



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

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**SOUTH DAKOTA STATE BOARD OF EXAMINERS FOR COUNSELORS &  
MARRIAGE AND FAMILY THERAPISTS  
Friday, October 14, 2022 – 9:00 AM CDT**

Join the Meeting via Zoom

<https://us02web.zoom.us/j/81492290454?pwd=ZXM5S1N2M1ZKVVFNNTdrS0FzVVoUT09>

or call 1-312-626-6799

Meeting ID: 814 9229 0454

Passcode: 568576

**Proposed Meeting Agenda**

- 1) Call to Order
- 2) Approval of Agenda
- 3) Open Forum: *5 minutes for the public to address the Board*
- 4) Approval of Board Minutes: September 30, 2022
- 5) Approval of Administrative Rule Hearing Minutes: September 30, 2022
- 6) Executive Session (Pursuant to SDCL 1-25-2(3) for consultation with legal counsel for consideration of proposed contested cases or litigation)
- 7) Old Business
  - a. In the matter of Licensed Professional Counselor by Endorsement application of V. Scott.
  - b. In the matter of Professional License of J. Kaiser (2021-11 and 2022-01)
- 8) New Business
  - a. Hearing in the Matter of the Professional Counselor – Mental Health Licensure Application of E. Nelson
  - b. American Association for Christian Counselor CEU approved provider status request
  - c. Election of Officers
- 9) Other Business
  - a. Office Update
  - b. DSS Update
  - c. Counseling Compact Update
  - d. Recognition of Lynell Rice Brinkworth and Roswitha Konz
- 10) Announcements
  - a. Next Meetings: December 9, 2022 at 9:00am (central)
- 11) Adjourn



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South Dakota Board of Examiners for Counselors & Marriage and Family Therapists  
Via Videoconference  
September 30, 2022

President Rice Brinkworth called the meeting to order at 9:30 am central and determined a quorum.

**Board Members Present via Videoconference:** Lynell Rice Brinkworth, Tiffany Butler, Cheryl Maureen Gustafson, Hartman, Jill Janecke, Roswitha Konz, Woody Schrenk; Jay Trenhaile and Jeff Wagen.

**Board Members Absent:**

**Others Present via Videoconference:** Jennifer Stalley, Executive Secretary, Karen Cudmore, administrative staff; Court Roper, Board Legal Counsel, Department of Social Services; Erin Handke, Assistant Attorney General; Tracy Mercer, Department of Social Services; Tasha Lee, Christina Shilman, Tyler Haigh, Chris Puglisi and Duane Kavanaugh.

Motion to approve the proposed agenda by Konz. Seconded by Wangen. **Motion carried.**

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

Motion to approve the meeting minutes of July 22, 2022, by Schrenk. Seconded by Trenhaile. **Motion carried.**

Motion to accept the financial report as of August 31, 2022 by Butler. Seconded by Schrenk. **Motion carried.**

Rice Brinkworth noted the time and place for the hearing in the matter of the Licensed Professional Counselor by Endorsement Application of V. Scott. Scott appeared before the Board and presented information concerning her application for licensure by endorsement.

Rice Brinkworth noted the time and place for the hearing in the matter of the Professional License of J. Kaiser (2021-11 and 2022-01). Kaiser appeared before the Board along with counsel, Tyler Haigh, and presented information concerning her professional counselor license.

Motion to go into executive session for consideration of contested cases at 1:15pm by Hartman. Seconded by Schrenk. **Motion carried.**

Rice Brinkworth declared the Board out of executive session at 1:26pm.

Motion to offer a voluntary surrender of license or proceed to a hearing for Complaint 2021-08 by Schrenk. Seconded by Butler. **Motion carried.**

Motion to dismiss Complaint 2022-09 by Janecke. Seconded by Trenhaile. **Motion carried.**

Motion to defer the balance of the calendar to the October 14, 2022 meeting by Schrenk. Seconded by Konz. **Motion carried.**

The Board's next meeting is scheduled for October 14, 2022 at 9:00am (cst).

Motion to adjourn by Konz. Seconded by Trenhaile. **Motion carried.**

The Board adjourned at 1:30 pm.

Respectfully Submitted,

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Jennifer Stalley, Executive Secretary



**President**

Tim Clinton, Ed.D.

**Executive Advisory Board**

Ron Hawkins, Ed.D., D.Min.

Gary Oliver, Ph.D.

Jennifer Cisney Ellers, M.A.

Sharon May, Ph.D.

**Board Chair Emeritus**

Diane Langberg, Ph.D.

**Chief Executive Officer**

Ben Allison, J.D., Esq.

**Medical Director**

Karl Benzio, M.D.

**Spiritual Director**

Siang-Yang Tan, Ph.D.

**Leadership Director**

Henry Cloud, Ph.D.

**Clinical Director**

John Townsend, Ph.D.

**Divisional Heads**

David Jenkins, Psy.D. (ARN)

Ian Jones, Ph.D., Ph.D. (BCSFN)

Kay Lynn Carlson, LMSW (RLSTN)

Jennifer Cisney Ellers, M.A. (GCDN)

Mark Crear, Ph.D. (MCD)

Dallas Speight, D.Min. (MCI)

Dan Seaborn, M.A. (MFN)

Shannon Wolf, Ph.D. (SCP)

**National Board of Reference**

Dan Allender, Ph.D.

Daniel Amen, M.D.

Steve Arterburn, M.Ed.

Gary Chapman, Ph.D.

Chap Clark, Ph.D.

Mark Crawford, Ph.D.

Jim Cress, M.A.

Ron Deal, M.MFT.

Fred DiBlasio, Ph.D.

Kathie Erwin, Ed.D.

Sylvia Hart Frejd, D.Min.

Heather Daveidiuk Gingrich, Ph.D.

David Hawkins, Ph.D.

Gregory Jantz, Ph.D.

Tim Jennings, M.D.

Mark McMinn, Ph.D.

Paul Meier, M.D.

Linda Mintie, Ph.D.

Philip Monroe, Psy.D.

Gary Moon, Ph.D.

Margaret Nagib, Psy.D.

Miriam Stark Parent, Ph.D.

Les Parrott, Ph.D.

Leslie Parrott, Ed.D.

Cliff Penner, Ph.D.

Joyce Penner, MRN

Georgia Shaffer, M.A.

Gary Sibcy, Ph.D.

Daniel Sweeney, Ph.D.

Gary Thomas, D.Div.

Curt Thompson, M.D.

John Trent, Ph.D.

Leslie Vernick, M.S.W.

Catherine Hart Weber, Ph.D.

Everett Worthington, Jr., Ph.D.

H. Norman Wright, M.A., D.Min.

Mark Yarhouse, Psy.D.

To Whom it May Concern:

My name is Mercy Connors and I am the Continuing Education Coordinator for the American Association for Christian Counselors. I am writing you today to request to be an approved provider for continuing education for the Board of Examiners for Counselors & Marriage and Family Therapists. We have been approved by many states including Florida, Ohio, North Carolina, New Mexico, Nevada, South Carolina, and others for various conferences. We have found that the state of Ohio has the most rigorous requirements and all of our online and in person courses meet their standards. These requirements include a current CV that shows specialization in the area that the person is teaching, content that is directed towards mental health professionals, and meeting a 60 minute requirement for one hour of CE credit.

The AACC is the largest faith-based mental health association in the world and has been giving continuing education for mental health professionals for over 10 years. Each year, the AACC puts on a conference that gains participants from almost all the states and from many different countries. Our latest conference in Dallas sold out with 2,500 participants and we expect to sell out our next conference in Nashville to have almost 7,000 participants. The AACC also has over 50 on-demand courses on Light University, our online education arm of the AACC, and we also do live webinar or zoom trainings throughout the year on various topics such as trauma, EMDR, ethics and other various mental health related topics.

Mercy Connors, Ph.D., LPC  
Director of Program Development and Professional Relations  
American Association of Christian Counseling  
email: [mercy.connors@aacc.net](mailto:mercy.connors@aacc.net)

**MINUTES OF PUBLIC HEARING  
SOUTH DAKOTA BOARD OF EXAMINERS FOR COUNSELORS AND MARRIAGE & FAMILY  
THERAPISTS**

The South Dakota Board of Examiners for Counselors and Marriage & Family Therapists convened at 9:00 am (central) on September 30, 2022, via zoom.

The purpose of the meeting was to conduct a public hearing on the proposed rules of the Board of Examiners for Marriage & Family Therapists numbered §§ 20:68:03:02, 20:68:04:10, 20:68:04:16, 20:68:05:01, 20:71:03:01, 20:71:05:02, 20:71:05:10, 20:73:04:14, adopted under the authority of SDCL 36-32-56 and SDCL 36-33-71.

**Hearing Officer:** Lynell Rice Brinkworth, Board President

**Members of the Board in Attendance via Zoom:** Lynell Rice Brinkworth, Tiffany Butler, Maureen Gustafson, Cheryl Hartman, Jill Janecke, Roswitha Konz, Woody Schrenk; Jay Trenhaile; and Jeff Wagen.

**Others in Attendance:** Jennifer Stalley, Board Executive Secretary, Karen Cudmore, Board administrative staff; Court Roper, Board Legal Counsel, Department of Social Services; Erin Handke, Assistant Attorney General; Tracy Mercer, Department of Social Services; Teresa Schulte, Department of Social Services; Terry Dosch, South Dakota Council of Community Behavioral Health; Rebecca Christiansen; Tyler Haigh; Duane Kavanaugh; Patricia Lavelle; Tasha Lee; Chris Puglisi; Christina Shilman; and Becky Schuldt.

**Written Testimony**

- **South Dakota Council of Community Behavioral Health, Inc**
  - Terry Dosch, Executive Director
  - Proponent
  - PO Box 532, Pierre, SD 57501
  - Received September 23, 2022
  - Comments on all proposed rules in general
  - The organization endorsed the rules package.
  - The Board acknowledged the comments and the organization's support for the proposed changes.
  - No action was taken in direct response to the comments.
  
- **South Dakota Counseling Association (Joint Letter with South Dakota School Counselor Association)**
  - Brian Dannen, SDCA President
  - Duane Kavanaugh, SDCA Past President
  - Randi Hartman, SD School Counselor President
  - Rebecca Christiansen, SDCA Executive Director
  - Proponent
  - PO Box 95, Aberdeen, SD 57402
  - Received September 29, 2022
  - Comments on all proposed rules in general
  - The organization endorsed the rules package.
  - The Board acknowledged the comments and the organization's support for the proposed changes.
  - No action was taken in direct response to the comments.
  
- **Council for Accreditation of Counseling and Related Educational Programs**
  - Sylvia Fernandez, Executive Director
  - Proponent with proposed change

- 500 Montgomery Street, Suite 350, Alexandria, VA 22314
  - Received September 23, 2022
  - Comments on ARSD 20:68:03:02
  - The organization requested a change to the proposed change to ARSD 20:68:03:02.
  - The Board acknowledged the comments and the organization’s recommendation for a change to ARSD 20:68:03:02.
  - The adopted version of ARSD 20:68:03:02 reflects the change requested by CACREP and the organization acknowledged the change alleviated any concerns with the rule.
- **Terrance L Hanes, LPC (Self)**
    - Individual Licensee
    - Proponent with proposed change
    - 1250 Poydras Avenue, 4<sup>th</sup> Floor, Suite 400, New Orleans, LA 70113
    - Received September 2, 2022
    - Comments on ARSD 20:68:03:02
    - The individual requested a change to the rule as proposed.
    - The Board acknowledged the comments and the individual’s recommendation for a change to ARSD 20:68:03:02.
    - The adopted version of ARSD 20:68:03:02 reflects the change requested and the individual acknowledged alleviated any concerns with the rule.
- **Angela Meinen, LPC-MH (Self)**
    - Individual Licensee
    - Proponent
    - 914 NE 3<sup>rd</sup> Street, Madison, SD 57042
    - Received September 21, 2022
    - Comments in general
    - The individual specially supported the rules changing the required types of supervision for supervisees (ARSD 20:68:04:10 and 20:71:05:02)
    - The Board acknowledged the comments.
    - No action was taken in direct response to the comments.

### Oral Testimony

- **South Dakota Council of Community Behavioral Health, Inc**
  - Terry Dosch, Executive Director
  - Proponent
  - PO Box 532, Pierre, SD 57501
  - Testified in person on September 30, 2022
  - Comments in support of all rules in the package. Dosch specifically noted the Council supported the change the Board was considering to ARSD 20:68:03:02. Dosch also noted appreciation for the Board reviewing its rules to continue to look for ways to streamline the licensure process to help address staff recruitment, retention, and staffing.
  - The organization endorsed the rules package.
  - The Board acknowledged the comments and the organization’s support for the proposed changes.
  - No action was taken in direct response to the comments.

### Summary of Changes to Proposed Rules on Account of the Public Hearing

- **ARSD 20:68:03:02** was adopted with LRC edits for compliance with requirements for form, style and legality, along with a further amendment to (2)(d) to make the section read:

“Internship: including an on-the-job experience in professional counseling under the tutelage of an on-site supervisor who is a licensed professional counselor or a licensed or certified mental health therapist, provided the supervised internship may be no less than 600 hours of which 240 hours must be in direct services;”

The Board adopted the rule with the additional change to address the suggestion made by CACREP and the comments of Terrance Hayes.

- **ARSD 20:68:04:10** was adopted as proposed, forging the considerations suggested by LRC.

The Board did not adopt the suggestion from LRC to consider moving sentences in the current rule to the definitions. The reason for not adopting this further change to the rule is to be consistent with the formatting of the rules for professional counselors, professional counselors-mental health, and marriage and family therapists in similar sections and to keep the rule user-friendly for supervisees, as intended with the original rule.

- **ARSD 20:68:04:16** was adopted as proposed.

The Board adopted the changes to the rules as originally proposed.

- **20:68:05:01** was adopted with LRC edits for compliance with requirements for form, style and legality, along with a further amendment to strike the NCE acronym to be consistent with the LRC style and form recommendations.

The Board adopted the style and form recommendations of LRC and added a further strike to an acronym used only once in the rule based on the original LRC suggestion.

- **ARSD 20:71:03:01** was adopted as proposed, forgoing the suggested change of LRC.

The Board did not adopt the original suggestion of LRC to add "regulatory" to denote which Board. LRC acknowledged the original suggestion was not needed.

- **ARSD 20:71:05:02** was adopted as proposed, forging the considerations suggested by LRC.

The Board did not adopt the suggestion from LRC to consider moving a sentence in the current rule to the definitions. The reason for not adopting this further change to the rule is to be consistent with the formatting of the rules for professional counselors, professional counselors-mental health, and marriage and family therapists in similar sections and to keep the rule user-friendly for supervisees, as intended with the original rule.

- **ARSD 20:71:05:10** and **20:70:04:14** were adopted proposed.

The Board adopted the changes to the rules as originally proposed.

**Adjournment:** 9:30 am

Respectfully submitted,



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Jennifer Stalley  
Executive Secretary  
South Dakota Board of Examiners for Counselors and Marriage & Family Therapists