

These minutes have not been approved by the Board

MINUTES OF THE MEETING
Board of Mental Health Practice
August 14, 2026

1. ROLL CALL

The meeting of the Board of Mental Health Practice was called to order by Rebecca Czaja-Stevens, Chair, at 9:04 a.m. in the Lower Level Otoe Room, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, NE. In accordance with §84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) emailed to the Board members and other interested parties, 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and 3) posted on the bulletin board in the Nebraska State Office Building Lobby on June 26, 2026.

The following members answered roll call:

Members Present:

Sara Batter, Vice Chair
Rebecca Czaja-Stevens, Chair
Paul Davies, Secretary
Tammy Erickson
Victor Gehrig
Renea Gernant
Adrian Martin
Jen McNally
Susan Meyerle
Amanda Milander-Mace
Colton Nisley

Members Absent:

Yasmin Henderson

Staff and Others Present:

Maiya Baumann, Program Manager, Licensure Unit
Jessica Dean, Health Licensing Coordinator, Licensure Unit
Milissa Johnson Wiles, Assistant Attorney General
Katherine Amyot, DHHS Legal
Trevor Klaussen, DHHS Investigator
Mark Meyerson, DHHS Investigator

A quorum was present, and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Gernant moved, seconded by Gehrig, to adopt the agenda for the meeting. Voting yes: Batter, Czaja-Stevens, Erickson, Gehrig, Gernant, Martin, Meyerle, Milander-Mace, and Nisley. Absent: Henderson and McNally. Motion carried.

3. APPROVAL OF MINUTES – July 10, 2026

MOTION: Gernant moved, seconded by Martin, to approve the minutes. Voting yes: Batter, Czaja-Stevens, Erickson, Gehrig, Gernant, Martin, Meyerle, Milander-Mace, and Nisley. Absent: Henderson and McNally. Motion carried.

4. NEBRASKA DEPARTMENT OF EDUCATION MANDATORY ASSURANCE STATEMENT

Jennifer McNally requested that this item be added to the agenda. She works in education and oversees mental health services for fourteen school districts in Nebraska. She said that some board members have been looking at the way clinicians do business in schools. There aren't a lot of guidelines for clinicians when it comes to service provided in schools. She doesn't require a diagnosis or a treatment plan and does not bill insurance, but some of the other areas are doing those things. When a school district receives federal grant funds for behavioral health or mental health services, the superintendent of the district is required to attest that Nebraska statutes and regulations governing those services will be followed using the mandatory assurance statement. She said that at some point the board might want to discuss the overlap of HIPAA (Health Insurance Portability and Accountability Act) and FERPA (Family Educational Rights and Privacy Act) and provide guidance. A variety of services are provided in schools across Nebraska, both by school employees and contractors depending on the location. She suggested that the board might want to consider creating a guidance document for mental health services provided in school settings, since there is a difference between treatment in a clinical setting and treatment provided in schools, and many clinicians working in schools may not have experience in educational settings. Meyerle asked if there were other entities able to provide this type of guidance. McNally said that the guidance may not be specific to Nebraska, especially rural areas. There are also different requirements for services provided using grant funds depending on the type of grant, and not all school districts receive grant funding. The resources available to providers also differ depending on location; districts in rural areas have more limited options than those in more populated areas of the state. Rural areas may also have more staff that are provisionally licensed or have less experience than those in urban areas. She said that she had been asked by school staff to bring this issue to the board for discussion. She also said that it's likely that the board will start to see more complaints about services provided in schools because parents and educators are not familiar with licensure requirements. Amyot said her concern was that interpreting federal law is outside the board's scope and the board cannot provide guidance on interpreting federal law. McNally said that she was concerned about providing general guidance to providers. Czaja-Stevens said that she saw the two main points being HIPAA and FERPA, and guidance for providers providing services outside of clinical settings. She asked which was more important and McNally said that she wanted to discuss both points. She said that in her recent discussions with school staff she has been asked specifically what guidance the board had about FERPA and HIPAA. Meyerle said that she thought it might be more appropriate for the providers themselves to come up with their own guidance documents, and that the board does not provide guidance on best practices. McNally said that the board does look at policy and statute, and she is aware of state legislators and government officials currently looking at the provision of mental health services in schools, so it will likely be brought to the board in the future. She understands that the board's scope is limited, but that the subject will likely be before the board again if legislation is introduced on this topic in the future, and she would like to see provide guidance to providers who are new to working in education. She asked Gernant, who works in education at the college level, what she thought. Gernant agreed that this may be outside of the board's scope, but it might be possible to form a committee to discuss providing talking points if the issue comes before the board in the future. Amyot said she was concerned about HIPAA and FERPA and the board providing guidance to licensees on complying with federal law or Nebraska law, because the board can't protect licensees who are in violation of statute. McNally said that is why she wanted to bring it to the board, because there are grey areas and there will likely be more complaints to DHHS about clinicians working in school settings; she suggested it might be appropriate for legal staff to look at. She said that she appreciated the board allowing her to bring the topic for discussion. Czaja-Stevens agreed that there can be grey areas more generally, where services are provided outside of a clinical setting, and she liked the idea of a committee or group meeting to discuss that topic more generally. She said that board members can provide guidance about regulations unofficially, not as board members, but as licensees who are knowledgeable about mental health

Board of Mental Health Practice Minutes
August 14, 2026

regulations. McNally said that she liked the idea of a group meeting separately from the board and generating guidance documents that could then be provided to clinicians in schools or other non-clinical settings. Nisley asked what other states are doing about this issue, and McNally said that they are facing similar problems. She said that Nebraska is actually more progressive than other states in terms of mental health services provided in schools and that the number of providers providing mental health services in schools has increased in the past five years. Amyot asked how many other states have clinicians providing services in schools, and McNally said there were quite a few, but they are typically more formalized in terms of the treatment provided. She said that she is proud that in Nebraska, clinicians in schools can make referrals or consult with outside experts if needed, but the in general, kids in schools just need to know that they are okay. She predicts that school districts will be hiring more clinicians in the future and that the benefits and salary are attractive to potential providers. Additionally, students receiving mental health services in school settings are more likely to complete care, and the services are cost effective. McNally said that regardless whether the board takes any action on the issue, she wanted to make the board aware of it. Czaja-Stevens said that board members might have contacts who have expertise in this area and might be willing to join any future discussions or subgroups. Nisley asked if there were professional groups or associations for school mental health practitioners. McNally said that school psychologists and school counselors have organizations, but licensed mental health practitioners in schools do not have their own organization. Czaja-Stevens said that school social workers do have an organization. McNally said that she was specifically concerned with services provided by licensed mental health practitioners. Czaja-Stevens suggested that if board members knew of anyone who might be interested, they should refer them to McNally. McNally said that she would prefer to work with board members because she trusts them. Meyerle said that if were limited to the board, a committee should be formed, or else it should be a group of clinicians separate from the board. Amyot said that a committee could be formed, but without specific legislation for the committee to review, she was not sure how a committee could recommend best practices or provide guidance about legal issues while staying within their scope. McNally said that she would draft something herself and bring it to the board for review. Amyot recommended that she consult with legal counsel familiar with the appropriate statutes.

5. CLOSED SESSION – CONFIDENTIAL INFORMATION

MOTION: Meyerle moved, seconded by Batter, to enter into closed session at 9:38 a.m. to hear discussions of a confidential nature, and for the prevention of needless injury to individual reputations. A voice vote was taken. Voting yes: Batter, Czaja-Stevens, Davies, Erickson, Gehrig, Gernant, Martin, McNally, Meyerle, Milander-Mace, and Nisley. Absent: Henderson. Motion carried.

Closed session at 9:38 a.m.
McNally entered at 9:06 a.m.
Davies entered at 9:15 a.m.
Break at 10:36 a.m.
Returned at 10:46 a.m.
Open session at 11:39 a.m.
Batter exited at 11:40 a.m.
Meyerle exited at 12:50 p.m.

6. APPLICATION REVIEW AND RECOMMENDATIONS

Michele Bruggeman, Reinstatement Following Voluntary Surrender, Provisional Alcohol and Drug Counselor

MOTION: Meyerle moved, seconded by McNally, to recommend approval of the application due to a change in circumstances; the original conviction that was the basis for the voluntary surrender of the

Board of Mental Health Practice Minutes
August 14, 2026

license has since been set aside. Voting yes: Czaja-Stevens, Davies, Erickson, Gehrig, Gernant, Martin, McNally, Meyerle, and Milander-Mace. Absent: Batter and Henderson. Recused: Nisley. Motion carried.

Steven Montgomery, Provisional Alcohol and Drug Counselor

MOTION: Nisley moved, seconded by Gehrig, to recommend approval of the application with two years' probation including the standard terms and conditions. Voting yes: Czaja-Stevens, Davies, Erickson, Gehrig, Gernant, Martin, McNally, Meyerle, Milander-Mace, and Nisley. Absent: Batter and Henderson. Motion carried.

Douglas Mortensen, Provisional Alcohol and Drug Counselor

MOTION: Gehrig moved, seconded by Davies, to recommend denial of the application. Voting yes: Czaja-Stevens, Davies, Erickson, Gehrig, Gernant, Martin, McNally, Meyerle, Milander-Mace, and Nisley. Absent: Batter and Henderson. Motion carried.

Te'Reasa Phillips, Provisional Alcohol and Drug Counselor

MOTION: Nisley moved, seconded by McNally, to table review of the application for more information. Voting yes: Czaja-Stevens, Davis, Erickson, Gehrig, Gernant, Martin, McNally, Meyerle, Milander-Mace, and Nisley. Absent: Batter and Henderson. Motion carried.

Austain Shandley, Provisional Alcohol and Drug Counselor

MOTION: Meyerle moved, seconded by Nisley, to recommend approval of the application. Voting yes: Czaja-Stevens, Davies, Erickson, Gehrig, Gernant, Martin, McNally, Meyerle, Milander-Mace, and Nisley. Absent: Batter and Henderson. Motion carried.

Lisa White, Reinstatement Following Revocation, Alcohol and Drug Counselor/Provisional Mental Health Practitioner

MOTION: Gehrig moved, seconded by Gernant, to recommend denial of the application due to a lack of evidence of a change in circumstances. Voting yes: Czaja-Stevens, Davies, Erickson, Gehrig, Gernant, Martin, McNally, Meyerle, Milander-Mace, and Nisley. Absent: Batter and Henderson. Motion carried.

7. UPDATES

a. Legislation

Baumann suggested that if any board members know of proposed legislation through association contacts or other sources, they let the board know. She mentioned that the new requirements for domestic abuse training which were passed during the last session will go into effect in 2027. Licensure Unit staff are currently working on updating the license application forms to include language about the new requirements. Meyerle said that she had requested that forming a legislative committee be placed on the agenda because of the recent discussion with Dr. Susan Reay about proposed changes to LIMHP/LMHP licensure.

MOTION: Gernant moved, seconded by McNally, to create a legislative committee. Voting yes: Czaja-Stevens, Davies, Erickson, Gehrig, Gernant, Martin, McNally, Meyerle, Milander-Mace, and Nisley. Absent: Batter and Henderson. Motion carried.

Proposed members of the legislative committee: Davies, Gernant, Martin, McNally, Meyerle, and Nisley.

b. Regulations

Baumann said that the draft regulations including new requirements for art therapy have been rejected by the Governor. The rationale for the rejection is that the statute was sufficient for creating and issuing a new credential without adding language to the regulations. The appropriate applications will be updated to include the new art therapy credentials; she does not have a specific timeline for when those updates will be completed but hopes to have them done sometime in September. She said that the statute does not include a specific exam for art therapy, just that it be a board-approved exam.

MOTION: Meyerle moved, seconded by Nisley, that the board approve the Art Therapy Credentials Board Exam (ATCBE) as the official examination for art therapy licensure. Voting yes: Czaja-Stevens, Davies, Erickson, Gehrig, Gernant, Martin, McNally, Meyerle, Milander-Mace, and Nisley. Absent: Batter and Henderson.

The regulations will still need to be opened for updates to reciprocity licensure for marriage and family therapists and new requirements for domestic violence training.

MOTION: Meyerle moved, seconded by Martin, to create a regulations committee. Voting yes: Czaja-Stevens, Davies, Erickson, Gernant, Martin, McNally, Meyerle, Milander-Mace, and Nisley. Absent: Batter and Henderson. Motion carried.

Proposed members of the regulations committee: Batter, Czaja-Stevens, Martin, Meyerle.

c. Association and Committee Updates

i. American Association of State Counseling Boards (AASCB) <https://aascb.org/>

Meyerle said that AASCB is hosting a virtual workshop titled "From Gavel to Greatness: Governance, AI, and Supervision" on Friday, September 25.

MOTION: Martin moved, seconded by Milander-Mace, to approve funding for Meyerle to attend the meeting. Voting yes: Czaja-Stevens, Davies, Erickson, Gehrig, Gernant, Martin, Meyerle, Milander-Mace, and Nisley. Absent: Batter and Henderson. Motion carried.

Meyerle said that there is an AASCB "hangout" scheduled for Friday, August 28.

ii. American Association of Marriage and Family Therapy Boards (AMFTRB) <https://amftrb.org/>

Martin said that the next annual conference will take place September 13th -14th in Portland, OR. He requested that Licensure staff provide the board with more information on policies for out-of-state travel reimbursement. Baumann said that she will provide that information to the board via email. She said that Licensure staff have been notified that no more than one board member will be approved for funding to attend conferences or other meetings. She said that some associations offer scholarships for attendance at meetings and that multiple board members could still attend the same conference if alternative funding is available.

iii. Association of Social Work Boards (ASWB) <https://www.aswb.org/>

Czaja-Stevens passed along information provided by Batter that the 2026 Annual Meeting of the Delegate Assembly is scheduled for November 6th-7th, 2026, in Salt Lake City, UT. ASWB provides funding for a board administrator, a licensed

board member and a public member to attend the meeting. Baumann will not be able to attend as administrator because there is a meeting of this board scheduled for Friday, November 6th.

MOTION: Meyerle moved, seconded by Martin, to approve Batter and Gernant as attendees for the November ASWB meeting.

Voting yes: Czaja-Stevens, Davies, Erickson, Gehrig, Gernant, Martin, McNally, Meyerle, Milander-Mace, and Nisley. Absent: Batter and Henderson.

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

Baumann said that she has been attending IC&RC meetings as the board representative, but that she can designate a board member to be the delegate in the future and that person would be able to attend conferences or meetings as a subject matter expert and report back to the board. She said that the Annual Stakeholder Meeting is scheduled for October 18th-19th, 2026, in Biloxi, MS.

Baumann said that the IC&RC examination was recently changed to a pass/fail score instead of a number score.

Baumann reiterated that when requesting reimbursement for out-of-state travel to conferences, board members should provide receipts for airfare, hotel, and registration costs to Licensure staff. Reimbursement requests should be submitted prior to travel or the requests will not be approved by the Department.

McNally said that it was important to note that board members will not be reimbursed right away for any costs submitted for payment and that it can be expensive to cover those costs.

Martin noted that rather than estimating their costs for pre-approval, board members are actually paying for their travel up front without knowing whether reimbursement will be approved. Baumann noted that a workaround could be that members could take screen shots of the hotel/airfare/registration costs without paying.

Multiple board members voiced frustration with the pre-approval process for conference funding, especially that board members are expected to cover travel costs up front without guarantee of reimbursement by DHHS, and that this can be a financial hardship, especially in today's economy. Meyerle noted that in the past, boards had control over their budgets and knew how much funding was available.

MOTION: Nisley moved, seconded by McNally, to approve funding for Gehrig to attend the October IC&RC meeting. Voting yes: Czaja-Stevens, Davies, Erickson, Gernant, Martin, McNally, Meyerle, Milander-Mace, and Nisley. Absent: Batter and Henderson. Motion carried.

d. Licensing Compacts

i. Social Work Compact

Baumann said that the next full commission meeting is scheduled on September 9th, 2026.

ii. Counseling Compact

Meyerle said that there are rules currently available for public comment and asked if that information was posted on the Licensure website. Baumann said that standard practice for Licensure has been to provide links to the websites for each licensure compact rather than posting information directly on the DHHS site. Meyerle said that Nebraska needs to have a plan in place for conducting background checks once the counseling compact goes live. Baumann said that background checks have been conducted since 2023 and that Licensure staff are working with IT on how to track those within the current licensing system. Meyerle said that there are currently 660 licensees who would be eligible for compact licensure.

McNally asked about the timeframe for when compact licensure will be available in Nebraska. Baumann said that DHHS is currently working with IT staff on system requirements and conducting beta testing, and it is hard to estimate when that process will be completed. McNally asked if there was a strategic plan and what timeline was included in that plan. Baumann says that she does not have access to that information but that she can ask if it is available.

Meyerle said that she purchased lists of current licensees using the DHHS license lookup website. There are currently 1,321 LMHP's, 1071 dually licensed LIMHP/LMHP's, and around 7,000 total licensees in all mental health professions. There are three individuals who hold a PLMHP and an LMHP, and three individuals who hold a PLMHP and an LIMHP. There are 535 LMHP's who do not hold an additional certification.

Baumann said that the report previously requested by the board of all licensees who hold both an LIMHP and LMHP has been provided by IT staff but that it had just been received two days prior to the meeting.

Meyerle said that she recently met with Susan Reay and John Danforth regarding the proposed changes to LIMHP/LMHP licensure discussed at the July 10th board meeting. They will be meeting with the senator that will be working on the proposed legislation; Meyerle will be representing herself as an individual rather than as a board member.

e. Licensure statistics (attached to agenda)

8. **PUBLIC COMMENTS**

There were no public comments.

9. **ADJOURNMENT**

The meeting was adjourned at approximately 12:55 p.m.

Summarized by:
Jessica Dean, Licensure Unit