

NEW HAMPSHIRE BOARD OF
MENTAL HEALTH PRACTICE

BOARD MEETING MINUTES – November 21, 2014

Present: Diane Vaccarello, MS, LMFT, Richard Phelps, MSW, LICSW, Alan Goodman, Ph.D., LCMHC, Dayl H. Hufford, D.Min., LPP, Jane Power Kilcoyne, Ed.D., Public Member and Kathleen Skinner Shulman, Ed.D.

Not present: Honorable Joseph P. Nadeau, Public Member

Board meeting was called to order at 9:00 AM

Draft minutes of the October 31, 2014 meeting were reviewed by the Board. Motion was made by Alan Goodman and seconded by Richard Phelps to approve the minutes with the following addition: Based on input from the public present at its meeting, the Board had a discussion to add language to Final Proposal – 2014-12 to allow for a timeframe for schools and colleges to qualify for their students to take additional credits in order to meet licensing requirements of the new rules. Ms. Lynch will check with the Division of Administrative Rules and ask if such change is permissible, and if so, ask for the language to use to make this change.

Vote: For: SH, RP, AG, JK, DH, KS
Opposed: 0
Recused: DV

I. APPEARANCES

A. The following people presented information to the Board concerning the New Hampshire Health Protection Program, a federally-funded, locally-managed health care program that expands coverage to low-income NH residents:

1. Lucy Hodder, Esq. – legal counsel to Governor Hassan
2. Betsy Hippensteel, MBA – Provider Relations Manager, Office of Medicaid Business and Policy
3. Joseph P. Harding, MSW – Director, Bureau of Drug and Alcohol Services

II. CORRESPONDENCE

- A. Lynott, Patricia, Ph.D. – At its October 31, 2014 meeting the Board voted to table sending a response to Dr. Lynott in order to review a draft at its November 24, 2014 meeting. Motion was made by Alan Goodman and seconded by Dayl Hufford to table sending a response to Dr. Lynott until the completion of the rules process. Motion passed unanimously.

III. STATUTE CHANGES

- A. RSA 330-A:31 – Motion was made by Richard Phelps and seconded by Kathleen Skinner Shulman to put forth legislation to remove the word “retroactive” from RSA 330-A:31. The proposed legislation will read: if a license is not renewed it may be reinstated not later than 6 months after the date of license expiration upon payment of the fee and compliance with rules adopted by the board. A license may be placed on inactive status pursuant to rules adopted by the board. Motion passed unanimously.
- B. RSA 330-A:9 I – Motion was made by Alan Goodman and seconded by Kathleen Skinner Shulman to put forth legislation to lower the number of Board members required for a quorum. The proposed legislation will read: The board shall hold regular annual meetings. Other meetings of the board shall be held at such times and upon such notice as the rules of the board provide. Four members shall constitute a quorum. Motion passed unanimously.
- C. Ms. Lynch informed the Board that Rep. Carol McGuire and Rep. Peter Schmidt, are co-sponsoring a bill to add the following language to RSA 332-G 3. General Administration of Regulatory Boards and Commissions: Investigative Costs. – For any order issued in resolution of a disciplinary proceeding by the board, where the board has found misconduct sufficient to support disciplinary action, including but not limited to a violation of this chapter or an administrative rule adopted under this chapter, the board may require the registrant who is the subject of such finding to pay the board a sum not to exceed the reasonable cost of investigation and prosecution of the proceeding. This sum shall not exceed \$5,000. This sum may be imposed in addition to any otherwise authorized administrative fines levied by the board as part of the penalty. The investigative and prosecution costs shall be assessed by the board and any sums recovered shall be credited to the board's fund and disbursed by the board for any future investigations of complaints and activities that violate this chapter or rules adopted under this chapter.

Upon the motion of Alan Goodman and seconded by Richard Phelps, the Board, by roll call vote, resolved to conduct a non-public session for the purpose of discussing applications, investigations of alleged misconduct of licensees, final disciplinary action and other adjudicatory decisions, in accordance with RSA 91-A:3, II (c), RSA 91-A:3, II (e), RSA 91-A:5, IV, Lodge v. Knowlton, 118 N.H. 574 (1978), RSA 330-A:29, V, and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

[Non-public minutes held separately]

Upon the motion of Alan Goodman and the second of Richard Phelps, the Board by roll call vote, resolved to withhold the minutes of the preceding non-public session, with the exception of approved applications, responses to motions and disciplinary actions until they are served, and CEU's for Professional Conduct Investigators from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a Board member and to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

I. APPLICATIONS APPROVED FOR LICENSURE

- A. Approved mental health counselors: Felecia Real and Shawn Teal.
- B. Approved clinical social workers: Chelsea Coffman, Mia Foley, Michael Lawless, Alison Roux, Amanda Totte and Whitney Westhelle.
- C. Approved marriage & family therapists – no applications for review this month
- D. Approved pastoral psychotherapists – no applications for review this month

II. APPROVED CANDIDATE FOR LICENSURE: SUPERVISORY AGREEMENTS

- A. Mental Health Counselors: Maisa'a Hanbali, Meredith Joyce, Erica Lemoyne, Suzanne Mueller and Lorrie Ripley.
- B. Social Workers: Eve Block, Holly Johnson, Caren Kamel, Janine Richards, Lydia Timmons and Adrianna Wheelock
- C. Marriage & Family Therapists: no agreements for review
- D. Pastoral Psychotherapists: no agreements for review

III. DISCIPLINARY ACTIONS TAKEN BY THE BOARD

- A. Chandler, Ryan, LCMHC – Settlement Agreement approved

IV. JLCAR HEARING

- A. The Board attended the Joint Legislative Committee on Administrative Rules (JLCAR) hearing on Thursday, November 20, 2014. JLCAR Chairperson, Senator Regan did not allow public testimony concerning Final Proposal 2014-12. The Board will send its testimony in writing to Senator Regan.

V. PUBLIC MEETING REGARDING FINAL PROPOSAL – 20014-12

- A. As part of its public board meeting, a discussion on input of revisions to Final Proposal – 2014-12 (Mhp 300's) is scheduled for 9 AM on Friday, January 16, 2015. The Board will extend invitations to interested academic institutions and organizations.

Meeting was adjourned at 12:45 PM

Next meeting scheduled for December 12, 2014