

**BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS
OPEN SESSION MINUTES
OCTOBER 14, 2004**

I. CALL TO ORDER

The meeting was called to order at 9:12 a.m. by President Florence A. Schatten who read the notice of compliance with the Open Public Meetings Act.

II. ROLL CALL

Present:

Board President, Florence A. Schatten
Board Member, Roland A. Alum
Board Member, Barbra Andrews
Board Member, Samira Haddad
Board Member, Margaret Pipchick
Board Member, Edward Reading
Board Member, Edward Stroh
Board Member, James Verser
Board Member, Ronald K. Walthall

Staff Present:

Executive Director, Elaine L. DeMars
Deputy Attorney General, Mileidy Perez
Administrative Staff, Celeste Sweeper
Administrative Staff, Aishah Figueora

III. APPROVAL OF PUBLIC MINUTES

On a motion by Ronald Walthall seconded by Samira Haddad, the minutes of July 8, 2004 were approved as amended.

IV. EXECUTIVE DIRECTOR'S REPORT

Executive Director Elaine DeMars reported that as of September 30, 2004, 670 marriage and family therapists have completed the license renewal process and 67 have not yet renewed. The Board discussed continuing education and the inquiries regarding the requirement set forth by N.J.A.C. 13:34-8.2(b) that at least 5 of the 40 contact hours of continuing education be completed in ethical and legal standards related to marriage and family therapy.

V. LEGISLATIVE/REGULATORY

A. Assembly Bill No. 3317

While the State Board of Marriage and Family Therapy Examiners ("Board") agrees that Bill A-3317 is commendable in the proposed changes to the requirements for experience, however, the Board is strongly opposed to revisions that would nullify the Board's discretion in granting temporary permits. The Board voted to "strongly object" to the change in the language in N.J.S.A. 45:8B-6(e), as proposed,

As a practicing marriage and family therapist for a period not exceeding three years under the supervision of a licensed practicing marriage and family therapist, or a person designated by the board as an eligible supervisor, if he has a temporary permit there for which the board [may] shall issue upon the completion of all educational requirements as provided in subsection (a) of section 18 of P.L. 1968, c.401 (C:45-8B-18).

The impact of the proposed change to the language in N.J.S.A. 45:8B-6(e) would result in bypassing the measures that are currently in place to review applicant credentials, including criminal history and other disciplinary and professional licensing records. The Board finds that the use of the term "shall" rather than "may," as noted above, would weaken the mandate to protect the public by the issuance of licenses and permits without proper review of the fitness of that applicant. The Board strongly recommends that the term "may" remain intact as set forth in the original text of N.J.S.A. 45:8B-6(e). To do so is to recognize the Board's statutory purpose to protect the public and maintain discretion in granting such temporary permits. Furthermore, the Board recommends that the proposed language in N.J.S.A. 45:8B-6(e) be amended to require an applicant for a temporary permit to submit an application for licensing under this act in addition to "the completion of all the educational requirements" as proposed.

The Board voted unanimously to support the deletion of N.J.S.A. 45:8B-6 (d) as proposed.

The Board strongly supports the proposed changes to N.J.S.A. 45:8B- 7 as it believes that the proposed revision to the existing requirements for supervised experience will bring the requirements for the State marriage and family therapist licensure in accord with the existing standard requirements for licensure throughout the country.

B. Assembly Bill 2319

Requires certain persons to report suspected abuse, neglect or exploitation against vulnerable adults.

On a motion by James Verser, seconded by Margaret Pipchick and unanimous vote, Board agreed to support the proposed legislation with the following recommendations:

1. The issue of a potential conflict with 42CFR Part 2 be addressed.
2. A database be established to maintain a public record of substantiated abuse cases for the protection of the public.

C. New York State Education Department

Proposed Amendment to Regulations of the Commissioner of Education (Section 52.32 and Subpart 79-9 relating to the requirements for licensure as a mental health counselor)

The Board reviewed proposed amendments to the requirements for the practice of marriage and family therapy. On a motion made by James Verser and seconded by Edward Stroh, the Board will communicate the following comments to Mr. David Hamilton, Executive Director of the New York State Board for Mental Health Practitioners.

1. The Board finds that the proposed regulations do not specify requirements for an examination. There are now 46 states that regulate marriage and family therapists and are members of the Association of Marital and Family Therapy Regulatory Boards (AMFTRB). Member boards require the national examination provided by Professional Examination Service in cooperation with AMFTRB.
2. The required qualifications for supervisors are not specified. (It is suggested that the requirement should be consistent with the requirements of other states.)
3. The number of supervised hours is lower than the national norm (1750/year for 3 years) and does not specify a minimum face-to-face supervision ratio. The Board discussed the national trend for standard requirements to support portability. The proposed regulations and amendments do not appear to be consistent with the recognition of the need for equivalent licensure requirements.

VI. CORRESPONDENCE

A. Denika Brizuela

The Board reviewed an e-mail in which the writer requested clarification of the requirements and scope of practice for licensed psychologists, marriage and family therapists and licensed professional counselors. The Board directed that in response, a copy of the governing statutes and regulations be provided.

B. Kim Cox

Ms. Cox forwarded an e-mail as a follow-up to a phone conversation informing the Board that the American Family Therapy Academy is a nonprofit membership association for family therapists and that it does not have the resources to provide continuing education credits. Ms. Cox reported that the Academy has annual conferences and that for the past couple of years it has been able to offer continuing education credits to attendees through affiliations with particular universities. The Board will refer Ms. Cox to N.J.A.C. 13:34-8.3(a)1, which lists approved continuing education course providers. The Board emphasized the requirement that graduate coursework at a regionally accredited institution is acceptable for continuing education and clarified that "coursework" is not equivalent to a "workshop."

C. Beverly Hays

Representing the New Jersey Association of Professional Mediators, Ms. Hays presented information in her e-mail to the Board and requested guidance in the process for approval of continuing education programs. The Board directed that in response, Ms. Hays be advised to submit a course description for Board review.

D. Barry Keefe

Mr. Keefe forwarded an e-mail to the Board with questions related to continuing education approved providers and those programs that may be accredited social work programs. The Board will refer Mr. Keefe to the list of approved providers in N.J.A.C. 13:34-8.3 (a)1 and the listing of acceptable courses/programs.

E. Cindy Trunell

The Board reviewed an e-mail forwarded by Ms. Trunell in which clarification of the requirement for supervision was requested. In response, the Board will direct Ms. Trunell to N.J.S.A. 45:8B-18(a) and (b) for the requirements for supervisors and to N.J.A.C. 13:34-3.4(b)1 for the supervision- hour requirement.

F. HIPDB

The Board was provided with notification from the Department of Health and Human Services, Healthcare Integrity and Protection Data Bank (HIPDB) that State Boards are to report multiple actions when multiple reportable actions are included in a single Board order.

G. Rivka Bertisch Meir

Robert H. Greenwood, Esq. has petitioned the Board on behalf of his client, L. Rivka Bertisch Meir to remove the Web-page posting of the March 14, 2002 Open Session Minutes. The Board determined that Open Session Minutes will not be modified since the minutes containing the review of the application were consistent with the manner in which credential reviews were recorded at that time and the minutes were ratified by the Board.

VII. CREDENTIAL REVIEWS

On a motion by Edward Stroh, seconded by Edward Reading, the following determinations were made:

A. Jill Resnick

Approved to sit for the examination. A detailed letter of the results of the review was requested by Ms.

Resnick who attended the public session of this meeting.

VIII. OLD BUSINESS

None

IX. NEW BUSINESS

None

X. COMMITTEE REPORTS

Professional Counselor Examiners Committee

Committee liaison Edward Stroh reported that the renewal the licensure renewal is in process with an expiration of current licenses scheduled for November 30, 2004. As of October 8, 2004, 799 (31%) renewals have been processed.

Alcohol and Drug Counselor Committee

Committee liaison Edward Reading reported that a total of 1212 applications have been received.

XI. PUBLIC COMMENT

Jill Resnik an applicant for licensure addressed the Board regarding the review of her application.

XII NEXT MEETING

The next regularly scheduled meeting of the Board will be November 18, 2004, at 9:00 a.m., 124 Halsey Street, Newark, New Jersey.

XIII. EXECUTIVE SESSION

On a motion by Edward Reading, seconded by Barbara Andrews the Board moved to Executive Session at 11:54 a.m.

XIV. RETURN TO PUBLIC SESSION

On a motion by Edward Reading, seconded by Barbara Andrews the meeting returned to Public Session at 1:12 p.m.

XV. ADJOURNMENT

On a motion by Roland Alum, seconded by Ronald Walthall, the meeting adjourned at 1:17 p.m.

Respectfully Submitted,

Elaine L. De Mars
Executive Director