

**PROFESSIONAL COUNSELOR EXAMINERS COMMITTEE
FEBRUARY 5, 2004
PUBLIC SESSION MINUTES**

I. CALL TO ORDER

This regularly scheduled meeting of the Committee was called to order at 9:24 a.m. by Committee Chair, J. Barry Mascari who read the notice of compliance with the Open Public Meetings Act.

II. ROLL CALL

Present:

Committee Chairman, J. Barry Mascari
Committee Member, Abbey F. Bradway
Committee Member, Jerry Cohen
Committee Member, Ronald A. Rossell
Committee Member, Edward W. Stroh

Staff Present:

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

III. APPROVAL OF PUBLIC MINUTES

On a motion by Edward Stroh, seconded by Abbey Bradway, the minutes of December 4, 2003 were approved as presented.

On a motion by Edward Stroh, seconded by Ronald Rossell, the minutes of the December 17, 2003 teleconference were approved as presented.

IV. LEGISLATIVE/REGULATORY

A. Regulation Sunset

Regulatory Analyst Danielle Swenson informed the Committee that there were no comments received regarding the Regulation Sunset (N.J.A.C.13:34). On a motion made by Edward Stroh and seconded by Ronald Rossell, the Committee voted unanimously to approve the adoption of the regulation as originally proposed.

B. Senate Bill S-895

The Committee received a copy of Senate Bill S-895 which provides for the re-establishment of a grandfather period for the professional counselors license. The grandfather provision was included in the initial licensing phase (1998-1999). On a motion by Edward Stroh, seconded by Abbey Bradway and a unanimous vote, the Committee requested Executive Director DeMars to notify the Director of Legislation that the Committee is strongly opposed to re-opening the grandfather provision. To re-open this provision would pose a threat to consumers, as it would allow for the licensing of candidates who may not have obtained the required experience, education, and examination required by statute.

V. CORRESPONDENCE

A. Sheila Franklin Gilstein

The Committee reviewed an e-mail from Ms. Gilstein in which she requested a Committee response to a petition made by a representative group of creative arts therapists during the public comment section of the November 6, 2003 Committee meeting. She repeated the concern for the future of creative arts therapists and their ability to obtain licensure in New Jersey as professional counselors. In response to NJCATA's proposal to include the title, "Counseling" in the respective "Master's" degree, the Committee directed that correspondence be forwarded to Ms. Gilstein referencing the course work and counseling degree requirements of the statute and regulations in effect in the State of New Jersey.

B. Patricia Hanley

The Committee received correspondence from Patricia Hanley regarding the new licensure requirements for Substance Abuse Treatment Agencies. She related her concern that Certified Addiction Specialist and Licensed Rehabilitation Counselor are no longer sufficient designations for those seeking to be Directors of Substance Abuse Treatment Agencies. The Committee will respond that the issues raised by Ms. Hanley are not within the scope of the Committee's jurisdiction.

C. Virginia Hill

The Committee received a letter from Virginia Hill. Ms. Hill presented questions regarding her responsibilities as a Licensed Professional Counselor in a school setting and if continuing education is prorated for recently licensed individuals. Clarification was also requested for the requirement for counselors to provide each client with a report or evaluation of every counseling session.

The Committee agreed that since Ms. Hill is working in an exempt setting, she is bound by the rules of the school psychology program in which she is enrolled. The forty continuing education credit requirement will be in effect for the 2006 renewal. Credits may be earned beginning December 1, 2004. Ms. Hill will also be informed that regulation does not require licensees to provide clients with a written report for each counseling session.

D. Teresa Gray Lewis

The Committee received an e-mail from Teresa Gray Lewis, in which she asks if it is permissible to supervise a Licensed Associate Counselor, who will work independently off-site. The Committee will respond to Mrs. Gray Lewis, informing her of the requirement of face-to-face supervision (N.J.A.C. 13:34-13.1 (a) and that a supervisee is not permitted to independently collect a fee for services (N.J.A.C. 13:34-13.3(d). A supervisor is responsible for collecting fees from clients and for the welfare of the client (N.J.A.C. 13:34-13.2 (d)-(e).

E. Eileen Lubeck

The Committee received a letter from Eileen Lubeck, a licensed psychologist. Dr. Lubeck has recently taken a client, who has terminated a long term therapeutic relationship with a Licensed Professional Counselor, who she believes may be engaged in unethical practices. The Committee agreed to respond to Ms. Lubeck by asking her to file a formal complaint or contact the American Counseling Association. She will be advised that the law supersedes the ACA Code of Ethics.

F. Sherri Neville-Fontini

The Committee reviewed a letter from Ms. Neville-Fontini. Ms. Nevill-Fontini is working toward obtaining the 60 graduate credits and 4,500 hours of work experience needed to become licensed as a Professional Counselor. A request is made to apply a portion of her work hours as an intake coordinator to qualify for the requirements set forth for work experience. The Committee will respond by informing Ms. Nevill-Fontini that her current position does not appear to meet the requirements individual counseling. The Committee asks that Ms. Neville-Fontini submit an application for the License of Associate Counselor so that they can accurately make a determination.

G. Pamela Patrick

The Committee received correspondence from Dr. Pamela Patrick regarding Capella University's accreditation and its online Mental Health Master's program. The Committee accepted the correspondence as informational.

H. Mati Sicherer

The Committee received an e-mail from Mati Sicherer, in which she seeks clarification regarding private parenting ("coaching ") sessions with families and the allowable parameters for advertising such sessions. Ms. Sicherer has a Master degree in counseling but is not licensed. The Committee will respond and explain that coaching and mentoring are not considered counseling. Coaching and mentoring do not deal with mental health issues. The Committee asks that additional information be provided regarding the intended services.

I. Tyler Hess, Ed.D., LPC

Dr. Hess wrote to commend the Committee on the first issue of the "Licensed Counselor Newsletter." He included suggestions for future articles.

VI. OLD BUSINESS

A. Lona Whitmarsh, Ed.D., Director of the Clinical Counseling Program, Fairleigh Dickinson University

The Committee has received license applications from Fairleigh Dickinson University graduates who have provided education credentials including completion of the BA/MA Clinical Counseling Program. The Committee at its December 4, 2003, meeting requested that a letter be forwarded to Dr. Whitmarsh, requesting clarification of the BA/MA program. Dr. Whitmarsh appeared before the Committee on February 5, 2004, and explained that students in the third year of the undergraduate program, once qualified, may enroll in the Accelerated BA/MA program. Graduate course work begins in the 4th year. Students are required to maintain a grade point average of 3.3 in psychology courses and 3.0 overall. Focusing on the graduate level course work, the Committee requested that the transcript be revised to provide a separate section for the graduate course work, that "Counseling" be added to the transcript and that Fairleigh Dickinson University comply with the CACREP standards. Dr. Whitmarsh agreed to work with the University to satisfy the requests.

VII. NEW BUSINESS

A. N.J.C.A. Invitation

Executive Director DeMars informed the Committee that an invitation has been received from the New Jersey Counseling Association. N.J.C.A. Executive Director, Joanne Jodry has requested the Committee's participation in a "Meet the Licensing Board" session scheduled on May 4, 2004, during the annual conference. The Committee approved representation by J. Barry Mascari, Edward Stroh and Elaine DeMars.

B. Division of Law Billing

The Committee reviewed the Division of Law Billing report and accepted it as informational. DAG Mileidy Perez informed the Committee of the method for determining costs. There is a mechanism which tracks the number of hours for Board/Committee work and cases. DAG Perez suggested that the Committee may consider attorney costs when assessing penalties and fines.

VIII. AASCB Matters

A. The American Association of State Counseling Boards Annual Conference was held in San Diego, California , January 8-10, 2004. Committee Chair J. Barry Mascari and Executive Director Elaine DeMars. Executive Director DeMars provided a written and verbal report on the conference . The following topics were among those highlighted during the conference.

1. The National Credential Registry and Portability

Chairman Mascari reported that the majority of the states in attendance voted to adopt the portability document. The primary goal of the policy document is to create a proactive position that supports professionals in a mobile society with a streamlined endorsement process. The national registry (credentials bank) of licensed professional counselors would create a clearinghouse within AASCB for all jurisdictions. Committee Member Edward Stroh suggests that the Committee thoroughly review the requirements of each state to establish "substantial equivalency."

2. E-therapy

As part of a sub-commission workgroup, the issue of Internet counseling was discussed. The "Consumer's Guide for Internet Counseling" was produced during the 2003 conference and is currently included in the AASCB website. The guide will be presented to each board by the respective state representatives as a consumer education model. The work group began work on a guide for licensees and intends to present a draft during the 2005 conference. The AASCB's effort will also endeavor to create a model regulation.

IX. PUBLIC COMMENT

There were no public members in attendance.

X. NEXT MEETING

The next scheduled meeting of the Committee will be March 4, 2004.

XI. EXECUTIVE SESSION

At 10:26 a.m., a motion was made by Barry Mascari, seconded by Ron Rossell, to move into Executive Session to conduct an investigative inquiry and discuss pending disciplinary matters. The vote of the Committee was unanimous.

XI. REVIEW OF CREDENTIALS

On a motion by Jerry Cohen, seconded by Abbey Bradway, the Committee approved the following individuals for licensure:

Professional Counselors

Cindy A. Asta

Maria A. Caruso

Rita I. Cifelli

Katherine R. DeStafano-Torres

Anthony O. Gaudio

Colleen M. Georges-Van Heusen

Yessenia Guglielmi

Brett D. Holeman

Jennifer E. Jakubowski

Judy Kelly

Brooke A. Kennedy

Barbara E. Kuti

Felice R. Ockun

Michael T. Parker

Linda J. Rooney

Terri Lynn Stimmler

Celeste M Vaughan

Carol A. Wilson

Associate Counselors

Penny L. Clark

Jaime deOliveira

Dari Dyrness-Olsen

Gerard La Morte III

Patricia M. Noonan

Abbey Sarrett-Cooper

XII. ADJOURNMENT

On a motion by Ronald Rossell, seconded by Abbey Bradway the Committee voted to adjourn the meeting at 2:02 p.m.

Respectfully Submitted,

Elaine DeMars

Executive Director
