

ARKANSAS BOARD OF EXAMINERS IN COUNSELING

Enabling Laws

Act 230 of 2005
A.C.A. §17-27-101

History and Organization

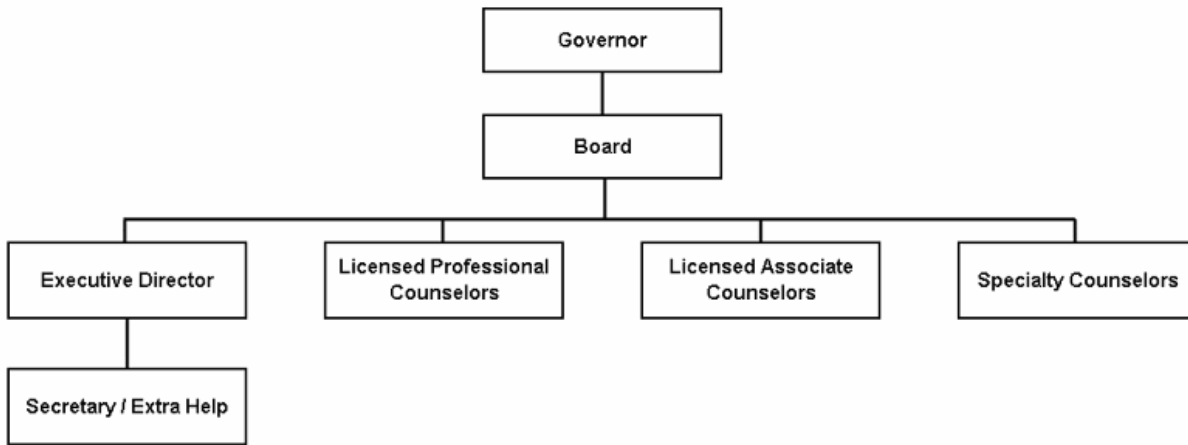
The Arkansas Board of Examiners in Counseling regulates the title and practice of Counselors and Marriage and Family Therapists in the State of Arkansas. The Board examines the credentials of those who hold the license. The Board monitors and records the supervision of each new license until the license 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, administrative hearings are held to resolve the issue, suspend or revoke the license if necessary.

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 detailed reports and recommendations to the Board each month.

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, composed of seven members, was 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 membership to a total of nine (9) members. The Board meets each month.

Disciplinary hearings held before the Board are pursuant to the Arkansas Administrative Procedures Act and are arranged with the counsel of the Arkansas Attorney General's Office.



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.

In addition to Base Level, the Board is requesting additional operating appropriation of \$13,128 in FY08 and \$1,628 in FY09. Increases in operating costs as well as replacement of the Board’s server and laptop computer are reflected in this increase. The Board is reducing the Testing Fee line item by \$950 because test fees from applicants are sent directly to the testing companies. In previous years, the Board had to collect the fee and send a payment to the testing companies.

The Board is also requesting one additional position - Executive Secretary at a salary of \$41,225 each year of the biennium. To offset the expense of this addition, the board is surrendering one existing position - Counseling Board Secretary I at a salary of \$22,973 each year as well as reducing Extra Help appropriation by \$14,000 each year.

One of the Secretary I positions was approved several years ago because the budget increase was all the Board could afford at that time. The position was, in reality, Executive Director at the time. The position has been filled by volunteer staff and part time staff (who worked full time) because the individual filling the position had helped the Board develop and could afford to give the service to the Board and to the profession. At eighty (80) years of age, the individual will retire in the future and the position must have a salary that can attract a professional who can fulfill the responsibilities.

The Board is requesting a reallocation of appropriation from Data Processing to Operating Expenses. Due to the changes in the Procurement Regulation, certain items previously expensed from Data Processing Services have been reclassified and now should be paid from Operating Expenses.

Funding for these increases is supported from fees collected by the Board.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
 AUDIT OF :
 ARKANSAS STATE BOARD OF EXAMINERS IN COUNSELING
 FOR THE YEAR ENDED JUNE 30, 2004

Findings	Recommendations
None	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

FY2004-2005						FY2005-2006						FY2006-2007					
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	3	0	3	0	0.00%	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, 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, processed through the State Treasury, authorizes expenditures for all operations of the Board to include the administration of examinations and licensure. Fees are collected from initial licensure and biannual renewal of licenses.

A cost of living increase is not incorporated in Base Level pending the outcome of the Classification and Compensation Study. Personal Services Matching may reflect increases in the Base Level due to certain increases in Worker's Compensation and Unemployment Tax rates. Personal Services Matching also includes a \$30 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$350 per month.

The Board is currently authorized three full-time positions and two extra help positions as well as supporting operations for a total Base Level amount of \$199,069 each year of the biennium. An Executive Secretary position is being requested by the Board to more accurately reflect the current responsibilities and duties being performed. To offset this increase, the Board is surrendering a Secretary I position, as well as reducing the Extra Help and Testing Fees line items. Candidates pay their testing fee directly to a testing company; therefore the Board no longer needs to issue a check to the company.

The Board is requesting additional Operating Expenses of \$2,578 each year of the biennium to address increases in postage, office rent and mileage expenses. Due to changes in the Procurement Regulations, certain Data Processing Services expensed from the Data Processing line item have been reclassified and are now should be expensed from Operating Expenses. This reallocation is reflected in the Board's request. During FY08, the Board is requesting Capital Outlay of \$11,500 to replace its server and a laptop computer purchased in 1997.

Executive Recommendation provides for Agency Request. Expenditure of appropriation is contingent upon available funding.

Appropriation

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

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	67,625	68,919	68,919	68,919	87,171	88,407	68,919	87,171	89,680
#Positions		3	3	3	3	3	3	3	3	3
Extra Help	5010001	0	19,000	19,000	19,000	5,000	5,000	19,000	5,000	5,000
#Extra Help		0	2	2	2	2	2	2	2	2
Personal Services Matching	5010003	27,742	31,360	27,673	32,390	35,224	35,536	32,390	35,224	35,857
Operating Expenses	5020002	62,082	62,760	62,760	62,760	70,338	70,338	62,760	70,338	70,338
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0	0	0
Professional Fees	5060010	5,101	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Data Processing	5090012	0	5,000	5,000	5,000	0	0	5,000	0	0
Capital Outlay	5120011	0	0	0	0	11,500	11,500	0	0	0
Testing Fees	5900046	0	1,000	1,000	1,000	50	50	1,000	50	50
Total		162,550	198,039	194,352	199,069	219,283	220,831	199,069	207,783	210,925
Funding Sources										
Fund Balance	4000005	188,976	198,830		223,009	223,009	223,009	250,726	250,726	249,178
Cash Fund	4000045	172,404	222,218		226,786	247,000	247,000	283,286	292,000	292,000
Total Funding		361,380	421,048		449,795	470,009	470,009	534,012	542,726	541,178
Excess Appropriation/(Funding)		(198,830)	(223,009)		(250,726)	(250,726)	(249,178)	(334,943)	(334,943)	(330,253)
Grand Total		162,550	198,039		199,069	219,283	220,831	199,069	207,783	210,925

FY06 Actual and FY07 Budgeted amounts in Personal Services Matching are greater than authorized amount due to increases in retirement and workers comp rates.

Change Level by Appropriation

Appropriation: 1GE-Counseling Operations

Funding Sources: NEC-Cash in Treasury

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	199,069	3	199,069	100.0	199,069	3	199,069	100.0
C01	Existing Program	58,400	1	257,469	129.3	58,400	1	257,469	129.3
C03	Discontinue Program	(49,686)	(1)	207,783	104.3	(49,686)	(1)	207,783	104.3
C04	Reallocation	0	0	207,783	104.3	0	0	207,783	104.3
C08	Technology	11,500	0	219,283	110.1	0	0	207,783	104.3

Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	199,069	3	199,069	100.0	199,069	3	199,069	100.0
C01	Existing Program	59,948	1	259,017	130.1	61,542	1	260,611	130.9
C03	Discontinue Program	(49,686)	(1)	209,331	105.1	(49,686)	(1)	210,925	105.9
C04	Reallocation	0	0	209,331	105.1	0	0	210,925	105.9
C08	Technology	11,500	0	220,831	110.9	0	0	210,925	105.9

Justification

C01	Additional increases in operations of board for rent, postage and mileage as well as one new position - Executive Secretary - at a salary of \$41,225 each year. This additional position more accurately reflects responsibilities and duties being performed.
C03	Candidates pay testing fee directly to testing company. Agency no longer collects the fees from the candidates in order to issue a check to the testing company. Board is also reducing extra help by \$14,000 each year as well as one of the Counselor Secretary I positions to offset the cost of the Executive Secretary position being requested.
C04	Due to the changes in the Procurement Regulation certain Data Processing Services expensed from commitment item 12 have been reclassified and should be expensed from Operating Expenses commitment item 02. Board anticipates using this additional appropriation for technical services contracts.
C08	To replace a server and laptop computer purchased in 1997. The laptop computer is used by the staff at board meetings.