



# President's Message: An Exciting Year in Prospect

## The Votes are In, and Changes Are Underway

*There is nothing wrong with change, if it is in the right direction.*

—Winston Churchill

As we enter a new year, I find myself both excited and proud about the direction of your Counseling Association.

The proposed changes we have been discussing in this newsletter, at our recent conference, and in various member communications, were recently put to a member vote. Let me summarize these changes briefly: ORCA and OMHCA are merging into a newly-constituted ORCA, which will be a 501 (c) (6) association for tax purposes, to allow a larger proportion of our funding to be allocated to lobbying efforts both to promote and to defend our profession.

The support for this direction in your voting was overwhelming,

with 97% and 99% approval from current ORCA and OMHCA membership respectively. Thank you all for your support! This mandate means that we are moving ahead rapidly getting the specifics into place: we have engaged attorneys to help us implement the new tax status and to get our new by-laws written; as part of COPACT (a partnership with the Oregon Licensed Marriage and Family Therapists) we have hired a lobbyist to represent us in state legislation (see Sarah Lebo's article in this newsletter); and we have defined the structure of the new association, merging the ORCA and OMHCA Boards. We will convey more information on the committees and contact names on our website soon, and we hope some of you will consider participating directly.

We still have work to do: to complete writing our new by-laws, to implement our new membership

fee structure (see below); to merge our ORCA and OMHCA membership databases and websites; and to bring all of this back to you, our members, for a final vote, including the election of officers.

All of this translates to a very positive and powerful program for the future. We have a full, enthusiastic, talented and energized Board. We have a focus on promoting and protecting our profession, and the means in place to achieve this. We have a credible presence as the voice of Oregon Counselors, and we will be working aggressively to bring more members into the integrated association, increasing the volume and influence of that voice. We hope you and your colleagues will join us.

*Dominick Robertson, MS*  
ORCA President

THE COUNSELOR

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### Revised Fee Structure Coming

Those of you at the Fall Conference may recall we mentioned our membership fees have not increased for nearly 25 years! In 2013 dollars, the cost of a full membership at the time of our last fee increase would be over \$100 today. However, we will be implementing rates from \$48 (\$4/month) for students and retirees, \$72 (\$6/month) for new professionals, to \$96 (\$8/month) for active, licensed professionals. This is consistent with the current OMHCA fee structure, and of course many people are members of both associations today, so their total fees will decrease. These fees will go into effect at a date to be announced.

# Speaking of Ethics

## What Is A Custodian of Record?

By Douglas S. Querin, JD, LPC, CADC I

### What are Custodian of Record responsibilities for Oregon counselors and therapists?

In late 2012, the Oregon Board of Licensed Professional Counselors and Therapists (OBLPCT) issued a new rule (OAR 833-020-0501) requiring that all licensees and registered interns arrange for the maintenance of and access to client records in the event of the death or incapacity of the licensee/intern. To accomplish this purpose, licensees/interns are required to select and designate a Custodian of Record—the designated person, agency, or organization who will be on record with the board as being the individual or entity responsible for the custody of case files in the event the licensee/intern dies, is incapacitated, or is otherwise unavailable to clients.

### What are licensed professionals & registered interns required to do?

The new OBLPCT rule requires that each licensee/intern:

- Select a Custodian of Record;
- Register with the board the name and contact information (physical address, phone number, email address) of the Custodian of Record, and
- Notify the board of changes of the Custodian of Record.

The OBLPCT has a Custodian of Record Designation Form on its website ([www.oregon.gov/oblpcr](http://www.oregon.gov/oblpcr); see link to Forms); this form should be used to supply the necessary information to the board. It must be completed, signed, dated, and sent to the board by mail, fax, or as an email attachment. The board's email address is [lpct.board@state.or.us](mailto:lpct.board@state.or.us). The Custodian of Record rule took effect November 1, 2012, but licensees/interns have until their renewal dates in 2013 to submit the form to the board.

### What are the Custodian's responsibilities?

If the licensee/intern dies or becomes incapacitated, the Custodian of Record will be expected to:

- Take possession of, or otherwise have access to, case files,
- Make necessary referrals, if appropriate, and
- Ensure the client's rights of confidentiality and access to records.

### Will the OBLPCT release the name of a Custodian of Record?

The board will *not* release the name of the Custodian of Record *except*:

- In the case of death or incapacity of the licensee/intern, or
- When a client is unable to locate the licensee.

## The Counselor

Published quarterly by the Oregon Counseling Association.

For information about advertising or submitting articles contact: [editor@or-counseling.org](mailto:editor@or-counseling.org)

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Raina Hassan

### Editorial Staff:

Sarah Lebo, Lara Pevzner, Dina Yerex, CJ Strauss

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ORCA membership information may be obtained online at: [www.or-counseling.org](http://www.or-counseling.org)

### Anti-discrimination Statement:

The Oregon Counseling Association will not knowingly engage in activities that discriminate on the basis of race, gender, color, religion, national origin, sexual orientation, disability or age.



## Custodian of Record continued...

### Who qualifies to be a Custodian of Record?

The designated Custodian of Record must be:

- A licensed mental health professional under Oregon law,
- A licensed medical professional,
- A health care or mental health organization,
- An attorney,
- A school, or
- A medical records company.

### Some Considerations & Recommendations

Generally speaking, virtually all Oregon licensed counselors, therapists, and registered interns must select a Custodian of Record and file the Designation Form; this includes those:

- Those serving clients in private practice, agencies, and schools;
- Those serving clients in multiple practices (they should submit a Designation Form for each practice);
- Those not currently serving clients, but who have seen clients in the past 7 years;
- Those working in an academic setting, but not serving clients (they should submit a Designation Form and indicate on it that clients are not seen).

Questions about the need to have a Custodian of Record or to file a Designation Form should be directed to the board.

### Confidentiality & Informed Consent

Confidentiality and informed consent (written and verbal) practices should include the Custodian of Record requirements. Clients should be informed that the Custodian of Record may access case files if the licensee/intern dies, is incapacitated, or is otherwise unavailable.

Client consent/authorization should be specifically obtained (preferably in writing), documenting the

waiver of confidentiality for the release of case files to a Custodian of Record, if necessary. Clients should be informed of the steps to take to access their records in the event of the licensee/intern's death, incapacity, or unavailability; at a minimum, clients should be advised how to contact the board.

### Exercising Care

The Custodian of Record should be someone who will, in fact, be available to assume full custodial responsibilities. A therapist-custodian for his/her therapist-spouse may have difficulties attending to custodial duties if the spouse dies or becomes seriously disabled; likewise, a potential custodian planning to retire imminently and travel for extended periods may also be an unwise selection.

There should be a written understanding with the Custodian of Record, affirming the custodial responsibilities, where and how the files may be obtained by the custodian, and how client confidentiality and access to records will be assured.

Custodian of Record contact information should be regularly reviewed (at least annually) and updated information provided to the board, when necessary (using the board's Designation Form). Supervisors should confirm that each supervisee has a Custodian of Record and has filed a Designation Form with the board.

The Oregon licensing boards for social workers and psychologists have similar, though not identical, requirements for the professionals they regulate. See: [www.oregon.gov/OBPE](http://www.oregon.gov/OBPE) (Psychologists) and [www.oregon.gov/BLSW](http://www.oregon.gov/BLSW) (Social Workers).

### Additional Resources

The OBLPCT has information on its website; see the Custodian of Record – Questions and Answers link on the board's homepage. The OBLPCT is also available to answer specific questions; the best way to contact them is by email at [lpct.board@state.or.us](mailto:lpct.board@state.or.us).

*Douglas Querin is the ORCA Ethics Committee Chairperson.*

# Be Kind to Yourself

## A New Year's Resolution

by ORCA Secretary Margaret Evans, MA

Last Christmas, I stayed with my mom at her retirement center in Chicago. A resident's son David Ellzey shared thoughts from his book *The Ocean of Now*. His message encouraged us to be kind to ourselves. It made me think about the people in the room, of which most were in their 70's, 80's, or 90's. Many had survived World War II, the Korean War, the Great Depression, the death of a spouse and friends, loss of mobility, and various health scares. It occurred to me that some might be hearing for the first time that it is "okay" to be kind to yourself—something they could do without feeling selfish or guilty. As counselors we are taught about self-care in school and in our profession. However, most people are not taught that practicing self-care or kindness to self is an important part of their mental health affecting their families, their job, their relationships, and their community. I was inspired to create the 2012 New Year's resolution Be Kind To Yourself. I am reintroducing it again for 2013, as it is never too early or too late to start.

### **Ways to Be Kind**

Advocate for yourself. Speak up for yourself and your needs in relationships, at work, with doctors, in interviews, and in your life. Your voice is important and deserves to be heard.

Express your emotions—don't numb them. Tell others how you feel. Journal your thoughts and feelings. Write poetry. See a counselor. Let your expressive artist out: cry, sing, pray, create.

Listen to your body and take care of it: Sleep 8–9 hours a night. Drink water. Find exercise you enjoy.

Take a long bath. Enjoy a nap. You live in Oregon, where healthy foods are abundant. Be creative in the kitchen and eat well. Have fun!

Love! Love your pet, family, friends, and those in need. Loving makes others feel good and makes you feel GREAT! Hug somebody today!

Laugh! Hang out with people who make you giggle. Don't take yourself too seriously. Tell funny stories.

Smile even when you don't feel like it.

Life is different with a smile on your face—it is better! Go ahead and smile.

Listen to your mind, body, and soul. Say "YES" to opportunities that speak to you: Dancing? Piano lessons? Zumba? Yoga? Volunteering? Art? Singing? Acting?

Gardening? Karate? What is it that is speaking to you? Live in the present. NOW is your time to shine!

Let go of anger, resentment, and fear. Let go of what is holding you back. Let go and you will find freedom and space for good things to come into your life. Now is the time.

Be grateful! Each night give thanks for what you have rather than being upset or resentful over what you think is missing. Watch your grateful list and your happiness grow!

*Yesterday I discovered kindness in myself.*

*Today I see how beautiful and soulful I am.*

*Yesterday I discovered kindness in humanity.*

*Today I see how meaningful and fruitful humanity is.*

—Sri Chinmoy

*Margaret Evans, MA, is a counselor at Western Psychological and Counseling Services.*



# ORCA 2.0 Timeline

## Progress Report on Organizational Changes

By Matt Morscheck, MS LPC, CMP

Over the past six months a Task Force composed of Board Members from ORCA and the Oregon Mental Health Counselors Association (OMHCA) has been working diligently to reunite the two associations under a new 501(c)6 organizational structure. The combined association, which will retain the Oregon Counseling Association name, will be better positioned to advocate and lobby for the counseling profession.



done on the logistics of integrating membership systems, websites, and finances.

### What's Next

- ★ Task Force will develop a final proposal to be presented for a vote of membership.
- ★ ORCA member vote to formally approve the new structure, by-laws, and leadership.

Task Force Members include: Dominick Robertson, Lara Pevzner, Larry Conner, CJ Strauss, Doug Querin, Peter Meiers, Susan Zall, Chris Boothby, Karen Van Acker, Matt Morscheck.

*Matt Morscheck, LPC, is the ORCA President-Elect and Chair of the ORCA/OMHCA Task Force*

### What's Been Done

- ★ Aug. 2012: ORCA/OMHCA Task Force begins meeting bi-weekly with the goal to develop an actionable proposal for moving the reunification forward.
- ★ Sept. 2012—ORCA Board Meeting: Task Force presents rationale for organizational changes and proposal for moving forward. Board votes to support proposal and empower Task Force to proceed.
- ★ Oct. 2012: Rationale for organizational changes is communicated to ORCA members with request for member input.
- ★ Nov. 2012: The Task Force engages legal advisers with expertise in non-profit association management to provide guidance on process.
- ★ Nov. 2012: At ORCA Fall Conference, members have opportunity to discuss changes in-person. Larry Conner, OMHCA President, provides keynote address supporting reunification and importance of lobbying and advocacy.
- ★ Dec. 2012: ORCA member vote passes with 97% supporting proposed organizational changes.
- ★ Jan. 2013—ORCA Board Meeting: Board reviewed proposed governance structure.

### Where We Are Today

- ★ New governance structure proposal is being collaboratively developed with existing ORCA/OMHCA leaders, with a focus on retaining leaders from both associations under new organization.
- ★ By-laws are being revised, with guidance by a legal team. Additionally, preliminary work is being

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# Finding Our Voice

## ORCA Begins Working With a Lobbyist

By Sarah Lebo, MA, CADC I



As many of you know, the Oregon Counseling Association is part of a coalition advocating for all LPCs and LMFTs in Oregon: The Coalition of Oregon Professional Associations for Counseling and Therapy (COPACT) ([www.copactoregon.com/donate/](http://www.copactoregon.com/donate/)). This is basically the legislative arm of ORCA, the Oregon Mental Health Counselors Association (who we are working on uniting with) and the Oregon Association for Marriage and Family Therapy.

### People Power

The idea behind this coalition is that when it comes to legislative power, numbers count. The more people you have working together and lobbying for your cause, the more likely you are to demonstrate that an issue impacts many practitioners and/or our clients. Effectively educating policymakers about an issue helps ensure a vote will go our way.

In the past few years, ORCA has recognized the need for LPCs to be more strategic on the legislative front than we have been in previous years. We are losing ground, in the form of lost reimbursement or jobs to other professionals. It's imperative that we push back and be proactive about our collective health as a profession.

### The Time Is Now

With that in mind, ORCA and the other member organizations began a major fundraising effort in COPACT, with the ultimate goal of hiring a governmental relations consultant.

We are excited to announce that the day has come! ORCA and COPACT members met with Maura C. Roche of StrategyWorks NW on December 16, 2012, to begin understanding how we can work together to advocate for counselors and therapists in the state of Oregon.



**Maura C. Roche**

Maura has been doing government relations work in Oregon since 1990, representing a variety of health, human services and social justice organizations, including Planned Parenthood of Oregon, Basic Rights Oregon and Youth, Rights & Justice (the latter of which, she helped pass a law for relative foster care and ensuring foster care youth aging out of the system are covered by health insurance).

## Finding Our Voice continued...

Some of the key initiatives Maura educated the ORCA board members about were the changes in the Oregon House and Senate following the 2012 election and what it means for the 2013 Legislative Session. We also discussed objectives for COPACT 2013: “branding” the organization and profession to legislators (since, unfortunately, there are a lot of lawmakers who aren’t familiar with us) and how to start reviewing, tracking and prioritizing key legislation of interest to counselors and therapists.

Building greater awareness of the profession among legislators will take some time, but you can be sure COPACT will keep us tuned in to any action items. Initially, it will be an educational process, then eventually we will be getting involved in meetings with legislators, or phone calls and letters regarding issues in current bills.

## Get Involved

How can you help immediately? Donate to our cause of retaining this consultant ([www.copactoregon.com/donate/](http://www.copactoregon.com/donate/)), and be on the lookout for news updates regarding legislative items of concern (including a new legislative column featured in this very newsletter each quarter).

## What is Governmental Relations?

Government relations is a common function that most professional associations engage in as a service to their members. It encompasses all the interactions on behalf of the association with both the legislative and executive branches of government.

Many legislators and some state agencies are unfamiliar with what a counselor is and does, and how important we are to addressing the mental health needs of communities across Oregon. When they think of mental health care, they might think of social workers and psychologists. We need to ensure counselors come to mind as readily.

Technically, we can be our own advocates! if we all had the time, money and know-how to go to Salem regularly and meet with legislators or testify regarding issues with the potential of affecting our profession. Instead many of us are busy providing vital mental health services to clients in community clinics, private practices and acute psychiatric settings.

Fortunately, there is someone who can do this for us! and educate us about action-items along the way. Many people maintain that having a professional government relations program is crucial to ensuring policymakers understand and act in support of your views. Why?

- Most of us are novices at sorting through legislation and navigating the legislative system. Government relations professionals know the system inside and out, including the processes, the people, and the land mines to avoid.
- Most (if not all) of our opposition already employ government relations consultants. That means other organizations competing with counselors for reimbursement or professional clout have more power on their side. It can be hard for us to compete without similar lobbying support.
- A professional consultant already has relationships with legislators. These advocates maintain the contacts and have the knowledge and experience to bring our issue to the key decision-makers, committees and state agencies. It’s not just about contacting officials! it’s about connecting with the right people.
- A consultant can help navigate the process for developing bill language. In Oregon, legislation is drafted by the Office of Legislative Counsel and we need someone who can work with us to help ensure bills are drafted or amended to avoid unintended consequences.

Without continual highlighting, our issues and profession will likely be forgotten. A government relations consultant ensures that our message doesn’t simply get lost in all the “noise” in Salem. ! *Sarah Lebo*

# OVERHEARD



SOME SNIPPETS FROM ONLINE MEMBER DISCUSSIONS:



**LinkedIn:** Discussion about how to make 2013 the best year yet for your private practice

“I’m planning to put myself in front of more potential clients by teaching, both in person and online. I’m also looking into adding distance counseling.”

-posted by Tina Gilbertson, counselor, author, workshop leader

**TUNE IN by becoming a LinkedIn Group member:**

<http://www.linkedin.com/groups?gid=2467168>



**Facebook:** Regarding the 2012 Fall Conference

“My first ORCA conference was wonderful! Great people and informative presentations. Thanks to all who made it happen. Next year: Eugene, here we come!” - Karen Hixson, LPC

**TUNE IN and “like” our page to get newsfeed updates:**

<http://www.facebook.com/OregonCounselingAssociation>

**TUNE IN to our Twitter feed as well:**

<https://twitter.com/OregonCounselor>



**Yahoo Groups:** Response about new federal training standards

Our e-mail listserv included a response by OMHCA President Larry Conner to a recent letter from the American Mental Health Counselors Association (AMHCA) regarding new federal training standards for LPCs. This letter, which was sent to Oregon LPCs and registered interns via the state board, caused quite a stir. Larry’s response aimed at providing clarification and direction. This was not a listserv message to miss!

**Join our group to get regular e-mail news updates:**

Go to <http://health.groups.yahoo.com/group/OregonCounseling/> and click join now.



# Connect With Counselors

## Upcoming Networking Events

### **New Professional? Nearing Graduation?**



ORCA is planning an event for you! We will be hosting a new panel discussion on the ever important topic: How To Get a Job. Discussion points will include how to present yourself as a potential employee, the “hidden” positions in the field, and how to start the search for a job. Details will be forthcoming, but keep it on your radar for a weeknight in March!

### **Salem Networking Night**

Thursday, January 17, 2013 at 5:30-7:30pm

McMenamin’s Thompson Brewery

Hosted by the Oregon Career Development Association and the Oregon Counseling Association ! feel free to bring friends! The more the merrier.

[RSVP through Evite](#)



### **Professional Development Institute**

Friday, March 8, 2013

The Oregon Career Development Association is hosting an event featuring Dr. David L. Blustein, PhD, presenting on the “Psychology of Working.”

Find out more information or register for this exciting Professional Development Institute at [www.ocda.info](http://www.ocda.info)





# SOCIAL WORK

## DELEGATION TO COSTA RICA

### AUGUST 10-17, 2013



**People to People Citizen Ambassador Programs** is organizing a delegation of counseling professionals to travel to Costa Rica in May 2013. The delegation leader is Dr. Vivian Lee, Senior Director of Counselor Advocacy at the College Board's National Office for School Counselor Advocacy (NOSCA). A number of unique opportunities are planned, including dialogue with counseling professionals in Costa Rica while visiting schools and counseling facilities, and the opportunity to share techniques, training and counseling principles. Cultural activities will highlight the sights and sounds of the country. Find more information, or enroll online, at [www.peopletopeople.com/ACA](http://www.peopletopeople.com/ACA).

## Oregon Counseling Association 2013 Leadership Roster

### EXECUTIVE OFFICERS

President: Dominick Robertson  
[President@or-counseling.org](mailto:President@or-counseling.org)

President Elect: Matt Morscheck  
[PresidentElect@or-counseling.org](mailto:PresidentElect@or-counseling.org)

Past President: Lara Pevzner  
[PastPresident@or-counseling.org](mailto:PastPresident@or-counseling.org)

Treasurer: Heather Bennett  
[Treasurer@or-counseling.org](mailto:Treasurer@or-counseling.org)

Secretary: Margaret Evans  
[Secretary@or-counseling.org](mailto:Secretary@or-counseling.org)

Presidential Liaison: CJ Strauss  
[Liaison@or-counseling.org](mailto:Liaison@or-counseling.org)

### COMMITTEE CHAIRS

Communications: Sarah Lebo  
[Communications@or-counseling.org](mailto:Communications@or-counseling.org)

Continuing Education: Josh Aldridge  
[ContinuingEd@or-counseling.org](mailto:ContinuingEd@or-counseling.org)

Ethics & Bylaws: Doug Querin  
[Ethics@or-counseling.org](mailto:Ethics@or-counseling.org)

Fall Conference: CJ Strauss  
[Conference@or-counseling.org](mailto:Conference@or-counseling.org)

Graduate Programs: Sarah Andruszko  
[GradPrograms@or-counseling.org](mailto:GradPrograms@or-counseling.org)

History: (open)

Human Rights: Alexandra Saperstein  
[HumanRights@or-counseling.org](mailto:HumanRights@or-counseling.org)

Membership: Becca Dembosz  
[Membership@or-counseling.org](mailto:Membership@or-counseling.org)

Networking: (open)

Public Policy & Advocacy: Karen Van Acker  
[PublicPolicy@or-counseling.org](mailto:PublicPolicy@or-counseling.org)

Sustainable Development: Dina Yerex  
[Development@or-counseling.org](mailto:Development@or-counseling.org)

Technology: Roy Huggins  
[TechTeam@or-counseling.org](mailto:TechTeam@or-counseling.org)

### DIVISION PRESIDENTS

OACES President: Karen Hixson  
[oaces@or-counseling.org](mailto:oaces@or-counseling.org)

OCDA President: Christine Lundeen  
[ocda@or-counseling.org](mailto:ocda@or-counseling.org)

If you are interested in becoming a working member on the board, please contact President Dominick Robertson for more information at: [President@or-counseling.org](mailto:President@or-counseling.org)