



South Dakota Board of Examiners for Counselors & Marriage and Family Therapists

P.O. Box 340, 1351 N. Harrison Ave., Pierre, SD 57501-0340

Ph: 605-224-1721

Fax: 1-888-425-3032

E-mail: SDBCE@midwestsolutionssd.com dss.sd.gov/licensingboards/examiners.aspx

South Dakota Board of Examiners for Counselors & Marriage and Family Therapists Regular Meeting Friday, August 12, 2016

President Guth called the meeting to order at 8:30 am central and determined a quorum.

Present in Person: Board Members Mary Guth, Lynell Rice Brinkworth, Darrel Kessler, Tacey Braithwaite, and Cheryl Hartman; Jennifer Stalley, Executive Secretary; Jim Carlon, board legal counsel; Steve Blair, Assistant Attorney General; Lisa Harsma, board administrative assistant; Justin Pierson, Department of Social Services liaison; Jessica Haefner, applicant; and John Von Wold, applicant's legal counsel. Present via telephone: Board Members Roswitha Konz, Sherwood Schrenk, and Jill Shoen. Board member Sherry Bartels was absent.

Motion to approve the proposed agenda with the addition of the adoption of Findings of Fact and Conclusions of Law regarding the applications of Nancy Foote, Hansen, and Wooldridge as item 7A and addition of English Language Learner extended exam time as item 7B by Braithwaite. Seconded by Rice Brinkworth. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Member Bartels was absent. Motion carried.

Motion to go into executive session for consideration of contested cases at 8:38 am by Rice Brinkworth. Seconded by Schrenk. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Member Bartels was absent. Motion carried.

Motion to come out of executive session at 9:17 am by Hartman. Seconded by Rice Brinkworth. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Member Bartels was absent. Motion carried.

Guth called for public comment. No public comment was offered.

Motion to approve the Board Meeting Minutes of June 16, 2016 with a correction to the spelling on page 3 by Schrenk. Seconded by Kessler. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Member Bartels was absent. Motion carried.

Motion to approve the Board's Financial Report as of June 30, 2016 by Kessler. Seconded by Rice Brinkworth. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth,

Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Member Bartels was absent. Motion carried.

Motion to adopt the Findings of Fact and Conclusions of Law and sign the Order in the Matter of the Supervision Extension of Kelsey Foote (L-KF616) by Rice Brinkworth. Seconded by Braithwaite. The Board voted on the motion by roll call. Members Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Member Guth abstained. Member Bartels was absent. Motion carried.

Motion to adopt the Findings of Fact and Conclusions of Law and sign the Order in the Matter of the Application of Christie Nancy (L-CN616) by Rice Brinkworth. Seconded by Hartman. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Member Bartels was absent. Motion carried.

Motion to adopt the Findings of Fact and Conclusions of Law and sign the Order in the Matter of the Application of Rita Hansen (L-RH616) by Kessler. Seconded by Braithwaite. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Member Bartels was absent. Motion carried.

Motion to adopt the Findings of Fact and Conclusions of Law and sign the Order in the Matter of the Application of Amanda Woolridge (L-AW616) by Braithwaite. Seconded by Rice Brinkworth. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Member Bartels was absent. Motion carried.

The Board discussed the waiver of continuing education approval fees for state agencies. The Board acknowledged its operating policy to waive the approval fee for state agencies requesting approval of continuing education programs sponsored by a state agency.

The Board discussed the current filing system for applicant and licensee files. Stalley provided the Board with an overview of the filing system for applicants under a plan of supervision, applications for licensure and current licensees.

The Board discussed the current application forms and timing of collection of required fees. Stalley provided the Board with an overview of the application forms and fees collected. The current forms do not ask for information from an applicant seeking a plan of supervision sufficient to determine if the applicant is qualified to receive limited practice privileges under a plan of supervision. The current forms do not ask the required legal and statistical questions required of professional license holders, currently. No fee is collected at the time of application for a plan of supervision, which may be in effect for up to five years.

Motion to run a National Practitioner Database check on all new applicants for a plan of supervision or approved supervisor status effective immediately by Schrenk. Seconded by Konz. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Member Bartels was absent. Motion carried.

The Board instructed Stalley to begin collecting the allowable application fee at the time an applicant makes application for a plan of supervision and to prorate the license fee for new licensees in quarterly increments.

Stalley provided the Board with a demonstration on online licensee databases and electronic application and renewal options.

Stalley provided the Board with a draft letter to be sent to all licensees announcing the Board's staff transition and office contact information. The letter will be sent to all active licensees.

The Board clarified the recent administrative rule revisions. Effective August 1, 2016, all applicants for a plan of supervision must provide proof of passing the required national examination and being assigned a board approved supervisor for supervision. Board approved supervisors must have 40 hours of continuing education in a renewal cycle and the 40 hours must include at least 4 hours of ethics and 4 hours of supervision training in the total 40 hours of continuing education required. A continuing education course may satisfy both the ethics and supervision requirement.

The Board considered written comments from Kathy Sazama and Dr. Stephen Saiz regarding the prohibition on supervision in a private practice setting. The Board clarified that the intent of the rule is that a supervisee not be in a private setting alone, as opposed to being in a private practice with other practitioners.

The Board noted the time and place for the application hearing of Jessica Haefner. Haefner appeared before the Board and presented information concerning her application for LPC-MH licensure.

Motion to go into executive session for consideration of contested cases at 2:08 pm by Braithwaite. Seconded by Schrenk. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Schrenk and Schoen voted Yea. Members Bartels and Konz were absent. Motion carried.

Motion to come out of executive session at 2:21 pm by Hartman. Seconded by Rice Brinkworth. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Members Bartels and Konz absent. Motion carried.

Motion to approve the application for licensure as an LPC-MH of Jessica Haefner upon satisfactory proof of her educational facilities being accredited by Western Association of Schools and Colleges by Kessler. Seconded by Braithwaite. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Members Bartels and Konz absent. Motion carried.

Motion to approve South Dakota allow extended time for English Language Learners for the Marriage and Family Therapists national examination by Hartman. Seconded by Braithwaite.

The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Members Bartels and Konz absent. Motion carried.

Motion to propose introduction of legislation in 2017, subject to approval by the Department of Social Services, similar to the legislation introduced in 2016 by Kessler. Seconded by Rice Brinkworth. The Board voted on the motion by roll call. Members Guth, Rice Brinkworth, Kessler, Braithwaite, Hartman, Konz, Schrenk and Schoen voted Yea. Members Bartels and Konz absent. Motion carried.

Guth reminded the Board of the next meeting on October 28, 2016 in Pierre.

Motion to adjourn by Schrenk. Second by Braithwaite. Motion carried.

The Board adjourned at 2:50 pm.

Respectfully Submitted,

Jennifer Stalley, Executive Secretary

**BOARD OF COUNSELOR EXAMINERS
REVENUE SUMMARY
FOR MONTH ENDING 09-30-16**

COMP	ACCOUNT	BDCY	GRANT	CENTER	FUND	SUB	FISCAL	FISCAL	YTD	MTD
		YEAR	YEAR	SRC	FUND	FUND	YEAR	MONTH	AMOUNT	AMOUNT
6503	4293945	0	0	0891000	648		2017	03	\$ 500.00	\$ 100.00
6503	4293947	0	0	0891000	648		2017	03	\$ 700.00	\$ 400.00
6503	4293948	0	0	0891000	648		2017	03	\$ 400.00	\$ -
6503	4293949	0	0	0891000	648		2017	03	\$ 150.00	\$ -
6503	4293950	0	0	0891000	648		2017	03	\$ 875.00	\$ 400.00
6503	4293951	0	0	0891000	648		2017	03	\$ 300.00	\$ -
6503	4293952	0	0	0891000	648		2017	03	\$ 525.00	\$ 300.00
6503	4293980	0	0	0891000	648		2017	03	\$ 100.00	\$ -
6503	4293984	0	0	0891000	648		2017	03	\$ 200.00	\$ 100.00
6503	4293990	0	0	0891000	648		2017	03	\$ 140.00	\$ 20.00
6503	4896000	0	0	0891000	648		2017	03	\$ 800.00	\$ 275.00
6503	4920045	0	0	0891000	648		2017	03	\$ 1,245.45	\$ -
									\$ 5,935.45	\$ 1,595.00

**BOARD OF COUNSELOR EXAMINERS
EXPENDITURE SUMMARY REPORT
FOR MONTH ENDING 09-30-16**

COMP	ACCOUNT	BDGT GRANT		ACCOUNT DESCRIPTION	CENTER	FUND		FISCAL YEAR	FISCAL MONTH	YTD AMOUNT	MTD AMOUNT
		YEAR	YEAR			SRC	SUB FUND				
6503	5101030	0	0	BOARD & COMM MBRS FEES	0891000	648		2017	03	\$ 960.00	\$ 540.00
6503	5102010	0	0	OASI-EMPLOYER'S SHARE	0891000	648		2017	03	\$ 73.90	\$ 41.77
6503	5203030	0	0	AUTO-PRIV (IN-ST.) H/RTE	0891000	648		2017	03	\$ 1,997.52	\$ 848.40
6503	5203100	0	0	LODGING/IN-STATE	0891000	648		2017	03	\$ 861.30	\$ 313.20
6503	5203140	0	0	TAXABLE MEALS/IN-STATE	0891000	648		2017	03	\$ 6.00	\$ 6.00
6503	5203150	0	0	NON-TAXABLE MEALS/IN-ST	0891000	648		2017	03	\$ 355.60	\$ 176.60
6503	5204080	0	0	LEGAL CONSULTANT	0891000	648		2017	03	\$ 778.25	\$ -
6503	5204090	0	0	MANAGEMENT CONSULTANT	0891000	648		2017	03	\$ 10,146.48	\$ -
6503	5204201	0	0	BFM CENTRAL SERVICES	0891000	648		2017	03	\$ 418.21	\$ -
6503	5204207	0	0	HUMAN RESOURCES SERVICES	0891000	648		2017	03	\$ 138.70	\$ -
6503	5205020	0	0	OFFICE SUPPLIES	0891000	648		2017	03	\$ 95.12	\$ -
6503	5205310	0	0	PRINTING-STATE	0891000	648		2017	03	\$ 129.85	\$ 129.85
6503	5205350	0	0	POSTAGE	0891000	648		2017	03	\$ 578.11	\$ 472.53
										\$ 16,539.04	\$ 2,528.35

BOARD OF COUNSELOR EXAMINERS
 AVAILABLE FUNDS
 FOR MONTH ENDING 09-30-16

Available Funds Report

	Budget	Commitment	Encumbrance	MTTD Amount	YTD Amount	Remaining Budget	Percent Remaining
5101 - Salaries	2,781.00	0.00	0.00	540.00	960.00	1,821.00	65.48%
5102 - Benefits	287.00	0.00	0.00	41.77	73.90	213.10	74.25%
Total PS	3,068.00	0.00	0.00	581.77	1,033.90	2,034.10	66.30%
5203 - Travel	13,140.00	0.00	0.00	1,344.20	3,220.42	9,919.58	75.49%
5204 - Contractual	73,056.00	0.00	53,107.11	0.00	11,481.64	8,467.25	11.59%
5205 - Supplies	3,900.00	0.00	0.00	602.38	803.08	3,096.92	79.41%
5206 - Grants	0.00	0.00	0.00	0.00	0.00	0.00	0
5207 - Capital Outlay	0.00	0.00	0.00	0.00	0.00	0.00	0
5208 - Other	0.00	0.00	0.00	0.00	0.00	0.00	0
5228 - Transfers	0.00	0.00	0.00	0.00	0.00	0.00	0
Total OE	90,096.00	0.00	53,107.11	1,946.58	15,505.14	21,483.75	23.85%
Total PS & OE	93,164.00	0.00	53,107.11	2,528.35	16,539.04	23,517.85	25.24%

CHANGES TO PLAN OF SUPERVISION REQUIREMENTS AND SUPERVISOR QUALIFICATIONS

Important changes have been made to the requirements for Plans of Supervision and Supervision Qualifications. These changes were effective August 1, 2016, and apply to all NEW Plan of Supervision applications.

If you are supervising or being supervised under a Plan of Supervision approved before August 1, 2016, you may continue under that approved Plan of Supervision without meeting these new requirements and qualifications. However, if you amend an approved Plan of Supervision or add a new supervisor/supervisee who is under a Plan of Supervision approved prior to August 1, 2016, you will need to meet these new requirements.

For all new Plans of Supervision, the proposed supervisor must be a Board Approved Supervisor and the supervisee must meet the qualifying requirements for a Plan of Supervision.

Board Approved Supervisor Qualifications

A Board Approved Supervisor must be:

- An approved Clinical Supervisor credentialed by the Center for Credentialing & Education, Inc. and recognized by the National Board for Certified Counselors, Inc. and Affiliates;
- A license professional counselor, licensed professional counselor-mental health, licensed marriage and family therapist, certified social worker-private independent practice, licensed psychologist, or licensed psychiatrist, who has been actively licensed for at least two years prior to the beginning of the supervision;
- A licensed professional counselor, licensed professional counselor-mental health, licensed marriage and family therapist, certified social worker-private independent practice, licensed psychologist, or licensed psychiatrist, who has been actively licensed for at least one year and has evidence of completing 15 hours of supervision training before beginning supervision; or
- An American Association for Marriage and Family Therapy approved clinical supervisor.

In addition to meeting one of these qualifications, an applicant to be a Board Approved Supervisor must:

- Complete an application to be a Board Approved Supervisor;
- Verification of completing at least four hours of training in supervision in the previous five years immediately preceding the submission of an application;
- Verification of liability insurance; and
- Full disclosure of all ethical complaint settlements

Approved Board Supervisors must complete 4 hours of counselor supervision education as part of the 40 hours of continuing education required every two years to maintain the approved status.

Supervisee Requirements for LPC and LMFT Plans of Supervision Approved after August 1, 2016

An applicant for a Plan of Supervision must:

- Submit an application for a Plan of Supervision to be supervised by a Board Approved Supervisor
- Provide proof of a passing score on a national exam
- Provide an official transcript documenting the required education for licensure

An Approved Plan of Supervision

A Supervisor of an LPC or LMFT supervisee with an Approved Plan of Supervision must use at least two methods of supervision during the first six months of supervision. A Supervisor of an LPC-MH supervisee with an Approved Plan of Supervision must use at least two methods of supervision during the period of the supervision. The two forms of supervision must be documented.

For Plans of Supervision beginning after August 1, 2016 the supervisee may not practice counseling in private practice during the first two years of a Plan of Supervision.

LMFT Supervision Time Requirements

20:71:05:04. Supervision requirements. At least two years of supervised experience in marriage and family therapy must be completed within three consecutive years and include 200 hours of supervision concurrent with 1700 hours of marriage and family therapy conducted in face-to-face contact with individuals, couples, and families. At least 100 of the 200 hours of supervision must be individual supervision. The balance may be face-to-face, group, or by telephone conferencing or interactive video conferencing. However, any telephone or video conferencing must be secure such that reasonable precautions have been taken to ensure that the conference will not be intercepted or listened to by unauthorized persons.

Source: 42 SDR 97, effective January 4, 2016.

General Authority: SDCL 36-33-9.

Law Implemented: SDCL 36-33-9.



South Dakota Board of Examiners for Counselors &
Marriage and Family Therapists

P.O. Box 340, 1351 N. Harrison Ave., Pierre, SD 57501-0340

Ph: 605-224-1721

Fax: 1-888-425-3032

E-mail: SDBCE@midwestsolutionssd.com dss.sd.gov/licensingboards/examiners.aspx

2017 Proposed Meeting Dates

Friday, March 31, 2017

Friday, June 16, 2017

Friday, September 29, 2017

Friday, December 8, 2017