

**MEETING MINUTES**  
**Board of Alcohol and Drug Counseling**  
January 10, 2019

These minutes were  
approved by the Board on  
April 11, 2019

**1. ROLL CALL**

The meeting of the Board of Alcohol and Drug Counseling was called to order by Lori Cleveland, Vice-Chair, at 9:03 a.m., in Licensure Unit Room LU1, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law.

The following members answered roll call:

**Members Present:**

Christine Chasek, Member  
Lori Cleveland, Vice-Chair  
Victor Gehrig, Member  
Jody Gilfillan, Member  
Tomeka Johnson, Secretary  
Ian Lemmer, Member  
Natasha Robinson, Member

**Member Absent:**

Jill Colegrove, Chair

**Staff Present:**

Kris Chiles, Licensure Unit  
Nancy Herdman, Licensure Unit  
Mindy Lester, Assistant Attorney General  
Dennis Smith, Investigations

Members introduced themselves to new Board member, Gehrig. Gilfillan agreed to mentor Gehrig.

9:05 a.m. - Colegrove entered the meeting

**2. ADOPTION OF AGENDA**

**MOTION:** Robinson moved, seconded by Gilfillan, to approve the agenda. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Gehrig, Gilfillan, Johnson, Lemmer, Robinson (8). Voting nay: None (0). Absent: None (0). Motion carried.

**3. APPROVAL OF MINUTES (10-11-18)**

**MOTION:** Robinson moved, seconded by Gilfillan, to approve the minutes of 10-11-18. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Gilfillan, Johnson, Lemmer, Robinson (7). Voting nay: None (0). Abstain: Gehrig (1). Absent: None (0). Motion carried.

**4. INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION -  
CLOSED SESSION**

**MOTION:** Robinson moved, seconded by Chasek, to enter into closed session at 9:10 a.m. to hear discussions of investigative/confidential nature, and for the prevention of needless injury to the reputations of the individuals. Colegrove repeated the motion purpose. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Gehrig, Gilfillan, Johnson, Lemmer, Robinson (8). Voting nay: None (0). Abstain: None (0). Absent: None (0). Motion carried.

9:22 a.m. - Smith departed meeting

**MOTION:** Gehrig moved, seconded by Robinson, to return to open session at 9:52 a.m. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Gehrig, Gilfillan, Johnson, Lemmer, Robinson (8). Voting nay: (0). Absent: None (0). Motion carried.

9:52 a.m. - Break  
10:05 a.m. - Meeting resumed

## **5. REVIEW, RECOMMENDATIONS AND REPORT OUT – OPEN SESSION**

### **a. Applications, Summary of Mail Ballot Votes and Reinstatements**

Convictions:

#### **Y'Shall Davis – PLADC Applicant**

**MOTION:** Chasek moved, seconded by Gilfillan, to defer for additional information. A roll call vote was taken. Voting Aye: Chasek, Cleveland, Colegrove, Gehrig, Gilfillan, Johnson, Lemmer, Robinson (8). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

Herdman reported the following mail ballot results:

- JenaLee Harris, PLADC applicant - issue license. License was issued on 11-5-18.
- Lauren Smith, PLADC applicant - issue a probationary license. License was issued on 12-11-18 with probation from 12-11-18 to 12-11-21.

## **6. EXAMINATION REMEDIATION DISCUSSION/IDEAS FOR THOSE WHO FAIL THE LICENSE EXAMINATION (Continued Discussion)**

Robinson reported information gathered at the IC&RC meeting as to what other board were considering regarding examination remediation.

Texas – After the 3<sup>rd</sup> failure, a candidate must do a refresher course. After the 4<sup>th</sup> failure, there must be a remedial action plan that includes direct supervision in each domain and 12 hours of continuing education with 1 hour in each domain.

Iowa – After the 4<sup>th</sup> failure, there must be a remedial action plan developed with the supervisor and signed by both supervisor and candidate. The plan must include direct supervision for 4 hours and 12 hours of continuing education with 3 hours in each domain.

Robinson stated some boards had implemented the examination remediation and the 300 hours of education but others had not. Chiles responded any examination remediation could be included in draft regulations but the 300 hours would require a statute change. Examination remediation will be discussed again at the next meeting.

## **7. UPDATES/REPORTS**

### **• Justice Behavioral Health Committee**

Gilfillan attended the meeting on 12-12-18 and reported the following:

- Integrated data for parole and probation (not juveniles).
- Police officers in several areas have Narcon kits.
- Peer support and Medicaid are finalizing their regulations.
- Two new problem solving courts.
- Sex offender training for juveniles.
- Probation completed evaluation training.
- Rewrite of voucher system.

- Voucher rate increase.
- Updated Drug Tech training.
- Worksheets for evaluations on their website.

Lester commented that Nebraska has a new Narcon statute which allows greater access.

- **IC&RC Meeting Report (Robinson)**

Robinson reported the following:

- There are 74 IC&RC member boards.
- There was a civil rights lawsuit against IC&RC that started with a lawsuit against the Iowa board regarding removing a member from the Iowa board but the case against IC&RC was dropped. Because of this IC&RC has been looking at its by-laws and wants to make IC&RC a membership board. At the meeting there was no agreement about this and an Advisory Committee was selected to gather more information.
- Alcohol and drug counselor is the largest membership.
- There is a 71% pass rate on the examination.
- While the meeting was taking place in Canada, Canada legalized marijuana.

Chasek expressed concern about losing IC&RC membership if Nebraska's standards do not include the examination remediation and 300 hours of education. Robinson responded that IC&RC had not indicated any action against boards that have not yet implemented the additional standards.

Chiles commented she received an e-mail from IC&RC asking us to send a survey to our LADCs regarding job task analysis. Chiles will forward the survey to Board members.

- **Disciplinary/Non-Disciplinary Action Report, License Statistics, Examination Statistics & Administrative Fees**

There have been no disciplinary actions since January 1, 2019.

Chiles reported that \$410 in administrative penalties (\$10 per day of practice prior to licensing or after the licensed expired up to \$1000) was assessed in 2018 and all but \$160 had been collected.

Chiles stated the audits of continuing education for renewal was completed and letters of expiration went out to 5 or 6 individuals on 12-28-18. The reasons for expiration were: education in wrong categories or could not provide evidence of 40 hours. She explained that these individuals could apply for reinstatement of their licenses after the expiration date providing they had acceptable continuing education hours within 24 months of requesting reinstatement.

Statistics: LADC – 695  
PLADC – 391

## **8. NEW BUSINESS**

- 2019 Legislative Session

Chiles reported the legislative session started on 1-19-18, bills can be introduced for 10 days or thru 1-23-18, and the session will end 6-6-18.

- Approval of Method of Noticing Meeting Agendas

Chiles reported the agendas are currently published on the Department website and posted in the lobby of the Licensure Unit.

**MOTION:** Robinson moved, seconded by Johnson, to continue to notice meeting agendas the same as in the past year. A roll call vote was taken. Voting Aye: Chasek, Cleveland, Colegrove, Gehrig, Gilfillan, Johnson, Lemmer, Robinson (8). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

- Psychologists as Supervisors

Chasek asked where psychologists could get the training they need to qualify to supervise the 12 core functions. Chiles suggested contacting the Nebraska Psychological Association as there are a couple of individuals approved to provide the training.

- Elections and Appointments

#### Election of Officers

**MOTION:** Robinson moved, seconded by Cleveland, to elect Colegrove as chair. A roll call vote was taken. Voting Aye: Chasek, Cleveland, Colegrove, Gehrig, Gilfillan, Johnson, Lemmer, Robinson (8). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

**MOTION:** Chasek moved, seconded by Robinson, to elect Cleveland as vice-chair and Johnson as secretary. A roll call vote was taken. Voting Aye: Chasek, Cleveland, Colegrove, Gehrig, Gilfillan, Johnson, Lemmer, Robinson (8). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

Appointment of Investigative Consultant: Robinson was appointed as investigative consultant.

Appointment of CE and Initial Education Consultant: Chasek was appointed as CE and initial education consultant.

Appointment of IC&RC Delegate: Robinson was appointed as IC&RC delegate.

## **9. ADJOURNMENT**

The chair declared the meeting adjourned at 11:18 a.m.

Respectfully Submitted,

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Tomeka Johnson, Secretary  
Board of Alcohol and Drug Counseling

Summarized by:  
Nancy Herdman, Health Licensing Coordinator, Licensure Unit