



LADC Public Meeting Minutes

Alcohol & Other Drug Use Professionals Board
Feb 8, 2024 at 9:00 AM EST

Members Present

Alexandra Hamel (AH), Chair

Jessica Carter(JC),

Régent Champigny (RC)

Joni O'Brien (JO)

- I. Call To Order at 9:00 a.m.
- II. Review of Draft Public Minutes of January 11, 2024
Motion to Approve 1/11/24 Public Minutes as written
Motion moved by RC and motion seconded by JC, roll call vote 4-0-0
- III. Public Appearances
- IV. OPLC and/or Board Administration Updates
 - A. Plc 500 Initial Proposal Notice - Initial Proposal for PHP program, notifying the Board of the filing and a hearing is scheduled for March 12th at 2:00 p.m. Plc 503.07 (d) Could we change the word 'relapsed' to a different term, like, return to use, recurrence, etc.

One item under review with OPLC, if you have multiple licenses and you are paying for the PHP for both licenses, this is under review within OPLC.
- V. Old Business
- VI. New Business
 - A. Question for the Board regarding ce's.

A CRSW who is providing training, could they get approval to use the training for their own renewal. This type of proposal has not been presented to the Board. The Board is requesting they need to complete the pre-approval form and complete everything about the course and indicate how many hours they wish to receive for the course and instead of applying it to the attendees, it would be applied to the trainer.
 - B. Peer Review discussion - The chair is requesting a Board member volunteer to attend Peer Review during the next 4 or 5 months (each taking turns) while

Peer Review is training, the Customer Service Representatives in licensing on what to look for, and what is needed from the applicant, or what may be missing. JO has volunteered and RC will be the backup.

VII. Licensure

- A. IC & RC Notice regarding PR Certification - Board Counsel to provide to OPLC Administration maybe they could use it as a guide with the criminal background requirements. (SAMHSA-Substance Abuse and Mental Health Services Administration) organization. The information regarding the Family Peer Certification, it limits to a primary caregiver, this doesn't make sense. That limitation is too narrow, this is a concern. If the Board wanted to, the Board could use certain standards in their own rules if they choose.
- B. CE Application - QPR Gatekeeper Training - Motion moved by RC and motion seconded by JO to retroactively approve. Roll Call Vote 4-0-0
- C. Request for Supervision
 1. **Nicholas Pigeon, MLADC** - Motion by JO to approve Motion seconded by RC, Roll call vote 4-0-0.
 2. **Marshal Wood, CRSW** - Motion by JO to approve motion seconded by RC Roll call vote 3-0-1 JC Abstained.
 3. **Michelle Peare, MSW, MLADC** - Motion by JC to approve pending receipt of the syllabus, pending Board member review. If it meets the 4 domains, the approval can be issued to supervise MLADC, LADC, CRSW Second JO Roll Call Vote: 4-0-0
- D. Licenses issued since last Board meeting – The Board would like to Congratulate the applicants below.
 1. Haley Davis, CRSW
 2. Jodi Lamy, CRSW
 3. Alyse Fusco, LADC
 4. Michelle Smith, LADC
 5. Paul Richer, MLADC
 6. Jamison Tooley, MLADC
 7. Sharif El Fouly, CRSW
 8. Jodi Costello, CRSW
 9. Brittney Pelletier, CRSW
 10. Melissa Hogan, CRSW

11. Tammy Brown, CRSW

VIII. Administrative Rules & Legislative Topics

A. Legislative Update from Board Counsel

SB 495 - went to hearing. AH & RC spoke at the hearing. There is no working session for this, if it goes to the House, it may. RC would like to change one word in it. Senate will vote whether pass or not, then will go to the House. There was an amendment, it would take effect upon passage. This would be in DHHS rules.

HB 1112 - Human Trafficking. Hearing held, recommended that it goes inexpedient to legislate (ITL).

HB 1272 - Licensure by Endorsement. Last year HB 594 passed the substantially equivalent. This bill proposes to remove substantially equivalent. Lots of testimony from many groups. There is a sub-Committee work session. OPLC asked to vote ITL, the subcommittee voted ITL, but the full committee will vote next.

HB 1676 - Sunset Bill. The prime sponsor is Representative Lekas. He crafted an amendment changing the composition of the commission and removing the automatic repeals. This gives the commission more structure and protects the boards from being automatically repealed. The commission expires after 5 years, so in 2029. The amendment attempts to strike a balance between protecting NH consumers but doing so in the least restrictive manner.

HB 1408 - Merger Bill. It went to the first public hearing, lots of people spoke at the hearing. No subcommittee scheduled at this time and Board Counsel will inform the Board as soon as she hears something. All the Mental Health Boards are against this. When Director Courtney testified, she did not see a problem with this merger. The Architects are opposed, and the Landscape Architects do not have an issue with it. The Board of Medicine and the Board of Podiatry spoke, there was many people testifying who attended and are against this. There is a NH law enacted about 10 years ago that does not recognize Podiatrists as an MD, even though they have completed the Internship and have a doctorate.

PLC 313 - related to licensure by endorsement. It would put into rule what they believe is substantially similar. Plc 313.15, page 10 in the document. under letter c, there are several questions regarding your Alc 400's.

B. Alc 200 Adopted Text and Cover Letter for signature – On motion from JO and motion seconded by JC to adopt Alc 200's as written, roll call vote 3-0-1 RC abstained.

C. Alc 317 & Alc 400 Final Proposal – 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 for 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.

- D. Discussion Topic - A trainer was told someone received a LADC license in NH with a Business Degree. Board Counsel will look into this. They could have qualified under a degree under something else.

The Board wants to do random audits of applications.

- E. OPLC meeting with the Chair's of all Boards.
1. Sales Force is the new licensing system, being built at this time. Starting in June with Real Estate licenses because they are so complex.
 2. Granicus database case management system is being created for Enforcement.

IX. Non-Public Session

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.

Motion to move to NP at 1:46 p.m. - Motion moved by JC and motion seconded by JO
roll call vote 4-0-0

X. Resume Public Session 2:37 p.m.

XI. 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 to Seal the Minutes:

Motion moved by JO and motion seconded by JC, roll call vote 4-0-0

Motion to Adjourn at 2:28 p.m.

Motion moved by RC and motion seconded by JO, roll call vote 4-0-0