

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

MEETING DATE: Friday, December 11

MEETING TIME: 09:00 a.m.

MEETING LOCATION: **Online via Zoom**

MEMBERS PRESENT: Mary Lask, Denise Everett, Milagros Severin-Ruiz, Paula Chung, Lee Ann Malone, Merlyn Sexton

STAFF PRESENT: Agata Gawronski Executive Director, Paula Hlade, Licensing Specialist, Colleen Platt, Legal Counsel

MEMBERS OF PUBLIC: Alex Tanchek, Kasey Chu, Sarah Mesereau-Adler, Ryan Knuppenburg, Ester Quilici

Item 1: Welcome, Call to Order.

Mary Lask called the meeting to order 9:03am.

Item 2: Public comments

Sarah Mesereau-Adler with Silver State Government Relations, representing Vitality Unlimited and New Frontier. Sarah spoke regarding how rural providers are eager for the Board to address remote supervision of interns to meet the needs of rural clients and providers. She noted she is working with Senator Goicoechea to develop a BDR asking that the required supervision hours for master's level interns be decreased to 3000. For LCADC candidates 1500 supervised hours regarding Alcohol and Drug issues and 1500 hours specific to Co-Occurring Disorders, considering the intern's educational and professional background. Sarah will provide Agata and Colleen a copy of BDR when drafted from LCB. The Board will need to review and determine their position. Deliberation of emails back and forth. Sarah stated she will also send the bill proposal information she sent to Sen. Goicoechea to Agata and Colleen.

No other public comments.

Item 3: Approval of the Minutes for Oct 2, 2020 meeting.

Mary Lask and Colleen Platt opened the discussion and ask for any changes or edits. No changes or edits were suggested.

Denise motions to approve minutes as is.

Paula Chung seconded; the motion was carried unanimously.

Item 4: Request to supervise additional interns Kasey Chu

Kasey Chu, Clinical Director of New Frontier in Fallon before the Board asking for permission to take a sixth intern for the next reporting period (Jan-June 2021). She stated she has two who are ready to test and

one is awaiting the submission of her progress report. Kasey believes those two interns will likely fall off within the 6 months, but due to COVID and new employees, there will be more interns and she is therefore asking to take on two more interns. Per NAC 641C.280,

4. A licensed or certified alcohol and drug counselor, a licensed clinical alcohol and drug counselor or a certified problem gambling counselor who is supervising a certified intern shall not:

(c) Supervise more than five certified interns at one time without the prior approval of the Board'.

Colleen explains that historically, the Board required the Supervisor to identify specific interns rather than give blanket approval.

There was some discussion about the specific interns and Kasey explained that Jessica Homer has been officially hired by the agency and is currently a certified intern already, but the other new intern has not been officially hired and is not yet a certified intern. There was some discussion regarding Open Meeting Law and the requirement that the person be named on agenda in order to take action.

Agata would like to have a possible separate approval meeting once the other new intern is hired and cautioned against assuming interns are close to passing exams as the process is different for everyone and it is unknown if interns will pass or how many times they will need to retest. Merlyn asks for clarification regarding one or two interns. Historically, interns needed to be identified rather than requesting a 'place holder' approval. Kasey amends her request to approve only intern Jessica Homer currently. Mary asks if there needs to be a timeframe associated with the approval and Lee Ann motions to approve one intern for 3 months. Agata explains that six months is standard especially with the requirement that if an intern fails the written exam, they must wait 90 days to retest. All agree that six months will be best and Merlyn seconds' motion. Vote all in favor, motion carries unanimously. Kasey approved to supervise Jessica Homer for 6 months.

Item 5: Review and/or Approval of Ryan Knuppenburg Intern Application for possible action

Ryan explains that he was informed his Background Check showed a DUI he had 11 years ago that he did not disclose on this application. He stated he did not realize it was still on his record and had passed previous background checks, so he thought it had "fallen off" after 7 years.

Lee Ann asks Ryan about the arrest he did disclose on his application, which was the "Misuse of 911" which is a gross misdemeanor which occurred on Dec. 15, 2019 and was resolved in March 2020. Ryan explanation the situation regarding his significant other who was incarcerated, Ryan's alcohol use at the time, and his calling 911 to get updates and try to get his significant other released from jail. He stated the charge was eventually reduced and he paid a fine. Per Colleen, NAC 641C.215, an application can be rejected if the applicant:

(d) Has been convicted during the 2 years immediately preceding the date on which he or she submitted the application of any crime other than a violation of a traffic law not involving alcohol or a controlled substance.

(e) Has not completed a term of parole, probation or supervised release from a conviction obtained in this

State, another state, a territory or possession of the United States, or the District of Columbia before the 2 years immediately preceding the date on which he or she submitted the application.

There was discussion and clarification regarding the timeframe of this current crime.

Milagros notes that the Certifying Statement 1(b) on the application regarding issues with substance abuse problems was circled, indicating Ryan does not identify as having had issues with substances. However, the recent discussion, and by Ryan's own admission of his problematic alcohol use during the incident and his sobriety since, would indicate otherwise. Milagros asks for evidence of his sobriety. Ryan explained his relationship with alcohol and stated he doesn't consider himself chemically dependent but leads a healthy recovery-based lifestyle. He has been working at Bristlecone since August as a student intern and he is hoping to get hired soon (pending his approval as a certified intern). He stated his agency supervisors are Rex Smyly and Peter Ott. Lee Ann moves to table the issue for the next meeting pending Ryan obtaining a substance use evaluation and Milagros seconds the motion. None opposed, item tabled.

Item 6: Discussion regarding internal Board policies and procedures which include, without limitation, attendance, discipline and vacation. Mary Lask -for possible action.

Agata proposed the issue be tabled since it is still in draft form and present to at next meeting. Item tabled

Item 7: Discussion regarding adopting regulations to set forth uniform standards for locations where interns provide services and standards concerning the electronic supervision of interns at remote sites. Proposed draft by Colleen Platt – for possible action.

Members received a copy of the rough draft regulations from Colleen regarding electronic supervision. Proposed change of electronic supervision only permitted by individual licensed as LADC Supervisor. Draft also includes limiting remote supervision to agencies providing treatment in counties with a population less than 100k, which would include the entire state except Washoe and Clark counties. Colleen asks the Board to consider what electronic supervision and/or treatment would look like or how it would be defined. She reminded the Board there would need to be a workshop to discuss prior to any 'adoption hearing' at the next meeting, however this would need to be implemented in an approximate 30-day window to implement a temporary regulation ending in November 2021, and then after the temporary regulation is implemented, then the Board can work on a more permanent regulation. Merlyn gave input that he would like the Supervisor to be in same county as the intern, but then there was discussion that this would be counterproductive to the goal of remote supervision. Colleen asks Board members if the supervision would be in real-time at time of the counseling service being provided and there was continued discussion about the pros and cons. Milagros offered input that she would like there to be a requirement of at least one face to face supervision meeting between intern and supervisor. Colleen stated the duties of a supervisor are remaining same per regulations, the new regulation would only outline electronic supervision. Lee Ann would like to see electronic supervision one time per week, but electronic session observation monthly along with electronically signing evaluations, casenotes, etc. Agata clarified that electronic health records usually require electronic countersignatures anyway. Denise believes the regulation should be exactly the same as it is now, just allowing for electronic means of supervision. Lee Ann would like to identify certification needed for telehealth, but Colleen clarifies this regulation is only regarding the supervision. Milagros believes the agency should have to provide software for electronic signatures and there was discussion about current EHR platforms being widely

used already. Paula stated she would like to see the regulation restrict electronic supervision to a 50-mile radius and members discussed and agreed there should not be a distance requirement. Agata and Licensing Specialist Paula H. discussed how this will impact the day-to-day operations regarding the office. Agata reiterated the need to keep the requirement of on-site supervisor and Colleen suggested the option to have the intern 'apply' to be supervised electronically. Colleen and Agata discussed allowing all supervisors regardless of location in a rural community. There was also discussion about the unintended consequence that would result if electronic supervision was allowed for new interns during the pandemic and then this option eliminated which would leave the intern without a supervisor. Denise makes a motion to give Colleen direction to create a temporary regulation to add electronic supervision to the current regulation and then the Board will hold a public workshop and then adoption hearing. Vote was unanimous and the motion carried.

Item 8: Executive Director's Report

Director Gawronski sent audit to Board. Mary stated she had no issues and Paula motions to accept audit. Merlyn seconds. No board discussion vote unanimous.

Item 9: Other public comments

Agata checked the Zoom waiting room and there were no others waiting to join the meeting.

Sarah Adler spoke to thank the Board for the discussion regarding regulations and the proposed benefits to the rural agencies.

Adjournment (for possible action)

Next meeting date dictated by public workshop, so possibly late January 2021 or early February.

Mary Lask adjourns meeting.