

**BOARD OF PROFESSIONAL COUNSELORS AND THERAPISTS
OPEN SESSION MINUTES
February 17, 2017**

PRESENT

Dr. Carol Deel, LCPC, LCMFT, *Board Chair*
Ms. Susan Tangires, LCPC, LCADC, *Vice Chair*
Ms. Candice Richardson-Dickens, LCADC, LCPC, *Secretary*
Dr. Lorraine Garcia, LCPC
Ms. Linda Allen-Benton, LCMFT
Dr. Aparna Ramaswamy, LCPC
Ms. Marcia Mityga, LCADC
Ms. Amanda Bechtel, LCPAT, LCPC
Ms. Anna DeJong, LCADC, LCPC
Ms. Meena Gupta, *Consumer Member*
Dr. Sara Carlton, *Consumer Member*

NON-BOARD MEMBERS PRESENT

Ms. Tracey DeShields, Executive Director
Ms. Frances Cipriotti, Executive Assistant
Mr. Ari Elbaum, Board Counsel
Ms. Anna Sullivan, Administrative Officer
Ms. Janice Isaac, Administrative Specialist
Ms. Tawana Brown, Administrative Specialist

PUBLIC ATTENDEES

Ms. Patricia Laidlaw, LCPCM
Mr. Willie Harris, Lobbyist, AAMFT
Ms. Michelle Darling, BHA

MEETING

10:53 Dr. Carol Deel called the Open Session to order. The minutes from January 20, 2017 meeting were reviewed.

10:55 Ms. Candice Richardson-Dickens made a motion that was seconded by Ms. Susan Tangires to accept the minutes with corrections. The motion carried with one abstention from Ms. Anna DeJong.

10:56 Credential Committee Report – Dr. Lorraine Garcia

- Total of 150 applications: 27 Alcohol and Drug applications, 43 Trainee applications, and 77 Professional Counselor and MFT applications, 1 Art Therapy, and 2 Behavior Analysts applications. There were 4 new alcohol and drug approved supervisors added.

10:52 Regulations and Legislative Committee report – Dr. Carol Deel and Ms. Tracey DeShields

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- According to Dr. Deel, the Committee is working to complete Chapter 15. There will be another Committee meeting on March 3, 2017. Each license group will have its own chapter and the general regulations will have its own section. Ms. Amanda Bechtel will be working on the Art Therapy regulations. The Committee would like to have most of the Art Therapy regulations completed by June 2017.
- House Bill 628 (NC Dental Bill) – Ms. Tracey DeShields and Dr. Carol Deel. According to Dr. Deel, the Dental Board in NC had an anti-trust case brought against them. Therefore, this bill would provide Board members with state-action immunity in the event of an anti-trust action against the Board. The Board reviewed amendments offered by the Board of Physicians to HB 628 and after reviewing the amendments, the Committee recommends that the Board support the bill with the amendments proposed by the Board of Physicians. Dr. Deel noted three important areas to consider with this bill: protection from (antitrust) lawsuits, possible financial burden shared by all Boards, possible antitrust issues or cases will be referred by the Boards to a higher authority or committee.

11:32 Ms. Amanda Bechtel made the motion that was seconded by Ms. Susan Tangires to support HB 628 with amendments from the Board of Physicians as they are currently written. The motion carried unanimously.

- HB 503- Health Occupations Boards - Racial and Ethnic Health Disparities- Information Campaigns- Reporting. This bill would require each Board report an update on the status of certain information campaigns designed to educate individuals regarding racial and ethnic health disparities to certain committees of the General Assembly on or before a certain date. There was a bill hearing and letter of concern was submitted stating that the Boards would be willing to provide and distribute information on cultural competency that would come from the Office of Minority Health and Health Disparities.
- HB 1060 State Board of Professional Counselor- Meetings and Timeliness of Certification and Licensure Issuance. The bill would require the Board to work with the Secretary to establish the timeliness of the issuance of licenses and certifications and report this information to the Secretary annually. According to Ms. DeShields applications are generally processed between 30-60 days. Ms. Susan Tangires noted that potential applicants need to be clear that the 30-60 days process begins once the application is deemed complete. Other factors that might lengthen the process would be exams or getting the required documents. The bill also would mandate that the Board meet at least once a month. According to Ms. DeShields, the Board is only required to meet once a year; the Board actually does meet 10 to 11 times more than required by law. Ms. Susan Tangires again noted that the belief in the field is that files are not reviewed during July and August when there is no Board meeting, which is not true. Ms. DeShields noted that the Board is already required to submit an annual report to the Secretary and recommends that the Board oppose this bill.

11:44 After further discussion, Ms. Marcia Mityga made the motion that was seconded by Dr. Lorraine Garcia to oppose HB 1060. The motion carried unanimously.

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- HB 352 - Teletherapy Bill – This bill would allow behavioral health providers to do teletherapy provided they are licensed in Maryland under the Health Occupation Boards who license behavioral health providers. This bill had a hearing. According to Ms. DeShields, interested parties had recommendations for amendments. Delegate Reznik, sponsor of the bill wants to meet with the interested parties about their proposed amendments. Ms. Susan Tangires suggested that the bill came about because there are a shortage of providers especially physicians or psychiatrists who can prescribe medication for opiate dependence and access to services is limited. Dr. Deel noted that some insurance companies are requiring that providers get certified in telehealth. The Board does recognize that people are doing teletherapy even though it is not specifically addressed in regulation.
- HB 1458 Music Therapists - This bill would create a Music Therapy Advisory Committee under the Board similar to Behavior Analysts. The bill is scheduled for a hearing on March 8, 2017. The music therapists want to be licensed in their own right and not as art therapists. They do not want a creative arts license. According to Ms. DeShields, the Board would not be able to take on another licensing group at this time because of financial and staffing issues. The recommendation is to oppose the bill at this time and request a summer study.

12:05 Dr. Lorraine Garcia made a motion that was seconded by Ms. Marcia Mityga to soft oppose HB 1458 and have a summer study for the Music Therapy bill. The motion carried unanimously. Ms. Candice Richardson-Dickens was not present.

- HB 189 (Hospitals-Substance Use Demonstration Program - Requirements) and HB 515 (Hospitals- Establishments of Substance Use Treatment Program-Requirements) both bills would require hospitals to have a substance disorder treatment program. According to Ms. DeShields, the Board sent a letter of concern last year indicating that there should be at least an licensed or certified alcohol and drug counselor on staff in the programs. The hospital associations are opposed to this bill. The Board will resend the letter of concern.
- HB 1471-Business Occupations and Professions and Health Occupations - Regulation of Occupational Boards and HB1474- Establish the Office of Health Occupations. According to Ms. DeShields, both bills address restructuring of the Boards. HB1471 focuses on a particular Board but affects all Boards. This bill would establish the creation of an Office of Supervision of Occupational Boards that would have the authority to review, approve, or reject certain proposed occupational Board regulations. HB1474 would establish the Office of Health Occupations and this would transfer the administrative oversight, duties and responsibilities relating to Health Occupations from the Secretary of the Department of Health and Mental Hygiene to this new office. Ms. DeShields recommends that the Board oppose both bills.

12:12 Ms. Marcia Mityga made a motion that was seconded by Dr. Lorraine Garcia to oppose HB 1471 and HB 1474. The motion carried unanimously.

12:15 Update on Behavior Analysts:

- The Behavior Analysts regulations are still in the comment period. The Behavior Analyst Advisory Committee received two comments on the proposed regulations. The comments were not related to their regulations but the Medicaid regulations on behavior analysis and reimbursement for services. The Advisory Committee will provide a response to the comments.
- There is a bill about restraint and seclusion for children who have behavioral issues. The bill would provide limitations on physical restraint and seclusion. In the bill, it identifies certain providers able to order physical restraint or seclusion in certain circumstances. The Advisory Committee feels that licensed behavior analysts should be added to this list.

12:17 Open Session Adjourned.

12:18 Marcia Mityga made a motion that was seconded by Dr. Lorraine Garcia to go back into Open Session.

12:20 Other Business – Ms. Tracey DeShields - Meeting with MADC

- Applicants who are trying to meet the internship requirement for the CSC-AD or CAC-AD credential in alcohol and drug are having difficulty meeting the requirement and would like to use work experience instead.
- The recommendation is to amend the statute to read “An internship in an alcohol and drug counseling that totals 6 semester credit hours of 10 quarter hours or supervised work experience as defined in regulation.”
- MADC will help identify a sponsor of the proposed bill to amend the current statute.

12:25 After some discussion, Ms. Marcia Mityga made the motion that was seconded by Ms. Amanda Bechtel to accept the proposed amendment to the statute. The motion carried.

12:30 Meeting adjourned.