



Counseling Compact Rules Committee Meeting

April 26, 2023, 12:00 p.m. ET

Committee Members Present

Nate Brown, Chair
Ashleigh Irving
Dr. Andrea Brooks
Nicki Drotleff
Kim Shaffer
LeeAnn Mordecai
Dr. Denauvo Robinson
Dr. Gary Goodnough
Tony Onorato

Committee Members Absent

None

Executive Committee Members Present

Dr. Lynn Linde
Dr. Kylie Dotson-Blake

Commissioners Present

Greg Searls
Jamie Doming
Tom Black

Legal Counsel Present

Nahale Kalfas

CSG Staff Present

Isabel Eliassen
Carl Sims

101 members of the public were also present.

Welcome & Call to Order

- N. Brown called the meeting to order at 12:00 p.m. ET.

Roll Call

- I. Eliassen called the roll. No committee members were absent.

Review and Adoption of the Agenda

- N. Brown reviewed the agenda and asked if changes were needed. Hearing none, he called for a motion to adopt the agenda.
- **Motion:** A. Brooks motioned to adopt the agenda. A. Irving seconded the motion. All committee members present voted in favor and the motion carried.

Review and Adoption of the Minutes

- N. Brown reviewed the minutes from the previous meeting and asked if changes were needed. Hearing none, he called for a motion to adopt the minutes.
- **Motion:** K. Shaffer motioned to adopt the minutes. T. Onorato seconded the motion. M. Drotleff abstained, all other committee members present voted in favor, and the motion carried.

Discussion of Previously Received Public Comments

- N. Brown led the committee in a discussion of all previously received comments submitted to the Rules Committee.
- N. Brown thanked the attendees for the high level of engagement.
- N. Brown stated that all the comments received thus far on requiring graduation from a CACREP-accredited program for compact privileges were in opposition to the potential requirement, as many states do not have CACREP requirements, and many practitioners entered the profession after CACREP began certifying programs.
- N. Brown stated that counselors provide essential mental health services to the public and there was no intent to undermine professional identity. However, the Commission is an instrumentality of the compact states, and the compact is based on what states allow, and the Commission must keep this in mind.
- T. Onorato added that every board member of every state is very concerned about protecting the public. No state licenses people that they think would be unsafe to the public. Additionally, minimum qualifications between states are extremely similar.
- N. Brown states that several adjustments to the meeting format had been made to accommodate public requests, including meeting length and length of public comment period.
- N. Brown assured the group that the committee was only enabled to complete work in public because of open meetings laws and open records laws. Meetings must give notice and provide an agenda.
- N. Kalfas confirmed the chair's statement and added that closed sessions were very limited in scope and the reason for entering a closed session must be affirmed in open session prior to becoming a closed session.
- N. Brown then addressed comments received regarding the degree requirements of the compact. N. Brown emphasized that the compact requirements must be considered in totality because meeting just one requirement isn't enough to participate; a counselor must meet all the requirements.
- A. Brooks stated the requirements written in the compact make sense for those who have an older degree and asked if it was possible to further state in the compact rules that the intent of the law is to enable grandparenting.

- N. Kalfas said that it might be possible to draft clarifying rule to make the intention clear and that the committee would need to find direct authorization in the compact for any rules they promulgate.
- Concerns about the definition of counseling and the types of degrees allowed were brought forward. N. Brown said that some of these concerns were already addressed in the compact, and in addition, the group must make sure not to create antitrust issues.
- T. Onorato emphasized that the compact requires states to currently license at 60 hours, and that the main goal of the compact was to reflect the current licensing requirements in a majority of states.

Committee Communication on Member State Requirements

- N. Brown led the group in a discussion of the drafted memorandum on compact member state requirements.
- N. Brown said that the memorandum reiterated the compact and that it was good to make sure that the expectations were clear and that summarizing requirements.
- The committee members recommended minor changes to the document to improve clarity. The edits were made onscreen.
- G. Goodnough asked about sending the memorandum out to other groups. I. Eliassen stated that the memorandum could be added to the website as a resource.
- **Motion:** M. Drotleff motioned for the memorandum to be sent to the executive committee for consideration for approval. Robinson seconded the motion. All committee members present voted in favor and the motion carried.

Rule on Examination Requirements

- N. Brown led the group in a discussion of the proposed draft rule on examination requirements.
- The group discussed whether to include the CRCE as an allowed exam, including hearing comments from members of the public and professional counseling associations. Comments from all professional associations who spoke (NBCC, ACA, CACREP) supported including the CRCE. Comments from the public did not have a clear consensus.
- The commissioners discussed issues such as potentially excluding counselors who had taken the CRCE, the similarity of the CRCE to other counseling exams, how many states and compact states accepted the exam, and the need for more information.
- T. Onorato stated that since some states already accept the exam, the group could proceed without additional information.
- I. Eliassen stated that if states stop accepting the CRCE, the commission can remove it from the rule.
- N. Kalfas added that the rules should be as inclusive as possible while still protecting public.
- The group moved to a discussion of the phrase “additional exams as determined by the commission,” which was in the rule as drafted. N. Brown clarified that this was a drafting convention and did not allow states or practitioners to use any exam of their

choosing to qualify. It did not create a loophole. It was merely a placeholder in the case that another counseling exam became widely accepted and the Commission wanted to add it. Even if a placeholder was not added, this rule could still be edited under the authority of the compact.

- N. Kalfas stated that the authority to edit and/or write this rule was within the compact.
- N. Brown reiterated that an approved exam must still be listed on the rule.
- N. Brown said that if the committee was agreeable this could be revisited at the next meeting.
- Motion: A. Brooks motioned to table the discussion of the rule for the next meeting. K. Shaffer seconded the motion. All present voted in favor and the motion carried.

Questions and Comments

- **Motion:** A. Irving motioned to extend the meeting time for ten minutes in order to address questions from the public. A. Brooks seconded the motion. All committee members present voted in favor and the motion carried.
- N. Brown asked if there were further questions from committee members.
- I. Eliassen stated that comments on rules could be sent to counselingcompactrule@csg.org in the future.
- Hearing no further comments from committee members, N. Brown opened the floor to comments from the public.
- The committee received comments on the following topics: home state licensure concerns, the proposed draft of the Rule on Examination Requirements, legislative movement in states considering enactment, meeting logistics, licensure validation via grandfathering, degree requirements in the compact, and the qualifications of counselors who may participate in the compact. The committee answered all questions received during the meeting.

Adjourn

- Hearing no further questions, N. Brown called for a motion to adjourn.
- **Motion:** T. Onorato motioned to adjourn. K. Shaffer seconded the motion. All committee members present voted in favor and the meeting adjourned at 1:44 p.m. ET.