

These minutes have been approved by the Board on 3.33.2023

MINUTES OF THE MEETING
Board of Mental Health Practice
January 6, 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 9:04 a.m. at the at the Nebraska State Office Building, 301 Centennial Mall South, Lower Level B, 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 12.20.2022 and revised on 12.21.2022.

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

Members Absent (2):

Laurie Andrews, Member
Cassandra Dittmer, Member

Others Present:

Carrie Oldehoeft, Health Licensing Coordinator, Licensure Unit
Teresa Hampton, DHHS Attorney (via Webex)
Mindy Lester, Assistant Attorney General

A quorum was present, and the meeting convened.

2. ADOPTION OF AGENDA

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

3. APPROVAL OF MINUTES (10.14.2022)

MOTION: Davies, moved, seconded by Czaja-Stevens, to adopt the minutes of 10.14.2022. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

4. UPDATES AND REPORTS

a. Association and Committee Updates:

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

Meyerle reported AASCB is still the monthly hangouts; however, the dates are the same as the MHP board meetings. They are supporting the compact. Meyerle will be attending the annual conference in February

- Counseling Compact <https://counselingcompact.org/>

Meyerle reported that Chiles is attending the meetings and the compact executive committee has been selected; it will be at least a year before the compact is fully up and running in states.

- AMFTRB <http://www.amftrb.org>

No new information to report

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

Batter attended the ASWB delegate meeting; there is controversy regarding exam scores. There will be an in-person meeting in April regarding rules and regs and Batter plans to attend.

- Justice Behavioral Health Committee

No new information to report.

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

5. CLOSED SESSION - CONFIDENTIAL INFORMATION

MOTION: Hof moved, seconded by Gill, to enter into closed session at 9:16 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, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried. Meyerle repeated the motion purpose.

9:23 am	Carla Cue, Kathy Krueger, entered room
9:27 am	Larry Wiehn entered room
9:28 am	Mark Meyerson entered room
9:29 am	Batter exited room
9:32 am	Batter entered room
9:37 am	Chiles entered room
9:40 am	Krueger, Meyerson exited room
9:43 am	Wiehn exited room
10:09 am	Krueger entered room
10:12 am	Wiehn entered room
10:12 am	Lester, Attorney General office entered room
10:12 Am	Abby, staff assistant for AG office entered room
10:19 am	Krueger exited room
10:20 am	Batter exited room
10:22 am	Batter entered room
10:25am	Meyerson entered room
10:30 am	Harrison entered room
10:35 am	Harrison exited room
10:36 am	Martinez exited room
10:40 am	Battleson exited room

10:44am Meeting Break
10:55am Meeting resumed closed session
10:57 am Chiles exited room
11:09 am Chiles entered room
11:14 am Wiehn exited room
11:20 am Batter and Gill exited room
11:23 am Batter and Gill entered room
11:55am Meyerson entered room
11:57am Myerson exited room
12:04 pm Harrison exited room
12:20pm Abby exited room
12:29pm Abby entered room
12:32 pm Meeting Break
12:54 pm Meeting resumed closed session

1:08 pm Verbal agreement from all board members to enter into open session.

6. OPEN SESSION

Application Reviews, Recommendations, and Report Out

Conviction Reviews:

Danielle Kempkes - Provisional Mental Health Practitioner:

MOTION: Hof moved, seconded by Gill, to recommend issuing the license without terms and conditions. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

Loren Mautz – Certified Social Worker:

MOTION: Batter moved, seconded by Davies, to recommend issuance of a 2-year probationary certificate, with the following terms and conditions: Successfully complete a substance use evaluation within 60 days of issuance of certificate, comply with all treatment recommendations, abstain from Alcohol and Drugs, random body fluid screens, and the Standard Terms and Conditions of probation. Basis: Disciplinary history in Kansas. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

Francisca Gonzalez – Certified Social Worker:

MOTION: Battleson moved, seconded by Batter, to recommend issuing the certificate without terms and conditions. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

Reinstatement Reviews:

Melinda Potter - Provisional Mental Health Practitioner:

MOTION: Davies moved, seconded by Gill, to recommend reinstatement without terms and conditions. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

Sandra Pasco-Armstrong - Provisional Mental Health Practitioner:

MOTION: Hof moved, seconded by Czaja-Stevens, to recommend reinstatement without terms and conditions. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

Jennifer Krings - Mental Health Practitioner:

MOTION: Hof moved, seconded by Batter, to defer recommendation and send a mail ballot vote to members. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried. Dittmer, Martinez (3). Abstain: None (0). Motion carried.

Katherine Lambeth – Modification of probationary terms and conditions:

MOTION: Gill moved, seconded by Czaja-Stevens, to recommend removal of item #10 and deny removal of item #5 Basis: Basis for denial of #5 is not sufficient evidence to support modification. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

Amy Batten – Mental Health Practitioner:

MOTION: Czaja-Stevens moved, seconded by Davies, to recommend reinstatement with a 3-year probation, with the follow terms and conditions: Follow the recommendation of the current and future evaluations, random body fluid screening, abstain from alcohol and drugs, only practice in an agency/organization where employed as a mental health practitioner and this practice can only be provided during times when other credential holders are present. Basis: Diagnosis, Lack of time of sobriety, and Discipline History. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

Suzanne Myers, LIMHP, LMHP, CMSW:

MOTION: Czaja-Stevens moved, seconded by Davis to deny the request for reinstatement based on 1) Discipline history and 2) lack of change of circumstances that would warrant reinstatement. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

Public comment: Nebraska for the Arts: Art Therapy bill is being introduced in this legislative session by Senator Albrecht: They have requested to be on the next agenda to discuss the bill.

7. ANNUAL BUSINESS

- a) Closed Session Vote Requirements, Virtual Conferencing Requirements, and Approval of the Method of Noticing Meeting Agendas (Neb. Rev. Stat. 84-1407-1414)

MOTION: Gill moved, seconded by Czaja-Stevens to approve the method of noticing meetings as the same used during 2022 (post agenda on the Licensure Unit's website and lobby bulletin board, and forward to any requesters). A voice vote was taken. Voting aye: Battleson, Gill, Hof, Batter, Czaja-Stevens, Davies, Martinez (7). Voting nay: None (0). Absent: Andrews, Dittmer, Meyerle (3). Abstain: None (0). Motion carried.

1:42pm Meyerle exited room
1:43pm Meyerle entered room

- b) Board Member Per Diems & Compensation Recommendations (Neb. Rev. Stat. §38-171)

MOTION: Hof moved, seconded by Gill to approve the per diem payments as discussed:

- \$50 For 1 day of preparation for each meeting (investigations/applications).
- \$50 Attending the Board meeting (in person or by conference call).
- \$50 Each day of travel where overnight arrangements have been made (board meeting or national meeting).
- \$50 Each day the member is representing the board at a national meeting of state licensing boards.
- \$50 Regulation Hearing or other board related meetings when representing the Board (prior board approval required).

A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

c) Board Goals for 2023 (Review By-Laws, Conviction Guidelines, Other?)

Members will review Conviction Guidelines and By-Laws at a future meeting. Members also suggested a Policy/Procedure for new board members.

MOTION: Gill moved, seconded by Czaja-Stevens to appoint a committee to work on a policy/procedures for new incoming board members. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

Board members Gill, Batter, Czaja-Stevens and Martinez will work on starting this project.

d) Elections and Appointments

- Election of Officers, Appointment of Association Representatives, Investigative Consultant, and Interstate Counseling Compact Delegate (must have LIMHP/CPC)

It was announced that Laurie Andrews submitted her resignation, effective 1.6.2023.

MOTION: Gill moved, seconded by Czaja-Stevens to retain the current slate of officers for another 1-year term. A voice vote was taken. Voting aye: Battleson, Gill, Hof, Meyerle, Batter, Czaja-Stevens, Davies, Martinez (8). Voting nay: None (0). Absent: Andrews, Dittmer (2). Abstain: None (0). Motion carried.

Chair: Meyerle
Vice-Chair: Gill
Secretary: Battleson

Appointment of Association Representatives:

ASWB: Batter
AMFTRB: Battleson
AASCB: Meyerle
Justice Behavioral Health: Gill
Investigative Consultant: deferred to next meeting
Interstate Counseling Compact Delegate (must have LIMHP/CPC): Hof

8. ADJOURN

Meyerle declared the meeting adjourned at 2:10pm pm; the next meeting is scheduled for March 3, 2023.

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