

KENTUCKY BOARD OF LICENSED PROFESSIONAL COUNSELORS
MEETING MINUTES
July 19, 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 July 19, 2024.

MEMBERS PRESENT

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

DPL STAFF

Lyndsay Sipple, Admin Section Supervisor
Stephanie Hilson-Robinson, Board Administrator
Robert Brossart, Board Administrator
Caitlin Hinds

MEMBERS ABSENT

LEGAL COUNSEL

Sara Janes, OLS

OTHER

Elicia Napier

CALL TO ORDER

Chair Coyt called the meeting to order at 10:07 a.m.

MINUTES

Ms. Hutchins made a motion to approve the June 21, 2024, Board Meeting Minutes. Ms. Martin seconded the motion, which carried.

Vice Chair Brooks made a motion to approve the amended August 22, 2022, Board Meeting Minutes to reflect the following changes: Under Administrative Hearings update case numbers to *2021KBLPC00002* - Motion to file for disposition and *2021KBLPC00003* - Counsel to Engage in Settlement. Ms. Martin seconded the motion, with Mr. May and Ms. Hutchins abstaining. Motion carried.

(as amended January 2023 and July 19, 2024 – place at bottom of Aug 22 minutes)

Ms. Martin made a motion to approve the amended May 17, 2024, Board Meeting Minutes as follows: Under Administrative Hearings, *Dr. Pemberton made a motion to approve 2024KBLPC-00002 Order of Dismissal and 2024KBLPC-00007 Order of Dismissal. Ms. Hutchins seconded the motion, which carried. As verified by Chair Coyt's meeting notes.* Ms. Hutchins seconded the motion, which carried.

Ms. Martin made a motion to rescind the vote of approval for 2024KBLPC-00002 Order of Dismissal and 2024KBLPC-00007 Order of Dismissal, made at the June 21, 2024, Board Meeting. Ms. Hutchins seconded the motion which carried.

Vice Chair Brooks opened a discussion about AI and how it could benefit the Board by assisting with meeting minute records. Board Counsel to check legality and confidentiality and report back in August 2024.

MONTHLY FINANCIAL REPORT

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

Ms. Cook stated twenty-four (24) invoices were submitted from a vendor for services performed in the previous fiscal year, in which funds from the current fiscal year would be used. Ms. Cook stated she was concerned about the amount of funds to cover the submitted invoices. Ms. Cook stated the invoices will be shared with BA and then shared with the Board. It was agreed Chair Coyt and Vice Chair Brooks to review the twenty-four (24) invoices against the signed contract with the vendor. Defer conversation to closed session.

DPL REPORT

Ms. Sipple reported DPL has nothing new to report.

NEW BUSINESS

Board members discussed key takeaways from the recent CRBS Conference. The Board reported of conversations and sessions surrounding the use of AI and regulation of use. AASCB has formed an AI Committee to gather a consensus of responses from states regarding pending regulation or suggestions on state regulation. Vice Chair Brooks also reported TN has a pending AI regulation and suggested KY wait and see how and where it goes. The Board discussed how a licensee could demonstrate competency using AI and potentially supplying resource information to licensees. There was also discussion about moving forward with a regulation requiring a jurisprudence exam and whether the Board should create and administer the exam or outsource the production and administration of the exam. The topic of Chatbox was also discussed. Mr. May added that AI would be a good tool for Board Meeting minutes, but not to replace the Board Administrator's meeting minutes. He also noted conversations surrounding the use of Chatbox and its use for frequently asked questions.

Vice Chair Brooks updated the Board on the Counseling Compact – It was noted there will likely be an influx of applications into the state when the compact opens, many for counselors who will only be practicing in KY through telehealth platforms. It is important counselors demonstrate knowledge of KY Counseling Law. Many state licensing boards are contracting through NBCC for the jurisprudence exam at \$100.00 per licensee. The Board discussed concerns of the added cost to counselors, and the time it would take for the Board to create and maintain a jurisprudence exam. Ms. Hutchins suggested an RFP to create an exam and supply to the Board to administer. She also suggested having a 3rd party create it would be most efficient. The Board discussed and agreed to the importance of licensees demonstrating proof of law competency before being licensed in KY. The Board will discuss the jurisprudence exam at more length in August and will make a decision on how to move forward. Vice Chair Brooks reported Inspiring Apps is creating the Counseling Compact database.

Board Counsel stated all committees are required to follow the Open Meetings Act where an agenda, an open meeting notice, and meeting minutes are posted for the public. For the committees that deal with sensitive information, they will open the meeting, approve minutes, go into closed session, come out of closed session, and approve committee recommendations. A motion should be made to allow a committee to interview an applicant. Committees should use eServices as a record keeping tool and use initials on the agenda and meeting minutes for the Applications Committee.

Mr. Roberts made a motion to enter closed session at 11:45 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. Ms. Martin seconded the motion, which carried, and the board entered closed session at 11:45 a.m.

Ms. Martin motioned to come out of the closed session at 1:54 p.m. Ms. Hutchins seconded the motion, which carried. No action was taken during the closed session.

APPLICATIONS COMMITTEE

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

Vice Chair Brooks made a motion to file a Board Complaint against an LPCC applicant and supervisor for practicing without supervision. Ms. Hutchins seconded the motion, which carried.

Mr. May motioned the Board to accept the counteroffer to the informal settlement offered in 2022LPC00039 and 000011 with additional amendments recommended by the Board. Motion seconded by Ms. Martin, which carried.

Dr. Pemberton made a motion to file a Board Complaint against AM for not reporting a criminal conviction. Mr. May seconded the motion, which carried.

Licensed Professional Counselor Associate (LPCA)

Cara Anderson, Katrina Bailey, Tiffany Carty, Laura Duncan, Stacey Hayden, William Hollon, Erika Houchens, Erica Jenkins, Kailey Johnson, Amanda Lewis, Patrick Neal, Alana Perry, Amy Perry, Samantha Shellenberg, Crystal Sherrod, Grace Silver, Alaina Theard, Cydney Thomas, Tishauna Tinsley, Cheryl Wright

Licensed Professional Clinical Counselor (LPCC)

Amy Akins, Megan Allred, Amanda Blythe, Shih-Wei Chang, Michael Contreras, Jared Davis, Margaret Evanow, Kristi Hamilton, Melyssa Hill, Analysisia Holguin, Jana Kidd, Emma Kulbis, Joan Landes, Misty Lyons, Cejay Moore, Danyelle Mullins, Tolana Murphy, Nanita Oldham, Tempia Waddell, Kyleigh West

COMPLAINTS COMMITTEE

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

INVESTIGATIONS

- 2023LPC-00031 - Dismiss. No proof of violation of KRS 335 or 201 KAR Chapter 36 or ethical violations and the Board has no jurisdiction in private employment matters.

COMPLAINTS

- 2022LPC-00002 – Proceed with investigation and defer to next month pending response from respondent and complainant.
- 2024LPC-00023 – Dismiss. Private legal dispute. No violation of KRS Chapter 335 or 201 KAR Chapter 26.
- 2024LPC-00028 – Dismiss. Private legal matter. Complainant was not a client.
- 2021LPC-00003 – Quarterly Report Accepted

- 2022LPC-00044 – Quarterly Report Accepted
- 2023LPC-00053 – Quarterly Report Accepted
- GH Quarterly Report – Quarterly Report
- Correspondence A.M. – Recommend filing board complaint for criminal charges that are pending.
- A.M – New board complaint on new conviction as companion case to 2024LPC-00009.
- Recommend approval of Dr. Shelton’s invoice for FFD report in 2024LPC-00012 upon corrections to the Summary and Impressions section to correct language that the referral was made by the Board and not the employer. Committee will make a determination regarding the complaint and self-report at the August meeting.

Mr. May seconded the Committee’s recommendation for approval of the invoice submitted by Shelton Forensic Solutions for \$999.00. Motion carried.

Mr. May seconded the Committee’s recommendations in its Motion. Motion carried.

LEGAL COUNSEL

Proposed Revisions to 201 KAR 36:050 presented by Board Counsel.

Board Counsel shared the updated Complaint Form with the Board. The Board discussed attaching a HIPPA release to the Complaint Form, but declined.

Ms. Hutchins made the motion to approve moving forward with filing the amended regulation, as well as the amended Complaint Form with instructions only and not to include the Medical Release Form. 2nd by Ms. Martin. All in favor. Motion carries.

ADMINISTRATIVE HEARINGS

- 2024KBLPC-00005
- 2024KBLPC-00006

Ms. Hutchins motioned the Board to approve the Order of Dismissal for 2024KBLPC-00005 and 2024KBLPC-00006. Motion seconded by Ms. Martin, which carried.

OLD BUSINESS

KCA update was given by Chair Coyt on behalf of Dawn Hinton. Chair Coyt reported KCA is beginning to register presenters for the conference. Full registration will open August 1, 2024. KMHCE will be sending an email calling for nominations of two Board seats. Chair Coyt and Ms. Martin are slated to roll off on September 30, 2024.

Counseling Compact – Please see New Business.

FFD RFP – defer to August.

Technical Amendment to SA – defer to August.

PER DIEM

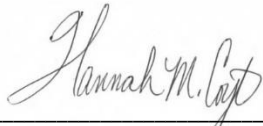
Ms. Martin made a motion to pay per diem for today’s meeting as well as the following days:

- Dr. Hannah Coyt: 6/26/2024 (Meeting with Board Counsel and Board Administrator), 7/3/2024 (Meeting with Board Counsel and Board Administrator), 7/17/2024 (Meeting with Board Counsel and Board Administrator), 7/19/2024 (Regular Meeting)
- Dr. Andrea Brooks: 6/24/2024 (Meeting with Board Administrator), 7/16/2024 (Applications Committee Meeting 1), 7/18/2024 (Applications Committee Meeting 2), 7/19/2024 (Regular Meeting)
- Denise Hutchins: 7/11/2024 (Meeting with Board Counsel), 7/18/2024 (Complaints Committee Meeting), 7/19/2024 (Regular Meeting)
- Beverly Martin: 7/17/2024 (Complaints Review), 7/18/2024 (Complaints Committee Meeting), 7/19/2024 (Regular Meeting)
- Dr. Charles Pemberton: 7/16/2024 (Applications Committee Meeting 1), 7/18/2024 (Applications Review), 7/19/2024 (Regular Meeting)
- Wm. Jake Roberts: 7/19/2024 (Regular Meeting)
- R. Kyle May: 7/16/2024 (Applications Committee Meeting 1), 7/18/2024 (Applications Review), 7/19/2024 (Regular Meeting)

Ms. Hutchins seconded the motion, which carried.

ADJOURN

Dr. Pemberton motioned to adjourn at 2:19 p.m. Second by Ms. Hutchins and carried.



Dr. Hannah Coyt, Board Chair