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Hello, Ms. Clay.

I am Roger Smith with the American Association for Marriage and Family Therapy. I am submitting comments concerning the WVBEC's proposed changes to the Series 8 and 9 rules pertaining to MFT licensing and fees. I have attached a copy of our comments concerning these changes. I have also included the text of these comments below. The West Virginia Association for Marriage and Family Therapy endorses these comments.

Please feel free to contact me if you have any questions. Thanks.

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American Association for Marriage and Family Therapy
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July 15, 2015

West Virginia Board of Examiners in Counseling
815 Quarrier Street
Suite 212
Charleston, WV 25301

Re: Comments Regarding Series 8 (Licensing) and Series 9 (Fees) Proposed Rule Changes

Dear Chair Ellison:

I am writing on behalf of the American Association for Marriage and Family Therapy (AAMFT). AAMFT is the national professional association that represents the interests of more than 62,000 Marriage and Family Therapists. AAMFT is affiliated with the West Virginia Association for Marriage and Family Therapy (WVAMFT), the division of the AAMFT that represents the professional interests of MFTs in West Virginia. The WVAMFT has reviewed and endorsed this correspondence.

The AAMFT and WVAMFT would like to thank the WVBEC for proposing some amendments to the Series 8, 9, and 10 rules. We have reviewed the rules. Although we agree that these rules need to be amended, we are concerned about some of the proposed changes. We have included our comments and our recommendations for changes to some of the proposed rules.

Three Month Limitation (Series 8):

Throughout the Series 8 proposed rule, licensees and applicants for licensure are required to submit information that is completed or dated within three months prior to submission to the Board. For example, subsection 3.1.f. requires that personal reference letters regarding an applicant's character must be dated within three months prior to the submission of an application packet. We do not see a reason for these restrictions. Circumstances, such as studying for the licensure exam or an illness in the family, might cause an applicant or licensee to submit information that does not comply with this requirement. We suggest that the Board consider eliminating this requirement.

Endorsement (Series 8, Section 5):

The proposed rule significantly modifies the current reciprocity requirements as stated in Series 8, Section 5. This proposed rule is an improvement over the vague standard in the current rule. However, we believe that some improvements to this proposal are needed.

Section 5.1 of the proposed rule allows a person who has been licensed as an MFT in another state and has actively practiced as a marriage and family therapist for at least five of the last seven years to obtain a MFT license in West Virginia. Section 5.02 of the proposed rule requires the Board to issue a license to any person licensed as an MFT for less than five years in another state if the requirements for licensure are substantially equivalent to or exceed West Virginia's requirements for MFT licensure. Persons applying for licensure under this section must also provide proof of passing the Examination in Marital and Family Therapy or other certification exam.

We believe that allowing experienced LMFTs to obtain a license through the process described under section 5.1 is an improvement over existing law. The inclusion of the "substantially equivalent" standard from West Virginia Code 30-31-9 is an improvement over the current standard that is stated in the rules. However we do have some concerns with this proposed rule.

According to the Board's minutes, dated February 6, 2015, the Board agreed that the proposed endorsement language is supposed to be in agreement with the model endorsement language that was recently recommended by the American Association of State Counseling Boards (AASCB). According to the AASCB's website, the organization's recent endorsement proposal would allow a person to obtain a license as a professional counselor in another state if the person has practiced for a minimum of five years. No exam requirement is mentioned with this proposal. However, the Board's proposed rule deviates from the AASCB model by requiring that the person be licensed and have practiced for at least five of the last seven years. We believe that requiring practice for five of the last seven years is unnecessary. This restriction would penalize MFTs who have taken time off to care for family members or who do not practice for other reasons. We recommend retaining the AASCB's recommended language.

In addition, under subsection 5.1, experienced applicants are required to have "actively practiced marriage and family therapist" in another jurisdiction. This phrase is not clear, but it appears to refer to actively practicing marriage and family therapy. For some applicants, defining exactly what "actively practiced" is and applying it might cause some problems for both the Board and applicants. We recommend deleting "actively" and requiring that an applicant practice marriage and family therapy for five years.

Qualification of Applicants (Series 8, Section 6):

Subsection 6.1.a. states that applicants must have a degree from an institution with a program accredited by one of the accrediting bodies listed in this subsection. However, this proposed rule eliminates the phrase "or a comparable accrediting body as determined by the Board" from subsection 6.1.a. We believe that this language should not be removed. We believe that this phrase was included in order to allow qualified applicants who graduated from an institution accredited by one of the regional accrediting bodies not listed in this subsection to be eligible to obtain a license. Removing this language will prevent applicants from the northeastern or western states from becoming licensed as MFTs. In addition, this language appears to

directly conflict with West Virginia Code 30-31-9(a)(5)(A), which specifically allows the Board to approve applicants who graduated from a comparable accrediting body. This language should be retained in the rule.

Provisional Licensure (Series 8, Section 7):

We applaud the Board for proposing subsection 7.2.d. This provision will allow the Board to consider supervisory experience earned in another state by applicants who have moved into West Virginia. We recommend substituting the “substantially equivalent” standard, which is the standard used in the statute, in place of the “equal to or greater than” standard.

Fee Increases (Series 9):

We reviewed the proposed changes to the Series 9 rule. We are concerned about the steep increases for some of these fees. Since there is no explanation about the basis for such increases, it is unclear to us if the fee increases are actually needed.

Miscellaneous Matters:

We found a couple of minor edits that should be made. These edits include amending the code of ethics reference in Series 8, Section 6.2.g. to include the name of the correct code of ethics. In Series 8, Subsection 13.1, the word “not” should be replaced with the word “nor.”

In order to improve these rules, AAMFT and WVAMFT recommend that the Board consider these changes to the proposed rules. Thank you for your consideration of this matter. If you have any questions or need any information from AAMFT, please contact me at rsmith@aamft.org.

Sincerely,
Roger D. Smith
Senior Attorney
American Association for Marriage and Family Therapy

cc: Bonnie Boyce, President, West Virginia Association for Marriage and Family Therapy

(2)

Thanks for your response. It's just hard to justify raising the fees with our current system of the sticker.

Jeff Bryson, LPC/ALPS (WV), IMFT (OH)
CCSOTS, AAMFT Clinical Fellow
Ph.D. in Criminal Justice
MAR in Counseling

Thank you Jeff for your comments to the proposed rule changes.

A quick note on the licensure cards...A proposal for the issuance of licensure cards, at each renewal, was presented to the board at our last formal meeting. A cost analysis will be presented to the board as a follow up for their final consideration.

Thank you,
 Roxanne Clay
 Assistant Executive Director
 West Virginia Board of Examiners in Counseling
 815 Quarrier Street, Suite 212
 Charleston, WV 25301
 800-520-3852
www.wvbec.org

On Jul 14, 2015, at 6:34 PM, Jeff Bryson <mftman@gmail.com> wrote:

With respect, I would like to offer the following criticisms regarding the increase in the fees:

1. Annual income for MH professionals in WV has not increased significantly over the last two decades.
2. WV taxes (income and property) are higher than surrounding states.
3. For my license in OH, the fee is less and each licensing cycle I get a new wallet card with my new expiration date. The wall certificate doesn't have the expiration date listed. That is in strong contrast to a sticker from a sheet of Avery labels that we get for the WV LPC every two years. My friends who are licensed in other states have made comments about that looking unprofessional. If fees are going to increase, then this procedure should change to look much more professional.

Jeff Bryson, LPC/ALPS (WV), IMFT (OH)
 CCSOTS, AAMFT Clinical Fellow
 Ph.D. in Criminal Justice
 MAR in Counseling

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Though this is not likely to be a common comment for the proposed changes, I recommend the renewal fee be increased to \$300.00 to allow for the WVBE to adequately compensate employees as well as cover their general costs more efficiently.

Jason Newsome
 LPC #1937

(4)

In regards to many of the fee changes, they seem excessive. Some of them are as much as a 100% increase. (For example the Biennial fee to re-certify as an approved provider – going from \$100.00 to \$200.00)

I would think raising fees to 10 to 20 percent at one time is more reasonable for the average provider to absorb in their budgets at one time. Perhaps having a plan to raise it each cycle over the next so many years could work for both parties.

I also question why all counselors should be required to have 2 credits towards Veterans specific counseling. I would assume that folks that are working with clients in that realm will seek those out just as those who work with families in domestic violence seek those trainings out. I already have requirements of Addictions training due to my MAC, clinical supervision with my ALPS, and of course ethics. I would like to focus the rest of my training in areas of my interest such as families with autism and end of life issues. Please allow us to make informed decisions about what will be helpful in our own practices.

Thank you for considering my input.

Julie Kennedy-Rea, MA, LPC

The following comment is included below the posting of Series 3:

Please note, on March 8, 2014, the WV Legislature passed H.B. 4318, amending our WV State Code section 30-1-7a requiring licensees of WVBEC complete continuing education on mental health conditions common to veterans and family members of veterans. The inclusion of this requirement is found in Series 3 and 10.

Thank you,

Roxanne Clay

Assistant Executive Director

West Virginia Board of Examiners in Counseling

(5)

cindy wanamaker (cjwvcanaan@gmail.com)

Sent: Mon 6/15/15 9:17 PM

The licensure fee was just raised to \$220 and is excessive for LPCs practicing in WV, whose average salary working for an LBHC is \$31,000-33,000. When salaries compete with salaries in neighboring states, maybe it will be worth an additional licensure fee, but in WV, with salaries as they are, it is extremely high. What is the reason it is being raised again? It seems unreasonable given the ridiculously low salaries.

RNs make 2-3 times the salary and pay significantly less to renew their licenses, even renewing yearly. It doesn't seem fair given the ridiculously low salaries for the work that we do.

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Respectfully, I would like to request that the CEU requirement of 4.1.b that requires 2 CEU credits for topics related to veterans and families be rescinded. I have been in private practice in West Virginia for three years and have not had any specifically veteran clients. This requirement would not be a good use of my CEU time or budget. Thank you for your consideration.

Cheri Timko, M.S., LPC

The following comment is included below the posting of Series 3:

Please note, on March 8, 2014, the WV Legislature passed H.B. 4318, amending our WV State Code section 30-1-7a requiring licensees of WVBECE complete continuing education on mental health conditions common to veterans and family members of veterans. The inclusion of this requirement is found in Series 3 and 10.

Thank you,

Roxanne Clay

Assistant Executive Director

West Virginia Board of Examiners in Counseling

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Re. Section 4.1.b - I do not favor this addition. A rise in concern for veterans and their families is important, but not automatically more so than the many other presentations we face in our work, for example, signs of disrupted attachment and early abuse or neglect, which can signal a lifetime of risk. Selecting one particular presentation for extra attention opens the door to pressure from other specialty concerns that do not apply in the work of all counselors. It seems best that counselors select their continuing education according to the populations they serve and the conditions on which they focus their practice. A better way to ensure that counselors are informed about the behavioral health concerns of veterans and their families is to provide excellent continuing education in this arena. Those who need it will sign up.

Jennifer Taylor-Ide

Hello Jennifer,

Thank you for your email.

I've updated the posting of our proposed rules on our website to include the following information as it provides clarification as to the reason for the proposed changes in Series 3:

On March 8, 2014, the WV Legislature passed H.B. 4318, amending our WV State Code section 30-1-7a requiring licensees of WVBEC complete continuing education on mental health conditions common to veterans and family members of veterans. The inclusion of this requirement is found in the proposed rule changes.

Thank you,

Roxanne Clay

Assistant Executive Director

West Virginia Board of Examiners in Counseling

(8)

I wish to speak in opposition to the addition 4.1.b. Whereas working with veterans and their families is an important service, I think it sets an unnecessary precedent to require continuing education on one specific topic. There is no such requirement for other important issues, (e.g. drug addiction, marriage, child abuse, all common problems here in West Virginia).

Thank you for your attention to this.

Sincerely,

Eric "Ric" Hardison 1830

Kanawha Pastoral Counseling Center

Email received, thank you Eric.

The following comment is included below the posting of Series 3:

Please note, on March 8, 2014, the WV Legislature passed H.B. 4318, amending our WV State Code section 30-1-7a requiring licensees of WVBEC complete continuing education on mental health conditions common to veterans and family members of veterans. The inclusion of this requirement is found in Series 3 and 10.

Thank you,

Roxanne Clay

Assistant Executive Director

West Virginia Board of Examiners in Counseling

PLEASE NOTE, SERIES 2, LPC FEE RULES AND SERIES 9, MFT FEE RULES HAVE BEEN TABLED BY WVBEC FOR FURTHER REVIEW.