

BOARD OF PROFESSIONAL COUNSELING

MEETING MINUTES

November 18, 2022
10:00 AM – 2:00PM

Virtual Meeting Notice

*Currently, all board meetings will be held virtually during the declared public emergency.
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)

Access Code: 475 199 633

OPEN SESSION November 18, 2022

Call to Order:

<p>OS-1118-01</p>	<p><u>Roll Call:</u></p> <p><u>Board Members:</u></p> <ul style="list-style-type: none"> • Victoria Sherk – Chairperson-Present <p><u>Board Staff:</u></p> <ul style="list-style-type: none"> • Ericka Walker- Executive Director (acting for Ms. Herndon) • Whitney Moore- Health Licensing Specialist • Anthea Issacs- Health Licensing Specialist • Panravee Vongjaroenrat – Assistant General Counsel • Leonard Howard – Board Investigator • Amanda Attiya, Policy Analyst <p><u>Visitors:</u></p> <ul style="list-style-type: none"> ○ Jordan Potash, Clinician Art Therapy George Washington University 	
<p>OS-1118-02</p>	<p><u>Approval of the Agenda</u></p> <p><u>Board Action:</u> Acceptance of the November 18, Open Session Agenda.</p> <p><u>Motion:</u> Motion made by Victoria Sherk to accept the November 18, 2022, Open Session Agenda. Seconded Victoria Shrek.</p> <p><u>Vote:</u> Victoria Sherk voted in favor of the motion. The motion passed unanimously.</p>	
<p>OS-1118-03</p>	<p>EXECUTIVE DIRECTOR’S REPORT</p> <ul style="list-style-type: none"> ○ Ms. Erika Walker facilitated the meeting in Ms. Herndon’s absence. She provided the following updates: <ul style="list-style-type: none"> • Vaccine Mandate Revised- Applicants no longer need to share vaccine status • Census: 521 LGPCS, 174 CAC2, 90 CAC1 ○ Amanda Attiya-Final Markup for Council Pending on Community on Health. 	
<p>OS-1118-04</p>	<p>BOARD ATTORNEY’S REPORT</p> <ul style="list-style-type: none"> • There was no report from the Board Attorney. 	

OS-1118-05	<p>CHAIRPERSON’S REPORT</p> <ul style="list-style-type: none"> • There was not report from the Board Chairperson 	
OS-1118-06	<p><u>Open Session Minutes</u></p> <p><u>Board Action:</u> Consideration of the Open Session minutes from October 21, 2022, meeting.</p> <p><u>Motion:</u> Motion made by Victoria Sherk to accept the minutes from October 21, 2022, Open Session Agenda. Seconded Victoria Shrek.</p> <p><u>Vote:</u> Victoria Sherk voted in favor of the motion. The motion passed unanimously.</p>	
OS-1118-07	<p><u>No Surprise Act: Bill Passed by Congress</u></p> <p><u>Board Action:</u> To discuss the impact of No Surprise Act on Licensed Professional Counselors and see if any further action is needed.</p> <p><u>Background:</u> In July, 2021, the U.S. Departments of Health and Human Services, Labor, and the Treasury (the Departments) released the Requirements Related to Surprise Billing; Part I to restrict surprise billing for patients in job-based and individual health plans who get emergency care, non-emergency care from out-of-network providers at in-network facilities, and air ambulance services from out-of-network providers.</p> <p>NO action provided.</p>	
OS-1118-08	<p><u>Regulation Review: Art Therapy Regulations</u></p> <p><u>Board Action:</u> To discuss and vote on Art Therapy Regulations</p> <p><u>Background:</u> The subcommittee members worked on drafting the Art Therapy regulations for the Board review and decision. In March 2022, the Board tabled the review of Art Therapy until the subcommittee resumes for the professional counseling regulation. Regulations have been updated.</p> <p><u>Motion:</u></p>	

	<p>Motion made by Victoria Sherk to accept the Art Therapy regulations with the revisions discussed during the open session meeting. Seconded Victoria Shrek.</p> <p><u>Vote:</u> Victoria Sherk voted in favor of the motion. The motion passed unanimously.</p>	
<p>OS-1118-09</p>	<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>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 of the Board.</p> <p><u>Motion:</u> Motion made by Victoria Sherk to accept 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>	
<p>OS-1118-10</p>	<p><u>Motion to Close</u></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 Victoria Sherk to close Open Session Meeting. 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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	<p><u>THIS SECTION IS FYI ONLY</u> <u>NO BOARD DECISION OR ACTION IS NEEDED</u></p>
<p>OS-FY1</p>	<p><u>Regulation Review: Art Therapy Regulations</u></p> <p><u>Update:</u> Pending the subcommittee meeting.</p> <p><u>Background:</u> The subcommittee members worked on drafting the Art Therapy regulations for the Board review and decision. In March 2022, the Board tabled the review of Art Therapy until the subcommittee resumes for the professional counseling regulation.</p>
<p>OS-FY2</p>	<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>
<p>OS-FY3</p>	<p><u>Discussion on Supervision</u></p> <p><u>Update:</u> Pending Additional Information.</p> <p><u>Background:</u></p>

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 16, 2022, at 10:00 am

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.