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South Carolina
Department of Labor, Licensing and Regulation

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



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

Regular Board Meeting, Disciplinary Hearings and Application Hearings
October 6, 2009

Synergy Business Park, Kingstree Building, Room 108
110 Centerview Drive, Columbia, South Carolina 29210

Board members present were:

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

Also present were:

Freeman Belser, Esquire
Court Reporter
Julie Cole, RPP
Kate K. Cox, Board Administrator
Gwen Green, LLR Hearing Officer
C. Rudy Guajardo, President AMHCA - SC
Thomas A. Hammil, Psy.D., LPC
Susan F. Harrington, Board Administrative Assistant
Elyse Johnson
Michael D. Johnson, M.S., Applicant for LMFT
Wilbur Johnson, Esquire
David Love, LLR Investigator - OIE
Cheryl C. McNair, LLR Investigator - OIE
Paula Magargle, LLR Litigation Attorney
Kelly Neal, Intern with RPP
Myra D. Pinckney, M.A., Applicant for LPC
Dr. Peryer, MD
Louis Rosen
Frank Sheheen, RPP
Mr. Sudol
Margaret M. Sudol, LMFT
Richard Wilson, Counsel for RPP

BOARD MEETING CALL TO ORDER:

President Williams stated that Public Notice of this meeting was properly posted at the office of the South Carolina Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists, Synergy Business Park, Kingtree Building, Room 108, at 110 Centerview Drive, Columbia, SC 29210 and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the 1976 South Carolina Code, as amended, relating to the Freedom of Information Act. President Williams called the meeting to order at 9:00 a.m. It was noted that a quorum was present. All votes referenced herein were unanimous unless otherwise indicated.

APPROVAL OF AGENDA:

The Board reviewed the Agenda for the meeting.

Motion: A motion was made by Mr. Evans to approve the agenda. Dr. Garnett seconded the motion. The motion carried.

APPROVAL OF MINUTES:

The Board reviewed the minutes of the June 2, 2009 meeting.

Motion: A motion was made by Ms. Mahon to accept the minutes of the last meeting as printed. Mr. Evans seconded the motion. The motion carried.

PRESENTATION ON THE HEARING PROCESS:

Motion: A motion was made by Mr. Evans to go into Executive Session to hear a presentation on the hearing process by Louis Rosen. Dr. Clarke seconded the motion. The motion carried.

Motion: A motion was made by Dr. Garnett to return to Open Session. Dr. Clarke seconded the motion. The motion carried. The Board thanked Mr. Rosen.

DISCIPLINARY MATTERS:

IRC Report

David Love, Investigator Office of Investigations and Enforcement, presented the September 30, 2009 Investigative Review Committee's (IRC) reports concerning disciplinary matters. The IRC report included one (1) Dismissal with a Letter of Caution and one (1) Formal Complaint. There was no discussion.

Motion: A motion was made by Dr. Garnett to accept the September 30, 2009 IRC recommendations for a Dismissal with a Letter of Concern and an authorization for a Formal Complaint. Ms. Mahon seconded the motion. The motion carried.

DISCIPLINARY HEARINGS BY MEMORANDUM OF AGREEMENT AND STIPULATIONS:

Thomas A. Hammil, Jr., Psy.D., LPC:

A disciplinary hearing was conducted to see if his license LPC #3505 to practice professional counseling should be disciplined. The Board was represented by Paula Magargle who presented the MOA, a court

reporter was present, Freeman Belser, Esquire represented Dr. Hammil and called a witness, and Gwen Green was the Hearing Officer. The hearing commenced.

Motion: A motion was made by Ms. Womack to accept the MOA and to discipline Dr. Hammil's license by Public Order and with a five hundred dollar (\$500.00) fine. It was stated that a Public Order will be written to further outline the discipline. The motion was seconded by Dr. Garnett. The motion carried.

Margaret M. Sudol, LMFT and LMFT-S:

A disciplinary hearing was conducted to see if her licenses, LMFT #4475 and LMFT-S #4488 to practice marriage and family therapy and its supervision, should be disciplined. The Board was represented by Paula Magargle who presented the MOA, a court reporter was present, Wilbur Johnson, Esquire represented Ms. Sudol, and Gwen Green was the Hearing Officer. The hearing commenced.

Motion: A motion was made by Ms. Fleshman to accept the MOA and discipline Ms. Sudol's licenses by Public Order with conditions of supervision. It was stated that a Public Order will be written to further outline the discipline. The motion was seconded by Mr. Evans. The motion carried.

APPLICATION APPEARANCES:

Michael D. Johnson, Applicant for Licensure for Marriage and Family Therapy:

Mr. Johnson appeared before the Board without legal representation to explain his "yes" answers on his application for licensure in the personal history section of the application. The Board asked appropriate questions of the applicant.

Motion: A motion was made by Ms. Fleshman to allow Mr. Johnson to proceed in his application process. The motion was seconded by Ms. Mahon. The motion carried.

Myra D. Pinckney, Applicant for Licensure for Professional Counseling:

Ms. Pinckney appeared before the Board without legal representation to explain her "yes" answers on her application for licensure in the personal history section of the application. Ms. Julie Cole did speak on Ms. Pinckney's behalf. The Board asked appropriate questions of the applicant and Ms. Cole.

Motion: A motion was made by Ms. Womack to allow Ms. Pinckney to proceed in her application process and to comply with her Order with the South Carolina Board of Nursing. It was stated that a Public Order will be written to further outline the conditions of Ms. Pinckney's licensure if she completes the application process. The motion was seconded by Dr. Garnett. The motion carried.

REPORTS/INFORMATION:

Administrative Information:

Mrs. Cox reported to the Board the licensure total of all licensees as well as continuing education providers to be 2671 and she provided a breakdown of all the categories. She noted the new Office of Licensure and Compliance (OLC) conducted the renewal for the deadline date of August 31, 2009. This was reported to be the third cycle that there has been an on-line renewal. She reported the new unit answered most renewal questions and handled any on-line problems. Mrs. Cox stated a CE audit will be conducted and asked for three members of the Board to serve on the Random CE Audit Committee in February if needed. Dr. Garnett, Mr. Evans and Ms. Mahon said they would serve.

She reported LLR services are becoming more standardized across the boards with compartmentalized groups such as renewal, licensing, call centers, and web maintenance being developed. She reported cross training of personnel will be done.

Mrs. Cox reported the statistical data from the Center for Credentialing & Education, Inc. (CCE) on how many applications were reviewed for the Board:

CCE Statistics: FY is from July 1 through June 30
FY 2007-2008: 253 applications (242 LPC and 11 LMFT)
FY 2008-2009: 240 applications (218 LPC and 22 LMFT)

Mrs. Cox reported that she has spoken two times at Webster University on professional orientation, meaning of state licensure, SC licensure specifics, and topics such as discipline/law/ethics for the Board.

Treasurer's Report:

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

* LEGAL ISSUES:

There were no legal issues brought before the Board.

UNFINISHED BUSINESS:

There was no unfinished business before the Board.

NEW BUSINESS:

The Board tabled New Business until the February 16, 2010 meeting of the Board.

DISCUSSION TOPICS:

There were no discussion topics.

PUBLIC COMMENTS:

There was no public comment.

REPORTS OF STANDARDS COMMITTEES AND CONTINUING EDUCATION COMMITTEE:

For Standards Committee Decision: Mrs. Cox presented a Confirmation of Supervision Plan from a Licensed Professional Counselor Intern who used a LMSW (Licensed Masters Social Worker) for supervision of the 1500 hours of required supervision for licensure. Mrs. Cox stated as per Regulation 36-05 (3) regarding the 1500 hours of supervision, only a LPC-S can supervise the 150 hours of immediate supervision and only a qualified licensed mental health practitioner, as defined in 36-01 (11), may supervise the other 1350 hours of required direct counseling hours. Discussion followed.

Motion: A motion was made by Dr. Garnett to require the LPC-Intern to get a two year extension of the LPC-Intern license in order to allow the licensee to obtain the 1500 hours of required supervision from appropriately licensed supervisors. Ms. Fleshman seconded the motion. The motion carried.

President Williams called for the ratification of the electronic reports of the Standards Committees and Continuing Education Committee beginning on June 3, 2009 through October 6, 2009. It was reported that the records are electronically maintained and can be for categories:

Recommended for Licensure as a Professional Counselor Intern;
Recommended for Extension of LPC Intern Licensure Status for 2 years;
Recommended for Transfer from LPC-Intern to Professional Counselor;
Recommended for Licensure as a Professional Counselor by Endorsement;
Recommended for Licensure as Licensed Professional Counselor Supervisor;
Recommended for Licensure as a Marriage and Family Therapy Intern;
Recommended for an Extension of LMFT Intern Licensure Status for 2 years;
Recommended for Transfer from LMFT/Intern to LMFT;

Recommended for Licensure as a Marriage and Family Therapist by Endorsement;
Recommended for Licensure as Marriage and Family Supervisor (LMFT/S);

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

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

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

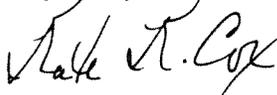
ANNOUNCEMENTS:

It was announced the next meeting of the South Carolina Board of Examiners for the Licensure of Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists will be held on February 16, 2010.

ADJOURNMENT:

There being no further business the meeting was adjourned at 2:30 p.m.

Respectfully submitted,



Kate K. Cox
Administrator