEU application . Seconded Victoria Shrek.</p> <p><u>Vote:</u> Victoria Sherk voted in favor of the motion. The motion passed unanimously.</p>	
OS-1117-09	<p><u>Art Therapy Forms</u></p> <p><u>Board Action:</u> The Board is to review the Art Therapy Forms for licensure application and determine if the forms meet the requirements.</p> <p><u>Background:</u> The Art Therapy professional licenses have been implemented and are currently live. The Board Staff is currently working on creating the forms for the licensure applications.</p> <p><u>Motion:</u> Motion made by Victoria Sherk to approve Art Therapy Forms for licensure. Seconded Victoria Shrek.</p> <p><u>Vote:</u> Victoria Sherk voted in favor of the motion. The motion passed unanimously.</p>	

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OS-1117-10	<p><u>Consent Agenda:</u></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>Motion:</u> Motion made by Victoria Sherk to accept the open session consent agenda. Seconded Victoria Shrek.</p> <p><u>Vote:</u> Victoria Sherk voted in favor of the motion. The motion passed unanimously.</p>	
OS-1117-11	<p><u>Motion to</u> <u>Close Board</u></p> <p><u>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> 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:</p> <ol style="list-style-type: none"> 1. To consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney 	

	<p>and a public body, or to approve settlement agreements pursuant to § 2-575(b)(4)(a).</p> <ol style="list-style-type: none"> 2. Preparation, administration, or grading of scholastic, licensing, or qualifying examinations pursuant to section § 2-575(b)(6). 3. To discuss disciplinary matters pursuant to section § 2-575(b)(9). 4. To plan, discuss, or hear reports concerning ongoing or planned investigation of alleged criminal or civil misconduct or violations of law or regulations, if disclosure to the public would harm the investigation pursuant to section § 2-575(b) (14). <p><u>Motion:</u> Motion made by Victoria Sherk to close the opens. Seconded Victoria Shrek.</p> <p><u>Vote:</u> Victoria Sherk voted in favor of the motion. The motion passed unanimously.</p>	
	<p style="text-align: center;"><u>THIS SECTION IS FYI ONLY</u> <u>NO BOARD DECISION OR ACTION IS NEEDED</u></p>	
OS-FY1	<p><u>Supervised Practice Form</u></p> <p><u>Update:</u> Pending the subcommittee meeting.</p> <p><u>Background:</u> A supervised practice form is listed under section 9105.8 regarding the supervised experience requirement which requires the supervisor(s) to submit the completed form to the Board. The purpose of the graduate professional counseling license is to allow individual to practice under supervision of a licensed professional counselor. However, the regulations also indicate a supervisor or supervisee shall submit a supervised practice form within 2 weeks of commencing supervision. In March 2022, the Board tabled to address the supervised practice form for the subcommittee.</p>	

OS-FY2

Discussion on Supervision

Update:

Pending Additional Information.

Background:

In April 2022, Ms. Sherk requested interpretation and further guidance to elaborate on the existing regulation regarding the supervision (specifically whether or not to have a primary supervisor).

In May 2022, the Board requested to table this matter for the next Board meetings for additional information.

The next open session meeting is **December 15, 2023 at 10:00**

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