

Counseling Compact Rules Committee Meeting

February 22, 2024, 12:00 p.m. ET

Zoom

Committee Members Present

Nate Brown, Chair
Dr. Andrea Brooks
Ashleigh Irving
Dr. Denauvo Robinson
Angie Smith
LeeAnn Mordecai
Tony Onorato

Committee Members Absent

Lindsey Courtney – joined at 12:15 p.m.

Executive Committee Members Present

Dr. Kylie Dotson-Blake

Legal Counsel Present

Nahale Kalfas

CC Staff Present

Greg Searls

Seven members of the public were also present. Other public members joined after the start of the meeting and reached as many as eight.

Welcome & Call to Order

- N. Brown called the meeting to order at 12:01 p.m. ET.

Roll Call

- G. Searls called the roll. 7 committee members were present. 1 committee member was absent. A quorum was established with 7 of 8 committee members.

Review and Adoption of the Agenda

- **Motion:** T. Onorato made a motion to adopt the agenda as amended. 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:** A. Smith made a motion to adopt the minutes. D. Robinson seconded the motion. All committee members present voted in favor and the motion carried.

Rule on Background Check Notification

- Chair Brown reminded the committee of the previous discussion on the topic of the criminal background check.
- The Committee reviewed the draft language provided via email before the meeting from Director Searls.
- The Committee acknowledged that the FBI approval process can be lengthy and that the SHARE Act would eliminate the seemingly arbitrary approval process from the FBI for the background language in individual states.
- The language provided does not create a situation where a state is out of compliance due to the state waiting for the approval process of the FBI. It does not allow states to participate in the compact until they have completed background checks on their licensees who may want to seek a privilege in another state.
- It was recommended to add language that a state cannot allow privileges for their state until the background check requirement is met.
- A. Brooks made a motion to adopt the rule and send it to the Executive Committee for consideration. A. Irving seconded the motion. Director Searls raised concern about the Bylaw change motion and whether it was appropriate because both the motion and the second came from those who also serve on the Executive Committee. N. Kalfas agreed that it might be better to come from other committee members. Both the motion and the second were withdrawn.
- A. Smith made a motion to adopt the rule and send it to the Executive Committee for consideration. T. Onorato seconded the motion. The motion was approved by 5 of 5 committee members who do not serve on the Executive Committee.

Discussion of Home State Documentation

- Chair Brown continued the discussion from the previous meeting of how to prove to the home state.
- N. Kalfas clarified that it is the responsibility of the home state to require the documentation as part of the vetting process to approve people for the compact.
- It was asked if a third party that is already collecting documentation to show the home state could be used to provide it on behalf of the state. This would need additional research to decide.
- The Committee requested Director Searls to create a survey to gather more information on the data currently being collected by states. This was done once before but the number of states in the compact has nearly doubled since then.

Discussion of Fee Guidance

- Chair Brown continued the discussion from the previous meeting of providing guidance to the states on fees and trying to help ensure that the compact was a financially viable option versus a single-state license.

- Chair Brown expressed that he believes the Finance Committee should be the place for the initial discussion and recommendation on this topic.
- N. Kalfas agreed that the initial work should come from Finance, but expressed their recommendations could also prompt rule writing in the future.
- A. Brooks asked if the state would be collecting fees from those seeking privileges or if they would be paid directly to the compact and the compact paying the states. N. Kalfas answered that it could be done either way. In Nursing, the state collects the fee. In Physical Therapy, the compact collects the fee.

Questions and Comments

- No questions were asked by those in attendance.

Public Comment

- Chair Brown asked for public comment. No one requested to provide testimony.

Adjourn

- Having no further agenda items and hearing no objections, N. Brown declared the meeting adjourned at 1:33 p.m. ET