

These minutes were approved by the Board on May 6, 2022

MINUTES OF THE MEETING
Board of Mental Health Practice
March 4, 2022

1. ROLL CALL

The Conferencing Meeting of the Board of Mental Health Practice was called to order by the Vice-Chair, L Janeen Gill, at 9:00 a.m. at the Best Western Plus, 2201 Wildcat Circle, Conference Room, 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 2.28.2022.

The following members answered roll call:

Members Present (9):

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

Members Absent (1):

Susan Meyerle, Chair

Others Present:

Kris Chiles, Program Manager, Licensure Unit (on phone)
Carrie Oldehoeft, Health Licensing Coordinator, Licensure Unit
Mindy Lester, Assistant Attorney General
Joe Neuhouse, Assistant Attorney General
Anna Harrison, Compliance Monitor, Licensure Unit
Sara Houston, DHHS Attorney

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Davies moved, seconded by Andrew, to adopt the agenda. A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Andrews, Batter, Czaja-Stevens, Davies (9). Voting nay: None (0). Absent: Meyerle (1). Abstain: None (0). Motion carried.

3. APPROVAL OF MINUTES

MOTION: Martinez moved, seconded by Batter, to adopt the minutes 1.7.2022. A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Andrews, Batter, Czaja-Stevens, Davies (9). Voting nay: None (0). Absent: Meyerle (1). Abstain: None (0). Motion carried.

4. REINSTATEMENT APPEAL HEARINGS

Suzanne Myers

The hearing on reinstatement (probation/limitation offer) to practice as an Independent Mental Health Practitioner, Mental Health Practitioner, and a Certified Master Social Worker was convened at 9:10 a.m. Sara Houston, Department attorney, served as the hearing officer. The Department was represented by Mindy Lester, Assistant Attorney General, Kris Chiles, Program Manager with the Licensure Unit, and Suzanne Myers (applicant) were witnesses. Exhibits were entered and accepted. Evidence was presented and testimonies were provided.

9:42 a.m. Public hearing ended
9:43 am Chiles exited call
9:45 am Lester exited room
9:45 am Myers exited room
9:45 am Oldehoeft exited room

MOTION: Czaja-Stevens moved, seconded by Hof, to enter into closed session at 9:45 a.m. for the purpose of deliberation of the appeal hearing. A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Andrews, Batter, Czaja-Stevens, Davies (9). Voting nay: None (0). Absent: Meyerle (1). Abstain: None (0). Motion carried.

10:07 am Board entered break
10:16 am Board returned from break
10:16 am Chiles entered via phone

Justin Mickles Sr

The hearing on reinstatement (probation/limitation offer) to practice as a Licensed Independent Mental Health Practitioner and a Certified Professional Counselor was convened at 10:17 a.m. Sara Houston, Department attorney, served as the hearing officer. The Department was represented by Mindy Lester, Assistant Attorney General, Kris Chiles, Program Manager with the Licensure Unit, and Justin Mickles Sr (applicant) were witnesses. Exhibits were entered and accepted. Evidence was presented and testimonies were provided.

11:05 am Oldehoeft exited room
11:05 am Oldehoeft entered room
11:25 a.m. Public hearing ended
11:25 am Mickles exited room
11:25 am Chiles exited call
11:26 am Lester exited room
11:26 am Oldehoeft exited room

MOTION: Hof moved, seconded by Battleson, to enter into closed session at 9:45 a.m. for the purpose of deliberation of the appeal hearing. A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Andrews, Batter, Czaja-Stevens, Davies (9). Voting nay: None (0). Absent: Meyerle (1). Abstain: None (0). Motion carried.

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

Suzanne Myers, LIMHP, .LMHP, CMSW – Reinstatement

MOTION: Andrews moved, seconded by Battleson to deny the request for reinstatement based on insufficient evident to support reinstatement. A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Andrews, Batter, Czaja-Stevens, Davies (9). Voting nay: None (0). Absent: Meyerle (1). Abstain: None (0). Motion carried.

Justin Mickles Sr, LIMHP, CPC – Reinstatement

MOTION: Czaja-Stevens moved, seconded by Davies to defer for more information. A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Andrews, Batter, Czaja-Stevens, Davies (9). Voting nay: None (0). Absent: Meyerle (1). Abstain: None (0). Motion carried.

12:30 pm Carla Cue, Trevor Klaassen, Mark Meyerson, and Larry Wiehan, with Investigations entered room

7. UPDATES AND REPORTS

- a. 2022 Legislation-Chiles updated that the Legislation sessions bill introduction
- o LB409
 - o LB 752
 - o LB 909

- b. Association and Committee Updates:

- AASCB <http://www.aascb.org>

No update, Meyerle absent

- 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 reported ASWB is looking at a Social Work compact with documentation draft review in April. She will be attending Board training March.

- Justice Behavior Health Committee:

No meeting in March, next meeting in June

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

5. CLOSED SESSION - INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION

MOTION: Hof moved, seconded by Battleson, to enter into closed session at 1:00 pm to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. Gill repeated the motion purpose. A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Andrews, Batter, Czaja-Stevens, Davies (9). Voting nay: None (0). Absent: Meyerle (1). Abstain: None (0). Motion carried.

2:30 pm Andrews exited room

2:30 pm Cue, Klaassen, Meyerson, and Wiehan exited room

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

Michael Rolland, Reinstatement(early release from probation)-LIMHP Applicant

MOTION: Martinez moved, seconded by Czaja-Stevens, to deny the request for reinstatement (early release from probation) based on insufficient evidence to support reinstatement. A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Batter, Czaja-Stevens, Davies (8). Voting nay: None (0). Absent: Meyerle, Andrews (2). Abstain: None (0). Motion carried.

Amy Batten, Reinstatement (suspension) –LMHP Applicant

MOTION: Martinez moved, seconded by Czaja-Stevens, to defer for mail ballot. A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Batter, Czaja-Stevens, Davies (8). Voting nay: None (0). Absent: Meyerle, Andrews (2). Abstain: None (0). Motion carried.

Joshua Augustin, Reinstatement (revocation) – PLMHP Applicant

MOTION: Dittmer moved, seconded by Batter, to deny the request for reinstatement (revocation) based on insufficient evidence to support reinstatement A voice vote was taken. Voting aye: Battleson, Dittmer, Gill, Hof, Martinez, Batter, Czaja-Stevens, Davies (8). Voting nay: None (0). Absent: Meyerle, Andrews (2). Abstain: None (0). Motion carried.

8. ADJOURNMENT

Gill declared the meeting adjourned at 3:00 pm.; the next meeting is scheduled for May 6, 2022

Dale Battleson, Secretary
Board of Mental Health Practice
Summarized by: Licensure Unit