



LADC Public Session Minutes

Alcohol & Other Drug Use Professionals Board
Mar 14, 2024 at 9:00 AM EDT

Attendance

Present:

Members: Jessica Carter, Régent Champigny, Thomas Deel, Alexandra Hamel, Joni O'Brien

- I. Call To Order 8:09 a.m.
- II. Review of Public Minutes
Motion to Approve 2/8/24 minutes as amended
Motion moved by JC and motion seconded by JO. roll call vote 4-0-1 TD abstained

III. Public Appearances

- A. 9:00 a.m. Ronald Sayres Hearing
Hearing held in absentia.
Hearing opened at 9:06 a.m.
Hearing closed at 9:42 a.m.

- B. 1:00 p.m. Robert Vestal Hearing
Hearing opened at 1:06 p.m.
Hearing Closed at 1:39 p.m.

Motion to move into Non-Public Session at 1:45 p.m.

Motion moved by RC and motion seconded by JO. Roll Call Vote 5-0-0

Return to Public at 3:00 p.m.

Motion to move into Non-Public session at 3:37 p.m.

Motion moved by RC and motion seconded by JC to move into NP session Roll Call Vote 5-0-0.

- C. 3:00 Bethany Cottrell, Director Board Administration and Licensing
Bethany to speak with the Board regarding.
 1. Alc 300
 2. Reciprocity with IC & RC and the reciprocity rules.
 3. Nursing Matrix submitted for Board review.

Board to review Alc 307.05 to determine what changes are needed.

IC & RC and Reciprocity. OPLC was hopeful that HB594 would help to resolve some of the reciprocity concerns. Plc 313 supersedes as long as the requirements are substantially equivalent. When applying for reciprocity in NH, it is very

difficult you have to hold a current active license in another state, and it has to be substantially equivalent in order to be issued a LADC license. During the research by Director Courtney and OPLC to find the states that are substantially similar, we have found, that most states do not require an associates in order to get a LADC license, where NH does requires one. There are about 13/15 other states that are substantially equivalent, not too many. Applicants who have their LADC license in another state are required to hold a high school diploma. One candidate who applied, we had to tell the person that we can only give you a CRSW certification at this time, then you could work towards your LADC license. One Board member is asking, Is the Scope of Practice listed the same in the other states, because as a LADC you can bill for your services. So how do they bill? IC & RC has NH listed as a member board. So when applicants apply, they believe that if they go through the IC & RC to reciprocate, they believe NH should automatically issue them a license. Unfortunately, that is not the case. OPLC is asking the Board to review the reciprocity rules to remove this barrier to licensure. The Board only requires exam scores from IC & RC, that is it. The Board would like to remove the \$150.00 fee that IC & RC is requiring. One option is to look at the Board's rules, maybe a candidate with a high school diploma along with additional years experience in SUD may raise the education enough to make it equivalent. Or maybe a combination of experience and education may raise the level to meet the NH LADC education degree requirements. One question is, if the Board decided to go this route, will they be able to bill. Currently, Medicare requires 3,000 hours, 12 core functions, SUD counseling.

Matrix for BGR - because of the life lived experiences, and the background. BDAS stated that the Board and OPLC do not have any communication. IT takes forever to get a license. The background checks could take 4-5 months just because of the nature of the profession. The goal is to have a list on the website to have a matrix for people with criminal background listed on the website. JC will take this on to get it started and bring to the Board.

9/10 times, if the applicant had something that is longer than 5 years ago, the Board does not want to see it usually, depending. The Board is thankful for the Matrix coming to them.

IV. OPLC and/or Board Administration Updates

- A. Board Travel - Board Advisement
- B. Legislative Schedule - Board Counsel provided an update for the Board,

and gave a synopsis of the bills that may impact the Board.

I. Old Business

II. New Business

A. Question regarding LCS

No motion

The Board determined the rules are clear. If the candidate reads the rules and still has questions she will need to seek her own legal counsel.

B. Questions regarding CRSW renewal requirements

1. I am hoping to follow up on when the weekly hourly supervision requirements for CRSW's goes into effect? I just want to ensure I am continuing to comply with licensure requirements as I had been receiving 2 hrs. per month per the previous rules for most of my renewal period.
2. The recertification continuing education requirements have changed effective October 2023 and am wondering if there is any specifications for the additional 12 hrs. For example, can we have more than 3 hrs. of education be online.
3. Does the following from the previous rules still apply?
(b) At least 6 of the required 12 hours shall be pre-approved by the board. (c) No more than 3 hours shall be received in online continuing education courses. (d) At least 6 of the required hours shall cover ethics and at least 3 of the required hours shall cover suicide prevention.
4. I am currently in an online master's program for CMHC through SNHU and will be taking an addiction related course, would that count towards hours at all.

III. Budget Discussion

IV. Licensure

A. CE Applications recommended by Peer Review

1. Harbor Care - QPR Suicide Prevention Training
Motion to Approve
Motion moved by RC and motion seconded by JC, Roll Call Vote 5-0-0
2. Mosaic Group - Peer Recovery Specialist Training
Motion to Approve
Motion moved by JO and motion seconded by JC. Roll Call Vote 5-0-0
3. Revive Recovery - SOS Ethical Considerations in Peer Assisted Recovery

Motion to Approve

Motion moved by RC and motion seconded by JO, roll call vote 4-0-1 JC abstained.

4. Revive Recovery - SOS HIV, and Other Infectious Diseases in Peer Assisted Recovery

Motion to Approve

Motion moved by TD and motion seconded by JO, roll call vote 4-0-1 JC abstained.

5. Revive Recovery - SOS Suicide Prevention in Peer Assisted Recovery

Motion to Approve

Motion moved by RC and motion seconded by JO. Roll Call Vote 4-0-1 JC Abstained

6. Revive Recovery - SOS The Art and Science of Peer Assisted Recovery

Motion to Approve

Motion moved by JO and motion seconded by TD, roll call vote 4-0-1 JC abstained.

7. The Seven Challenges - Brief

Motion to Approve

Motion moved by JC and motion seconded by TD. roll call vote 5-0-0

V. Administrative Rules & Legislative Topics

- A. Most recent Hearing Schedule

- B. Alc 317 and Alc 400 Final Proposal

Forms #9 and #11 on the list are pending.

1. All Public Comment regarding Alc 317 and Alc 400 rules

Questions from OPLC

1. Does DHHS know they are eliminating the survey (or is contained elsewhere)? RSA 330-C:9-a requires rulemaking to require a survey or opt-out, so unless these rules are being moved somewhere else, they shouldn't be removed.
2. Structurally, I might consider placing the supervision requirements in a different section—perhaps 500s, which typically has ethical/standard of practice issues. the requirement to be supervised does not seem to be a renewal requirement, so the rules are a bit muddled.
3. I don't see how the Board has authority to require people to submit an "approved supervisor application." See Alc 407.02. The statute cited as authority is RSA 330-C:9, v-a, which

grants to the board rulemaking authority for the “requirements for clinical supervision and the documentation of clinical supervision hours.” I don’t think the authority extends to ‘approving’ supervisors, as approval is tantamount to a license under RSA 541-A:1.

4. The rules are somewhat confusing as it relates to continuing education. The rules state that, “as a condition of renewal,” licensees shall complete certain continuing education—but then go on to note that there could be an audit, at which point documentation will have to be produced. See, e.g., Alc 403, Alc 409, Alc 410. If there is an audit, we wouldn’t require continuing education as a “condition of renewal,” because we would have to verify they completed that condition in order to renew. It is somewhat nuanced, but important; otherwise, we will be in the situation where we are doing 100% audits at renewal, because CE is a condition of renewal, and then auditing another percentage after renewal to comply with audit requirements.
5. Alc 409.04. Do they have authority to approve CE courses?
6. Alc 411.01—I like how this is structured.
7. Alc 414.01: This appears to permit reinstatement beyond 1 year. This conflicts with OPLC rules.

Discussion about OPLC questions - Board Counsel response.

1. Workforce survey does need to remain in your rules, it is a statutory authority.
2. #3 requirement for approving supervisory – this was reviewed and determined, the board does have authority to do this.
3. #4 the rules are confusing as it relates to continuing education. The Board does need to write rules according to renewal and audit process.
 1. There is an attestation licensees can sign during renewal, then if they are audited they need to provide the documentation.
4. Reinstatement beyond 1 year. Expired and Lapsed. Expired is anything from the day after the license expires up to one year later, you can reinstate. Lapsed is anything greater than one year.
 1. This will refer to the Plc rules in the future. In the meantime the Board will need to put this into the Alc 400 rules.
 1. The Board may consider adding something in the definitions, and refer to Plc rules.

5. Bill 1095 - Clean-Up bill. 112 pages. Official terminology to how to pronounce Concord. This is a positive experience with the legislative office proposing this bill, and cleaning up. Board Counsel will send a copy to Board Administrator to post to OnBoard. The Board retains their authority.

- VI. Non-Public session conducted for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c) & (e), RSA 91-A:5, IV, Lodge v. Knowlton, (1978), and the Board's executive and deliberative privileges.

- VII. Seal The Minutes of the Non-Public Session
Minutes of the non-public session are sealed to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

Motion by RC with a second from JO to **Seal the Minutes** of the Non-Public Session, roll call vote 5-0-0.

- VIII. Adjournment – On motion from JC with a second from JO to adjourn at 3:58 p.m.