



# Minnesota Board of Behavioral Health and Therapy

## BOARD MEETING MINUTES

# APPROVED

April 22, 2011 - 12:00 p.m.

Conference Room A, Fourth Floor; 2829 University Avenue SE, Minneapolis, MN

### Executive Session (Closed Session - Not Open to the Public)

The Board Adopted a Stipulation and Consent Order In the Matter of Kathryn Esslinger, LADC. Ms. Esslinger's license was suspended indefinitely for engaging in a sexual relationship with a former client.

#### 1. Call to Order / Roll Call – Public Session (12:25 p.m.)

Board members present: Barb Carlson, Marlae Cox-Kolek, Freddie Davis-English, Judi Gordon, Yvonne Hundshamer, Kristen Piper, Duane Reynolds, Walter Roberts, Jr., Nicholas Ruiz, Bob Schmillen, Judy Sherwood, and Nona Wilson

Board members absent: Doug Frisk

Staff members present: Kari Rehtzigel, Executive Director; Samantha Strehlo, LADC Licensing Coordinator; Carly Lykes, LPC/LPCC Licensing Coordinator

Others present: Ben Garbe, Assistant Attorney General; Julie Rohovit, U of M; Debra Prins, LADC, We Care; Katherine Theisen-Wetzel, SMUMN

#### 2. Approval of January 28, 2011, Board Meeting Minutes

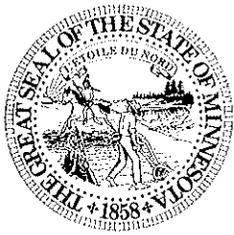
Judi Gordon moved to approve the minutes. Duane Reynolds seconded. Chair Ruiz called for a vote on the motion. All Board members present voted aye, there were no nays, and the motion to approve the minutes carried.

#### 3. Staff Member Reports

##### A. Executive Director's Report (Kari Rehtzigel)

Ms. Rehtzigel reported that the Board's budget for the upcoming biennium is at the same level as the 2007 budget when it was cut 42%. The annual budget for the LADC program is \$250,000 and the annual budget for the LPC/LPCC program is \$144,000. She further reported that the number of licensees continues to increase while the staffing level has remained at the same level. There is significant discomfort for staff, and the Board will likely need to request a higher base budget in the next biennium in order to regulate effectively.

EXECUTIVE	APPL/LICENSURE	POLICY/RULES	LEGISLATIVE	COMPLAINT RESOLUTION	EXAM EVAL
Nick Ruiz	Kristen Piper	Nicholas Ruiz	Nick Ruiz	Walter Roberts	Walter Roberts
Kristen Piper	Judi Gordon	Walter Roberts	Walter Roberts	Nick Ruiz	Duane Reynolds
	Nick Ruiz	Duane Reynolds	Judi Gordon	Duane Reynolds	Nick Ruiz
	Barb Carlson			Marlae Cox-Kolek	



# Minnesota Board of Behavioral Health and Therapy

Board Meeting Minutes  
April 22, 2011  
Page 2

The Board is on target to retire the LADC program debt by 2013. Fee increases should be avoided. The Board should also avoid having excess revenue end up in the Special Revenue Fund where it will be vulnerable to seizure from the Legislature to fund General Fund programs.

Chair Ruiz thanked the Board staff members for effectively managing the budget and running the programs "on a shoestring." Judi Gordon noted that the staff is producing more work product than ever before. Ms. Rechtzigel stated the staff members have examined the licensure and regulatory processes and made improvements in order to regulate effectively at the current staffing levels.

Yvonne Hundshamer asked how often the full Board reviews the budget. Ms. Rechtzigel responded that the staff reviews the budget every month. All budget documents are public and any Board member can review them at any time. Ms. Hundshamer asked why the Board is in debt.

Ms. Rechtzigel reviewed the history of the Board's financial status. In 2005, the LADC program was transferred from the Department of Health to the BBHT. Along with the program came a \$1 million debt. A \$99 surcharge on every initial license application and renewal application is in place until 2013 to pay off the debt. The BBHT also reduced the size of the staff to address the debt.

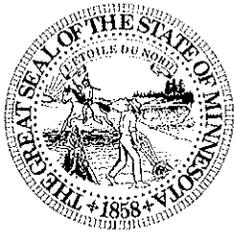
The LPC program was established in 2003. The Board was given spending authority, but the Board did not start collecting revenue until 2004 when the first licenses were issued. Start up costs also included rulemaking costs for four sets of rules. In 2007 the Board increased licensure fees for professional counselors and created additional fees related to supervision and continuing education.

Ms. Strehlo reported that at the end of fiscal year 2010, the LADC program debt had been reduced to approximately \$350,000 and the LPC program debt had been reduced from approximately \$500,000 to \$388,000. The LPC program is on target to be debt free by fiscal year 2015.

Walter Roberts stated that this Board also had to clean up a substantial backlog of complaints inherited from the Department of Health. He stated that he has no idea how the staff "gets it done." He opined that the BBHT is one of the most effectively-run boards in the State of Minnesota.

Ms. Rechtzigel further explained that in 2008, the Legislature seized funds from the Special Revenue Fund to fund General Fund programs. Because the Legislature did not specify that the funds should be taken only from boards with a positive balance in the Special Revenue Fund, BBHT went further into debt. Twenty-two percent of BBHT's annual budget was seized to fund General Fund programs. In 2010, the Legislature passed another bill to seize Special Revenue funds. Again, the Legislature did not specify that the funds should be taken only from boards with a positive balance in the fund. Ms. Rechtzigel asked for an Attorney General's Office opinion, but no opinion was provided (the

EXECUTIVE	APPL/LICENSURE	POLICY/RULES	LEGISLATIVE	COMPLAINT RESOLUTION	EXAM EVAL
Nick Ruiz	Kristen Piper	Nicholas Ruiz	Nick Ruiz	Walter Roberts	Walter Roberts
Kristen Piper	Judi Gordon	Walter Roberts	Walter Roberts	Nick Ruiz	Duane Reynolds
	Nick Ruiz	Duane Reynolds	Judi Gordon	Duane Reynolds	Nick Ruiz
	Barb Carlson			Marlae Cox-Kolek	



# Minnesota Board of Behavioral Health and Therapy

Board Meeting Minutes  
April 22, 2011  
Page 3

opinion was not requested from Mr. Garbe). Fortunately, a vote of the executive directors for all the health licensing boards resulted in no additional funds being seized from BBHT.

Judi Gordon concluded the budget discussion by stating that staff members do not even seek reimbursement for parking fees, meals, or mileage for Board-related activities.

Ms. Rehtzigel reported that the Exam Evaluation Committee recently convened to review a written exam offered by the National Association of Alcoholism and Drug Abuse Counselors (NAADAC). The committee is requesting additional information, and no decision has been made regarding whether the exam will be accepted as a comprehensive exam (satisfying written and oral exam requirements) for LADC licensure purposes.

Ms. Rehtzigel reported on the Board's legislative initiatives. HF 1382 is a housekeeping bill related to the LPC/LPCC programs: extending the LPCC conversion method for another two years (from August 1, 2011 to August 1, 2013); changing the continuing education requirements in the first four years of licensure to allow licensees to apply graduate credit hours to the 40 CE hours that are also required; and, finally, removing a reference to an obsolete exam (the ECCP) because the National Board for Certified Counselors no longer offers that exam option. The bill has not yet been heard in any committee.

HF 1383 (the LADC practice act rewrite) was heard in committee on April 13, 2011 at 8:30 p.m. There was opposition to the bill related to proposed changes to the temporary permit requirements. There was also an amendment to the bill to allow an exception to licensure for UMICAD certified counselors. Representative Jim Abeler offered two oral amendments at the hearing to address these issues, and he was able to keep the bill alive. The LADC bill was scheduled for another committee hearing on April 26, 2011. There has been no Senate activity on the BBHT bills.

B. Samantha Strehlo reported on LADC program activities.

1. Ms. Strehlo provided Board members with a list of persons licensed since the last board meeting on January 28, 2011. See Attachment I to these minutes.

Ms. Strehlo reported that online renewal is now available for all the Board's licensing types. In addition, online license verification is available. Licensees and applicants can also make address changes online. Finally, a supervisor "look up" is available online. Interested persons can search by supervisor name or by geographic location to find approved licensure supervisors.

EXECUTIVE	APPL/LICENSURE	POLICY/RULES	LEGISLATIVE	COMPLAINT RESOLUTION	EXAM EVAL
Nick Ruiz	Kristen Piper	Nicholas Ruiz	Nick Ruiz	Walter Roberts	Walter Roberts
Kristen Piper	Judi Gordon	Walter Roberts	Walter Roberts	Nick Ruiz	Duane Reynolds
	Nick Ruiz	Duane Reynolds	Judi Gordon	Duane Reynolds	Nick Ruiz
	Barb Carlson			Marlae Cox-Kolek	



# Minnesota Board of Behavioral Health and Therapy

Board Meeting Minutes  
April 22, 2011  
Page 4

## C. LPC/LPCC Program Update (Carly Lykes)

1. Ms. Lykes provided board members with a list of persons licensed since the last board meeting on January 28, 2011. See Attachment 2 to these minutes.

Ms. Lykes reported that the Board has received numerous LPCC conversion applications due to the fact that the method will expire on August 1, 2011.

## 4. Legislative Committee Report (Kari Rechtzigel)

- A. LADC Legislation
- B. LPC Legislation

Legislative initiative updates were reported in Ms. Rechtzigel's staff member report.

## 5. Variance Requests

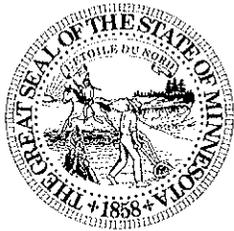
- A. Michael T. Bauer, MS, LPC (Wisconsin)

Mr. Bauer requested a variance to Minnesota Rules part 2150.5010, subpart 3.C., which requires supervisors to have 45 hours of training in counseling supervision. Walter Roberts moved to approve the request. Marlae Cox-Kolek seconded. Discussion followed related to the demonstration of hardship. Chair Ruiz called for a vote on the motion. All Board members present voted to deny the request.

- B. Robert Bouley, LPC Applicant

Mr. Bouley requested a variance to Minnesota Rules part 2150.5010, subpart 4, and requested that the Board approve his supervised practice hours with a non-approved supervisor. Walter Roberts moved to deny the request. Freddie Davis-English seconded. Discussion followed and the motion was withdrawn. Marlae Cox-Kolek moved to approve the request. Nona Wilson seconded. All Board members present voted aye, there were no nays, the motion carried, and the request was granted.

EXECUTIVE	APPL/LICENSURE	POLICY/RULES	LEGISLATIVE	COMPLAINT RESOLUTION	EXAM EVAL
Nick Ruiz	Kristen Piper	Nicholas Ruiz	Nick Ruiz	Walter Roberts	Walter Roberts
Kristen Piper	Judi Gordon	Walter Roberts	Walter Roberts	Nick Ruiz	Duane Reynolds
	Nick Ruiz	Duane Reynolds	Judi Gordon	Duane Reynolds	Nick Ruiz
	Barb Carlson			Marlae Cox-Kolek	



# Minnesota Board of Behavioral Health and Therapy

Board Meeting Minutes  
April 22, 2011  
Page 5

## C. Joanne Garlich, MS, LPC (LPCC Applicant)

Ms. Garlich requested a variance to Minnesota Rules part 2150.5010, subpart 4, and requested that the Board approve her supervised practice hours with a non-approved supervisor. Judi Gordon moved to approve the request. Freddie Davis-English seconded. All Board members present voted aye, there were no nays, the motion carried, and the request was granted.

## D. Kathryn Hollenhorst, MS, LP

Ms. Hollenhorst requested a waiver/variance of Minn. R. 2150.5010, subpart 3.C., which requires approved supervisors to document 45 hours of formal training in counseling supervision. She requested that the Board approve a single instance of supervision for one supervisee. Walter Roberts moved to approve the request. Freddie Davis-English seconded. All Board members present voted aye, there were no nays, the motion carried, and the request was granted.

## E. Kerrie Schwertman, MA, LPC (LPCC Applicant)

Ms. Schwertman requested a variance to Minnesota Rules part 2010.5010, subpart 4, and requested that the Board approve her supervised practice hours with a non-approved supervisor. Judi Gordon moved to approve the request. Yvonne Hundshamer seconded. Discussion followed related to the demonstration of hardship and the motion was withdrawn. Walter Roberts moved to deny the request. Freddie Davis-English seconded. All Board members present voted to deny the request.

## 6. Board Chair for Remainder of 2011.

This meeting is the last meeting for Nick Ruiz as Board chair. Judi Gordon offered to serve as chair for the remainder of 2011. The Board approved Ms. Gordon as Board chair by acclamation.

## 7. Public Comment Period

Nick Ruiz acknowledged the presence of Ms. Theisen-Wetzell, a graduate student.

## 8. Adjournment

Walter Roberts moved to adjourn the meeting. Barb Carlson seconded. All Board members present voted aye, there were no nays, and the meeting adjourned at 1:35 p.m.

EXECUTIVE	APPL/LICENSURE	POLICY/RULES	LEGISLATIVE	COMPLAINT RESOLUTION	EXAM/EVAL
Nick Ruiz	Kristen Piper	Nicholas Ruiz	Nick Ruiz	Walter Roberts	Walter Roberts
Kristen Piper	Judi Gordon	Walter Roberts	Walter Roberts	Nick Ruiz	Duane Reynolds
	Nick Ruiz	Duane Reynolds	Judi Gordon	Duane Reynolds	Nick Ruiz
	Barb Carlson			Marlae Cox-Kolek	

## LADC Licenses Issued Since Last Board Meeting

<u>Number</u>	<u>Issue Date</u>	<u>First Name</u>	<u>Last Name</u>
303049	2/3/2011	Alisa	Cohen
303050	2/3/2011	Patricia	Miller
303051	2/3/2011	Barbara	Bush
303052	2/3/2011	Samuel	Cohen
303053	2/3/2011	ThanhVan	Vu
303054	2/3/2011	Jewel	Weah
303055	2/3/2011	Jeffrey	Buikema
303056	2/3/2011	Cara	McClellan Christenson
303057	2/3/2011	Matthew	Holkup
303058	2/3/2011	Wayne	Finseth
303059	2/16/2011	Kathleen	Croymans
303060	2/16/2011	Kimberly	Moos
303061	2/16/2011	Brian	Hackney
303062	2/16/2011	April	Brobston
303063	2/16/2011	Jean	Norris-Harper
303064	2/16/2011	Amy	Weed
303065	2/16/2011	Patti	Norman
303066	2/16/2011	Jessica	Liden
303067	2/16/2011	Matthew	Johnson
303068	2/16/2011	John	Culver
303069	2/16/2011	Kathleen	Behrens
303070	2/16/2011	Wendy	Stewart
303071	2/16/2011	Amy	Shields-Olson
303072	2/16/2011	Brett	Baker
303073	2/16/2011	Jenna	Fuchs
303074	2/16/2011	Debra	Malm
303075	2/16/2011	Christy	Anderson
303076	3/7/2011	Pamela	Bloemendal
303077	3/7/2011	Steven	Hruby
303078	3/7/2011	Theodore	Edin
303079	3/7/2011	Laura	Haeg
303080	3/7/2011	Jeanette	LaMotte Decker
303081	3/7/2011	Russell	Robbins
303082	3/7/2011	Jessica	Sundberg
303083	3/7/2011	Adam	Arnold
303084	3/7/2011	Donna	Wahlstrom
303085	3/25/2011	Richard	Knotz
303086	3/25/2011	Michael	Waxlax
303087	3/25/2011	Aubrey	Moore
303088	3/25/2011	Jessica	Feldt
303089	3/25/2011	Meredith	Rogers
303090	3/25/2011	Kathleen	Howland
303091	3/25/2011	Harry	Ivy
303092	3/25/2011	Janelle	Morris
303093	3/25/2011	Paul	Sorenson
303094	3/25/2011	Michael	Smith

## LADC Licenses Issued Since Last Board Meeting

303095	3/25/2011	Emmanuel	Lagman
303096	3/25/2011	Amy	Mitchell
301294	4/7/2011	James	Jensen
303097	4/7/2011	Mark	Martinez
303098	4/7/2011	Sheryl	Anderson
303099	4/7/2011	David	Rogge
303100	4/7/2011	Craig	Johnson
303101	4/7/2011	Reid	Anderson
303102	4/7/2011	Rachel	Daigle
303103	4/7/2011	Jennifer	Bartsch

**Total: 56**

## LPC/LPCC Licenses Issued Since Last Board Meeting

<u>Number</u>	<u>Type</u>	<u>Issue Date</u>	<u>First Name</u>	<u>Last Name</u>
989	LPC	2/1/2011	Jeffrey	Buikema
990	LPC	2/1/2011	Aleida	Zollman
991	LPC	2/1/2011	Jennifer	Klutch
992	LPC	2/1/2011	Brent	Richter
993	LPC	2/1/2011	Lori	Martin
994	LPC	2/1/2011	Erin	Anderson
995	LPC	2/1/2011	Arnold	Kampa
996	LPC	2/1/2011	Eileen	Dummer
997	LPC	2/1/2011	Janel	Lindgren
998	LPC	2/1/2011	Shannon	Pikka
999	LPC	2/1/2011	Emily	Hinds
1000	LPC	3/1/2011	Heather	Taylor
1001	LPC	3/1/2011	Sharon	Henshel
1002	LPC	3/1/2011	Sabrina	Hanson-Reiter
1003	LPC	3/1/2011	Christina	Miner
1004	LPC	3/1/2011	Cindy	Solberg
1005	LPC	3/1/2011	Michelle	Saari
1006	LPC	3/1/2011	Brandi	Worrath
1007	LPC	3/1/2011	Michelle	Lamusga
1008	LPC	3/1/2011	Amber	Aasen
1009	LPC	3/1/2011	Bethany	Kunkel
1010	LPC	3/1/2011	Kristine	Martin
1011	LPC	3/1/2011	Jolene	Rebertus
1012	LPC	3/1/2011	Jennifer	Baechler
1013	LPC	4/1/2011	Connie	Wheeler
1014	LPC	4/1/2011	Joanne	Garlich
1015	LPC	4/1/2011	Andrea	Bjornestad
1016	LPC	4/1/2011	John	Engebretson
1017	LPC	4/1/2011	Megan	Mikulski
1018	LPC	4/1/2011	Heather	Krug
1019	LPC	4/1/2011	Breana	Lehan
1020	LPC	4/1/2011	Ludmila	Timm
1021	LPC	4/1/2011	Simone	Reiss
1022	LPC	4/1/2011	Sheryl	Hybert
1023	LPC	4/1/2011	William	O'Brien
1024	LPC	4/1/2011	Rene	Pietila
<b>Total:</b>	<b>36</b>			
247	LPCC	2/1/2011	Sarah	Doll
248	LPCC	2/1/2011	Holly	Dow-Alferness
249	LPCC	2/1/2011	Kara	Crain
250	LPCC	2/1/2011	Michael	Gardos Reid
251	LPCC	2/1/2011	Jennifer	Nemecska
252	LPCC	2/1/2011	Marie	O'Brien
253	LPCC	2/1/2011	Emily	Chrysler
254	LPCC	2/1/2011	Katie	Holmgren

## LPC/LPCC Licenses Issued Since Last Board Meeting

255	LPCC	2/1/2011	Aaron	Leet
256	LPCC	2/1/2011	Jose	Pullan
257	LPCC	2/1/2011	Kimberly	Sersland Brady
258	LPCC	2/1/2011	Suzanne	Hickman
259	LPCC	2/1/2011	Stephanie	Sholtz
260	LPCC	2/1/2011	Natascha	Mishacoff
261	LPCC	2/1/2011	John	Schlichting
262	LPCC	2/1/2011	Jill	Grand
263	LPCC	2/1/2011	Lindsay	Pavelko
264	LPCC	2/1/2011	Judith	Woods
265	LPCC	2/1/2011	Terri	Ulschmid
266	LPCC	2/1/2011	Paige	Berland
267	LPCC	2/1/2011	Sheila	Rojas
268	LPCC	2/1/2011	Loree	Le Roux
269	LPCC	2/1/2011	Elissabeth	Lauren
270	LPCC	3/1/2011	James	Zapf
271	LPCC	3/1/2011	Jodi	Helseth
272	LPCC	3/1/2011	Mary	Einarson
273	LPCC	3/1/2011	Kathleen	Lowry
274	LPCC	3/1/2011	Trish	Van De Veer
275	LPCC	3/1/2011	Matthew	Paymar
276	LPCC	3/1/2011	Margaret	Williams
277	LPCC	3/1/2011	Kelly	Kirby
278	LPCC	4/1/2011	Claire	Hysell
279	LPCC	4/1/2011	Megan	Ries
280	LPCC	4/1/2011	Amy	Ratzlaff
281	LPCC	4/1/2011	Christi	Wellman
282	LPCC	4/1/2011	Louise	Page
283	LPCC	4/1/2011	Rebecca	Molstad
284	LPCC	4/1/2011	Jennifer	Paradeis
285	LPCC	4/1/2011	Keith	Gascho
286	LPCC	4/1/2011	Linda	Diaz
287	LPCC	4/1/2011	Karen	Byrd
288	LPCC	4/1/2011	Jennifer	Matthews
289	LPCC	4/1/2011	Heather	Goochey
290	LPCC	4/1/2011	Anne	Sween-LeVan
291	LPCC	4/1/2011	Jennifer	Klutch
292	LPCC	4/1/2011	Jane	Farber
293	LPCC	4/1/2011	Nancy	Rach
294	LPCC	4/1/2011	Patricia	Nielsen Wilkie
295	LPCC	4/1/2011	Joan	Ward
296	LPCC	4/1/2011	Jean	Sershen
<b>Total:</b>		<b>50</b>		