

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

MEETING DATE: Friday, March 10, 2017- Via teleconference
MEETING TIME: 9:30 a.m.
MEETING LOCATION: **TMCC Redfield Campus
18600 Wedge Parkway Bldg. B, room 102
Reno, Nevada 89511**

**University of Nevada Cooperative Extension Building
8050 Paradise Rd
Room 105
Las Vegas, Nevada 89123**

MEMBER PRESENT: Darlene Dufault - President, Steve Burt –Vice president, Barbara Hunt-Secretary/Treasurer; Paula Chung-member, Merlyn Sexton-members, Dani Danley-member and Maryann Potter-member.

STAFF PRESENT: Agata Gawronski, Executive Director, Colleen Platt, Board’s Attorney, Brian Evans Board’s lobbyist.

MEMBERS OF PUBLIC: Reno: Robert Olivas, Colin Hodgen; **Las Vegas:** Brian Veal, Jeffrey Sutton, David Robeck.

Item 1: Welcome, Call to Order.

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

Item 2: Public Comments.

David Robeck, CEO of Bridge Counseling in Southern Nevada was present in Las Vegas. He stated that his agency currently has 26 clinicians and four on side LADC supervisors, but he was concerned about limited amount of Gambling supervisors in the State. Mr. Robeck went on to say that he did not agree with boards’ policy regarding minimum of five interns per supervisor and how it is affecting his agency.

There were no other public comments.

Item 3: Approval of the Minutes for November 18, 2016 meeting. (For possible action)

Colleen Platt reported typos in the minutes on page 3 stating “Mr. Taylor” instead of ‘Mr. Hall’; Barbara Hunt corrected “ refusal “ to recusal , also Brett Kendt was misspelled throughout the minutes.

Steve Burt made motion to approve the minutes with the corrections made. Barbara Hunt seconds it. Motion carried.

Item 4: Discussion and consideration of petition for an advisory opinion by J.J. Lee, LADC regarding the interpretation of NAC 641C.250 (4) and supervision of interns (for possible action)

JJ Lee was not present; Colleen Platt suggested tabling this item for the next meeting to ensure that Ms. Lee is present and able to explain to the board what answers is she looking for.

Item 5: Colin Hodgen-request for reinstatement of licenses (for possible action)

Mr. Hodgen was present in Reno; Dani Danley recused herself due to conflict of interest, Paula Chung also recused herself due to conflict of interest.

Mr. Hodgen stated that in June of 2014 this Board voted to suspend his credentials as a result of arrest for DUI; he also reported that he successfully completed all the conditions laid out. He is now looking for the reinstatement of all four of his credentials as follows- LADC, LADC supervisor, CPGC and CPGC supervisor.

Mr. Hodgen reported that upon completion of his drug court program, the felony charge was withdrawn. and the penalty was for misdemeanor DUI second offense. Merlyn Sexton asked Mr. Hodgen about his aftercare plan and abstinence. Mr. Hodgen informed the board that he was sober since January 2014 and he is about to pick up his 4 year chip.

Steve Burt made motion to reinstate all four licenses in question, MaryAnn Potter second it.

Steve Burt asked the chair for post motion discussion, and he expressed his concerns because Mr. Hodgen does not meet current requirements to be LADC and CPGC , and if he should apply today since it has not been 2 years since he was off of community supervision. Mr. Burt added that “word on the street in Washoe County is that Mr. Hodgen has been practicing counseling all along” but he had no proof at this time.

Darlene Dufault expressed her concerns about Mr. Hodgen supervising interns after his long term struggles and having three DUI’s.

Barbara Hunt stated that she concurred on Merlyn Sexton’s comments and was commenting on Mr.Hodgens efforts and him moving forward with his license and being able to walk the walk and help others, but also she was concerned about the time from completion of his supervision and that it has not been two years.

Mr. Hodgen stated that he would be willing to go on probation with the Boards, he reported completing CEU’s during his suspension.

Darlene Dufault asked about his aftercare program, Mr. Hodgen stated that he was consulting with his colleagues and attending AA meetings every day.

Motion carried with two recusals (Dani Danley, Paula Chung) , two nays Barbara Hunt, Darlene Dufault and three yays, Steve Burt, Merlyn Sexton and MaryAnn Potter.

Item 6: Applications for Board's review /approval (for possible action)

a) Emily Garnett-Hall, application for supervisor's certificate (for possible action)

Colleen Platt reported that Ms. Hall wasn't present and asked to table this item until the next meeting.

b) Brian Veal , CADC-renewal application (for possible action) ,;

Mr. Veal was present in Las Vegas, stated that he was advised by the Board's staff to hold on to his renewal application and license reactivation until this meeting, based on his unreported arrest and sexual assault and kidnapping allegations; Mr. Veal told the Board that he ended up pleading guilty to misdemeanor conspiracy to commit coercion . Ms. Gawronski stated that she had the application ready for approval or denial and explained that the issue here was that Mr. Veal did not report his arrest to the Board as required by law in timely fashion rather it was discovered upon renewal and boards request to submit fingerprints.

Barbara Hunt asked Mr. Veal how long he has been a counselor. He answered "since 2004", she than asked Mr. Veal why he went on inactive status, he stated "because of this situation", Ms. Hunt asked about his work history, he proceeded to name all the treatment agencies he worked for in the past.

Paula Chung asked what the date of his arrest was, he answered "September 2, 2014".

Dani Danley stated that she wasn't feeling comfortable approving this application without seeing full fingerprint report. Steve Burt suggested answering the question and vote to deny upon receiving further information.

Colleen Platt advised Mr. Veal to turn his fingerprint card to the Board as well as his final disposition from the court so we can bring the application back to the next meeting for approval. The Item was tabled.

c) Jeffrey Sutton – application for LADC (for possible action).

Mr. Sutton was present in Las Vegas, he stated that he was in Nevada since December of 2015 and that he was previously working as substance abuse counselor in California; he then "found himself in a situation", his wife was preventing him from seeing his child and the mother of his child, it caused a fight and physical violence which resulted in arrest and later order to complete six months of domestic violence counseling and community service. Mr. Sutton stated the he was taking full responsibility for his actions and he was not clear why he was being called before the Board.

Paula Chung asked Mr. Sutton about his recent record, an arrest in December of 2015 for possession of scheduled drug. He then explained that it was a warrant for cocaine possession in 2003. He stated he had been clean since 2006.

Steve Burt asked about the written statement Mr. Sutton provided for the Board packets, and questioned him about getting his fingerprints for LADC application in December of 2015, not understanding how his application is being reviewed 15 months later; which implies that he had been practicing counseling without license for the past 15 months.

Darlene Dufault asked for clarification and Mr. Sutton admitted to working as a counselor since December of 2015. Mr. Sutton stated that he was never offered supervision and was only asked to “sign paper stating that he was receiving supervision”.

Mr. Sutton stated that when he received his application package from the board, it said that he had up to one year to submit his application back. Agata Gawronski clarified that 12 months keeps the application active, but it does not give one the right to practice.

Mr. Sutton stated that he has never misrepresented himself to the public and that his boss was aware of his situation.

Darlene Dufault stated that in her opinion he was misrepresenting himself to the clients he was treating because they were being treated by unlicensed counselor. MaryAnn Potter asked Mr. Sutton what was his scope of work as a counselor at the “A Better Today Recovery Services”; he answered “I led groups and did individual sessions and I helped with finding housing, job placement, etc”.

Dani Danley stated “Mr. Sutton, you were practicing without license”.

Steve Burt stated that the supervisor Mr. Sutton was working under was an LPC not LADC.

Mr. Burt asked Sutton if he had current internship with the MFT Board or if he was in the process of applying for one, Mr. Sutton said “no”, and added that it took him long time to obtain all of his criminal records and court documents. Darlene Dufault asked if he had any license at all to practice in Nevada and the answer was no.

Mr. Burt stated that he commends him for his accomplishment but due to him practicing without license, Mr. Burt decides to make motion to deny the license, Paula Chung second it.

Barbara Hunt asked Mr. Sutton to talk to Ms. Gawronski regarding time line from his previous conviction and when he would be eligible to apply.

Darlene Dufault informed Mr. Sutton that he is not allowed to practice without license in the state of Nevada and asked Mr. Sutton if he was still working, he stated that the agency closed and he was not currently working in the field.

Motion carried unanimously.

d) Ali Jamshidi –renewal application for CADC-I (for possible action) –

Colleen Platt stated that the Board should not take any action on this item and that it will be back on the next agenda as the Complaint Notice of Hearing.

Item 7: Legislative session 2017 updates/Colleen Platt, Agata Gawronski (for possible action).

Colleen Platt introduced Brian Evans with the Perkins Group and stated that they will both present the summary of what is currently going on at the Legislative Session 2017.

BDR 54-410 was being discussed and worked on with the DHHS but there is neither consensus nor bill still out.

Ms. Platt went on with presenting summary of the BDRs listed on the agenda that could potentially affect this board.

Brian Evans presented AB 86 explaining to the Board that this bill was presented to lower legal gambling age from 21 to 18; and presented potential issues that would come up with this bill.

Dani Danley stated that by lowering the gambling age, the numbers of people addicted to gambling will increase. Adding that current addiction rate is at 7%.

Darlene Dufault stated that the Board should take a position .Steve Burt made motion to oppose AB 86 and that the problem gambling counselors members of the Board will write a letter to submit to the committee chair for public comment. Dani Danley seconds it. Motion carried.

AB105 requires every licensee of this and other Boards dealing with patience to require of 3 hours of instruction every years in evidence based suicide prevention.

Brian Evans talked about bill AB 194, relating to peer recovery specialists and as being proposed to be regulated by this Board.

Darlene Dufault stated that it was not appropriate for this Board to be forced to regulate behavioral health peer support specialist, because it would be outside of our scope; it was public safety issue and disciplinary concerns.

Steve Burt presented brief history of this bill to the Board, stating that the board was in support of peer recovery specialist in the past legislative session 2015 which did not pass.

In a meantime CASAT developed voluntary certification in collaboration with IC &RC for the peers and the program has been successful since. The new proposal (AB194) 1 includes behavioral health peers which are concerning.

MaryAnn Potter agreed that it would be huge liability .

Public comment came from Robert Olivas, he stated that substance abuse issues usually come with mental health disorders and it would be hard to separate the two. Multiple issues have been raised by the Board members, such as supervision of peers etc.

It has been confirmed that peer support specialist services are now federally recognized and funded. It became reimbursable service recognized by Medicaid. No position was taken by the Board on AB194 at this time.

SB181 account in general found in treatment of substance abusers it requires DHHS to provide pilot program for people with heroin abuse disorder. It would be heroin assisted treatment.

Dani Danley made a motion to oppose the bill, Steve Burt second it. Motion carried.

Item 8: Financial audit results and budget review/Agata Gawronski (for possible action)

Financial audit was introduced; there were no questions to it nor the proposed budget.

Dani Danley made motion to accept the audit and budget for fiscal year 2016-17, Merlyn Sexton second it. Motion carried.

Item 9: Public Comments.

Robert Olivas was present in Reno and asked permission for his 600 level class through CASAT called “exploring gambling behaviors”, taught by Denise Quirk to be accepted in lieu of 30 mandatory CEU’s to renew his Problem Gambling Certification.

Mr. Olivas stated that he was left with the impression that he will be able to obtain 30 CEU’s approved by this Board after completing this class.

Ms Gawronski stated that the class was never introduced to the Board for CEU’s approval and it appears as if it was advertised as such. Mr. Olivas was advised to submit his CEU’s to the Board with his renewal application.

Item 10: Adjournment.

Darlene Dufault made motion to adjourn,

The new Board meeting was scheduled for June 9th, 2017.