# Mississippi State Board of Examiners for Licensed Professional Counselors

Regular Board Meeting Friday, April 16, 2021 Minutes

## I. Call to Order

The Regular Board meeting of the Mississippi State Board of Examiners for Licensed Professional Counselors ("Board") was called to order at 9:02 a.m. by Dr. Richard Strebeck, Chair ("Chair") on Friday, April 16, 2021. The meeting was held in the Robert E. Lee Building at 239 North Lamar Street, Conference Room C, 12<sup>th</sup> floor, Jackson, MS 39201. A roll call of Board members was taken, and a quorum was present.

## **BOARD MEMBERS PRESENT**

Dr. Richard Strebeck, Chair, Congressional District-at-Large

Dr. Kimberly Elam Sallis, Vice-Chair Congressional District I

Dr. Lynn Etheridge, Congressional District II

Mr. Steven Stafford, Congressional District III

Mr. Issac Boose, Congressional District IV

## **OTHERS PRESENT**

Ms. LeeAnn Mordecai, Executive Director, LPC Board

Ms. Alexis Morris, Board Attorney representative, Special Assistant Attorney General

Ms. Erin Meyer, Hearing Officer, Special Assistant Attorney General

Mr. David Carpenter, Defendant, Present via videoconference, through WebEx, Corinth, MS

Mr. Nick Bain, Attorney

Ms. Kari Rusnak, Witness, Present via videoconference, through WebEx, Gulfport, MS

Tammy McDaniel, Court Reporter

Raven Farmer, (joined meeting at 11:15 a.m.)

Dr. Juawice McCormick, Complaint Investigator (joined at 2:24 p.m. via teleconference)

## **Absent**

### II. Administrative Hearing – Carpenter, David (2020 – 23)

The Board conducted the Administrative Hearing.

Upon motion made by Dr. Etheridge, with a second by Mr. Stafford, the Board voted to go into a closed determination session to establish the need for an Executive Session. (Dr. Sallis recused herself).

In the determination session, moved by Dr. Sallis, seconded by Mr. Boose, that the Board had reason to go into Executive Session to deliberate regarding 2020-23.

In Executive Session: investigative proceedings by the Board regarding allegations of misconduct and violations of Statutes and Rules and Regulations.

Based upon the above Findings of Fact and Conclusions of Law, the Board unanimously finds that the following is appropriate under the circumstances:

- 1. By clear and convincing evidence, the Board finds that the Respondent has failed to comply with the terms and conditions in the Agreed Order in Cause No. 2018-48, and the Final Order in 2019-18 as of the date of the hearing.
- 2. For the violations of the Orders cited above, License Number 1792, issued to Respondent David Carpenter shall remain suspended.
- 3. The terms of the suspension require the following:
  - a. Respondent shall immediately remit to the Board the \$575.00 previous ordered in Cause No. 2019-18, today.
  - b. Respondent is hereby assessed the Board's costs of investigation and prosecuting this current cause no. 2021-03 in the amount of \$363.00. Within ninety (90) calendar days after the entry of this Final Order by the Board (or receipt of the invoice, whichever occurs first), the Respondent shall submit full payment to the Board or arrange for installment payments with the Board's Executive Director, of the monetary penalty, costs and fees imposed by the Order. If the Respondent fails to make a monthly installment payment as arranged with the Executive Director, the remaining balance will be due immediately and the failure to pay shall be deemed a violation of this Order and may result in immediate disciplinary action following the expiration of the ninety (90) days.
  - c. From and after the date of this hearing, Respondent shall complete 12 hours CEH in person or NBCC approved synchronous which shall be approved by the investigating board member. These CEHs shall include the following: six (6) CEHs in boundaries, three (3) CEHs in confidentiality, and three (3) CEHs in distance professional counseling.
  - d. From and after the date of this hearing, Respondent shall participate in 12 hours of peer supervision by a MS LPC-S, as approved by the investigating board member which shall include covering the subjects of business practices and documentation. These hours shall occur once per month for one hour at a time and be logged through the online web portal. This arrangement shall include a peer supervision contract and shall permit the LPC-S to consult with the investigating board member.
  - e. The LPC-S shall submit a final report documenting the dates of service and verifying subject matter.
  - f. The Respondent's suspension shall continue from the date of this Hearing and shall be suspended for a minimum of 12 months from and after the initial peer supervision appointment.
  - g. Respondent shall be required to complete all terms required for renewals in addition to those

requirements of this Order.

- h. Respondent's failure to comply with the terms of this order by April 16, 2023, may result in further disciplinary action.
- i. Respondent is ineligible for automatic termination of suspension after the end of the suspension period and must petition the Board in writing for termination of suspension and full reinstatement of his license. Upon request for reinstatement, Respondent shall bear the burden of proof to demonstrate to the Board that he has satisfactorily complied with all conditions of the Final Order and is fit to perform the duties authorized as a Licensed Professional Counselor.

## III. Administrative Hearing – Farmer, Raven (2021 – 02)

The Board conducted the Administrative Hearing.

Upon motion made by Dr. Etheridge, with a second by Mr. Boose, the Board voted to go into a closed determination session to establish the need for an Executive Session. (Dr. Strebeck recused herself).

In the determination session, moved by Dr. Sallis, seconded by Mr. Boose, that the Board had reason to go into Executive Session to deliberate regarding 2021-02.

In Executive Session: show cause proceeding by the Board regarding denial of licensure.

- 1. By clear and convincing evidence, the Board finds that the Applicant has not yet satisfied the required supervision hours necessary for converting a P-LPC license into a full LPC license under Miss. Code Ann. § 73-30-9(2) and Miss. Admin. Code 30-2201: 4.3.
- 2. The Board accepts the Applicant's Form B Documentation for the period December 5, 2018, through February 9, 2020, and the total hours of supervision documented therein. The Board shall include this when considering the Applicant's request for licensure.
- 3. The Board will exclude the Form B Documentation for the period from February 10, 2020, to March 24, 2020, when considering the Applicant's request for licensure.
- 4. The Applicant shall submit additional documentation to satisfy the required supervision hours via the website portal, including Form B Documentation for the period from and after March 30, 2020.
- 5. Pursuant to Miss. Admin. Code 30-2201: 5.3, the Applicant must wait a period of a least one (1) year before resubmitting a new, complete application packet.
- 6. Upon submission of the required documentation, the Board will reconsider the application for LPC Candidate.

The Chair recessed the meeting for Lunch at 1:22 p.m.

The Chair reconvened the meeting in the Board office, Suite 402-403, Robert E. Lee Building at 2:05 p.m.

## IV. Board Operation

After reviewing minutes no changes were made from the February 5, 2021 meeting. Dr. Etheridge motioned to approve the minutes as submitted. Dr. Sallis seconded the motion.

 $Aye-Mr.\ Boose \qquad \qquad Aye-Dr.\ Etheridge \qquad \qquad Aye-Dr.\ Sallis$ 

Aye - Mr. Stafford Aye - Dr. Strebeck

## V. <u>Financial Matters</u>

A. Mr. Stafford motioned to approve travel for the April 16, 2021 meeting, Dr. Etheridge seconded.

a. Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

b. Aye – Mr. Stafford Aye – Dr. Strebeck

- B. The Board discussed the need for video conferencing equipment.
- C. Mr. Stafford motioned to purchase video conference equipment up to \$1000 to include camera. microphone, and speakers for meetings as well as for Ms. Mordecai's desktop, Mr. Boose seconded.

a. Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

b. Aye – Mr. Stafford Aye – Dr. Strebeck

D. The Board reviewed contract for database management services. Dr. Sallis motioned to approve contract with ProsonITech, seconded by Stafford.

a. Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

b. Aye – Mr. Stafford Aye – Dr. Strebeck

- E. The Board tabled review of Cornerstone Consulting, Inc. services due to lack of submission.
- F. The Board table review of Ricoh contract due to lack of submission.
- G. The Board reviewed the financial report for March 2021.
- H. Mr. Stafford motioned to approve travel for the Dr. Strebeck to attend the Occupational Licensing Review Commission meeting on April 10, 2021 meeting, Dr. Etheridge seconded.

a. Aye-Mr. Boose Aye-Dr. Etheridge Aye-Dr. Sallis

b. Aye – Mr. Stafford Recused – Dr. Strebeck

I. Ms. Mordecai provided information to the Board of the various options for fingerprint scan/print available under the state contract. Dr. Sallis motioned to approve purchase of equipment, software, and training to

generate background check results in the Board office in the amount up to \$3500.00, Dr. Etheridge seconded the motion.

a. Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

b. Aye – Mr. Stafford Aye – Dr. Strebeck

J. Mr. Stafford motioned to approve travel for the April 16, 2021 meeting, Dr. Etheridge seconded.

a. Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

b. Aye – Mr. Stafford Aye – Dr. Strebeck

## VI. <u>Executive Session</u>

### CLOSED DETERMINATION/EXECUTIVE SESSION

Upon motion made by Dr. Etheridge with a second by Mr. Boose, the Board voted to go into a closed determination session to establish the need for an Executive Session. The motion carried with the following vote:

Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

Aye - Mr. Stafford Aye - Dr. Strebeck

In the determination session, Dr. Sallis with a second by Dr. Etheridge, the Board had reason to go into Executive Session, namely to: determine after deliberation and consideration of applications governing the practice of professional counselors, which deliberation and consideration could lead to litigation and/or an appeal of a Board order. The vote was as follows:

Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

Aye – Mr. Stafford Aye – Dr. Strebeck

At 2:20 p.m., the Board announced to the public the aforesaid reasons as the Board's purpose for entering into an Executive Session.

# A. Complaints Update

- 1. Dr. Juawice McCormick
  - a. 2016-07 Dr. McCormick recommended to take no action. Mr. Stafford motioned to take no action, seconded by Dr. Etheridge

Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

Aye – Mr. Stafford Aye – Dr. Strebeck

b. 2017-13 – Dr. McCormick recommended to take no action. Dr. Etheridge motioned to take no action, seconded by Mr. Stafford.

Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

Aye – Mr. Stafford Aye – Dr. Strebeck

c. 2018-16 and subsequently filed addendum / adjoinder 2018-18 – Dr. McCormick recommended to take no action. Mr. Stafford motioned to take no action on 2018-16 and 2018-18, seconded by Dr. Etheridge

Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

Aye – Mr. Stafford Aye – Dr. Strebeck

d. 2018-17 – Dr. McCormick recommended to take no action. Mr. Stafford motioned to take no action, seconded by Dr. Etheridge

Aye - Mr. Boose Aye - Dr. Etheridge Aye - Dr. Sallis

Aye – Mr. Stafford Aye – Dr. Strebeck

e. 2016-06 – Dr. McCormick recommended to take no action. Mr. Stafford motioned to take no action, seconded by Dr. Etheridge

Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

Aye – Mr. Stafford Aye – Dr. Strebeck

Upon the conclusion of business of Executive Session at 2:49 p.m., the Board voted, upon motion made by Dr. Etheridge and seconded by Mr. Boose to exit Executive Session. The motion carried. The vote was as follows:

Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

Aye - Mr. Stafford Aye - Dr. Strebeck

# VII. Old Business

- A. Office Closure Update The Board decided that the Board's office will continue to be open by appointment only. The public can reach the Board's office by phone, email, and website. Ms. Mordecai conducts business in the office 2 days a week and, if needed, the public and licensees can schedule an appointment with her to facilitate in-person business.
- B. <u>Appropriations Bill New Hire employee SB 2934</u> Ms. Mordecai has contacted Temp Staff for resumes for potential temporary to permanent employee.
- C. <u>Proclamation Review</u> The Board reviewed the March 16, 2020 Board Proclamation, which remains in effect.
- D. <u>Laptop purchase</u> Ms. Mordecai reported she has purchased a laptop from BCI.
- E. <u>Update Dr. Lorita Harris (2017-29)</u> Ms. Harris is not required to submit update monthly, the Board moved the reporting to quarterly or when there is an update.

- F. OLRC Update Telemental Health The Board discussed OLRC process and Dr. Strebeck advised the Board the OLRC approved the proposed Rules and Regulations with revision. The approved Rules go into effect May 8, 2021 and will be published May 10, 2021.
- G. <u>Rule Change for Non-Practicing Status</u> The Board reviewed Rules and Regulations for individuals to request "Non-Practicing" status and how this would differ from Retired Status. To come out of "Retired" status, "required to pay the license renewal fees" means renewal fees for al renewal periods since the "Retired" status was approved and when request to come out of "Retired" status is approved.

Dr. Etheridge motioned to approve "Non-Practicing" status Rules and Regulations as revised, Mr. Stafford seconded.

Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

Aye – Mr. Stafford Aye – Dr. Strebeck

- i. Definition Rule 1.4 allows licensees to renew their license without completing continuing education. Non-practicing status does not allow for individuals to promote himself/herself as a Licensed Professional Counselor, Practice Counseling/Psychotherapy, provide Group or Individual Supervision, provide Distance Professional Services, or bill for Counseling/Psychotherapy.
- ii. Rule 5.4.B Non-Practicing status is designed for an LPC who is not currently practicing in the counseling field and/or does not plan to return to the counseling field in the foreseeable future.
  - 1. Non-practicing licensees can retain the wall certificate.
  - 2. Licensees must apply for non-practicing status at the time of renewal.
  - 3. Non-practicing licensees must renew yearly.
  - 4. Non-practicing licensees are not required to complete CEH to renew.
  - 5. In order to return to Active Status, the licensee must pay the full licensing fee, complete the Jurisprudence Exam within the past 365 days, show evidence of 12 Continuing Education Hours within the prior 365 days, and background check (if requested by the Board).
- ii. Rule 2.1.M Non-practicing licensing fee \$50.
- H. Woodall Conference Dr. Strebeck and Dr. Sallis presented on Telemental Health Skills and Dr. Etheridge presented an update on supervision and Telemental Health Ethics at Woodall Conference at Delta State University on March 26, 2021.

#### VIII. New Business

A. HB 1263 (Universal Licensure) Update – Ms. Morris

Ms. Morris provided an update to the Board based on HB 1263 which requires occupational licensing boards to recognize certain applicants from other states.

#### CLOSED DETERMINATION/EXECUTIVE SESSION

Upon motion made by Dr. Etheridge with a second by Mr. Stafford, the Board voted to go into a closed determination session to establish the need for an Executive Session. The motion carried with the following vote:

Aye - Mr. Boose Aye - Dr. Etheridge Aye - Dr. Sallis

Aye - Mr. Stafford Aye - Dr. Strebeck

In the determination session, Dr. Etheridge with a second by Mr. Sallis, that the Board had reason to go into Executive Session, namely to: determine after deliberation and consideration of applications governing the practice of professional counselors, which deliberation and consideration could lead to litigation and/or an appeal of a Board order. The vote was as follows:

Aye – Mr. Boose Aye – Dr. Etheridge Aye – Dr. Sallis

Aye – Mr. Stafford Aye – Dr. Strebeck

At 5:00 p.m., the Board announced to the public the aforesaid reason and entered into Executive Session.

## IX. <u>Executive Session</u>

#### A. Board Request

1. The Board considered a request from Lashekie Gavin for an additional extension to the 90-day extension to expiration of maximum of 4 years applicant previously approved by the Board. Etheridge motioned to extend the Candidate application expiration to August 30, 2021, seconded by Mr. Stafford. The motion carried with the following vote:

Aye - Mr. Boose Aye - Dr. Etheridge Aye - Dr. Sallis

Absent – Mr. Stafford Aye – Dr. Strebeck

#### B. Complaints

- 1. Dr. Etheridge
  - a. 2018-20

Dr. Etheridge recommended to take no action.

Mr. Stafford motioned to take no action, seconded by Mr. Boose. The motion carried with the following vote:

Aye – Mr. Boose Recusal – Dr. Etheridge Aye – Dr. Sallis

Aye - Mr. Stafford Aye - Dr. Strebeck

b. 2018-50

The Board reviewed the CEH submission to fulfill the Agreed order and asked Ms. Morris to issue a Release.

#### 2. Dr. Sallis

a. 2020-05

Dr. Sallis recommended to take no action.

Dr. Etheridge motioned to take no action, seconded by Mr. Boose. The motion carried with the following vote:

Aye – Mr. Boose

Aye – Dr. Etheridge

Recusal – Dr. Sallis

Aye – Mr. Stafford

Aye – Dr. Strebeck

### b. 2020-19

Dr. Sallis recommended to take no action.

Dr. Etheridge motioned to take no action, seconded by Mr. Stafford. The motion carried with the following vote:

Aye – Mr. Boose

Aye – Dr. Etheridge

Recusal – Dr. Sallis

Aye – Mr. Stafford

Aye – Dr. Strebeck

#### 3. Dr. Strebeck

a. 2020-22

Dr. Strebeck recommended to take no action.

Dr. Sallis motioned to take no action, seconded by Dr. Etheridge. The motion carried with the following vote:

Aye – Mr. Boose

Aye – Dr. Etheridge

Aye – Dr. Sallis

Aye – Mr. Stafford

Recusal – Dr. Strebeck

Upon the conclusion of business of Executive Session at 5:00 p.m., the Board voted, upon motion made by Dr. Sallis and seconded by Dr. Strebeck to exit Executive Session. The motion carried. The vote was as follows:

Aye – Mr. Boose

Aye-Dr. Etheridge

Aye – Dr. Sallis

Aye – Mr. Stafford

Aye – Dr. Strebeck

Dr. Etheridge exited the meeting at 5: 50 p.m.

#### RETURN TO REGULAR SESSION

The Board resumed the regular session at 6:12 p.m. by announcing the actions taken within the Executive Session. The Board reviewed applications, potential litigation, and complaints (determinations as listed in Addendum A).

#### X. Adjournment

Mr. Stafford motioned to adjourn the meeting at 6:12 p.m., Mr. Boose seconded the motion. The meeting was adjourned at 6:13 p.m.

Approved this the 21st day of May, 2021		
/s/	/s/	

**Board Member** 

## **Dates for future meetings:**

**Board Chair** 

- Friday, May 21, 2021
  - o 2020-05 Seal, April
  - o 2020-09 Wicht, Matthew
- July 16, 2021 Teleconference
- August 13, 2021 @ 9:00 a.m. Teleconference
- October 1, 2021 tentative
- November 3, 2021 @ 9:00 a.m. at the MCA Conference

# ADDENDUM A

# MS BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS APPLICATION REVIEW - EXECUTIVE SESSION

# Friday, April 16, 2021

P-LPC Apps	BOARD DECISION	<b>ABSTENTION</b>	YAYS	NAYS
Allen, Erica R.	P-LPC		5	0
Adcock, Stacy Lyndel	P-LPC		5	0
Bozeman, Ashley Renee	P-LPC		5	0
Carr, Larry Joe	P-LPC		5	0
Cooper, Mallory Cutrer	CONTINUED REVIEW		5	0
Davis, Jessie Lee	CONTINGENT		5	0
Diaz, Emerson Nicolas	CONTINGENT	Strebeck	5	0
Earwood, Anne Overton	P-LPC		5	0
Griffith, William Houston	CONTINGENT		5	0
Middleton, Calyssa Nicole	CONTINGENT		5	0
Mote, James Andrew	CONTINGENT		5	0
Ross, Tiffany Tinette	CONTINUED REVIEW		5	0
Sweda, Stephanie C	CONTINGENT		5	0
Walker, Danderia Philesa	CONT'D REVIEW		5	0
Walker, Maricus Antwan	CONTINGENT		5	0
Weems, Anna Booth	CONTINGENT		5	0
Whitten, Kristin Rose	CONTINGENT	Sallis	4	0

P-LPC to Candidacy Apps or P-LPC to Licensure Apps	BOARD DECISION	ABSTENTION	YAYS	NAYS
Abraham, Davis McLain	CANDIDACY	ADSTERTION		
·	5		5	0
Branson, Jenelia Krishaun	CANDIDACY		5	0
Daniels, Rosalyn Lanae	CONT'D REVIEW		5	0
Davis, Lyndsie Nicole	CANDIDACY		5	0
Goodson, Aaron Timmons	CANDIDACY		5	0
Haik, Chelsey Elise	LICENSURE		5	0
Odom, Yolanda Michelle	CONT'D REVIEW		5	0
Robertson, Melissa Dawn	CANDIDACY		5	0
Williams, Shanytta Denise	CONT'D REVIEW		5	0

New Apps for Comity	BOARD DECISION	ABSTENTION	YAYS	NAYS
Edwards, Belinda Kent	LICENSURE		5	0
Ervin, Lakeitha Mechelle	CONTINGENT		5	0

Gallant, Tara Calvin	LICENSURE		5	0
Nytes, Anne Albritton	CONTINGENT	Strebeck	5	0
Owens, Deandria Antonease	LICENSURE		5	0
Sierra, Cassandra Richburg	LICENSURE		5	0
Weeks, Nakondrea Layatta	CONTINGENT		5	0

New Apps for LPC-S	BOARD DECISION	ABSTENTION	YAYS	NAYS
Atkinson, Krista TraMaine	CONTINGENT		5	0
Boyd, Heather Jane	CONTINGENT		5	0
Carlucci, Chaney Renee	CONTINGENT		5	0
Foreman, Cali Marisa	LICENSURE		5	0
Leo, Kelli	LICENSURE		5	0
Martin, Olivia Long	CONTINGENT		5	0
Ward, Wynter Dominique	CONT'D REVIEW		5	0

New Apps for LPC (Licensure or				
Candidate)	<b>BOARD DECISION</b>	ABSTENTION	YAYS	NAYS
King, Sydney Taylor	LICENSURE		5	0
Reasor, Jason Mims	CONT'D REVIEW		5	0
Williamson, Peggy A.	CONT'D REVIEW		5	0

CR LPC-S Apps	BOARD DECISION	ABSTENTION	YAYS	NAYS
Bouldin, Sherry	LPC-S		5	0

# MS BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS License Report to Board - April 16, 2021

Licensed Since Last Meeting - February 5, 2021	Issue Date	Lic Number	
Anetia R. Beal	2/22/2021	2664	
Maria Octavia Bush	2/25/2021	2668	
Kenyatta Yamisse Dent	3/22/2021	2669	
Erica M. Fairman	2/22/2021	2667	
Paul Christopher Henson	2/8/2021	2658	
Shelbi Renae Lewis	2/18/2021	2661	
Anita Martin	2/22/2021	2665	
Helen Marie Morris	3/22/2021	2670	
Pamela Joyce Phipps	3/22/2021	2671	
Joshua De'Von Smith	2/18/2021	2662	

Richard J. Swistek	2/19/2021	2663	
Mary Kathryn Whittle	2/18/2021	2660	
Andleeb Rizwan Atique	4/15/2021	P-0679	
Hunter Cherylyn Claire Burns	2/12/2021	P-0670	
Tiffany Nicole Cruel	2/26/2021	P-0675	
Whitney Tramaine Hayes	3/4/2021	P-0676	
Linda Natasha Rene Jackson	2/8/2021	P-0668	
Karminee Kierra Love	3/25/2021	P-0678	
Olivia Kathryn Miller	3/4/2021	P-0672	
April Nicole Mitchell	2/12/2021	P-0669	
Stacy N. Ricks	2/5/2021	P-0664	
Keon DeAunte Stewart	2/24/2021	P-0674	
Natile Nicole Thompson	2/5/2021	P-0665	
Micah Jade Davis-Hurt	3/30/2021	LPC-S	
IVIICATI Jaue Davis-Huit	3/30/2021	#430	
Latrice Lanette Hamilton	2/5/2021	LPC-S	
Latited Latitette Harringon	2/3/2021	#429	