

KENTUCKY BOARD OF LICENSED PROFESSIONAL COUNSELORS
MEETING MINUTES
August 16, 2024

A meeting of the Kentucky Board of Licensed Professional Counselors was held in-person in Room 127CW, 500 Mero Street, Frankfort, KY and via teleconference on August 16, 2024.

MEMBERS PRESENT

Dr. Hannah Coyt
Dr. Andrea Brooks
Beverly Martin
Denise Hutchins
R. Kyle May
Wm. Jake Roberts

DPL STAFF

Kristen Lawson, Commissioner
Stephanie Hilson-Robinson, Board Administrator
Robert Brossart, Board Administrator

MEMBERS ABSENT

LEGAL COUNSEL

Sara Janes, OLS

OTHER

Dawn Hinton, KCA
Shelby C
Sheila Kleiser, KCA

CALL TO ORDER

Chair Coyt called the meeting to order at 10:04 a.m.

MINUTES

Ms. Hutchins made a motion to approve the July 19, 2024, Board Meeting Minutes with the following spelling amendment: New business, Chatbox to *Chatbot*. Ms. Martin seconded the motion, which carried.

MONTHLY FINANCIAL REPORT

The Board reviewed the July 2024 financial reports. No action is needed.

NEW BUSINESS

The requirement of a Jurisprudence Exam was discussed. Board Counsel reviewed previously drafted regulation changes to 201 KAR 36.065 and 201 KAR 36.070. Many ideas were discussed from having one jurisprudence exam, with updates every 3-5 years, adding the exam to eServices, requiring LPCC-Ss to retake the Supervision training, and making it a requirement for LPCA and LPCC applicants to take a KY Law course. It was noted 15 of the 36 states in the compact will require applicants to take a jurisprudence exam. The Board agreed the RFP will require the 3rd party to create, monitor, verify, and update the Jurisprudence Exam. Legal Counsel suggested moving forward with drafting regulations pertaining to the exam and creating an RFP.

Motion by Dr. Pemberton for Board counsel to draft amendments to 201 KAR 36:070 to include a jurisprudence exam for LPCA and LPCC licensure and for Board counsel to draft RFP for writing the

initial jurisprudence exam. 2nd by Ms. Martin. Discussion. Motion amended by Dr. Pemberton to draft amendments to 201 KAR 36:065 requiring a supervisor's exam for LPCC-S and to include in the RFP services to write a Law/Operations exam for LPCC-S; amendment was 2nd by Ms. Martin. All in favor of the Motion as Amended. None opposed. Carries.

Commissioner Lawson advised she would talk to IT about placing the exams on the Website.

Motion by Dr. Pemberton to form Jurisprudence Ad Hoc Committee to develop language for RFP for jurisprudence exam and LPCC-S exam. Committee to include Dr. Pemberton, Chair Coyt and Mr. May. 2nd by Dr. Brooks. No discussion. All in favor. None opposed. Carries. Committee Meeting set for 8/29/24 at 1 PM ET.

There was some discussion that the Board wants to write the exam for LPCC-S.

Accommodation requests were deferred to closed session.

DPL REPORT

Commissioner Lawson reported DPL is now fully staff, except for one position in Ms. Cook's department.

OLD BUSINESS

Ms. Hinton reported the 2024 KCA Conference Registration is open and has shown a strong enrollment of 160, with 107 of those registers to attend the KBLPC luncheon. KCA newsletter will be released in next week. Ms. Hinton stated the link to vote for Board vacancies is closing on Monday, August 19, and reported responses have been strong. Ms. Hinton to inquire about the 2024 Sponsorship invoice.

Mr. Roberts made a motion to enter closed session at 10:54 a.m., pursuant to KRS 61.810(1)(c), (f) (j) and (k) regarding deliberations of quasi-judicial bodies at which information protected by federal and state law may be discussed, to discuss applications, pending litigation/complaints, hearings, and NBCC Accommodations requests. Ms. Hutchins seconded the motion, which carried, and the board entered closed session at 10:55 a.m.

Ms. Hutchins motioned to come out of the closed session at 1:30 p.m. Ms. Martin seconded the motion, which carried. No action was taken during the closed session.

APPLICATIONS COMMITTEE

Ms. Martin made a motion to accept the Applications Committee's recommendation for approvals and denials. Motion seconded by Ms. Hutchins, which carried.

Licensed Professional Counselor Associate (LPCA)

Amy Nichole Beddow, Alexandria Blandford, Brennen Austin Campbell, Helen K. Collett, Shawna Leora Foster, Elizabeth Nicole Garner, Natalie Christine Kelley, Rylie Alexis Lowans Gross, Sara C May, Amanda Frances O'Bryan, Brandi Elaine Pratt, Savanna F Smith, Mika Kron Taylor, Andrew Dominique Van Roie, Megan Elizabeth Vance, Melissa Wagner, Tonya E Walker, Nina B. Werness, Iliannexis Zarithe Williams-Hall

Licensed Professional Clinical Counselor (LPCC)

Christopher Joseph Armbruster, Jerry Lynn Armour, Julia Sue Barker, Amanda Regina Brown, John Wesley Bush, Rachel Beth Bushnell, Patricia Misha Byers, Shelby Nicole Case, Jennifer Lynne Cieslak,

Keisha Candida Martinez Crider, Marie-Claire Jessica Day, Michael Richard Guibord, Amber Marie Harrington-Larvick, Kristin Alexis Hoagland, Emily Grace Johnson, Stephanie Michelle Knipper, Musenge Selina Luchembe, Caleb Steven Mackey, Jaime Ostendorf Masotti, Jessica Mathieu, Madison Harned Moberly, William Anthony Montelli, Donisha Maurnee Moore, Paolo Morena, Ericka Faye Morrison, Jessica Lee Mounts, Elicia Gail Napier, Schaunelle D Pagan, Hannah Claire Nichole Paine, Ashton Noel Phillips, Tennis Joan Robertson, Sara B Schmidt, Rebecca Shaughnessy, Joy Jemima Singh, Sara Michelle Smith, Sunni C Staton, Natalie Paige Van Til, Shelby Grace Yeich

Vice Chair Brooks made a motion to approve NBCC accommodation request for DG and DP. Motion seconded by Ms. Martin, which carried.

Dr. Brooks made a motion for KBLPC to send a Cease-and-Desist Letter to CD for practicing without a supervisor. Motion seconded by Ms. Hutchins, which carried.

Ms. Hutchins made a motion to refer 2024LPC-00020 and 2024LPC-00015 back to the Complaints Committee for consideration of public admonishment. Motion seconded by Dr. Pemberton, which carried.

Motion made by Ms. Hutchens to set aside cease and desist order authorized at the June meeting and for counsel to draft a courtesy notice giving 30 days for response. Discussion. Ms. Hutchins amended the motion to include if there is no response in 30 days, to issue an administrative subpoena for the needed information to determine whether employees are engaged in the unauthorized practice of professional counseling. Motion as amended was 2nd by Dr. Brooks. All in favor. Carried.

COMPLAINTS COMMITTEE

Complaints Committee makes the following recommendations as its Motion for approval:

INVESTIGATIONS

COMPLAINTS

- 2024LPC-00012 & CC Self-Report of IPO - Offer of informal settlement with public reprimand, published on board website and reported to NPDB, notice to board of any change in the IPO, any violation of the IPO for the duration of the IPO.
- 2024LPC-00024 – Refer for investigation.
- 2024LPC-00025 – Dismiss.
- 2024LPC-00026 – Dismiss.
- 2024LPC-00027 – Dismiss.
- Anonymous Complaint. No signed complaint so recommends no action. However, board initiated a complaint for same reported criminal charges on 8/9/2024.
- Email Correspondence on social media meme posted by licensee – No action since there was no credible threat and due to 1st amendment free speech.
- JL Correspondence – No action taken. No complaint made and no reported ethical violation. Advise supervisor to file a complaint upon learning the supervisee is practicing or violates any ethics provisions.
- 2021LPC-00031 – Quarterly Report – approve.
- Send letter to MMN requesting status report on 17 open investigations w/n 2 weeks, as well as a list of cases where minimal work has been performed and the case(s) may be transferred to

Clinton Investigations for completion. The board will review the status report and list and the next meeting to determine which cases it will reassign for investigation.

Motion seconded by Mr. May, which carried.

LEGAL COUNSEL

- 2024LPC-00020 Public Admonishment – set admonishment aside and refer back to Complaints Committee.
- 2024LPC-00015 Public Admonishment – set admonishment aside and refer back to Complaints Committee.

ADMINISTRATIVE HEARINGS

- 2024KBLPC-00008 Order of Dismissal
 - Ms. Hutchins made a motion to approve the Order of Dismissal for 2024KBLPC-00008. Motion seconded by Mr. May, which carried.

APPLICATIONS COMMITTEE

The Applications Committee discussed IT requests: Endorsement applications is missing the EDUCATION section, remove the ability for LPCA applicants to enter two work locations/supervision agreements.

Vice Chair Brooks made a motion for the Applications Committee to stop performing Transcript Audits effective August 16, 2024, and to remove forms that are online for transcript audits, and that any transcript audits not acted on by the Committee be refunded and to include this information in the FAQ. The Board will update the FAQs and make a motion in September to refund the audit fee to applicants with unfinished audits. Motion seconded by Dr. Pemberton, which carried.

OLD BUSINESS

The RFP for a FFD Evaluator closed to the public on September 9, 2024. Dr. Pemberton made a motion to create a scoring committee for the FFD RFP. The Committee will consist of Ms. Hutchins, Dr. Pemberton, and Ms. Martin, with Ms. Cook accompanying the meeting. Motion seconded by Dr. Brooks, which carried.

Board Counsel stated AI for Board Meetings is considered a recording, creating another public record, which she does not recommend until there is more transparency in how AI works. Dr. Brooks to pose AI question to AASCB members.

Dr. Pemberton made a motion to enter into a recess at 2:13 p.m. Motion seconded by Ms. Hutchins, which carried.

Dr. Pemberton made a motion to resume the Board Meeting at 2:27 p.m. Motion seconded by Ms. Hutchins, which carried. The Board is back in session.

Dr. Brooks made a motion to accept an additional recommendation of denial of an application for licensure by endorsement. Motion seconded by Ms. Martin, with Mr. Roberts abstaining, which

carried. Mr. Roberts abstains.

Dr. Brooks gave an update on the Counseling Compact stating the Full Commission will be meeting on October 8, 2024, where they will vote on rules for Implementation of Criminal Background Check and Rule on Legacy Eligibility for Privilege to Practice. Dr. Brooks reported the Finance Committee gave an update in Puerto Rico and discussed the high costs to run the database, administration fees, employee payroll, benefits, etc.

RFP for Training Deferred to September.

Board counsel has no further updates regarding technical amendments to the Supervision Agreement form at this time.

PER DIEM

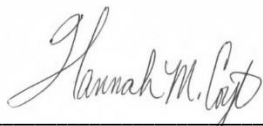
Ms. Martin made a motion to pay per diem for today's meeting as well as the following days:

- Dr. Hannah Coyt: 7/24/2024 (Meeting with Board Counsel and Board Administrator), 7/31/2024 (Meeting with Board Counsel and Board Administrator), 8/2/2024 (Meeting with Board Counsel and Board Administrator), 8/7/2024 (Meeting with Board Counsel and Board Administrator), 8/14/2024 (Meeting with Board Counsel and Board Administrator), 8/16/2024 (Regular Meeting)
- Dr. Andrea Brooks: 8/9/2024 (Meeting with Board Counsel and Board Administrator), 8/15/2024 (Applications Review), 8/16/2024 (Applications Committee Meeting and Regular Board Meeting)
- Denise Hutchins: 7/26/2024 (Meeting with Board Counsel), 8/15/2024 (Complaints Committee Meeting), 8/16/2024 (Regular Meeting)
- Beverly Martin: 8/13/2024 (Complaints Review), 8/14/2024 (Complaints Review), , 8/15/2024 (Complaints Committee Meeting), 8/16/2024 (Regular Meeting)
- Dr. Charles Pemberton: 8/6/2024 (Applications Review), 8/14/2024 (Applications Review), 8/15/2024 (Applications Committee Meeting), 8/16/2024 (Applications Committee Meeting and Regular Board Meeting)
- Wm. Jake Roberts: 8/16/2024 (Regular Meeting)
- R. Kyle May: 8/11/2024 (Applications Review), 8/12/2024 (Applications Review), 8/15/2024 (Applications Review), 8/16/2024 (Applications Committee Meeting and Regular Board Meeting)

Ms. Hutchins seconded the motion, which carried.

ADJOURN

Dr. Pemberton motioned to adjourn at 2:50 p.m. Second by Ms. Hutchins and carried.



Dr. Hannah Coyt, Board Chair