

**MINUTES**  
**Texas State Board of Examiners of Professional Counselors**  
**December 13, 2003**

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**The meeting was called to order** at 11:00 a.m. by Judith Powell, and a quorum was established. Board members present were Judith Powell, James Castro, Diane Boddy, Glynda Corley, Alma Leal, Michelle Eggleston, Ana Bergh and Dan Wilkins. Others present were Bobbe Alexander, Executive Director; Linda Coy, Administrative Assistant; Carolyn Wright, Board Attorney, Jim Zukowski, Director, Professional Licensing and Certification Division and Debbie Peterson, Assistant Director, Professional Licensing and Certification Division.

**The second order of business** was action concerning absent board members. The motion was made by Ms. Corley to excuse the absence of board member, June Helen Perkins. Ms. Bergh seconded the motion. **The motion passed.**

**The third order of business** was approval of the minutes for the August 2, 2003 board meeting. Dr. Wilkins made the motion to accept the minutes. Ms. Corley seconded the motion. **The motion passed.**

**The fourth order of business** was public comment. **No action to be taken.**

**The fifth order of business** was the presentation by Jack Sutton from the Testing Panel of the American Association of State Counseling Boards. **No action to be taken.**

**Agenda item 6** was discussion and possible action concerning the approval to accept the Agreed Order, issued to A.R. for revocation. Ms. Corley made the motion to accept the order. Dr. Wilkins seconded the motion. **The motion passed.**

**Agenda item 7** was discussion and possible action concerning the approval to accept the Order, issued to L.C. for revocation. Ms. Boddy made the motion to accept the order. Dr. Wilkins seconded the motion. **The motion passed.**

**Agenda item 8** was discussion and possible action concerning the approval to accept the Agreed Order, issued to G.P. Ms. Boddy made the motion to accept the Agreed Order. Dr. Wilkins seconded the motion. **The motion passed.**

**Agenda item 9** was discussion and possible action concerning the Advisory Letter issued to S.S. Ms. Corley made the motion to accept the letter of Advisory. Ms. Bergh seconded the motion. **The motion passed.**

**Agenda item 10** was discussion and possible action concerning the approval to accept the letter of reprimand issued to C.U. Dr. Leal made the motion to accept the letter of reprimand. Ms. Boddy seconded the motion. **The motion passed.**

**Agenda item 11** was discussion and possible action concerning the approval to accept the Order, issued to R.P. for revocation. Ms. Corley made the motion to accept the order. Ms. Boddy seconded the motion. **The motion passed.**

**Agenda item 12** was discussion and possible action concerning the approval to accept the Agreed Order, issued to J.H. for probated suspension. Ms. Bergh made the motion to accept the order. Dr. Wilkins seconded the motion. **The motion passed.**

**Agenda item 13** was pulled. No action taken.

**Agenda item 14** was discussion and possible action concerning the approval to accept the Agreed Order, issued to N.R. for probated suspension. Ms. Boddy made a motion to accept the order. Dr. Leal seconded the motion. **The motion passed.**

**Agenda item 15** was discussion and possible action concerning the approval to accept the Agreed Order, issued to A.M. for probated suspension. Ms. Bergh made the motion to accept the order. Dr. Leal seconded the motion. **The motion passed.**

**The next order of business** was committee reports. **Agenda item 16A was the Administration and Finance Committee Report.** Ms. Powell made the motion to accept the report. Dr. Wilkins seconded the motion. **The motion passed.**

**Agenda item 16B was the Testing and Continuing Education Committee Report.** Dr. Leal made a motion to deny the appeals for re-examination for Shawn Hughes, Gloria Garcia-Madrigal and Donna Shoop. Dr. Wilkins seconded the motion. **The motion passed.**

**Agenda item 16C was the Applications Committee Report.** Ms. Corley informed the board that according to the Bobbe Alexander, Executive Director the board has received Rudolfo Vasquez's quarterly report from his supervisor, Richard Salcido but not in a timely manner. Ms. Corley recommended sending a letter to Mr. Salcido and Mr. Vasquez reminding them of the importance of submitting the quarterly letters in a timely manner or getting a new supervisor. Ms. Corley made a motion to deny Katherine Battenbergh application, based on her degree in Dance Movement not being counseling related. Ms. Corley suggested in the letter to Ms. Battenbergh that we should request any books that were used during her graduate program, in order to get a better understanding of the program. Dr. Wilkins seconded the motion. **The motion passed.** Ms. Corley made a motion to deny the appeal for Lea Dora Briley until the board receives more information on her alleged rule violations from Oklahoma. Ms. Eggleston seconded the motion. **The motion passed.** Ms. Corley made the motion to accept the appeal for Raquel DuCote and issued her a temporary license. Dr. Wilkins seconded the motion. **The motion passed.** Ms. Corley made a motion to accept the appeal and issue a temporary license for James San Filippo, Jr. under the following conditions; the board receives quarterly reports from his supervisor and that under the board discretion he is to submit to random drug tests no less than four times a year for a two year period. Upon completion of his internship the board will revisit the conditions for licensure. Dr. Wilkins seconded the motion. **The motion passed.** Ms. Corley made a motion to accept the appeal for Heidi Fish and grant her a temporary license. Dr. Wilkins seconded the motion. **The motion passed.** Ms. Corley made a motion to deny the appeal for Sergio Garfinkel based on Robert Watkins review. Dr. Wilkins seconded the motion. **The motion passed.** Ms. Corley made a motion to accept the appeal for Sharon Leal and grant her a temporary license based on accepting the two courses 5733 & 5513. Dr. Wilkins seconded the motion. **The motion passed.** Ms. Corley made a motion to deny the appeal for Joseph McDaniel based on his degree not being counseling related. Dr. Wilkins seconded. **The motion passed.** Ms. Corley made a motion to accept the appeal for reapplication from Kimberly Modisette. Dr.

Wilkins seconded the motion. **The motion passed.** Ms. Corley made a motion to accept the appeal for Minerva Rodriguez and reinstate her license under the conditions that she pays her late fees and submits the continuing education hours. Dr. Wilkins seconded the motion. **The motion passed.** Ms. Corley made a motion to accept the appeal for Katherine Ropers and issued her a temporary license. Dr. Wilkins seconded the motion. **The motion passed.** Ms. Corley made a motion to deny the appeal for Frank Swift, Jr. based on his degree not being counseling related. Dr. Wilkins seconded the motion. **The motion passed.** Ms. Corley made a motion to table Meredith Carpenter's application and have Bobbe Alexander write a letter to the head of the department regarding the degree in Juvenile Forensic Counseling. Dr. Wilkins seconded the motion. **The motion passed.**

**Agenda item 16D was the Complaints Committee Report.** Ms. Powell reported that on December 11, 2003, the committee heard 44 cases, closed 35 cases and determined that disciplinary action were necessary on 7 cases and 2 cases needed additional information. Ms. Powell moved to accept the report. Ms. Corley seconded the motion. **The motion passed.**

**Agenda item 16E was the Professional and Regulatory Trends Committee Report.** Dr. Leal made the motion to accept the report. Ms. Bergh seconded the motion. **The motion passed.**

**Agenda item 16F was the Rules Hoc Committee Report.** Ms. Eggleston presented the report regarding the new fees due to Legislative changes and the minor changes that were made under the code of ethics and the language that was taken out. Ms. Eggleston made the motion to accept the Rules Report. Ms. Corley seconded the motion. **The motion passed.**

**Agenda item 17** was discussion and possible action regarding approval of the proposed rule amendments to TAC 22 Chapter 681, board rules. Ms. Eggleston made the motion to accept the proposed changes for posting in the Texas Register. Ms. Corley seconded the motion. **The motion passed.**

**The next order of business** was announcements. The next board meetings will be April 15, 2004 thru April 17, 2004 in Austin, TX and on September 16, 2004 thru September 18, 2004. The site for the September board meeting has not been determined.

**The last order of business was adjournment.** A motion was made, seconded, and passed to adjourn at 12:45 p.m.

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Judith D. Powell, Chair

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Date

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Bobbe Alexander, Executive Director

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Date