



## **Tennessee Board of Licensed Professional Counselors, Licensed Marital and Family Therapists and Licensed Pastoral Therapists Meeting**

**Thursday, December 8, 2022**  
**Friday, December 9, 2022**

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### **MINUTES**

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The Board meeting of the Tennessee Board of Licensed Professional Counselors, Licensed Marital and Family Therapists and Licensed Clinical Pastoral Therapists was called to order at 9:15 a.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Kimberly Speakman, Board President on Thursday, December 8, 2022.

Board members present: Kimberly Speakman, LPC/MHSP, Board President  
Shelly Steel, LMFT  
James Dalton, PhD, LPC/MHSP  
Howard Nelson, LCPT, LCSW

Board member(s) absent: Vacant, Consumer Member

Staff present: Angela Lawrence, Interim Board Director  
Katherine Trawick, JD, General Counsel  
Leandra Houston, Interim Board Administrator

The Board read through and discussed the latest proposed draft rules. These minutes are not an exact recount of every discussion of the Board but does highlight many rules discussed in the order in which they occurred. All meetings are recorded and available to watch at a later date on the [tn.gov/health](http://tn.gov/health) website.

### **DISCUSS AND CONSIDER RULE REVISIONS**

#### **Professional Counselor Rules**

Dr. Robin Lee, TLPCA Executive Director, appeared before the Board to present the draft rule revisions currently under consideration.

#### **Definitions**

Definition of “actively engaged” clarified more specifically to include teaching, supervising, research, and administrative activities.

Definition of “approved supervisor” – to distinguish between different applicant types. LPC/MHSP applicants must be supervised by an LPC/MHSP at 100% as of July 1, 2024, and LPC only applicants can be supervised by LPC/MHSP or LPC only.

- Dr. Dalton questioned what kind of supervision is approved through June 30, 2024 and there was a discussion on potential effective date of the rules. Ms. Speakman stated after the rules go into effect, applicants should know that any supervision obtained after July 1, 2024, falls under the new requirement and any supervision before that date would fall under the old rule.

Definition on “certified associate counselor” was removed from the rules.

Definition of “clinical setting” – it was acknowledged that the definition of clinical setting is frequently in question. The following additions and revisions were made to assist in further clarifying a clinical setting:

There was an advertising and marketing definition added. The documentation belonged to the place of practice as opposed to the individual and once they are fully licensed there would be a transfer of records.

Ms. Speakman commented on striking the word “place” and all members agreed.

Additional language added to reflect telehealth – the telehealth definition includes phone contact, previously it wasn’t included as a direct contact hour. The Board will address this later in the rules.

He/she references were removed from the rules.

*Dr. Howard Nelson joined the meeting roughly twenty minutes into the meeting.*

Discussion on a need to add a definition of Jurisprudence.

Discussion on adding a specific LPC/MHSP definition and under the LPC only definition for there to be language around the limited scope of practice. This part can direct readers to the scope of practice rules for each.

This is a limitation on the number of supervisees and groups at any given time. Groups have been defined as a minimum of three to a maximum of eight. There is a pathway where a supervisor may apply to hold more than the maximum number of supervises under extenuating circumstances (rural communities and in cases of death of a supervisor and need to be take over temporary supervision were potential circumstances which might occur).

All supervision will be allowed to be conducted virtually.

Of the twelve hours required by supervisors, a maximum of six hours may be obtained virtually. This is consistent with the continuing education rules requiring 50% in person and allowing 50% virtual.

Discussion was held on the issue where someone may obtain supervision hours but did not obtain the temporary license, so their supervisor was not already approved by the Board. In those cases, its not until they apply for full licensure is it determined that their supervisor does not qualify as an approved supervisor so their hours cannot be counted. Ms. Speakman stated this State is the only State that is not requiring proof of supervision to be approved on the front end. Statutorily, we cannot require a temporary license. It was noted that requiring this type of proof would add a layer of work to the administrative staff. Ms. Lawrence encouraged the Board to move forward with making any requirements they feel is necessary and the administrative office will make necessary adjustments to process this work. Based on this discussion, the Board requests a new form be available to applicants in order to supply proof of their supervisor prior to starting their supervision, this will go in effect as of July 1, 2024.

## **Marriage and Family Therapist Rules**

Andy Dunn, TNAMFT Co-Chair of the Legislative Committee, appeared before the Board to present the draft rule revisions currently under consideration.

### Definitions

Definition of “actively engaged” has been revised and differs from the LPC rules. The minimum of ten hours per week was removed. The 1,000 hours that must be completed was added and reference to completing the hours in two years. Additionally, the reference to face-to-face was removed so it is clear that remote counseling is allowed.

Language that said “post-masters” has been changed to “post-graduate” to ensure there is consistent language across all of the rules.

AAMFT Clinical Fellow definition added because that term is used in the licensure by endorsement section of the rules.

Definition of Ethics exam – everywhere in the rules that read “oral exam” or “jurisprudence exam” has been changed to “ethics examination”. \*Later in meeting changed to “Jurisprudence exam”.

He/she references were removed from the rules.

\*Add to LPC rules the definition of a supervision hours.

## **Clinical Pastoral Therapist Rules**

Laura Krieselmaier, Vice President of TN Association of Pastoral Therapists, appeared before the Board to present the draft rule revisions currently under consideration.

### Definitions

Definition of “actively engaged” copied from the LPC rules.

Board designee definition added.

Clinical consultation definition added because they would like to count clinical consultation as approved continuing education hours later in the rules.

Clinical pastoral education definition copied directly from the statute.

Clinical pastoral therapy definition copied directly from the statute.

Changing “ethics exam” to “jurisprudence exam”. Held discussion on appropriate name of exam for all three rules.

Definition of “clinical pastoral therapy” added from statute.

Definition of “recognized education institution” added.

To be consistent with other rules, the definition of “supervision hours” should be added.

## **Marriage and Family Therapist Rules**

Mr. Dunn appeared before the Board again to discuss additional rule changes proposed.

### Scope of Practice

He/she references were removed from the rules. The language regarding face-to-face hours during the practicum was removed.

The Board held a lengthy discussion on the process of licensure approval and how licensees cannot receive their certificates until after the Board ratifies their license at their next meeting. The Board revised language to make it clearer that during this time period the new licensee can practice and can use the licensure verification available online as proof of their license.

Reciprocity language will remain in the rules. Endorsement rules included as well. The endorsement process was described as the pathway to licensure with proof of certification from the certifying body. The reciprocity process was described the pathway to licensure due to being licensed in another state.

### Licensure Process

In all of the rules, where it requires a birth certificate it will also add language that legal entitlement proof is allowed.

A temporary license is required when you own and operate a practice. When a temporary license expires, they would need to bring in someone to supervise them until they get fully licensed. Right now, the statute does not allow someone to extend their temporary license. So, that is a risk the temporary licensee is taking when opening the practice under a temporary license. If they cannot get someone to supervise them, then they need to shut down the practice. It was also discussed that all temporary licensees are under supervision already.

Fees – Discussion on all fees for licensure and renewal.

### Continuing Education

Lengthy discussion on how to revise the rules to where licensees with more than one license type aren't requiring additional hours. However, each license would require 40 hours of continuing education. If you have a license in another profession, your hours may overlap to the other professions. You just need to make sure that you meet each professions specific requirements, but it is okay for the hours to overlap. It was decided to table this discussion until after the associations can discuss this further and come to a consensus.

Three hours of ethics would be required every two years for all professions.

There is no percentage of hours in any specific format required but it is clear to require a specific number of hours. Half of their hours can be in person and half of their hours can be virtual. The new rules will allow for more Board discretion in cases where someone is facing hardship in completing in person or virtual continuing education.

### **Clinical Pastoral Therapist Rules**

Ms. Krieselmaier appeared before the Board again to discuss additional rule changes proposed.

There was a discussion on a desire to consider making the penalty harsher for when someone practices without a license. This would involve statutory changes.

The statute discusses the need for a reciprocal agreement to be in place in order for someone to be licensed through reciprocity. The Board read through and discussed additional sections of these rules for consideration and concluded for the day.



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Friday, December 9, 2022**

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**MINUTES**

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The regular Board meeting of the Tennessee Board of Licensed Professional Counselors, Licensed Marital and Family Therapists and Licensed Clinical Pastoral Therapists was called to order at 9:06 a.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Kimberly Speakman, Board President on Thursday, December 9, 2022.

Board members present: Kimberly Speakman, LPC/MHSP, Board President  
James Dalton, PhD, LPC/MHSP  
Howard Nelson, LCPT, LCSW

Board member(s) absent: Shelly Steel, LMFT  
Vacant, Consumer Member

Staff present: Angela Lawrence, Interim Board Director  
Katherine Trawick, JD, General Counsel  
Leandra Houston, Interim Board Administrator

**APPROVAL OF MINUTES**

The Board reviewed the September 23, 2022, Board meeting minutes. Dr. Dalton motioned to approve the minutes with corrections noted. Mr. Nelson seconded the motion and the motion passed.

**REPORT FROM THE FINANCIAL OFFICE**

Ms. Alicia Grice presented the yearend report. Ms. Grice provided the Board with fee reduction scenarios to assist in reducing the Boards carry over balance. Mr. Dalton motioned to reduce the application fee to \$50 and renewal fees to \$65. Mr. Nelson seconded the motion and it passed.

**REPORT FROM THE OFFICE OF INVESTIGATIONS**

Mr. Roger Knowlton presented the current complaints report for the Board. The Board had no questions.

**ADMINISTRATIVE OFFICE REPORT**

The Board reviewed the statistical licensing report and learned that a new Board Director has been hired and will start within a few weeks. The Board and staff addressed the current application processing delays and progress towards improvements on processing and filling the vacant Board administrator position.

### **OFFICE OF GENERAL COUNSEL REPORT**

Ms. Trawick gave the report from the Office of General Counsel which included the following updates:

1. Conflict of Interest policy reminder
2. As of November 30, 2022, there were cases open against six of the Board's licensees.
3. The Board currently has a rulemaking packet in process that substantially rewrites all three chapters of the Board's rules.
4. There are fifteen of these Boards licensees currently being monitored.
  - a. The total number of LPCs being monitored for discipline is 15.
  - b. The total number of LMFTs being monitored for discipline is 0.
  - c. The total number of LCPTs being monitored for discipline is 0.
  - d. The total number on reprimand is 2 with terms.
  - e. The total number on probation is 6 with terms.
  - f. The total number on suspension is 4 with terms.
  - g. The total number with a revoked or surrendered license is 3.

### **CORRESPONDENCE**

**L. Johansson** - was disciplined by the Board on January 6, 2021. Per that order, Respondent still owes costs up to five thousand dollars (\$5,000.00) as reported by the licensee. Ms. Johansson provided a statement to the Board and requests the Board to waive her additional fine. Dr. Dalton motioned to deny the request and leave the order as already approved. Mr. Nelson seconded the motion and it passed.

### **Ratification of New Licensees**

The Board read aloud the newly licensed individuals since the last Board meeting. Mr. Nelson motioned to ratify all names on the list. Dr. Dalton seconded the motion and it passed.

### **Disciplinary Order(s)**

#### **Consent Order(s)**

**Courtney Edwards** - did not appear before the Board nor did legal representation appear on her behalf. Ms. Katherine Trawick represented the state. Respondent has been licensed as an LPC/MHSP since June 26, 2020, with license number 5082. In or around September 2018, Respondent began seeing a client for approximately two years. While seeing the client professionally, Respondent began texting and emailing the client on a personal level. During this time, Respondent admits to an emotional connection but not a sexual connection. In or around October 2022, Respondent stopped seeing the client on a professional level and began a sexual relationship with him. After the therapeutic relationship ended, Respondent moved in with the client and signed a joint lease agreement. Respondent is currently in the romantic relationship with the client. The facts stipulated are sufficient to establish grounds for discipline. This order shall suspend Respondents license until Respondent completes one of the proposed boundary courses with three months, then Respondents license shall be placed on probation for no less than one year and Respondent must maintain a practice monitor. The Respondent must pay one (1) "Type A civil

penalties for a total of one thousand dollars (\$1,000.00). Respondent must pay all actual and reasonable costs of this case not to exceed one thousand dollars (\$1,000.00). The Board spoke on the seriousness of the violation and noted it is clear there is an intent to continue violation which warrants a higher level of discipline and possibly a need for treatment and a fitness to practice letter from the treating provider. The Board discussed if the relationship continues the Board will only accept a voluntary surrender of licensure. Dr. Dalton motioned to reject the consent order. Mr. Nelson seconded the motion and it passed. Ms. Trawick stated she will take the Boards recommendations to propose another consent order to the Respondent and inform the Respondent of the gravity of the offense.

## **CONSIDERATION OF APPLICATIONS**

### **Licensed Professional Counselor Applicant Interview(s):**

**Lisa LaBute** – appeared before the Board for consideration of temporary licensure. Ms. LaBute does not qualify for licensure because her graduate coursework does not meet the statutorily required 60 credit hours. The Board encouraged Ms. LaBute to obtain the education graduate credits to qualify for licensure in Tennessee. After review of the current Board rules, the Board and staff discussed the Petition for Declaratory Order process permitted for applicants who do not fully meet the requirements of licensure but wish to petition the Board based on their level of education, training and experience. The Board permits Ms. LaBute to appear at the next meeting with a Petition for Declaratory Order if she wishes to submit one.

**Peter Keese** – was not present before the Board but aware that the Board would hear his request. He is an applicant for reinstatement of licensure as a clinical pastoral therapist. Mr. Keese is requesting to be reinstated without submitting proof of continuing education and provided a statement as to what could be considered in lieu of the CE's. Dr. Dalton motioned to deny the request and require the continuing education for the application to be deemed complete. Mr. Nelson seconded the motion and it passed.

## **CONDUCT NEW BUSINESS**

### **Correspondence**

N. Zapf – provided written correspondence to the Board wishing to discuss the possibility of his office setting becoming an approved clinical setting for pre-licensed therapists. The Board addressed it being forbidden for LPC/MHSP-Temp's from renting spaces while under supervision. Mr. Zapf declined to comment and left the meeting.

H. Britt – submitted a written request for the Board to consider removing the requirement of in-person continuing education due to hardship in finding and attending in-person CE events.

W. Cannon – submitted a written request for the Board to consider removing the requirement of in-person continuing education due to the limited availability of in-person events since Covid.

C. Tourangeau – submitted a written request for the Board to consider removing the requirement of in-person continuing education.

In response to all three requests, Dr. Dalton motioned to notify the requesters that the requirements for continuing education are in the current rules and cannot be modified at this time. Mr. Nelson seconded the motion and it passed.

**Conference Request(s)**

The Board discussed the upcoming AASCB conference being held in February 2023, in New Orleans. Dr. Dalton motioned to send Ms. Speakman and one other person to attend the conference. Mr. Nelson seconded the motion and the motion passed.

The Board discussed the upcoming AMFTRB conference in Salt Lake City to be held on September 25-27, 2023. Mr. Nelson motioned to send two people to this conference. Dr. Dalton seconded the motion and it passed.

**Online Supervisor Application**

The Board requested the Approved Supervisor online application be amended to require only one item instead of three as stated in rules.

**Policy Statement regarding Temporary LPC/MHSP Compensation**

The Board discussed and considered a policy statement on compensation for temporary LPC/MHSP's. Mr. Nelson made a motion to approve the policy statement. Dr. Dalton seconded the motion and it passed.

**Discuss and consider revisions to all Board rules**

**Professional Counselor Rules**

The Board read through and discussed all the latest revisions of the proposed draft rules.

**Marriage and Family Therapist Rules**

The Board read through and discussed all the latest revisions of the proposed draft rules.

These rules will be discussed further at the next meeting.

This meeting adjourned.