

# THE NATIONAL CERTIFIED COUNSELOR



Volume 20, Number 3  
Spring 2004

National Board for Certified Counselors

## CONTINUING ISSUES— CONTINUED ADVOCACY

By Thomas W. Clawson, NBCC Executive Director

■ **Testing**—As I write this article, many of us are also making contacts with a variety of other mental health organizations to create a new set of responses to the perennial issue of psychological testing in Indiana. The shortened history is that a compromise that was made to gain passage of the omnibus licensure law for counselors, marriage and family therapists, and social workers in 1997 allowed the state psychology board to pass a law restricting testing. That board made a public list of 318 psychological instruments which NBCC and The National Fair Access Coalition on Testing (FACT) vigorously opposed. (See article on page 3.) On April 2, 2004, that board published a revised list of 237 tests (find them at [www.in.gov/hpb/boards/ispb/rtl\\_list.html](http://www.in.gov/hpb/boards/ispb/rtl_list.html)). Again, NBCC is vigorously objecting, and by the time this is printed, a Freedom of Information ACT (FOIA) will have been served to the Indiana psychology licensure board. That letter will be on the [www.fairaccess.org](http://www.fairaccess.org) Web site soon.

In February of this year, NBCC Clinical Training Administrator, J. Scott Hinkle, made our remarks at an open hearing. He had also delivered a letter to the Indiana Governor which contained our strongest wording yet. The last paragraph reads:

*And finally, I must add. In December 2002 I sent a request to your Attorney General asking for a freedom of information release from the State Psychology Board (see enclosed). I got a reply from the Psychology Board telling me that they would respond soon. They did not, in an obvious attempt to avoid releasing embarrassing materials. I again ask for that information and will follow up promptly according to your laws this time. The arrogance of denying hundreds of Indiana citizens access to public records is not pardoned. (Clawson letter February 2004)*

The NBCC Directors have given directives to continue to fight the absurd law in Indiana with renewed vigor. We have stepped up efforts even more.

### Features . . .

Continuing Issues— Continued Advocacy	1
The Fair Access Coalition for Testing (FACT)	3
MACs Eligible For DOT SAP Status	4

### Departments . . .

Voluntary Audits	2
NCC Network	5
Disciplinary Actions	5
CE Provider Update	6
NCCs of Note	12



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More on Page 2

## VOLUNTARY AUDITS

*The following NCCs have passed the NBCC® Voluntary Audit for special recognition in continuing education. While 100 hours of continuing education are required for recertification, these NCCs have completed and documented more than 130 hours in the five-year certification period. They have received a special certificate citing this achievement and are to be congratulated for their dedication to excellence. NBCC salutes them!*

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Marie Annette Kent, Urbandale, IA

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Marie T. Raub, Lititz, PA

*If you are interested in applying for a voluntary audit, go to [www.nbcc.org/recert/audit.htm](http://www.nbcc.org/recert/audit.htm) and click on "Download the Voluntary Recognition Audit" form.*



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## CONTINUING ISSUES—CONTINUED ADVOCACY

From Page 1

■ **NBPTS**—I’m sorry that I even need to write about this issue. As previously reported, the National Board for Professional Teaching Standards® (NBPTS®), a state and federally subsidized teacher certification board, released its first salvo into another discipline with their certification for school counselors in January. In addition, as school counselors approach state officials to ask that NBCC’s National Certified School Counselor (NCSC) credential be given parity with teacher certification pay incentives, NBPTS continues to characterize the NCSC inaccurately. We assure you that we will continue to respond to the teacher board directly and indirectly. More important, NBCC will continue to actively pursue parity in the states regarding pay incentives.

■ **Military Recognition**—Our lobbyist firm in D.C. is preparing new strategies to deal with another stagnant issue—recognizing counselors as a profession in the United States military. We are convinced that military commands are well-heelled in ignoring and avoiding our efforts for parity, so we are now creating more of a “top-down” political approach to the issue. Trained and credentialed professional counselors need full recognition by our government without playing games like being supervised by others or using the job title of social worker or psychologist.

■ **State Licensure**—State licensure is one of those perennial issues that is nearing completion, we hope. Only Hawaii (again near to bill passage at this writing), Nevada, and California are left for new licensure. Gaining licensure is a milepost, not a finish line for our profession. I was recently at the New York Mental Health Counselors Association convention where they celebrated their new law and all the long years of effort coming to pass. Clearly, they are beginning a new type of continued advocacy for fair rules and watching out for changes created by other professions. NBCC accepted the thanks of hundreds of counselors there in Albany. Two weeks prior to that, NBCC accepted a beautiful plaque in the shape of Minnesota thanking us for our efforts in helping them gain licensure. Our plan to create money sources for state lobbying for new bills has helped states. We match up to \$8,000 funds that are solicited from outside the state. ACA has been the most diligent national organization in giving grants to states that we match.

NBCC will continue to play an important “in between” role of advocating for proper training and credentials to protect consumers while understanding our allegiance to the profession. With a record 36,804 NCCs as of this writing and waiting for the April exams to be scored, we realize that we have lots of advocating to do as the largest certification board in our counseling world. □

WITH A RECORD 36,804 NCCS AS OF THIS WRITING AND WAITING FOR THE APRIL EXAMS TO BE SCORED, WE REALIZE THAT WE HAVE LOTS OF ADVOCATING TO DO AS THE LARGEST CERTIFICATION BOARD IN OUR COUNSELING WORLD.

## THE FAIR ACCESS COALITION FOR TESTING (FACT)

By Wendi Schweiger, FACT Coordinator

FACT has been quite busy over the past several months. Issues in Indiana and Maryland have reached critical points, and FACT has been assisting in both states. The following is a brief history of the issues related to fair testing in each state and recent developments.

### INDIANA

In 1997, the Indiana State Psychology Board proposed that 318 "psychology tests" be restricted to licensed psychologists and exempt professionals. Dr. Tom Clawson and Lorin Letendre, co-chairs of FACT, wrote a letter of response to the psychology board protesting this list. In addition, Dr. Clawson and Dr. Sandra Lopez-Baez wrote a letter to Governor Frank O'Bannon protesting the list and individually challenging each test in the list of 318 tests.

In 2001, the issue resurfaced when the Indiana State Psychology Board proposed an amended list of "psychology tests" to be restricted to licensed psychologists and exempt professionals. In response, Letendre and Dr. Clawson, as well as Wendi Schweiger, FACT coordinator, wrote a letter of protest against the proposed list to Governor O'Bannon. Dr. Clawson wrote on behalf of the National Board for Certified Counselors as well. In April 2001, the Indiana Psychology Board held a public meeting and the rule and amended list were withdrawn. The board had received notice from the Indiana Attorney General's office that an aspect of the process for rule making was not followed.

In 2003, the issue again resurfaced. After several hearing dates were set and cancelled by the Indiana State Psychology Board, a public hearing was held on January 23, 2004. Dr. William "G" Harris, the executive director of the Association of Test Publishers (ATP), represented both ATP and FACT at the hearing and provided testimony before the board. In addition, Dr. J. Scott Hinkle represented NBCC and also provided testimony. On March 10, 2004, representatives of the governor's office in Indiana met with interested parties regarding the restricted test list. On April 2, 2004, the Psychology Board adopted the rule and the 237 tests. The attorney general's office has forty-five days to approve the board's decision based on whether the Psychology Board followed the guidelines for the rule making process. Then, if the attorney general approves the list, the governor has thirty days to approve or veto.

### MARYLAND

Maryland counselors received licensure in 1999. The Board of Examiners of Psychologists and the Board of Professional Counselors were mandated to agree on and draft regulations within four years regarding psychological testing. More specifically, these regulations would detail the training needed by counselors to equal the training of licensed psychologists to administer and interpret psychological tests that require specialized psychological training. In the ensuing five years, the Board of Examiners of Psychologists and the Board of Professional Counselors met many

times without resolution.

In February 2004, two different bills were introduced. HB953 was authored and sponsored by professional counselors (LCPCM), and SB696 was authored and sponsored by the Maryland Board of Examiners of Psychologists. On March 4, HB953 was presented to the Maryland House of Representatives. Michael Nahl, a member of FACT's Steering Committee, represented FACT and testified in front of the House Committee on Health and Government Operations in favor of HB953. In addition, letters and documentation were sent by Dr. Clawson to this committee, the Senate Education, Health, and Environmental Affairs Committee, and Maryland Governor Robert Ehrlich, Jr. Dr. Hinkle also authored testimony that was forwarded to the above.

On March 9, SB696 was presented to the Senate Education, Health, and Environmental Affairs Committee. On March 26, HB953 was defeated in the House Committee on Health & Government Operations. Further information regarding the status of SB696 is not yet available. □

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## MACS ELIGIBLE FOR DOT SAP STATUS

Effective January 22, 2004, NBCC's Master Addictions Counselors (MACs) are now eligible to seek substance abuse professionals (SAPs) status with the Department of Transportation (DOT).

NBCC submitted the petition to DOT regarding the inclusion of our MACs in August 2002. Governmental reorganization in the aftermath of the events of September 11, 2001, delayed DOT's initial review of NBCC's MAC. Then, just as the review was beginning, DOT experienced a federal funding cut which further delayed the process. Jim Swart, acting director of the Office of Drug and Alcohol Policy at DOT, advised NBCC during one of many conversations between the two organizations that "the federal government moves at glacial speed."

Once the review began in earnest, it was thorough and complete. NBCC was contacted to provide additional information regarding the educational, experience, and examination requirements, and we understand that the National Commission for Certifying Agencies (NCCA), as well as other organizations, were contacted and asked to provide collaborative references regarding NBCC and our MAC credential. Around the end of 2003, we were told that if the review went well, we should still expect no decision for some time, as input from the federal attorneys would be next, followed by a public comment period.

When Swart phoned NBCC on January 22, we assumed the purpose of his call was to request still more information, or at best, to inform us that the expected public comment

period would soon commence. It came as an absolute surprise that not only had the attorneys concluded their review, but it had been determined that there was no need for a public comments period. To top things off, the announcement regarding the change in requirements appeared in the *Federal Register* that very day.

Swart emphasized the serious responsibility that SAPs undertake. An SAP is charged with the responsibility of ensuring that a DOT employee who has violated alcohol and drug policy does not return to work while he or she may still present a danger to the public. The SAP's primary responsibility is not to the employee who has been sent for assessment, nor is it to the employer. The primary responsibility is public protection. With more than 10 million employees in safety sensitive positions with the DOT, careful and earnest evaluation of employees with a violation is critical. Our knowledge of our MACs as superior clinicians, dedicated to their role in providing excellent client service and protection to the public, was the deciding factor in submitting the petition initially.

While the federal government's acceptance of this petition immediately impacts those MACs who wish to include SAP services in their professional practice, we may expect long-range positive benefits for all NCCs. NBCC MACs are now included as one of a select group of professionals who may take the steps to become SAPs. As an agent of the federal government, the DOT concluded that NBCC has provided a sufficiently

rigorous application process to ensure that our certificants are educated and experienced professionals, fully capable of a gatekeeping mission required for public protection. Other professionals accepted for SAP training include NAADAC and ICRC MACs, licensed physicians (doctor of medicine of osteopathy), and licensed or certified psychologists, social workers, and EAP professionals. Anytime any group of NBCC certificants is recognized in this way, it has great potential to open other doors for us. We will continue to seek out opportunities to demonstrate your worthiness in every way possible.

### NEXT STEPS FOR MACS INTERESTED IN SAP STATUS

If you hold NBCC's MAC credential and would like to become a SAP, you will be required to take qualification training that includes the nine required components listed in Section 281c of Part 40 of the *Federal Register*. Following training, a qualifying examination covering all elements of the training must be successfully taken. DOT's Web site includes a list of organizations providing validated training and/or examinations. SAPs are required to complete at least twelve professional development (or continuing education) hours relevant to performing SAP duties, every three years. Please visit the e-news section of NBCC's Web site, [www.nbcc.org](http://www.nbcc.org), to find links to the legislation, training, and examination sources, and the regulations that govern the SAP candidate. □

## NCC NETWORK

■ **Janice Calnan, NCC**, of Ottawa, Ontario, has authored *Shift: Secrets of Positive Change for Organizations and Their Leaders*. The book offers “a new perspective on coping with today’s perceived disorder and chaos; examples of real change made by leaders, managers, and supervisors that you can apply now; and methods to deal with difficult, often-avoided discussions that, if not dealt with, interfere with quality.” The book also contains tips Calnan developed from her work with W. Edwards Deming (TQM). The book is available from [www.janicecalnan.com](http://www.janicecalnan.com) or [www.amazon.com](http://www.amazon.com).

■ **Judith Day, NCC, LMFT**, of Santa Rosa, CA, has produced three mindfulness meditation compact disc recordings that may be helpful as adjuncts to therapy for clients, and as stress relievers for therapists. The recordings contain both sounds and guided meditations designed to assist listeners in learning how to live in the here and now and be at peace in all aspects of their lives. Day has practiced mindfulness since 1975 and has been teaching since 1990 both privately and through Kaiser-Permanente. She is a psychotherapist in Santa Rosa and Napa, CA. The CDs may be ordered through her Web site at [www.judithday.com](http://www.judithday.com).

■ **Clive G. Hazell, NCC**, of Chicago, IL, has recently published a book called *The Experience of Emptiness*. The book describes the feeling of emptiness, its portrayal

in art and philosophy, and the empirical research Hazell has gathered about this commonly experienced emotion. He examines the works of Hemingway, Dostoevsky, and visual artists in addition to the levels of loneliness described in Dabrowski’s theory of positive disintegration. Hazell teaches at the Art Institute of Chicago, DeVry University, and Argosy University. He has maintained a private practice in Chicago for twenty years. *Experience of Emptiness* is available through 1st Books at [www.1stbooks.com](http://www.1stbooks.com).

■ **John (Jack) Schmidt, NCC**, of Greenville, NC, has published the second edition of his book *A Survival Guide for the Elementary/Middle School Counselor*. This expanded volume contains practical ideas, suggestions, and forms for school counselors to use in designing, implementing, and evaluating comprehensive school counseling programs. Schmidt is a professor of counselor education at East Carolina University. His book may be ordered from [www.joseybass.com](http://www.joseybass.com).

■ **Sandra Schocket, NCC, NCCC**, of Holland, OH, has published a book *My Life Closed Twice: Surviving a Double Loss*. Based on her own experience of losing both her husband and her son in one 24-hour period in 1994, the book examines how she survived great tragedy as well as the parallels between the loss of employment and other major losses such as divorce and illness. Her book is available through [www.amazon.com](http://www.amazon.com).

■ **Eric A. Sleith, NCC**, of Louisville, KY, has authored a workbook on the topic of grief. *Embracing & Transcending Death, Loss, and Grief* helps readers work through the process of grief and bereavement. It contains numerous experiential activities and is written in a clear, jargon-free style that is helpful and informative to both the novice and experienced professional. The workbook may be ordered from [www.BarnesandNoble.com](http://www.BarnesandNoble.com), [www.amazon.com](http://www.amazon.com), [www.booksamillion.com](http://www.booksamillion.com), and [www.iuniverse.com](http://www.iuniverse.com).

## DISCIPLINARY ACTIONS

*The following NCCs were adjudicated and sanctioned by NBCC® for violating the NBCC Code of Ethics.*

**Bernard Demarais**, #43821, certification revoked

**Vincenza Linda Fabber**, #53529, placed on probation and mandatory supervision for two years

**Barrette Greene**, #63177, placed on probation for two years

**Mary Wochner**, #22570, placed on probation for two years

## OTHER ACTIONS

*Surrender of Certification:*

**Stephen Madonna, Jr.**, #38978, surrendered all NBCC certifications and designations previously granted him, effective September 2, 2003.

## CE PROVIDER UPDATE

### NEW NBCC APPROVED CONTINUING EDUCATION PROVIDERS (ACEPs)

- Boise State University**, Boise, ID, #4502
- Chesapeake Health Education Program, Inc.**, Perry Point, MD, #6140
- Claudja, Inc.**, Bainbridge Island, WA, #6133
- College of New Rochelle**, New Rochelle, NY, #4500
- Cumberland Heights**, Nashville, TN, #6127
- Jason A. Seidel, Psy.D., P.C.**, Denver, CO, #6134
- Letitia Nieto, Psy.D.**, Olympia, WA, #6141
- Mercer University**, Atlanta, GA, #4498
- Multicultural Counseling and Consulting Center**, San Diego, CA, #6114
- North American Training Institute**, Duluth, MN, #6132
- North Carolina Association for Play Therapy (NCAPT)**, Clemmons, NC, #6137
- Ottawa University-Phoenix**, Phoenix, AZ, #4499
- PA Association of Colleges and Employers (PennACE)**, Huntingdon, PA, #6131
- Public Conversations Project**, Watertown, MA, #6144
- Relational Recovery Institute**, Arlington, MA, #6138
- Roosevelt University**, Schaumburg, IL, #4497
- Training Resources Associates, Inc.**, Largo, MD, #6142
- Triad Group**, Ball, LA, #6145
- University of Arizona**, Tucson, AZ, #4501

### PROVIDERS NOT RENEWING APPROVAL 2003-2004

*The following providers have withdrawn from the NBCC Approved Provider Program, and relinquished NBCC approval of their courses. NCCs taking continuing education hours from these providers must consult NBCC CE Guidelines in order to determine if the hours are acceptable for recertification credit.*

- 5100 Winnebago Mental Health Association
- 5118 Kanawha County Schools
- 5138 Anne Arundel County Schools
- 5299 College Survival/Houghton Mifflin
- 5344 Institute for Advanced Clinical Training
- 5370 Consulting Psychologists Press
- 5412 New Hanover County Schools
- 5430 Consultations
- 5480 Marital and Sexual Therapy Institute
- 5504 Southern Association for College Student Affairs
- 5509 Outreach Teen and Family Services
- 5516 American College Personnel Association
- 5530 Mulberry Center
- 5544 Lutheran Community Services North West
- 5665 Colin Ross Institute for Psychological Trauma
- 5690 American Academy of Forensic Counseling
- 5700 Distance Learning Network
- 5708 Hopespring Center
- 5755 Jewish Family Service of Atlantic City NJ
- 5771 Family Therapy/Play Therapy Institute
- 5773 International Society for Traumatic Stress Studies
- 5781 Institute for Life Enrichment
- 5808 Eastern Alabama Mental Health/ Mental Retardation Center
- 5816 St. Vincent's Hospital

- 5824 Interfaith Counseling Service
- 5828 Essence: Counseling and Supervision
- 5832 Crisis Center, Inc.
- 5835 Reach Educational Seminars
- 5842 Mental Notes: Practice Applications for Today
- 5845 Institute for Advanced Training in Counseling and Psychotherapy
- 5847 The LaJolla Program
- 5854 The Savannah Family Institute
- 5855 Marine Corps Community Services
- 5857 Kanawha Pastoral Counseling Center
- 5863 Wisdom Associates
- 5871 Career Assessment Center, Inc.
- 5876 Coastal Carolina University-Division of Extended Learning
- 5877 Huntingdon College
- 5884 Ben Franklin Institute
- 5890 New York Open Center
- 5893 Expanded Children's Services of Western NY
- 5897 Illinois Association for Play Therapy
- 5900 International Expressive Arts Therapy Association
- 5901 Adoption Exchange
- 5903 Ed Lauritson
- 5909 Sidran Traumatic Stress Foundation
- 5950 eNetwork for Advanced Training in Psychotherapy
- 5956 Center for Matrix Therapy
- 5965 Professional Training Institute
- 5967 Wellmont Health System
- 5970 Center for Emotional Restructuring
- 5976 E-Synergy, Inc.
- 5977 University of Arizona Foundation for the Benefit of Extended University
- 5992 Family Institute of Philadelphia
- 6058 Seaside Consulting and Sailing Co.
- 6074 Alabama Therapy Associates

THE PLACE FOR NCCs:  
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### HOME STUDY PROGRAMS

For complete information on home study programs, you must directly contact the NBCC Approved Providers who have been approved for home study programs. We are now maintaining a list of these providers on our Web site (on the Continuing Education page) and on the NBCC Fax Information Line (1-800-324-6222, request document #4001). Please take advantage of this convenient list to contact these providers and see what they have to offer.




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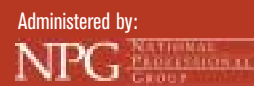
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Two NBCC credentials—the NCC and the MAC—are accredited by the National Commission for Certifying Agencies.

## NCCs of Note

■ **James Benshoff, NCC, NCGC, ACS**, of Greensboro, NC, was recently elected president-elect of the Association for Counselor Education and Supervision (ACES). Benshoff is a professor of counselor education at the University of North Carolina Greensboro.

■ **Paul F. Hard, NCC, LPC**, of Cullman, AL, was recently elected president-elect of the Alabama Counseling Association. Hard is the clinical director of the Cullman Mental Health Authority and is currently pursuing a Ph.D. in counselor education and supervision at the University of Alabama. He also serves on the task force on counselor impairment for ACA.



Paul F. Hard

■ **Gwen Keys Hitt, NCC, NCSC**, of Collins, MS, was recently honored by a special resolution of the Mississippi State Legislature for being selected as the 2003 Mississippi School Counselor of the Year by the Mississippi Counseling Association. The commendation cited Hitt's thirty-six years of experience, several academic degrees, many leadership positions in various Mississippi counseling organizations, and numerous awards and honors over a long and distinguished career.

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