



MEETING MINUTES

January 20, 2017 8:30 am, central

17th floor conference room, State Capitol, 600 E. Boulevard Ave., Bismarck, ND

I. Call to Order

Meeting was called to order at 8:30

Present: Karin Walton, Julijana Nevland, Laura Weishoff and Kurt Snyder

Others: Dave Schiably, Jody Pease, Billy Marsh, Stacey Hunt and Geoffrey Hunt

(Complaint items 5C and 5B were moved ahead on the agenda to accommodate those who appeared in person)

II. Review meeting minutes

A. October 14, 2016

There was not a quorum of attending members that was in attendance for this meeting, review of October minutes was tabled.

B. December 12, 2016

There was not a quorum of attending members that was in attendance for this meeting, review of December minutes was tabled.

C. January 6, 2017

D. January 11, 2017

A combined motion was made to approve the minutes from January 6 and 11, 2017. (Walton motion/ Snyder carried) Roll call vote: Snyder- Y, Walton- Y, Nevland- Y, Weishoff-Y. Motion passed.

III. Review financials

A. Financial reports

A motion was made to approve the financials, with a request to include comparisons to show the 24 month cycle of income and expenses in the future. (Weishoff motion/ Snyder carried) Roll call vote: Weishoff-Y, Nevland-Y, Snyder- Y, Walton-Y. Motion passed.

IV. Discipline File Updates

A. Anderson, Delaine

B. Collins, David

A combined motion was made (Anderson/ Collins), both Anderson and Collins will have a probation period ending before the next meeting. If there are no further issues, legal counsel will send a letter to dismiss each one. (Weishoff motion/ Nevland carried) Roll call vote: Snyder- Y, Walton- Y, Nevland-Y, Weishoff-Y. Motion passed.



C. Melegaard, Michael

Board received a letter that Mr. Melegaard is no longer at Trinity. Board manager will send a letter inquiring why he has not reported who his new CS is,

D. Miller, John

Reports were due in December and have not been received. Board manager will send a letter inquiring why he has not reported.

V. **Complaints**

A. Burl, Eddie

Initial complaint was explained to a new board member. Hearing is scheduled for February 8, 2017. Board manager, Jody Pease has been approved to appear by phone and will be asked to speak to when documents were received, their use and board processes.

B. Hunt, Geoffrey

A complaint was received. Tonya Sorenson, NDBACE Ethics Chair, was absent but had submitted a review of the complaint. Documents were reviewed and discussed. Mr. Hunt was present and spoke on his behalf. **A motion was made** to offer the following settlement agreement:

- Probation of license for a minimum of one year, this should be conducted in a LAC supervised setting.
- Within the first 6 months, licensee should complete 30 CEU's, of that 10 should relate to group dynamics and 20 related to ethics. These do not count toward renewal.
- During the probation licensee should have a minimum of 2 hours face to face clinical supervision, with 1 hours per week of that to be held in direct clinical supervision in a therapeutic setting.
- Supervising clinical supervisor should submit monthly reports to the NDBACE.
- Upon completion of terms of probation, the board will re-evaluate and consider continuing or ending the probation.

(Nevland motion/ Weishoff carried) Roll call vote: Snyder- Y, Walton- Y, Nevland-Y, Weishoff-Y. Motion passed.

C. Marsh, Billy

Two complaints were received. Tonya Sorenson, NDBACE Ethics Chair, was absent but had submitted a review of the complaints. Documents were reviewed and discussed. Mr. Marsh was present and spoke on his behalf. **A motion was made** to offer the following settlement agreement:

- Suspension of license for a minimum of one year. Licensee should complete 20 CEUs within 1 year that focus on ethics including dual relationships, prevention of harm and client welfare, with at least 5 CEUs in each area. These CEUs do not count toward renewal. Licensee covers CEU cost.



- During suspension, licensee will undergo a psychological evaluation by a NDBACE chair approved psychologist. Psychologist should conduct an evaluation and assessment including the MMPI2 and any other assessments recommended by the psychologist. Psychologist will submit the evaluation results to the board. Licensee should also follow through on any psychological recommendations and any subsequent recommendations. Licensee and other professionals should report back to the board at time periods determined by the board.
- Upon completion of terms of suspension, the board will re-evaluate the terms of the probation and or lifting the suspension.

(Nevland motion/ Weishoff carried) Roll call vote: Snyder- Y, Walton-Y, Nevland-Y, Weishoff-Y. Motion passed

D. Montgomery, Christine, tabled from last meeting

Licensee submitted patient records in response to a complaint that was received. At the October discussion was tabled whether the ND BACE would file a complaint regarding release of information. **A combined motion was made (Montgomery/ Weiglenda)** to take no action against licensee. (Nevland motion/ Weishoff carried) Roll call vote: Snyder- Y, Walton- Y, Nevland-Y, Weishoff-Y. Motion passed.

Current complaint form and letters to licensee were reviewed to determine whether they could be re-worded for clarity. Board manager will update the complaint form to include a signature statement to authorize release of records to ND BACE if needed. Kurt Snyder will assist.

(Agenda item 9B was moved ahead on the agenda to accommodate a conference call at 11:30 by Jamie Pfeiffer)

E. Thompson, Ty

A letter was received in response to the settlement agreement offered to Mr. Thompson, requesting a reduction in the 2 year probation that was offered. **A motion was made** that no reduction in the length of probation be made. (Nevland motion/ Walton carried) Roll call vote: Snyder- Y, Walton- Y, Nevland-Y, Weishoff-Y. Motion passed.

F. Weiglenda, John, tabled from last meeting

Licensee submitted patient records in response to a complaint that was received. At the October discussion was tabled whether the ND BACE would file a complaint regarding release of information. **A combined motion was made (Montgomery/ Weiglenda)** to take no action against licensee. (Nevland motion/ Weishoff carried) Roll call vote: Snyder- Y, Walton- Y, Nevland-Y, Weishoff-Y. Motion passed.

Current complaint form and letters to licensee were reviewed to determine whether they could be re-worded for clarity. Board manager will update the complaint form to include a signature statement to authorize release of records to ND BACE if needed. Kurt Snyder will assist.



VI. Application and Practice Issues

A. LAC Applications approved under chair authority include:

1. Brown, Calie
2. Burtness, Roxann
3. Lervick, Kristie
4. Scanson, Curtis

B. LAC Applications received, not approved under chair authority:

1. Summers, Molly (reciprocity from MN)

C. Clinical Supervision applications reviewed under chair authority:

1. Woll, Amber

D. Private Practice applications received:

1. Torgerson, Carol

Ms. Torgerson submitted a letter in December of 2016, stating concerns with not being able to practice as an LAC in her private practice. Her original application was received in November of 2015 and was denied on December 7, 2015. Her private practice application was reviewed during meeting and does not meet the requirements for private practice. Legal counsel will submit a response.

E. Clinical trainees reviewed and approved under chair authority include:

1. Belgarde, Anita
2. Copeland, Brian (later withdrew from training)
3. Hofland, Mandy
4. Stivers, Shonda

F. Approved providers reviewed and approved under chair authority include:

1. Behavioral Health (renewal)

VII. Old Business

No old business was discussed

VIII. Legislative Bills Discussion

A. Bill to amend 43-45-01

1. DSM language, sponsored by Reps Anderson, Lee and Westland
2. Webinar updates/ feedback
Webinar turnout and feedback was discussed. Board manager will modify website so there is a field to display current/ pending legislation affecting NDBACE and LAC.
3. SB 2088 and SB2033

B. Code revisions and updates

1. Board committee for legislative drafting update was discussed
2. Consumer feedback letters were discussed



IX. New Business

- A. DHS licensing, Pam Sagness was not able to appear in person
Add to April agenda
- B. James Pfeiffer, NDBCE chair (call in)
Mr. Pfeiffer, Chairperson of the North Dakota Board Counseling Examiners, called in and discussed LAPC to LAC conversion for individuals working on dual licensure that was presented. The next ND BCE meeting is February 10, 2017.
- C. Open position on board, delegation of duties
Board members were encouraged to contact LAC's who may be interested in serving on the board. Interested LAC's should contact the Governor's office.
Karin Walton will help Tonya with ethics
Julijana will review CEU requests, transcript reviews and applications for licensure
Kurt will work on the bills that affect the NDBACE
Board manager will see if Trina can assist with complaint review statistics and ethics.
- D. Consortium review process
Reviewed and discussed the consortiums that were reviewed in fall/ winter of 2016.
- E. Who is allowed to act as a reference for licensure?
Discussed that some applicants use personal references, as opposed to professional. Board manager will update form and web to indicate that reference letters should have one from a person with an academic relationship to the applicant, one should be an LAC and the third should be a professional reference who has worked with the applicant in a paid or unpaid capacity.
- F. Melissa Wheeler/ Red River Training Consortium
Board manager received a request for licensure exam, records indicated Ms. Wheeler was no longer in training. **A motion was made** that Ms. Wheeler's clinical training hours will not be excluded due to a clerical/ administrative error. (Snyder motion/ Nevland carried) Roll call vote: Snyder- Y, Walton- Y, Nevland-Y, Weishoff-Y. Motion passed.
- G. Code of Ethics was revised in October 2016.
Discussion only, changes would require a law change.
- H. Per diem for time spent attending and preparing for board meetings
Discussion only, changes would require a law change.

X. Other New Business

- A. General discussion of whether the number of complaints has risen since the oral exam requirements have changed. Board manager will review the complaint logs to determine if there are any trends. Specific ethical violations should be noted in order to identify areas of additional focus during training. Also include comparison of complaints per year and complaints per region. Scores of the four functional areas from the exam should be included. Results will be shared with the consortiums.
This should be prepared for the April board meeting.



*NORTH DAKOTA BOARD
OF
ADDICTION COUNSELING EXAMINERS*

- B.** Sheena Berger: An application for testing was received for Ms. Berger, who was not recorded, with the NDBACE, as a clinical trainee with TAAP. **A motion was made** that the NDBACE can ratify her clinical training application, as this was an administrative error with a new consortium. Appropriate documents should be sought and sent for review following the established process. The board manager will send a procedural document to the consortium to assist with understanding the process. The clinical training director will be asked to send a written explanation of how to avoid a reoccurrence. (Walton motion/ Nevland carried) Roll call vote: Snyder- Y, Walton- Y, Nevland-Y, Weishoff-Y. Motion passed.

XI. Adjourn

The meeting was adjourned at 2:25 pm

Respectfully submitted,

Julijana Nevland
Board Chair
NDBACE

Kurt Snyder
Vice Chair
NDBACE

Jody Pease
Board Manager
NDBACE