



MEETING MINUTES

April 21, 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 8:31

Present: Kurt Snyder, Laura Wesihoff, Tonya Sorenson, Karin Walton, Julijana Nevland

Others: Dave Schaibley (legal counsel), Jody Pease (board manager), Barbara Andrist and Pam Sagness

Barb Andrist was in attendance and spoke to the board and to thank them for their support and assistance on 2088. BreatheND has lost their funding, if a new grant is not received, the program will end on June 30, 2017. Ms. Andrist has information that can be provided to assist in helping facilities become tobacco free. Ms. Andrist's email is bandrist@nd.gov.

Agenda item IX A was moved ahead and discussed in order to accommodate audience member Pam Sagness, Director of the Behavioral Health Division (BHD).

- There are now 3 opioid programs in the state, Fargo, Minot and Bismarck.
- The "Problem Gambling Council" is available to assist, as we write the administrative code to include gambling.
- As admin code is rewritten, BHD would like to request:
 - consistent use of terms for trainees and interns so signers are consistently titled,
 - identification of scope of practice for interns and
 - clarification of private practice as it relates to program licensing.
- BHD licenses programs under their code, but have no authority over the individual. They review program specific rules. A request was made that as NDBACE reviews LACs and providers, to notify BHD of any potential program issues. Notifications regarding health and safety within a complaint pertaining to client records, 42 CFR part 2, HIPPA and Informed Consent, should be courtesy copied to BHD.
- On May 3, 2017 from 8:00- 4:30, the National Gambling Association will be offering a certified training program. All BHD programs are posted on their FaceBook and website, <https://behavioralhealth.dhs.nd.gov/>.

II. Review meeting minutes

A. October 14, 2016

October 2016 minutes were reviewed and it was identified that the minutes did not accurately reflect discussion in item VIII E. **A motion was made** to include the



wording from the board manager's handwritten meeting minutes to include "discussion that included that a Master's degree applicant with 1400 hours would be eligible for an LAPC, if they can demonstrate it being clinical in nature", as stated by Jamie Pfeifer. (Snyder motion/ Weishoff carried), Roll call vote: Nevland- Y, Sorenson- Y, Walton- Abstain, Snyder- Y, Weishoff- Y. Motion passed.

B. December 12, 2016

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

C. January 20, 2017

D. February 6, 2017

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

III. Review financials

A. Financial reports

Financial reports were reviewed and discussed. A request was made to rename account 5550 from background "check" to background "search". **A motion was made** to approve the financials. (Walton motion/ Weishoff carried). Roll call vote: Walton- Y, Snyder-Y, Sorenson-Y, Nevland-Y, Weishoff-Y. Motion passed.

IV. Discipline File Updates

A. Anderson, Delaine

Terms of probation have been completed and a letter was sent.

B. Collins, David

Terms of probation have been completed and a letter was sent.

C. Hunt, Geoffrey

Signed settlement agreement received. Under a one year probation until 2/5/18.

D. Marsh, Billy

Signed settlement agreement received. Under a one year suspension until 2/5/18.

E. Melgaard, Michael

Under 2 year probation until 9/24/17. He is not currently working in the field. Board Manager should send him a letter to request that he inform NDBACE if he returns to employment as an LAC.

F. Miller, John

Under 2 year probation until 9/08/17, CS letters were received on 1/30/17 and 3/10/17, with the next report due on 6/8/17. A letter from his PO was received late but upon request from Board Manager, the next report should be received in June.



V. Complaints

A. Burl, Eddie

Update provided by David Schaibley, the Office of Administrative Hearings generally makes a decision within 60-90 days.

B. Hemphill, Pam

Complaint and response was reviewed and dismissed. Based on response from Ms. Hemphill, it appears that the basis of the complaint was regarding an individual by the same name.

C. Montgomery, Christine

An email was sent to Pam Sagness to determine if Ms. Montgomery had a waiver in place to provide the 16 hour DUI class over 2 – 8 hour days.

A motion was made that based upon whether a waiver is in place, legal counsel will draft a letter based upon the outcome of the waiver. (Nevland motion/ Walton carried), Roll call vote: Snyder-Y, Weishoff-Y, Sorenson-Y, Nevland-Y, Walton-Y. Motion passed.

A motion was made that if a release of patient records is needed, the board manager will send a release of information to the patient, requesting a response from the complainant. The release would then be sent to Ms. Montgomery. Karin Walton would the review the patient records and complainant response. (Nevland motion/ Weishoff carried), Roll call vote: Walton- Y, Snyder-Y, Sorenson-Y, Nevland-Y, Weishoff-Y. Motion passed

D. Thompson, Ty

A letter from Mr. Thompson was reviewed. **A motion was made** to keep the settlement agreement as stated, with a letter of clarification sent from legal counsel. (Weishoff motion/ Walton carried), Roll call vote: Sorenson- Y, Snyder- Abstain, Nevland-Y, Walton-Y, Weishoff-Y. Motion passed

VI. Application and Practice Issues

A. LAC Applications approved under chair authority include:

1. Reidburn, Angela
2. Schumm, Paul
3. Simonsen, Chelsey
4. West, Erin
5. Yazzie, Lisa

B. Applications received, board review needed:

1. Berger, Sheena, LAC application

A motion was made to approve Ms. Berger's application for licensure. (Nevland motion/ Weishoff carried), Roll call vote: Walton- Y, Snyder-Y, Sorenson-Y, Nevland-Y, Weishoff-Y. Motion passed



2. Halvorson, Danielle, clinical training registration
A motion was made to approve Ms. Halvorson's application for clinical training. (Snyder motion/ Walton carried), Roll call vote: Weishoff-Y, Nevland-Y, Snyder-Y, Walton- Y, Sorenson-Y. Motion passed
 3. Robillard, Paige, LAC application
A motion was made that prior to licensure, Ms. Robillard be invited to attend a NDBACE meeting and speak to the board on her behalf, acquire a total of 20 CEUs, with a minimum of 3 in the areas of ASAM, ethics and professionalism. (Weishoff motion, Walton carried), Roll call vote: Snyder-Y, Weishoff-Y, Sorenson-Y, Nevland-Y, Walton-Y. Motion passed.
 4. Torgerson, Carol, Private Practice
A review of the application packet for private practice and all the submitted documents was conducted. **A motion was made** that legal council will send a letter that includes a table that can be filled out including the following areas: dates of employment, scope of work, name of agency, name of supervisor and number of hours for each position since the issuance of her ND LAC and Master's degree. (Nevland motion/ Walton carried), Roll call vote: Snyder-Y, Weishoff-Y, Sorenson-Y, Nevland-Y, Walton-Y. Motion passed.
- C. Clinical Supervision applications reviewed under chair authority:
1. Bell, Tracy
 2. Dosch, Brianna
- D. Clinical trainees reviewed and approved under chair authority include:
1. Auck, Tyler
 2. Bryant, Kayla (changes to training plan only)
 3. Sabot, Layn (changes to training plan only)
 4. Stivers, Shonda (changes to training plan only)
- E. Approved providers reviewed and approved under chair authority include:
1. Northeast HSC
 2. ND Addiction Counselor Association
 3. Michael Diesz
 4. Sharehouse
 5. Center for Rural Health
 6. Prairie St. John's
 7. Badlands HSC
- F. Approved programs reviewed and approved under chair authority include:
1. NDACA Spring Conference
 2. American Lung Association seminars
 3. NDCA Midwinter Conference
 4. Gender and Alcohol



VII. Old Business

A. NDBCE collaboration update

Julijana has been in contact to schedule a meeting, no date no date scheduled. NDBCE has their next meeting on May 19. Julijana will draft a letter to be sent by the board manager to request a meeting.

B. Complaint log review report

Discussion of the complaint report that was submitted by the board manager. A request was made that the board manager include two additional graphs. The first graph should sort the complaints received against clinical supervisors by the date they received their clinical supervision. The second graph should sort the area of complaints by the date of initial licensure. Once completed the report will be sent to the clinical training directors with a cover letter.

C. Complaint form modifications

Complaint form will need to be modified, and will need to include the most recent revisions of 42 CFR.

VIII. Legislative Bills Discussion

A. Senate Bill 2088 passed the House, will become law on 8/1/17

B. House Bill 1149 has been enrolled into law

C. Code revisions and updates

Auditing requirements have changed for boards based on the amount of gross receipts. Project Solutions will be asked to review the audit requirements and identify whether they can provide the required data and the cost to do so.

Code revisions and identification of stakeholders will be needed. **A motion was made** that Kurt start identifying and delegating a subcommittee to draft the administrative code. (Walton motion/ Weishoff carried) Roll call vote: Weishoff-Y, Nevland-Y, Snyder-Y, Walton-Y, Sorenson-Y. Motion passed

IX. New Business

A. DHS licensing, (Pam Sagness to appear in person)

Detailed earlier on the agenda.

B. Open positions, delegation of duties

Prospective board members for the two open positions have been identified by Governor Borgum's office. Julijana will continue to review private practice and clinical supervision applications.

C. 42 CFR Part 2 final rule in effect

D. IC&RC member board participation

Tabled, cost of participation is unknown.

E. NAADAC exam updates: Fargo site closed and online proctoring

A motion was made to approve the use of online proctoring through NAADAC. Consortiums will need to be notified and posted on the NDBACE website. (Nevland



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

- F. Clinical training applicant with clinical mental health internship hours, can they count toward addiction training hours?

Under our current rules, hours would not count. In the future, under revised administrative code(s), we need to identify ways to be more inclusive without compromising the integrity of the process. Areas of overlap will need to be identified.

- G. CEU review process, form modification discussion

The current application and process for review of CEU programs is confusing. An application from the Psychology Board was reviewed. Board manager will revise our current program application.

- H. Agenda document submission (Basecamp)

All board members were able to access agenda documents through Basecamp and it is much easier to have everything together and sorted by agenda item folders. Board manager will continue to share documents through Basecamp for future meetings.

- I. Feedback received: "exam continues to have questions focusing on the DSM IV which trainees did not have any training on".

Board manager should contact the clinical training director to determine the general wording. A board member will contact NAADAC.

X. Other New Business

XI. Adjourn

Meeting adjourned at 2:52 pm

Respectfully submitted,

Julijana Nevland
Board Chair
NDBACE

Kurt Snyder
Vice Chair
NDBACE

Jody Pease
Board Manager
NDBACE