

These minutes have been approved by the Board on 9.8.2023

MINUTES OF THE MEETING
Board of Mental Health Practice
July 7, 2023

1. ROLL CALL AND CALL MEETING TO ORDER

The Meeting of the Board of Mental Health Practice was called to order by the Chair, Susan Meyerle, at 9:08 a.m. at the at the Nebraska State Office Building, 301 Centennial Mall South, Lower Level, Goldenrod 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 6.23.2023, revised 6.28.2023.

Meyerle stated that there is a current copy of the Open Meetings Act posted on the door to the meeting room and available at the link listed below on the agenda.

The following members answered roll call:

Members Present (8):

Susan Meyerle, Chair
Dale Battleson, Secretary
Rebecca Czaja-Stevens, Member
Janeen Gill, Vice-Chair
Renea Gernant, Member
Sara Batter, Member
Paul Davies, Member
David Hof, Member

Members Absent (1):

Cassandra Dittmer, Member

Others Present:

Carrie Oldehoeft, Health Licensing Coordinator, Licensure Unit
Mindy Lester, Assistant Attorney General
Juliann Lanphier-Willson, DHHS Attorney
Jennifer Merallis, DHHS Attorney
Matt Gelvin, Program Manger, Licensure Unit

Public (on phone)

A quorum was present, and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Czaja-Stevens moved, seconded by Batter, to adopt the agenda. A voice vote was taken. Voting aye: Battleson, Batter, Gernant, Gill, Meyerle, Czaja-Stevens, Davies, Hof (8). Voting nay: None (0). Absent: Dittmer (1). Vacant position: (1). Abstain: None (0). Motion carried.

3. APPROVAL OF MINUTES (with corrections)

MOTION: Hof, moved, seconded by Czaja-Stevens, to adopt the minutes of 5.5.2023 with correction A voice vote was taken. Voting aye: Battleson, Batter, Gernant, Gill, Meyerle, Czaja-Stevens, Davies, Hof (8). Voting nay: None (0). Absent: Dittmer (1). Vacant position: (1). Abstain: None (0). Motion carried.

4. UPDATES AND REPORTS:

- a. Executive Order 22-05 expires 12.31.2022 and 22-08 will expire on June 30, 2023
- b. 2023 Legislation
 - LB 16 Occupational Reform and Preliminary Conviction Review

This didn't move forward

- LB 123 Adopt the Behavioral Analyst Practice Act
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=49987

No other updates.

- LB 179 Prohibit Conversion Therapy
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=49819

No other updates.

- LB 337 Confidentiality
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=49732

No other updates.

- LB 605 Certified Art Therapists
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=49777

No other updates.

- LB 668 Emergency Custody
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=50158

No other updates.

c. Association and Committee Updates:

- AASCB <http://www.aascb.org>
Meyerle updated board on Compac 28 states have approved the Compac
Meyerle is on planning meeting for 2024 conference, no monthly meeting scheduled at this time.
- Counseling Compact <https://counselingcompact.org/>
Meyerle updated there are currently 28 states that have approved legislation. Other states have legislation pending. Next meeting July 13 for finance committee, July 26 is a rules meeting which coincides with NBCC Board summit and actively vetting for software for license database.

MOTION: Davies, moved, seconded by Hof, to approved funding for Meyerle to attend the Annual meeting and be the Nebraska state delegate. A voice vote was taken. Voting aye: Battleson, Batter, Gernant, Gill, Meyerle, Czaja-Stevens, Davies, Hof (8). Voting nay: None (0). Absent: Dittmer (1). Vacant position: (1). Abstain: None (0). Motion carried.

The board discussed questions that board would like to have discussed at the NBCC meeting, July 26. Hof suggested how to have scores released for students if not a member of NBCC; would it make any difference if all states agreed to seeing clients in a state no matter where licensed.

- AMFTRB <http://www.amftrb.org>
Battleson will be attending the conference in September.

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

May meeting was cancelled. Batter reports will attend Annual conference will be in November 3-4, 2023, with Czaja-Stevens attending as an alternate. No additional information to report.

MOTION: Gill, moved, seconded by Hof, to approved funding for Czaja-Stevens to attend the Annual meeting and be the alternate Nebraska state delegate. A voice vote was taken. Voting aye: Battleson, Batter, Gernant, Gill, Meyerle, Czaja-Stevens, Davies, Hof (8). Voting nay: None (0). Absent: Dittmer (1). Vacant position: (1). Abstain: None (0). Motion carried.

November 3 board meeting moved to December 1, to allow board members to attend.

ASWB website has information on the compac for social work.

- Justice Behavioral Health Committee
Gill reports no updates or scheduled meetings currently.

d. 2023 Counseling Regulator Boards Summit

July 26 is a rules meeting which coincides with NBCC Board summit and actively vetting for software for license database

e. Reports: Disciplinary and Non-Disciplinary Actions, Licensure Statistics, Examination Pass/Fail Report (see agenda for reports)

9:38 am Meyerson, Wiene, Cue-investigations entered room

9:40 am Fossler-investigations entered room

Public comment: What is considered direct and non-direct hours, referred public to our regulations or their legal counsel.

5. CLOSED SESSION - CONFIDENTIAL INFORMATION

MOTION: Gill moved, seconded by Battleson, to enter into closed session at 9:43 a.m. to hear discussions of a confidential nature, and for the prevention of needless injury to the reputation of the individuals. A voice vote was taken. Voting aye: Battleson, Batter, Gernant, Gill, Meyerle, Czaja-Stevens, Davies, Hof (8). Voting nay: None (0). Absent: Dittmer (1). Vacant position: (1). Abstain: None (0). Motion carried.

9:46 am Kruger-investigations entered room

9:53 am Cue, Krueger exited room

9:56 am Wiene exited room

10:05 am Fossler exited room

10:10 am Board Break

10:17 am Meeting resumed closed session

10:45 am Hof exited room

10:54 am Hof entered room

10:54 am Verbal agreement from all board members to enter into open session.

6. OPEN SESSION

Application Reviews, Recommendations, and Report Out

Rachel Ritton- Licensed Independent Mental Health Practitioner and Certification as a Master Social Worker:

MOTION: Batter moved, seconded by Czaja-Stevens, approve supervision. A voice vote was taken. Voting aye: Battleson, Batter, Gernant, Gill, Meyerle, Czaja-Stevens, Davies, Hof (8). Voting nay: None (0). Absent: Dittmer (1). Vacant position: (1). Abstain: None (0). Motion carried.

Brian Ellis - Provisional Mental Health Practitioner:

MOTION: Hof moved, seconded by Batter, to issue without any terms or conditions. A voice vote was taken. Voting aye: Battleson, Batter, Gernant, Gill, Meyerle, Czaja-Stevens, Davies, Hof (8). Voting nay: None (0). Absent: Dittmer (1). Vacant position: (1). Abstain: None (0). Motion carried.

Paul Millner-Certified Marriage and Family Therapist:

MOTION: Battleson moved, seconded by Gernant, to recommend denial of application. Based on failure to meet qualification for licensure. A voice vote was taken. Voting aye: Battleson, Batter, Gernant, Gill, Meyerle, Czaja-Stevens, Davies, Hof (8). Voting nay: None (0). Absent: Dittmer (1). Vacant position: (1). Abstain: None (0). Motion carried.

Hannah Tangeman-Licensed Independent Mental Health Practitioner, Licensed Mental Health Practitioner and Certified Master Social Worker

MOTION: Gill moved, seconded by Hof, to defer for more information. A voice vote was taken. Voting aye: Battleson, Batter, Gernant, Gill, Meyerle, Czaja-Stevens, Davies, Hof (8). Voting nay: None (0). Absent: Dittmer (1). Vacant position: (1). Abstain: None (0). Motion carried.

Patrick Colgan-Reinstatement Provisional Mental Health Practitioner and Certified Master Social Worker

MOTION: Davies moved, seconded by Gernant, to issue without any terms or conditions. A voice vote was taken. Voting aye: Battleson, Batter, Gernant, Gill, Meyerle, Czaja-Stevens, Davies, Hof (8). Voting nay: None (0). Absent: Dittmer (1). Vacant position: (1). Abstain: None (0). Motion carried.

Greg Tvrđick – Reinstatement Licensed Independent Mental Health Practitioner, Licensed Mental Health Practitioner and Certified Master Social Worker

MOTION: Davies moved, seconded by Gernant, to deny the application. Basis for recommendation: Insufficient evidence to support early release. A voice vote was taken. Voting aye: Battleson, Batter, Gernant, Gill, Meyerle, Czaja-Stevens, Davies (7). Voting nay: None (0). Absent: Dittmer (1). Vacant position: (1). Abstain: Hof (1). Motion carried.

7. ADJOURN

Meyerle declared the meeting adjourned at 11:02 am; the next meeting is scheduled for September 8, 2023.

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