



MEETING MINUTES

July 15, 2016 8:30 am, central

Sakakawea Room, State Capitol, 600 E. Boulevard Ave., Bismarck, ND

I. Call to Order

Meeting was called to order at 8:30

Present: Laura Weishoff, Tonya Sorenson, Trina Gress, Stacie Dailey, Deb Davis, Julijana Nevland and Kurt Snyder

Others: Jody (McClendon) Pease and David Schaibley

Jim Weiss was present from the Office of Administrative Hearings, regarding Eddie Burl, agenda item 5A. The NDBACE will need to be represented at the hearing. The complaint that was on hand will need to be modified to include court costs.

II. Review meeting minutes

April 15, 2016: reviewed and noted that Laura Weishoff's name was excluded from the roll call votes. **A motion was made** to approve minutes, with corrections noted (Nevland motion/ Sorenson carried), all in favor.

III. Review financials

A. Financial reports: Financial reports were reviewed and discussed. North Dakota will no longer be using IC&RC as an exam provider. Board Manager will send a request to get Bismarck added as an approved test location.

Note regarding IC&RC exam charges: NDBACE is no longer using IC&RC as the approved exam provider.

IV. Discipline File Updates

A. Delaine Anderson- Under probation until 2/13/17. Quarterly reports are up to date and required CEU hours have been completed

B. Brenda Fetting- Under probation until 8/18/16. Quarterly reports are up to date. BACE legal counsel will send a letter to Ms. Fetting after 8/18/16 to notify her of completion.

C. Marikay Luzier- Settlement agreement signed and returned, retroactive suspension for the last 6 months of 2015, non-renewed in 2016.

D. Michael Melegaard- Under 2 year probation until 9/24/17, quarterly reports are up to date

E. John Miller- Under 2 year probation until 9/08/17, required reports have been received

V. Complaints

A. Eddie Burl- discussed and noted previously in minutes.

B. Karen East- the inquiry was reviewed and noted that it did not fall under a complaint. Members of the board discussed tribal sovereignty within a reservation and at reservation facility with Legal Counsel. **A motion was made** that the inquiry was reviewed and the BACE is taking no action. (Davis motion/ Gress carried) Snyder- Y, Dailey- Y, Gress- Y, Nevland- Y, Weishoff, Y, Davis- Y and Sorenson- Y

C. Christine Montgomery- (Trina Gress is related to Christine Montgomery and stepped out for the discussion). Complaint was discussed and it was noted that a release was not included with the patient records that were sent. **A motion was made** to have Legal



Counsel send a clarifying letter to Ms. Montgomery. (Davis motion/ Snyder carried) Dailey- Y, Nevland- Y, Snyder- Y, Gress- Abstain, Davis- Y, Sorenson- Y, Weishoff- Y

- D. Tim Clark- Complaint was reviewed and **a motion was made** to dismiss the complaint. (Weishoff motion/ Nevland carried) Sorenson- Abstain, Davis- Y, Weishoff- Y, Snyder- Y, Gress- Y, Nevland- Y, Dailey- Y
- E. Amber Micheleski- Complaint was reviewed and **a motion was made** to dismiss the complaint. (Davis motion/ Weishoff carried) Dailey- Y, Snyder- Y, Sorenson- Abstain, Weishoff- Y, Davis- Y, Nevland- Y, Gress- Y
- F. Kendra Wilson- Complaint was reviewed and **a motion was made** to dismiss the complaint. (Davis motion/ Weishoff carried) Gress- Y, Sorenson- Y, Snyder- Y, Sorenson- Abstain, Davis- Y, Nevland- Y, Dailey- Y
- G. David Collins- Complaint was reviewed and his responsibilities as clinical director were discussed. **A motion was made** that the Legal Counsel should send a letter of violation to ethical standards IV, VI and VII. Action includes, 6 month suspension of his clinical supervision license and 20 CEUs related to clinical supervision and ethics to be completed during the probationary period. CEUs should be completed at his own expense and will not count toward the 2016- 2017 renewal period. (Nevland motion/ Weishoff carried) Dailey- Y, Snyder- Y, Sorenson- Abstain, Weishoff- Y, Davis- Y, Nevland- Y, Gress- Y
- H. Joshua Maynard- Mr. Maynard was present while his complaint was discussed and the timeline of events and responsibilities of clinical supervision was discussed. Mr. Maynard addressed the Board and answered questions on his behalf. After discussion, **a motion was made** to dismiss the complaint. (Davis motion/ Weishoff carried) Snyder- Y, Dailey- Abstain, Gress- Y, Nevland- Y, Weishoff, Y, Davis- Y and Sorenson- Y

Thirty minute break for lunch, returned at 12:22

VI. Application and Practice Issues

A. Audit update

- 1. Julie Creed- license was revoked, Davis will send the letter to the newspaper
- 2. Sarah Ewoniuk- CEU requirements met, Board Manager will send a letter confirming this
- 3. Connie Stevens- no response was received from the April letter. Issue was discussed and ethical violations were found pertaining to ethics standards IV and VI. **A motion was made** to suspend her license thru 12/31/17. During suspension, she may respond to the items requested in the 4/19/2016 letter. Note: if she responds, probation could be considered. (Weishoff motion/ Dailey carried) Snyder- Y, Dailey- Y, Gress- Y, Nevland- Y, Weishoff, Y, Davis- Y and Sorenson-

Agenda order change, VII B:

- 1. **A motion was made** that the Board Chair has the authority to approve clinical supervision, CEU programs and providers and private practice provider applications. (Gress motion/ Weishoff carried). Dailey- Y, Snyder- Y, Sorenson- Y, Weishoff- Y, Davis- Y, Nevland- Y, Gress- Y
- 2. Licenses will remain “open” for a year. During that time, requirement shortages will be identified and the applicant noted. This will allow additional time, prior to Legal Counsel sending a denial



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letter. Note: This is a process change and not motions were necessary. Application fee will be calculated based upon original submission date, however a refund or additional payment from applicant may be needed based upon the final date the license is awarded.

- B. LAC Applications approved under chair authority include:
 - 1. Ashton Andres
 - 2. Shenika Bordeaux-Collins
 - 3. Jesse Crosby
 - 4. Samantha Krebsbach
 - 5. Emily Monson
 - 6. Teal Nelson
 - 7. Lisa Roth
 - 8. Kendra Wilson
 - 9. Audrey Wold
 - C. LAC Applications denied for licensure under chair authority:
 - 1. Kristie Lervick
 - 2. Akamin Nkengaka
 - 3. Curtis Scanson
 - D. Clinical Supervision applications reviewed under chair authority:
 - 1. Amanda Decker
 - 2. Shawn Meier
 - 3. Heidi Stromswold
 - E. Charles Bergeson applied for Clinical Supervision, approved under Chair authority
 - F. Clinical trainees reviewed and approved under chair authority include:
 - 1. Danielle Enniful
 - 2. Rachel Flannery
 - 3. Cassie Kasowski
 - 4. Deirdre Kuvaas
 - 5. Randall Lee
 - 6. Addy Nelson
 - 7. Erin West
 - 8. Lisa Yazzie
 - G. Approved providers reviewed and approved under chair authority include:
 - 1. United Tribes Technical College
- VII. Old Business**
- A. House Bill 1048 and 1049: Stacie Dailey and Julijana Nevland will attend the presentation update on HB 1048 on July 27, 2016.
- VIII. New Business**
- A. Kelby Inman: request made to board to reconsider his license status in NPDS: The BACE Legal Counsel will work with the Board Manager to draft a letter that will be sent to Inman, stating that the terms of his settlement agreement were not met.
 - B. Chair authority to approve applications for clinical supervision, private practice, continuing education programs and providers:
Discussion noted above.



- C. LACs listing name other than legal name (Smith legal, goes by Jones): Legal Counsel will work with the Board Manager to draft a letter to request that the LAC provide the information to support why the different name should be used. Note: Documentation and process will need to consistent in order to ensure that both names can be used if a report in NPDB is ever needed.
 - D. Continuous query vs. single query: Process change, “continuous query” rather than “single query” should be used when using National Practitioners Data Bank (NPDB) inquiries on new LAC’s.
 - E. Council of State Government: “Alternatives to Incarceration” committee was discussed
- IX. Other New Business**
- A. Amy Tehran: **A motion was made** to give a credit of 150 hours toward her clinical training time for her LPC in order to complete the required 1,400 hours of training. (Snyder motion/ Sorenson carried) Snyder- Y, Dailey- Y, Gress- Y, Nevland- Y, Weishoff, Y, Davis- Y and Sorenson- Y
 - B. Note: Stacie Dailey will be the second Ethics person, Board Manager will alternate sending complaints between the Dailey and Sorenson. Inter-related complaints will be sent to the same person.
- X. Adjourn, 2:34 (Nevland motion)**

Respectfully submitted,

Deborah Davis
Board Chair
NDBACE

Julijana Nevland
Vice Chair
NDBACE

Jody Pease
Board Manager
NDBACE