

These minutes were approved by the Board on 3-4-2022

MINUTES OF THE MEETING
Board of Mental Health Practice
January 7, 2022

1. ROLL CALL

The Virtual Conferencing Meeting of the Board of Mental Health Practice was called to order by the Chair, Dale Battleson, at 9:05 a.m. at the Nebraska State Office Building, 301 Centennial Mall South, Lower Level B, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web 11.05.2021.

The following members answered roll call:

Members Present (10):

Dale Battleson, Chair (in room)
Cassandra Dittmer, Member
Janeen Gill, Secretary
David Hof, Vice Chair
Mychelle Martinez, Member
Susan Meyerle, Member
Laurie Andrews, Member
Sara Batter, Member (in room)
Rebecca Czaja-Stevens, Member
Paul Davies, Member

Members Absent (0):

Others Present:

Kris Chiles, Program Manager, Licensure Unit
Carrie Oldehoeft, Health Licensing Coordinator, Licensure Unit
Mindy Lester, Assistant Attorney General (on phone)
Anna Harrison, Compliance Monitor, Licensure Unit
Dennis Scott, Mark Meyerson, Investigations

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Hof moved, seconded by Gill, to adopt the agenda. A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Meyerle, Andrews, Batter, Czaja-Stevens, Davies (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

3. APPROVAL OF MINUTES

MOTION: Meyerle moved, seconded by Batter, to adopt the minutes with corrections from November 5, 2021. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Martinez, Meyerle (5). Voting nay: None (0). Absent: None (0). Abstain: Andrews, Batter, Czaja-Stevens, Davies, Dittmer (5). Motion carried.

4. CLOSED SESSION - INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION

MOTION: Meyerle moved, seconded by Hof, to enter into closed session at 9:25 a.m. to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. Battleson repeated the motion purpose A voice vote was taken. . Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Meyerle, Andrews, Batter, Czaja-Stevens, Davies (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

9:29 a.m. Harrison exited the meeting
9:31 a.m. Harrison entered the meeting

10:05 a.m. Members agreed to return to Open Session

10:05 a.m. Harrison exited meeting

10:06 a.m. Break

10:17 a.m. Meeting resumed

5. OPEN SESSION - REVIEW, RECOMMENDATIONS, AND REPORT OUT
Applications and Reinstatement Applications

Cami Sazama: Certified Social Worker Reinstatement:

MOTION: Batter moved, seconded by Dittmer, to deny the request for reinstatement based on prior disciplinary history, criminal history and substance use history. A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Meyerle, Andrews, Batter, Czaja-Stevens, Davies (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

Request for hearing before the Board:

Susanne Meyers: Independent Mental Health Practitioner, Mental Health Practitioner, Certified Master Social Worker: Scheduled for March 7, 2022 at 9:00 a.m.

Justin Mickels: Independent Mental Health Practitioner, Certified professional Counselor: Scheduled for March 7, 2022 at 10:30 a.m.

Education and Coursework Review - Music Therapy Master's Degree: Board reviewer stated the education/coursework met the requirements outlined in regulations for a provisional mental health practice license.

60 Graduate Semester Hours Required in Revised Regulations:

https://www.nebraska.gov/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-172/Chapter-094.pdf

007. EDUCATIONAL PROGRAMS. If the educational program is not accredited by one of the organizations set out in Neb. Rev. Stat. § 38-2104, the applicant must provide evidence that the program meets the following requirements:

007.02 MENTAL HEALTH PRACTICE. To be approved as equivalent to an approved mental health program, a program must meet the following:

(A) Be at least 60 graduate semester hours in duration. If the master's degree is less than 60 semester hours, additional hours can be attained outside of the program to equal 60 semester hours. Any additional hours must be graduate hours and have a mental health focus to be considered as substantially equivalent.

(B) Have a mental health focused supervised practicum or internship that included a minimum of 300 clock hours of direct client contact under the supervision of a qualified supervisor as defined in 172 NAC 94-008 of these regulations. Any artificial situation where a person presents a problem, such as role playing, is not direct client contact. The program must have an emphasis on mental health practice and include coursework in theories and techniques, professional ethics, assessment techniques, human growth and development, and research and evaluation. Two years after the effective date of these regulations the coursework must also include social and cultural diversity. No course may be used to fulfill more than 1 coursework area.

Members discussed the new requirement of 60 graduate semester hours. It was noted that the regulation hearing was held more than a year prior to the effective date of the regulations which provided notice of the change, board members had many conversations with stakeholders and schools, and 60 hours is a requirement of accredited programs.

6. Updates and Reports

- 2022 Legislation-Chiles reported that the Legislation sessions bill introduction starts January 5 and ends January 20.
- a. Executive Order 21-18: Chiles provided an overview and announced the expiration date of the Executive Order is March 31, 2022
- b. Association and Committee Updates:
 - AASCB <http://www.aascb.org>

Meyerle requested funding to attend the Feb 4 and 18, 2022 virtual conference.

MOTION: Hof moved, seconded by Batter to approve funding for Meyerle to attend the AASCB virtual meeting as a representative of the Board. A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Meyerle, Andrews, Batter, Czaja-Stevens, Davies (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

- AMFTRB <http://www.amftrb.org>

Battleson reported the next meeting is in September and will be a virtual meeting.

- ASWB <http://www.aswb.org>

Batter stated she will be attending Board training March.

- Justice Behavior Health Committee:

Gill is planning to attend the December meeting.

- Reports: Disciplinary and Non-Disciplinary Actions, Licensure Statistics, Examination Pass/Fail Report, and Administrative Penalty Fees Assessed.

7. Annual Business

- a. Elections and Appointments (officers, investigative consultant, and education reviewers)
 - Meyerle nominated as Chair; There were no other nominations. Motioned by Batter seconded by Hof.
 - Gill nominated as Vice-Chair. There were no other nominations. Motioned by Batter, seconded by Hof.
 - Battleson nominated as Secretary. There were no other nominations. Motioned by Batter, seconded by Hoff
 - Dittmer volunteered to continue as investigative consultant.
 - Battleson volunteered to continue as education reviewer for MFT
 - Hof and Meyerle volunteered to continue as education review for MHP
 - Batter volunteered to continue as education review for SW.

Mentors for new members: Member Davies, mentor Battleson and Member Czaja-Steves, mentor Meyerle

b. Approval of Method of Noticing Meeting Agendas

MOTION: To approve the method of noticing meetings as the same used during 2021 (post agenda on the Licensure Unit's website and lobby bulletin board, and forward to any requesters). A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Meyerle, Andrews, Batter, Czaja-Stevens, Davies (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

c. Per Diem Payments (Neb. Rev. Stat. §38-171)

38-171. Board; advisory committee or body; compensation; limitation; expenses.

Each member of a board shall, in addition to necessary traveling and lodging expenses, receive a per diem for each day actually engaged in the discharge of his or her duties, including compensation for the time spent in traveling to and from the place of conducting business. Traveling and lodging expenses shall be on the same basis as provided in sections 81-1174 to 81-1177. The compensation per day shall not exceed fifty dollars and shall be determined by each board with the approval of the department. Persons serving on an advisory committee or body under section 38-161 shall receive remuneration of expenses as provided in sections 81-1174 to 81-1177, including compensation for time spent in traveling to and from the place of conducting business, and a per diem of fifty dollars.

The Board approved the following per diem payments:

- \$50 For 1 day of preparation for each meeting (investigations/applications).
- \$50 Attending the Board meeting (in person or by conference call).
- \$50 Each day of travel where overnight arrangements have been made (board meeting or national meeting).
- \$50 Each day the member is representing the board at a national meeting of state licensing boards.
- \$50 Regulation Hearing or other board related meetings when representing the Board (prior board approval required).

9. ADJOURNMENT

Battleson declared the meeting adjourned at 11:00 a.m.; the next meeting is scheduled for March 4, 2022.

L. Janeen Gill, Secretary
Board of Mental Health Practice
Summarized by: Licensure Unit