BOARD OF COUNSELING
QUARTERLY BOARD MEETING
Friday, August 19, 2016 – 1:00 p.m.
Second Floor – Perimeter Center, Board Room 2

1:00 p.m. **Call to Order – Kevin Doyle, Ed.D., LPC, LSATP, Chairperson**

I. **Welcome and Introductions**
   A. Emergency evacuation instructions

II. **Adoption of Agenda**

III. **Approval of Minutes***
   A. Board meeting minutes of May 20, 2016

IV. **Public Comment**

V. **Agency Director's Report: David E. Brown, D.C.**

VI. **Staff Reports**
   A. Executive Director's Report: Jaime Hoyle
   B. Deputy Executive Director's Report: Jennifer Lang
      a. Discipline Report
   C. Licensing Manager's Report: Charlotte Lenart
      a. Licensing Report
   D. Board Counsel Report: James Rutkowski

VII. **Committee Reports**
   A. Board of Health Professions Report: Kevin Doyle
   B. Regulatory Committee Report: Charles Gressard, Ph.D., LPC, LMFT, LSATP

VIII. **Unfinished Business**
   A. Supervisor and Education Summit

IX. **New Business**
   A. Regulatory/Legislative Report: Elaine Yeatts, Senior Policy Analyst*
      a. Board action on Public Participation Guidelines (PPG)
      b. Regulatory Actions
      c. Continuing Education Regulations
      d. Legislative Proposal
   B. AMFTRB English Language Learners (ELL) Accommodations
   C. Next Meeting

3:00 p.m. **Adjournment**

* Requires Board Action

Approval of Minutes of May 20, 2016

DRAFT
BOARD OF COUNSELING
QUARTERLY BOARD MEETING
Friday, May 20, 2016

TIME AND PLACE: The meeting was called to order at 9:04 a.m. on Friday, May 20, 2016, in Board Room 3 at the Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

PRESIDING: Kevin Doyle, Ed.D., LPC, LSATP

BOARD MEMBERS PRESENT:
Johnston Brendel, Ed.D., LPC, LMFT
Cinda Caiella, LMFT
Charles Gressard, Ph.D., LPC, LMFT, LSATP
Danielle Hunt, LPC
Sandra Malawer, LPC, LMFT
Jane Nevins, LPC, LSATP
Joan Normandy-Dolberg, LPC
Phyllis Pugh, LPC, LMFT, CSAC
Holly Tracy, LPC, LMFT

BOARD MEMBERS ABSENT:
Scott Johnson, Ph.D., LMFT
Leah Mills, Citizen Member
Vivian Sanchez-Jones, Citizen Member
Joseph Scislowicz, LPC, LMFT

STAFF PRESENT:
Tracey Arrington-Edmonds, Licensing Specialist
David Brown, DC, DHP Director
Christy Evans, Discipline Case Specialist
Sarah Georgen, Licensing Manager for the Board (CSAC & CSAC-A only)
Jaime Hoyle, Executive Director
Jennifer Lang, Deputy Executive Director
Charlotte Lenart, Licensing Specialist (CSAC & CSAC-A only)
James Rutkowski, Assistant Attorney General
Elaine Yeatts, DHP Senior Policy Analyst

WELCOME: Dr. Doyle welcomed the Board members, staff and the general-public in attendance. The members of the public in attendance included representatives from Hampton University, National Counseling Group, and VCA.

ORDERING OF AGENDA: The agenda was rearranged and the new ordering accepted.

APPROVAL OF MINUTES: A motion was made by Dr. Brendel and seconded by Dr. Gressard to approve the February 12, 2016 meeting minutes and the motion passed unanimously to approve the minutes.

PUBLIC COMMENT:

Dr. Doyle advised the public that the Board would not accept comments related to the pending regulatory action, as that comment period has closed. The attendees introduce their self to without any addition public comment.

EXECUTIVE DIRECTOR'S REPORT:

Executive Director, Ms. Hoyle, thanked the Board members and thanked staff. She noted that a majority of the backlog has been caught up but the volume is always high. She informed the members that the licensing manager position is currently vacant. Along with Phyllis Pugh and Ms. Lang, Ms. Hoyle will be attending the NBCC meeting in May 2016. She asked that Board members submit requests for any training or conferences they would like to attend on behalf of the Board.

DEPUTY EXECUTIVE DIRECTOR'S REPORT:

Discipline Report

Ms. Lang reported that since January 1, 2016, 38 disciplinary cases have been closed. Staff continues to work on ways to streamline the review process, which includes utilizing an Agency Subordinate to hear some cases at informal conferences. This process will mainly be used for the credentials appeals. Each recommended decision by the Agency Subordinate will come to the Board for review and a vote before it becomes final.

Ms. Lang informed the Board that although the Board has closed many of the older pending cases, there is still a backlog of cases for board member review. There are currently 78 open cases ready for review and 33 additional cases are being investigated by the agency. She asked the members to consider scheduling a date to review files at the Board office, if they are available. Dr. Doyle stated that it was the duty of the Board members to review these cases, and it was their responsibility to help staff address the number of backlogged cases. He asked the Board members to indicate by a show of hands those willing to accept cases to review. All members volunteered and Dr. Doyle asked staff to follow up with the members.

Licensing Report

Ms. Lang informed the Board that the backlog of applications has been reduced and that staff is reviewing complete applications within 30 days. However, she reminded the Board that this accomplishment is a result of over 275 hours of staff overtime within the past 3 months, as well as continued use of contract workers. Ms. Lang commended staff on their dedication and diligent processing of applications but she acknowledged that any changes to the current staffing situation could cause a temporary backslide in the review timetable.

Ms. Lang provided details of the review process and indicated that since the last board meeting in February, staff has reviewed more than 1700 applications and additional documentation related to the application process. This includes a count for each time an application is incomplete and staff is required to follow up with an applicant, as well as the complete applications that move forward through the credentials review process.

The revised LPC applications are available on the website and updates to the other applications will be completed as soon as possible. If there are any suggestions to improve the applications, please email Ms. Lang. Staff will do a final review of the documents within the next few months and will take all suggestions into consideration.

REGULATORY COMMITTEE REPORT

Regulatory Report

Dr. Gressard informed the members that Guidance Document 115-1.5 regarding Sanction Reference Points needs to be approved to reflect the use of the updated Sanction Reference Point report and worksheet that was previously approved by this Board and the other behavioral science boards. Ms. Caiella motioned to approve the document. It was seconded by Dr. Brendel and passed unanimously.

The Board also needs to approve a new exam vendor for CSACs and LSATPs. The recommendation of the Regulatory Committee is that the NAADAC NCAC I be approved for a trial period of one year. This exam will be administered to those seeking the CSAC credential. The NAADAC MAC exam will be administered to those seeking the LSATP credential. The use of this exam will also be reviewed after a year. The Board stipulated that they would not allow testing to take place at home and applicants must take the tests at the approved testing sites. It was motioned by Ms. Normandy-Dolberg to approve the exam per the Regulatory Committee recommendation. It was seconded by Ms. Pugh and passed unanimously. Staff was asked to get the contract process started.

DHP DIRECTOR'S REPORT:

Dr. Brown commended Ms. Hoyle and staff for working hard on the application backlog. He announced that the agency would be conducting an all-day training for all DHP boards in May.

REGULATORY/LEGISLATIVE UPDATE:

Legislative Report

There are no new legislative update(s) to report at this time but Secretary Hazel would like the Board to revisit the Regulations Governing the Practice of Professional Counseling periodic review. The two items he would like the Board to reconsider are the number of months to complete the residency and the type of professional allowed to supervise residents. A motion was made to revise the minimum time to complete the residency to 21 months for all 3 licenses. The Secretary's office was not inclined to approve the

proposed regulation change that would limit the type of profession allowed to supervise those within the Board of Counseling. After discussion, the Board felt that it wanted to continue with the proposed regulation and it was decided that the Board chair would submit a letter to Secretary Hazel justifying its position.

Regulatory Actions Report

Ms. Yeatts reported on regulatory actions of the Regulations Governing the Practice of Professional Counseling: The proposed requirement for CACREP accreditation for educational programs has been at the Secretary's office for 40 days; the proposed fee increase has been at the Secretary's office for 26 days; and, the final periodic review has been at the Secretary's office for 63 days.

Petition for Rulemaking

A response to the petition for rulemaking of LSATP regulation section 18VAC115-60-55 Time-limited waiver of certain licensure requirements submitted by Denise A. Knox is required. The options are: the Board may reject the request for amendments, or accept the requested amendments to the regulations and initiate rulemaking by adoption of a Notice of Intended Regulatory Action or a proposed amendment by Fast-track action. A motion was made to deny the request because it would not protect the public and ensure the client's welfare. The motion was seconded and passed with all members in favor to deny the petition.

Economic Impact Analysis

The cost initially submitted to the Joint Commission on Administrative Rules, House Committee on Appropriations, and Senate Committee on Finance (COV § 2.2-4007.04C) was revised on May 5, 2016. The results of the revised analysis by the Virginia Department of Planning and Budget was that the cost will likely outweigh benefits for 18VAC115-20 Regulations Governing the Practice of Professional Counseling proposed educational change.

BOARD OF HEALTH PROFESSIONS REPORT

Dr. Doyle informed the Board members that he continues to get reports from the Healthcare Workforce Data Center (HWDC) and that it has interesting information for all counselors. He suggested that telehealth might need to be revisited based on the information in the report.

OLD BUSINESS

Supervisor/Education Summit

September 9, 2016 has been the date selected for the summits with the supervisor summit beginning at 10:00 a.m. and ending at 1:00 p.m. and the education summit beginning at 2:00 p.m. and ending at 4:00 p.m. The location and agenda is in the works and being finalized by staff.

NEW BUSINESS

Psychological Assessments
Dr. Doyle suggested that the Regulatory Committee Chair and the discipline staff schedule a meeting to discuss who can do psychological assessments.

Next Meeting
Scheduled for August 19, 2016 at 9:00 a.m.

CLOSED SESSION

Dr. Brendel moved that the Board of Counseling convene in a closed session in order to consider the consent orders of two licensees. He further moved that Jaime Hoyle, James Rutkowski, Jennifer Lang, Christy Evans, Tracey Arrington-Edmonds, Sarah Georgen, and Charlotte Lenart attend the closed meeting because their presence in the meeting was deemed necessary and they would aid the Board in its consideration of the matter. The motions was seconded and carried.

Reconvene
Dr. Brendel moved that the Board heard, discussed or considered only those public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act and only such public business matters as identified in the original motion.

Decisions
Dr. Brendel made a motion to accept the Consent Order to reinstate the license of Leon Wilson, LPC. The motion was seconded and the Board voted unanimously in favor of the motion.

Ms. Malawer made a motion to accept the Consent Order to suspend the license of John Lancaster, LPC. The motion was seconded and the Board voted unanimously in favor of the motion.

ADJOURN:

The meeting adjourned at 11:00 a.m.

Kevin Doyle, Ed.D., LPC, LSATP
Chairperson

Jamie Hoyle, Esq.
Executive Director

Executive Director's Report

Virginia Department of Health Professions
Cash Balance
As of June 30, 2016

	109 Counseling
Board Cash Balance as of June 30, 2015	$ 649,743
YTD FY16 Revenue	877,370
Less: YTD FY16 Direct and In-Direct Expenditures	853,014
Board Cash Balance as June 30, 2016	674,099

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10900 - Counseling
For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
4002400	Fee Revenue				
4002401	Application Fee	135,900.00	129,805.00	(6,095.00)	104.70%
4002406	License & Renewal Fee	702,280.00	564,945.00	(137,335.00)	124.31%
4002407	Dup. License Certificate Fee	790.00	-	(790.00)	0.00%
4002408	Board Endorsement - In	4,875.00	370.00	(4,505.00)	1317.57%
4002409	Board Endorsement - Out	3,335.00	3,390.00	55.00	98.38%
4002421	Monetary Penalty & Late Fees	7,245.00	7,290.00	45.00	99.38%
4002430	Board Changes Fee	22,525.00	19,085.00	(3,440.00)	118.02%
4002432	Misc. Fee (Bad Check Fee)	140.00	-	(140.00)	0.00%
	Total Fee Revenue	877,090.00	724,885.00	(152,205.00)	121.00%
4003000	Sales of Prop. & Commodities				
4003020	Misc. Sales-Dishonored Payments	280.00	-	(280.00)	0.00%
	Total Sales of Prop. & Commodities	280.00	-	(280.00)	0.00%
	Total Revenue	877,370.00	724,885.00	(152,485.00)	121.04%
5011110	Employer Retirement Contrib.	15,678.97	12,933.00	(2,745.97)	121.23%
5011120	Fed Old-Age Ins- Sal St Emp	8,584.56	6,958.00	(1,626.56)	123.38%
5011140	Group Insurance	1,347.46	1,083.00	(264.46)	124.42%
5011150	Medical/Hospitalization Ins.	29,948.50	34,248.00	4,299.50	87.45%
5011160	Retiree Medical/Hospitalizatn	1,188.70	955.00	(233.70)	124.47%
5011170	Long term Disability Ins	747.33	601.00	(146.33)	124.35%
	Total Employee Benefits	57,495.52	56,778.00	(717.52)	101.26%
5011200	Salaries				
5011230	Salaries, Classified	110,309.36	90,947.00	(19,362.36)	121.29%
5011250	Salaries, Overtime	3,195.06	-	(3,195.06)	0.00%
	Total Salaries	113,504.42	90,947.00	(22,557.42)	124.80%
5011300	Special Payments				
5011380	Deferred Compnstn Match Pmts	120.00	960.00	840.00	12.50%
	Total Special Payments	120.00	960.00	840.00	12.50%
5011530	Short-trm Disability Benefits	4,390.88	-	(4,390.88)	0.00%
	Total Disability Benefits	4,390.88	-	(4,390.88)	0.00%
5011600	Terminatn Personal Svce Costs				
5011620	Salaries, Annual Leave Balanc	463.64	-	(463.64)	0.00%
5011660	Defined Contribution Match - Hy	205.79	-	(205.79)	0.00%
	Total Terminatn Personal Svce Costs	669.43	-	(669.43)	0.00%
5011930	Turnover/Vacancy Benefits		-	-	0.00%
	Total Personal Services	176,180.25	148,685.00	(27,495.25)	118.49%
5012000	Contractual Svs				
5012100	Communication Services				
5012110	Express Services	30.48	295.00	264.52	10.33%
5012140	Postal Services	10,146.16	8,232.00	(1,914.16)	123.25%
5012150	Printing Services	214.97	120.00	(94.97)	179.14%
5012160	Telecommunications Svcs (VITA)	818.74	900.00	81.26	90.97%
	Total Communication Services	11,210.35	9,547.00	(1,663.35)	117.42%
5012200	Employee Development Services				

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
5012210	Organization Memberships	1,000.00	500.00	(500.00)	200.00%
5012240	Employee Trainng/Workshop/Conf	950.00	-	(950.00)	0.00%
	Total Employee Development Services	1,950.00	500.00	(1,450.00)	390.00%
5012300	Health Services				
5012360	X-ray and Laboratory Services	-	140.00	140.00	0.00%
	Total Health Services	-	140.00	140.00	0.00%
5012400	Mgmnt and Informational Svcs	-			
5012420	Fiscal Services	6,853.49	9,280.00	2,426.51	73.85%
5012440	Management Services	88.34	134.00	45.66	65.93%
5012460	Public Infrmtnl & Relatn Svcs	1,725.00	5.00	(1,720.00)	34500.00%
5012470	Legal Services	-	475.00	475.00	0.00%
	Total Mgmnt and Informational Svcs	8,666.83	9,894.00	1,227.17	87.60%
5012500	Repair and Maintenance Svcs				
5012510	Custodial Services	13.67	-	(13.67)	0.00%
5012560	Mechanical Repair & Maint Srvc	-	34.00	34.00	0.00%
	Total Repair and Maintenance Svcs	13.67	34.00	20.33	40.21%
5012600	Support Services				
5012630	Clerical Services	70,326.60	110,551.00	40,224.40	63.61%
5012640	Food & Dietary Services	1,024.03	1,075.00	50.97	95.26%
5012660	Manual Labor Services	214.69	1,170.00	955.31	18.35%
5012670	Production Services	1,667.89	5,380.00	3,712.11	31.00%
5012680	Skilled Services	15,471.84	16,764.00	1,292.16	92.29%
	Total Support Services	88,705.05	134,940.00	46,234.95	65.74%
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	5,792.24	4,979.00	(813.24)	116.33%
5012830	Travel, Public Carriers	970.40	-	(970.40)	0.00%
5012850	Travel, Subsistence & Lodging	2,858.77	1,950.00	(908.77)	146.60%
5012880	Trvl, Meal Reimb- Not Rprtble	1,482.75	988.00	(494.75)	150.08%
	Total Transportation Services	11,104.16	7,917.00	(3,187.16)	140.26%
	Total Contractual Svs	121,650.06	162,972.00	41,321.94	74.64%
5013000	Supplies And Materials				
5013100	Administrative Supplies				
5013120	Office Supplies	1,348.87	597.00	(751.87)	225.94%
	Total Administrative Supplies	1,348.87	597.00	(751.87)	225.94%
5013600	Residential Supplies				
5013620	Food and Dietary Supplies	26.71	-	(26.71)	0.00%
5013630	Food Service Supplies	4.81	183.00	178.19	2.63%
	Total Residential Supplies	31.52	183.00	151.48	17.22%
5013700	Specific Use Supplies				
5013730	Computer Operating Supplies	5.82	-	(5.82)	0.00%
	Total Specific Use Supplies	5.82	-	(5.82)	0.00%
	Total Supplies And Materials	1,386.21	780.00	(606.21)	177.72%
5014000	Transfer Payments				
5014100	Awards, Contrib., and Claims				

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10900 - Counseling
For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
5014130	Premiums	120.00	-	(120.00)	0.00%
	Total Awards, Contrib., and Claims	120.00	-	(120.00)	0.00%
	Total Transfer Payments	120.00	-	(120.00)	0.00%
5015000	Continuous Charges				
5015100	Insurance-Fixed Assets				
5015160	Property Insurance	40.69	46.00	5.31	88.46%
	Total Insurance-Fixed Assets	40.69	46.00	5.31	88.46%
5015300	Operating Lease Payments				
5015340	Equipment Rentals	490.65	540.00	49.35	90.86%
5015350	Building Rentals	59.94	-	(59.94)	0.00%
5015360	Land Rentals	-	60.00	60.00	0.00%
5015390	Building Rentals - Non State	10,994.45	10,844.00	(150.45)	101.39%
	Total Operating Lease Payments	11,545.04	11,444.00	(101.04)	100.88%
5015500	Insurance-Operations				
5015510	General Liability Insurance	146.04	170.00	23.96	85.91%
5015540	Surety Bonds	8.62	11.00	2.38	78.36%
	Total Insurance-Operations	154.66	181.00	26.34	85.45%
	Total Continuous Charges	11,740.39	11,671.00	(69.39)	100.59%
5022000	Equipment				
5022100	Computer Hrdware & Sftware				
5022170	Other Computer Equipment	217.00	-	(217.00)	0.00%
5022180	Computer Software Purchases	250.22	-	(250.22)	0.00%
	Total Computer Hrdware & Sftware	467.22	-	(467.22)	0.00%
5022200	Educational & Cultural Equip				
5022240	Reference Equipment	-	77.00	77.00	0.00%
	Total Educational & Cultural Equip	-	77.00	77.00	0.00%
5022600	Office Equipment				
5022610	Office Appurtenances	-	42.00	42.00	0.00%
5022620	Office Furniture	622.25	-	(622.25)	0.00%
	Total Office Equipment	622.25	42.00	(580.25)	1481.55%
	Total Equipment	1,089.47	119.00	(970.47)	915.52%
	Total Expenditures	312,166.38	324,227.00	12,060.62	96.28%
	Allocated Expenditures				
20100	Behavioral Science Exec	94,563.31	199,955.00	105,391.69	47.29%
30100	Data Center	138,787.37	175,428.13	36,640.77	79.11%
30200	Human Resources	12,729.16	5,472.28	(7,256.88)	232.61%
30300	Finance	44,914.04	39,068.81	(5,845.23)	114.96%
30400	Director's Office	26,228.88	22,677.08	(3,551.80)	115.66%
30500	Enforcement	134,206.02	117,184.95	(17,021.06)	114.52%
30600	Administrative Proceedings	18,103.95	29,794.15	11,690.21	60.76%
30700	Impaired Practitioners	374.45	124.77	(249.68)	300.12%
30800	Attorney General	43,061.43	43,061.40	(0.03)	100.00%
30900	Board of Health Professions	14,601.23	12,558.47	(2,042.76)	116.27%
31100	Maintenance and Repairs	116.85	673.47	556.63	17.35%
31300	Emp. Recognition Program	409.06	220.60	(188.47)	185.44%

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
31400	Conference Center	212.00	354.11	142.11	59.87%
31500	Pgm Devlpmnt & Implmentn	12,540.28	13,267.38	727.10	94.52%
	Total Allocated Expenditures	540,848.03	659,840.61	118,992.58	81.97%
	Net Revenue in Excess (Shortfall) of Expenditures	$ 24,355.59	$ (259,182.61)	$ (283,538.20)	9.40%

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	July	August	September	October	November	December
4002400	Fee Revenue						
4002401	Application Fee	12,730.00	12,705.00	10,915.00	11,970.00	9,510.00	11,415.00
4002406	License & Renewal Fee	78,215.00	3,230.00	1,370.00	1,785.00	735.00	4,360.00
4002407	Dup. License Certificate Fee	135.00	35.00	85.00	50.00	-	15.00
4002409	Board Endorsement - Out	435.00	340.00	325.00	275.00	225.00	175.00
4002421	Monetary Penalty & Late Fees	4,240.00	980.00	355.00	455.00	185.00	165.00
4002432	Misc. Fee (Bad Check Fee)	-	-	-	35.00	70.00	-
	Total Fee Revenue	97,580.00	19,565.00	14,325.00	16,345.00	12,125.00	18,480.00
4003000	Sales of Prop. & Commodities						
4003020	Misc. Sales-Dishonored Payments	-	40.00	-	75.00	115.00	-
	Total Sales of Prop. & Commodities	-	40.00	-	75.00	115.00	-
	Total Revenue	97,580.00	19,605.00	14,325.00	16,420.00	12,240.00	18,480.00
5011000	Personal Services						
5011100	Employee Benefits						
5011110	Employer Retirement Contrib.	889.47	1,128.72	1,236.66	1,236.66	1,236.66	1,655.30
5011120	Fed Old-Age Ins- Sal St Emp	709.43	651.07	658.97	640.23	747.89	904.87
5011140	Group Insurance	85.83	101.14	103.50	103.50	103.50	141.18
5011150	Medical/Hospitalization Ins.	2,122.00	2,854.00	2,854.00	2,854.00	2,854.00	2,854.00
5011160	Retiree Medical/Hospitalizatn	75.75	89.24	91.30	91.30	91.30	124.54
5011170	Long term Disability Ins	47.61	56.10	57.40	57.40	57.40	78.30
	Total Employee Benefits	3,930.09	4,880.27	5,001.83	4,983.09	5,090.75	5,758.19
5011200	Salaries						
5011230	Salaries, Classified	9,780.31	9,083.75	9,187.12	8,941.85	10,279.91	11,863.24
5011250	Salaries, Overtime	-	-	-	-	65.61	534.23
	Total Salaries	9,780.31	9,083.75	9,187.12	8,941.85	10,345.52	12,397.47
5011380	Deferred Compnstn Match Pmts	15.00	10.00	10.00	10.00	10.00	10.00
	Total Special Payments	15.00	10.00	10.00	10.00	10.00	10.00

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	July	August	September	October	November	December
	Total Personal Services	13,725.40	13,974.02	14,198.95	13,934.94	15,446.27	18,197.32
5012000	Contractual Svs						
5012100	Communication Services						
5012110	Express Services	-	-	-	-	-	8.83
5012140	Postal Services	3,963.29	1,932.18	533.04	131.61	396.30	175.03
5012150	Printing Services	-	-	40.70	-	-	55.30
5012160	Telecommunications Svcs (VITA)	58.47	56.31	61.06	62.74	47.63	54.17
5012190	Inbound Freight Services	-	-	-	-	-	-
	Total Communication Services	4,021.76	1,988.49	634.80	194.35	443.93	293.33
5012200	Employee Development Services						
5012210	Organization Memberships	500.00	-	-	-	-	-
5012250	Employee Tuition Reimbursement	-	-	-	-	-	-
	Total Employee Development Services	500.00	-	-	-	-	-
5012400	Mgmnt and Informational Svcs						
5012420	Fiscal Services	-	6,261.90	90.00	49.78	43.21	-
5012440	Management Services	-	52.37	-	3.95	-	5.75
5012460	Public Infrmtnl & Relatn Svcs	-	165.00	135.00	108.00	213.00	135.00
	Total Mgmnt and Informational Svcs	-	6,479.27	225.00	161.73	256.21	140.75
5012500	Repair and Maintenance Svcs						
5012510	Custodial Services	-	13.67	-	-	-	-
	Total Repair and Maintenance Svcs	-	13.67	-	-	-	-
5012600	Support Services						
5012630	Clerical Services	-	14,557.10	11,385.71	12,109.62	13,148.23	9,921.27
5012640	Food & Dietary Services	-	-	-	239.08	-	53.51
5012660	Manual Labor Services	7.90	-	-	80.49	9.60	-
5012670	Production Services	57.82	-	302.66	384.25	83.12	-
5012680	Skilled Services	1,209.61	1,059.61	1,584.61	518.76	1,340.86	1,450.46
	Total Support Services	1,275.33	15,616.71	13,272.98	13,332.20	14,581.81	11,425.24

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	July	August	September	October	November	December
5012800	Transportation Services						
5012820	Travel, Personal Vehicle	-	-	1,308.71	302.45	138.00	1,885.64
	Total Transportation Services	-	-	1,876.41	452.49	288.04	2,978.68
	Total Contractual Svs	5,797.09	24,098.14	16,009.19	14,140.77	15,569.99	14,838.00
5013000	Supplies And Materials						
5013100	Administrative Supplies						
5013120	Office Supplies	-	102.17	622.51	97.96	30.09	93.39
	Total Administrative Supplies	-	102.17	622.51	97.96	30.09	93.39
5013600	Residential Supplies						
5013620	Food and Dietary Supplies	-	26.71	-	-	-	-
5013630	Food Service Supplies	-	-	-	4.81	-	-
	Total Residential Supplies	-	26.71	-	4.81	-	-
5013700	Specific Use Supplies						
5013730	Computer Operating Supplies	-	-	2.85	-	-	-
	Total Specific Use Supplies	-	-	2.85	-	-	-
	Total Supplies And Materials	-	128.88	625.36	102.77	30.09	93.39
5014000	Transfer Payments						
5014100	Awards, Contrib., and Claims						
5014130	Premiums	-	-	-	-	-	-
	Total Awards, Contrib., and Claims	-	-	-	-	-	-
	Total Transfer Payments	-	-	-	-	-	-
5015000	Continuous Charges						
5015100	Insurance-Fixed Assets						
5015160	Property Insurance	-	-	-	-	-	-
	Total Insurance-Fixed Assets	-	-	-	-	-	-

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	July	August	September	October	November	December
5015300	Operating Lease Payments						
5015340	Equipment Rentals	-	44.08	44.08	44.08	46.00	44.09
5015350	Building Rentals	-	13.77	-	-	15.39	-
5015390	Building Rentals - Non State	897.76	769.75	891.86	891.86	1,015.85	891.86
	Total Operating Lease Payments	897.76	827.60	935.94	935.94	1,077.24	935.95
5015500	Insurance-Operations						
5015510	General Liability Insurance	-	-	-	-	-	-
5015540	Surety Bonds	-	-	-	-	-	-
	Total Insurance-Operations	-	-	-	-	-	-
	Total Continuous Charges	897.76	827.60	935.94	935.94	1,077.24	935.95
	Total Expenditures	20,420.25	39,028.64	31,769.44	29,114.42	32,745.84	34,064.66
	Allocated Expenditures						
20100	Behavioral Science Exec	1,389.17	1,580.03	1,360.23	9,966.21	9,230.00	78,201.59
30100	Data Center	18,718.56	10,752.48	5,201.02	10,104.96	12,204.82	10,912.89
30200	Human Resources	32.34	77.26	709.86	107.43	80.11	10,311.00
30300	Finance	6,603.62	3,222.61	3,314.77	3,592.64	3,403.07	5,463.78
30400	Director's Office	2,301.83	1,750.55	1,775.97	1,755.42	2,410.69	2,487.97
30500	Enforcement	15,571.99	13,461.99	12,103.75	12,043.15	9,213.64	10,302.73
30600	Administrative Proceedings	325.91	1,251.19	708.63	1,197.17	910.09	668.93
30700	Impaired Practitioners	36.57	27.37	26.27	26.85	27.34	44.66
30800	Attorney General	-	-	8,806.97	10,112.42	-	-
30900	Board of Health Professions	1,452.83	643.98	1,029.75	1,516.13	806.43	1,958.12
31100	Maintenance and Repairs	-	-	-	-	-	116.85
31300	Emp. Recognition Program	-	30.13	-	4.43	15.13	111.54
31400	Conference Center	13.11	33.89	(20.32)	6.41	18.72	18.77
31500	Pgm Devlpmnt & Implmentn	901.39	741.65	845.27	892.88	1,062.68	1,120.81
	Total Allocated Expenditures	47,347.32	33,573.13	35,862.17	51,326.11	39,382.70	121,719.63

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	July	August	September	October	November	December
	Net Revenue in Excess (Shortfall) of Expenditures	$ 29,812.43	$ (52,996.77)	$ (53,306.61)	$ (64,020.53)	$ (59,888.54)	$ (137,304.29)

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	January	February	March	April	May	June
4002400	Fee Revenue						
4002401	Application Fee	9,895.00	13,040.00	11,905.00	9,245.00	11,385.00	11,185.00
4002406	License & Renewal Fee	10,440.00	2,125.00	1,395.00	2,410.00	229,720.00	366,495.00
4002407	Dup. License Certificate Fee	10.00	85.00	115.00	30.00	120.00	110.00
4002409	Board Endorsement - Out	400.00	175.00	325.00	235.00	125.00	300.00
4002421	Monetary Penalty & Late Fees	60.00	260.00	135.00	20.00	110.00	280.00
4002432	Misc. Fee (Bad Check Fee)	35.00	-	-	-	-	-
	Total Fee Revenue	22,140.00	17,660.00	15,875.00	13,740.00	243,860.00	385,395.00
4003000	Sales of Prop. & Commodities						
4003020	Misc. Sales-Dishonored Payments	50.00	-	-	-	-	-
	Total Sales of Prop. & Commodities	50.00	-	-	-	-	-
	Total Revenue	22,190.00	17,660.00	15,875.00	13,740.00	243,860.00	385,395.00
5011000	Personal Services						
5011100	Employee Benefits						
5011110	Employer Retirement Contrib.	1,655.30	1,655.30	1,655.30	1,655.30	1,116.20	558.10
5011120	Fed Old-Age Ins- Sal St Emp	892.57	867.31	752.85	796.04	653.47	309.86
5011140	Group Insurance	141.18	141.18	141.18	141.18	96.06	48.03
5011150	Medical/Hospitalization Ins.	2,854.00	2,854.00	2,854.00	2,854.00	1,427.00	713.50
5011160	Retiree Medical/Hospitalizatn	124.54	124.54	124.54	124.54	84.74	42.37
5011170	Long term Disability Ins	78.30	78.30	78.30	78.30	53.28	26.64
	Total Employee Benefits	5,745.89	5,720.63	5,606.17	5,649.36	3,430.75	1,698.50
5011200	Salaries						
5011230	Salaries, Classified	11,863.24	11,863.24	7,520.62	7,817.96	8,072.08	4,036.04
5011250	Salaries, Overtime	373.40	43.30	408.30	783.72	808.38	178.12
	Total Salaries	12,236.64	11,906.54	7,928.92	8,601.68	8,880.46	4,214.16
5011380	Deferred Compnstn Match Pmts	10.00	10.00	10.00	10.00	10.00	5.00
	Total Special Payments	10.00	10.00	10.00	10.00	10.00	5.00

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	January	February	March	April	May	June
	Total Personal Services	18,024.19	17,668.83	16,058.27	16,665.70	12,352.87	5,933.49
5012000	Contractual Svs						
5012100	Communication Services						
5012110	Express Services	5.26	-	-	-	16.39	-
5012140	Postal Services	14.75	397.59	181.43	295.51	172.81	1,952.62
5012150	Printing Services	14.00	-	104.97	-	-	-
5012160	Telecommunications Svcs (VITA)	55.62	54.22	57.13	104.72	103.66	103.01
5012190	Inbound Freight Services	-	-	-	-	-	-
	Total Communication Services	89.63	451.81	343.53	400.23	292.86	2,055.63
5012200	Employee Development Services						
5012210	Organization Memberships	-	-	500.00	-	-	-
5012250	Employee Tuition Reimbursement	-	-	-	-	-	-
	Total Employee Development Services	-	950.00	500.00	-	-	-
5012400	Mgmnt and Informational Svcs						
5012420	Fiscal Services	9.73	66.24	220.84	-	9.59	102.20
5012440	Management Services	-	1.91	9.58	-	-	14.78
5012460	Public Infrmtnl & Relatn Svcs	240.00	177.00	87.00	-	120.00	345.00
	Total Mgmnt and Informational Svcs	249.73	245.15	317.42	-	129.59	461.98
5012500	Repair and Maintenance Svcs						
5012510	Custodial Services	-	-	-	-	-	-
	Total Repair and Maintenance Svcs	-	-	-	-	-	-
5012600	Support Services						
5012630	Clerical Services	11,161.70	(22,289.85)	4,619.70	-	3,085.12	12,628.00
5012640	Food & Dietary Services	304.73	-	367.30	-	-	59.41
5012660	Manual Labor Services	22.62	5.12	-	23.78	26.85	38.33
5012670	Production Services	115.77	20.35	-	156.81	157.70	389.41
5012680	Skilled Services	1,064.60	1,872.74	1,562.42	818.76	1,870.65	1,118.76
	Total Support Services	12,669.42	(20,391.64)	6,549.42	999.35	5,140.32	14,233.91

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	January	February	March	April	May	June
5012800	Transportation Services						
5012820	Travel, Personal Vehicle	(100.84)	1,129.68	108.00	92.88	437.40	490.32
	Total Transportation Services	970.40	2,253.71	405.93	92.88	437.40	1,348.22
	Total Contractual Svs	13,979.18	(16,490.97)	8,116.30	1,492.46	6,000.17	18,099.74
5013000	Supplies And Materials						
5013100	Administrative Supplies						
5013120	Office Supplies	103.81	36.08	55.14	-	88.28	119.44
	Total Administrative Supplies	103.81	36.08	55.14	-	88.28	119.44
5013600	Residential Supplies						
5013620	Food and Dietary Supplies	-	-	-	-	-	-
5013630	Food Service Supplies	-	-	-	-	-	-
	Total Residential Supplies	-	-	-	-	-	-
5013700	Specific Use Supplies						
5013730	Computer Operating Supplies	-	2.97	-	-	-	-
	Total Specific Use Supplies	-	2.97	-	-	-	-
	Total Supplies And Materials	103.81	39.05	55.14	-	88.28	119.44
5014000	Transfer Payments						
5014100	Awards, Contrib., and Claims						
5014130	Premiums	120.00	-	-	-	-	-
	Total Awards, Contrib., and Claims	120.00	-	-	-	-	-
	Total Transfer Payments	120.00	-	-	-	-	-
5015000	Continuous Charges						
5015100	Insurance-Fixed Assets						
5015160	Property Insurance	-	-	-	-	-	40.69
	Total Insurance-Fixed Assets	-	-	-	-	-	40.69

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	January	February	March	April	May	June
5015300	Operating Lease Payments						
5015340	Equipment Rentals	44.08	44.08	44.08	-	46.00	90.08
5015350	Building Rentals	-	15.39	-	-	15.39	-
5015390	Building Rentals - Non State	891.86	891.86	999.23	914.20	1,024.16	914.20
	Total Operating Lease Payments	935.94	951.33	1,043.31	914.20	1,085.55	1,004.28
5015500	Insurance-Operations						
5015510	General Liability Insurance	-	-	-	-	-	146.04
5015540	Surety Bonds	-	-	-	-	-	8.62
	Total Insurance-Operations	-	-	-	-	-	154.66
	Total Continuous Charges	935.94	951.33	1,043.31	914.20	1,085.55	1,199.63
	Total Expenditures	33,630.34	2,168.24	25,273.02	19,072.36	19,526.87	25,352.30
	Allocated Expenditures						
20100	Behavioral Science Exec	(56,928.69)	10,564.29	10,711.48	10,479.43	10,644.27	7,365.32
30100	Data Center	16,713.60	11,342.69	11,670.14	4,231.14	24,116.74	2,818.33
30200	Human Resources	87.49	126.93	82.52	67.20	90.27	956.75
30300	Finance	3,655.29	4,317.44	3,834.39	7,783.60	5,615.17	(5,892.32)
30400	Director's Office	2,583.51	2,580.02	2,354.96	2,371.38	2,417.86	1,438.73
30500	Enforcement	10,107.63	10,198.65	11,170.55	11,123.31	12,898.44	6,010.19
30600	Administrative Proceedings	1,415.34	188.81	3,761.62	1,493.00	5,206.04	977.22
30700	Impaired Practitioners	43.85	42.99	27.11	27.96	27.86	15.61
30800	Attorney General	11,091.72	-	-	13,050.32	-	-
30900	Board of Health Professions	1,438.39	1,272.02	1,251.45	1,096.99	1,125.40	1,009.73
31100	Maintenance and Repairs	-	-	-	-	-	-
31300	Emp. Recognition Program	44.91	-	15.19	-	21.30	166.43
31400	Conference Center	31.64	20.21	36.68	(11.93)	18.19	46.64
31500	Pgm Devlpmnt & Implmentn	1,274.48	1,275.76	1,255.29	1,060.63	1,309.84	799.59
	Total Allocated Expenditures	(8,440.83)	41,929.80	46,171.36	52,773.04	63,491.39	15,712.21

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	January	February	March	April	May	June
	Net Revenue in Excess (Shortfall) of Expenditures	$ (2,999.51)	$ (26,438.04)	$ (55,569.38)	$ (58,105.40)	$ 160,841.74	$ 344,330.49

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	Total
4002400	Fee Revenue	
4002401	Application Fee	135,900.00
4002406	License & Renewal Fee	702,280.00
4002407	Dup. License Certificate Fee	790.00
4002409	Board Endorsement - Out	3,335.00
4002421	Monetary Penalty & Late Fees	7,245.00
4002432	Misc. Fee (Bad Check Fee)	140.00
	Total Fee Revenue	877,090.00
4003000	Sales of Prop. & Commodities	
4003020	Misc. Sales-Dishonored Payments	280.00
	Total Sales of Prop. & Commodities	280.00
	Total Revenue	877,370.00
5011000	Personal Services	
5011100	Employee Benefits	
5011110	Employer Retirement Contrib.	15,678.97
5011120	Fed Old-Age Ins- Sal St Emp	8,584.56
5011140	Group Insurance	1,347.46
5011150	Medical/Hospitalization Ins.	29,948.50
5011160	Retiree Medical/Hospitalizatn	1,188.70
5011170	Long term Disability Ins	747.33
	Total Employee Benefits	57,495.52
5011200	Salaries	
5011230	Salaries, Classified	110,309.36
5011250	Salaries, Overtime	3,195.06
	Total Salaries	113,504.42
5011380	Deferred Compnstn Match Pmts	120.00
	Total Special Payments	120.00

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	Total
	Total Personal Services	176,180.25
5012000	Contractual Svs	-
5012100	Communication Services	-
5012110	Express Services	30.48
5012140	Postal Services	10,146.16
5012150	Printing Services	214.97
5012160	Telecommunications Svcs (VITA)	818.74
5012190	Inbound Freight Services	-
	Total Communication Services	11,210.35
5012200	Employee Development Services	
5012210	Organization Memberships	1,000.00
5012250	Employee Tuition Reimbursement	-
	Total Employee Development Services	1,950.00
5012400	Mgmnt and Informational Svcs	
5012420	Fiscal Services	6,853.49
5012440	Management Services	88.34
5012460	Public Infrmtnl & Relatn Svcs	1,725.00
	Total Mgmnt and Informational Svcs	8,666.83
5012500	Repair and Maintenance Svcs	
5012510	Custodial Services	13.67
	Total Repair and Maintenance Svcs	13.67
5012600	Support Services	
5012630	Clerical Services	70,326.60
5012640	Food & Dietary Services	1,024.03
5012660	Manual Labor Services	214.69
5012670	Production Services	1,667.89
5012680	Skilled Services	15,471.84
	Total Support Services	88,705.05

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	Total
5012800	Transportation Services	
5012820	Travel, Personal Vehicle	5,792.24
	Total Transportation Services	11,104.16
	Total Contractual Svs	121,650.06
5013000	Supplies And Materials	
5013100	Administrative Supplies	-
5013120	Office Supplies	1,348.87
	Total Administrative Supplies	1,348.87
5013600	Residential Supplies	
5013620	Food and Dietary Supplies	26.71
5013630	Food Service Supplies	4.81
	Total Residential Supplies	31.52
5013700	Specific Use Supplies	
5013730	Computer Operating Supplies	5.82
	Total Specific Use Supplies	5.82
	Total Supplies And Materials	1,386.21
5014000	Transfer Payments	
5014100	Awards, Contrib., and Claims	
5014130	Premiums	120.00
	Total Awards, Contrib., and Claims	120.00
	Total Transfer Payments	120.00
5015000	Continuous Charges	
5015100	Insurance-Fixed Assets	-
5015160	Property Insurance	40.69
	Total Insurance-Fixed Assets	40.69

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	Total
5015300	Operating Lease Payments	
5015340	Equipment Rentals	490.65
5015350	Building Rentals	59.94
5015390	Building Rentals - Non State	10,994.45
	Total Operating Lease Payments	11,545.04
5015500	Insurance-Operations	
5015510	General Liability Insurance	146.04
5015540	Surety Bonds	8.62
	Total Insurance-Operations	154.66
	Total Continuous Charges	11,740.39
	Total Expenditures	312,166.38
	Allocated Expenditures	
20100	Behavioral Science Exec	94,563.31
30100	Data Center	138,787.37
30200	Human Resources	12,729.16
30300	Finance	44,914.04
30400	Director's Office	26,228.88
30500	Enforcement	134,206.02
30600	Administrative Proceedings	18,103.95
30700	Impaired Practitioners	374.45
30800	Attorney General	43,061.43
30900	Board of Health Professions	14,601.23
31100	Maintenance and Repairs	116.85
31300	Emp. Recognition Program	409.06
31400	Conference Center	212.00
31500	Pgm Devlpmnt & Implmentn	12,540.28
	Total Allocated Expenditures	540,848.03

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10900 - Counseling

For the Period Beginning July 1, 2015 and Ending June 30, 2016

Account Number	Account Description	Total
	Net Revenue in Excess (Shortfall) of Expenditures	24,355.59

Deputy Executive Director's Report

Virginia Department of Health Professions

CASES RECEIVED, OPEN, & CLOSED REPORT
SUMMARY BY BOARD

FISCAL YEAR 2016, QUARTER ENDING 06/30/2016

Quarter Breakdown	
Quarter 1	July 1st - September 30th
Quarter 2	October 1st - December 31st
Quarter 3	January 1st - March 31st
Quarter 4	April 1st - June 30th

The "Received, Open, Closed" table below shows the number of received and closed cases during the quarters specified and a "snapshot" of the cases still open at the end of the quarter.

Board Of	Q1 2014	Q2 2014	Q3 2014	Q4 2014	Q1 2015	Q2 2015	Q3 2015	Q4 2015	Q1 2016	Q2 2016	Q3 2016	CURRENT Q4 2016
Audiology/Speech Pathology												
Number of Cases Received	4	2	6	8	6	3	10	12	5	1	2	5
Number of Cases Open	1	3	6	7	7	8	15	8	7	8	5	6
Number of Cases Closed	9	0	2	7	6	2	4	19	8	0	5	4
Counseling												
Number of Cases Received	27	19	19	32	29	20	19	23	24	21	32	26
Number of Cases Open	57	19	55	59	73	80	87	94	91	108	117	116
Number of Cases Closed	22	19	20	31	15	14	12	21	31	11	25	27
Dentistry												
Number of Cases Received	96	90	140	123	93	126	123	111	107	67	110	89
Number of Cases Open	327	293	356	412	393	399	404	425	388	302	310	310
Number of Cases Closed	107	126	85	74	121	122	123	112	154	162	105	89
Funeral Directing												
Number of Cases Received	33	13	9	21	31	8	13	14	22	20	21	12
Number of Cases Open	44	40	24	30	48	31	28	30	37	41	45	37
Number of Cases Closed	32	17	24	15	11	26	16	12	14	19	18	21

Virginia Department of Health Professions

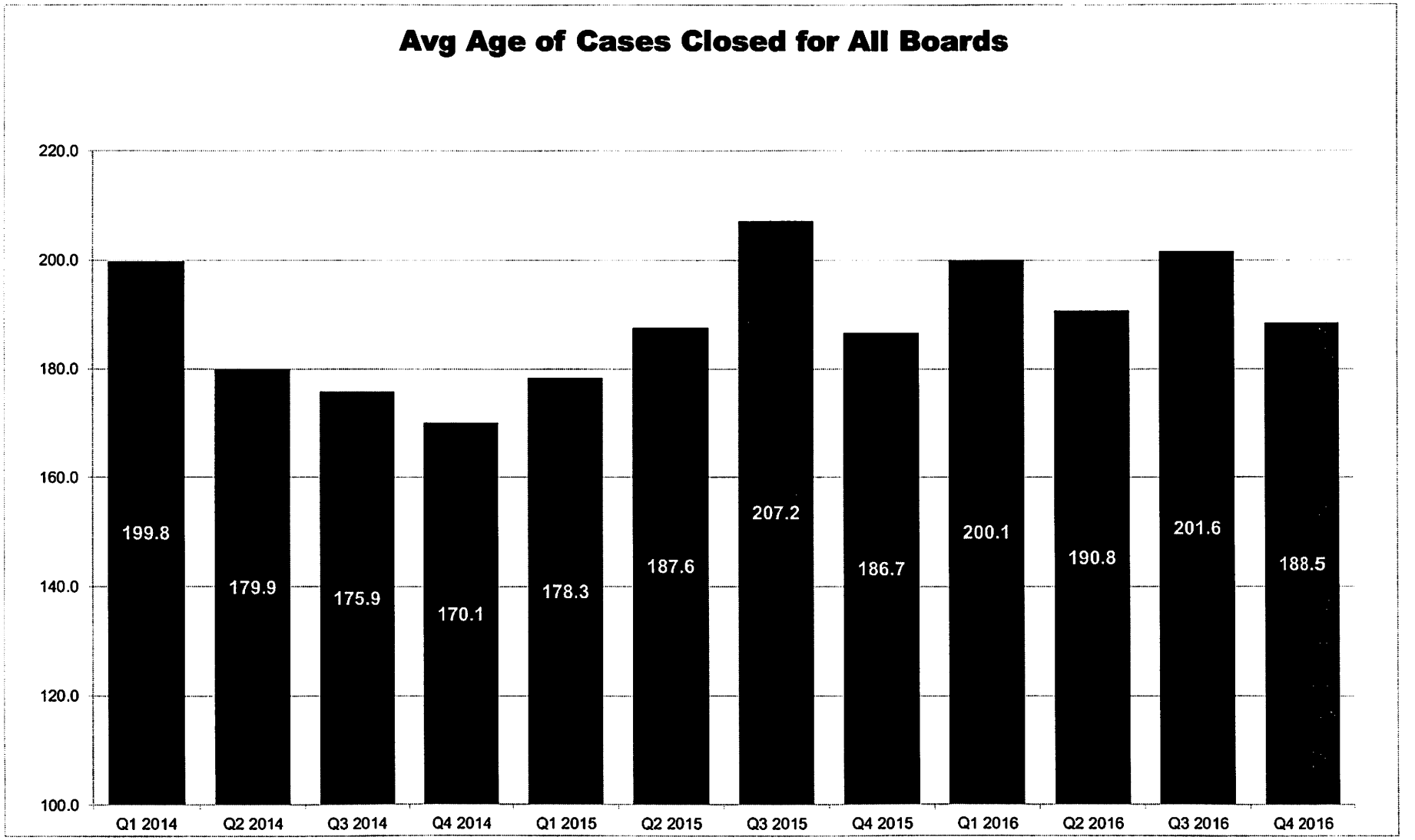
AVERAGE TIME TO CLOSE A CASE (IN DAYS) PER QUARTER

FISCAL YEAR 2016, QUARTER ENDING 06/30/2016

Quarter Breakdown	
Quarter 1	July 1st - September 30th
Quarter 2	October 1st - December 31st
Quarter 3	January 1st - March 31st
Quarter 4	April 1st - June 30th

***The average age of cases closed is a measurement of how long it takes, on average, for a case to be processed from entry to closure. These calculations include only cases closed within the quarter specified.**

	Q1 2014	Q2 2014	Q3 2014	Q4 2014	Q1 2015	Q2 2015	Q3 2015	Q4 2015	Q1 2016	Q2 2016	Q3 2016	CURRENT Q4 2016
Audiology/Speech Pathology	47.2	0.0	53.0	77.5	92.0	66.7	179.0	82.1	134.9	N/A	215.2	152.8
Counseling	254.2	225.4	225.8	170.4	204.6	238.2	315.6	252.2	284.1	193.5	415.6	323.7
Dentistry	286.0	325.1	298.1	394.1	307.5	259.4	222.8	350.3	272.5	292.7	248.3	303.1
Funeral Directing	180.4	164.2	185.7	175.5	175.9	99.4	205.8	140.4	181.3	190.7	134.3	240.6
Long Term Care Administrator	120.7	195.0	291.1	143.8	184.8	154.7	179.7	260.5	247.6	145.4	218.5	232.3
Medicine	225.0	135.9	167.5	151.7	170.8	165.4	219.3	147.3	177.1	181.1	161.6	157.5
Nurse Aide	164.9	167.1	146.6	121.1	116.4	147.2	172.6	145.5	169.6	121.8	154.7	122.9
Nursing	190.1	179.8	184.0	182.9	173.2	214.3	188.1	231.2	191.1	196.3	217.6	193.6
Optometry	163.5	220.5	229.5	289.4	205.5	184.3	122.1	197.2	294.0	154.2	231.0	194.4
Pharmacy	158.7	142.4	130.5	148.4	139.7	102.1	247.3	121.9	200.2	102.6	110.8	122.3
Physical Therapy	99.8	127.0	125.8	123.0	176.4	137.9	120.8	280.5	190.0	117.1	145.3	242.9
Psychology	155.1	177.5	149.5	176.5	210.0	129.0	171.1	181.1	216.0	287.0	437.0	287.3
Social Work	176.0	138.9	216.9	171.2	183.9	314.4	198.9	202.9	199.4	132.5	342.0	226.0
Veterinary Medicine	243.9	243.9	187.2	118.2	214.5	318.2	269.9	158.9	295.7	331.7	332.4	407.3
AGENCY	199.8	179.9	175.9	170.1	178.3	187.6	207.2	186.7	200.1	190.8	201.6	188.5


Avg Age of Cases Closed for All Boards
220.0
200.0
180.0
160.0
140.0
120.0
100.0
199.8
179.9
175.9
170.1
178.3
187.6
207.2
186.7
200.1
190.8
201.6
188.5
Q1 2014
Q2 2014
Q3 2014
Q4 2014
Q1 2015
Q2 2015
Q3 2015
Q4 2015
Q1 2016
Q2 2016
Q3 2016
Q4 2016

Virginia Department of Health Professions

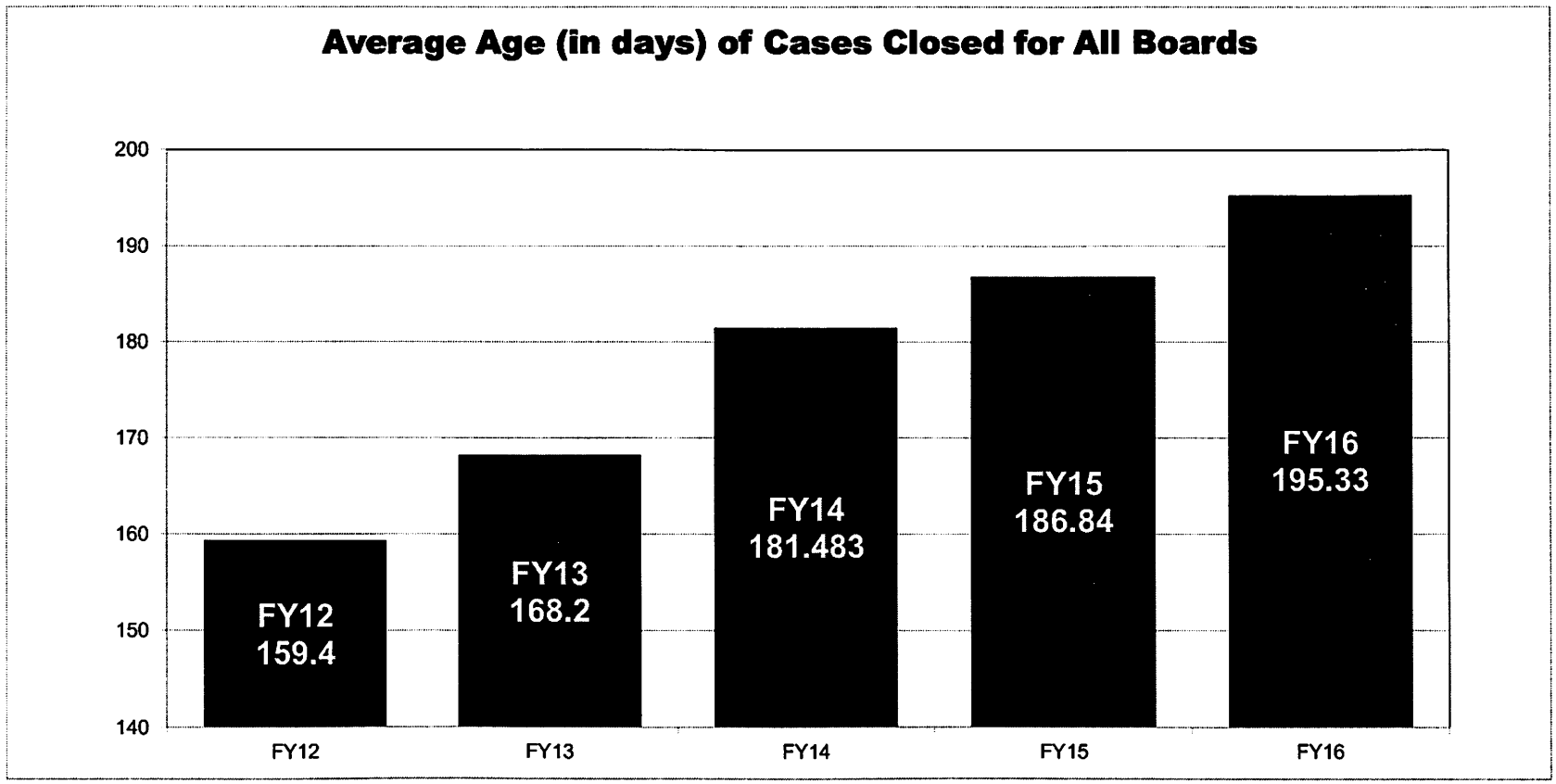
AVERAGE TIME TO CLOSE A CASE (IN DAYS) PER FISCAL YEAR

LAST FIVE FISCAL YEARS

Quarter Breakdown	
Quarter 1	July 1st - September 30th
Quarter 2	October 1st - December 31st
Quarter 3	January 1st - March 31st
Quarter 4	April 1st - June 30th

The average age of cases closed is a measurement of how long it takes, on average, for a case to be processed from entry to closure. These calculations include only cases closed within the quarter specified.

Board	FY12	Change Between FY13 & FY12	FY13	Change Between FY14 & FY13	FY14	Change Between FY15 & FY14	FY15	Change Between FY16 & FY15	FY16
Audiology/Speech Pathology	113.4	-31.4%	77.8	-23.1%	59.85	65.4%	99	67.4%	165.75
Counseling	183.7	130.0%	422.6	-49.1%	215.2	20.0%	258.3	22.0%	315.01
Dentistry	213.7	31.1%	280.2	13.5%	317.9	-11.0%	282.92	-1.4%	278.91
Funeral Directing	166.1	6.9%	177.5	0.3%	178	-16.7%	148.27	28.2%	190.1
Long Term Care Administrator	164.6	41.6%	233.1	-24.6%	175.79	7.2%	188.47	12.7%	212.4
Medicine	119.9	7.8%	129.2	21.2%	156.58	9.2%	171.01	-0.9%	169.54
Nurse Aide	174.4	-13.8%	150.3	35.5%	203.71	-29.6%	143.41	0.5%	144.16
Nursing	184.6	-10.8%	164.7	8.4%	178.51	8.7%	194.02	3.4%	200.56
Optometry	138.2	-10.1%	124.2	80.1%	223.64	-23.7%	170.73	19.6%	204.15
Pharmacy	158.9	-3.0%	154.2	-11.4%	136.662	19.0%	162.63	-20.7%	128.97
Physical Therapy	235	-24.6%	177.2	-16.9%	147.2	22.0%	179.65	-5.9%	169.05
Psychology	228.7	30.4%	298.3	-46.9%	158.265	15.4%	182.65	89.0%	345.23
Social Work	129.6	113.3%	276.5	-37.8%	171.975	33.4%	229.43	11.0%	254.68
Veterinary Medicine	153.6	7.7%	165.4	5.7%	174.829	31.6%	230.03	48.4%	341.38
AGENCY	159.4	5.5%	168.2	7.9%	181.483	3.0%	186.84	*4.5%*	195.33


Average Age (in days) of Cases Closed for All Boards
200
190
180
170
160
150
140
FY12
159.4
FY13
168.2
FY14
181.483
FY15
186.84
FY16
195.33
FY12
FY13
FY14
FY15
FY16

Virginia Department of Health Professions

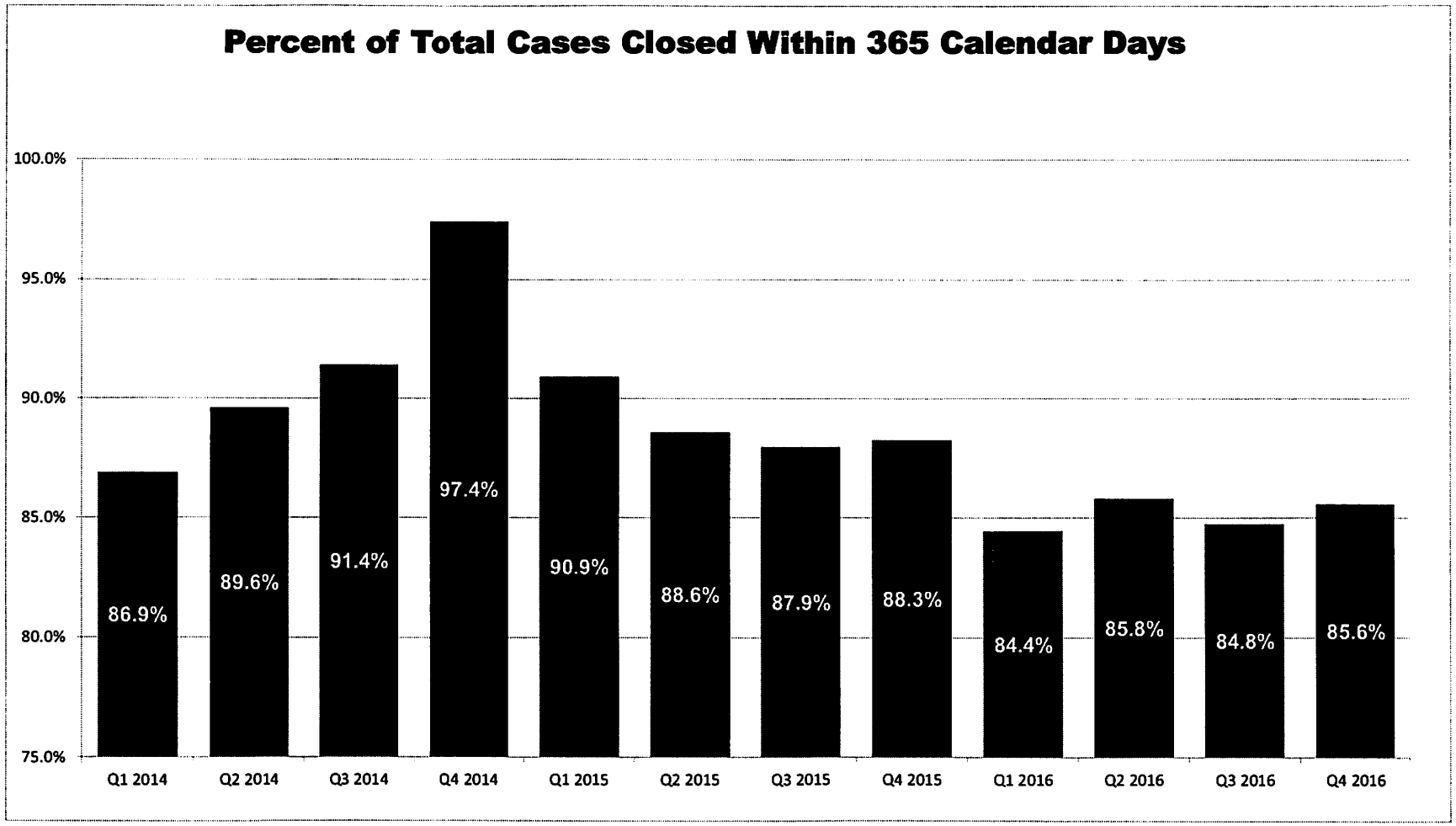
PERCENTAGE OF CASES OF ALL TYPES CLOSED WITHIN 365 CALENDAR DAYS*

FISCAL YEAR 2016, QUARTER ENDING 06/30/2016

Quarter Breakdown	
Quarter 1	July 1st - September 30th
Quarter 2	October 1st - December 31st
Quarter 3	January 1st - March 31st
Quarter 4	April 1st - June 30th

The percent of cases closed in fewer than 365 days shows, from the total of all cases closed during the specified period, the percent of cases that were closed in less than one year.

	Q1 2014	Q2 2014	Q3 2014	Q4 2014	Q1 2015	Q2 2015	Q3 2015	Q4 2015	Q1 2016	Q2 2016	Q3 2016	CURRENT Q4 2016
Audiology/Speech Pathology	N/A	N/A	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	N/A	100.0%	100.0%
Counseling	80.0%	80.0%	89.5%	96.8%	86.7%	78.6%	75.0%	76.2%	64.3%	72.7%	36.0%	55.6%
Dentistry	73.0%	64.0%	72.9%	52.7%	67.5%	81.2%	83.7%	53.6%	74.0%	69.8%	80.0%	64.0%
Funeral Directing	93.3%	82.4%	95.8%	86.7%	90.9%	100.0%	87.5%	100.0%	88.2%	88.2%	100.0%	81.0%
Long Term Care Administrator	100.0%	75.0%	71.4%	100.0%	84.6%	92.9%	90.9%	84.6%	77.8%	88.9%	80.8%	85.7%
Medicine	79.6%	95.9%	91.6%	92.7%	90.4%	89.9%	87.1%	94.3%	87.8%	87.9%	89.7%	91.2%
Nurse Aide	94.3%	95.7%	96.7%	96.2%	97.9%	96.2%	96.6%	93.0%	91.1%	97.1%	95.9%	92.6%
Nursing	90.8%	91.8%	92.3%	90.1%	94.1%	86.5%	92.4%	87.2%	87.3%	86.2%	84.2%	87.2%
Optometry	100.0%	75.0%	66.7%	75.0%	82.4%	75.0%	100.0%	66.7%	85.7%	100.0%	80.0%	85.7%
Pharmacy	91.1%	90.1%	92.7%	132.9%	95.5%	95.1%	76.7%	62.2%	82.8%	95.4%	93.1%	95.2%
Physical Therapy	100.0%	90.0%	100.0%	100.0%	90.9%	87.5%	100.0%	75.0%	75.0%	100.0%	100.0%	77.8%
Psychology	90.5%	94.1%	92.3%	100.0%	93.3%	100.0%	87.5%	100.0%	75.0%	50.0%	37.5%	50.0%
Social Work	93.8%	100.0%	85.7%	91.7%	95.7%	72.2%	92.3%	77.8%	65.5%	87.5%	46.2%	75.0%
Veterinary Medicine	85.7%	94.7%	96.7%	100.0%	93.5%	66.7%	71.1%	92.7%	65.3%	63.5%	69.1%	54.8%
AGENCY TOTAL	86.9%	89.6%	91.4%	97.4%	90.9%	88.6%	87.9%	88.3%	84.4%	85.8%	84.8%	85.6%


Percent of Total Cases Closed Within 365 Calendar Days
100.0%
95.0%
90.0%
85.0%
80.0%
75.0%
86.9%
89.6%
91.4%
97.4%
90.9%
88.6%
87.9%
88.3%
84.4%
85.8%
84.8%
85.6%
Q1 2014
Q2 2014
Q3 2014
Q4 2014
Q1 2015
Q2 2015
Q3 2015
Q4 2015
Q1 2016
Q2 2016
Q3 2016
Q4 2016

Virginia Department of Health Professions

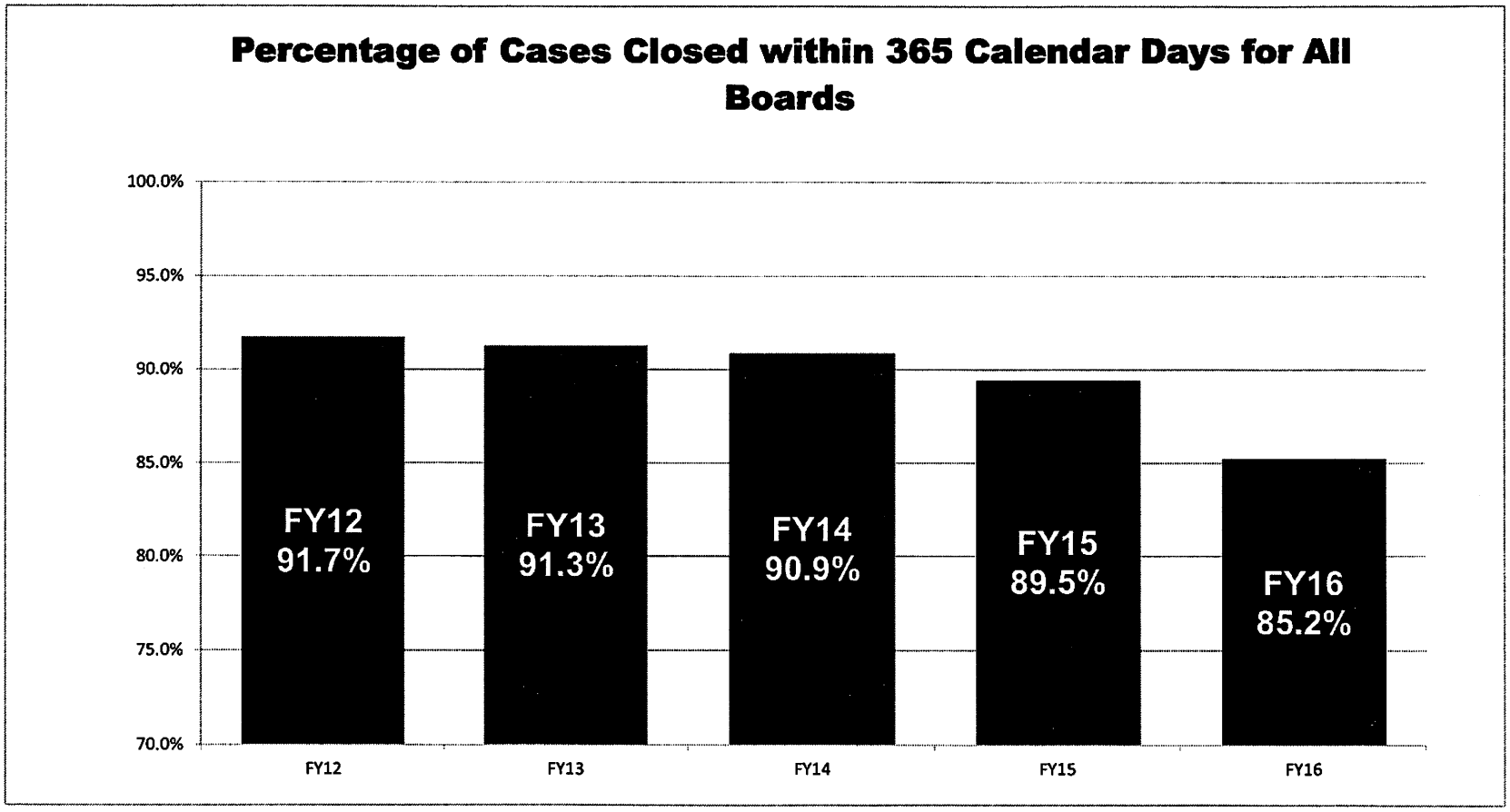
PERCENTAGE OF CASES CLOSED WITHIN 365 CALENDAR DAYS

LAST FIVE FISCAL YEARS

Quarter Breakdown	
Quarter 1	July 1st - September 30th
Quarter 2	October 1st - December 31st
Quarter 3	January 1st - March 31st
Quarter 4	April 1st - June 30th

***The percent of cases closed in fewer than 365 days shows, from the total of all cases closed during the specified period, the percent of cases that were closed in less than one year. In comparing two time periods, if the change is positive there was a higher percent of cases closed in under a year in the first period than in the previous period.**

Board	FY12	Change Between FY13 & FY 12	FY13	Change Between FY14 & FY 13	FY14	Change Between FY15 & FY 14	FY15	Change Between FY16 & FY 15	FY16
Audiology/Speech Pathology	94.4%	2.1%	96.4%	3.7%	100.0%	-3.2%	96.8%	3.3%	100.0%
Counseling	72.2%	12.5%	81.2%	7.9%	87.6%	-12.6%	76.6%	-25.8%	56.8%
Dentistry	92.4%	-6.4%	86.5%	-24.7%	65.1%	11.1%	72.4%	0.0%	72.4%
Funeral Directing	86.0%	0.3%	86.3%	5.3%	90.8%	5.4%	95.7%	-6.0%	90.0%
Long Term Care	91.8%	-3.4%	88.7%	-0.1%	88.6%	1.6%	90.0%	-6.4%	84.2%
Medicine	92.6%	-0.6%	92.1%	-0.4%	91.7%	-1.0%	90.8%	-1.7%	89.3%
Nurse Aide	91.7%	0.2%	91.9%	4.6%	96.1%	-0.1%	96.0%	-2.2%	94.0%
Nursing	91.5%	0.3%	91.8%	0.6%	92.3%	-2.2%	90.3%	-4.7%	86.1%
Optometry	100.0%	-8.2%	91.8%	-9.2%	83.3%	4.0%	86.7%	4.9%	90.9%
Pharmacy	92.6%	-1.2%	91.5%	0.5%	92.0%	-4.3%	88.0%	4.4%	91.9%
Physical Therapy	95.8%	-8.0%	88.1%	8.2%	95.4%	-5.6%	90.0%	3.4%	93.0%
Psychology	81.1%	17.4%	95.2%	-1.6%	93.7%	0.1%	93.8%	-49.5%	47.3%
Social Work	87.9%	2.4%	90.0%	3.0%	92.7%	-8.3%	85.0%	-28.4%	60.9%
Veterinary Medicine	94.0%	-3.4%	90.8%	4.8%	95.2%	5.1%	100.0%	-37.6%	62.4%
AGENCY	91.7%	-0.5%	91.3%	-0.4%	90.9%	-1.6%	89.5%	-4.8%	85.2%


Percentage of Cases Closed within 365 Calendar Days for All Boards
100.0%
95.0%
90.0%
85.0%
80.0%
75.0%
70.0%
FY12
91.7%
FY13
91.3%
FY14
90.9%
FY15
89.5%
FY16
85.2%
FY12
FY13
FY14
FY15
FY16

Licensing Manager's Report

Virginia Department of Health Professions

COUNT OF CURRENT LICENSES*
BOARD SUMMARY

FISCAL YEAR 2016, QUARTER ENDING 06/30/2016

Quarter Breakdown	
Quarter 1	July 1st - September 30th
Quarter 2	October 1st - December 31st
Quarter 3	January 1st - March 31st
Quarter 4	April 1st - June 30th

**CURRENT LICENSES BY BOARD AND OCCUPATION AS OF THE LAST DAY OF THE QUARTER*

	Q1 2014	Q2 2014	Q3 2014	Q4 2014	Q1 2015	Q2 2015	Q3 2015	Q4 2015	Q1 2016	Q2 2016	Q3 2016	CURRENT Q4 2016
Audiology/Speech Pathology	4019	4093	3936	4104	4418	4674	4653	4840	4944	4992	4720	4802
Counseling	6788	6960	7098	6545	7026	7183	7256	7042	7249	7490	7597	7808
Dentistry	13103	13226	12617	13140	13390	13507	12782	13753	13999	14186	14319	14184
Funeral Directing	2484	2516	2379	2471	2521	2543	2313	2506	2540	2573	2618	2497
Long Term Care Administrator	2030	2079	1968	2054	2107	2176	1922	2058	2115	2165	2206	2087
Medicine	61299	61769	61910	61789	62714	62617	62816	64137	65337	65922	66177	67447
Nurse Aide	53995	53989	53751	53098	54250	54491	53695	53834	54568	54402	54374	54477
Nursing	159261	159067	159315	159974	162346	161891	161569	163058	164128	163594	163637	164199
Optometry	1896	1915	1852	1906	1927	1946	1856	1915	1931	1963	1874	1914
Pharmacy	34021	34800	33321	34398	35424	36750	34226	35476	36365	37218	34741	35972
Physical Therapy	10170	10390	10574	10901	11401	11647	10533	11000	10908	11075	11240	11702
Psychology	3696	3799	3888	3624	3893	4017	4093	3876	4028	4141	4253	4360
Social Work	5923	6076	6242	6350	6481	6590	6741	6306	6544	6690	6828	7057
Veterinary Medicine	6833	6882	6651	6897	7029	7108	6888	7187	7304	7370	7112	7376
AGENCY TOTAL	365518	367561	365502	367251	374927	377140	371343	376988	381960	383781	381696	385882

Virginia Department of Health Professions

COUNT OF CURRENT LICENSES *

FISCAL YEAR 2016, QUARTER ENDING 06/30/2016

Quarter Breakdown	
Quarter 1	July 1st - September 30th
Quarter 2	October 1st - December 31st
Quarter 3	January 1st - March 31st
Quarter 4	April 1st - June 30th

***CURRENT LICENSES BY BOARD AND OCCUPATION AS OF THE LAST DAY OF THE QUARTER**

Board	Occupation	Q1 2014	Q2 2014	Q3 2014	Q4 2014	Q1 2015	Q2 2015	Q3 2015	Q4 2015	Q1 2016	Q2 2016	Q3 2016	CURRENT Q4 2016
Audiology/Speech Pathology	Audiologist	494	500	480	486	506	513	491	501	517	519	497	507
	Continuing Education Provider	0	0	11	12	0	12	13	14	14	14	14	15
	School Speech Pathologist	124	127	124	130	221	334	431	475	508	513	475	484
	Speech Pathologist	3401	3466	3321	3476	3691	3815	3718	3850	3907	3946	3734	3796
Total		*4019*	*4093*	*3936*	*4104*	*4418*	*4674*	*4653*	*4840*	*4944*	*4992*	*4720*	*4802*
Counseling	Certified Substance Abuse Counselor	1614	1661	1680	1473	1617	1669	1679	1558	1617	1679	1691	1734
	Licensed Marriage and Family Therapist	817	825	838	775	817	828	832	808	825	845	856	870
	Licensed Professional Counselor	3716	3821	3944	3700	3950	4036	4123	4072	4188	4333	4435	4567
	Rehabilitation Provider	336	337	307	311	312	313	280	285	288	288	259	266
	Substance Abuse Counseling Assistant	124	135	146	117	151	157	162	152	163	169	179	192
	Substance Abuse Treatment Practitioner	181	181	183	169	179	180	180	167	170	176	177	179
Total		*6788*	*6960*	*7098*	*6545*	*7026*	*7183*	*7256*	*7042*	*7249*	*7490*	*7597*	*7808*
Dentistry	Conscious/Moderate Sedation	166	174	139	182	193	199	178	189	198	206	210	212
	Cosmetic Procedure Certification	29	30	29	30	30	32	31	32	33	34	32	36
	Deep Sedation/General Anesthesia	38	40	30	41	48	50	44	51	56	59	63	51
	Dental Assistant II	3	3	3	3	3	4	6	10	10	10	12	11
	Dental Full Time Faculty	10	10	9	9	9	10	11	12	14	14	15	16
	Dental Hygienist	5466	5508	5287	5465	5558	5596	5293	5575	5643	5687	5722	5719
	Dental Hygienist Faculty	0	0	0	0	1	0	0	0	1	1	1	1
	Dental Hygienist Restricted Volunteer	-	-	-	1	0	1	1	1	1	1	1	1
	Dental Hygienist Temporary Permit	0	0	0	0	0	0	0	0	0	0	0	0
	Dental Hygienist Volunteer Registration	-	-	-	-	-	-	1	0	1	0	0	1
	Dental Restricted Volunteer	15	16	17	13	16	14	14	13	14	14	18	20
	Dental Teacher	0	0	0	0	0	0	0	0	0	0	0	0
	Dental Temporary Permit	1	1	1	0	0	0	0	0	0	0	0	0
	Dentist	6905	6962	6668	6911	7022	7097	6713	7052	7152	7212	7292	7147
	Dentist-Volunteer Registration	10	2	2	2	11	0	7	6	9	3	9	7
	Enteral Conscious/Moderate Sedation	142	156	113	157	163	164	150	152	163	175	180	166

Virginia Department of Health Professions

COUNT OF CURRENT LICENSES *

LAST FIVE FISCAL YEARS

Quarter Breakdown	
Quarter 1	July 1st - September 30th
Quarter 2	October 1st - December 31st
Quarter 3	January 1st - March 31st
Quarter 4	April 1st - June 30th

CURRENT LICENSES BY BOARD AND OCCUPATION AS OF THE LAST DAY OF THE FISCAL YEAR

Board	Occupation	FY12	Change Between FY13 & FY12	FY13	Change Between FY14 & FY13	FY14	Change Between FY15 & FY14	FY15	Change Between FY16 & FY15	FY16
Audiology/Speech Pathology	Audiologist	451	3.8%	468	3.8%	486	3.1%	501	1.2%	507
	Continuing Education Provider	1	-	0	-	12	16.7%	14	7.1%	15
	School Speech Pathologist	110	5.5%	116	12.1%	130	265.4%	475	1.9%	484
	Speech Pathologist	3022	5.0%	3172	9.6%	3476	10.8%	3850	-1.4%	3796
Total		*3584*	*4.8%*	*3756*	*9.3%*	*4104*	*17.9%*	*4840*	*-0.8%*	*4802*
Counseling	Certified Substance Abuse Counselor	1714	0.6%	1724	-14.6%	1473	5.8%	1558	11.3%	1734
	Licensed Marriage and Family Therapist	790	1.4%	801	-3.2%	775	4.3%	808	7.7%	870
	Licensed Professional Counselor	3538	2.6%	3630	1.9%	3700	10.1%	4072	12.2%	4567
	Rehabilitation Provider	334	-0.3%	333	-6.6%	311	-8.4%	285	-6.7%	266
	Substance Abuse Counseling Assistant	115	11.3%	128	-8.6%	117	29.9%	152	26.3%	192
	Substance Abuse Treatment Practitioner	183	1.1%	185	-8.6%	169	-1.2%	167	7.2%	179
Total		*6674*	*1.9%*	*6801*	*-3.8%*	*6545*	*7.6%*	*7042*	*10.9%*	*7808*
Dentistry	Conscious/Moderate Sedation	-	-	144	26.4%	182	3.8%	189	12.2%	212
	Cosmetic Procedure Certification	27	0.0%	27	11.1%	30	6.7%	32	12.5%	36
	Deep Sedation/General Anesthesia	-	-	32	28.1%	41	24.4%	51	0.0%	51
	Dental Assistant II	-	-	3	0.0%	3	233.3%	10	10.0%	11
	Dental Full Time Faculty	9	0.0%	9	0.0%	9	33.3%	12	33.3%	16
	Dental Hygienist	5021	2.0%	5122	6.7%	5465	2.0%	5575	2.6%	5719
	Dental Hygienist Faculty	1	0.0%	1	-	0	-	0	–	1
	Dental Hygienist Restricted Volunteer	-	-	-	-	1	0.0%	1	0.0%	1
	Dental Hygienist volunteer Registrations	-	–	-	–	-	–	-	–	1
	Dental Hygienist Temporary Permit	13	-	-	-	0	-	0	–	0
	Dental Restricted Volunteer	-	-	16	-18.8%	13	0.0%	13	53.8%	20
	Dental Teacher	3	33.3%	4	-	0	-	0	–	0
	Dental Temporary Permit	3	-33.3%	2	-	0	-	0	–	0
	Dentist	6293	2.2%	6432	7.4%	6911	2.0%	7052	1.3%	7147
	Dentist-Volunteer Registration	-	-	1	100.0%	2	200.0%	6	16.7%	7
	Enteral Conscious/Moderate Sedation	-	-	94	67.0%	157	-3.2%	152	9.2%	166
	Mobile Dental Facility	-	-	7	28.6%	9	44.4%	13	7.7%	14

Public Participation Guidelines (PPG)

Agenda Item: Board action on Public Participation Guidelines (PPG)

Included in your agenda package are:

A copy of the applicable law in the Administrative Process Act (APA)

A copy of the applicable section of the Board's PPG regulations

Staff Note:

The action to conform the regulation to language in the Code.

Board action:

To adopt the amendment to 18VAC115-11-50.

Code of Virginia
Title 2.2. Administration of Government
Chapter 40. Administrative Process Act

§ 2.2-4007.02. Public participation guidelines.

A. Public participation guidelines for soliciting the input of interested parties in the formation and development of its regulations shall be developed, adopted, and used by each agency pursuant to the provisions of this chapter. The guidelines shall set out any methods for the identification and notification of interested parties and any specific means of seeking input from interested persons or groups that the agency intends to use in addition to the Notice of Intended Regulatory Action. The guidelines shall set out a general policy for the use of standing or ad hoc advisory panels and consultation with groups and individuals registering interest in working with the agency. Such policy shall address the circumstances in which the agency considers the panels or consultation appropriate and intends to make use of the panels or consultation.

B. In formulating any regulation, including but not limited to those in public assistance and social services programs, the agency pursuant to its public participation guidelines shall afford interested persons an opportunity to (i) submit data, views, and arguments, either orally or in writing, to the agency, to include an online public comment forum on the Virginia Regulatory Town Hall, or other specially designated subordinate and (ii) be accompanied by and represented by counsel or other representative. However, the agency may begin drafting the proposed regulation prior to or during any opportunities it provides to the public to submit comments.

2007, cc. 873, 916; 2012, c. 795.

Project 4681 - none

BOARD OF COUNSELING

Conformity to Code

Part III

Public Participation Procedures

18VAC115-11-50. Public comment.

A. In considering any nonemergency, nonexempt regulatory action, the agency shall afford interested persons an opportunity to (i) submit data, views, and arguments, either orally or in writing, to the agency; and (ii) be accompanied by and represented by counsel or other representative. Such opportunity to comment shall include an online public comment forum on the Town Hall.

1. To any requesting person, the agency shall provide copies of the statement of basis, purpose, substance, and issues; the economic impact analysis of the proposed or fast-track regulatory action; and the agency's response to public comments received.

2. The agency may begin crafting a regulatory action prior to or during any opportunities it provides to the public to submit comments.

B. The agency shall accept public comments in writing after the publication of a regulatory action in the Virginia Register as follows:

1. For a minimum of 30 calendar days following the publication of the notice of intended regulatory action (NOIRA).

2. For a minimum of 60 calendar days following the publication of a proposed regulation.

3. For a minimum of 30 calendar days following the publication of a reproposed regulation.

4. For a minimum of 30 calendar days following the publication of a final adopted regulation.

5. For a minimum of 30 calendar days following the publication of a fast-track regulation.

6. For a minimum of 21 calendar days following the publication of a notice of periodic review.

7. Not later than 21 calendar days following the publication of a petition for rulemaking.

C. The agency may determine if any of the comment periods listed in subsection B of this section shall be extended.

D. If the Governor finds that one or more changes with substantial impact have been made to a proposed regulation, he may require the agency to provide an additional 30 calendar days to solicit additional public comment on the changes in accordance with § 2.2-4013 C of the Code of Virginia.

E. The agency shall send a draft of the agency's summary description of public comment to all public commenters on the proposed regulation at least five days before final adoption of the regulation pursuant to § 2.2-4012 E of the Code of Virginia.

Regulatory Actions Chart

Agenda Item: **Regulatory Actions - Chart of Regulatory Actions**
(As of August 11, 2016)

Chapter		Action / Stage Information
[18 VAC 115 - 20]	Regulations Governing the Practice of Professional Counseling	Requirement for CACREP accreditation for educational programs [Action 4259] Proposed - *At Governor's Office for 64 days*
[18 VAC 115 - 20]	Regulations Governing the Practice of Professional Counseling	Fee increase [Action 4443] Proposed - *Register Date: 8/22/16* *Comment period: 8/22/16 to 10/21/16* *Public hearing: 9/22/16*
[18 VAC 115 - 20]	Regulations Governing the Practice of Professional Counseling	Periodic review [Action 4182] Final - *Register Date: 7/25/16* *Effective: 8/24/16*

Continuing Education Regulations

Agenda Item: Board action on Continuing Education Regulations

Included in your agenda package are:

A copy of HB319 of the 2016 General Assembly

A copy of the DRAFT regulations

Staff Note:

The legislation requires promulgation of regulations to allow some volunteer service time to count towards meeting CE requirements. The mandate takes effect January 1, 2017.

Board action:

To adopt the amendments to Chapters 20, 50 and 60 by fast-track action

VIRGINIA ACTS OF ASSEMBLY -- 2016 SESSION

CHAPTER 82

An Act to amend and reenact § 54.1-2400 of the Code of Virginia, relating to continuing education requirements; volunteer health services.

[H 319]

Approved March 1, 2016

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2400 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2400. General powers and duties of health regulatory boards.

The general powers and duties of health regulatory boards shall be:

1. To establish the qualifications for registration, certification, licensure or the issuance of a multistate licensure privilege in accordance with the applicable law which are necessary to ensure competence and integrity to engage in the regulated professions.

2. To examine or cause to be examined applicants for certification or licensure. Unless otherwise required by law, examinations shall be administered in writing or shall be a demonstration of manual skills.

3. To register, certify, license or issue a multistate licensure privilege to qualified applicants as practitioners of the particular profession or professions regulated by such board.

4. To establish schedules for renewals of registration, certification, licensure, and the issuance of a multistate licensure privilege.

5. To levy and collect fees for application processing, examination, registration, certification or licensure or the issuance of a multistate licensure privilege and renewal that are sufficient to cover all expenses for the administration and operation of the Department of Health Professions, the Board of Health Professions and the health regulatory boards.

6. To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) ~~which~~ *that* are reasonable and necessary to administer effectively the regulatory system, *which shall include provisions for the satisfaction of board-required continuing education for individuals registered, certified, licensed, or issued a multistate licensure privilege by a health regulatory board through delivery of health care services, without compensation, to low-income individuals receiving health services through a local health department or a free clinic organized in whole or primarily for the delivery of those health services.* Such regulations shall not conflict with the purposes and intent of this chapter or of Chapter 1 (§ 54.1-100 et seq.) and Chapter 25 (§ 54.1-2500 et seq.) ~~of this title~~.

7. To revoke, suspend, restrict, or refuse to issue or renew a registration, certificate, license or multistate licensure privilege which such board has authority to issue for causes enumerated in applicable law and regulations.

8. To appoint designees from their membership or immediate staff to coordinate with the Director and the Health Practitioners' Monitoring Program Committee and to implement, as is necessary, the provisions of Chapter 25.1 (§ 54.1-2515 et seq.) of this title. Each health regulatory board shall appoint one such designee.

9. To take appropriate disciplinary action for violations of applicable law and regulations, and to accept, in their discretion, the surrender of a license, certificate, registration or multistate licensure privilege in lieu of disciplinary action.

10. To appoint a special conference committee, composed of not less than two members of a health regulatory board or, when required for special conference committees of the Board of Medicine, not less than two members of the Board and one member of the relevant advisory board, or, when required for special conference committees of the Board of Nursing, not less than one member of the Board and one member of the relevant advisory board, to act in accordance with § 2.2-4019 upon receipt of information that a practitioner or permit holder of the appropriate board may be subject to disciplinary action or to consider an application for a license, certification, registration, permit or multistate licensure privilege in nursing. The special conference committee may (i) exonerate; (ii) reinstate; (iii) place the practitioner or permit holder on probation with such terms as it may deem appropriate; (iv) reprimand; (v) modify a previous order; (vi) impose a monetary penalty pursuant to § 54.1-2401, (vii) deny or grant an application for licensure, certification, registration, permit, or multistate licensure privilege; and (viii) issue a restricted license, certification, registration, permit or multistate licensure privilege subject to terms and conditions. The order of the special conference committee shall become final 30 days after service of the order unless a written request to the board for a hearing is received within such time. If service of the decision to a party is accomplished by mail, three days shall be added to the 30-day period. Upon receiving a timely written request for a hearing, the board or a panel of the board shall then proceed with a hearing as provided in § 2.2-4020, and the action of the committee shall be vacated.

This subdivision shall not be construed to limit the authority of a board to delegate to an appropriately qualified agency subordinate, as defined in § 2.2-4001, the authority to conduct informal fact-finding proceedings in accordance with § 2.2-4019, upon receipt of information that a practitioner may be subject to a disciplinary action. The recommendation of such subordinate may be considered by a panel consisting of at least five board members, or, if a quorum of the board is less than five members, consisting of a quorum of the members, convened for the purpose of issuing a case decision. Criteria for the appointment of an agency subordinate shall be set forth in regulations adopted by the board.

11. To convene, at their discretion, a panel consisting of at least five board members or, if a quorum of the board is less than five members, consisting of a quorum of the members to conduct formal proceedings pursuant to § 2.2-4020, decide the case, and issue a final agency case decision. Any decision rendered by majority vote of such panel shall have the same effect as if made by the full board and shall be subject to court review in accordance with the Administrative Process Act. No member who participates in an informal proceeding conducted in accordance with § 2.2-4019 shall serve on a panel conducting formal proceedings pursuant to § 2.2-4020 to consider the same matter.

12. To issue inactive licenses or certificates and promulgate regulations to carry out such purpose. Such regulations shall include, but not be limited to, the qualifications, renewal fees, and conditions for reactivation of licenses or certificates.

13. To meet by telephone conference call to consider settlement proposals in matters pending before special conference committees convened pursuant to this section, or matters referred for formal proceedings pursuant to § 2.2-4020 to a health regulatory board or a panel of the board or to consider modifications of previously issued board orders when such considerations have been requested by either of the parties.

14. To request and accept from a certified, registered or licensed practitioner or person holding a multistate licensure privilege to practice nursing, in lieu of disciplinary action, a confidential consent agreement. A confidential consent agreement shall be subject to the confidentiality provisions of § 54.1-2400.2 and shall not be disclosed by a practitioner. A confidential consent agreement shall include findings of fact and may include an admission or a finding of a violation. A confidential consent agreement shall not be considered either a notice or order of any health regulatory board, but it may be considered by a board in future disciplinary proceedings. A confidential consent agreement shall be entered into only in cases involving minor misconduct where there is little or no injury to a patient or the public and little likelihood of repetition by the practitioner. A board shall not enter into a confidential consent agreement if there is probable cause to believe the practitioner has (i) demonstrated gross negligence or intentional misconduct in the care of patients or (ii) conducted his practice in such a manner as to be a danger to the health and welfare of his patients or the public. A certified, registered or licensed practitioner who has entered into two confidential consent agreements involving a standard of care violation, within the 10-year period immediately preceding a board's receipt of the most recent report or complaint being considered, shall receive public discipline for any subsequent violation within the 10-year period unless the board finds there are sufficient facts and circumstances to rebut the presumption that the disciplinary action be made public.

15. When a board has probable cause to believe a practitioner is unable to practice with reasonable skill and safety to patients because of excessive use of alcohol or drugs or physical or mental illness, the board, after preliminary investigation by an informal fact-finding proceeding, may direct that the practitioner submit to a mental or physical examination. Failure to submit to the examination shall constitute grounds for disciplinary action. Any practitioner affected by this subsection shall be afforded reasonable opportunity to demonstrate that he is competent to practice with reasonable skill and safety to patients. For the purposes of this subdivision, "practitioner" shall include any person holding a multistate licensure privilege to practice nursing.

2. That the provisions of this act shall become effective on January 1, 2017.

DRAFT Amendments for compliance with HB319

18VAC115-20-105. Continued Competency Requirements for Renewal of a License.

A. ~~After July 1, 2004, licensed~~ Licensed professional counselors shall be required to have completed a minimum of 20 hours of continuing competency for each annual licensure renewal. A minimum of two of these hours shall be in courses that emphasize the ethics, standards of practice or laws governing behavioral science professions in Virginia.

B. The board may grant an extension for good cause of up to one year for the completion of continuing competency requirements upon written request from the licensee prior to the renewal date. Such extension shall not relieve the licensee of the continuing competency requirement.

C. The board may grant an exemption for all or part of the continuing competency requirements due to circumstances beyond the control of the licensee such as temporary disability, mandatory military service, or officially declared disasters.

D. Those individuals dually licensed by this board will not be required to obtain continuing competency for each license. Dually licensed individuals will only be required to provide the hours set out in subsection A of this section or subsection A of 18VAC115-50-95 in the Regulations Governing the Practice of Marriage and Family Therapy, or subsection A of 18VAC115-60-115 in the Regulations Governing the Practice of Licensed Substance Abuse Treatment Practitioners.

E. Up to two hours of the 20 hours required for annual renewal may be satisfied through delivery of counseling services, without compensation, to low-income individuals receiving health services through a local health department or a free clinic organized in whole or primarily for the delivery of those services. One hour of continuing education may be credited for three hours of providing such volunteer services, as documented by the health department or free clinic.

18VAC115-50-95. Continued Competency Requirements for Renewal of a License.

A. Marriage and family therapists shall be required to have completed a minimum of 20 hours of continuing competency for each annual licensure renewal. A minimum of two of these hours shall be in courses that emphasize the ethics, standards of practice or laws governing behavioral science professions in Virginia.

B. The board may grant an extension for good cause of up to one year for the completion of continuing competency requirements upon written request from the licensee prior to the renewal date. Such extension shall not relieve the licensee of the continuing competency requirement.

C. The board may grant an exemption for all or part of the continuing competency requirements due to circumstances beyond the control of the licensee such as temporary disability, mandatory military service, or officially declared disasters.

D. Those individuals dually licensed by this board will not be required to obtain continuing competency for each license. Dually licensed individual will only be required to provide the hours set out in subsection A of this section or subsection A of 18VAC115-20-105 in the Regulations Governing the Practice of Professional Counseling, or subsection A of 18VAC115-60-115 in the Regulations Governing the Practice of Licensed Substance Abuse Treatment Practitioners.

E. Up to two hours of the 20 hours required for annual renewal may be satisfied through delivery of marriage and family services, without compensation, to low-income individuals receiving health services through a local health department or a free clinic organized in whole or primarily for the delivery of those services. One hour of continuing education may be credited for three hours of providing such volunteer services, as documented by the health department or free clinic.

18VAC115-60-115. Continued competency requirements for renewal of a license.

A. Licensed substance abuse treatment practitioners shall be required to have completed a minimum of 20 hours of continuing competency for each annual licensure renewal. A minimum of two of these hours shall be in courses that emphasize the ethics, standard of practice or laws governing behavioral science professions in Virginia.

B. The board may grant an extension for good cause of up to one year for the completion of continuing competency requirements upon written request from the licensee prior to the renewal date. Such extension shall not relieve the licensee of the continuing competency requirement.

C. The board may grant an exemption for all or part of the continuing competency requirements due to circumstances beyond the control of the licensee, such as temporary disability, mandatory military service, or officially declared disasters.

D. Those individuals dually licensed by this board will not be required to obtain continuing competency for each license. Dually licensed individuals will only be required to provide the hours set out in subsection A of this section or subsection A of 18VAC115-50-95 in the Regulations Governing the Practice of Marriage and Family Therapy, or subsection A of 18VAC115-20-105 in the Regulations Governing the Practice of Professional Counseling.

E. Up to two hours of the 20 hours required for annual renewal may be satisfied through delivery of substance abuse treatment services, without compensation, to low-income individuals receiving health services through a local health department or a free clinic organized in whole or primarily for the delivery of those services. One hour of continuing education may be credited for three hours of providing such volunteer services, as documented by the health department or free clinic.

Legislative Proposal

Agenda Item: Legislative Proposal

Included in your agenda package are:

Copy of draft legislation

Staff Note:

Staff from DMAS and DBHDS have been working with staff of DHP on the qualifications and scope of practice for persons who provide mental health/substance abuse services but who are not licensed by one of our regulatory boards.

The agencies have agreed that some oversight by DHP would provide greater public protection. To that end, legislation has been drafted that would authorize the Board of Counseling to register peer recovery specialists and qualified mental health professionals. Regulations establishing qualifications, supervision, and a scope of practice would have to be adopted by the Board.

Board action:

The legislation is a work-in-progress and has not yet been vetted with interested parties outside the agencies.

The Board should discuss the draft and offer any comments or recommendations.

2017 Session of the General Assembly

Draft Legislation

A BILL to amend the *Code of Virginia* by amending §§ 54.1-2400.1, 54.1-3500, 54.1-3501, 54.1-3505 and 54.1-3506.1, authorizing registration of peer recovery specialists and qualified mental health professionals.

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2400.1, 54.1-3500, 54.1-3501, 54.1-3505 and 54.1-3506.1 of the *Code of Virginia* are amended as follows

§ 54.1-2400.1. Mental health service providers; duty to protect third parties; immunity.

A. As used in this section:

"Certified substance abuse counselor" means a person certified to provide substance abuse counseling in a state-approved public or private substance abuse program or facility.

"Client" or "patient" means any person who is voluntarily or involuntarily receiving mental health services or substance abuse services from any mental health service provider.

"Clinical psychologist" means a person who practices clinical psychology as defined in § 54.1-3600.

"Clinical social worker" means a person who practices social work as defined in § 54.1-3700.

"Licensed practical nurse" means a person licensed to practice practical nursing as defined in § 54.1-3000.

"Licensed substance abuse treatment practitioner" means any person licensed to engage in the practice of substance abuse treatment as defined in § 54.1-3500.

"Marriage and family therapist" means a person licensed to engage in the practice of marriage and family therapy as defined in § 54.1-3500.

"Mental health professional" means a person who by education and experience is professionally qualified and licensed in Virginia to provide counseling interventions designed to facilitate an individual's achievement of human development goals and remediate mental, emotional, or behavioral disorders and associated distresses which interfere with mental health and development.

"Mental health service provider" or "provider" refers to any of the following: (i) a person who provides professional services as a certified substance abuse counselor, clinical psychologist, clinical social worker, licensed substance abuse treatment practitioner, licensed practical nurse, marriage and family therapist, mental health professional, peer recovery specialist, physician, professional counselor, psychologist, qualified mental health professional, registered nurse, school psychologist, or social worker; (ii) a professional corporation, all of whose shareholders or members are so licensed; or (iii) a partnership, all of whose partners are so licensed.

"Peer recovery specialist" means a person registered by the Board of Counseling as defined in § 54.1-3500.

"Professional counselor" means a person who practices counseling as defined in § 54.1-3500.

"Psychologist" means a person who practices psychology as defined in § 54.1-3600.

"Qualified mental health professional" means a person registered by the Board of Counseling as defined in § 54.1-3500.

"Registered nurse" means a person licensed to practice professional nursing as defined in § 54.1-3000.

"School psychologist" means a person who practices school psychology as defined in § 54.1-3600.

"Social worker" means a person who practices social work as defined in § 54.1-3700.

B. A mental health service provider has a duty to take precautions to protect third parties from violent behavior or other serious harm only when the client has orally, in writing, or via sign language, communicated to the provider a specific and immediate threat to cause serious bodily injury or death to an identified or readily identifiable person or persons, if the provider reasonably believes, or should believe according to the standards of his profession, that the client has the intent and ability to carry out that threat immediately or imminently. If the third party is a child, in addition to taking precautions to protect the child from the behaviors in the above types of threats, the provider also has a duty to take precautions to protect the child if the client threatens to engage in behaviors that would constitute physical abuse or sexual abuse as defined in § 18.2-67.10. The duty to protect does not attach unless the threat has been communicated to the provider by the threatening client while the provider is engaged in his professional duties.

C. The duty set forth in subsection B is discharged by a mental health service provider who takes one or more of the following actions:

1. Seeks involuntary admission of the client under Article 16 (§ 16.1-335 et seq.) of Chapter 11 of Title 16.1 or Chapter 8 (§ 37.2-800 et seq.) of Title 37.2.

2. Makes reasonable attempts to warn the potential victims or the parent or guardian of the potential victim if the potential victim is under the age of 18.

3. Makes reasonable efforts to notify a law-enforcement official having jurisdiction in the client's or potential victim's place of residence or place of work, or place of work of the parent or guardian if the potential victim is under age 18, or both.

4. Takes steps reasonably available to the provider to prevent the client from using physical violence or other means of harm to others until the appropriate law-enforcement agency can be summoned and takes custody of the client.

5. Provides therapy or counseling to the client or patient in the session in which the threat has been communicated until the mental health service provider reasonably believes that the client no longer has the intent or the ability to carry out the threat.

D. A mental health service provider shall not be held civilly liable to any person for:

1. Breaching confidentiality with the limited purpose of protecting third parties by communicating the threats described in subsection B made by his clients to potential third party victims or law-enforcement agencies or by taking any of the actions specified in subsection C.

2. Failing to predict, in the absence of a threat described in subsection B, that the client would cause the third party serious physical harm.

3. Failing to take precautions other than those enumerated in subsection C to protect a potential third party victim from the client's violent behavior.

§ 54.1-3500. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Appraisal activities" means the exercise of professional judgment based on observations and objective assessments of a client's behavior to evaluate current functioning, diagnose, and select appropriate treatment required to remediate identified problems or to make appropriate referrals.

"Board" means the Board of Counseling.

"Certified substance abuse counseling assistant" means a person certified by the Board to practice in accordance with the provisions of § 54.1-3507.2.

"Certified substance abuse counselor" means a person certified by the Board to practice in accordance with the provisions of § 54.1-3507.1.

"Counseling" means the application of principles, standards, and methods of the counseling profession in (i) conducting assessments and diagnoses for the purpose of establishing treatment goals and objectives and (ii) planning, implementing, and evaluating treatment plans using treatment interventions to facilitate human development and to identify and remediate mental, emotional, or behavioral disorders and associated distresses that interfere with mental health.

"Licensed substance abuse treatment practitioner" means a person who: (i) is trained in and engages in the practice of substance abuse treatment with individuals or groups of individuals suffering from the effects of substance abuse or dependence, and in the prevention of substance abuse or dependence; and (ii) is licensed to provide advanced substance abuse treatment and independent, direct, and unsupervised treatment to such individuals or groups of individuals, and to plan, evaluate, supervise, and direct substance abuse treatment provided by others.

"Marriage and family therapist" means a person trained in the assessment and treatment of cognitive, affective, or behavioral mental and emotional disorders within the context of marriage and family systems through the application of therapeutic and family systems theories and techniques.

"Marriage and family therapy" means the assessment and treatment of cognitive, affective, or behavioral mental and emotional disorders within the context of marriage and family systems through the application of therapeutic and family systems theories and techniques and delivery of services to individuals, couples, and families, singularly or in groups, for the purpose of treating such disorders.

<u>"Peer recovery specialist" means a person registered by the Board of Counseling who provides collaborative services to assist individuals with recovery from mental illness and substance abuse disorders through a program approved the Virginia Department of Behavioral Health and Developmental Services.</u>

"Practice of counseling" means rendering or offering to render to individuals, groups, organizations, or the general public any service involving the application of principles, standards, and methods of the counseling profession, which shall include appraisal, counseling, and referral activities.

"Practice of marriage and family therapy" means the assessment and treatment of cognitive, affective, or behavioral mental and emotional disorders within the context of marriage and family systems through the application of therapeutic and family systems theories and techniques, which shall include assessment, treatment, and referral activities.

"Practice of substance abuse treatment" means rendering or offering to render substance abuse treatment to individuals, groups, organizations, or the general public.

"Professional counselor" means a person trained in the application of principles, standards, and methods of the counseling profession, including counseling interventions designed to facilitate an individual's achievement of human development goals and remediating mental, emotional, or behavioral disorders and associated distresses that interfere with mental health and development.

<u>"Qualified mental health professional" means a person registered by the Board of Counseling who is trained and experienced to provide collaborative mental health services through a program approved by the Virginia Department of Behavioral Health and Developmental Services.</u>

"Referral activities" means the evaluation of data to identify problems and to determine advisability of referral to other specialists.

"Residency" means a post-internship supervised clinical experience registered with the Board.

"Resident" means an individual who has submitted a supervisory contract to the Board and has received Board approval to provide clinical services in professional counseling under supervision.

"Substance abuse" and "substance dependence" mean a maladaptive pattern of substance use leading to clinically significant impairment or distress.

"Substance abuse treatment" means (i) the application of specific knowledge, skills, substance abuse treatment theory, and substance abuse treatment techniques to define goals and develop a treatment plan of action regarding substance abuse or dependence prevention, education, or treatment in the substance abuse or dependence recovery process and (ii) referrals to medical, social services, psychological, psychiatric, or legal resources when such referrals are indicated.

"Supervision" means the ongoing process, performed by a supervisor, of monitoring the performance of the person supervised and providing regular, documented individual or group consultation, guidance, and instruction with respect to the clinical skills and competencies of the person supervised.

§ 54.1-3501. Exemption from requirements of licensure.

The requirements for licensure in this chapter shall not be applicable to:

1. Persons who render services that are like or similar to those falling within the scope of the classifications or categories in this chapter, including persons acting as members of substance abuse self-help groups, so long as the recipients or beneficiaries of such services are not subject to any charge or fee, or any financial requirement, actual or implied, and the person rendering such service is not held out, by himself or otherwise, as a person licensed under this chapter.

2. The activities or services of a student pursuing a course of study in counseling, substance abuse treatment or marriage and family therapy in an institution accredited by an accrediting agency recognized by the Board or under the supervision of a person licensed or certified under this chapter, if such activities or services constitute a part of the student's course of study and are adequately supervised.

3. The activities, including marriage and family therapy, counseling, or substance abuse treatment, of rabbis, priests, ministers or clergymen of any religious denomination or sect when such activities are within the scope of the performance of their regular or specialized ministerial duties, and no separate charge is made or when such activities are performed, whether with or without charge, for or under auspices or sponsorship, individually or in conjunction with others, of an established and legally cognizable church, denomination or sect, and the person rendering service remains accountable to its established authority.

4. Persons employed as salaried employees or volunteers of the federal government, the Commonwealth, a locality, or of any agency established or funded, in whole or part, by any such governmental entity or of a private, nonprofit organization or agency sponsored or funded, in whole or part, by a community-based citizen group or organization, with the exception of peer recovery specialists and qualified mental health providers who must be registered by the Board. Any person who renders psychological services, as defined in Chapter 36 (§ 54.1-3600 et seq.) of this title, shall be subject to the requirements of that chapter. Any person who, in addition to the above enumerated employment, engages in an independent private practice shall not be exempt from the requirements for licensure.

5. Persons regularly employed by private business firms as personnel managers, deputies or assistants so long as their counseling activities relate only to employees of their employer and in respect to their employment.

6. Persons ~~regulated by this Board as professional counselors or persons~~ regulated by another board within the Department of Health Professions who provide, within the scope of their practice, marriage and family therapy, counseling or substance abuse treatment to individuals or groups.

§ 54.1-3505. Specific powers and duties of the Board.

In addition to the powers granted in § 54.1-2400, the Board shall have the following specific powers and duties:

1. To cooperate with and maintain a close liaison with other professional boards and the community to ensure that regulatory systems stay abreast of community and professional needs.

2. To conduct inspections to ensure that licensees conduct their practices in a competent manner and in conformance with the relevant regulations.

3. To designate specialties within the profession.

4. To administer the certification of rehabilitation providers pursuant to Article 2 (§ 54.1-3510 et seq.) of this chapter, including prescribing fees for application processing, examinations, certification and certification renewal.

5. [Expired.]

6. To promulgate regulations for the qualifications, education, and experience for licensure of marriage and family therapists. The requirements for clinical membership in the American Association for Marriage and Family Therapy (AAMFT), and the professional examination service's national marriage and family therapy examination may be considered by the Board in the promulgation of these regulations. The educational credit hour, clinical experience hour, and clinical supervision hour requirements for marriage and family therapists shall not be less than the educational credit hour, clinical experience hour, and clinical supervision hour requirements for professional counselors.

7. To promulgate, subject to the requirements of Article 1.1 (§ 54.1-3507 et seq.) of this chapter, regulations for the qualifications, education, and experience for licensure of licensed substance abuse treatment practitioners and certification of certified substance abuse counselors and certified substance abuse counseling assistants. The requirements for membership in NAADAC: the Association for Addiction Professionals and its national examination may be considered by the Board in the promulgation of these regulations. The Board also may provide for the consideration and use of the accreditation and examination services offered by the Substance Abuse Certification Alliance of Virginia. The educational credit hour, clinical experience hour, and clinical supervision hour requirements for licensed substance abuse treatment practitioners shall not be less than the educational credit hour, clinical experience hour, and clinical supervision hour requirements for licensed professional counselors. Such regulations also shall establish standards and protocols for the clinical supervision of certified substance abuse counselors and the supervision or direction of certified substance abuse counseling assistants, and reasonable access to the persons providing that supervision or direction in settings other than a licensed facility.

8. To maintain a registry of persons who meet the requirements for supervision of residents. The Board shall make the registry of approved supervisors available to persons seeking residence status.

9. To register persons as peer recovery specialists or qualified mental health providers who meet the qualifications set forth in regulations promulgated by the Board.

§ 54.1-3506.1. Client notification.

Any person licensed, certified, or registered by the Board and operating in a nonhospital setting shall post a copy of his license, certification, or registration in a conspicuous place. The posting shall also provide clients with (i) the number of the toll-free complaint line at the Department of Health Professions, (ii) the website address of the Department for the purposes of accessing the licensee's, certificate holder's, or registrant's record, and (iii) notice of the client's right to report to the Department if he believes the licensee, certificate holder, or registrant may have engaged in unethical, fraudulent, or unprofessional conduct. If the licensee, certificate holder, or registrant does not have a place of business at which he sees clients, he shall provide such information in on a disclosure form signed by the client and maintained in the client record.

2. That the Board of Counseling shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

3. That persons holding positions as peer recover specialists or qualified mental health providers shall not be required to be registered by the Board of Counseling until six months after the effective date of the regulations.

AMFTRB English Language Learners (ELL) Accommodation

Lenart, Charlotte (DHP)

From: Lois Paff Bergen, PhD, LMFT <lois@amftrb.org>
Sent: Wednesday, August 10, 2016 1:37 PM
To: lois
Cc: Alabama; Alabama; ALASKA 1; ARIZONA; Arkansas; Arkansas; Arkansas; bdilworth@swmft.ms.gov MS1; bruno.langer@bsrb.state.ks.us; California; Christie; COLORADO; Connecticut 1; DC I; DC Office; Delaware; Diane.Young@doh.wa.gov; District of Columbia; Georgia; Guam; Guam 1; Idaho; Rebolo; Illinois 1; Iowa; Lang, Jennifer (DHP); jennyajohnson@utah.gov; Kansas; Kentucky 1; largie57@bis.midco.net; leslie.allen@bsrb.state.ks.us; Louisiana; Maine; MAINE; Maryland; Maryland; Massachusetts; michael.loos@arkansas.gov; Michigan 1; Mississippi; Mississippi; Montana; Montana; Nebraska; Nevada 1; Nevada I 2016; New Hampshire I; New Jersey; New Jersey; New Jersey; New Mexico; North Dakota; Oregon 1; Oregon I; Pennsylvania; piperfield@cableone.net; Rhode Island I Alana Rodriguez; South Carolina; South Dakota 1; Utah; UTAH; Vermont; Vermont; Board of Counseling; Hoyle, Jaime (DHP); West Virginia; Wisconsin; Wisconsin; Wyoming; Guam 1
Subject: AMFTRB MFT National Exam Update on English Language Learners
Attachments: FINAL English Language Learner Special Arrangements Request Form.docx

Dear Licensing Board Executive,

AMFTRB has received a response from 11 states regarding the English Language Learners (ELL) special accommodation for the MFT National Examination.

Thus far SIX states have decided to APPROVE ELL special arrangement requests. These states are: Florida, Indiana, Minnesota, Ohio, Oklahoma, and Tennessee.

FIVE states have decided NOT to APPROVE a special arrangement: Hawaii, Missouri, New York, North Carolina, and Washington.

AMFTRB and PTC are beginning to receive inquiries regarding ELL special arrangements, therefore it is important for us to have accurate information about what states are approving this and what states are not. Below is the original email sent regarding the special arrangement for ELL and the form is attached.

PLEASE let us know ASAP what your state board has decided about the ELL special arrangement.

Respectively,

Lois

Lois Paff Bergen, PhD, LMFT
AMFTRB Executive Director
1843 Austin Bluffs Parkway
Colorado Springs, CO 80918
719.388.1615
lois@amftrb.org

From: "Lois Paff Bergen, PhD, LMFT" <lois@amftrb.org>
Sent: Monday, February 1, 2016 7:38 AM

Good Morning State LMFT Board Executive,

At AMFTRB's September 2015 Annual Meeting of State Delegates, the delegate body passed a motion creating a committee to develop a process for English Language Learner (ELL) candidates to be able to request a Special

Arrangement for taking the MFT National Examination. The committee completed their study and work by January 1, 2016. On January 18 during AMFTRB's Board of Directors' winter conference meeting the board unanimously voted to adopted the ELL Special Arrangement form and process that the committee developed.

The form containing a description of the process is attached. PTC (Professional Testing Corporation), our exam vendor, is ready to process these state approved, candidate paid for, Special Arrangement requests. The process is outlined below.

AMFTRB knows that there is not universal acceptance of a provision for ELL special arrangements for candidates. At present we know that the Minnesota state licensing board is going to provide their candidates with the possibility for an arrangement and the New York state licensing board will not provide or accept this non-standardized exam arrangement.

AMFTRB will create a list of which states provide for this special arrangement and accept these exam scores, and which states will not. While PTC is now prepared to accept these Special Arrangement request forms and the candidate's payment for the Special Arrangement, please know that your board has time to consider adopting or not adopting this Special Arrangement. Please let AMFTRB know as soon as you know what your state board decides to do.

After the delegate body presentations and discussion in September, the committee studied what the behavioral health regulatory associations who provide licensing examinations for psychology, social work, and professional counselors have learned from their work on ELL candidates and exams; what these groups are considering; and what they have developed for use. AMFTRB's committee work resulted in the following process and the attached form.

Process for requesting a Special Arrangement

1. The state board determines if a candidate seeking an ELL Special Arrangement is approved by reviewing the completed request form the state board has provided to the candidate and then notifies the candidate of the state board's approval.

2. The candidate completes the request form with documentation for the state board, indicating their choice of which arrangement for extra time, either one hour or two hours, they would like. After receiving the approved form back from their state board, the candidate uploads the state approved form to AMFTRB/PTC during their regular application process for the exam, and the candidate pays for the special arrangement online at that time.

Please note

1. Not all states will allow this Special Arrangement, nor accept an exam score earned with an ELL Special Arrangement. In order for a state board office to know when a candidate has tested with an ELL Special Arrangement, all state monthly score reports will have a notation which reflects an exam score earned with an ELL Special Arrangement.

2. Candidates requesting this Special Arrangement will need to allow for 8 weeks to process their exam date requests with PTC.

3. AMFTRB's committee will be gathering information from candidates who used this arrangement after their exam date for continued study and consideration of what might be appropriate arrangements beyond extra time.

Thank you,

Lois

Lois Paff Bergen, PhD, LMFT
AMFTRB Executive Director
1843 Austin Bluffs Parkway
Colorado Springs, CO 80918

English Language Learner (ELL) Special Arrangements Request

The (STATE NAME GOES HERE) Board of Marriage and Family Therapy will authorize an approved applicant who is an English Language Learner (ELL) up to two (2) extra hours of testing time when taking the AMFTRB National Examination in Marriage and Family Therapy (AMFTRB National Examination). The applicant must pay the expense of the additional testing time. If this request is approved by the Board, the applicant must file the approval form with the testing company administering the AMFTRB National Examination at least eight (8) weeks prior to applicant's testing date to allow time to process the request. Payment for approved additional time shall be made to the testing company at time of test registration.

To apply for AMFTRB National Examination special testing arrangements based upon ELL status, please complete the following:

Legal Name: _____

Email: _____

Primary Telephone: _____

Date of Birth:

Month Day Year

Your primary (first) language: _____

ELL Special Arrangements Requested:

Extra testing time *(Check one box.)* ☐ 1 hour *($45 extra time + $350 exam fee = $395 total paid to testing company; do not submit payment to the Board)*

☐ 2 hours *($90 extra time + $350 exam fee = $440 total paid to testing company; do not submit payment to the Board)*

APPLICANT STATEMENT: In support of my request for ELL special testing arrangements, I am providing **one or more** of the following documents *(check all that are provided; must check at least one):*

_____(1) A Test of English as a Foreign Language (TOEFL) certification score of eight-five (85) or below, sent by Educational Testing Service directly to the Board. The TOEFL must have been taken within the previous five (5) years prior to application;

_____(2) Documentation, to the satisfaction of the Board, from the applicant's qualifying master's degree program that the program had granted an English as a second language arrangement to applicant while enrolled in the program. Such arrangements must have been provided within the previous five (5) years prior to application;

_____ (3) Documentation, to the satisfaction of the Board, that applicant's qualifying master's degree was obtained from an educational institution outside the United States, and that coursework was presented primarily in a language other than English. Enrollment in this educational institution must have occurred within the previous five (5) years prior to application; **OR**

_____ (4) A written statement from applicant in support of the ELL special testing arrangement request. Applicant may use Page 2 of this request form for this statement or attach a separate document. (Note: Such statement should address applicant's spoken language history from childhood to present day, language primarily utilized in educational settings from childhood to present day, and any other information the applicant believes relevant to the request for ELL Special Arrangements.)

APPLICANT ATTESTATION: Under penalty of perjury, I declare that the information provided on this form and in support of my English Language Learner Special Arrangements Request is true. I understand that false information may be cause for denial of my application, cancellation of my AMFTRB National Examination score, or denial or loss of my license. I hereby certify that I personally completed this application and that I may be asked to verify the above information at any time. **I FURTHER UNDERSTAND that (1) other licensing jurisdictions may not accept an AMFTRB National Examination score obtained with the use of an ELL Special Arrangement and I may be required to pass the AMFTRB National Examination again, without the benefit of extra testing time, to obtain licensure in that jurisdiction; and (2) use of an ELL Special Arrangement in taking the AMFTRB National Examination will be noted on my score report.**

Applicant Signature _____ Date _____

FOR BOARD USE ONLY

The ELL Special Arrangements Request for the above-named applicant is hereby APPROVED.

Authorized Signature _____ Date _____

Print Name: _____ Title: _____

Please MAIL, FAX or EMAIL Request To:

YOUR STATE INFORMATION GOES HERE

Retain a copy of this form and all other application documents for your records.

The Board reserves the right to modify or suspend this ELL Special Arrangement policy at any time without notice.

English Language Learner (ELL) Special Arrangements Request

Applicant Name: _____

STATEMENT IN SUPPORT OF ELL SPECIAL ARRANGEMENTS REQUEST:

1/2016