

**PROFESSIONAL COUNSELOR EXAMINERS COMMITTEE
PUBLIC SESSION MINUTES
APRIL 30, 2008**

I. CALL TO ORDER

The scheduled meeting of the Committee was called to Order at 9:38 a.m by Committee Chair, J. Barry Mascari, at the State Office Building, located at 124 Halsey Street, 6th floor, Hunterdon Conference Room, Newark, New Jersey.

II. ROLL CALL

Committee Chairman, J. Barry Mascari
Committee Member, Abbey Bradway - Participated by Phone
Committee Member, William Green
Committee Member, Barbara Maurer

Executive Director, Elaine L. DeMars
Deputy Attorney General, Susan Berger
Administrative Staff, Agnes Almeida
Administrative Staff, Celeste Paige

III. APPROVAL OF PUBLIC MINUTES

On a motion made by Abbey Bradway, seconded by William Green, the minutes of the April 2, 2008 public session meeting were approved as presented.

IV. PUBLIC COMMENT

The following Seton Hall graduate students attended the meeting as part of the program requirement:

Christine Fuccone Tricia Perez Espinosa Natasha Murphy
Guerlyne Millighan

Deanna Gitlow, NJMHCA Representative, was also in attendance.

V. LEGISLATIVE/REGULATORY

A. Division of Child Behavioral Health Services

The Committee considered an inquiry from a Licensed Associate Counselor who reports that she is working to complete her supervised work experience in a for-profit setting. On behalf of the Committee information regarding the requirement for the LAC working in for-profit settings has been emphasized in response to a number of inquiries.

The Committee recently learned of the proposed new rule, N.J.A.C. 10-200, In-Community Mental Health Rehabilitative Services for Children, Youth and Young Adults. The language of the proposal would exclude the LAC and LSW from practice within the program in agencies contracted by the Division of Child Behavioral Health Services (DCBHS). DAG Berger reported that she has worked on a comment with counsel for the Board of Social Work Examiners. A comment has been forwarded on behalf of the Division of Consumer Affairs advising that individuals licensed as an LSW and LAC are authorized within the scope of his or her practice to provide services under supervision.

B. Legislative Report - First Quarter: January 1, 2008 - March 31, 2008

The Committee reviewed and accepted the report as informational.

C. Pamphlet Laws 2007 -

The Committee reviewed and accepted as informational, notice of the signing into law of the following:

1. P.L. 2007, c. 307

Provides that residence information shall not be disclosed to the public. The Committee emphasized the responsibility of licensees to check their address of record as provided at: <http://www.state.nj.us/cgi-bin/consumeraffairs/search/searchentry.pl> and to be cognizant that the "address of record" is provided to the public upon request. If the address currently listed is not one which should be considered public information, licensees have the responsibility to send a change of address request to the Committee office. License records include home, business, mailing and address of record. Note was also made that pursuant to N.J.A.C. 13:34-28.2 licensees are also required to notify the Committee of any change in address within 30 days.

2. P.L. 2007, c. 216

Provides for religious accommodation regarding admission procedures at licensed health care facilities.

3. P.L. 2007, c. 337

Licensure of massage and bodywork therapists.

C. Regulations Committee

N.J.S.A. 45:8B-38

1. Committee Chair, J. Barry Mascari reported that the Regulations Committee met several times over the last year for an in-depth review of the current regulations in order to change specific regulations to update, revise and clarify. The current regulations are scheduled to sunset on March 22, 2009. The Regulations Committee considered the sunset process in their comprehensive review.

2. The Committee discussed the Regulations Committee's suggestion to consider options for the selection of an accrediting body pursuant to N.J.S.A. 45:8B-38. Following the review of ACA listing, the Committee directed that a letter with a Request for Proposal (RFP) be sent to each organization with an invitation to submit a written presentation documenting their program review process. The second phase will include an in-person or video conference to enable the Committee to select the most appropriate accrediting body.

VI. CORRESPONDENCE

Stacy Berman

In response to the request for clarification of the supervised experience and licensed practice requirements, the Committee will refer Ms. Berman to the definition of counseling at N.J.S.A. 45:8B-36 and to the regulations at N.J.C.A. 13:34- 11 and 13 et seq. A job description will be required to determine if the supervised experience meets the requirements of N.J.A.C. 13:34-11.3 and or N.J.A.C. 13:34-13. Ms. Berman will further be informed that the scope of practice is defined in the regulations and that licensees are allowed to work within that scope for areas in which they have been trained. The allowable practice settings for the licensed associate counselor under supervision include both the for-profit as well as non-profit settings. The writer will also be informed that clerical staff does not provide advice but processes documents. The writer can only rely on information provided in writing from the Committee sent by the Executive Director. In the alternative students are encouraged to seek guidance from the counselor education program in which they are enrolled. Finally, it will be noted that the referenced additional information was not received.

VII. GRADUATE COUNSELOR EDUCATION PROGRAMS

A. New Jersey City University, Joanne Z. Brunno, J.D., Interim Vice President for Academic Affairs. In her letter, Ms. Bruno informed the Committee of the steps the University has taken to offer a program that will be designed to prepare students for professional counselor licensure. The Committee will acknowledge the correspondence which reports that NJCU is not currently able to ensure licensure eligibility within the Department of Psychology, and that the University has taken action to redesign the program beginning with the 2008 Fall semester.

B. Graduate Program Review

The Committee will continue discussion of the suggestions to accept consultant review of current graduate counselor education programs. A list of CACREP consultants was discussed. The Committee was informed that it appears that the process will need department and State approval. The Committee suggested that in the interim it would consider evaluations that the program may have had completed for the current program. The Committee will consider the credentials of the reviewer in determining the acceptability of the program's evaluation.

VIII. NEW BUSINESS

CACREP Newsletter - Spring 2008

The Committee noted the following information provided in the current newsletter:

"Accreditation is program specific and any listing regarding accreditation should include on those programs for which accreditation decisions have been rendered. Programs not reviewed by CACREP, even within the same department, should not be represented as accredited. Statements suggesting future accreditation of programs when decisions have not been rendered by CACREP are not permissible."

Program reference to CACREP-alignment, CACREP-eligible, etc. are therefore not permissible.

In a report on the survey regarding CACREP Revision and the direction of the ACES Executive Council, the article reported:

"There was much support expressed regarding the notion that the new standards would preserve and strengthen Counselor Education (CE) identity and also comments expressed that the standardization of training would help deal with the issue of professional counselor identity."

IX. NBCC MATTERS

Executive Director Elaine DeMars reported that the contract for the computer-based NCE examination has not yet been finalized. The Treasury Department has asked NBCC for additional information.

X. NJCA MATTERS

Committee Chair Mascari reported on the April 28, 2008 workshop presentation at the New Jersey Counseling Association Annual Conference. The presentation focused on compliance with the statute and regulations regarding licensure requirements and professional conduct.

XI. FILED CONSENT ORDERS

Dawn Stillwagon-Ahlers, LPC

The Committee reviewed the April 10, 2008 filed Consent Order for the voluntary surrender of the license to practice professional counseling. The terms of the Order include: the 2 year surrender to be deemed a revocation precluding application for reinstatement for a minimum of the 2 year period. Costs in the amount of \$6,000 were assessed with a \$10,000. penalty to be stayed pending compliance with the terms of the Order. Ms. Ahlers is

precluded from treating new patients and must transition current clients within a 30 day period (April 10, 2008).

XII. NEXT MEETING

The next meeting of the Committee is scheduled for June 5, 2008 at 9:30 a.m. at 124 Halsey Street, Newark, New Jersey.

June 5, 2008 October 2, 2008

July 10, 2008 November 6, 2008

August 7, 2008 December 4, 2008

September 4, 2008

XIII. EXECUTIVE SESSION

On a motion made by Barbara Maurer, seconded by William Green, the Committee voted to move into Executive Session at 10:40 a.m., to review to discuss consumer complaints and pending disciplinary matters.

XIV. CREDENTIAL REVIEW

Approved application for licensure:

XV. ADJOURNMENT

On a motion made by William Green, seconded by Barbara Maurer, the Committee meeting was adjourned at 3:58 p.m.

Respectfully Submitted,

Elaine L. DeMars
Executive Director