

**Behavioral Sciences Regulatory Board**  
**Professional Counselor Advisory Committee**  
**August 2, 2021, 10:00 a.m.**  
**DRAFT Minutes**

**Advisory Committee Members Present:** Advisory Committee members who participated by Zoom were Laura Shaughnessy, Bob Kircher, Gary Price, Ken Hughey, Kenton Olliff, Elaine Ptacek and Leslie Sewester.

**BSRB Staff Present:** David Fye, Leslie Allen and Sami Barksdale.

**Guests Present:** None.

1. **Call to Order.**
2. **Agenda Approval.** No changes were made to the agenda.
3. **Minutes Approval.** Gary Price moved to approve the minutes of the Advisory Committee meeting from June 7, 2021. Elaine Ptacek seconded. Kenton Olliff abstained. The motion carried and the minutes were approved.
4. **Executive Director's Report.** David Fye, Executive Director for the BSRB, reported on the following topics:
  - a. **Board Chair and Vice Chair.** The Board elected a new Chair and Vice Chair at the last Board meeting. The new Board Chair is Leslie Sewester. The new Vice Chair is David Anderson.
  - b. **COVID-19 Pandemic Updates.** The state of emergency declaration ended the middle of June and BSRB employees have returned to the office full time as of June 14, 2021. Recently there has been an uptick in the number of positive cases due to the variant so the Governor reinstated some of the protocols from the beginning of the pandemic. Masks will be required in state office buildings even if employees or visitors are vaccinated. The agency still has the ability to allow some remote work if needed.
  - c. **End of Fiscal Year.** The 2021 fiscal year ended June 30, 2021, and fiscal year 2022 started July 1, 2021. Revenues came in just slightly above what was estimated for fiscal year 2021. Revenue fluctuated quite a bit month to month since the Governor's Executive Order to delay the enforcement of expiration of licenses was in place most of the fiscal year. Overall, expenditures for the year were a bit higher than revenues, which is largely due to the Board lowering fees in 2019 to draw down the balance in the agency's fee fund, however the agency is still in sound financial standing.
  - d. **Off-Site Board Planning Meeting.** Once a year, the Board generally has an off-site meeting for planning purposes. That meeting is tentatively scheduled for the evening of Sunday, September 26, and all day on Monday, September 27. The original plan was to have the meeting in Olathe and the Board is still hopeful that can occur, but the agency will be monitoring health and safety conditions and a decision will be made closer to that date. If the Board is unable to meet in Olathe that weekend, other options will be explored to allow the Board to have a planning meeting in a different way.
  - e. **HB 2066.** HB 2066 expedited the licensure application processing times for military members, military spouses, and other select individuals that apply through reciprocity. The

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agency has worked with our online license database team at the Board of Healing Arts to implement a way to track the time frame for licensure for these individuals.

- f. **NBCC Meeting.** The Executive Director noted that he will be attending the NBCC annual meeting in Denver later this week. Some of the topics to be discussed include board operations, information on professional counseling exams, disciplinary hearings, COVID-19 regulatory responses, counseling compacts including multistate compacts and other items.
5. **Advisory Committee Membership and Recruitment.** The Advisory Committee discussed the process of selecting different members to appoint to the Advisory Committee and how many they would like to appoint. The Executive Director will provide letters of interest and resumes/CVs for the 16 applicants to the members of the Advisory Committee for review at the next Advisory Committee meeting. Leslie Sewester, the Board Chair, stated that she will be recusing herself from the review process. The Executive Director will send out a doodle poll to schedule a follow up meeting to discuss the applicants.
6. **Professional Counseling Multistate Compact Discussion.**
  - a. **Maryland's Passage of Multi-State Compact (2021 SB 571).** The Executive Director discussed the passage of Maryland's SB 571, which was the multi-state compact for professional counselors. The Executive Director provided different resources for review.
  - b. **Resources from Maryland's Legislative Website:**  
<https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/sb0571>
7. **Old Business**
  - a. **Retention or Disposal of Practitioner Records in Case of Death of a Provider.** It was noted that Advisory Committees have been discussing recommendations for new statutory or regulatory language concerning custodianship of records for practitioners if they should pass away unexpectedly. The Board will be discussing this topic in greater detail at the off-site planning meeting in September.
  - b. **Consideration of CE Requirements for Diversity, Equity, and Inclusion.** It was noted that other Advisory Committees are discussing possible changes to the statutory requirements for continuing education, to include a number of hours in the areas of Diversity, Equity, and Inclusion (DEI). The Advisory Committee discussed favorably changing the requirement of 6-hours in Diagnosis and Treatment, to instead require 3 hours of Diagnosis and Treatment and 3 hours in DEI. The Board will be discussing this topic in greater detail at the off-site planning meeting in September.
8. **New Business.**
  - a. **Ottawa University Coursework Approval.** Kenton Olliff is assisting the BSRB by reviewing Ottawa University's program application, including a review of coursework, but stated he would like another member of the Advisory Committee to review the program as well. Ken Hughey and Bob Kircher indicated they are available to assist in this process as well.
9. **Adjournment.** The next meeting was scheduled for Monday, October 4, 2021, to begin at 10:00 a.m. Ken Hughey moved to adjourn the meeting. Elaine Ptacek seconded. The motion carried.

## **Advisory Committees for the Behavioral Sciences Regulatory Board (BSRB)**

**Purpose:** A BSRB Advisory Committee, as a creation of the Board, has the purpose of supporting the Board in carrying out its mission to protect the public. Members serve at the pleasure of the Board. Actions pertaining to informing, licensing, and disciplining of those persons regulated by the Board are the methods for accomplishing the mission. The Board has created an Advisory Committee for each of the seven professions under the BSRB.

**Process:** An Advisory Committee fulfills its purpose by addressing issues referred to it by the Board through the Advisory Committee Chairperson or the Executive Director. The members of the Advisory Committee may suggest issues it believes the Board should consider by referring those topics through the Chairperson of the Advisory Committee.

**Structure of the Advisory Committee:** The Chairperson of the Advisory Committee will be a Board member licensed in the relevant discipline of the Advisory Committee. A public member of the Board will also be a member. There will be a minimum of three additional members appointed. The Executive Director will be a non-voting, ex officio member. The Licensing Manager and the Assistant Attorney General representing the Board are encouraged to attend. Former BSRB Board members may serve on the Advisory Committee.

**Terms.** Terms for Advisory Committee members will be two years and members will serve no more than four terms. Appointments to the Advisory Committee should be staggered. The policies and procedures under which the BSRB Board Members are expected to operate will apply also to the Advisory Committee Members.

**Selection:** Members of the Advisory Committee may be nominated by anyone, including the public, Advisory Committee members, members of a professional organization – either the discipline’s own or other’s – or through self-nomination. In reviewing nominations, the Advisory Committee should work to ensure that there is representation based on geographical, gender, and public vs. private settings. The members shall provide representation of the levels of licensing for that discipline. It is suggested that those members be selected from among public and private practitioners and educators.

The Advisory Committee as a whole discusses nominations. The nominee’s resume, a letter stating the reasons why he or she desires to be appointed, and a copy of the Board’s mission and goals to which the nominee has indicated agreement, are reviewed. The Chairperson of the Advisory Committee will submit the names of the nominee(s) to the BSRB Board Chairperson at a Board meeting. The Chairperson will review the nominations and may request input before making a decision, which will be announced at the next Board meeting. The Chairperson of the BSRB adds members to Advisory Committees and may remove members from Advisory Committees.

**Notification.** After the appointment has been approved, the Executive Director will inform the Advisory Committee appointee by letter. The Executive Director may assist the new member by providing information, which will help orient the new member to both the Board’s and Advisory Committee’s roles and functions.

**AGENDA**  
**BEHAVIORAL SCIENCES REGULATORY BOARD**  
**PROFESSIONAL COUNSELING ADVISORY COMMITTEE MEETING AGENDA**  
**October 4, 2021**

Due to COVID-19, the Board office is practicing social distancing. The office space does not allow for a meeting while practicing social distancing, therefore, the meeting will be conducted virtually on the Zoom platform.

You may view the meeting here:

[https://youtu.be/2F9OIZvg\\_Tw](https://youtu.be/2F9OIZvg_Tw)

To join the meeting by conference call: 877-278-8686

The pin: 327072

If there are any technical issues during the meeting, you may call the Board office at, 785-296-3240.

The Behavioral Sciences Regulatory Board may take items out of order as necessary to accommodate the time restrictions of Board members and visitors. All times and items are subject to change

**Monday, October 4, 2021**

**10:00 a.m. Call to order and Roll Call**

**I. Opening Remarks, Advisory Committee Chair**

**II. Agenda Approval**

**III. Minutes Approval for Previous Meeting on August 2**

**IV. Executive Director's Report**

**V. Review of Applicants for Advisory Committee Membership**

**VI. Old Business**

- a. Advisory Committee Membership**
- b. Retention or Disposal of Practitioner Records in Case of Death of a Provider**
- c. Consideration of CE Requirements for Diversity, Equity, and Inclusion**
- d. Update on Ottawa Program Review**

**VII. New Business**

- a. Synching of Expiration Dates of Licenses**

**VIII. Adjournment**

## **Professional Counseling Advisory Committee**

### **Length of Service for Non-Board Members**

1. Kenneth Hughey 2013 – 2021 (8 years)
2. Kenton Olliff 2014 – 2021 (7 years)
3. Gary Price 2012 – 2021 (9 years)
4. Elaine Ptacek 2013 – 2021 (8 years)
5. Bob Kircher 2017 – 2021 (4 years)
6. Andrew Secor 2017 – 2021 (4 years)