

MEETING MINUTES
Board of Mental Health Practice
January 8, 2016

These minutes were approved by
the Board on March 4, 2016

1. ROLL CALL

The meeting of the Board of Mental Health Practice was called to order by the Chair, Tom Maxson, at 9:08 a.m. in Lower Level Room A, 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.

Members Present:	Dale Battleson Susan Feyen Allan Green Thomas Maxson Terrance Moore Allison Reisbig	Vice-Chair Secretary Member Chair Member Member
Members Absent:	William Gaughan Sarita Ruma Shari Schnuelle	Member Member Member
Others Present:	Kris Chiles Teresa Hampton Lisa Agena Mindy Lester Anna Harrison	Program Manager, Licensure Unit Department Attorney Assistant Attorney General Assistant Attorney General Compliance Monitor

A quorum was present and the meeting convened.

9:15 a.m. - Schnuelle entered meeting

2. ADOPTION OF AGENDA

This item was not addressed.

3. APPROVAL OF MINUTES (11-13-15)

MOTION: Feyen moved, seconded by Battleson, to approve the minutes of 11-13-15. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore (5). Voting nay: None (0). Absent: Gaughan, Ruma, Schnuelle (3). Abstain: Reisbig (1). Motion carried.

4. HEARING ON THE REINSTATEMENT AND EARLY RELEASE FROM PROBATION – STELLA OFFORDIRINWA

9:12 a.m. - Larry Albers and Stella Offordirinwa entered meeting

The hearing on reinstatement and early release from probation requested by Stella Offordirinwa, was convened at 9:35 a.m. Teresa Hampton, Department Attorney, served as the hearing officer. The Department was represented by Lisa Anderson, Assistant Attorney General. Larry Albers, Attorney at Law represented Stella Offordirinwa. Kris Chiles, Program Manager with the Licensure Unit was called as a witness. Opening statements were waived. 28 Exhibits were entered and accepted. Evidence was presented and testimonies were provided.

10:43 a.m. - Russ Fosler, Larry Weihl and Dennis Scott, investigators, entered meeting

MOTION: Green moved, seconded by Schnuelle, to enter into closed session at 10:48 a.m. to review the reinstatement and for discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individual. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Absent: Gaughan, Ruma (2). Motion carried.

10:48 a.m. - Larry Albers, Stella Offordinwa, Fosler, Weih, Scott, Anderson, Lester, Harrison, and Chiles departed meeting

MOTION: Battleson moved, seconded by Green, to enter into open session at 11:09 a.m. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Absent: Gaughan, Ruma (2). Motion carried.

11:09 a.m. - Fosler, Weih, Scott, Anderson, Lester, Harrison, Chiles entered meeting

MOTION: Feyen moved, seconded by Battleson, to maintain the denial decision as there was no new information provided by Stella Offordinwa to reconsider the decision to deny her request for early release from probation. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Absent: Gaughan, Ruma (2). Motion carried.

5. INVESTIGATIVE REPORTS AND OTHER CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Battleson moved, seconded by Moore, to enter into closed session at 11:24 a.m. to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Absent: Gaughan, Ruma (2). Motion carried.

11:35 a.m. - Hampton entered meeting
11:53 a.m. - Hampton departed meeting
Anderson and Lester entered meeting
12:20 p.m. - Schnuelle departed meeting (conflict)
Fosler and Scott departed meeting
12:30 p.m. - Schnuelle entered meeting
Weih departed meeting
12:40 p.m. - Harrison departed meeting
1:00 p.m. - Feyen departed meeting (conflict)
1:21 p.m. - Break
1:31 p.m. - Meeting resumed

MOTION: Schnuelle moved, seconded by Battleson, to enter into open session at 1:31 p.m. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Absent: Gaughan, Ruma (2). Motion carried.

6. REVIEW AND RECOMMENDATIONS – OPEN SESSION

a. Applications and Reinstatements

Conviction Reviews:

Julie Flynn – 2nd PLMHP

MOTION: Reisbig moved, seconded by Green, to offer a 2nd PLMHP on 2 year probation with the standard terms and conditions and the following: body fluid screens, abstain from alcohol and drugs, employer quarterly reports, self- reports of recovery activities, follow treatment recommendations by all treatment providers. A roll call vote was taken. Voting aye: Battleson, Green, Maxson, Moore, Reisbig, Schnuelle (6). Voting nay: None (0). Abstain: Feyen (1). Absent: Gaughan, Ruma (2). Motion carried.

Jeannette Bilstein – PLMHP

MOTION: Schnuelle moved, seconded by Feyen, to defer and request pre-licensure investigation. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Abstain: None (0). Absent: Gaughan, Ruma (2). Motion carried.

Kelly Micek – PLMHP

MOTION: Reisbig moved, seconded by Battleson, to recommend approval of the PLMHP. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Abstain: None (0). Absent: Gaughan, Ruma (2). Motion carried.

Trisha McGarry - CSW

MOTION: Feyen moved, seconded by Maxson, to recommend approval of the CSW. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Abstain: None (0). Absent: Gaughan, Ruma (2). Motion carried.

Chase Ehlers - PLMHP

MOTION: Battleson moved, seconded by Reisbig, to recommend approval of the PLMHP. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Abstain: None (0). Absent: Gaughan, Ruma (2). Motion carried.

7. UNFINISHED BUSINESS

a. Status of Regulation 172 NAC 94 (no update)

Chiles stated there was no update.

b. Other

There was no information to report.

8. NEW BUSINESS

a. Method of Noticing Meeting Agendas

MOTION: Green moved, seconded by Reisbig, to continue the same process used during 2015 for meeting notices (posted on the web site, Licensure Unit Lobby and provided to any individual who requested a mailed notice). A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Abstain: None (0). Absent: Gaughan, Ruma (2). Motion carried.

b. Correspondence

There was nothing to report.

c. Other

There was nothing to report.

8. UPDATES AND REPORTS

a. AASCB / AMFTRB / ASWB / Citizen Advocacy Center / Justice Behavioral Health Committee

b. Disciplinary/Non-Disciplinary Report / Licensure Statistics / Administrative Penalty Fees Assessed

Chiles distributed the list of disciplinary/non-disciplinary actions from 1-1-15 to 1-8-16, the list of examination scores by school attended by the licensee and a list of administrative penalty fees as of 1-7-16.

Chiles reported the following:

Examination results for 1-1-15 to 1-7-16:

NCE	78 pass, 14 fail
NCMHCE-DM	9 pass, 10 fail
NCMHCE-IG	18 pass, 1 fail
ASWB	39 pass, 22 fail
AMFTRB	5 pass, 1 fail

Active credentials:

LIMHP	1364
MFT	101
MSW	909
CMSW	30
MHP	2797
CPC	1099
PMSW	192
PLMHP	973
CSW	595

c. Other

There was no other information to report.

10. ELECTIONS AND APPOINTMENTS

a. Election of Officers

MOTION: Green moved, seconded by Reisbig, to elect Battleson as Chair, Feyen as Vice-Chair and Schnuelle as Secretary. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Abstain: None (0). Absent: Gaughan, Ruma (2). Motion carried.

b. Appointment of Investigative Consultants and Education Reviewers

Reisbig was appointed education reviewer for MFT and Feyen for the remaining professions. Feyen was appointed as the investigative consultant for SW and Maxson for the remaining professions.

Miranda Stoll – Reinstatement following Disciplinary Action (Voluntary Surrender)

MOTION: Feyen moved, seconded by Green, to defer and request a pre-reinstatement investigation. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Abstain: None (0). Absent: Gaughan, Ruma (2). Motion carried.

Larry Wilson – Reinstatement following Disciplinary Action (Early Release from Probation)

MOTION: Battleson moved, seconded by Green, to deny request for reinstatement following disciplinary action (early release from probation). The basis for the denial is that there was insufficient evidence to show sufficient time has passed to be released from probation. A roll call vote was taken. Voting aye: Battleson, Feyen, Green, Maxson, Moore, Reisbig, Schnuelle (7). Voting nay: None (0). Abstain: None (0). Absent: Gaughan, Ruma (2). Motion carried.

11. ADJOURNMENT

Maxson adjourned the meeting of the Board of Mental Health Practice at 2:00 p.m.

Respectfully Submitted,

Shari Schnuelle, Secretary
Board of Mental Health Practice

Next Meeting: March 4, 2016

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