

APPROVED

MINUTES

BOARD OF BEHAVIORAL HEALTH AND THERAPY
LEGISLATIVE COMMITTEE

September 17, 2015

10:00 a.m.

Conference Room A, 4th Floor, 2829 University Avenue SE

Board Members Present: Freddie Davis-English, Public Member; Judi Gordon, RN, LADC, Board Chair; Rebecca Lund, MA, LPCC; Walter Roberts Jr. EdD, LPCC, Committee Chair

Board Members Absent: Amy Robinson, MS, LPCC

Staff Members Present: Kari Rehtzigel, Executive Director; Patricia LaBrocca, LPC/LPCC Licensing Coordinator

Others Present: Cindy Greenlaw Benton, Human Resources, Health-Related Licensing Boards Administrative Services Unit; Melissa Haley, Autism Treatment Association of Minnesota; Jim Abeler, in support of Autism Treatment Association of Minnesota

The meeting was called to order at 10:00 a.m.

1. SF 2180 – introduced in 2015 Legislative Session (behavior analysts). Role of Council of Health Boards. Discussion.

Bill (SF 2180) was introduced late in the 2015 legislative session proposing licensure for behavior analysts who, among other things, provide services to persons with autism. Former state Rep. Jim Abeler supports the legislation.

Melissa Haley (attorney, former public defender in Hennepin County, parent of an autistic child, and affiliated with the Autism Treatment Association of Minnesota), provided the following information:

41 states have an insurance mandate for therapy services to autistic clients; approximately 18 states have some form of credentialing for behavior analysts, and the majority of states follow the national certification/credentialing requirements. The majority of persons in Minnesota who provide these services are not licensed.

Ms. Haley reported there are approximately 20 board certified behavior analysts in Minnesota and 100 or so lower level providers. There is consensus among providers that a national credential is necessary. Federal Medicaid reimbursement requires providers to be credentialed. The providers are split as to whether the national certification is enough.

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THE BOARD OF DIRECTORS OF THE COMPANY

RESOLVED THAT THE FOLLOWING BE APPROVED

AS A MATTER OF COURSE AND WITHOUT FURTHER ACTION

BY THE BOARD OF DIRECTORS

THIS RESOLUTION WAS PASSED AT A MEETING OF THE BOARD OF DIRECTORS HELD ON THE 15TH DAY OF JANUARY 1964 AT THE HEAD OFFICE OF THE COMPANY AT [Address]

SIGNED AND DELIVERED BY THE CHAIRMAN OF THE BOARD

[Signature]

[Signature]

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Ms. Haley believes licensure helps to promote quality services, and she is in favor of state oversight of providers in addition to the national credential standards.

Judi Gordon moved to study the bill language and continue to work with the interested parties. Rebecca Lund seconded. All Committee members voted aye, there were no nays, and the motion passed.

Discussion followed. Ms. Rechtzigel asked for information from Ms. Haley regarding the 10 provider organizations for autism Ms. Haley referenced in her remarks to the Committee.

Freddie Davis-English asked which states are doing the best job in this service area. Ms. Haley responded that the State of Kentucky has its own board. Walter Roberts suggested the Committee gather information on successful state regulations as well as bad examples. Rebecca Lund would like information on Medicaid payment requirements. Ms. Rechtzigel asked for a list of contact people in this area at the Department of Human Services. Freddie Davis-English noted that the issue of cultural competence needs to be addressed.

Walter Roberts asked where behavior analysts are employed. Ms. Haley responded they primarily provide services in homes, treatment centers, and schools. Dr. Roberts stated he believes other professions will object to the proposal in the bill (guild mentality) despite exemptions for practitioners in public schools. Rebecca Lund noted that titles may be confusing to consumers. For example, there are behavior specialists in schools, but they are not behavior analysts. Walter Roberts asked what schools are providing the education proposed in the bill. Ms. Haley reported there is a program at St. Cloud State right now, and the University of Minnesota program may be revived. There is momentum for this because of a workforce shortage.

Jim Abeler stated he and Ms. Haley would take care of contacting the bill authors to have the proposal referred to the Council of Health Boards. Cindy Greenlaw Benton explained the Council of Health Boards review process. Meeting attendees were provided with handouts. The process takes several months. The only version of the bill right now is the draft introduced on May 14, 2015. The bill proponents should present the best draft of the bill before it is referred to the Council. Jim Abeler recommended that the BBHT appoint 2 or 3 members to work on the bill language. Kari Rechtzigel stated she will help with some corrections to the current language in the bill. Walter Roberts advised caution so that the perception is not that the Board is acting as an advocate for the group or the proposal.

The Committee recessed at 11:15 and reconvened at 11:30 a.m.

2. Review of language provided by the AASCB related to licensure portability. Discussion related to pursuing legislative changes to reciprocity language in statutes for LPCs/LPCCs and LADCs.

The Legislative Committee approved broadening the licensure reciprocity language in the LADC and LPC/LPCC statutes to promote licensure opportunities in Minnesota for providers from other states who have 5 years or more of experience. Such an initiative will promote licensure portability, lower barriers to licensure, and potentially add providers to the counseling workforce.

BBHT staff members will work with the Attorney General's Office to draft language. Walter Roberts asked Patricia LaBrocca if adopting suggested changes to the reciprocity requirements will make her job easier. She responded it would.

3. Tiered Licensure Working Group report due December 15, 2015. Status.

Kari Rehtzigel reported that a draft of the report will be distributed at the Board meeting on October 23, 2015.

The next Legislative Committee meeting is scheduled for Friday, November 20, 2015, at 10:00 a.m.

The meeting adjourned at 12:00 noon.