



NOTICE OF MEETING and AGENDA
Board of Alcohol and Drug Counseling

This meeting will be held in-person. A conference call phone line has been established for the public to call in or the public is welcome to attend any Open Session discussion at the State Office Building. If calling in, please use the following to attend the Open Session items of the Board meeting:

PUBLIC CALL IN #: 888-820-1398

PARTICIPANT #: 8986450#

AGENDA Revised*	Posted 12.29.2022, 1.5.2023
<p><u>Date and Time:</u> Thursday 1.12.2023 9:00 a.m.</p> <p><u>Location:</u> State Office Building 301 Centennial Mall South (14th & M) Lincoln, Nebraska Lower Level Room A (OTOE)</p> <p><u>For Information Contact:</u> Carrie Oldehoeft 402-471-2117 Dhhs.licensure 2117@nebraska.gov</p>	<ol style="list-style-type: none"> 1. Call Meeting to Order and Roll Call Announcement: There is a current copy of the Open Meetings Act posted on the door to the meeting room. 2. Adoption of Agenda 3. Approval of Minutes 4. Updates, New Business, and Reports <ol style="list-style-type: none"> a) Executive Order 22-08 effective through 6.30.2023; EO 22-05 expired 12.31.2022 https://www.dropbox.com/s/199fzmwi1cjlq4/EO%20No.%2022-08%20-%20Cont%20Waivers%20to%20Facilitate%20Hospital%20Planning%20and%20Ensure%20Additional%20Healthcare%20Workforce%20Capacity.pdf?dl=0 b) Continued Discussion Relating to Developing a Jurisprudence Examination c) Justice Behavioral Health Committee Report d) International Certification & Reciprocity Consortium (IC&RC) https://internationalcredentialing.org e) Reports: Disciplinary/Non-Disciplinary Actions, License Statistics, Examination Statistics, and Administrative Fees (attached with agenda) 5. Annual Business <ol style="list-style-type: none"> a) Elections and Appointments (officers, investigative consultant, IC&RC representative, and education reviewers) b) Approval of Method of Noticing Meeting Agendas https://ago.nebraska.gov/open-meetings c) Per Diem Payments (Neb. Rev. Stat. §38-171 – attached to agenda) 6. Closed Session (approx. 10:00 am): Investigative Reports and Confidential Information Purpose: To hear discussions of investigative and confidential nature, and for the prevention of needless injury to the reputation of the individuals. 7. Open Session (approx. 11:30 am) Review, Recommendations and Report Out, Applications, Summary of Mail Ballot Votes, and Reinstatements. 8. Adjournment (approx. Noon)

Nebraska Open Meetings Act: 84-1407 through 84-1414

<https://ago.nebraska.gov/open-meetings>

All items known at the time of distribution of this agenda are listed. A current agenda is available at the Department of Health and Human Services, Division of Public Health, Licensure Unit and at the following website:

<https://dhhs.ne.gov/Licensure/Pages/Agendas-and-Minutes.aspx> If auxiliary aids

or reasonable accommodations are needed for attendance at a meeting, please call Carrie Oldehoeft at (402) 471-4918 (voice), or for persons with hearing impairments, please call the Nebraska Relay System, 711 TDD, prior to the meeting date. Advance notice of seven days is needed when requesting an interpreter.

2023 Meeting Dates	Room	Time
01.12.2023	LLA/Otoe	9:00 am
04.13.2023	LLB/Morrill	9:00 am
07.13.2023	TBA	9:00 am
10.12.2023	TBA	9:00 am

Agenda Item 6e

License Statistics:

		SUMMARY COUNT OF LICENSES BY	
Profession	License Types	Active	Active-Military
Alcohol and Drug Counselor	Alcohol and Drug Counselor	776	1
	Provisional Alcohol and Drug Counselor	440	
	Grand Total	1,216	1

Disciplinary/Non-Disciplinary Actions since 1.1.2022:

COMPLIANCE LISTING REPORT						
Profession: Alcohol and Drug Counselor					Run Date: 12/27/2022	
Action Start Date Range: 01/01/2022 to 12/27/2022					Page No: Page 1 of 1	
Licensee Name	License No	License Type	License Status	Disciplinary Action	Action Start	Action End
Aesoph, Sheena Elizabeth	1357	Alcohol and Drug Cou	Revocation	Petition for Disciplinary Action Filed	11/09/2022	11/22/2022
Aesoph, Sheena Elizabeth	1357	Alcohol and Drug Cou	Revocation	Revocation	11/22/2022	
Alvarado, Brenda	1226	Alcohol and Drug Cou	Revocation	Revocation	04/02/2022	
Bollinger, Reginald R	P-1995	Provisional Alcohol an	Active	Probation	08/01/2022	04/02/2024
Cook, Jill C	457	Alcohol and Drug Cou	Active	Censure	03/23/2022	
Craw, Amanda J	P-1398	Provisional Alcohol an	Revocation	Revocation	01/05/2022	
Gall, Sherri Lynn	P-1844	Provisional Alcohol an	Revocation	Revocation	04/13/2022	
Gall, Sherri Lynn	P-1844	Provisional Alcohol an	Revocation	Petition for Disciplinary Action Filed	04/05/2022	04/13/2022
Kennedy, Jenna Marie	1343	Alcohol and Drug Cou	Active	Petition for Disciplinary Action Filed	12/02/2022	
Larson, Alee Maren	P-1748	Provisional Alcohol an	Null and Void	Censure	03/02/2022	
Larson, Alee Maren	P-1748	Provisional Alcohol an	Null and Void	Other	03/02/2022	03/02/2023
Larson, Alee Maren	P-1748	Provisional Alcohol an	Null and Void	Petition for Disciplinary Action Filed	02/17/2022	03/02/2022
Leighty, Amber Nicole	P-2004	Provisional Alcohol an	Active	Probation	08/18/2022	08/18/2023
Stolley, Jessica LeAnn	1202	Alcohol and Drug Cou	Revocation	Revocation	07/23/2022	
Stolley, Jessica LeAnn	1202	Alcohol and Drug Cou	Revocation	Petition for Disciplinary Action Filed	03/18/2022	07/13/2022
Wilson, Larry Dwight	819	Alcohol and Drug Cou	Revocation	Petition for Disciplinary Action Filed	11/08/2022	11/22/2022
Wilson, Larry Dwight	819	Alcohol and Drug Cou	Revocation	Revocation	11/22/2022	
Wilson, Larry Dwight	819	Alcohol and Drug Cou	Revocation	Petition for Disciplinary Action Filed	11/08/2022	

Examinations:

EXAMINATION STATISTICS SUMMARY REPORT			
Profession: Alcohol and Drug Counselor		Run Date: 12/27/2022	
Date Range: 01/01/2022 to 12/27/2022		Page No: Page 1 of 1	
Exam Battery	Exam Name	Result Status	Number of Candidates per Result Status
IC & RC Written	IC & RC Written Examination	Pass	40
	IC & RC Written Examination	Fail	6

These minutes have not been approved by the Board

MINUTES OF THE MEETING
Board of Alcohol and Drug Counseling
October 13, 2022

1. ROLL CALL

The meeting of the Board of Alcohol and Drug Counseling was called to order by Amy Eigenberg, Chair, at 9:04 a.m., in the Lower Level B, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. In accordance with § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) mailed to the Board members and other interested parties, and 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and on the bulletin board in the Licensure Unit Lobby on 10.06.2022.2022.

The following members answered roll call:

Members Present (7):

Christine Chasek, Member (in room)
Lori Cleveland, Chair (in room)
Terry Duffy, Member (in room)
Brian Bierschenk, Member (on phone)
Victor Gehrig, Member (in room)
Amy Eigenberg, Chair (in room)
Jill Colegrove, Secretary (in room)

Members Absent (2):

Mary Sneckenberg, Member
Natasha Robinson, Member

Staff and Others Present (3):

Kris Chiles, Program Manager, Licensure Unit (in room)
Carrie Oldehoeft, Health Licensing Coordinator, Licensure Unit (in room)
Mindy Lester, Assistant Attorney General (in room)
TJ O'Neil, Assistant Attorney General (in room)
Joann Uden, DHHS Attorney (in room)
Mark Meyerson, Trevor Klaassen, investigations (in room)

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Gehrig moved, seconded by Cleveland, to approve the agenda. A voice vote was taken. Voting aye: Chasek, Cleveland, Duffy, Bierschenk, Gehrig, Eigenberg, Colegrove (7). Voting nay: None (0). Absent: Sneckenberg, Robinson (2). Motion carried.

3. APPROVAL OF MINUTES

MOTION: Colegrove moved, seconded by Bierschenk, to approve the minutes of 07.14.2022 with corrections. A voice vote was taken. Voting aye: Chasek, Cleveland, Duffy, Bierschenk, Gehrig, Eigenberg, Colegrove (7). Voting nay: None (0). Absent: Sneckenberg, Robinson (2). Motion carried.

4. INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION

CLOSED SESSION

MOTION: Gehrig moved, seconded by Chasek, to enter into closed session at 9:09 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 voice vote was taken. Voting aye: Chasek, Cleveland, Duffy, Bierschenk, Gehrig, Eigenberg, Colegrove (7). Voting nay: None (0). Absent: Sneckenberg, Robinson (2). Motion carried.

9:15 am Colegrove exited room
9:20 am Colegrove entered room
9:58 am Meyerson, Klaassen exited room

10:40 am After Board Member agreement, Eigenberg stated the meeting is now in open session

5. REVIEW, RECOMMENDATIONS AND REPORT OUT

OPEN SESSION: Applications, Summary of Mail Ballot Votes and Reinstatements

10:40 am Break
10:54 am Meeting resumed

Ashley Jessen -PLADC

MOTION: Colegrove moved, seconded by Duffy, to defer the recommendation and request additional information. A voice vote was taken. Voting aye: Chasek, Cleveland, Duffy, Bierschenk, Gehrig, Eigenberg, Colegrove (7). Voting nay: None (0). Absent: Sneckenberg, Robinson (2). Motion carried.

Tyler Hackett- PLADC

MOTION: Duffy moved, seconded by Gehrig, to defer the recommendation and request additional information. A voice vote was taken. Voting aye: Chasek, Cleveland, Duffy, Bierschenk, Gehrig, Eigenberg, Colegrove (7). Voting nay: None (0). Absent: Sneckenberg, Robinson (2). Motion carried.

Alyssa Maxwell – PLADC Reinstatement Applicant (early release from probation)

MOTION: Colegrove moved, seconded by Cleveland to deny the application for reinstatement and early release from probation. Basis for recommendation: Insufficient evidence to support early release from probation. A voice vote was taken. Voting aye: Chasek, Cleveland, Duffy, Bierschenk, Gehrig, Eigenberg, Colegrove (7). Voting nay: None (0). Absent: Sneckenberg, Robinson (2). Motion carried.

Carnell Watt - PLADC Reinstatement (early release from probation)

MOTION: Colegrove moved, seconded by Gehrig, to deny the application for reinstatement and early release from probation. Basis for recommendation: Conviction history, Insufficient indicators and willingness to comply to the law, and insufficient time since most recent conviction. A voice vote was taken. Voting aye: Chasek, Cleveland, Duffy, Bierschenk, Gehrig, Eigenberg, Colegrove (7). Voting nay: None (0). Absent: Sneckenberg, Robinson (2). Motion carried.

Christine Perkumas – PLADC Applicant

MOTION: Gehrig moved, seconded by Cleveland, to issue without any terms or conditions. A voice vote was taken. Voting aye: Chasek, Cleveland, Duffy, Bierschenk, Gehrig, Eigenberg, Colegrove (7). Voting nay: None (0). Absent: Sneckenberg, Robinson (2). Motion carried.

6. UPDATES REPORTS

- **Executive Order 22-05:** <http://govdocs.nebraska.gov/docs/pilot/pubs/eofiles/22-05.pdf>
FAQ's for EO 22-05: <https://dhhs.ne.gov/licensure/Documents/FAQ-Related-to-Executive-Order-22-05.pdf>

Chiles provided an overview of Executive Order 22-05.

- **Continued Discussion Relating to Developing a Jurisprudence Examination**

Board members will submit questions to Chiles for collection and distribution to the Board for review at the next board meeting.

- **Justice Behavioral Health Committee Report**

Robinson was not present to provide an update

- **International Certification & Reciprocity Consortium (IC&RC)** <https://internationalcredentialing.org>

Robinson was not present to provide an update; Conference is next week.

- **Reports: Disciplinary and Non-Disciplinary Actions, License Statistics, Examination Statistics, and Administrative Fees:**

Reports were included as part of the meeting agenda.

7. Schedule 2023 Meeting Dates

The following meeting dates were scheduled for 2023: January 12, April 13, July 13, October 12

8. Board Member Service Recognition – Tina Chasek 4.2.2012 to 11.30.2022

Tina Chasek was recognized for her 10 years of service as a member of the Board and presented with a certificate of appreciation.

9. ADJOURNMENT

Eigenberg announced the next meeting is scheduled for January 12, 2023, and declared the meeting adjourned at 11:26 am.

Summarized by:
Carrie Oldehoeft, Health Licensing Coordinator

Agenda Item 7c

38-171. Board; advisory committee or body; compensation; limitation; expenses.

Each member of a board shall, in addition to necessary traveling and lodging expenses, receive a per diem for each day actually engaged in the discharge of his or her duties, including compensation for the time spent in traveling to and from the place of conducting business. Traveling and lodging expenses shall be on the same basis as provided in sections 81-1174 to 81-1177. The compensation per day shall not exceed fifty dollars and shall be determined by each board with the approval of the department. Persons serving on an advisory committee or body under section 38-161 shall receive remuneration of expenses as provided in sections 81-1174 to 81-1177, including compensation for time spent in traveling to and from the place of conducting business, and a per diem of fifty dollars.

For Board Consideration (Board Recommendations from 1.9.2020)

1. \$50 for meeting prep
2. \$50 for each day in attendance at regular board meeting
3. \$50 for travel days when overnight stay with meeting attendance
4. \$50 Each day of attendance at National Meeting, including travel days when overnight stay
5. \$50 for attending Justice Behavioral Health Committee Meeting or other board related meetings, when approved by the Board as the Board representative for the meeting
6. \$50 for each educational program application reviewed (270 hours of education) 172 NAC 15-008

PUBLIC MEETINGS; NOTICE AND AGENDA REQUIRED

<https://ago.nebraska.gov/open-meetings>

E. Section 84-1411 sets out several requirements for the notice which must be given for a public meeting and for the agenda which must be prepared: (1) the public body must give reasonable advance publicized notice of the time and place of each meeting, (2) that notice must be transmitted to all members of the body and to the public, (3) the notice must contain an agenda of subjects known at the time of the publicized notice, or a statement that such an agenda, which must be kept continually current, is readily available for inspection at the principal office of the public body during normal business hours.

1. **Notice.** 2020 Neb. Laws LB 148, § 3 placed restrictions on certain public bodies with respect to publication of meeting notices. Under § 84-1411(1)(b)(i)-(iii), governing bodies of political subdivisions and their advisory committees must publish notice in a newspaper of general circulation within the public body's jurisdiction and, if available, on the newspaper's web site. Governing bodies of cities of the second class or villages and their advisory committees must either publish notice in a newspaper of general circulation within the public body's jurisdiction and, if available, on the newspaper's web site, or by posting written notice in three conspicuous public places in the city or village. The posting locations shall remain the same for each meeting. **For all other public bodies, notice shall be given by a method designated by the public body.** Governing bodies of political subdivisions and their advisory committees may, in addition to the requirements set out above, provide notice of their meetings by any other appropriate method designated by the public body. Section 84-1411(1)(c). Section 84-1411(1)(d) requires each public body to record the method(s) and date(s) of such notice in its minutes. Public bodies holding meetings by videoconferencing and telephone conference call, as provided in § 84-1411(2) and (3) respectively, must follow the meeting notification requirements in § 84-1411(1).