

MEETING MINUTES
Board of Alcohol and Drug Counseling
April 9, 2015

These minutes were
approved by the Board on
July 9, 2015

1. ROLL CALL

The meeting of the Board of Alcohol and Drug Counseling was called to order by Natasha Robinson, Chair, at 9:02 a.m., in Lower Level Room D, 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: Christine Chasek - Vice-Chair
 Lori Cleveland - Member
 Jason Conrad - Secretary
 Tomeka Johnson - Member
 William Mulligan - Member
 Alfredo Ramirez - Member
 Natasha Robinson - Chair
 Marlene Schneider - Member

Members Absent: Jody Gilfillan - Member (arrived at 9:04 a.m.)

Staff Present: Julie Agena, Assistant Attorney General
 Kris Chiles, Licensure Unit
 Nancy Herdman, Licensure Unit
 Dennis Scott, Investigator
 Russ Fosler, Investigator

2. ADOPTION OF AGENDA

Robinson welcomes new member Tomeka Johnson and each member introduced himself/herself.

MOTION: Mulligan moved, seconded by Schneider, to approve the agenda. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Johnson, Mulligan, Ramirez, Robinson, Schneider (8). Voting nay: None (0). Absent: Gilfillan (1). Motion carried.

3. APPROVAL OF MINUTES (1-18-15)

MOTION: Schneider moved, seconded by Chasek, to approve the minutes of 1-8-15. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Johnson, Mulligan, Ramirez, Robinson, Schneider (8). Voting nay: None (0). Absent: Gilfillan (1). Abstain: None (0). Motion carried.

9:04 a.m. - Gilfillan entered meeting

4. INVESTIGATIVE REPORTS/COMPLIANCE MONITORING AND APPLICANT CONVICTION/SENSITIVE INFORMATION – CLOSED SESSION

MOTION: Conrad moved, seconded by Chasek, to enter into closed session at 9:06 a.m. to hear discussions of investigative reports, and for the prevention of needless injury to the reputations of the individuals. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Mulligan, Ramirez, Robinson, Schneider (9). Voting nay: None (0). Abstain: None (0). Absent: None (0). Motion carried.

9:41 a.m. - Mulligan departed meeting
9:49 a.m. - Mulligan entered meeting
10:03 a.m. - Conrad departed meeting (conflict)
10:06 a.m. - Conrad entered meeting
10:08 a.m. - Ramirez departed meeting

10:10 a.m. - Ramirez entered meeting
10:37 a.m. - Agena departed meeting
10:40 a.m. - Mulligan departed meeting
10:42 a.m. - Break
Kevin Griess, Department attorney, entered meeting
10:50 a.m. - Meeting resumed
10:56 a.m. - Mulligan entered meeting

MOTION: Mulligan moved, seconded by Schneider, to return to open session at 11:03 a.m. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Mulligan, Ramirez, Robinson, Schneider (9). Voting nay: (0). Absent: None (0). Motion carried.

Moved to agenda item 6.

11:04 a.m. - 1 public individual entered the meeting

6. BEHAVIORAL HEALTH EDUCATION CENTER OF NEBRASKA (BHECN) OVERVIEW BY AMY HOLMES, JD, EDUCATION AND OUTREACH COORDINATOR

Amy Holmes provided information relating to the Behavioral Health Education Center of Nebraska (BHECN). She distributed materials on the services provided by BHECN and provided the following points of information:

- the purpose of BHECN was to support the behavioral health workforce and that BHECN funding came from a legislative bill.
- addiction had been a strong area for BHECN.
- BHECN provided both online and in-person training and wants to work with experts to develop training that has meaning.
- BHECN is looking for individuals to provide training and that they try to keep training specific to Nebraska.
- BHECN had worked with the ATTC.

Conrad commented that he appreciated that they provided training for front line staff. Holmes stated they also had a job website for behavioral health that employers and job seekers could use. Conrad asked if an agency could reference or put a link to BHECN on their website and she responded that she felt their marketing person would support that idea.

5. APPLICATION REVIEWS: PLADC AND LADC – OPEN SESSION

a. APPLICATIONS/REINSTATEMENTS

Keven Aase – PLADC applicant

Application Summary: Conviction review.

MOTION: Conrad moved, seconded by Schneider, to recommend issuance of the PLADC license with no terms or conditions. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Ramirez, Robinson, Schneider (8). Voting nay: None (0). Absent: None (0). Abstain: Mulligan (1). Motion carried.

Rosetta Crawford – PLADC applicant

Application Summary: Conviction review.

MOTION: Conrad moved, seconded by Schneider, to recommend issuance of the PLADC license with no terms or conditions. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Ramirez, Robinson, Schneider (8). Voting nay: None (0). Absent: None (0). Abstain: Mulligan (1). Motion carried.

Jessica Henery – PLADC applicant

Application Summary: Conviction review.

MOTION: Chasek moved, seconded by Schneider, to recommend issuance of the PLADC license with no terms or conditions. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Ramirez, Robinson, Schneider (8). Voting nay: None (0). Absent: None (0). Abstain: Mulligan (1). Motion carried.

Stella Offordirinwa – PLADC applicant

Application Summary: Conviction review.

MOTION: Mulligan moved, seconded by Chasek, to recommend offering a probationary PLADC license to run until 1-9-17 concurrent with the Mental Health Practitioner probationary period with the same terms and conditions. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Mulligan, Ramirez, Robinson, Schneider (9). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried

George Trudell – PLADC applicant

Application Summary: Conviction review.

MOTION: Chasek moved, seconded by Conrad, to recommend issuance of the PLADC license with no terms or conditions. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Mulligan, Ramirez, Robinson, Schneider (9). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

Lori Larson – PLADC applicant

Application Summary: Conviction review.

MOTION: Chasek moved, seconded by Conrad, to recommend offering a probationary PLADC license with a 2 year probation, to include the standard terms and conditions and the following: body fluid screens, quarterly employer reports, follow the recommendations delineated in the evaluation. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Mulligan, Ramirez, Robinson, Schneider (9). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried

David Topolski – PLADC applicant

Application Summary: Conviction review.

MOTION: Schneider moved, seconded by Johnson, to recommend offering a probationary PLADC license with a 2 year probation, to include the standard terms and conditions and the following: body fluid screens, quarterly employer reports, follow the recommendations delineated in the evaluation. A roll call vote was taken. Voting aye: Cleveland, Gilfillan, Johnson, Mulligan, Ramirez, Robinson, Schneider (7). Voting nay: None (0). Absent: None (0). Abstain: Chasek, Conrad (2). Motion carried

Lana Sheldon – 2nd PLADC

Application Summary: Requesting 2nd PLADC

MOTION: Chasek moved, seconded by Mulligan, to recommend issuance of a 2nd PLADC license. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Mulligan, Ramirez, Robinson, Schneider (9). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

Shane Berry – LADC applicant

Application Summary: Conviction review.

MOTION: Conrad moved, seconded by Chasek, to recommend issuance of the LADC license with no terms or conditions. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Ramirez, Robinson, Schneider (8). Voting nay: None (0). Absent: None (0). Abstain: Mulligan (1). Motion carried.

Christopher Stevens – LADC reinstatement

MOTION: Gilfillan moved, seconded by Chasek, to recommend offering to reinstate the LADC license with a 2 year probation, to include the standard terms and conditions and the following: follow treatment recommendations delineated in the evaluation and any recommendation of treatment, body fluid screens, quarterly counseling reports. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Mulligan, Ramirez, Robinson (8). Voting nay: None (0). Absent: None (0). Abstain: Schneider (1). Motion carried.

Tanesha Cheatams – LADC reinstatement following discipline (voluntary surrender)

MOTION: Conrad moved, seconded by Chasek, to recommend reinstatement with a 1 year probation, to include the standard terms and conditions and the following: follow the recommendations delineated in the evaluation, body fluid screens, quarterly employer reports. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Mulligan, Ramirez, Robinson, Schneider (9). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried

7. UPDATES/REPORTS

• **Mental Health Practice Regulations (172 NAC 94)**

Chiles stated she had no update to provide.

• **IC&RC Proposed ADC Draft Standard Changes Discussion and Survey Review**

Chasek participated in the phone call regarding the proposed standards. She reported the following reactions to the proposed standards by those on the phone call:

- Bachelor's degree in any field – heavily opposed
- Training and education of 315 hours with 20 hours in each domain and 20 hours in mental health and co-occurring – the responses were split
- Experience of 4000 hours completed after degree awarded and completed within 2-6 years – most opposed
- Supervision hours decreased to 100 hours – most were for this
- Code of Ethics – there was no change proposed

Chasek stated that IC&RC wants to increase the education but those in the field say it will hurt the work force. It was discussed that Nebraska would need to change its statutes and regulations if these proposed IC&RC standards were implemented and Nebraska elected to remain an IC&RC member.

The Board members reviewed the IC&RC Proposed Standards Survey and provided a Board response to the survey questions. Herdman will forward those responses to IC&RC.

MOTION: Conrad moved, seconded by Schneider, to adopt the IC&RC survey recommendations. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Mulligan, Ramirez, Robinson, Schneider (9). Voting nay: (0). Absent: None (0). Motion carried.

12:03 p.m. - Ramirez departed meeting
12:06 p.m. - Break
12:15 p.m. - Meeting resumed
Ramirez entered meeting

• **Justice Behavioral Health Committee**

Chasek reported she attended the meeting in April. The Committee expressed they were pleased to see a representative from the Board of Alcohol and Drug Counseling. There was some question if she needed to be voted in and then it was decided that since she was selected by the Board of Alcohol and Drug

Counseling to attend that it was fine. Chasek reported that there were changes coming to the provider list. She stated agencies were being required to complete a program plan. Chasek reported that an RFP would be coming out to do the ASI. She stated they were looking at auditing those who are on the provider list which could include looking at billing and whether providers were following the standardized model procedures.

12:21 p.m. - Mulligan departed meeting
12:25 p.m. - Mulligan entered meeting

Conrad asked if the Committee received feedback from providers regarding issues. Chasek responded that they really had not discussed feedback received. The Board members who were providers expressed that there were issues. Chasek asked individuals to provide her with written comments and she would take those comments to the Committee. Board members wanted to know the feedback structure when practitioners expressed concerns.

12:28 p.m. - Ramirez departed meeting

- **Disciplinary/Non-Disciplinary Action Report, Licensure, Examination Statistics & Administrative Fees (2014 annual report)**

Chiles reported the following:

1. one disciplinary action since the last meeting – Lisa Tower.
2. Since the January meeting, 12 individuals passed the examination and 1 failed.
3. The following number of active licensed counselors:
LADC 670
PLADC 359

12:31 p.m. - Schneider departed meeting

Chiles reported the following regarding alcohol/drug counselors who held another credential:

LADC/PLADC and LIMHP: 292
LADC/PLADC and MSW: 70
LADC/PLADC and LMHP: 456

8. NEW BUSINESS

a. 2015 Legislation

Chiles reported she had sent out information to the members on LB 586 which is a bill to prohibit discrimination based on sexual orientation and gender identity. She stated it was currently on general file and is a priority bill. It was discussed that if the bill passed, it could have an impact on regulations.

12:35 p.m. - Schneider entered meeting
12:36 p.m. - Ramirez entered meeting

b. Correspondence

There was no information to address.

c. Second PLADC Requests – Board Want to Review All?

Currently all requests for a second PLADC are presented to the Board and Chiles asked if the Board wanted to continue to review all of them. The Board agreed that unless there were convictions or something unusual, that there was no need to bring a request for a 2nd PLADC to the Board.

d. Conviction Review Guidelines Discussion

Chasek suggested that a smaller group work on this and present suggestions for changes to the Board for consideration. Conrad and Gilfillan agreed to work on this project and bring back suggestions at the next meeting.

e. Other

There was no information to address.

9. ADJOURNMENT

MOTION: Schneider moved, seconded by Chasek, to adjourn. A roll call vote was taken. Voting aye: Chasek, Cleveland, Conrad, Gilfillan, Johnson, Mulligan, Ramirez, Robinson, Schneider (9). Voting nay: (0). Absent: None (0). Motion carried.

The chair declared the meeting adjourned at 12:55 p.m.

Respectfully Submitted,

Jay Conrad, Secretary
Board of Alcohol and Drug Counseling

Next Meeting: July 9, 2015

Recorded by: Nancy Herdman
Health Licensing Coordinator - Licensure Unit