

**PROFESSIONAL COUNSELOR EXAMINERS COMMITTEE
PUBLIC SESSION MINUTES
FEBRUARY 7, 2008**

I. CALL TO ORDER

The scheduled meeting of the Committee was called to Order at 9:48 a.m., 124 Halsey Street, 6th floor, Hudson Conference Room, Newark, New Jersey. **II. ROLL CALL**

Present:

Committee Chairman, J. Barry Mascari
Committee Member, William Green
Committee Member, Barbara Maurer

Excused:

Committee Member, Abbey Bradway

Staff Present:

Executive Director, Elaine L. DeMars
Deputy Attorney General, Susan Berger

Announcement of quorum

Pursuant to N.J.S.A. 45:8B- 37, Committee Chair Mascari announced that due to the lack of quorum, all agenda business will be conducted as a sub-committee with recommendations made to the Board of Marriage and Family Therapy Examiners on February 14, 2008.

III. APPROVAL OF PUBLIC MINUTES

On a motion by William Green, seconded by Barbara Maurer, the minutes of the January 3, 2008 public session meeting will be recommended for approval as amended.

IV. PUBLIC COMMENT

A. Andrew Zmuda, LPC Applicant

Mr. Zmuda appeared to appeal the denial of his application for licensure. He informed the Committee that his graduate degree title is Marriage and Family Therapy and that he passed the NCE prior to the effective date of the graduate degree requirement at N.J.A.C. 13:34-11.2. Mr. Zmuda submitted references in support of his application. Mr. Zmuda was advised that the references will be reviewed with his application. However, the application review is based on paper documentation that must verify satisfaction of the statutory and regulatory requirements.

B. Susan Friedel, Esq. and Barry Horton, LPC Applicant

Ms. Friedel informed the Committee that she and her client, Barry Horton attended to provide verbal response to the Committee-issued Demand For Statement Under Oath. Deputy Attorney General Susan Berger advised that Mr. Horton's response was received and will be discussed in executive session.

C. The following Seton Hall University graduate students informed the Committee that they attended as part of a course work requirement.

Laura Otchy, LAC Rita Klachkin, LAC

Jessica MacDermant Jacqueline Gebhardt
Kaori Matsumoto

D. Tom Crowley, N.J.C.A.

On behalf of the New Jersey Counseling Association, Dr. Crowley announced that the Spring Conference will be held April 27, 28, and 29, 2009. He invited the Committee to make a presentation at the conference. Dr. Crowley also provided information on the N.J.C.A.'s current initiatives including dissemination of information to clarify the requirements for licensure for work in non-profit and for-profit settings. Dr. Crowley was advised that pursuant to N.J.S.A. 45:8B- 40(f) work in a non-profit agency does not require licensure. There is no exemption for work in a for-profit setting. Therefore, anyone working in a for-profit agency, private practice, etc. is required to obtain licensure or the associate license credential prior to commencement of such work. Licensed associate counselors are permitted to work in both non-profit and for-profit settings under the appropriate supervision (N.J.A.C. 13:34-13) and the hours are applicable toward the supervised experience hours required for the licensed professional counselor credential. Finally, Dr. Crowley informed the Committee that the State Health Benefits Plan excludes the services of licensed professional counselors as reimbursable. NJCA will endeavor to address the issue.

V. LEGISLATIVE REGULATORY

A. N.J.A.C. 13:34-15.2, 15.4, 24.2 and 24.3

The Professional Counselor Examiners Adoption notice for Cultural Competence The Committee reviewed the draft proposal on January 3, 2008. In response to a public comment, a recommendation was made to revise, on adoption, the reference from "cultural competency" to "cultural diversity." On a motion made by Barbara Maurer, seconded by William Green, the Committee will recommend the change for the adoption notice. Effective December 1, 2008, the regulation will require all licensed professional and rehabilitation counselors to complete three contact hours of continuing education in the subject area of social and cultural diversity that shall be completed by licensed professional and rehabilitation counselors in every biennial period, as part of the 40 contact hour requirement and in addition to the five contact hours of continuing education in ethics and legal standards. Continuing education in the subject area that has been approved by the Board of Marriage and Family Therapy Examiners, the Board of Social Work Examiners, or the Alcohol and Drug Counselor Committee will be deemed acceptable by the Professional Counselor Examiners Committee.

B. Fourth Quarter Legislative Summary (October 1, 2007 - December 31, 2007) The Committee accepted the report as informational.

C. Chapter 168A of Title 2A - Certificate of Rehabilitation

The statute establishes certificates of rehabilitation for certain persons with criminal records. Deputy Attorney General Berger discussed the role of licensing boards prior to this law, which was to determine acceptable rehabilitation pursuant to the Rehabilitated Convicted Offenders Act.

D. Public Law 2007 , Chapter 307 - Disclosure of Address information

The statute protects the home address for individuals licensed by the Division of Consumer Affairs. Executive Director DeMars noted that many license records include only a home address, which is indicated as the mailing, business and address of record. The licensure and renewal applications include an explanation for and option to indicate an alternate address for the address of record which is considered public information. Licensees are encouraged to provide an address of record if the licensee does not want the home address to be made available to the public.

VI. EXECUTIVE DIRECTOR'S REPORT

The Committee reviewed a copy of a press release announcing Governor Corzine's nomination of David M.

Szuchman, Esq. to be the Director of the Division of Consumer Affairs. His confirmation hearing is scheduled before the Senate Judiciary Committee for February 14.

Ms. DeMars also informed the Committee that Acting Director Lawrence DeMarzo will assume the role of Deputy Director of the Division of Consumer Affairs and will be responsible for oversight of the occupational and professional licensing boards.

VII. GRADUATE COUNSELOR EDUCATION PROGRAMS

A. Philadelphia Biblical Institute - Dr. Susan Childers

In response to the request of Dr. Childers, the Committee reviewed the modified syllabus for the Institute's "Legal and Ethical" course. The Committee members agreed that the course could not be recommended for approval based on the following:

1. It appears that the course in several areas may violate the American Counseling Association's Code of Ethics;
2. The ACA Code of Ethics is neither reflected nor incorporated as a reference for the course or licensed practice; and
3. The Committee questioned the handling of "Confidentiality."

B. Seton Hall University - Dr. Jane Webber

On a motion by William Green, seconded by Barbara Maurer, the Committee recommended that Seton Hall post-master's students be permitted to complete the program's nine-hour module designed to focus on the ethical standards for professional counseling practice until June 30, 2008. If not completed by that date, the revised graduate program course will be required. Dr. Webber will be required to provide a list of those students eligible to complete the nine-hour module. Committee Chair Mascari recused from discussion of the matter based on his marital relationship with Dr. Webber.

C. The College of New Jersey - Drs. Mark Woodford and Atsuko Seto

The Committee considered the series of questions regarding the graduate program, practicum and supervision. In summary, the writers will be advised that pursuant to N.J.A.C. 13:34-11.3(a)1 and (a)2, the practicum/internship hours may be counted toward the supervised experience requirement provided the course is not applied to the course work requirement. While 1500 hours is the maximum that can be applied to the experience requirement, an official letter from the program will be required to document the actual number of hours. To meet the 60 credit requirement in a planned program designed to prepare the student for the practice of professional counseling, the 15 credits (in addition to the 45 credits required in 8 of the 9 content hours) would be required to be in a counseling related content area. In response to the requirements of practicum supervision, the Committee finds that it must depend on the educational institution to ensure that students are appropriately supervised. Finally, the Committee will ask the program to advise students that if they choose to work in a for-profit setting after completion of the practicum/internship, the Licensed Associate Counselor credential is required prior to commencement of the work both to apply the hours to the supervised experience requirement and to avoid engaging in unlicensed practice.

D. Montclair State University -

An e-mail submitted by LAC applicant Leah Oswanski was reviewed. The Committee will advise her that she may satisfy the 60 credit requirement by submitting documentation that the credits completed beyond the graduate program are included in the graduate transcript. Pursuant to N.J.S.A. 45:8B -40(c), counseling-related graduate credits completed outside the qualifying degree, will be acceptable with official documentation that the course work is part of a planned educational program.

E. William Paterson University - Paula Danzinger, Ph.D., LPC

Dr. Danzinger, Director of the Counseling Services Program submitted an e-mail to correct a prior reference to the title of the program as Counseling Services Program: Agency Concentration. In reviewing the University's CACREP-accredited program, the Committee determined that the course work requirement for the eight of nine course content areas, pursuant to N.J.S.A. 45:8B-(c) will be automatically approved when submitted on a transcript that indicates the CACREP accreditation status and the dates of the accreditation. Documentation for the remainder of the 60 credit requirement will include certification that the credits are part of a planned educational program designed to prepare the students for the professional practice of counseling..

IX. NEW BUSINESS Continuing Psychology Education, Inc., Newark, New Jersey - Richard Shuman

The Committee reviewed a booklet offering continuing education contact hours and the response of the Alcohol and Drug Counselor Committee related to the requirement for contact hours focused on the legal standards for LCADCs and CADCs. The Alcohol and Drug Counselor Committee's letter advised Continuing Psychology Education, Inc. that the information they are providing is incorrect and misleading. The Committee determined to verify the (NBCC) approved provider information provided in the advertisement.

X. NBCC MATTERS

Computer Based Test - Examination Contract

Deputy Attorney General Berger reported that concerns raised about specific references in the NBCC proposed contract have been resolved. The contract will be processed for approval by required departments.

XI. NJCA MATTERS

New Jersey Counseling Association Annual Meeting - April 27 - 29, 2008 Upon review of a letter submitted by President-Elect Jennifer Cooper, the Committee will process the required paper work for authorization that Committee Chair Mascari and Executive DeMars provide a presentation on the statute and regulations.

XII. FILED CONSENT ORDERS

A. Frank Savage

Consent Order of voluntary surrender of license to practice professional counseling , deemed a revocation with prejudice.

B. Nancy Gold

Consent Order for the aiding and abetting unlicensed practice in violation of N.J.S.A. 45:1-21(n) and N.J.S.A. 45:8B-39(a).

C. Susan Mock

Consent Order for the aiding and abetting unlicensed practice in violation of N.J.S.A. 45:1-21(n) and N.J.S.A. 45:8B-39(a).

D. Susan Niznik

Consent Order for the unlicensed practice of professional counseling in violation of N.J.S.A. 45:8B-39(a).

XIII. NEXT MEETING

The next meeting of the Committee is scheduled for March 6, 2008 at 9:30 a.m. at 124 Halsey Street, Newark, New Jersey.

March 6, 2008 August 7, 2008

April 2, 2008 (Wednesday) September 4, 2008
April 30, 2008 (Wednesday) October 2, 2008
June 5, 2008 November 6, 2008
July 10, 2008 December 4, 2008

XIV. EXECUTIVE SESSION

On a motion made by William Green, seconded by Barbara Maurer, the Committee adjourned the public meeting at 11:30 a.m. to move to Executive Session to discuss consumer complaints and pending disciplinary matters.

XV. CREDENTIAL REVIEW

The following individuals were approved for licensure as noted:

Professional Counselor Associate Counselor
Balanquet, Magalis Butterhof, Christine
Coleman, Amy Hipscher, Lisa
Moleski, Sharon Kellam, Mia
Shipon, Randolph Patel, Gita
Prosper, Marcella
Rodriguez, Wendy
Rehabilitation Counselor Rucker, Lakisa
Neuberg, Heidi Ruggiero, Michael A.
Smith, Christina
Spagnulo, Tina
White, David

XVI. ADJOURNMENT

On a motion by William Green, seconded by Barbara Maurer, the Committee adjourned at 4:45 p.m.