



South Dakota Board of Examiners for Counselors & Marriage and Family Therapists

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South Dakota Board of Examiners for Counselors & Marriage and Family Therapists Regular Meeting Kneip Building Conference Room #3, Pierre, SD December 8, 2017

President Rice Brinkworth called the meeting to order at 8:31 am central and determined a quorum.

Board Members Present: Lynell Rice Brinkworth, Tacey Braithwaite, Sherry Bartels, Sherwood Schrenk, Jill Schoen, Roswitha Konz, Tiffany Butler and Cheryl Hartman.

Board Members Absent: Wayne Zako.

Others Present: Jennifer Stalley, Executive Secretary; Jim Carlon, legal counsel; Steven Blair, Assistant Attorney General, Cullen McNeece, Assistant Attorney General, Amy Iversen-Pollreisz, Department of Social Services, Robert McCarthy, Department of Social Services, and Shawn Nills.

Motion to approve the proposed agenda by Hartman. Seconded by Schoen. Motion carried.

Rice Brinkworth asked for comments from the public. There were no comments offered.

Motion to approve the meeting minutes of October 27, 2017 with a grammatical correction on page 1 by Schrenk. Seconded by Konz. Motion carried.

Motion to go into executive session for consideration of contested cases at 8:35 am by Konz. Seconded by Braithwaite. Motion carried.

Rice-Brinkworth declared the Board out of executive session at 9:34 am.

Motion to dismiss Complaint 2017-08 by Schrenk. Seconded by Hartman. Motion carried. Konz abstained.

Motion to dismiss Complaint 2017-09 by Schoen. Seconded by Braithwaite. Motion carried. Konz abstained.

Motion to dismiss Complaint 2017-10 by Schrenk. Seconded by Bartels. Motion carried. Konz abstained.

Motion to dismiss Complaint 2017-11 by Butler. Seconded by Braithwaite. Motion carried. Konz abstained.

The Board reviewed proposed changes to the reciprocity statutes for licensed professional counselors, licensed professional counselors-mental health and marriage and family therapists. Legislation will be introduced on behalf of the Board to make changes to these statutes in the upcoming legislative session.

The Board reviewed proposed legislation to require Board to issue temporary licenses to applicants licensed in another state if in good standing in the licensing state. The Board will monitor the legislation.

The Board discussed a meeting schedule for 2018. The Board plans to meet via conference call on January 19, 2018, May 18, 2018, and September 21, 2018 and in person on March 16, 2018, July 20, 2018, and November 2, 2018. The meeting schedule is subject to change based on hearing schedules.

The Board noted the time and place for LPC Plan of Supervision application hearing of Shawn Nills. Nills appeared before the Board and presented information concerning his Plan of Supervision application.

Motion to go into executive session for consideration of contested cases at 12:17 pm by Hartman. Seconded by Konz. Motion carried.

Rice-Brinkworth declared the Board out of executive session at 1:24 pm.

Motion to approve the LPC Plan of Supervision application of Shawn Nills on the condition that Nills propose a different supervisor to be approved by the Board, the approved supervisor provides the Board with quarterly progress reports during the duration of the Plan of Supervision, Nills continues his personal counseling, and Nills completes 20 hours of continuing education each year, with at least 10 of the hours concentrating on ethics by Butler. Seconded by Hartman. Motion carried.

The Board discussed possible changes to the Practice Act. The Practice Act Workgroup was asked to consider the discussion in drafting changes for further review by the Board at a later meeting.

Stalley provided an office update, including the list of new licensees since the last meeting and the renewal process to date and a staffing update.

The Board discussed the limitations on private practice during a plan of supervision.

The Board clarified that face to face supervision can be performed via real-time video conferencing that is HIPPA compliant or in person between the supervisor and supervisee to meet the required face to face hours of direct supervision for a plan of supervision.

Motion to re-elect Rice-Brinkworth as President and Braithwaite as Vice-President by Schrenk. Seconded by Bartels. Motion carried.

The next Board meeting is scheduled for January 19, 2018 at 9:00 am (central) via conference call.

Motion to go into executive session for consideration of contractual matters at 2:46 pm by Butler. Seconded by Konz. Motion carried.

Rice-Brinkworth declared the Board out of executive session at 3:27 pm.

Motion to adjourn by Butler. Seconded by Bartels. Motion carried.

The Board adjourned at 3:27 pm.

Respectfully Submitted,

Jennifer Stalley, Executive Secretary