

# Mississippi State Board of Examiners for Licensed Professional Counselors

Regular Board Meeting  
Teleconference  
Friday, May 15, 2020  
Minutes

## **BOARD MEMBERS PRESENT**

Dr. Richard Strebeck, Chair, Congressional District-at-Large  
Dr. Kimberly Elam Sallis, Congressional District I  
Mr. Steven Stafford, Congressional District III (joined at 9:37 a.m. and exited meeting at 10:50 a.m.)  
Dr. Lynn Etheridge, Congressional District II  
Mr. Isaac Boose, Congressional District IV (exited meeting at 12:02 p.m.)

## **OTHERS PRESENT**

Ms. LeeAnn Mordecai, Executive Director, LPC Board  
Mr. Edward Wiggins, Board Attorney representative, Special Assistant Attorney General.  
Ms. Denise DeRossette, Cornerstone Consulting Group (joined at 9:56 a.m. and exited at 10:15 a.m.)

## **ABSENT**

Mr. Ken Walley, Board Attorney, Special Assistant Attorney General.

### **I. Call to Order**

The Regular Board meeting of the Mississippi State Board of Examiners for Licensed Professional Counselors (“Board”) was called to order at 9:00 a.m. by Dr. Richard Strebeck, Chair (“Chair”) on Friday, May 15. The meeting was held via teleconference. The meeting was accessible to the public by contacting the Board office for a call-in number to join the meeting by telephone. A roll call of Board members was taken and a quorum was present.

### **II. Board Operations**

#### **A. Board Secretary**

Upon motion by Dr. Sallis, seconded by Mr. Boose, the Board unanimously agreed to not fill the Secretary vacancy due to Mr. Stafford’s request to step down.  
Vote: 3-0-0

#### **B. Minutes Approval**

1. January 24, 2020 - Dr. Sallis motioned to table the minutes approval because of the absence of the Hearing Officer notes (due to the Hearing Officer’s

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retirement and COVID-19 pandemic). Mr. Boose seconded the motion. The Board unanimously agreed. Vote: 4-0. Mr. Edwards would request that Mr. Walley will follow up regarding the delay.

2. February 28, 2020 - Dr. Sallis motioned to table the minutes approval because of the absence of the Hearing Officer notes (due to the Hearing Officer's retirement and COVID-19 pandemic). Mr. Boose seconded the motion. The Board unanimously agreed. Vote: 4-0. Mr. Edwards would request that Mr. Walley will follow up regarding the delay.
3. March 12, 2020 - Emergency Meeting. Dr. Etheridge motioned to accept the minutes as amended, seconded by Dr. Sallis. The Board unanimously agreed. Vote: 5-0.
4. March 16, 2020 - Emergency Meeting. Dr. Sallis motioned to accept the minutes as amended, seconded by Dr. Etheridge. The Board unanimously agreed. Vote: 5-0.
5. March 26, 2020 - Dr. Sallis motioned to accept the minutes as amended, seconded by Dr. Etheridge. The Board unanimously agreed. Vote: 5-0.
6. April 24, 2020 - Special Called Meeting Dr. Sallis motioned to accept the minutes as amended, seconded by Mr. Boose. The Board unanimously agreed. Vote: 5-0.

## C. Board orders/Advisory letters

### 1. Board Orders

- i. Carpenter (2019-18) - The Board Order was reviewed. Dr. Strebeck signed the Board Order. Upon motion by Etheridge, seconded by Boose. the Board agreed to accept the order as written and signed. Sallis abstained. This Board Order was not signed until today due to the retirement of the Hearing Officer and the COVID-19 pandemic.
- ii. Logan (2019-02) - Denied application. This Board Order is not ready due to the retirement of the Hearing Officer and the COVID-19 pandemic.
- iii. DeLoach (2019-21) - Denied application. This Board Order is not ready due to the retirement of the Hearing Officer and the COVID-19 pandemic.

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- iv. McGee (2019-22) - Denied application. This Board Order is not ready due to the retirement of the Hearing Officer and the COVID-19 pandemic.
- v. Powe (2020-07) - Denied application. This Board Order is not ready due to the retirement of the Hearing Officer and the COVID-19 pandemic.

## 2. Advisory Letters

- i. 2018-52 - Pending - Mr. Walley to complete the Advisory Letter for final approval.
- ii. 2016-28 and 2018-09 - Mr. Stafford to complete the Advisory Letter for final approval.

## III. Financial

- A. Financial report presented by Ms. DeRossette.
- B. The Board reviewed the final invoice (\$2,490) from Dr. Waller. This payment was for his investigating services for the Board regarding a complaint.
- C. Ms. DeRossette, Cornerstone Consulting, presented the FY 21 contract for financial services. After Ms. DeRossette exited the meeting, Dr. Sallis motioned to accept the contract from Cornerstone Consulting, Dr. Etheridge seconded. The Board approved the motion. Vote: 4-0
- D. The Board reviewed the ProsonITech FY21 contract for IT services. Dr. Etheridge motioned to accept the contract as submitted, Dr. Sallis seconded. The Board approved the motion. Vote: 4-0
- E. Dr. Sallis motioned to pay \$5,220 to ProsonITech per the FY21 contract, Mr. Boose seconded. The Board approved the motion. Vote: 4-0

## IV. Old Business

- A. Office is open by appointment only. Ms. Mordecai is working from home and travels to the office 1-2 times a week.
- B. The Board's Proclamation remains in effect.

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- C. Dr. Etheridge motioned that the Board does not allow for a temporary license, Mr. Boose seconded the motion. The Board approved the motion. Vote: 4-0
- D. Ms. Mordecai updated the Board that the new office computers will be installed next week.
- E. Ms. Mordecai updated the Board regarding the 2020 renewal process:
  - 1. Jurisprudence exam was available through the Center for Credentialing Excellence beginning May 1.
  - 2. Fingerprint Cards are being processed on a limited basis.
  - 3. Dr. Etheridge motioned that due to the COVID-19 pandemic, the Board may accept employer documentation of current background check for renewal for FY2020. This background check must have been completed within the past 12 months, seconded by Dr. Sallis. The Board approved the motion. Vote: 3-0
- F. Ms. Mordecai informed the Board that the NCE and NCMHCE testing is being completed on a limited basis.
- G. The Board reviewed the report submitted from Lorita Harris (2017-29).
- H. Dr. Etheridge updated the Board that she and Mr. Walley are drafting a revision to the Board's Notification of Complaint Letter and should be ready for review at the June 19 meeting.

The Board recessed at 12:35 for lunch and returned to open session at 1:00 p.m.

- I. The Board considered the following revisions to the Rules and Regulation regarding Telemental Health:

*Rule 7.5: Practice of Distance Professional Services (TeleMental Health)*

Any person providing counseling or supervision services through the means of Distance Professional Services (Telemental Health) must meet the following requirements:

- 1. Be an Active Status P-LPC, LPC, or LPC-S in Mississippi.
- 2. Hold a license in good standing in the location of the recipient receiving services.

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3. Submit to the Board verification of training (including synchronous or asynchronous audio/video webinars) in TeleMental Health counseling by completing one of the following:
  - a. Show completion of the Board Certified-TeleMental Health (BC-TMH) credential from the Center for Credentialing and Education, Inc. (CCE), an affiliate of the National Board of Certified Counselors (NBCC), or an equivalent credential as recognized by CCE.
  - b. Professional training. The professional training must be a minimum of nine (9) clock hours. All professional training must include:
    - i. HIPAA compliance for Telemental Health
    - ii. Ethical and legal issues in Telemental Health, including confidentiality/privacy issues
    - iii. Crisis planning & protocols in Telemental Health
    - iv. Choosing and using technology in Telemental Health
    - v. Orienting clients to Telemental Health
    - vi. Telemental health settings and care coordination
    - vii. Appropriateness of Telemental Health

Professional training can be gained by either:

(1) Graduate-Level Academic Training (as documented on the syllabus) or

(2) Continuing Education training course (as documented by certificate).

- c. P-LPCs can practice TeleMental Health counseling after 1 year of experience licensed as a P-LPC with the approval from his/her LPC-S, who must be designated by the Board to be a Distance Professional Services provider.
4. At the time of license renewal, LPC's must document 2 hours of continuing education in Telemental Health counseling and P-LPCs must document 1 hour of continuing education in Telemental Health counseling. These continuing education hours are included as part of the required continuing education requirements for renewal.
5. No licensing fee will be assessed for the Distance Professional Services provider designation.

## Rule 1.4.O

**Distance Professional Services:** Counseling, consulting, and clinical supervision services provided by an LPC or a P-LPC (as referenced in Rule 7.5) in one location to a recipient of services in another location by means of

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secure electronic communication in either asynchronous or face to face synchronous methods.

## Rule 4.3.B

3. Individual and Group Supervision provided by an LPC-S is subject to the following criteria:

- a. Be qualified to provide Distance Professional Services according to Rule 7.5.

Dr. Etheridge motioned the Board adopt these Rules and Regulation changes, Dr. Sallis seconded, the Board agreed to adopt the rule changes as pursuant to Distance Professional Services/Telemental Health (7.5., 4.3., 1.4.O.). Vote: 3-0

- J. The Board reviewed and discussed rules as submitted by Mr. Walley to comply with Mississippi Statute 73-50-1, Military-Trained Individuals or Military Spouses.

## Rule 4.8: Licensing of Military-Trained Counselors and Military Spouses

1. For a military-trained applicant who has been awarded a military occupational specialty that is substantially within the scope of counseling in Mississippi and who chooses not to apply for licensure by comity in Rule 4.7 above, the Board shall grant a license where the applicant has done all of the following at a level that is substantially equivalent to or exceeds the requirements for licensure:
  - a. The applicant must provide evidence of the completion of a military program of training, completed testing or equivalent training and experience in the practice of counseling at a level that is substantially equivalent to or exceeds the requirements for licensure in Mississippi; and
  - b. must show proof of work experience in the military occupational specialty for at least two (2) of the five (5) years preceding the date of the application for licensure with the Board. All relevant experience of a military service member in the discharge of official duties shall be credited in the calculation of years of practice; and
  - c. must show proof of passing scores from the National Clinical Mental Health Counselor Examination (NCMHCE) published by the National Board for Certified Counselors (NBCC), Inc; and
  - d. must take and pass the Mississippi State Jurisprudence exam offered by the Board; and

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- e. has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension or revocation of a license to practice that occupation in this state at the time the act was committed; and
  - f. pays all application fees for the license sought.
2. For a military spouse who is licensed by and in good standing with another jurisdiction's regulatory board, and who chooses not to apply for licensure under the Rule 4.8 above, the Board shall grant a license where the applicant has done all of the following at a level that is substantially equivalent to or exceeds the requirements for licensure:
- a. The applicant must show evidence satisfactory to the Board that the applicant is the legal spouse of an active member of the military; and
  - b. must show evidence satisfactory to the Board that the applicant holds a current license, certification or registration from another jurisdiction with requirements for licensure, certification, or registration are substantially equivalent to or exceed the requirements for licensure in this state; and
  - c. is in good standing and has not been disciplined by the agency that had jurisdiction to issue the license, certification or permit; and
  - d. must show proof of work experience in counseling for at least two (2) of the five (5) years preceding the date of the application for licensure with the Board. All relevant experience of a military spouse, including full-time and part-time experience, regardless of whether in a paid or volunteer capacity, shall be credited in the calculation of years of practice; and
  - e. must show proof of passing scores from the National Clinical Mental Health Counselor Examination (NCMHCE) published by the National Board for Certified Counselors (NBCC), Inc; and
  - f. must take and pass the Mississippi State Jurisprudence exam offered by the Board; and
  - g. must undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database; and
  - h. pays all application fees for the license sought;
3. The Board shall evaluate the qualifications of military-trained or military spouse applicants and advise as to the acceptance or denial of licensure with any reasons for denial within four months of the military spouse's

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application if the spouse's orders are in Mississippi for thirty-six (36) months or less.

4. The Board may issue a temporary practice permit to a military-trained applicant or military spouse licensed, certified or registered in another jurisdiction while the military-trained applicant or military spouse is satisfying the requirements for licensure under this rule if that jurisdiction has licensure, certification or registration standards substantially equivalent to the standards for licensure in this state. The military-trained applicant or military spouse may practice under the temporary permit until a license is granted or until a notice to deny the license is issued in accordance with rules adopted by the Board.

The Board made some minor changes and will review these proposed changes at the next regular meeting for final adoption.

- K. Fresh Start Act - Board reviewed and discussed rules as submitted by Mr. Walley to comply with The Fresh Start Act of 2019,

## *Rule 4.9: Request for Pre-Licensure Determination*

1. An individual may request the Board for a determination of whether the individual's criminal record will disqualify the individual from obtaining a license. The determination request shall be in writing, filed on a form supplied by the Board and signed in the presence of a notary. The request shall also be accompanied by a judgment of conviction and a fee of \$25.00.

An individual shall be denied a license or permit based on a felony or misdemeanor conviction which includes the following: a deferred conviction, a deferred prosecution, a deferred sentence, finding or verdict of guilt, admission of guilt or a plea of nolo contendere to a crime involving moral turpitude. A waiver may be granted in accordance with the requirements of Rule 4.1(k) above.

2. Determination Notification
  - a. Time for Response. The Board or its designee shall issue a written determination notification to the individual within 30 days from the board's receipt of the individual's request.
  - b. Standing. The individual shall be provided one of the following responses:
    - i. Insufficient Information. If the individual's request contains insufficient information, the licensing authority or its designee will notify the individual that a determination cannot be made at this

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time as to the individual's standing or whether or not the criminal record will disqualify the individual from obtaining a license.

- ii. Disqualification Notification. The licensing authority or its designee shall notify the individual of the following:
  1. Grounds and reasons for denial or disqualification.
  2. The right to a hearing;
  3. The earliest date to reapply for a license;
  4. Evidence of rehabilitation may be considered upon reapplication.
- c. Administrative Hearing. The notice will advise the individual of the right to a hearing to challenge the licensing authority or its designee's decision. A denial under the provision of this rule shall be heard by the Board and appealed in the same manner as a denial of licensure under Rule 5.2.

The Board will review these proposed changes at the next regular meeting for final adoption.

- L. Dr. Strebeck informed the Board that the Mississippi Counseling Association Annual Conference will not meet face to face in November 2020 as scheduled and will be potentially rescheduled as an online meeting. More information should be forthcoming.

## V. New Business

- A. Dr. Strebeck informed the Board that a WhistleBlower complaint was filed with Mississippi Attorney General's office. The Mississippi Attorney General's Office reviewed the complaint without taking any action.

## B. Continuing Education

### 1. CEH for Renewals

- a. Upon motion by Dr. Etheridge, seconded by Dr. Sallis, the Board agreed to accept the PESI "Telehealth for Mental Health Professionals: 2-Day Distance Therapy Training (Digital Seminar)" CEHs for licensure renewal as American Counseling Association partnered with PESI to provide this training. The Board approved the motion. Vote: 3-0
- b. If individuals need additional time to complete continuing education for licensure renewal, the licensee should make the request to the Board.
  - a. Dr. Sallis motioned to send a cease and desist letter to Bayside CEH to (1) stop representing themselves as having a relationship with the

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Mississippi LPC Board, (2) quit promoting themselves as a preapproved CEH provider for the MS LPC Board, and (3) remove any logo likeness from their promotional materials and website. The Board approved the motion. Vote: 3-0

At 2:50 p.m. Dr. Etheridge motioned to enter Closed session to determine the need to go into Executive Session, seconded by Dr. Sallis. The Board approved the motion. Vote: 3-0

At 2:51 p.m. Dr. Sallis motioned to enter Executive session due to need to discuss application review, litigation, complaints, and Board requests, seconded by Dr. Etheridge. The Board approved the motion. Vote: 3-0

The Board reported out to the public the need to enter Executive Session.

The Board entered Executive Session at 2:52 p.m.

At 4:05 p.m., Dr. Etheridge motioned to exit Executive Session, seconded by Dr. Sallis, and the Board unanimously agreed to exit Executive Session. Vote: 3-0

Upon return to open session, the Board announced the following actions:

- Mr. Wiggins updated the Board regarding pending litigation
- Reviewed applications for licensure.
- Reviewed complaints
- Made determinations regarding Board requests

## **VI. Executive Session**

- A. Mr. Wiggins updated the Board regarding Dawn Sias' lawsuit against the Board. The Board had court Hearing scheduled on July 9, 2020. Mr. Walley filed motion to dismiss. The hearing was continued to August 2020 due to COVID-19.
- B. Review of P-LPC, LPC, & LPC-S Applications (P-LPC, LPC, LPC-S, Candidacy, Comity, & Continued Review). See attached Addendum.
- C. Complaints / Board Requests
  - a. Board Requests
    - i. Fairley, Elena – Ms. Fairley requested a 90-day extension. Approved per prior Board action at the April 24, 2020, Board meeting

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- ii. White, Natalie – Ms. White requested a 90-day extension. Approved per prior Board action at the April 24, 2020, Board meeting
  - iii. David Carpenter (2018-48) – Dr. Sallis reported he is having difficulty completing the CEH requirements of the agreed order. The Board requested Mr. Wiggins request that Mr. Walley draft an amended agreed order (1) approving 11 CEH to be completed online and (2) extending the deadline to December 30, 2020.
- b. Complaints
- i. 2019-42 - Dr. Etheridge recommended to take no action. Dr. Sallis motioned to accept Dr. Etheridge’s recommendation, seconded by Dr. Strebeck. The Board approved this motion. Vote: 2-0-1
  - ii. 2020-02 - Dr. Etheridge recommended to take no action. Dr. Sallis motioned to accept Dr. Etheridge’s recommendation, seconded by Dr. Strebeck. The Board approved this motion. Vote: 2-0-1

Dr. Etheridge motioned the Board adjourn the meeting, Dr. Sallis seconded. The Board unanimously approved the Motion. Vote: 3-0

## Dates for future meetings:

- June 19 at 1pm - Teleconference
- August 21 at 9:00 a.m. – Robert E. Lee Building (Tentative location)
- September 28 at 9:00 a.m. – Hearing/Robert E. Lee Building (Tentative location)

The meeting was adjourned at 4:10pm.

Approved this the 19th day of June, 2020.

/s/

/s/

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Board Chair

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Board Member

# Mississippi State Board of Examiners for Licensed Professional Counselors

MS BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS				
APPLICATION REVIEW - EXECUTIVE SESSION				
Friday, May 15, 2020				
<b>P-LPC Apps</b>	<b>BOARD DECISION</b>	<b>ABSTENTION</b>	<b>YAYS</b>	<b>NAYS</b>
Baker, Tamila Rodgers	P-LPC		3	0
Banks, Rachel L	CONTINGENT		3	0
Berry, Jonny Dean	CONTINGENT		3	0
Carter, Crystal Lakeisha	CONTINGENT		3	0
Ferguson, Heath Gerald	CONTINGENT		3	0
Hendrix, Todd Joseph	P-LPC		3	0
Horn, Ashley Quick	CONTINGENT		3	0
Jefferson, Shareka Macon	DENIAL		3	0
Kubiak, Alexis L	P-LPC		3	0
Lawry, Gail M.	CONTINGENT		3	0
Miller, Christine Marie	CONTINGENT		3	0
Miskel, Jacquelynn Patrice	CONTINGENT		3	0
Nix, Tiffanie Laura	CONTINGENT		3	0
Rawls, Carla Lee	CONTINGENT		3	0
Runnels, Shannon Leigh	CONTINGENT		3	0
Washington, Jammayette Elicia	CONTINGENT		3	0
Washington, Justin Dean	CONT'D REVIEW		3	0
<b>New Apps for Candidacy</b>	<b>BOARD DECISION</b>	<b>ABSTENTION</b>	<b>YAYS</b>	<b>NAYS</b>
Richardson, Cathita Lynette	CANDIDACY		3	0
<b>New Apps for Licensure</b>	<b>BOARD DECISION</b>	<b>ABSTENTION</b>	<b>YAYS</b>	<b>NAYS</b>
O'Brien, Sarah Katherine	CONTINGENT		3	0
<b>P-LPC to Candidacy Apps</b>	<b>BOARD DECISION</b>	<b>ABSTENTION</b>	<b>YAYS</b>	<b>NAYS</b>
Allston, Latasha Dominique	CANDIDACY		3	0
Avery, Jerri S	CANDIDACY		3	0
Barksdale-Mayfield, Madalene J.	CONTINGENT		3	0
Fairman, Erica M.	CANDIDACY		3	0
Hinton, Brandi Nicole	CANDIDACY		3	0

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Kirksey, Shayla C	CANDIDACY		3	0
Lee, Pertrice Ann	CANDIDACY		3	0
Pippins, Tameika D.	CANDIDACY		3	0
Wallace-Foster, Shawna Alexandria	CANDIDACY		3	0
Wilson, Marquite Lachette	CANDIDACY		3	0
Wright, Ranarda L	CANDIDACY		3	0
<b>New Apps for Comity</b>				
	<b>BOARD DECISION</b>	<b>ABSTENTION</b>	<b>YAYS</b>	<b>NAYS</b>
Harris McConico, Kimberly Nicole	CONTINGENT		3	0
Ramsey, Wendall Dwight	CONTINGENT		3	0
Rollins, Gina Lauren	CONT'D REVIEW		3	0
Singleton, Debhora Wilkerson	LICENSURE		3	0
<b>New Apps for LPC-S</b>				
	<b>BOARD DECISION</b>	<b>ABSTENTION</b>	<b>YAYS</b>	<b>NAYS</b>
Flynt, Jessica R	CONTINGENT		3	0
Hamilton, Michelle M	LICENSURE		3	0
Hendree, Heather M	CONT'D REVIEW		3	0
Norfleet, Savanna Mullins	CONTINGENT		3	0
Overley, Lacy C.	CONTINGENT		3	0
Smith, Lisa A.	CONTINGENT		3	0
<b>CR or Denied Apps for Candidacy</b>				
	<b>BOARD DECISION</b>	<b>ABSTENTION</b>	<b>YAYS</b>	<b>NAYS</b>
Turner, LaKenya M.	CANDIDACY		3	0

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<b>MS BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS</b>			
<b>License Report to Board - May 15, 2020</b>			
	<b>Issue Date</b>	<b>Lic Number</b>	
<b>Licensed Since Last Meeting - March 26, 2020</b>			
Lauren Britt Adcock	4/16/2020	2575	
Rachel Carol Allen	5/15/2020	2587	
Denise Monique Clark	3/31/2020	2574	
Jana Elaine Frankum	4/16/2020	2578	
Sarah Davis Gambe	4/7/2020	2577	
Siyuan Chen Kennedy	4/20/2020	2584	
Amanda Renee Lambert	3/27/2020	2573	
Allison Johnson Monts	4/20/2020	2585	
Devin Hadley Moore	4/17/2020	2583	
Tim A. Norris	4/16/2020	2580	
Melinda Anne Rader	5/6/2020	2586	
Anastaisa Miyorka Rhodes-Peyton	4/16/2020	2579	
Kandace Shunika Ross	4/17/2020	2581	
Kyle Daniel Routh	4/2/2020	2576	
Storm Victoria Stinson	4/17/2020	2582	
Jerri S. Avery	3/26/2020	P-0351	
Kari Lynn Baker	4/24/2020	P-0591	
Christina M. Davis	3/26/2020	P-0584	
Lakeisha White Davis	3/26/2020	P-0590	
Kenyatta Yamisse Dent	3/26/2020	P-0589	
Mary K. Jones	3/26/2020	P-0353	
Raymond Vernon Kennedy	3/26/2020	P-0585	
Dinisha Babu Paul	3/26/2020	P-0586	
J'Kea Jamara Starks	3/26/2020	P-0587	
Carmen Nicole Young	3/26/2020	P-0588	