

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

MEETING DATE: Friday, June 9, 2017- Via teleconference
MEETING TIME: 9:30 a.m.
MEETING LOCATION: **TMCC Redfield Campus**
18600 Wedge Parkway Bldg. B, room 130
Reno, Nevada 89511

University of Nevada Cooperative Extension Building
8050 Paradise Rd
Room E
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, Brett Kandt-Deputy Attorney General

MEMBERS OF PUBLIC: Reno: Lisa Leatham-Vancil ; **Las Vegas:** Jamie Sanchez, Robert Paisano, Felicia Bliatout, Eric Mason, Nadine Goodwin.

Item 1: Welcome, Call to Order.

Darlene Dufault called the meeting to order at 9:35 a.m.

Item 2: Public Comments.

No public comments.

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

Merlyn Sexton reported typo in the minutes In Item 2, line 2 should have been “on site” instead

“On side” Paula Chung reported that in Item 4, line 2 “Is she looking for” should be corrected to “she is looking for”.

Item 7 under AB 105 it should read “patients” not “patience “

Steve Burt made motion to approve minutes with corrections.

Darlene Dufault second it, motion carried.

Item 4: Nadine Goodwin, CADC –request to retest after 3 failed attempts (for possible action)

Ms. Goodwin was present in Reno, she stated that she had wrong studying materials first time around and second time around she wasn't prepared for the co-occurring questions and she is now aware of what she is missing and how to prepare for the test.

Steve Burt made motion to allow Nadine Goodwin to retest, MaryAnn Potter second it. Motion carried.

Item 5: Complaint notice of hearing –Jamie Sanchez –LADC, Case number 2017-01-01 (for possible action)

Colleen Platt stated on the record that she will step out of her role as Board's counsel and will be prosecuting the case; she handed over the counsel role to Brett Kandt from Attorney's General office.

Mr. Kandt asked the subject of the hearing to identify himself on the screen.

Ms. Platt called her witness Mr. Mason to the stand, he was sworn by Mr. Kandt and identified himself for the record, as Eric Mason, Clinical Director at Freedom Behavioral Health, and he stated that he started working at this agency in December of 2016. He was asked by Ms Platt if he knew Mr. Sanchez and he said yes, and further stated that Mr. Sanchez was in the role of Clinical Director before he took over at Freedom House, Mr. Mason stated that Mr. Sanchez was let go for various reasons, one of them being not available to his staff.

Ms. Platt asked Mr. Mason why he decided to file complaint against Sanchez, Mr. Mason proceeded to tell about his interactions with an intern at the agency Ms. Flores and how she stated that she was running "Life skills" groups and was seeing clients and documenting it as an Intern, he than reported witnessing an interaction between Ms. Flores and one of the clients, which made him concerned. He was also concerned with her behavior and that she was acting like she was in charge of the agency, acting like "director".

Mr. Mason stated that he signed off on one of her life skill classes and noticed that it was talking about relapse and triggers which are not life skills.

Ms. Platt asked Mr Mason if in his opinion Ms. Flores was providing counseling services, Mr. Mason answered "yes".

Eric Mason stated that he was reviewing her charts and noticed treatment plans and case notes entered and signed by her.

Ms Platt asked Mr. Mason how he found out she was not certified as intern.

Mr. Mason testified that he checked on Board's website trying to verify Flores's credentials and was unable to find her; he then called the office and was informed that Ms. Flores is not certified with the State of Nevada.

Ms. Gawronski was called to the stand and sworn. Ms Platt asked if Gawronski was familiar with Ms. Flores and was told that only from the complaint and that she is not licensed nor certified with the State .

Prosecution rested.

Mr. Sanchez was representing himself and he called one witness, Robert Paisano, Licensed Alcohol and Drug Counselor.

Mr. Paisano testified that he was clinical supervisor for Ms. Flores, he had asked her upon signing the supervision agreement if she was current with the Board but did not get “straight answer”, he then proceeded to call the Board and verify and was told by board’s staff that she only requested an application but was not certified.

Ms. Platt asked Paisano if he was aware of Ms Flores being asked by Sanchez to participate in any counseling sessions, Mr. Paisano denied.

Ms Platt asked “what role did you play in her supervision”, Paisano responded “I was under the impression that she was already certified as intern, so I was providing her with weekly supervision.”

Ms. Platt asked Paisano if he asked Flores directly if she was certified, and he stated yes and that her answer was “I am in the process”.

Mr Sanchez called himself as witness and was sworn by Mr. Kendt.

Mr Sanchez stated that he was arguing the accusation of not being present at the agency, and that he was assigned to be supervisor to Flores.

He stated that Ms Flores was hired as administrative assistant and was in charge of scheduling and other administrative duties.

He stated he was never aware of her practicing counseling.

Ms Platt asked Sanchez what his title was at Freedom Behavioral Health. He testified that he was hired as clinical director. Ms. Platt than asked what was Ms. Flores’s title, he stated Administrative Assistant she was hired, and she was hired In December of 2016.

Miss Platt asked how many interns were employed at the agency when he was an administrator.

He stated “there were two when I left” Miss Platt than asked “was miss Flores one of them “and he answered “no”.

Steve Burt asked about the supervision agreement Ms Flores signed with Paisano and if it was directed by Sanchez either in writing or verbally”, he stated it was verbally and he was convinced the agreement was signed and that he saw the document, Mr. Burt than asked “can you tell me when you saw than”, Sanchez was unable to answer this question, Mr. Burt asked if Mr. Sanchez was under the impression that Ms Flores was qualified to become an intern, he stated “yes”. He also stated that she did not have case load assigned to her at that time.

Dani Danley asked Mr. Sanchez why was and Administrative Assistant (Ms. Flores) performing Life Skills groups , which is considered a group and administered to clients and how is this being billed if someone without credentials is providing this service.

Darlene Dufault asked Mr. Sanchez if he was aware of the requirements of this Board, such as displaying certificated and licenses in the places of practice, he said yes, she also asked if Freedom Behavioral Health was Medicaid certified provider, and he said "I believe so".

Barbara Hunt asked if Ms. Flores expressed her interest in being an intern when hired as an administrative assistant, he said yes.

MaryAnn Potter asked Mr. Paisano about the notes he was signing off on, and where were the notes being submitted after his signature and also if they were billable.

Robert Paisano was called back to testify and stated he was signing on the written notes produced by Ms. Flores.

Brett Kandt asked Sanchez if he had more evidence to present and Sanchez declined.

Ms. Platt made closing argument stating that it appears that Mr. Sanchez allowed Ms. Flores to provide counseling services and Freedom Behavioral Health, also he participated in assigning clients, Mr. Sanchez did not report unlicensed activity to the Board even though he testified that had he known he would have, Ms. Platt later stated that it was clear he was aware Ms. Flores did not have an Intern Certificate to her name.

The members could not agree on all the Facts presented in the complaint notice of hearing

Steve Burt made motion to accept alleged facts 1, 2, 5 Maryann Potter second it.

Darlene Dufault asked for discussion. Paula Chung stated that she disagree with Steve Burt and said she thought fact 3 was proven. 5 members voted yes Paula Chung and Dani Danley voted no.

Brett Kandt stated that because the Board could not prove the violations of law, since only 3 out of six facts were not proven the case against Mr. Sanchez was dismissed.

Item 6: Complaint notice of hearing Felicia Bliatout- LCADC, Case number 20107-01-03(for possible action)

Barbara Hunt recused herself based on conflict of interest.

Mr . Kendt informed Ms Bliatout that it was adversarial proceeding and that the Board was here to consider the charges against her, consider evidence that is presented in support of these charges and any evidence she may present in defense of her case.

Ms Platt was prosecuting this case on behalf of the state, and presented allegations to support the claims in the case filed against Bliatout.

Colleen Platt stated that Miss Bliatout entered supervision agreement with an Intern Diane Wolf.

Ms. Blioutout clarified that she was a co-supervisor and that primary supervisor was Ms. Leatham-Vancil.

Diane Wolf was called to witness stand and sworn by Mr. Kendt. She stated that she has been working as CADC-I at Choices group for the past six months.

Ms Platt asked if she knew Ms. Bliatout. She stated she met her before because they worked at Westcare together for about six months. Her employment with Westcare was ceased in December 2016. And that Bliatout was her supervisor while working for this agency.

Ms. Platt presented exhibits to the members which were copies of supervision agreement as well as progress report signed and dated by Ms. Bliatout.

Ms. Wolfe was asked why she left Westcare and testified that she did not have good experience there due to very little supervision and training and that her co supervisor was physically on side one time. Attorney Platt asked about the dates of supervision documented in the progress report and asked if they actually happened, Ms.Wolfe said" only one time. Steve Burt asked the witness "who put the dates on the progress report?", she responded " Ms. Bliatout". And that she did not fill those forms out.

Ms. Bliatout had no other questions for this witness but she reported having additional written evidence she wished to present to the Board, Brett Kandt asked if it was shared with the prosecution before the meeting and was informed that this was not the case.

Prosecution was asked if she would stipulate it but Ms. Platt stated that she was not aware of the exhibits beforehand.

It has been decided that the hearing will be continued at the next scheduled board meeting, since Ms. Bliatout was unprepared.

Item 7 Lisa Leatham -Vancil- LCADC, Case number 2017-01-02 (for possible action).

Barbara Hunt recused herself due to conflict of interest.

Colleen Platt presented the evidence to the Board members , Ms. Leatham –Vancil than stated that she had an evidence to submit and that is was different from the one presented by the prosecution .

Colleen Platt requested continuants of this hear at the next scheduled board meeting.

Item 8: Legislative session 2017 updates /Colleen Platt; Brian Evans the Perkins Company and Agata Gawronski (for possible action).

Colleen Platt presented updates on the Legislative Session 2017.

AB425 passed and it will come into effect on July 1, 2017. It will allow CADC's with 3 years of experience to become certified Supervisors after completing an application and training prescribed by the Board; this bill also created Inactive License for retired /inactive counselors and will allow the Board to prosecute unlicensed activities.

AB 457 will require all the Behavioral Health Boards including Board of Examiners for Alcohol, Drug and Gambling Counselors to report to Commission on Behavioral Health on annual basis as well as consult disciplinary actions and other licensing issues for their review.

Brian Evans informed the Board that bill AB194 concerning licensing Behavioral Peer Support Specialist did not pass.

Item 9: Discussion regarding implementation of AB 425 (for possible action)

Colleen Platt informed the Board that the regulations have to be adopted before coming into effect, which means we need to have workshop to solicit comments and next adopt the regulations at the following meeting.

Item 10: Public Comments

No public comments.

Item 11) Adjournment

Next Board meeting was scheduled for Friday, August 11th 2017 at 9.30 am