



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

201 W. Preston Street • Baltimore, Maryland 21201

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

February 10, 2014

The Honorable Edward J. Kasemeyer
Chair
Senate Budget and Taxation Committee
3 West Miller Senate Building
Annapolis, MD 21401-1991

The Honorable Norman H. Conway
Chair
House Appropriations Committee
121 House Office Building
Annapolis, MD 21401-1991

RE: 2013 Joint Chairmen's Report, Page 60, M00B01.04 – Report on Delays at Board of Professional Counselors and Therapists

Dear Chair Kasemeyer and Chair Conway:

Pursuant to page 60 of the Joint Chairmen's Report of 2013, the Board of Professional Counselors and Therapists (the Board) and the Department of Health and Mental Hygiene (DHMH) respectfully submit this report on the status of the Board's annual reports for 2010-2012 and transparency. Specifically, the Joint Chairmen's Report requested that the Budget Committees be provided with information on the obstacles that prevented the Board from completing its annual reports from 2010 through 2012, as required by the Health Occupations Article, efforts to complete the annual report for 2013 and efforts to increase transparency with the public and the licensees under the Board's purview.

Annual Reports

The Board regrets its delay in the release of the annual reports for calendar years 2010 and 2011. During this period the Board was actively engaged in hiring a new Executive Director after the retirement of its long serving Executive Director, developing comprehensive regulations for alcohol and drug counseling, implementing approved supervisor regulations for professional counselors, and adding the licensure of art therapists to the multiple groups of professionals regulated by the Board. Moreover, Chapters 533 and 534 of the Acts of 2010 required all health occupations boards to develop sanctioning guidelines which created additional work for Board staff. Staff resources were stretched to the limit, given the importance, intensity, and extent of work necessary to complete these crucial tasks.

The Board of Professional Counselors and Therapists' annual reports for 2010 through 2012 are completed and posted to the Board's website at (<http://dhmh.maryland.gov/bopc/SitePages/AnnualReport.aspx>). The annual reports for 2010 and 2011 were the only reports that were delayed in being completed and released. The 2012 annual report was released on schedule, in March 2013. The annual report for calendar year 2013 will be completed and released in March, 2014.

Transparency

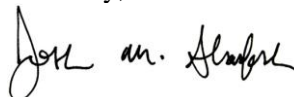
The Board recognizes the importance of providing transparency to the public, its licensees and certificate holders. To that end, the Board makes every effort to handle matters within the framework of statutes and regulations set forth in the Professional Counselors and Therapists Practice Act, Open Meetings Act, and the Administrative Procedure Act. By way of example, the Board's website contains information about licensing and certification requirements, applications, verification of licenses and certificates, disciplinary actions and general public information. However, we acknowledge that some stakeholders continue to have concerns about the accessibility of information, particularly related to the Board's application review process. The Department is working with the Board to review and, where appropriate, address these concerns and improve transparency with the public and the licensees and certificate holders under the Board's purview.

On December 6, 2013 the Board and the Maryland Addictions Director's Council (MADC) held a retreat to identify issues related to licensing and certification which alcohol and drug programs view as barriers to hiring qualified staff and to identify possible changes to licensing and certification that would eliminate those barriers. The objective of the retreat was to identify the focus for continued collaboration between the Board, MADC, and other stakeholders on these issues. The retreat is the first step in this collaborative process.

Additionally, the Department is working with the Board to identify a consultant to conduct an independent review of the Board and evaluate the issues and concerns that have been voiced by stakeholders, including issues that were raised at the retreat. The consultant will also provide the Department with recommendations to improve Board processes, including any statutory or regulatory changes. The goal would be to have recommendations or proposed legislative changes for the 2015 legislative session. We think this is a good process for collaboration between the Board and its stakeholders to improve transparency. Once a consultant is identified, a plan and timeline for an independent review will be available.

Please find enclosed copies of the Board's annual reports for 2010 through 2012. We hope this information is useful. If you have any questions regarding this joint chairmen's report and the annual reports, please contact either Ms. Christi Megna, Assistant Director of the Office of Governmental Affairs, at 410-767-6480 or Ms. Tracey DeShields, Executive Director for the Board of Professional Counselors and Therapists at 410-764-4732.

Sincerely,



Joshua M. Sharfstein, M.D.
Secretary

Enclosures

cc: Gayle Jordan-Randolph, M.D.
Carol A. Deel, LCMFT, LCPC, Board Chair
Mr. Patrick Dooley
Ms. Rianna Matthews-Brown

Ms. Tracey DeShields
Mr. Ari S. Elbaum
Ms. Christi Megna

MARYLAND BOARD OF PROFESSIONAL COUNSELORS AND THERAPISTS

ANNUAL REPORT – 2010

This report covers the activities of the Maryland Board of Professional Counselors and Therapists for the period ending December 31, 2010.

The Maryland Board of Professional Counselors and Therapists functions under Health Occupations Article, Title 17, Annotated Code of Maryland. The State Board of Professional Counselors and Therapists (the “Board”) is the licensure and certification authority of professional counselors; marriage and family therapists, art therapists, and alcohol and drug counselors in the State of Maryland. The Board is mandated to regulate the practice of professional counseling and therapy in Maryland by licensing and certifying qualified counselors and therapists, promulgating regulations for the practice of professional counseling, marriage and family therapy, and alcohol and drug counseling, verifying credentials, issuing licenses and certificates, establishing requirements for and verifying completion of continuing education hours, investigating complaints based on alleged violations of regulations and statutes, formal and informal disciplining of licensees and certificate holders, establishing committees as deemed appropriate to advise the Board, and submit an annual report to the Governor and Secretary (H.O. Ann. Code of Md, §17-205 (b) (2)).

Mission

The Mission of the Board of Professional Counselors and Therapists is to protect the citizens of Maryland and to promote high quality health care in the field of professional counseling, marriage and family therapy, and alcohol and drug counseling.

Meetings

During the year, the Board held 10 formal meetings and monthly committee meetings.

Board Members

The Board consists of 13 members: five licensed clinical professional counselors, three licensed clinical marriage and family therapists, three licensed clinical alcohol and drug counselors and two consumer members.

Board Members

Term

Lisa Jackson-Cherry, Ph.D., LCPC, Board Chair
Ms. Sonja Williams, LCMFT, Vice-Chair
Tina Young, Consumer, Board Secretary

June 30, 2012
June 30, 2010
June 30, 2012

<u>Board Members</u>	<u>Term</u>
Lorraine G. Garcia, LCPC	June 30, 2013
Richard Hann, LCPC,	June 30, 2010
Deborah G. Haskins, LCPC	June 30, 2010
Deborah Hayes, Consumer*	June 30, 2010
Marcia L. Mityga, LCADC	June 30, 2013
Alexandra G. Rickeman, LCMFT *	June 30, 2013
Susan A. Tangires, LCPC, LCADC	June 30, 2013
Allen Twigg, LCPC,	June 30, 2012
Cindy A. Shaw-Wilson, LCADC	June 30, 2013
Consumer Member	Vacant

**Resigned, 2010*

Committees

1. Credentials: Dr. Deborah Haskins, Chairperson; Ms. Lorraine Garcia; Ms. Sonja Williams; Ms. Cindy Shaw-Wilson; Mr. Allen Twigg and Ms. Susan Tangires.
2. Ethics: Dr. Lisa Jackson-Cherry, Chairperson; Ms. Alexandra Rickeman; Ms. Marcia Mityga and Ms. Tina Young
3. Regulations/Legislation: Mr. Richard Hann, Chairperson; Ms. Sonja Williams, Co-Chairperson and Ms. Cindy Shaw-Wilson.

Staff

Aileen Taylor, Executive Director
 Noreen Rubin, Assistant Attorney General, Board Counsel
 Anna Sullivan, Licensing Administrator
 Janice Isaac, Licensing Coordinator
 Sandra Boxley, Office Secretary
 Star Anderson, Office Clerk
 Howard F. Kenney, Jr., Board Investigator
 Sangeeta Sarkar, Programmer Data Analyst

Finances

The Board of Professional Counselors and Therapists is special funded. Revenues, which support the Board's operations, are generated through licensing and certification fees. No other State funds can be used to support the Board's operations.

The Board's 2010 fund balance was 431,216. In fiscal year 2010 the Board generated \$443,037 in revenues. The Board's expenditures totaled \$571,931.

Complaints

The Board received 30 complaints in 2010. The number of investigations conducted during the year was 15. All public disciplinary orders can be found on the Board's website at www.dhmf.maryland.gov/bopc.

Legislation

HB114/SB291 – Health Occupations Boards – Revisions – *Passed* (Chapter Number 534 and Chapter 533)

Requiring health occupations boards to provide notification to licensees or certificate holders of board vacancies; requiring health occupations boards to collect specified racial and ethnic information; requiring that, to the extent practicable, members of health occupations boards reasonably reflect the geographic, racial, ethnic, cultural, and gender diversity of the State; requiring specified health occupations boards to develop a specified training process and materials for board members; etc.

Regulations

COMAR 10.58.06 – Advance Testing (on going)

COMAR 10.58.01 – Professional Counselor Supervision – (on going)

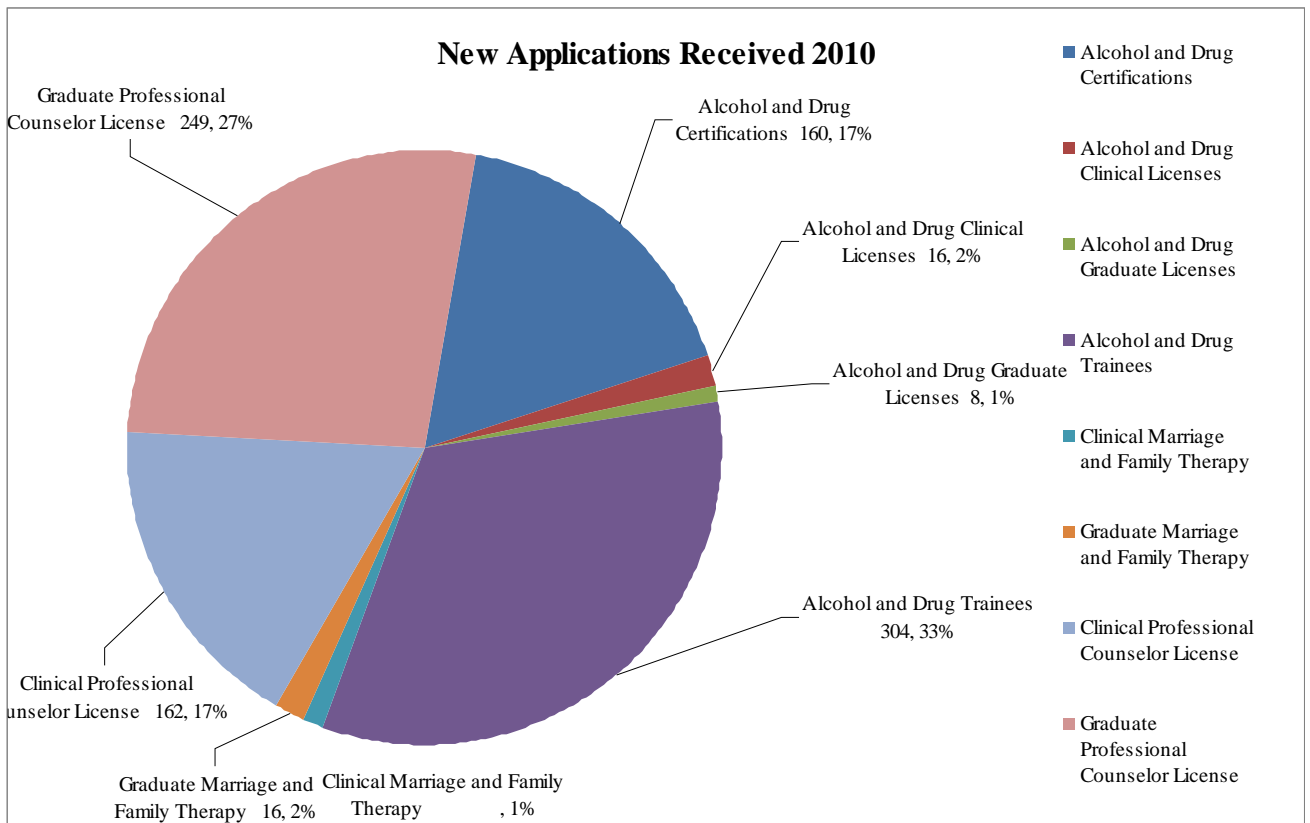
NEW APPLICATIONS RECEIVED

Alcohol and Drug Certifications	160
Alcohol and Drug Clinical Licenses	16
Alcohol and Drug Graduate Licenses	8
Alcohol and Drug Trainees	304
Total A & D Application	488

Clinical Marriage and Family Therapy	12
Graduate Marriage and Family Therapy	16
Total MFT Application	28

Clinical Professional Counselor License	162
Graduate Professional Counselor License	249
Total New Applications	411

Total Applications = 927



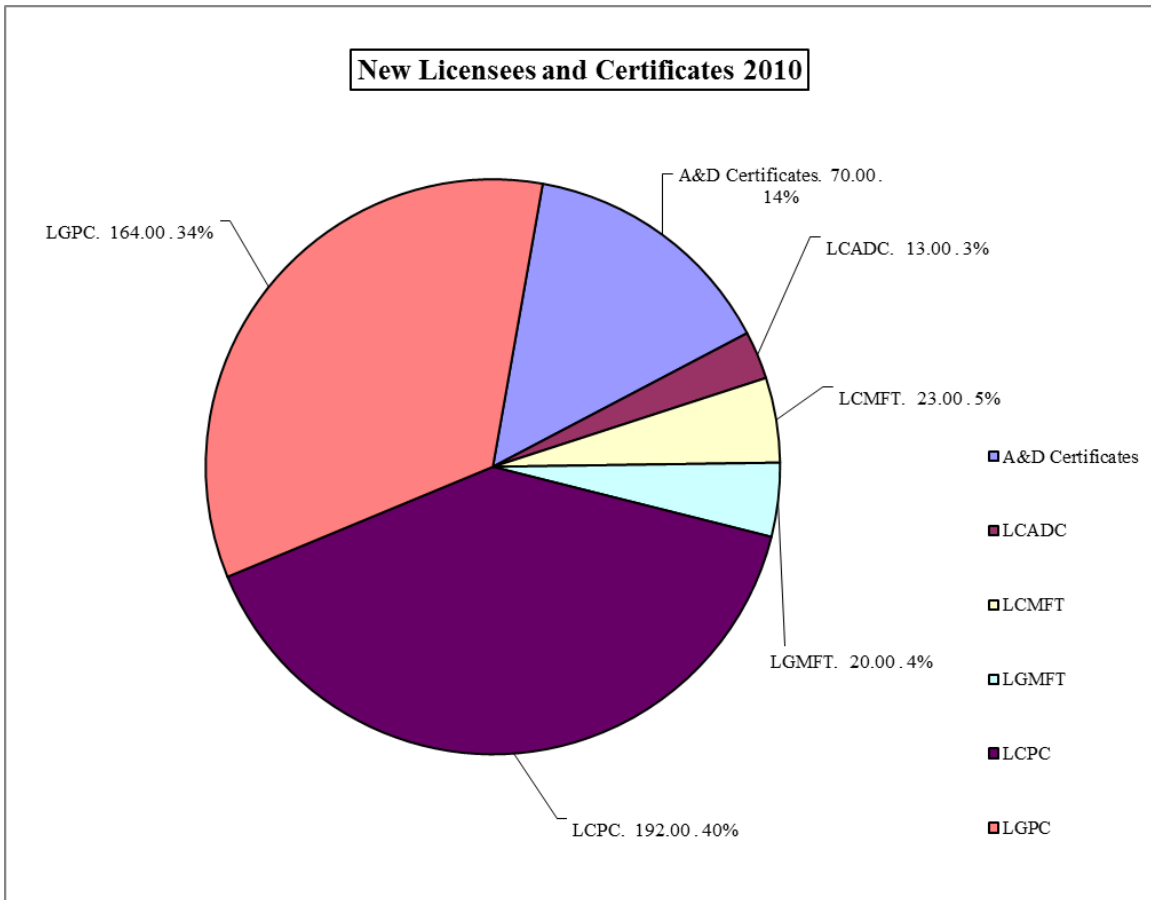
NEW LICENSEES AND CERTIFICATES

A&D Certificates	70
LCADC	13
Total	83

LCMFT	23
LGMFT	20
Total	43

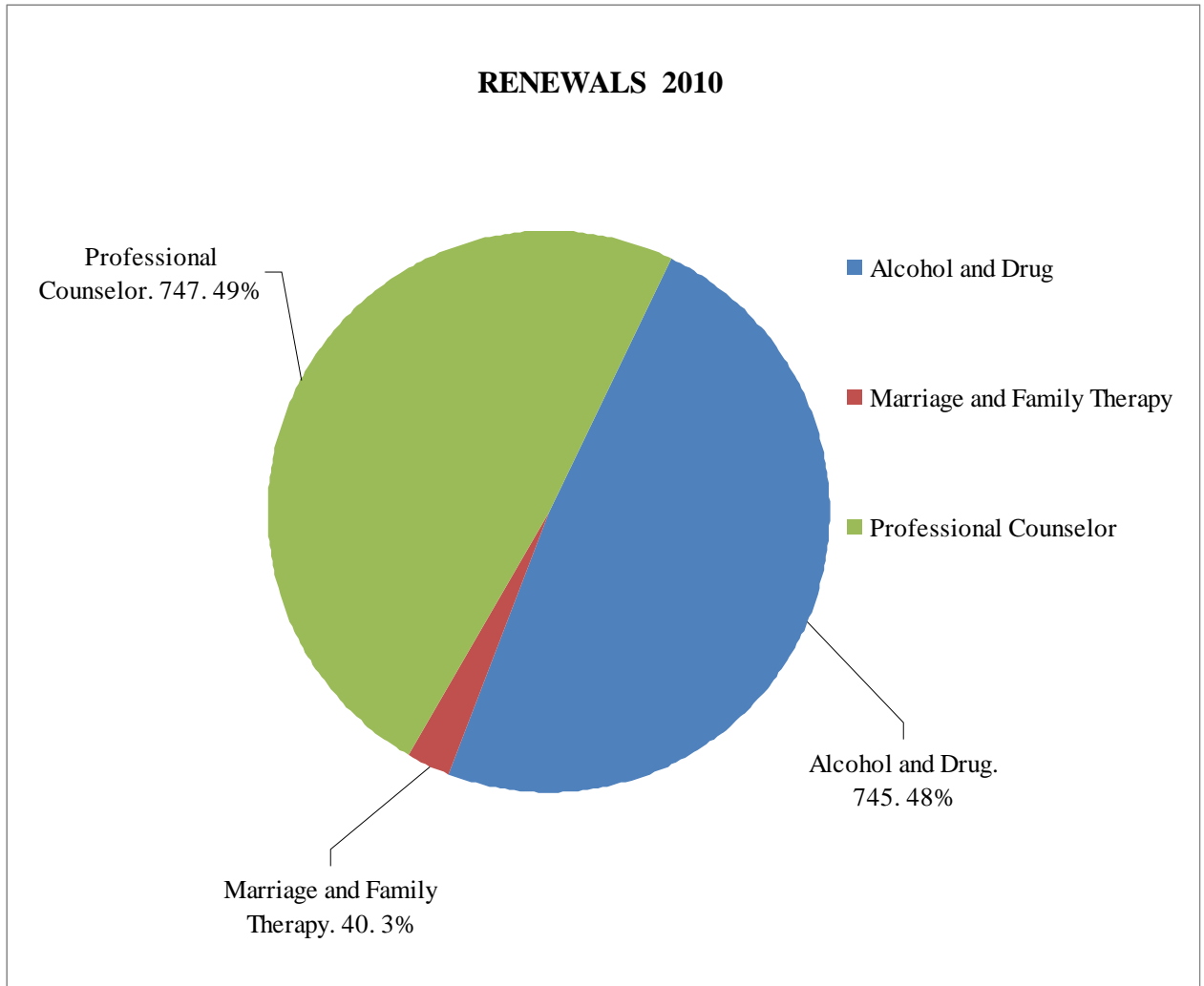
LCPC	192
LGPC	164
Total	356

Total of New Licenses and Certificates = 482



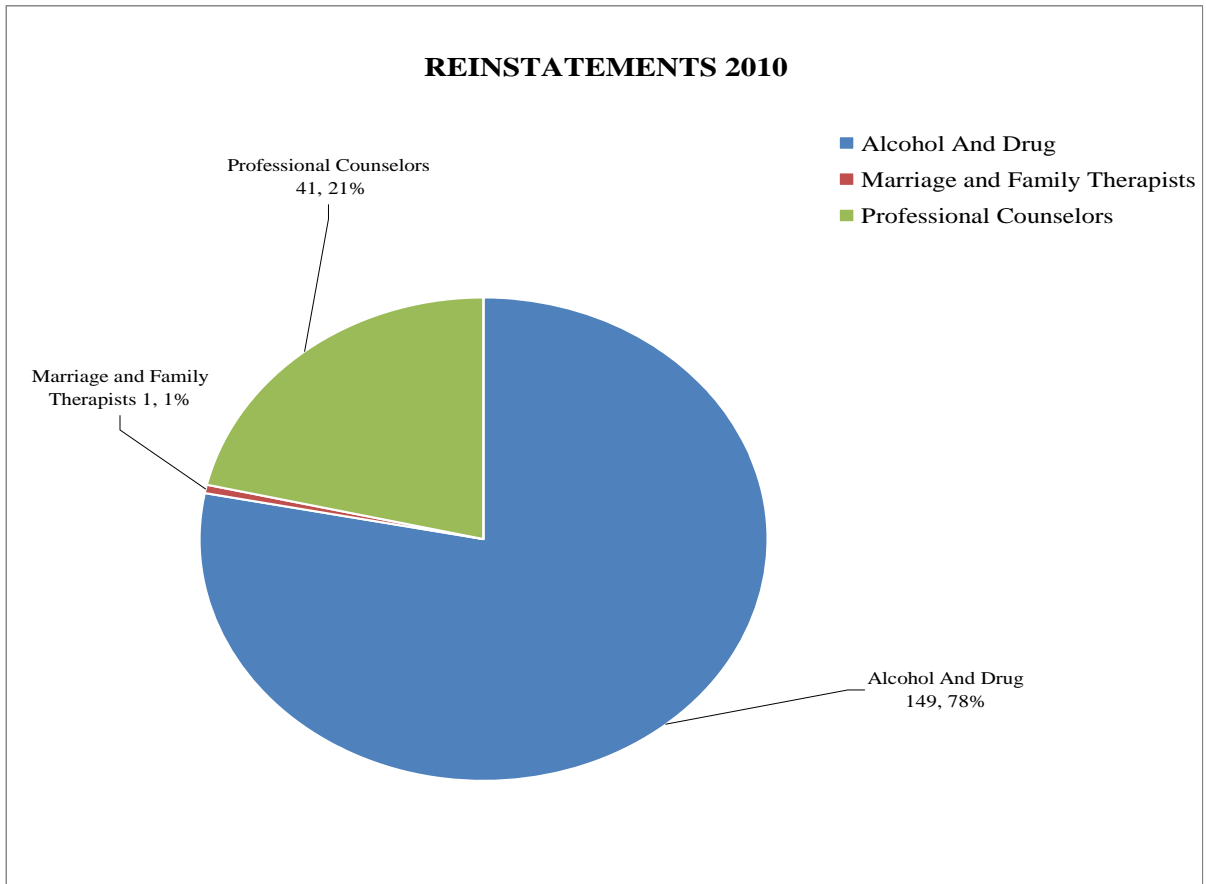
RENEWALS

Alcohol and Drug	745
Marriage and Family Therapy	40
Professional Counselor	747
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Total Renewals	1532



REINSTATEMENTS

Alcohol and Drug	149
Marriage and Family Therapy	1
Professional Counselors	41
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Total Reinstatements	191



MARYLAND BOARD OF PROFESSIONAL COUNSELORS AND THERAPISTS

ANNUAL REPORT – 2011

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Mission

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Meetings

During the year, the Board held 10 formal meetings and monthly committee meetings.

Board Members

The Board consists of 13 members: five licensed clinical professional counselors, three licensed clinical marriage and family therapists, three licensed clinical alcohol and drug counselors and two consumer members.

<u>Board Members</u>	<u>Term</u>
Lisa Jackson-Cherry, Ph.D., LCPC, Board Chair	June 30, 2012
Allen Twigg, LCPC, Vice-Chair	June 30, 2012
Tina Young, Consumer, Board Secretary	June 30, 2012

<u>Board Members</u>	<u>Term</u>
Stephanie C. Chupein, LCMFT	June 30, 2013
Carol A. Deel, LCMFT, LCPC	June 30, 2013
Candice Richardson Dickens	June 30, 2014
Lorraine G. Garcia, LCPC	June 30, 2013
Richard Hann, LCPC *	June 30, 2014
Maria Riveria, Consumer	June 30, 2013
Marcia L. Mityga, LCADC	June 30, 2013
Carlo Panlilio, LCMFT	June 30, 2014
Susan A. Tangires, LCPC, LCADC	June 30, 2013
Cindy A. Shaw-Wilson, LCADC	June 30, 2013

*Board Chair Elect (Term Began September, 2011)

Committees

1. Credentials: Mr. Allen Twigg, Chairperson; Dr. Lisa Jackson-Cherry; Ms. Stephanie Chupein; Ms. Lorraine Garcia; and Ms. Susan Tangires.
2. Ethics: Ms. Tina Young, Chairperson; Mr. Carlo Panlilio; Ms. Marcia Mityga and Ms. Maria Riveria
3. Regulations/Legislation: Mr. Richard Hann, Chairperson; Ms. Carol A. Deel; Ms. Candice Richardson-Dickens; and Ms. Cindy Shaw-Wilson.

Staff

Tracey DeShields, Executive Director
 Noreen Rubin, Assistant Attorney General, Board Counsel
 Anna Sullivan, Licensing Administrator
 Janice Isaac, Licensing Coordinator
 Sandra Boxley, Office Secretary
 Star Anderson, Office Clerk
 Karen Wamsley, Board Investigator
 Sangeeta Sarkar, Programmer Data Analyst

Finances

The Board of Professional Counselors and Therapists is special funded. Revenues, which support the Board's operations, are generated through licensing and certification fees. No other State funds can be used to support the Board's operations.

The Board's 2011 fund balance was \$302,272. In fiscal year 2011 the Board generated \$713,111 in revenues. The Board's expenditures totaled \$617,486.

Complaints

The Board received 76 complaints in 2011. The number of investigations conducted during the year was 53. The Board issued 3 formal disciplinary actions. All public disciplinary orders can be found on the Board's website at www.dhmh.maryland.gov/bopc.

Legislation

HB311/SB476 – Professional Counselors and Therapists – Continuing Education – Home Study – *Passed (Chapter Numbers 481 and 480)*

Repealing a provision prohibiting the State Board of Professional Counselors and Therapists from authorizing home study courses towards completion of continuing education requirements.

Regulations

COMAR 10.58.06 – Advance Testing

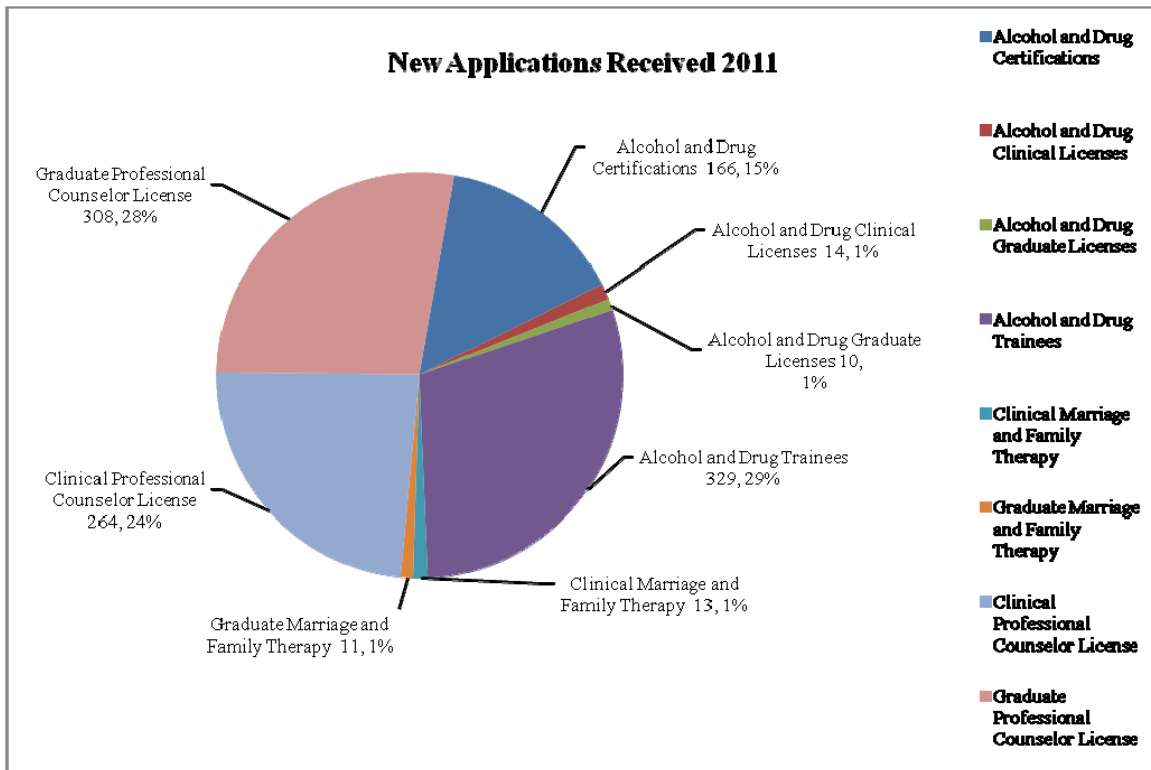
COMAR 10.58.01 – Professional Counselor Supervision

NEW APPLICATIONS RECEIVED

Alcohol and Drug Certifications	166
Alcohol and Drug Clinical Licenses	14
Alcohol and Drug Graduate Licenses	10
Alcohol and Drug Trainees	329
Total A & D Application	519

Clinical Marriage and Family Therapy	13
Graduate Marriage and Family Therapy	11
Total MFT Application	24

Clinical Professional Counselor License	264
Graduate Professional Counselor License	308
Total New Applications	572
Total Applications = 1139	



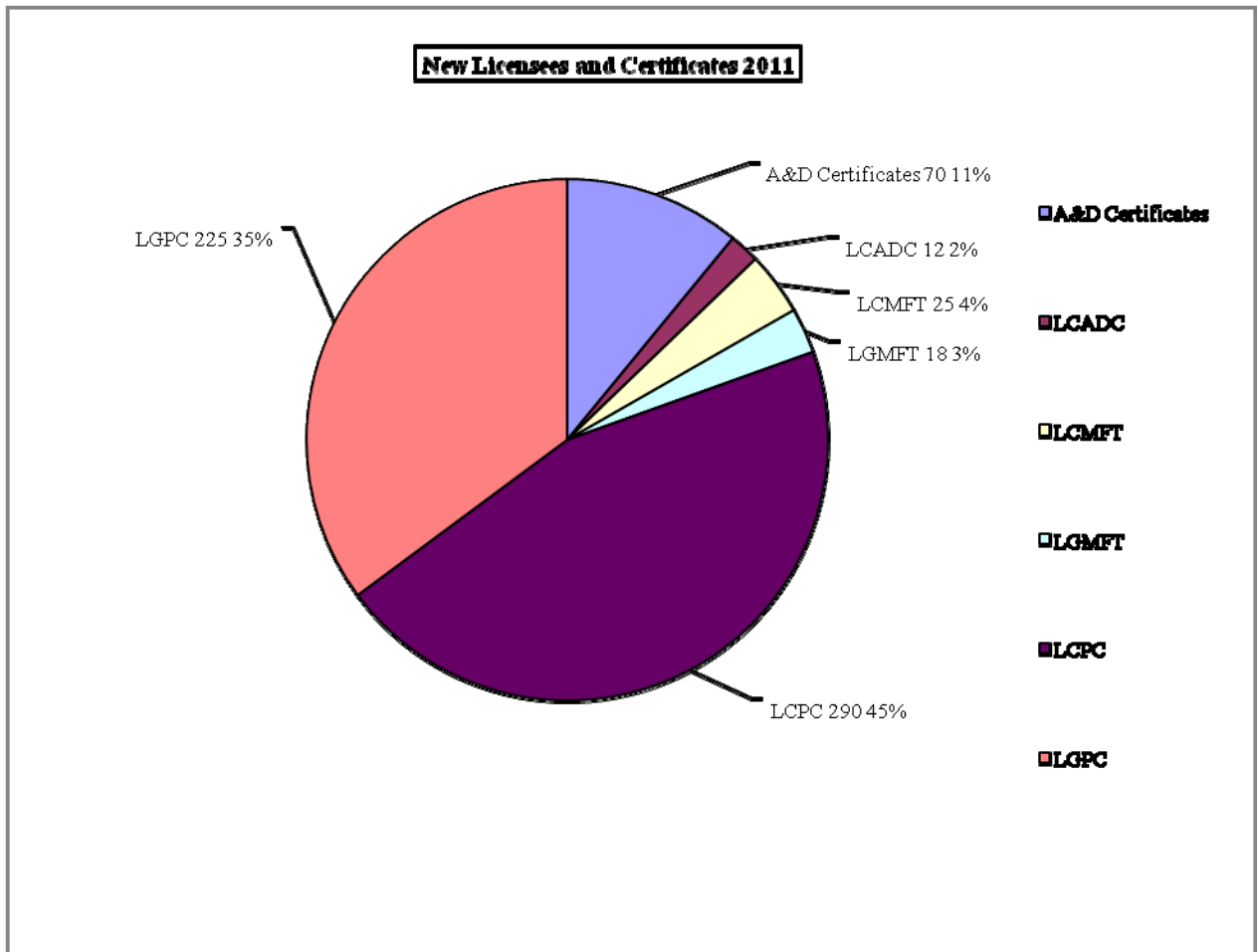
NEW LICENSEES AND CERTIFICATES

A&D Certificates	70
LCADC	12
Total	82

LCMFT	25
LGMFT	18
Total	43

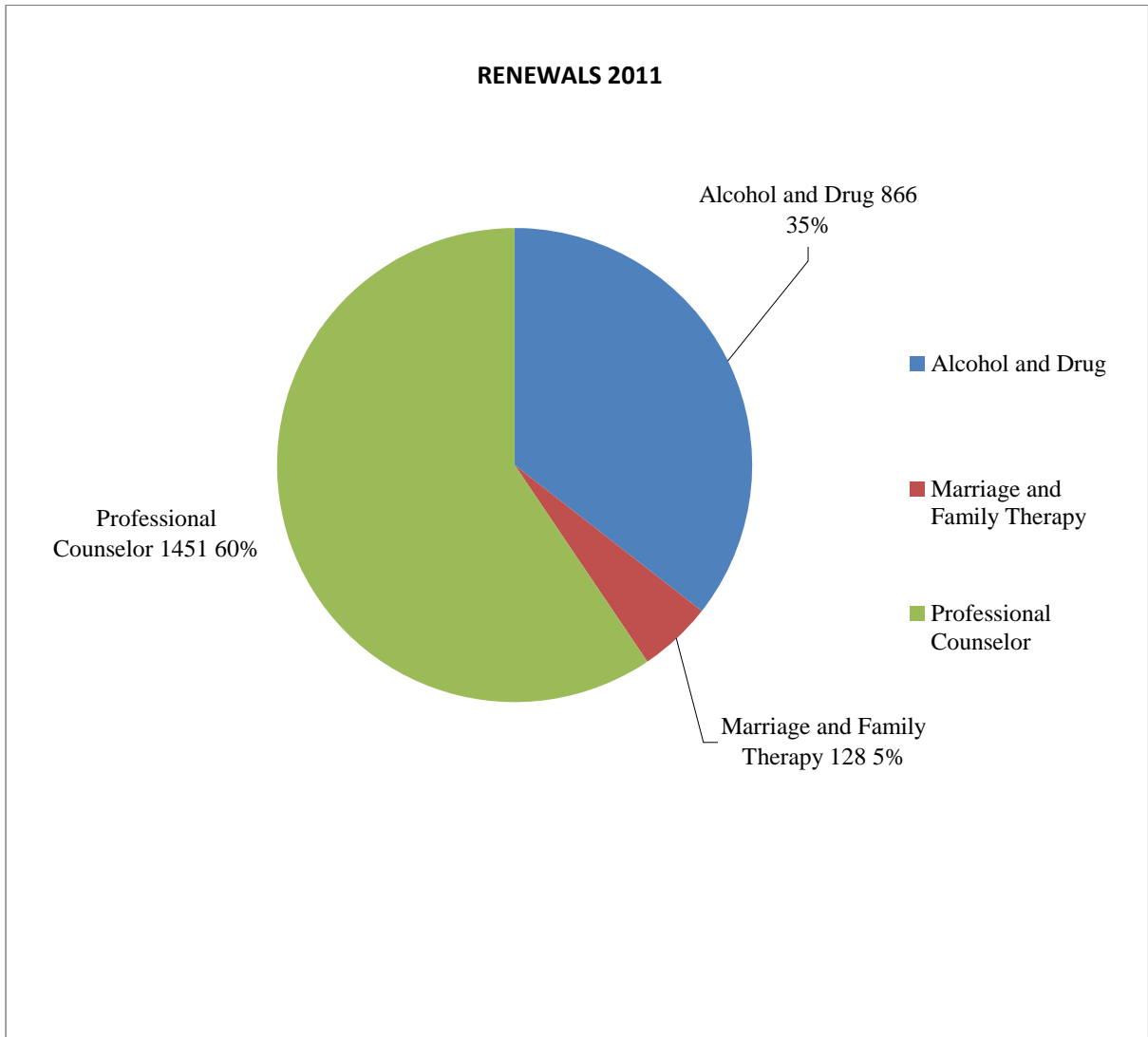
LCPC	290
LGPC	225
Total	515

Total of New Licenses and Certificates = 650



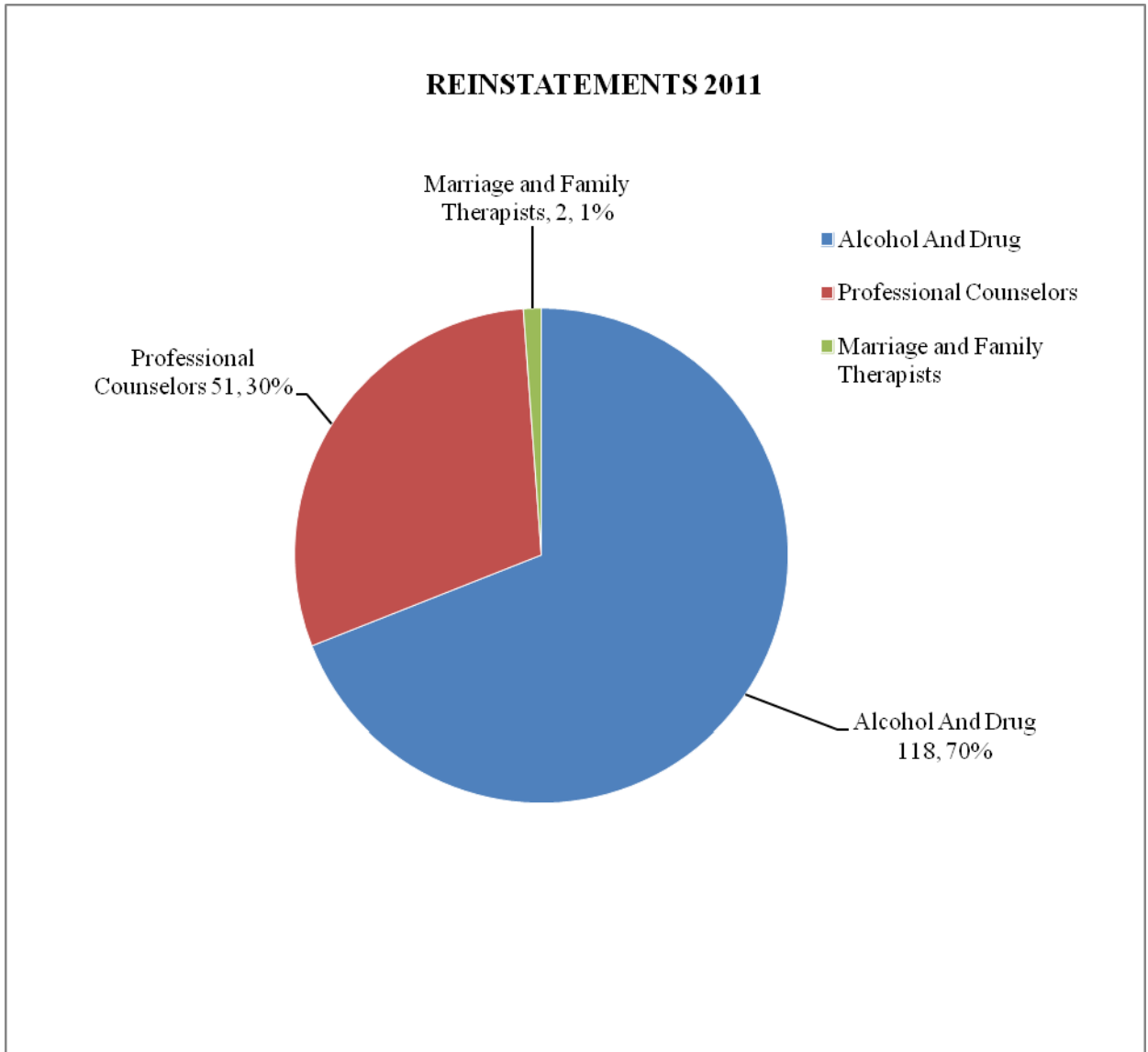
RENEWALS

Alcohol and Drug	866
Marriage and Family Therapy	128
Professional Counselor	1451
Total Renewals	2445



REINSTATEMENTS

Alcohol and Drug	118
Marriage and Family Therapy	2
Professional Counselors	51
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Total Reinstatements	171



MARYLAND BOARD OF PROFESSIONAL COUNSELORS AND THERAPISTS

ANNUAL REPORT – 2012

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Mission

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Meetings

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Board Members

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<u>Board Members</u>	<u>Term</u>
Richard Hann, LCPC, Board Chair	June 30, 2014
Allen Twigg, LCPC, Vice-Chair	June 30, 2012
Tina Young, Consumer, Board Secretary	June 30, 2012

<u>Board Members</u>	<u>Term</u>
Maria Riveria, Consumer *	June 30, 2013
Lisa Jackson-Cherry, Ph.D., LCPC	June 30, 2012
Stephanie C. Chupein, LCMFT	June 30, 2013
Carol A. Deel, LCMFT, LCPC **	June 30, 2013
Candice Richardson Dickens, LCPC, LCADC	June 30, 2014
Lorraine G. Garcia, LCPC	June 30, 2013
Marcia L. Mityga, LCADC	June 30, 2013
Carlo Panlilio, LCMFT	June 30, 2014
Cindy A. Shaw-Wilson, LCADC	June 30, 2013
Susan A. Tangires, LCPC, LCADC	June 30, 2013

**Resigned April, 2012*

**Board Chair Elect (Term Began October, 2012)

Committees

1. Credentials: Mr. Allen Twigg, Chairperson; Ms. Lorraine Garcia; Ms. Stephanie Chupein; Dr. Lisa Jackson-Cherry; and Ms. Susan Tangires

2. Ethics: Mr. Carlo Panlilio, Chairperson; Ms. Marcia Mityga; and Ms. Candice Richardson Dickens; and Tina Young

3. Regulations/Legislation: Ms. Carol A. Deel, Chairperson; Mr. Richard Hann; Ms. Cindy Shaw-Wilson

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 Tawana Brown, Office Secretary
 Karen Wamsley, Board Investigator
 Sangeeta Sarkar, Programmer Data Analyst

Finances

The Board of Professional Counselors and Therapists is special funded. Revenues, which support the Board's operations, are generated through licensing and certification fees. No other State funds can be used to support the Board's operations.

The Board's fund balance in 2012 was \$334, 049. In fiscal year 2012 the Board generated \$585, 385 in revenues. The Board's expenditures totaled \$609,776.

Complaints

The Board received 115 complaints in 2012. The number of investigations conducted during the year was 96. The Board issued 7 formal disciplinary actions. All public disciplinary orders can be found on the Board's website at www.dhmh.maryland.gov/bopc.

Legislation

HB348/SB474 - State Board of Professional Counselors and Therapists - Certified Professional Counselor-Alcohol and Drug – Repeal – *Passed* (Chapter Number 518 and 517)

Repealing provisions of law relating to the requirements that must be met to qualify as a certified professional counselor-alcohol and drug; prohibiting the State Board of Professional Counselors and Therapists from placing a certified professional counselor-alcohol and drug on inactive status; prohibiting the Board from reinstating the certificate of a certified professional counselor-alcohol and drug under specified circumstances; etc.

HB1009 - State Board of Professional Counselors and Therapists - Alcohol and Drug Counselor Trainees - Registry and Code of Ethics Requirements - *Passed* (Chapter Number 696)

Requiring the State Board of Professional Counselors and Therapists to maintain a registry of and adopt a code of ethics for individuals working as trainees under the supervision of approved alcohol and drug counselor supervisors.

HB1207/SB969 - State Board of Professional Counselors and Therapists - Licensure of Clinical Professional Art Therapists – *Passed* (Chapter Number 629 and 628)

Altering the membership of the State Board of Professional Counselors and Therapists; requiring specified individuals to be licensed by the Board as clinical professional art therapists before performing specified work in the State; establishing education and experience requirements to qualify for a license under the Act; requiring the Board to waive requirements under specified circumstances; etc.

Regulations

10.58.07 Requirements for Licensure and Certification/Scope of Practice

10.58.09 Disciplinary Sanctions and Monetary Penalties

10.58.13 and 10.58.14 Supervision Requirements for Licensed Graduate A & D
Counselors/Masters Level Trainees and Certified Counselors and Trainees (*On-going*)

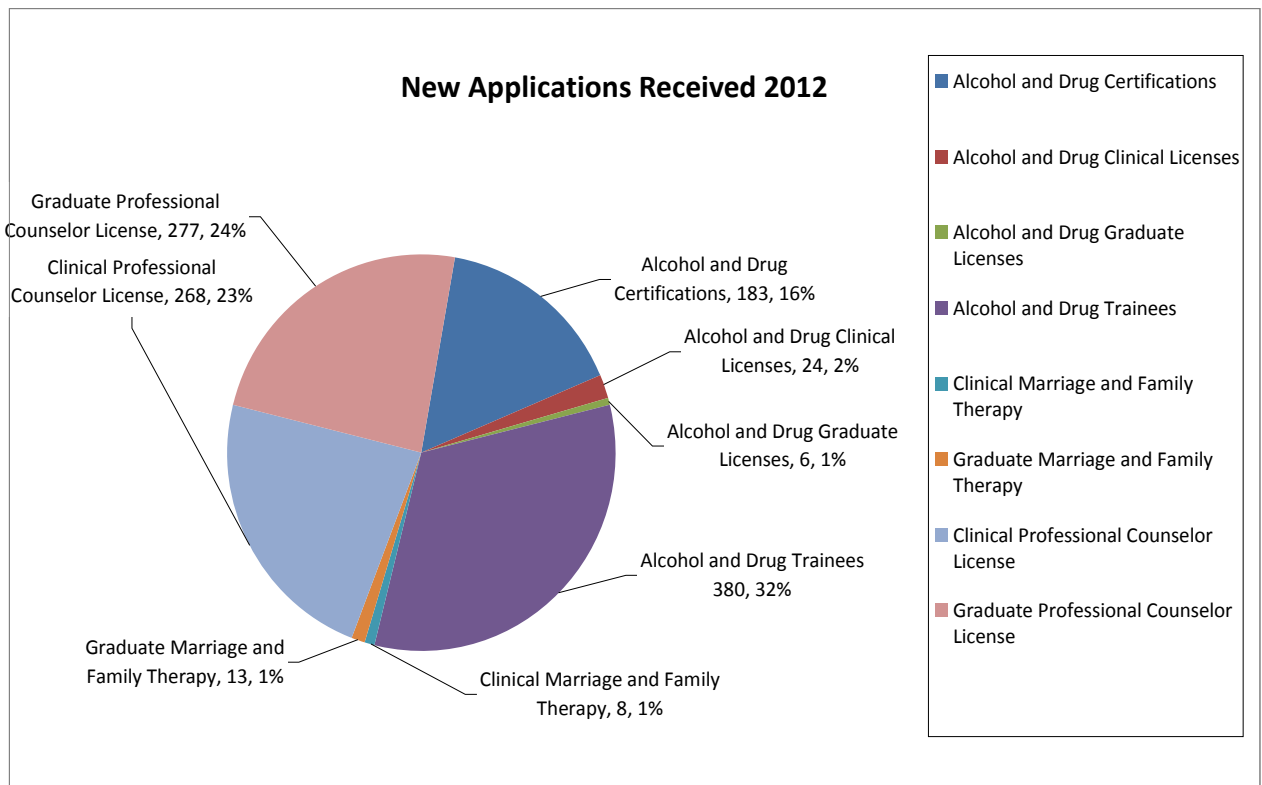
NEW APPLICATIONS RECEIVED

Alcohol and Drug Certifications	183
Alcohol and Drug Clinical Licenses	24
Alcohol and Drug Graduate Licenses	6
Alcohol and Drug Trainees	380
Total A & D Application	593

Clinical Marriage and Family Therapy	8
Graduate Marriage and Family Therapy	13
Total MFT Application	21

Clinical Professional Counselor License	268
Graduate Professional Counselor License	277
Total New Applications	545

Total Applications = 1159



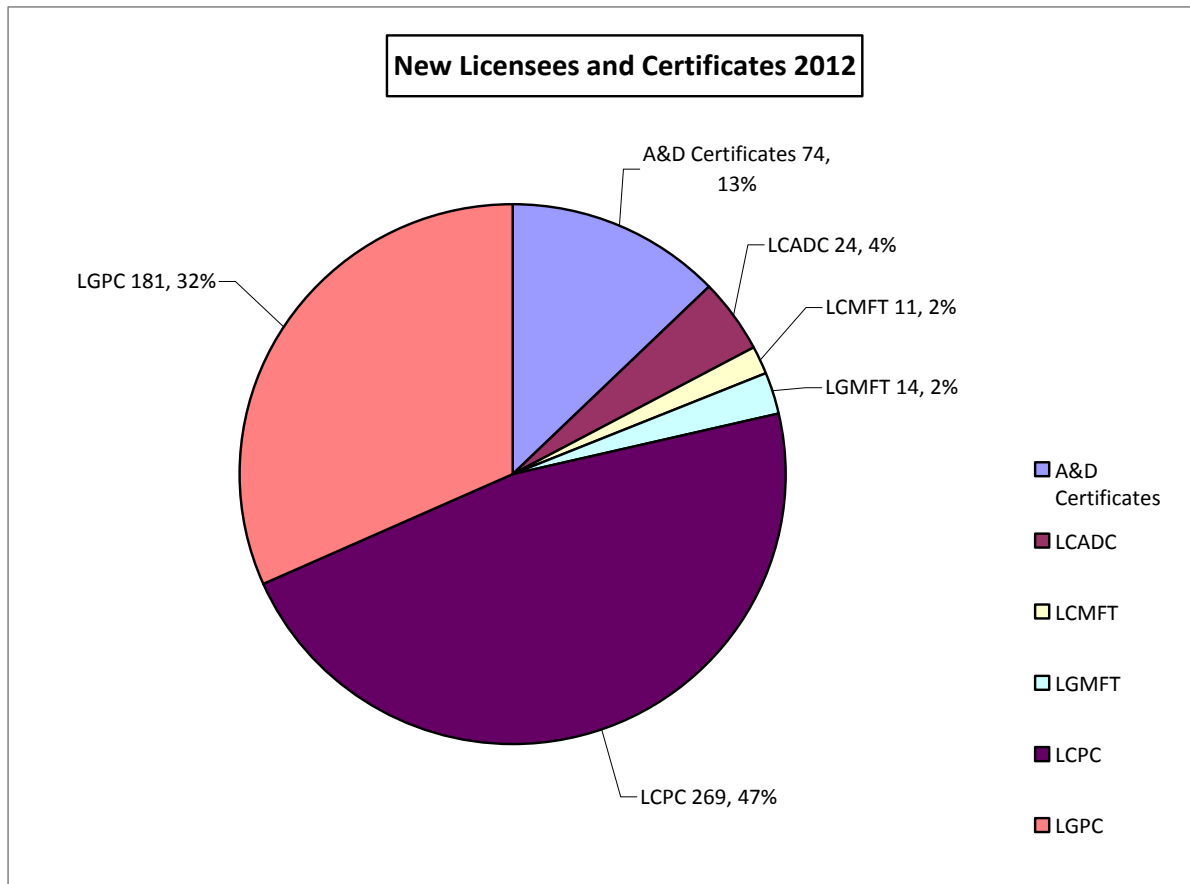
NEW LICENSEES AND CERTIFICATES

A&D Certificates	74
LCADC	24
Total	98

LCMFT	11
LGMFT	14
Total	25

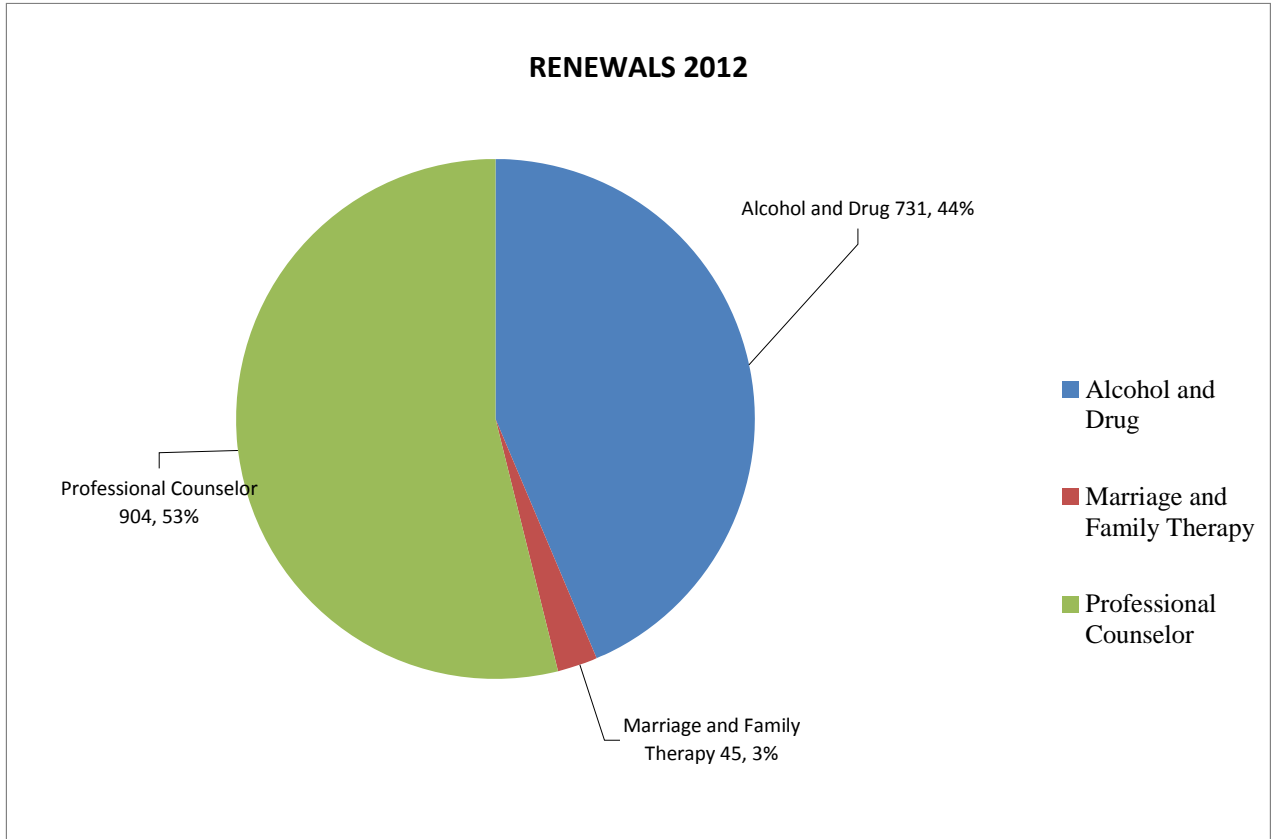
LCPC	269
LGPC	181
Total	450

Total of New Licenses and Certificates = 573



RENEWALS

Alcohol and Drug	731
Marriage and Family Therapy	45
Professional Counselor	904
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Total Renewals	1680



REINSTATEMENTS

Alcohol and Drug	52
Marriage and Family Therapy	2
Professional Counselors	45
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Total Reinstatements	99

