

MINUTES

Mississippi State Board of Examiners for Licensed Professional Counselors
Special Called Board Meeting
Suite 402; Robert E. Lee Building
239 North Lamar Street; Jackson, Mississippi
Thursday, June 18, 2015
Friday, June 19, 2015

Board Members Present:

Dr. Walter Frazier, Chair
Dr. Juawice McCormick, Vice-Chair
Dr. Susan Carmichael, Secretary/Treasurer
Dr. Diane Williams
Dr. Glenn Waller

Others Present:

Wm. Jeffrey Jernigan, Attorney General's office
LeeAnn Mordecai, Executive Director
Bridgette Wiggins, Attorney General's office, Hearing Officer
Dr. Stanley G. Ingram, Respondent
Allen Flowers, Esq.
Reeves Jones, Esq.
Patricia Smith, Esq.
John Corlew
Nikki Lloyd, Court Reporter (June 18 – a.m.)
Angela Dillard, Court Reporter (June 18 – p.m.)
Kathy White, Court Reporter (June 19)

Board Members Absent:

I. Call to Order

The Special Called Board Meeting of the Mississippi State Board of Examiners for Licensed Professional Counselors ("Board"), held in Conference Room C, 2nd Floor, of the Robert E. Lee Building located at 239 North Lamar Street in Jackson, Mississippi, was called to order at 9:44 a.m. by Dr. Walter Frazier, Chair ("Chair") on June 18, 2015. The purpose of the Special Called meeting was administrative hearing. A roll call of members was taken and a quorum was present.

II. Hearing – In the Matter of Cause #2013-07 / 2013-02

The Chair yielded the meeting over to the hearing officer, Bridgette Wiggins, who presided over the hearing. The Board was represented by Wm. Jeffrey Jernigan and Mr. Smith was represented by Allen Flowers.

Witnesses who were sworn in and testified during the hearing included LeeAnn Mordecai, Dr. Glenn Waller, Reeves Jones, John Corlew (was not called to testify), and Patricia Smith.

Upon request of the attorneys, the hearing officer closed the meeting to the public for the protection of minor children. John Corlew, Patricia Smith, and Reeves Jones were allowed to remain due being potential expert witnesses.

The Hearing recessed for lunch at approximately 12:00 p.m. When the Hearing reconvened, Angela Dillard replaced Nikki Lloyd as Court Reporter.

The hearing recessed at approximately 4:45 PM and was scheduled to reconvene at 9:00 AM on Friday June 19, 2015.

The Board reconvened the hearing at 9:20 AM on Friday June 19, 2015. The sides rested after presenting closing arguments.

Closed Determination/Executive Session

After the Board had received testimonial and documentary evidence in the matter of Complaint #2013-07 / 2013-02, a motion was made by Dr. Frazier with a second by Dr. McCormick that the Board go into closed determination session to establish the need for an Executive Session. The Hearing Officer, Bridgette Wiggins, stated there was sufficient cause to enter Executive Session. The motion to go into a closed determination session was passed unanimously by the Board members present at the hearing. Dr. Glenn Waller recused himself from all voting and discussions.

In the closed determination session, Dr. Carmichael moved, seconded by Dr. McCormick, that the Board had a reason to go into Executive Session at approximately 5:30 p.m., namely for the purpose of deliberating and considering the testimonial and documentary evidence heard and seen in the administrative hearing, a subject which could lead to an appeal of the Board's decision or litigation against the Board. The motion carried with the following members voting for: Dr. Walter Frazier, Dr. Juawice McCormick, Dr. Susan Carmichael, and Dr. Diane Williams.

Upon motion by McCormick, seconded by Williams, the Board unanimously agreed to exit out of Executive Session at 6:04 p.m.

The Board announced to the public the aforesaid reason as the purpose for entering into Executive Session.

Executive Session

Within the Executive Session, the Board took the following action:

A motion was made by Dr. Susan Carmichael, seconded by Dr. Juawice McCormick, and unanimously agreed upon by the Board to revoke the license of the Respondent, Stanley G. Smith, license number 0496. (Final Order attached) Dr. Glenn Waller recused himself from the Executive Session. The motion carried with the following members voting for: Dr. Walter Frazier, Dr. Susan Carmichael, Dr. Juawice McCormick, and Dr. Diane Williams.

The Board pursuant to Sections 73-30-21(1)(f) and 73-30-23, Miss. Code Ann. (1972) along with other referenced provisions finds that the Respondent has intentionally violated the rules, regulations and laws governing Licensed Professional Counselors along with the 2005 ACA Code of Ethics. Specifically, the Respondent has violated the following provisions:

- a) C.2.a. Boundaries of Competence
Counselors practice only within the boundaries of their competence, based on their education, training, supervised experience, state and national professional credentials, and appropriate professional experience. Counselors gain knowledge, personal awareness, sensitivity, and skills pertinent to working with a diverse client population.

Through actions including, but not limited to, misrepresentation of certain publications and research as described in his CV, his “forensic report,” his webpage, and during deposition.

- b) E.2.b. Appropriate Use.
Counselors are responsible for the appropriate application, scoring, interpretation and use of assessment instruments relevant to the needs of the client, whether they score and interpret such assessments themselves or use technology or other services.

E.6.a. Appropriateness of Instruments.
Counselors carefully consider the validity, reliability, psychometric limitations, and appropriateness of instruments when selecting assessments.

Through actions including, but not limited to, the misuse of psychological tests in application and interpretation.

- c) E.2.b. Appropriate Use
Counselors are responsible for the appropriate application, scoring, interpretation and use of assessment instruments relevant to the needs of the client, whether they score and interpret such assessments themselves or use technology or other services.

Through actions including, but not limited to, conducting unilateral evaluations based on inadequate methods and data collection procedures resulting in unreliable and arguably invalid conclusions and opinions.

- d) C.6.b. Reports to Third Parties
Counselors are accurate, honest, and objective in reporting their professional activities and judgments to appropriate third parties, including courts, health insurance companies, those who are the recipients of evaluation reports, and others. (*See B.3., E.4.*)

Through actions including, but not limited to, generating a biased report for use in Chancery Court proceedings involving allegations of sexual abuse of children.

- e) C.6.b. Reports to Third Parties
Counselors are accurate, honest, and objective in reporting their professional activities and judgments to appropriate third parties, including courts, health insurance companies, those who are the recipients of evaluation reports, and others. (*See B.3., E.4.*)

Through actions including, but not limited to, failing to produce records to third parties.

- f) C.3.a. Accurate Advertising
When advertising or otherwise representing their services to the public, counselors identify their credentials in an accurate manner that is not false, misleading, deceptive, or fraudulent.

Through actions including, but not limited to, making misleading statements or a misrepresentation of credentials to third parties in court proceedings.

- g) C.2.a. Boundaries of Competence
Counselors practice only within the boundaries of their competence, based on their education, training, supervised experience, state and national professional credentials, and appropriate professional experience. Counselors gain knowledge, personal awareness, sensitivity, and skills pertinent to working with a diverse client population.

Through actions including, but not limited to, the misuse of psychological tests in application related to a minor child.

Upon the conclusion of the Executive Session, the Board voted, upon motion made by Dr. Juawice McCormick, seconded by Dr. Diane Williams, to come out of Executive Session. The Board resumed in open meeting by announcing the above described actions and votes taken in Executive Session.

Upon motion by Carmichael, seconded by Williams, the Board unanimously agreed to adjourn the Special Called Meeting at approximately 6:10 p.m.

III. Next Meeting

Regularly Scheduled Board Meeting

Friday, June 19, 2015, immediately following the Special Called Meeting
Robert E. Lee Building, 239 N Lamar Street; Suite 402, Jackson, Mississippi

Regularly Scheduled Board Meeting

Thursday, July 16, 2015, 9:00 a.m.
Robert E. Lee Building, 239 N Lamar Street; Suite 402, Jackson, Mississippi

Administrative Hearing

Thursday, July 16, 2015, 1:30 p.m.
Robert E. Lee Building, 239 N Lamar St.; Conference Room C, 2nd Floor, Jackson, MS

IV. Adjournment

Upon motion by Waller, seconded by Williams, the Board unanimously agreed to adjourn the meeting at 7:00 p.m.

Approved this the 27th day of August, 2015.

_____/s/_____

Chair

_____/s/_____

Board Member

MINUTES

Mississippi State Board of Examiners for Licensed Professional Counselors
Regular Board Meeting
Suite 402; Robert E. Lee Building
239 North Lamar Street; Jackson, Mississippi
Friday, June 19, 2015

Board Members Present:

Dr. Walter Frazier, Chair
Dr. Juawice McCormick, Vice-Chair
Dr. Susan Carmichael, Secretary/Treasurer
Dr. Diane Williams
Dr. Glenn Waller

Others Present:

Wm. Jeffrey Jernigan, Attorney General's office
LeeAnn Mordecai, Executive Director

Board Members Absent:

I. Call to Order

The Regular Board Meeting of the Mississippi State Board of Examiners for Licensed Professional Counselors ("Board"), held in Suite 402, of the Robert E. Lee Building located at 239 North Lamar Street in Jackson, Mississippi, was called to order at 6:18 p.m. by Dr. Walter Frazier, Chair ("Chair") on June 19, 2015. A roll call of members was taken and a quorum was present.

II. Board Operations

A. Financial Matters

Upon motion by Carmichael, seconded by McCormick, the Board unanimously agreed to give the Chair Frazier authority to extend the Cornerstone Consulting, Inc. contract for another year with no additional changes.

B. ProsonITech Contract

Upon motion by Carmichael, seconded by McCormick, the Board unanimously agreed to extend the contract with ProsonITech for \$3600 for another year and to give the Chair authority to sign, contingent upon a periodic payment plan.

C. Executive Director Contract

Upon motion by Carmichael, seconded by McCormick, the Board unanimously agreed to approve a 5% increase in salary for the Executive Director over the 3% already allotted to begin July 1, 2015.

D. Lease

Upon motion by McCormick, seconded by Carmichael, the Board unanimously agreed to extend the current lease for the Board office with the State of Mississippi, Department of Finance and Administration, Office of Capital Facilities, with the terms to remain the same except dates and to give authority to the Chair to sign.

E. Travel Vouchers

Upon motion by Waller, seconded by McCormick, the Board unanimously agreed to authorize payment Travel Vouchers in the amount totaling \$899.10.

III. Next Meeting

Regularly Scheduled Board Meeting

Thursday, July 16, 2015, 9:00 a.m.

Robert E. Lee Building, 239 N Lamar Street; Suite 402, Jackson, Mississippi

Administrative Hearing

Thursday, July 16, 2015, 1:30 p.m.

Robert E. Lee Building, 239 N Lamar St.; Conference Room C, 2nd Floor, Jackson, MS

IV. Adjournment

Upon motion by Waller, seconded by Williams, the Board unanimously agreed to adjourn the meeting at 7:00 p.m.

Approved this the 27th day of August, 2015.

_____/s/_____

Chair

_____/s/_____

Board Member