



Minnesota Board of **APPROVED** Behavioral Health and Therapy

BOARD MEETING MINUTES

July 21, 2005, 12:30 p.m.

Conference Room C, Third Floor

2829 University Avenue SE, Minneapolis, Minnesota

I. Call to Order; Roll Call (12:44 p.m.)

Members Present: Maria DuPree, Judi Gordon; Kristen Piper, Duane Reynolds; Walter Roberts, Jr.; Nick Ruiz

Members Absent: Catherine Cullen-Benson, Freddie Davis-English, Doug Frisk; Kaarin Long

Staff present: Kari Rechtzigel, Executive Director; Lynette DuFresne, LADC Licensing Coordinator; Lori Schneider, LPC Licensing Coordinator; Robyn Koppy, LPC Communications Coordinator

Others Present: Nathan Hart, Assistant Attorney General; Jerry Fallon, Minnesota Certification Board; Kathy Dohmeier, Office of the Ombudsman for Mental Health; Karen Feyo

II. Approval of June 16, 2005 Board Meeting Minutes

Dr. Roberts asked if there were any questions about or corrections to the minutes. Hearing none, Duane Reynolds moved that the board approve the minutes as written. Nick Ruiz seconded. Dr. Roberts called for a vote on the motion. Kristin Piper abstained from voting on the minutes. All other board members present voted "aye," there were no nays, and the motion to approve the minutes carried.

III. Executive Director Report

Kari Rechtzigel reported that the LADC program transition was smooth for the most part and that staff members worked very hard to make that happen. There are still some computer glitches that need to be worked out. BBHT is happy to have Lynette DuFresne and Lisa Hinck here working on the LADC program.

Lynette DuFresne explained the contents of a statistical chart on alcohol and drug counselor licensees and temporary permit holders. She answered questions from board members.



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Kari Rechtzigel reported on the effect of the partial government shutdown on the BBHT office. The shutdown began on July 1, 2005 and continued until July 11, 2005, when state workers could return to work. Kari and Lynette worked part time to process license renewals, which was the only function BBHT was permitted to perform during the shutdown.

When staff returned to work, the air conditioning system failed at the board offices, resulting in temperatures in the office of over 90 degrees until Friday, July 15 when the system was repaired. The Department of Employee Relations became involved and directed that offices should close and employees be sent home due to the effects of the extreme heat. These events on top of the move at the end of June put staff several weeks behind in processing work. Dr. Roberts commented that at every board meeting it seems he is saying, "it's been a difficult month." Dr. Roberts noted that work and progress on the board's website has continued despite the challenges to staff.

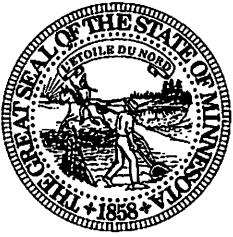
Lori Schneider reported on plans for the September 15 board meeting and committee meetings in Duluth. Discussion followed related to committee meetings for Wednesday evening, September 14, and Thursday morning before the board meeting. No decision was made as to which committees (Legislative, Application and Licensure, Complaint, or Continuing Education) would meet at which time slot.

Lori reported that the BBHT office staff will prepare a notice and/or press release regarding the September meeting in Duluth, post it on the board's website, and forward it to various interested parties or entities (professional associations, education institutions, hospitals, and treatment facilities in the region).

IV. Application & Licensure Committee

A. Update on the application review process

Lori Schneider informed the board about the committee's efforts. The shutdown prevented the committee from meeting as scheduled in early July. Members are working to catch up by doing individual review of files. There are 194 LPC licensees to date. A new application form, incorporating all the new provisions from the 2005 legislation, is being finalized and is almost ready for posting on the website.



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B. Roster of Candidates Recommended for Licensure

Kristin Piper, on behalf of the committee, presented a list of 3 candidates for LPC licensure, issue date August 1, 2005, to the board. The committee moved that the board approve the list of candidates for licensure. Dr. Roberts called for a vote on the motion. All board members present voted "aye," there were no nays, and the motion to approve the candidates for licensure carried. The names of the licensees are:

Elaine Olson 00196

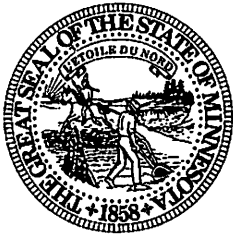
Thomas Gaffney 00197

Jodi Rubin 00198

C. Policy on LADC Licensure Process

Kari Rechtzigel informed the board that the Committee met prior to the board meeting to discuss how to issue temporary permits and licenses for alcohol and drug counselors. Nathan Hart explained that the Department of Health is a commissioner-based agency that is very different from a licensing board agency. The board can delegate certain duties and responsibilities to board staff. Discussion followed regarding what duties the board wants to delegate to the staff. With regard to licensure files, the Committee process will be for staff to present completed licensure files to the Committee to review and the Committee will recommend applicants for licensure to the full Board. With regard to temporary permits, the Committee moved that the board delegate to the executive director the authority to issue temporary permits. Dr. Roberts called for a vote on the motion. All board members present voted "aye," there were no nays, and the motion carried.

Discussion followed regarding temporary permit holders. Nathan Hart stated a temporary permit allows someone to practice alcohol and drug counseling under supervision. In response to a question from Kathy Dohmeier of the Office of the Ombudsman for Mental Health, Lynette DuFresne stated a person may renew a temporary permit five times. During the time someone holds a temporary permit, they do not have to complete any continuing education. Judi Gordon noted that a fee increase for temporary permit renewal was passed in the 2005 legislative session. Dr. Roberts noted the Board's legislative committee may want to look at the issue of continuing education for temporary permit holders.



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D. Roster of Candidates Recommended for LADC Licensure

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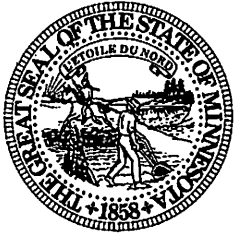
Janet Borgen
Melvin Hayner
Joseph Sherry.

V. Rulemaking Report

Nathan Hart reported that three of the LPC rules are now promulgated. The rules relating to continuing education and supervision became effective July 5, 2005. The rules relating to license renewals and termination of license became effective July 12, 2005. Staff and Committee members deserve recognition for accomplishing this rulemaking process in only a year and a half. Now that rules are in place, people will be asking for waivers and variances to the rules. Mr. Hart will explain the waivers and variance process at a future board meeting.

There is a wrinkle in the conduct rules. The Office of Administrative Hearings approved the rules but the Administrative Law Judge proposed changes to "improve" or "clarify" the language. On June 23, 2005, the Rules Committee met to consider the changes. Nathan Hart explained the changes the Committee made and noted the information was being shared with the Board for information purposes only, since the Board delegated the authority to the Committee to complete the necessary steps in the rulemaking process.

On June 23, 2005, the Policy and Rules Committee also worked on the necessary changes to the Continuing Education rules due to language in the 2005 legislation that just passed allowing licensees four years instead of two to complete the additional graduate coursework specified in statute. Nathan Hart explained each of the changes to the CE rules, the most significant of which was to do away with the varied amounts of traditional CE credits licensees must obtain. Instead, everyone gets four years before having to report CE. During that time, licensees must complete the required number of graduate credits along with 40 CE hours from workshops, seminars, etc.



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5 The Committee moved for approval of the changes to the CE rules and to proceed with approval
6 of an Authorizing Resolution for expedited rulemaking relating to Continuing Education for
7 Licensed Professional Counselors. Dr. Roberts called for a vote on the motion. All board
8 members present voted "aye," there were no nays, and the motion carried. Dr. Roberts and
9 Duane Reynolds signed the Authorizing Resolution.

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11 A short discussion followed regarding the rules for alcohol and drug counselors. Many portions
12 of the ADC rules are obsolete because of statutory changes. Duane Reynolds commented that
13 before the Board works on trying to make both program rules uniform, it should consider leaving
14 the rules alone if they are "not broken."

15 16 **VI. Public Comments**

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18 No public comments were offered, although miscellaneous comments were made by Board
19 members. Kristen Piper suggested it would be helpful for Lynette DuFresne to make a short
20 presentation to the Board on the LADC licensure process. Nathan Hart suggested this would be
21 a good topic for the September board meeting in Duluth. Judi Gordon noted Dr. Roberts helped
22 host the Minnesota Association for Resources for Recovery and Chemical Health's (MARRCH)
23 legislative wrap up meeting in Mankato.

24 25 **VII. Adjournment**

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27 Nick Ruiz moved to adjourn the meeting. Kristin Piper seconded. All board members present
28 voted "aye," there were no nays, and the motion to adjourn the meeting carried. The meeting
29 adjourned at approximately 2:00 p.m.