



ALABAMA BOARD OF EXAMINERS IN MARRIAGE AND FAMILY THERAPY

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MINUTES Board Meeting April 24, 2020

The Alabama Board of Examiners in Marriage and Family Therapy met on Friday, April 24, 2020 at the Board's office in Montgomery to conduct Board business. The meeting was held virtually during the COVID 19 State of Emergency. Members present on the video-conference call were Dr. Luciana Silva (Board Chair), Mr. Douglas Cooke (Vice Chair), Dr. Mark Westfall (member), Ms. Raven Pyle (member) and Dr. Karley Downs (new member). Also present on the call was Ms. Bettie Carmack (Board Legal Counsel). Participating in the meeting onsite were Mr. Keith Warren (Executive Director), Ms. Hope Childers (Board Administrator) and Ms. Renee' Reames (recording secretary).

The regularly scheduled meeting and access code to the virtual meeting was advertised on the Board's website, www.mft.alabama.gov, and the Secretary of State's website, www.sos.alabama.gov, in accordance with the Alabama Open Meetings Act.

The meeting was called to order by Dr. Silva, Board Chair, at 10:02 a.m. and welcomed everyone participating in the meeting.

Mr. Warren called Board roll and announced that all members were present on the call to conduct business.

Chairperson Silva presented the January 24, 2020 Board meeting minutes for the Board's approval. Dr. Westfall made a motion to approve the January meeting minutes as presented. The motion was seconded by Mr. Cooke. Following a roll call vote, the motion was unanimously approved by the Board.

Chairperson Silva presented the minutes from the March 27, 2020 Emergency meeting of the Board. Dr. Westfall made the motion to accept the March minutes with the correction that the 15 hours of teletherapy training may be used toward the continuing education requirements for bi-annual license renewal, if the teletherapy training was from an acceptable source in accordance with the Board's CE Rule 536-X-6-.01. The motion was seconded by Mr. Cooke and, following a roll call vote, the motion was unanimously approved by the Board.

Chairperson Silva reported on an inquiry about documenting Release of Information from clients when a therapist is providing treatment over the telephone. The Board discussed HIPPA guideline under a State of Emergency and Informed Consent. Dr. Silva indicated that she would respond to the inquiry by indicating that the Board's rules do not specifically indicated a signed Consent, but that a consent is properly documented and would forward to them a copy of the Board's rule 536-X-8-.01. She noted caution in that it was not the Board's role to provide legal advice, but that, in following best practices, reasonable measures should be taken to obtain consents. The Board also reviewed Rule 536-X-8-.10 regarding teletherapy.

Chairperson Silva also reported on an inquiry about pursuing teletherapy and telesupervision training and the Board concurred that the licensee could pursue both concurrently.

Mr. Warren presented the Executive Director's Report and reviewed the financial activities of the Board for the period ending March 31, 2020. The financial report also included a line item summary of expenses for the same period. He reminded the members that Board travel was not incurred while having virtual meetings, resulting in a financial savings. He reported on the total number of licensees (#405 total), along with the total number of complaints received during FY 2019 and FY 2020 (copy of the report available for review in Official Book of Minutes). Dr. Westfall made the motion to approve the financial report as presented. The motion was seconded by Mr. Cooke and, following a roll call vote, the motion was unanimously approved by the Board.

Mr. Warren also reported that both the Sunset and Legal compliance audits were being completed and he was proposing a new rule for the complaint process, which would be reported later in the meeting.

Mr. Warren presented the Administrator's Report listing activities performed by the staff since the last Board meeting, along with a list of new licenses issued (reports available for review in Official Book of Minutes).

Ms. Carmack indicated that she had no new business to discuss with the Board for the Legal Counsel Report.

Chairperson Silva presented amended Rule 536-X-1-.01 Definition of Terms based on the comments received earlier from the Alabama Medical Association about MFT scope of practice. The Board recommended additional changes that included diagnoses, assessments and treatments as cited in the Board's statute. Mr. Cooke made a motion to approve the amended Rule 536-X-1-.01 as discussed. The motion was seconded by Ms. Pyle and, following a roll call vote, the motion was unanimously approved by the Board.

Chairperson Silva presented for final adoption Rule 536-X-6-.01 Required Relevant Professional and Continuing Education Experience as previously published for public comment. Mr. Warren indicated that no public comments were received and Mr. Cooke made the motion to approve Final Rule 536-X-6-.01. The motion was seconded by Dr. Downs and, following a roll call vote, the motion was unanimously approved by the Board.

Chairperson Silva presented for final adoption Rule 536-X-2-.03 Endorsement of an Individual who is Licensed/Registered as an MFT under the Laws of another State or Territory of the United States or of a Foreign Country. Mr. Warren indicated that the Rule had been published for public comment and no comments were received. Dr. Westfall made a motion to approve Final Rule 536-X-2-.03. The motion was seconded by Ms. Pyle and, following a roll call vote, the motion was unanimously approved by the Board.

Mr. Warren presented for the Board's approval the proposed new Rule for Complaint Procedures, which was a finding in the recent audit, and he recommended approval of a complaint form in relation to these procedures. Dr. Westfall made the motion that the new proposed Rule be approved and add that a Board member be assigned, after consultation with the Board's Legal Counsel, to review the complaint and to add a 30-day response time to receive comments from the Respondent in the case, and that the recommended complaint form be approved. The motion was seconded by Mr. Cooke and, following a roll call vote, the motion was unanimously approved by the Board.

Chairperson Silva presented proposed amendments to Rule 536-X-8-.09 Technology-Assisted Training/Education Requirements of Profession. The Board discussed modifying the current minimum 15 hours of initial training required in teletherapy to 12 hours (either teletherapy training or one credit course or 15 classroom hours); and for an Associate to practice teletherapy, they be actively supervised for one hour for every 10 hours of clinical hours, and an Intern must complete the minimum required 12 hours of training for teletherapy or one credit course (15 classroom hours) in teletherapy, and require supervisors to have 3 additional hours of training in telesupervision beyond the minimum required training to practice teletherapy, rather an the current 9 hours required.

Dr. Westfall left the meeting at 12:00 Noon due to a conflict in scheduling.

Dr. Downs made the motion to approve the amended Rule 536-X-8-.09 as discussed. The motion was seconded by Mr. Cooke and, following a roll call vote, the motion was unanimously approved by the Board.

Mr. Warren represented licensing applications for the Board's review. He indicated that the applications had been reviewed administratively and the following were recommended for licensure: 4 applications for licensure, 1 Associate, 1 Intern and 3 requesting permission to sit for the examination. Mr. Warren explained that applications by endorsement were being processed administratively for licensure.

Due to a conflict in scheduling, Ms. Bettie Carmack, Board Legal Counsel, left the meeting at 12:15 p.m.

Dr. Downs made a motion to approve the applications as presented. The motion was seconded by Ms. Pyle, and following a roll call vote, the motion was unanimously approved by the Board.

Chairperson Silva announced that the next meeting of the Board was scheduled for Friday, July 24, 2020 at 10:00 a.m.

With no further business to discuss and Chairperson Silva adjourned the meeting at 12:21 p.m.

Respectfully submitted,

Dr. Luciana Silva
Board Chair

Keith E. Warren
Executive Director

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