

**MEETING MINUTES
TENNESSEE BOARD FOR LICENSED PROFESSIONAL COUNSELORS,
MARITAL AND FAMILY THERAPISTS, AND
CLINICAL PASTORAL THERAPISTS MINUTES**

DATE: June 1, 2018

TIME: 9:00 a.m.

LOCATION: Health Related Boards Conference Center
Poplar Room, 665 Mainstream Drive
Nashville, TN 37243

**BOARD MEMBERS
PRESENT:** Susan Hammonds-White, Ed.D. LPC/MHSP, Chair
Kimberly Speakman, LPC/MHSP
Jennifer Little, Citizen Member
Howard Nelson, CPT
Shelly Steel, MFT

STAFF PRESENT: Teddy Wilkins, Unit Director
Vanessa Hayes, Board Administrator
Nathaniel Flinchbaugh, Advisory Attorney

Dr. Hammonds-White called the meeting to order at 9:00. A roll call was conducted and a quorum was present.

Minutes

Upon review of the June 1, 2018 minutes, Dr. Nelson made a motion, seconded by Ms. Speakman, to approve the minutes as corrected. All in favor. The motion carried.

Office of Investigations Report

Ms. Lori Leonard, Disciplinary Coordinator, stated there are fourteen (14) new open complaints and nineteen (19) closed complaints for LPC's year to date. Of those, three (3) were for unlicensed practice, eight (8) for unprofessional conduct, and two (2) for practicing beyond the scope of practice. There are four (4) new complaints and one closed without action for MFT's. One (1) was for unlicensed practice and three (3) were for unprofessional conduct. There are two (2) LPC's under a Board order. There is one (1) LPC and one (1) MFT on probation. There are two (2) LPC's and one (1) MFT on suspension. One LPC surrendered their license.

Office of General Counsel Report

Mr. Flinchbaugh stated that currently, the Office of General Counsel has four (4) cases. There are two (2) Consent Orders. The first is for Ms. Sonja Fulmer LPC/MHSP license # 1740. She practiced for nine (9) months on an expired license after the grace period. The reprimand will go on her license. There will be a civil monetary penalty of \$200 a month for each month she practiced on an expired license. She has twenty-four (24) months to pay the fine. She will also be charged

costs not to exceed \$500 and she has twenty-four (24) months to pay that as well. A motion was made by Ms. Speakman to accept this Consent Order, seconded by Dr. Nelson. All in favor. The motion carried.

The second Consent Order is for Mr. Jonathan Doran LPC/MHSP license # 2982. Mr. Doran admitted to having a sexual relationship with a student at the college where he was employed. The student was also a patient at the college's counseling center. Mr. Doran also failed to maintain any records of the counseling. He agrees to voluntarily surrender his license and will be assessed costs not to exceed \$1,000 which must be paid in the next twenty-four (24) months. A voluntary surrender carries the same weight as a revocation. Ms. Steel made a motion to accept the Consent Order, seconded by Dr. Nelson. All in favor. Motion carried.

Mr. Flinchbaugh presented for the board's review, the policy draft on LPC/MSHP's coming in from other states that do not have the same requirements as Tennessee. This policy is pertaining to supervision hours especially for those who have been practicing multiple years in another state. The Board has requested that this be tabled until the next Board meeting.

Mr. Flinchbaugh discussed the Suicide Prevention training and Substance abuse training. He stated that he contacted the Attorney for the Dept. of Mental Health and they are not doing any more work with the list for approved courses. The Board has the option to assign a task force, a consultant, or review courses at the Board meetings. Mr. Flinchbaugh stated that he would draft a policy for the next meeting.

Administrative Report

Ms. Hayes reviewed the Administrative Report stating there are two thousand three-hundred and ten (2310) active Licensed Professional Counselors, of those, one thousand nine hundred and eighty-nine (1989) have the Mental Health Service Provider designation and three hundred eighty-two (382) are approved supervisors. There are currently one hundred ninety (190) temporary LPC/MHSP licenses. There are six hundred forty-one (641) active Licensed Marital and Family Therapists and one hundred forty-five (145) temporary MFT licensees. Ms. Hayes said there are twenty-four (24) Licensed Clinical Pastoral Therapists. Ms. Hayes stated that of the 90 LPC's who renewed their licenses since the March 9, 2018 board meeting, 23% renewed on-line. Ms. Hayes stated that of the (23) LMFT's who renewed their licenses since the March 9, 2017, 30% renewed on-line.

Board meeting dates for the remainder of 2018 have been scheduled for:

September 7, 2018

December 7, 2018

Newly Licensed

Ms. Speakman made a motion, seconded by Dr. Nelson, to approve the following newly Licensed Professional Counselors with MHSP designation. All in favor. The motion carried.

Cheryl M. Allen
Dominic Alleva
Allison L. Battles

Kaci Allen
Christal D. Baker
Heather L. Britt

**John R. Brower
Luther Campbell
Caroline Clipper
Judy J. Dekuehn
Kelsey Dupree
Andrea J. Flowers
Jenny L. Guy
Jared M. Hodges
Kristen M. Hoover
Kayla Knoll
Terri Kuberski
Courtney R. Loveless
Deborah I. Mccoy
Ashley R. McKamey
Carla B. Murray
Channing B. Phillips
Tina Price
Tori R. Rokicki
Chase D. Sanders
Sandra Schwartz
Clare Taylor
DeRonda Terry
Jonathan S. Wagner
Leah Walker
Mark Wells
Shawn P. Winton
Lauren R. Young**

**Lindsey M. Brown
Katharine A. Casey
Ginger L. Courtney
Amy Dixon
Rachel A. Fleischer
Rebecca Frary
Jennifer R. Havens
Natalie Hood
Lauren E. Kelly
Cory C. Koester
Stacy M. Lee
Lurelle L. Maxey
Tammy C. Mccoy
Chandra C. Moma
Emily Louis Newland
Alicia N. Pitts
Landon H. Rives
Brenda A. Romero-Herrera
Elizabeth R. Savage
David M. Stenberg
Jennifer Taylor
Lana M. Ventura
Cynthia M. Walker
John M. Waters
Laurie A. Winton
Christi M. Young**

Ms. Speakman made a motion, seconded by Dr. Nelson, to approve the following newly Licensed Professional Counselors without MHSP designation. All in favor. The motion carried.

**Gardner Gentry
Jenna Terry
Erin Adelman
Henry Isaac
Dayciaa S. McCondichie
Sara Castro
Bearlyn Ash**

**Mardry A. Wade Kiles
Rebekah Byrd
Cathy Lantrip
Kelly MccDaniels
Mari Flatt
Edward Clower**

Dr. Nelson made a motion, seconded by Shelly Steel, to approve the following newly Licensed Marital and Family Therapists. All in favor. The motion carried.

**Wendy S. Brown
Hannah K. Clark
Erica S. Dale
Crystal L. Hammar
Kim K. Jensen**

**John W. Chandler Jr.
Rita R. Cuellar
James B. Gregory
Rachel Henry
Jessie T. Kelly**

**Laura Kemp
Sallie B. Miller
Kristin Stark
Marlena Wilson**

**Joseph J. McNulty
Jennifer LH Shuster
Johnny Trail**

Temporary Licenses

Ms. Speakman made a motion, seconded by Dr. Nelson, to approve the following Temporarily Licensed Professional Counselors:

**Wendy S. Bender
Bruce Lambert Jr.
Christina S. Butler
Deanna M. Candeloro
Agnes E. Ebedi
Robert L. Gurich
Allison S. Hill
Erica Keese
Amanda Loker
Sheena C. Miller
Kinsey T. Morgan
Rachel L. Reavis
Kaylee Shackelford
Elle G. Skelton
Samantha G. Thomason
Laura Williams**

**Blake A. Blankenbecler
Paris Brown
Sierah M. Campbell
Shirlisa Daniels
Jared S. Fuson
Alexander J. Haney
Lisa M. Jones
Wendy A. Levine
Amanda H. Martin
Rachel D. Moore
Kathryn R. Paradis
Cheryl F. Scarlett
Michael E. Sims
Michell L. Temple
Shonda G. Vaughn**

Ms. Steel made a motion, seconded by Dr. Nelson, to approve the following Temporarily Licensed Marital and Family Therapists. All in favor. The motion carried.

**Mallie Easterlin
Aaron Karr
Drea Pryor
Sarah B. Russell
Anne M. Schoenherr
Jordan Simmons
Lisa R. Stevens
Christina A. Williams**

**David A. Hicks
Laura Prescott
Faith C. L. Roby
Jennifer S. Schaap
Deanna Sheffey
Bonny K. Simpkins
Joshua W. Treece**

Reinstatement Applications

Dr. Nelson made a motion, seconded by Ms. Steel to approve the following reinstated Licensed Professional Counselors. All in favor. The motion carried.

Jonathan A. Dukes

Robert B. Kennedy

Dr. Nelson made a motion, seconded by Ms. Steel to approve the following reinstated Marital & Family Therapists. All in favor. The motion carried.

Heather Deyton
Bowman Townsend

Kenneth C. Sanderfer

Correspondence

The Board reviewed correspondence from **Ms. Beth Kitzmiller** requesting approval from the Board to be able to supervise a Clinical Pastoral Therapist. The Board determined that she must be licensed as a CPT as per statute 63-22-201(2). The Board is unable to approve this request.

The Board reviewed correspondence from **Ms. Lynette Hope** who wants clarification on the policy on Clinical Supervision and affiliated by agreement. She is inquiring if she can have an applicant in supervision working in her office. The Board determined that she can as long as they hold a temporary license and have an agreement in place. She also inquired if pre licensed LPCMHSP's can advertise. The Board stated that they can use MA, MS, or LPC/MHSP-T, but they cannot misrepresent themselves.

The Board reviewed correspondence from **Ms. Lindsey Castleman** requesting to be approved to provide CEU's for Counselors. The Board had requested more information such as resumes and how many hours as per rule 0450-02-.12 at the last meeting. Ms. Castleman provided the requested documentation for this meeting. The Board determined they would approve 2 CEU's. They did not approve the additional hours to facilitate.

The Board reviewed correspondence and documents from **Ms. Alissa Drescher** requesting to be approved to be a CEU provider. Ms. Drescher provided all of the required documents. The Board approved this request.

The Board reviewed correspondence from **Ms. Michelle Temple** to be approved to receive at least 50% of her supervision by video due to the hardship of being in a rural community with too many dual relationships. The Board approved this request.

Discuss Other Board Business

Mr. Brian Witt who is outside counsel for the Tennessee Association of Marriage and Family Therapists spoke to the Board about approval for a task force or committee to consider revisions to the rules for MFT's. The Board discussed who would be on the task force. It would include Robbie Hutchins, Shelly Steel, Teddy Wilkins, Nathaniel Flinchbaugh, and Randall Phillips. Ms. Steel made a motion to create a task force to revise the MFT rules including the mentioned individuals, seconded by Dr. Nelson. All in favor. Motion carried.

The Board discussed creating a task force to revise the CPT rules. This task force would include Dr. Nelson, Ms. Wilkins, Mr. Flinchbaugh, Chris O'Donnell, Laura Kreiselmaier, and one additional member to be named at a later date. Dr. Nelson made a motion to create a task force made up of the above named individuals, seconded by Ms. Little. All in favor. The motion carried.

The Board discussed creating a task force to revise the LPC rules. This task force would include Ms. Speakman, Ms. Wilkins, Mr. Flinchbaugh, and two additional members, one from the TLPCA

and one from TCA to be named at a later date. Ms. Speakman made a motion to create a task force made up of the above named individuals, seconded by Dr. Nelson. All in favor. The motion carried.

Lacey Blair discussed the Legislative updates which follow below.

Public Chapter 611

This law requires an agency holding a public hearing as part of its rulemaking process, to make copies of the rule available in “redline form” to people attending the hearing.

This takes effect July 1, 2018.

Public Chapter 638

This chapter prohibits healthcare prescribers and their employees, agents, or independent contractors from in-person solicitation, telemarketing, or telephonic solicitation of victims within 30 days of an accident or disaster for the purpose of marketing services of the healing arts related to the accident or disaster. There are specific exceptions laid out in the chapter.

This act takes effect July 1, 2018.

Public Chapter 675

This act requires the department of health to accept allegations of opioid abuse or diversion and for the department to publicize a means of reporting allegations.

Any entity that prescribes, dispenses, OR handles opioids is required to provide information to employees about reporting suspected opioid abuse/diversion. That notice is to either be provided individually to the employee in writing and documented by the employer OR by posting a sign in a conspicuous, non-public area of minimum height and width stating: “NOTICE: PLEASE REPORT ANY SUSPECTED ABUSE OR DIVERSION OF OPIOIDS, OR ANY OTHER IMPROPER BEHAVIOR WITH RESPECT TO OPIOIDS, TO THE DEPARTMENT OF HEALTH'S COMPLAINT INTAKE LINE: 800-852-2187.”

Whistleblower protections are also established. An individual who makes a report in good faith may not be terminated or suffer adverse licensure action solely based on the report. The individual also is immune from any civil liability related to a good faith report.

This act takes effect January 1, 2019.

Public Chapter 744

This statute allows a licensing entity the discretion to not suspend/deny/revoke a license in cases where the licensee has defaulted or become delinquent on student loans IF a medical hardship significantly contributed to the default or delinquency.

This act took effect January 1, 2019.

Public Chapter 745 and Public Chapter 793

These public chapters work together to create and implement the “Fresh Start Act.” Licensing authorities are prohibited from denying an application or renewal for a license/certificate/registration due to a prior criminal conviction that does not directly relate to the applicable occupation. Lays out the requirements on the licensing authorities as well as the exceptions to the law (ex: rebuttable presumption regarding A and B level felonies).

These acts take effect July 1, 2018.

Public Chapter 754

This chapter prevents any board, commission, committee, etc. created by statute from promulgating rules, issuing statements, or issuing intra-agency memoranda that infringe on an entity member’s freedom of speech.

Freedom of speech includes, but is not limited to, a member’s freedom to express an opinion concerning any matter relating to that governmental entity, excluding matters deemed to be confidential under TCA 10-7-504.

Violations as determined by a joint evaluation committee may result in recommendations to the general assembly concerning the entity’s sunset status, rulemaking authority and funding.

This act took effect April 18, 2018.

Public Chapter 844

This act requires the department of education to establish a student support collaborative to review and define the roles and responsibilities for school social workers, school counselors, school psychologists, and school nurses. The collaborative shall identify available resources and areas the groups can collaborate on to provide high quality support to students. The collaborative shall include (among others) representatives of:

1. The National Association of Social Workers, TN Chapter
2. The Tennessee Association of School Social Workers

3. The Tennessee Association of School Counselors
4. The Tennessee Association of School Nurses
5. The Tennessee Association of School Psychologists

This act took effect April 26, 2018.

Public Chapter 929

This act redefines policy and rule and requires each agency to submit a list of all policies, with certain exceptions, that have been adopted or changed in the previous year to the chairs of the government operations committees on July 1 of each year. The submission shall include a summary of the policy and the justification for adopting a policy instead of a rule.

This act also prohibits any policy or rule by any agency that infringes upon an agency member's freedom of speech.

Finally, this act establishes that an agency's appointing authority shall have the sole power to remove a member from a board, committee, etc.

This act takes effect July 1, 2018 and applies to policies adopted on or after that date.

Public Chapter 954

This legislation requires the initial licensure fee for low-income persons to be waived. Low income individuals per the statute are defined as persons who are enrolled in a state or federal public assistance program including but not limited to TANF, Medicaid, and SNAP. All licensing authorities are required to promulgate rules to effectuate the purposes of this act.

This act takes effect January 1, 2019.

Public Chapter 964

This legislation requires the department of children's services (DCS) to develop instructional guidelines for child safety training programs by January 1, 2019 for members of professions that frequently deal with children at risk of abuse. DCS is required to work with each licensing board to ensure any child safety programs created by a licensing board fully and accurately reflect the best practices for identifying and reporting abuse as appropriate for each profession.

This act took effect May 15, 2018.

Public Chapter 997

This act requires public safety employers to provide, in addition to any other mental health benefits, not less than 10 visits to a mental health provider for purposes of treating PTSD. The act establishes a number of other requirements on public safety employers. The legislation also

requires that a mental health service provider (that provides treatment to public safety employees) to participate in training at least once per year that familiarizes the provider with the unique problems associated with each public safety profession lifestyle. Some of the mental health service providers that may be affected by this act are professional counselors, licensed clinical social workers, marital and family therapists, psychiatric mental health nurse practitioners, and occupational therapists.

This act takes effect July 1, 2018.

Public Chapter 1021

This act allows for appeals of contested case hearings to be in the chancery court nearest the residence of the person contesting the agency action or at that person's discretion, in the chancery court nearest the place the action arose, or in the chancery court of Davidson County. Petitions seeking review must be filed within 60 days after entry of the agency's final order.

This act takes effect July 1, 2018.

The Board discussed the LPC Jurisprudence exam. Currently the Jurisprudence exam is given by the NBCC. The applicants must go to a testing site and take the pencil and paper exam and the results take four (4) to six (6) weeks to reach the Board. The Board debated on other options, but it is in the rules that the test be administered by the NBCC. Mr. Flinchbaugh stated that the Board can make a policy to adjust the Jurisprudence exam improving the ability for licensees to obtain a license in a quicker manner. The Board would like to create a policy stating that the Jurisprudence exam can be open book and can be proctored by a Board licensee that has been licensed for at least five (5) years or come to the Board for Ms. Hayes to give the exam. They will need to correctly answer at least 80% of the questions.

Ms. Wilkins discussed the AAMFT Conference coming up in November. Ms. Steel and Ms. Wilkins would like to go to this Conference if approved. Ms. Speakman made a motion to approve Ms. Steel and Ms. Wilkins to go to the AAMFT Conference, seconded by Dr. Nelson. All in favor. Motion carried.

Adjourn

With no other Board business to conduct the Board adjourned at 12:22 pm. Ms. Speakman made a motion to adjourn, seconded by Dr. Nelson. All in favor. The motion carried.