



South Carolina
Department of Labor, Licensing and Regulation



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Board of Medical Examiners

Minutes of the South Carolina Board of Examiners for the Licensure of
Professional Counselors, Marriage and Family Therapists and Psycho-Educational Specialists

Regular Board Meeting, Consent Agreement, and Reinstatement and Application Hearings
February 16, 2010

Synergy Business Park, Kingtree Building, Room 105
110 Centerview Drive, Columbia, South Carolina 29210

Board members present were:

Tanya A. Williams, M.Ed., President, Chairperson of LPC Standards Committee
Danny L. Garnett, D. Min., Vice President
Pamela G. Clark, PhD, Secretary-Treasurer, Chairperson of LMFT Standards
Committee
David L. Evans, Jr., M.A., Chairperson LPES Standards Committee
Jackie H. Fleshman, Public Member
M. Ellenor Mahon, M.Ed., Chairperson of Continuing Education Committee
Linda E. Womack, Public Member

Also present were:

Tina F. Behles, CVR, Court Reporter
Paul Bishop, LPC
Kate K. Cox, Board Administrator
Dean Griggs, LLR Hearing Officer
Susan F. Harrington, Board Administrative Assistant
David Love, LLR Investigator - OIE
Cheryl C. McNair, LLR Investigator - OIE
Paula Magargle, LLR Litigation Attorney
Susan T. Monogan, LPC and LPC-S
Jamie Saxon, LLR Hearing Officer
Carol S. Thomas, LPC
Luanne Vinson, Applicant

BOARD MEETING CALL TO ORDER:

President Williams stated that Public Notice of this meeting was properly posted at the office of the South Carolina Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists, Synergy Business Park, Kingtree Building, Room 105, at 110 Centerview Drive, Columbia, SC 29210 and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the 1976 South Carolina Code, as amended, relating to the Freedom of Information Act. President Williams called the meeting to order at 9:10 a.m. It was noted that a quorum was present. All votes referenced herein were unanimous unless otherwise indicated.

APPROVAL OF AGENDA:

The Board reviewed the Agenda for the meeting.

Motion: A motion was made by Ms. Fleshman to approve the agenda. Ms. Womack seconded the motion. The motion carried.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the October 6, 2009 meeting.

Motion: A motion was made by Ms. Womack to accept the minutes of the last meeting as printed. Dr. Clark seconded the motion. The motion carried.

DISCIPLINARY MATTERS:

IRC Report

David Love, Investigator from Office of Investigations and Enforcement, presented the February 4, 2010 Investigative Review Committee's (IRC) reports concerning disciplinary matters. The IRC report included two (2) Dismissals with Cease and Desist letters being issued, three (3) Dismissals with Letters of Caution being issued, and two (2) Formal Complaints being authorized.

Motion: A motion was made by Mr. Evans to accept the February 4, 2010 IRC recommendations. Dr. Clark seconded the motion. The motion carried.

DISCIPLINARY HEARING BY CONSENT AGREEMENT:

Corinne M. Mauldin, LPC #2650:

A disciplinary hearing was conducted to present a Consent Agreement to see if Ms. Mauldin's LPC license #2650 to practice professional counseling should be disciplined by a Consent Agreement. The Board was represented by Paula Magargle who presented the Consent Agreement; a court reporter was present; Ms. Mauldin was not present nor represented by counsel; and Jamie Saxon was the Hearing Officer. The presentation commenced.

Motion: A motion was made by Mr. Evans to go into Executive Session. The motion was seconded by Dr. Garnett. The motion passed.

Motion: A motion was made by Ms. Fleshman to come out of Executive Session. The motion was seconded by Ms. Womack. The motion passed.

Motion: A motion was made by Mr. Evans to accept the Consent Agreement to discipline Ms. Mauldin's license. The motion was seconded by Dr. Garnett. The motion carried. The Board President signed the Consent Agreement.

REINSTATEMENT APPLICATION APPEARANCES:

Carol S. Thomas, LPC #2082 for Reinstatement Request:

Ms. Thomas appeared before the Board without legal representation to request a waiver of the civil penalty fee on her reinstatement application. She explained she was reinstating due to non-renewal and unlicensed practice had occurred. The Board asked appropriate questions of the applicant.

Motion: A motion was made by Ms. Mahon to go into Executive Session. The motion was seconded by Dr. Clark. The motion passed.

Motion: A motion was made by Mr. Evans to come out of Executive Session. The motion was seconded by Dr. Garnett. The motion passed.

Motion: A motion was made by Dr. Clark to require Ms. Thomas to pay the civil penalty of \$250.00. The motion was seconded by Mr. Evans. The motion carried. The Board stated that Ms. Thomas has sixty days to pay the civil penalty.

Susan T. Monogan, LPC #1543 and LPC- S#3239 for Reinstatement Request:

Ms. Monogan appeared before the Board without legal representation to request a waiver of the reinstatement fees on her two lapsed licenses. She explained she was reinstating due to non renewal and had no unlicensed practice. The Board asked appropriate questions of Ms. Monogan.

Motion: A motion was made by Ms. Fleshman to go into Executive Session. The motion was seconded by Mr. Evans. The motion passed.

Motion: A motion was made by Ms. Mahon to come out of Executive Session. The motion was seconded by Ms. Fleshman. The motion passed.

Motion: A motion was made by Ms. Womack to require Ms. Monogan to pay the reinstatement fees on both her lapsed licenses as a requirement to reinstate the licenses. It was stated the Board will allow ninety (90) days for the payment to be submitted to the Board. The motion was seconded by Dr. Clark. The motion carried.

APPLICATION APPEARANCE:

Luanne Vinson, Applicant for Licensure for Professional Counselor-Intern:

Ms. Vinson appeared before the Board to show proof that she has met all the application requirements for approval to sit for the national examination and to answer any questions regarding her "yes" answer on her application regarding prior discipline with a licensing authority in Question 8 (d). Ms. Vinson addressed the Board. Mr. Bishop spoke in her behalf. The Board and Mr. Spoon asked appropriate questions of Mr. Bishop and Ms. Monogan.

Motion: A motion was made to go into Executive Session by Ms. Womack. The motion was seconded by Ms. Fleshman. The motion passed.

Motion: A motion was made to come out of Executive Session by Dr. Clark. The motion was seconded by Mr. Evans. The motion passed.

The Board asked Ms. Vinson additional questions regarding her application. Ms. Vinson asked to withdraw her license application at this time and stated she will resubmit it in the future.

PRESIDENT'S REMARKS AND AASCB REPORT:

President Williams reported on the annual conference of the American Association of State Counseling Boards (AASCB). She discussed counselor education, supervision, license portability, ethics, counseling practicum matters, ACA Code of Ethics, record keeping, federal regulations, and insurance issues. She noted that all counselors should be careful in using any social networking sites. She reported to the Board that new DSM-V is coming out in the fall of 2013 and comment is being sought.

REPORTS/INFORMATION:

Administrative Information:

Mrs. Cox reported to the Board the licensure total of all licensees as well as continuing education providers to be 2575 and she provided a breakdown of all the categories. She noted the numbers are lower than in last report due to finishing renewals, retirement, economy, and other licensee issues.

Office of Licensure and Compliance (OLC):

Mrs. Cox reported centralized licensing will go into effect on March 1 for the Health Related Boards which are now under the Office of Licensure and Compliance (OLC) and there will be some reallocation of staff. She reported there will be an Office for Board Services (OBS) which include the work of board meetings, disciplinary tracking and work, legislation issues, general and specific board related inquiries, administrative services for the Boards, and other duties as needed.

Renewals:

Mrs. Cox reported OLC sent out Cease & Desist Orders to licensees in South Carolina who did not renew. She stated the Cease & Desist Letters resolved some late renewals for practice issues. She noted the Random Continuing Education (CE) Audit was conducted with a February 22, 2010 deadline and audited licensees regarding their CE compliance requirement. Mrs. Cox reported any questions regarding compliance will be directed to the CE Audit Committee.

Office of Investigations (OIE) and Legal Update:

Mrs. Cox reported that she tracks all investigations in OIE and cases in Legal; and stated cases in both areas are moving appropriately. She reported the status is as follows: 7 complaint cases reported out in the IRC report by the investigators, 7 cases are in investigation in OIE, and 1 case was presented today by Ms. Magargle of Legal.

Board Member Reminders:

Mrs. Cox reminded the Board of the filing of the Statement of Economic Interests that is due on or before April 15, 2010 to the SC Ethics Commission and the new travel reimbursement for mileage.

Treasurer's Report:

Mrs. Cox reminded the Board that financial information is available upon request. She reported the Board is financially sound and has had no audit exceptions reported. She stated that the detailed financial reports regarding the Board are kept in the LLR Finance Department and monthly statements are also maintained in the Board's office.

LEGAL ISSUES:

There were no legal issues brought before the Board.

UNFINISHED BUSINESS:

There was no unfinished business before the Board.

NEW BUSINESS:

Portability of Licensure:

President Williams discussed portability of licensure from the ACA presentation provided at the AASCB meeting. Mrs. Cox discussed the Board's statutes and regulations regarding requirements of licensure. She stated portability as stated in the AASCB conference is based on equivalence criteria being accepted. Mr. Spoon reviewed the requirements of licensure in South Carolina and that there are not equivalencies between documented transcript coursework and continuing education or experience.

Fees for the Marriage and Family Therapy Exam for Americans with Disabilities (ADA) Accommodation:

Mrs. Cox gave the Board the fees that will be charged to the Board by Prometric Examination Center for any ADA accommodations. She stated that the fee amounts had not been stated in the past in the examination contract. Mr. Spoon stated that the Board might want to ask what criteria was used in setting the fee amounts.

Board Officers Elections:

By acclamation the Board elected Tanya A. Williams, M.Ed., as President, Danny L. Garnett, D. Min., as Vice President, and Pamela G. Clark, PhD, as Secretary-Treasurer.

DISCUSSION TOPICS:

Mrs. Cox along with Mr. Spoon discussed the Investigative Review Committee process, Consent Agreements, and Memorandums of Agreement with the Board.

PUBLIC COMMENTS:

There was no public comment.

REPORTS OF STANDARDS COMMITTEES AND CONTINUING EDUCATION COMMITTEE:

President Williams called for the ratification of the electronic reports of the Standards Committees and Continuing Education Committee beginning on October 7, 2009 through February 16, 2010. It was reported that the records are electronically maintained and can be for categories:

Recommended for Licensure as a Professional Counselor Intern;
Recommended for Extension of LPC Intern Licensure Status for 2 years;
Recommended for Transfer from LPC-Intern to Professional Counselor;
Recommended for Licensure as a Professional Counselor by Endorsement;
Recommended for Licensure as Licensed Professional Counselor Supervisor;

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Recommended for Licensure as a Marriage and Family Therapy Intern;
Recommended for an Extension of LMFT Intern Licensure Status for 2 years;
Recommended for Transfer from LMFT/Intern to LMFT;
Recommended for Licensure as a Marriage and Family Therapist by Endorsement;
Recommended for Licensure as Marriage and Family Supervisor (LMFT/S);

Recommended for Licensure as Licensed Psycho-Educational Specialist;
Recommended for Licensure as a Licensed Psycho-Educational Specialist by Endorsement;

Recommended for Reinstatement of Licensure or Re-application (all license types);
One-Time Continuing Education Providership; and
Permanent Continuing Education Providership.

Motion: A motion was made by to ratify the reports by Ms. Womack. The motion was seconded by Dr. Garnett. The motion passed.

ANNOUNCEMENTS:

It was announced the next meeting of the South Carolina Board of Examiners for the Licensure of Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists will be held on June 8, 2010 in Room 105.

ADJOURNMENT:

There being no further business the meeting was adjourned at 2:00 p.m.

Respectfully submitted,



Kate K. Cox
Administrator