

ARKANSAS BOARD OF EXAMINERS IN COUNSELING

Enabling Laws

Act 48 of 2012
A.C.A. §17-27-101

History and Organization

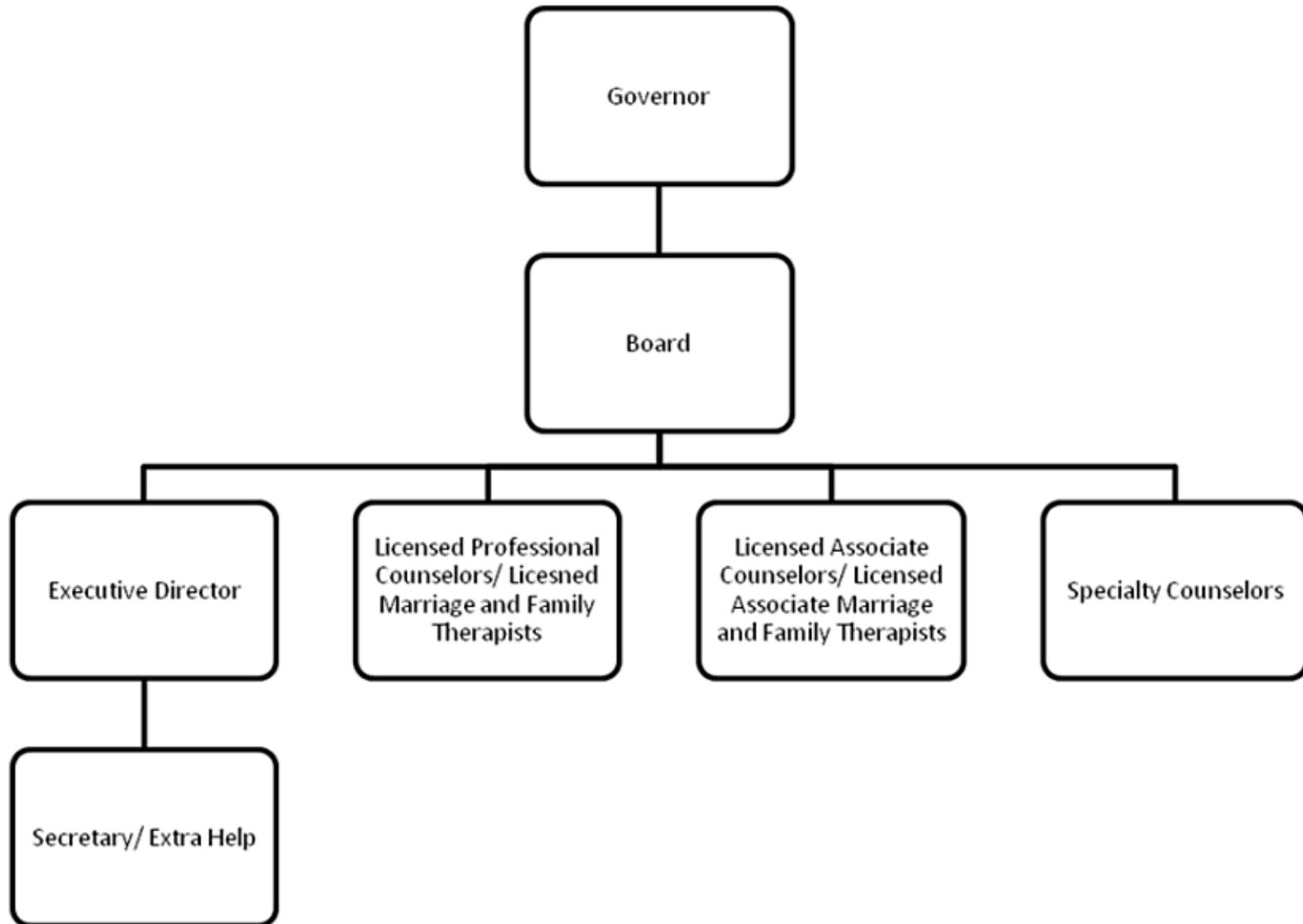
The Arkansas Board of Examiners in Counseling regulates the title and practice of Counselors and Marriage and Family Therapists in the State of Arkansas. The Board examines the credentials for each applicant prior to granting an Arkansas license. Specialization licenses are issued based on the generic license being in good standing. National standards must be met prior to such issue; the Board examines training and qualifications to ensure standards are met. The Board monitors and records the supervision of each new licensee until the license holder has completed the mandated three (3) years of supervised practice. The Board conducts investigations into violations of Statutes, Rules and Regulations based on complaints, practice without license, and/or information received by the Board administrative office. If the complaints are valid and have sufficient merit, formal investigations are conducted under the direction of the Attorney General's staff. If deemed necessary at the conclusion of the investigation, administrative hearings are held to resolve the issue by dismissal of the complaint, probation, suspension or revocation of the license.

The mission is to protect the public and to ensure quality of counseling services being provided to the citizens of Arkansas. The staff is responsible for the operation of the Board, for carrying out the policies of the Board, and making monthly detailed reports and recommendations to the Board.

The General Assembly of the State of Arkansas approved Act 593 of 1979 (A.C.A. §17-27-101) in the Regular Session, 1979. The General Assembly approved Act 244 of 1997 to amend A.C.A. §17-27-101 through 104 and approved Act 1317 of 1997 to amend A.C.A. §17-1-103 in the Regular Session, 1997. The Acts provided for the regulation of the practice and the use of the titles of Counseling, Marriage and Family Therapy, and the Specialization Licenses created by the Board of Examiners in Counseling, prescribed the powers and duties of the Board, and provided for the examination and licensure of Counselors and Marriage and Family Therapists, and provided for the examination and licensure of those with specialized training in the field of Counseling and Marriage and Family Therapy.

The Board of Examiners in Counseling, was first composed of seven (7) members appointed by the Governor sixty days after July 1, 1997, in the manner and for the terms of office provided in Act 593 of 1979. A retired citizen board member was appointed in the fall of 1984 and a Marriage and Family Therapist was appointed in the fall of 1997, bringing the Board's current membership to a total of nine (9) members.

The Board meets regularly the second weekend of each month and if necessitated by Administrative Hearings scheduled for additional days.



Agency Commentary

The Arkansas Board of Examiners in Counseling protects the public of Arkansas and ensures the quality of Counseling and Marriage and Family Therapy services being provided to the citizens of Arkansas through regulation of title and practice of the persons licensed by the Board, A.C.A. §17-27-101 et seq.

The Board requests the reclassification of the Administrative Specialist II C109 to Administrative Analyst C115. This reclassification is necessary in order to maintain appropriate compensation for the position in the Counseling Board.

Increases to Base Level Extra Help appropriation for additional clerical help is needed because of increases in applications, Licensed Associate Counselors (LAC) supervision reporting, scanning for electronic conversion, entering data into e-files, and shredding the contents of twenty-five file cabinets.

Increase requested in Operating Expenses of \$2,100 for the annual fee paid to INA for website maintenance.

The requested increases are minimal for the operation of the Board to competently regulate the title and practice for the mandated regulatory functions of the Board. Funds for the requested increases are available and unencumbered. Funding for this Board is supported from fees collected by the Board. No state funds are appropriated for the operation of the Board.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
ARKANSAS STATE BOARD OF EXAMINERS IN COUNSELING
FOR THE YEAR ENDED JUNE 30, 2010

Findings	Recommendations
None	None

State Contracts Over \$25,000 Awarded To Minority Owned Businesses Fiscal Year 2012

None

Employment Summary

	Male	Female	Total	%
White Employees	0	3	3	100 %
Black Employees	0	0	0	0 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			0	0 %
Total Employees			3	100 %

Publications

A.C.A. 25-1-204

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
Minutes	A.C.A. §17-27-201	N	N	16	Distribution to Board
Mission Statement	A.C.A. §17-27-201	N	N	4	Statutory for Public Use
Publication	A.C.A. §17-27-201	N	N	1	Members & Legislative Council Library

Agency Position Usage Report

FY2010 - 2011						FY2011 - 2012					FY2012 - 2013						
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
3	2	1	3	0	33.33 %	3	3	0	3	0	0.00 %	3	3	0	3	0	0.00 %

Analysis of Budget Request

Appropriation: 1GE - Counseling Operations

Funding Sources: NEC - Cash in Treasury

The Board of Examiners in Counseling is established under A.C.A. § 17-27-201 and consists of eight (8) members appointed by the Governor. The Board is authorized to adopt rules, regulations and procedures to carry out the duties authorized; is required to adopt the Code of Ethics of the American Counseling Association and any revisions or additions deemed appropriate by the Board to govern appropriate practice or behavior relative to counseling services; is required to adopt the Code of Ethics of the American Association of Marriage and Family Therapy to govern licensed marriage and family therapists and licensed associate marriage and family therapists; and is required to charge an application fee determined by the Board. Additionally, the Board is authorized to accept grants from foundations and institutions to carry out its functions and hire assistants as are necessary to perform its activities. The Board has purview over Professional Counselors, Associate Counselors, Marriage and Family Therapists and Associate Marriage and Family Therapists. A.C.A. §17-27-313 requires that each first-time applicant for a license issued by the Arkansas Board of Examiners in Counseling apply to the Identification Bureau of the Department of Arkansas State Police for a state and national criminal background check to be conducted by the Federal Bureau of Investigation. This appropriation authorizes expenditures for all operations of the Board to include the administration of examinations and licensure. The Board processes its operations and payroll through the State Treasury. Fees are collected from initial licensure and biannual renewal of licenses.

Base Level Regular Salaries and Personal Services Matching includes Career Service payments for eligible employees. Personal Services Matching also includes a \$20 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$410 per month. Base Level salaries and matching do not include appropriation for a Cost of Living Adjustment or Merit Pay Increases.

The Board's Change Level request of \$10,165 reflects the following:

- Reclassification of the Administrative Specialist II C109 to Administrative Analyst C115.
- Extra Help of \$7,488 in addition to \$577 in associated Personal Services Matching is for additional clerical help in each year of the 2013-2015 biennium.
- Operating Expenses of \$2,100 for the annual fee paid to INA for website maintenance.

The Executive Recommendation provides for the Agency Request except for the position reclassification. Expenditure of appropriation is contingent upon available funding.

Appropriation Summary

Appropriation: 1GE - Counseling Operations

Funding Sources: NEC - Cash in Treasury

Historical Data

Agency Request and Executive Recommendation

Commitment Item	Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
	2011-2012 Actual	2012-2013 Budget	2012-2013 Authorized	2013-2014			2014-2015		
				Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	129,206	118,116	117,486	118,216	118,216	118,216	118,216	118,216	118,216
#Positions	3	3	3	3	3	3	3	3	3
Extra Help 5010001	4,393	9,000	9,000	9,000	16,488	16,488	9,000	16,488	16,488
#Extra Help	2	2	2	2	2	2	2	2	2
Personal Services Matching 5010003	41,016	43,868	43,999	44,696	45,273	45,273	44,696	45,273	45,273
Overtime 5010006	3,574	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Operating Expenses 5020002	108,463	81,962	81,962	81,962	84,062	84,062	81,962	84,062	84,062
Conference & Travel Expenses 5050009	0	0	0	0	0	0	0	0	0
Professional Fees 5060010	8,144	8,976	8,976	8,976	8,976	8,976	8,976	8,976	8,976
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Capital Outlay 5120011	7,044	0	0	0	0	0	0	0	0
Testing Fees 5900046	0	50	50	50	50	50	50	50	50
Total	301,840	276,972	276,473	277,900	288,065	288,065	277,900	288,065	288,065
Funding Sources									
Fund Balance 4000005	501,184	526,901		576,429	576,429	576,429	625,029	614,864	614,864
Cash Fund 4000045	327,557	326,500		326,500	326,500	326,500	326,500	326,500	326,500
Total Funding	828,741	853,401		902,929	902,929	902,929	951,529	941,364	941,364
Excess Appropriation/(Funding)	(526,901)	(576,429)		(625,029)	(614,864)	(614,864)	(673,629)	(653,299)	(653,299)
Grand Total	301,840	276,972		277,900	288,065	288,065	277,900	288,065	288,065

FY13 Budget amount in Regular Salaries exceeds the authorized amount due to salary adjustments during the 2011-2013 biennium.

Change Level by Appropriation

Appropriation: 1GE - Counseling Operations
Funding Sources: NEC - Cash in Treasury

Agency Request

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
BL	Base Level	277,900	3	277,900	100.0	277,900	3	277,900	100.0
C01	Existing Program	10,165	0	288,065	103.7	10,165	0	288,065	103.7
C10	Reclass	0	0	288,065	103.7	0	0	288,065	103.7

Executive Recommendation

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
BL	Base Level	277,900	3	277,900	100.0	277,900	3	277,900	100.0
C01	Existing Program	10,165	0	288,065	103.7	10,165	0	288,065	103.7
C10	Reclass	0	0	288,065	103.7	0	0	288,065	103.7

Justification

C01	The agency is requesting additional Extra Help and associated Personal Services Matching appropriation of \$8,065 for extra clerical help needed because of increases in applicants, LAC supervision reporting, scanning for electronic conversion, entering data into e-files, and shredding the contents of twenty-five file cabinets. The agency also requests an appropriation increase of \$2,100 in Operating Expenses for the annual fee paid to INA for website maintenance.
C10	A reclassification is requested for the Administrative Specialist II position (C109) to an Administrative Analyst position (C115). The Executive Recommendation does not provide for the reclassification.