

**Professional Counselor Examiners Committee
Open Session Minutes**

December 4, 2003

I. CALL TO ORDER

This regularly scheduled meeting of the Committee was called to order at 9:42 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

III. APPROVAL OF NOVEMBER. 6, 2003 PUBLIC MINUTES

On a motion by Abbey Bradway, seconded by Ronald Rossell, the minutes of November 6, 2003 were accepted with corrections.

IV. LEGISLATIVE/REGULATORY

Senate Bill - S-1151 (895)

Committee members reviewed oopies of proposed legislation that provides for a second period of licensure based on credentials (grandfathering). Senate Bill 895, introduced by Senator John Bennett, was approved in the Senate on March 25, 2002 and reported out of the Assembly Committee on the second reading on June 16, 2003.

On a motion by Edward Stroh, seconded by Abbey Bradway, the Committee voted unanimously to inform the Division's Legislative Liaison of their strong opposition to the S-895. Enactment of this legislation would be detrimental to consumers in that there would be no assurance of the competency of licensed professional counselor candidates.

V. CORRESPONDENCE

A. Heberleys

This e-mail included a request for information on the requirements necessary for a nurse practitioner to provide mental health counseling and diagnosis in this state. The Committee directed that the e-mail be forwarded to the Board of Nursing based on the reference to the nurse practitioner license.

B. Karen Davis

The Committee reviewed an e-mail in which Ms. Davis provided her background as certified nurse specialist and a clinical member of AAMFT, She states that she has supervised students at the University of Pennsylvania and the College of New Jersey. She asked that the Committee provide written documentation stating that the agency she is working for is "legal." Ms. Davis is not a licensed professional counselor. The Committee will respond by asking her to provide the following: (1) curriculum vitae, (2) scope of practice description, (3) documentation of current licenses and or certifications, (4) a description of the scope of business, (5) corporate status of the business and (6) copies of the licenses issued for the business.

C. Dana Turner

An e-mail was forwarded to the Committee questioning the application of the professional counselor regulations to the public school setting. The Committee directed that the writer be informed that the Committee's regulations do not apply to the public school setting.

D. Ruth Mullenax

This e-mail provided information on the writer's education, certification and experience and requested documentation that her current practice in legal. Following the review, the Committee determined that the Ms. Mullenax does not hold a license as a Licensed Professional Counselor in New Jersey. The following information is needed in order to respond to the questions presented: (a) What is the scope of the private practice? Is it for profit? Is there any affiliation(s)? (B) Is she licensed in New Jersey or Pennsylvania? (C) Does she hold a psychiatric nursing certification? (D) Is the practice incorporated?

E. Carolyn Perry

Ms. Perry presents questions in an e-mail regarding the application of hours career counseling to satisfy the licensure requirements. Following the Committee's review and discussion, the following response will be forwarded by the Executive Director.

1. The regulation (N.J.A.C. 13:34 - 13.4 (a)) provides that a person who seeks credit for supervised practice must be supervised by a licensed psychologist, social worker, a licensed physician practicing in the field of psychiatry; a licensed marriage and family therapist; or any other supervisor acceptable to the Committee.
2. It is only upon the submission of a licensure application that the Committee will provide an evaluation of courses.

F. Ellen Yacoe

This e-mail correspondence requests information on insurance policies that are designed for licensed professional counselors. The Committee directed that the writer be informed that the Committee cannot provide such information and that the professional association may be contacted or she may find other sources for this information.

G. Roger Kinard

In his e-mail, Dr. Kinard informed the Committee that regulations (N.J.A.C. 10:42) are being proposed by the Department of Human Services Division of Developmental Disabilities Administrative Law Office which would require a psychologist to initiate a request for a special procedure that an LPC could determine as a necessary intervention for presenting behavioral problems. Upon publication, the Committee will review the proposal and provide comments as appropriate.

VI. OLD BUSINESS

A. Licensure Application

The Committee reviewed the revised application that is formatted with the standard sections/questions applicable to all professions with the specific education, experience, supervision and course work required to meet the professional counselor regulations. DAG Perez provided the information that the Citizenship/Immigration section (4) should be corrected to refer to "Bureau of Citizenship and Immigration Services" (BCIS) rather than I.N.S

Information was provided regarding the criminal history record background check that is now a required aspect of the initial application. The processing fee of \$73 has been increased to \$78.

B.. Newsletter

Copies of the final first issue of the Committee's newsletter were reviewed. Committee Chair, Barry Mascari requested that 1,000 additional copies be ordered to distribute at the upcoming AASBC Annual Conference scheduled for January 8, 2004.

C. HIPAA Newsletter

Copies of Issue Number 16 of the HIPAA was accepted as informational. DAG Perez provided a brief report on the HIPAA conference sponsored by the Board of Marriage and Family Therapy Examiners on November

VII. NEW BUSINESS

A. Course Work Questions

The Committee continues to receive numerous requests for assistance from potential applicants. Individuals request information/guidance for approved course work. On a motion was made by Edward Stroh, seconded by Abbey Bradway that the requesters be informed that guidance must be provided by college advisors (who would have knowledge of a particular institution's program and courses). A copy of the regulations should be provided with the response. Following the finalization of the regulations, the Committee agreed that correspondence will be forwarded to the New Jersey counseling schools with an invitation to participate in a discussion of existing programs. A sub-committee will be formed to work on this project.

It is anticipated that adoption of the regulations would provide candidates with a definitive guide to acceptable course work. The Committee asked that Danielle Swenson, Regulatory Analyst be included on the February agenda in order to provide an update on the status of the regulation. In order for the committee to evaluate the course work, copies of the program and course description would be necessary. A list of approved courses would be necessary to respond to all inquiries.

VIII. PUBLIC COMMENT

There was no public in attendance.

IX. NEXT MEETING

Due to the New Year's holiday and the Annual Conference, the next meeting will be held on February 5, 2004.

X. EXECUTIVE SESSION

On a motion by Edward Stroh and seconded by Abbey Bradway, the Committee voted to move into Executive Session (at 10:37 a.m.) to discuss consumer complaints and matters under investigation.

XI. REVIEW OF CREDENTIALS

Because Criminal History Background Check reports have not been received for recent initial applicants, the Committee was not presented with applications to review.

XII. ADJOURNMENT

Respectfully Submitted,

Elaine DeMars
Executive Director
