

**MINUTES FOR THE BOARDS OF EXAMINERS FOR ALCOHOL, DRUG AND
GAMBLING COUNSELORS**

MEETING DATE: Friday, May 20, 2016- Via teleconference
MEETING TIME: 9:30 a.m.
MEETING LOCATION: **TMCC Redfield Campus
18600 Wedge Parkway Bldg. B, room 102
Reno, Nevada 89511**

**College of Southern Nevada
Cheyenne Campus
3200 E. Cheyenne Ave. Room 2638
Las Vegas, Nevada 89030**

MEMBER PRESENT: Steve Burt, Darlene Dufault, Paula Chung, Barbara Hunt, Merlyn Sexton, Dani Danley and Maryann Potter.

STAFF PRESENT: Agata Gawronski, Executive Director, Carol Masterson, Executive Assistant, Saul Singer, Private Investigator and Colleen Platt, Board Attorney, Brett Kandt Deputy Attorney General

MEMBERS OF PUBLIC: Leo Magrdichian, Alyson Martinez, Roberta Downey, Jeremy Cook, Casey Casillas, Arturo Gonzalez, Leslie Gray, Daniel Kantor, Abigail Gruggisberg, and Erin Kinard.

Item 1: Welcome, Call to Order.

Darlene Dufault called the meeting to order at 9:30 a.m.

Item 2: Public Comments.

No public comment

Item 3: Approval of the Minutes for February 12, 2016 meeting. (For possible action)

Barbara Hunt presented corrections to the minutes and made a motion to accept the minutes as corrected; Dani Danley seconded, the motion was carried unanimously.

Item 4: Online Therapy Presentation by Jeremy Cook.

Mr. Cook from JERELCO LLC, Presented information about the Telehealth program (Onlinetherapy911), his company is offering. (See attached)

The Board thanked Mr. Cook for his presentation.

Item 5: Linda Barnett, LADC requesting to implement retirement license – (for discussion only)

Darlene Dufault asked if Ms. Barnett was present, Ms. Gawronski stated that she was unable to attend and had submitted a letter for the Board's discussion on retirement license. Ms. Barnett referred to the

minutes from the September of 2014 meeting. Since the Board began executing the inactive license one time for 12 months only, many counselors are not happy. Darlene Dufault stated that this needed to be addressed. She stated that she liked the idea of keeping the inactive counselors current on their CEU's and felt there should be some type of license that addressed retirees, even if this was a special certificate of appreciation. Steve Burt asked if legislation was needed to address this item. Colleen Platt informed the Board that it would require a legislative change to add an additional license for retirees. Ms. Masterson asked the Board to articulate what this license would be. It was her understanding that the request for retired license is a reduction in fee's and basically an active/inactive license. Ms. Gawronski stated that if people are not practicing for an extended amount of time that they fall behind due to dynamic nature of the field. Steve Burt stated that the CEU component be added in. Colleen Platt, gave an example of how retirement status works in Illinois, A license could be inactive for a period and CEU's submitted. If put in retirement status there is a \$100.00 a year fee. Should the counselor come out of retirement they would be required to pay for the fee's for years retired and submit all CEU's to become current. Merlyn Sexton stated that he saw no reason to use the inactive status for retired counselors. Steve Burt stated that this was a one year one time situation and they were asking for long term. Paula Chung stated that when you are inactive for five years, treatment changes so much. Barbara Hunt stated that if these retirees are serious she would like them to come and discuss this with the Board we would welcome their ideas and input. Colleen Platt stated that it is a regulatory change that could be submitted. It was suggested that the topic will be put on the next agenda as an action item.

Item 6: Leslie Gray, CADC-I – request to take oral examination after 3 failed attempts (for possible action)

Ms. Dufault asked Mr. Gray to give the Board an explanation as to why he felt he has not passed the orals. Mr. Gray stated that originally he had not studied enough but that he has not practiced since 2009 and felt he did not know the material, as so much has changed. He felt that because treatment and criteria have changed in the recent years. He stated that he was volunteering and would be open to doing an internship.

Steve Burt made a motion to deny Leslie Grays request to take the Oral Examination for a 4th time; Barbara Hunt seconded, the motion carried unanimously.

The Board recommended that Mr. Gray contact Board staff and apply for internship status with no fee associated. This would allow Mr. Gray to get experience under the current DSM 5 and ASAM and work with a supervisor. Ms. Masterson informed Mr. Gray to email the office for a list of supervisors.

Item 7: Request to supervise additional interns;

a. Leo Magridichian, LADC Supervisor (for possible action)

Mr. Magridichian stated that he was requesting to take on one additional intern for the remainder of the year. He presented the Board (Las Vegas only) with a spread sheet of interns tracked through WestCare. Mr. Magridichian went on to state that they temporarily have more interns than supervisors. He stated that the individuals between now and the end of the year will be testing for licensure and some LADC applying for supervisor's certificate. Mr. Burt stated that was the best explanation presented. He asked Mr. Magridichian to explain the spread sheet for the Reno Board

members. Mr. Magridichian stated that they track licenses, i.e.; bachelors, masters, reporting period, and whether they are nearing expiration, if their hours are complete and if the intern is ready to test and the next available testing. "It is a way for us to track and we meet bi-weekly in a clinical staff meeting to go over the information and make sure interns are doing what is required and interns are assigned to the proper LADC." Mr. Burt asked for an explanation as to what happens on the ground at WestCare for supervision; Mr. Magridichian stated that at a minimum they meet weekly with their interns, they provide training and education both internal and external to prepare the interns. Interns also carry a client caseload that is under supervision as needed. He stated that supervision is part of his position at WestCare. Director Gawronski asks that the South send copies of the spread sheet.

Paula Chung made a motion that Leo Magridichian be allowed to take one additional intern until December 31, 2016; Dani Danley seconded, 5 in favor, 1 against, and 1 abstention, the motion passed.

b. Alyson Martinez, LADC Supervisor (for possible action)

Ms. Martinez stated that she was asking for one additional intern, working for WestCare. Mr. Burt stated that it is under Alyson's license and for proper vetting would like Ms. Martinez to explain what her supervision looks like and how she is going to manage six interns.

Ms. Martinez said she sees her interns on a daily basis and sits in groups and individual sessions.. Mr. Burt asked if she carried a caseload Ms. Martinez said "no". Ms. Dufault stated that she would like an explanation Recapping Ms. Martinez's statement; she is supervising 5, secondary for 1 but serving as primary for that person as well; which meant that she was actually supervising 6 all along. Mr. Sexton stated the minutes from the last meeting clarified that you may supervise 5 interns and serve as secondary on 5 others. Mr. Sexton stated that it was his understanding that supervisors can only have 5 primary interns and 5 secondary. Ms. Dufault said the Board can look at cases individually and have granted additional interns on a temporary basis in the past.

Darlene Dufault reading from the spreadsheet stated that it appeared that Ms. Martinez was supervising 6 and looking to take on an additional. Ms. Martinez explained that one Intern was getting ready to test and she is listing an intern that has applied for internship. Mr. Burt stated that he felt Ms. Martinez's situation was very similar to the previous request but Ms. Martinez was not adequately prepared. Mr. Burt went on to say it is concerning and important that Ms. Martinez be able to express why she is asking for the additional slot what her plans are for the additional slot and how she will be able to manage an additional intern.

Paula Chung made a motion that Alyson Martinez be allowed to take on one additional intern until December 31, 2016; Dani Danley seconded, 2 in favor, 4 against, 1 abstention. The request was rejected.

Brett Kant (Deputy District Attorney) suggested the applicant supply Board staff with the documentation and it is included in the record.

Mr. Burt asked that we put clarification of secondary interns on the next agenda for an action item.

Item 8: Amanda Pearson, LADC – discussion and possible approval of settlement agreement (for possible action)

Attorney for the Board Colleen Platt stated she was on the prosecution side and Brett Kandt from Attorney's General Office was present to answer any legal questions for the Board.

Ms. Platt presented the Board with the settlement agreement signed by Ms. Pearson. Ms. Platt stated that Ms. Pearson would be publicly reprimanded and taking 24 hours of education that will focus on ethical boundaries of the counselor/client relationship. She will work with the Director to establish course selection. These courses will not count as CEU's for renewal.

Ms. Platt asked for the Boards approval of the settlement agreement.

Steve Burt made a motion to accept the settlement agreement as written; Darlene Dufault seconded, the motion carried unanimously.

Item 9: Hans Meadows, CADC-I – disciplinary hearing for Case Number 2016-01-01 (for possible action)

Attorney Platt stated that she has reached a settlement agreement the previous afternoon with Mr. Meadows and he agreed to surrender his license for a period of not less than five years, with no fines assessed. Should Mr. Meadows apply to the Board for licensure after five years, that application will automatically come before the Board for its review.

Deputy Attorney Brett Kandt advised the Board that they could take action to accept the settlement agreement as the agenda item encompasses a hearing to consider disciplinary action. This is a purposed resolution for your consideration.

Steve Burt made a motion to accept the purposed settlement agreement as stated by Ms. Platt; Barbara Hunt seconded. The motion passed unanimously.

Dani Danley motioned to reconsider the previous motion; Steve Burt seconded. The motion passed unanimously.

Two Board members recused themselves from the vote. Paula Chung recused for known association and Barbara Hunt for conflict of interest.

Steve Burt made a motion to accept the settlement agreement as stated by Ms. Platt; Dani Danley seconded. The motion carried 4 in favor and 2 abstentions.

Item 10: Application for Board's review

a. Daniel Kantor (for possible action)

Mr. Kantor stated that in January he applied for his CADC internship and was denied due to length of sobriety. Stated "he brought this to the Board for discussion he has been sober for a period of eighteen months on June 3rd". Paula Chung stated that the statute was very clear on the length of time required for sobriety. Barbara Hunt stated that the Board did negate his time of sobriety but the statute

was in place for the protection of the community and for Mr. Kantor. Mr. Kantor asked if this was set in stone. Darlene Dufault stated that it is the law.

Steve Burt made a motion to deny Mr. Kantors application at this time; Barbara Hunt seconded, the motion passed unanimously.

Mr. Burt stated that Mr. Kantor should contact the Board staff after reaching his two years in sobriety. Darlene Dufault stated that Mr. Kantor will need to fill out a new application packet but fees could be waived, (except fingerprinting fee).

b. Abigail Guggisberg (for possible action)

Ms. Guggisberg stated that she submitted an application for internship in March and was asking the Board to approve. Director Gawronski stated that the board has the verification of employment, signed by supervisor Erin Kinard showing 40 counseling hours prior to certification. Erin Kinard stated she would take responsibility for this as she believed this was the number of hours that the intern would be working once certified. Ms. Kinard stated that it was a training issue on her part. Mr. Burt asked Ms. Kinard if she understood the purpose of the verification of employment hours, Ms. Kinard said yes the number of hours they are bringing to an internship. Mr. Burt informed that it was from a prior employer or state. Mr. Burt stated that inadvertently left Ms. Guggisberg open to ethical violations for practicing without a license. That is why this is denied. Ms. Kinard stated “unintentionally for the record” Mr. Burt stated that additionally on page two of the application Ms. Guggisberg listed WestCare as her employer since December 2015 and under her duties were group sessions, individual session, evaluation assessments and intakes in Pahrump. Ms. Kinard stated she has been employed since March 2016. Paula Chung asked Abigail to respond. Ms. Guggisberg stated that it was a misprint on her behalf. All she has been doing is intakes and entering clients into the system. Ms. Danley asked where the December 2015 came from. Ms. Guggisberg said she was not sure, her husband was stationed in Alaska and she was living in Alaska at that time. Ms. Chung recapped the work history and asked Ms. Guggisberg when she actually left Alaska. Director Gawronski stated you list from December 2015 to present employer as WestCare listing duties being performed without a certificate. Mr. Burt pointed out that Ms. Guggisberg listed on the first page of the application Ms. Guggisberg put December 15, 2015 and now telling the Board you lived in Alaska at that time. Ms. Guggisberg stated that she acquired a house in Nevada at that time believing she would be moving here then. Director Gawronski asked what Ms. Guggisberg has been doing at WestCare since December 2015. Ms. Guggisberg stated “I am doing intakes and entering them into the system, I am not assessing”.

Steve Burt made a recommendation that we get a new application with the correct information.

Mr. Burt made a motion to deny the application; Merlyn Sexton seconded, 6 in favor, 1 recused, the motion passed.

Director Gawronski stated for the record that the Verification of Employment Form is for the past experience not the anticipated experience in the field.

Item 11: Executive Directors proposed change of the fees for AADC and ADC exams from \$115.00to \$170.00 (for possible action)

Director Gawronski explained to the board that because we had such a dynamic change from NAADAC testing to IC&RC, we only charged at our cost in order to move forward. The Board has associated costs with the testing process. Ms. Gawronski stated she had contacted other states to see what they were charging for processing fees and it ran between \$50.00-\$100.00, explaining that she felt charging a \$55.00 processing fee would be fair, the \$115.00 would be sent to IC&RC and the \$55.00 would cover Board's cost.

Steve Burt made a motion to increase the IC&RC Written Exam Fee for AADC and ADC from \$115.00 to \$170.00 effective immediately; Barbara Hunt seconded, the motion carried unanimously

Director Gawronski also asked the board to set the date for the next meeting due to the case loads that Attorney Platt and the staff were actively working on. August 12th was agreed upon for the next Board meeting

Item 12: Public Comment

No public comment

Item 13: Adjournment

Darlene Dufault asked for a motion to adjourn the meeting at 11:20 a.m., Steve Burt motioned to adjourn; Dani Danley seconded the motion carried unanimously.