



**STATE OF NEW HAMPSHIRE
BOARD OF MENTAL HEALTH PRACTICE**

PUBLIC MINUTES

February 16, 2018

The regularly scheduled meeting of the New Hampshire Board of Mental Health Practice was held at 121 South Fruit Street, Concord, New Hampshire on the above date, beginning at 9:00 A.M. Unless otherwise indicated, the members present and participating were: Diane Vaccarello, MS, LMFT, Chair; Dayl Hufford, D.Min., LPP; Gary Goodnough, Ph.D., LCMHC, NCC; Nancy Dyer, LICSW, MLADC, and Deborah Kennedy, MA, Public Member. Absent was: Janet Stevens, Public Member.

The meeting was called to order at 9:12 a.m. by Diane Vaccarello, Board Chair.

I. MINUTES

- A. Approval/disapproval/correction of the Public Minutes of the Board meeting held on January 19, 2018. **Board Action 2/16/18** – On motion of Ms. Vaccarello, seconded by Ms. Dyer, approved as revised. Unanimous.

II. TABLED

- A. Sarah Revels attended the Board meeting to discuss Supervisor for Candidates For Licensure. Ms. Revels is looking for acceptable activities which apply to the Supervision of Candidates for Licensure by NH State-Approved supervisors. **Board Action: 10/20/17** – On motion of Ms. Vaccarello, seconded by Ms. Hufford, Ms. Revels to submit a request for declaratory ruling with specific questions for the Board. Unanimous. **Board Action: 11/17/17** – Tabled. **12/12/17** – Received request for Declaratory Ruling, via email, from Sarah V. Revels, LCMHC. **Board Action: 12/15/20** – Attorney Perlow to draft Declaratory Ruling for Board review for the January Meeting. **Board Action: 1/19/18** – Tabled. **2/13/2018** – Draft Declaratory Ruling submitted for Board review. **Board Action: 2/16/18** – On motion of Mr. Goodnough, seconded by Ms. Dyer, approved. Unanimous.

B. HB 468 – Dupont Group/NH Community Behavioral Health Association

10/20/17 - Susan Paschell from the Dupont Group met with the Board to discuss HB 468. Ms. Paschell discussed with the Board that rules to implement HB 468 must be drafted. The Board indicated they are working with Robert Lamberti, attorney with OPLC, to help create rules to implement HB 468. The Board also indicated ongoing and continued support in favor of portability. The Board provided a verbal record of history regarding the Boards efforts and attempts, even prior to this legislation, to support a New England Compact as well as discussions of a “fast track option”. Such an option would provide licensees, who are in good standing for at least five years in another state, to be qualified for the “fast track option”, thus creating and enhancing portability as well as protecting the public of New Hampshire. **Board Action: 11/17/17** – Tabled. **Board Action: 12/15/17** – On motion of Ms. Hufford, seconded by Ms. Vaccarello, approve initial proposal draft of Mhp 302.04(e) submitted by Attorney Robert Lamberti Jr. **Board Action: 1/19/18** – Tabled. **Board Action: 2/16/18** – On motion of Mr. Goodnough, seconded by Ms. Vaccarello, no further action. Unanimous.

- C. SB 487 - LSR for Board review. LSR title: relative to modernizing standards for and breaking down barriers to employment for our behavioral health workforce. **Board Action: 11/17/17** – Board will revise and bring back for review at its December 15, 2017 meeting. **Board Action: 12/15/17** – Tabled. Ms. Vaccarello will discuss with Senator Feltes. **Board Action: 1/19/18** – Tabled. Copy of SB 487 As Introduced. **Board Action: 2/16/18** – On motion of Mr. Goodnough, seconded by Ms. Kennedy, Board to resubmit our Board position letter to include the wording for Page 2, Line 6 – “...and when possible for the two to be in the same discipline...”. Unanimous.

D. RSA 330-A:34 Persons Exempted – Board to Review

Board Action: 10/20/17 – Tabled for discussion at the November meeting. **Board Action: 11/17/17** – Board needs Board Counsel to discuss this. Ms. Vaccarello will contact Attorney Perlow. Tabled for discussion with Attorney Perlow at the December meeting. **Board Action: 12/15/17** – Tabled. Ms. Vaccarello is contacting the Bureau of Behavioral Health, DHHS, to discuss this issue. **Board Action: 1/19/18** – Tabled. **Board Action: 2/16/18** – On motion of Ms. Hufford, seconded by Ms. Kennedy, move to empower Mr. Goodnough to continue with his dialogue with Raymond Perry. Unanimous.

- E. December 7, 2017 DRAFT from Dayl Hufford for a request for funding for a strategic planning weekend for the Board. **Board Action: 12/15/17** – Tabled. Ms. Hufford to submit a new draft for Board review on 1/19/18. **Board Action: 1/19/18** – Tabled. **Board Action: 2/6/18** – Tabled to March for additional information. **Board Action: 2/16/18** – Tabled – Ms. Martin to check with Ms. VanSickle for cost allowed for meeting here at OPLC for a Saturday meeting.
- F. 1/19/18 - Danielle Weiss, MPH, Primary Care Workforce Program Manager, met with the Board to briefly to talk about the NH Mental Health Licensure Survey. **Board Action: 1/19/18** – Attorney Robert Lamberti reiterated to the Board that this is not mandatory for renewal of license. Any rules that are draft will allow an opt-out clause. Attorney Robert Lamberti to submit initial proposal of Mhp 401.02(e)-(h) Tabled. **Board Action: 2/16/18** – On motion of Ms. Hufford, seconded by Ms. Vaccarello, adopted as amended to insert language for (e) “...shall have the option to ...”. Unanimous
- G. Alice M. Josephs – Notice of death published in the Kearsarge Shopper on January 4, 2018, notifying clients that they have until February 1, 2018 to retrieve their clinical records. **Board Action: 1/19/18** – Tabled. Administrator to notify Ms. Flint of the rule Mhp 502.01 (k) (o) – Responsibilities of Licensees. **Board Action: 2/16/18** – File no further action.

III. HEARINGS/MEETINGS

A. Hearings:

- 9:00 A.M. – Public Rules Hearing regarding Mhp 302.04(e)-(g)
Application Process for Those Licensed in Another State.
- Question on the language of (g) “...shall be deemed able to practice...”

- Hearing opened at 9:18 A.M. by Sheri Walsh
- Hearing attended by: Susan H. Paschell of NH Community Behavioral Health Association and Janet Salsbury, LICSW, Clinical Director of Community Partners.
- Hearing closed at 9:37 A.M. by Sheri Walsh

B. Meetings:

Robert Lamberti, Jr., Esq.

1. AMHCA – To be placed on JLCAR March 16, 2018 meeting

IV. NEW BUSINESS

- A. Can Counselors count Live Webinars as a “live class” and not as home study as part of their 20 CEUs under Mhp 402.02(a)(2)? **Board Action: 2/16/18** – On motion of Mr. Goodnough, seconded by Ms. Kennedy, Counselors can count Live Webinars as part of their 20 CEU’s as long as there is an opportunity to interact during the Webinar.
- B. December 13, 2017 letter from Gerard Lawson, PhD, LPC, NCC, ACS, President, American Counseling Association, regarding licensure portability. **Board Action: 2/16/18** – File no further action.
- C. September 22, 2017 request from Debbie Brenner, MS for a waiver to begin her 3000 hours of supervised practical experience. **Board Action: 2/16/18** – On motion of Mr. Goodnough, seconded by Ms. Dyer, deny request of waiver to begin 3000 hours prior to completing her course work. 4 to 1 absent, motion carries.
- D. December 6, 2017 request from Julie Schifeling, Credentialing Coordinator, Bradley University, for approval to offer their mental health counseling program in the State of New Hampshire. **Board Action: 2/16/18** – On motion of Mr. Goodnough, seconded by Ms. Hufford, while the Board does not formally approve graduate programs, students that graduate from CACREP programs automatically have their educational training approved as per Mhp 305.01(a). 4 to 1 absent, motion carries.
- E. January 24, 2018 e-mail from Elisabeth Thorpe, MA, appealing the Board’s decision to reject her Candidate for Licensure: Supervision Agreement because she is missing graduate courses in addictive behaviors and career and lifestyle development pursuant to Mhp 305.02. - **Board Action: 1/19/18** – Board approved the graduate courses, she submitted, to complete the required graduate courses needed to have her Supervision Agreement approved. **Board Action: 2/16/18** - On motion of Ms. Vaccarello, seconded by Mr. Goodnough denied, issued Order to Show Cause and Notice of Hearing.
- F. February 2, 2018 request from Pamela Godbois, LICSW, to consider towards her renewal the hours completed from the Suicide Assessment and Treatment training completed on February 1, 2018, after her renewal application was submitted. **Board Action: 2/16/18** – On motion of Mr. Goodnough, seconded by Ms. Dyer, approve. 4 to 1 absent, motion carries.
- G. HB 1460, an act relative to the criteria and standards for professional and occupational regulation by the state. **Board Action: 2/16/18** – Tabled to

March. Ms. Vaccarello to speak with OPLC Executive Director, Peter Danles and Director Sheri Walsh.

- H. HB 1104, an act relative to certain regulatory permits and forms and relative to time limits under RSA 541-A. **Board Action: 2/16/18** – Tabled to March. Ms. Vaccarello to speak with OPLC Executive Director, Peter Danles and Director Sheri Walsh.
- I. SB 531-FN, an act relative to the office of professional licensure and certification. **Board Action: 2/16/18** – Tabled to March. Ms. Vaccarello to get clarification as to why Mental Health is not listed.
- J. February 5, 2018 e-mail from Dayl Hufford, D.Min., LPP – would like to address the Board to discuss the CEU’s for the Professional Conduct Committee Investigators. **Board Action: 2/16/18** – Tabled to March. Attorney Robert Lamberti to submit proposal for March meeting for review.
- K. January 24, 2018 email request from Carole York, LICSW, is requesting a review of her request to renew her inactive status of her License, #36. **Board Action: 2/16/18** – On motion of Ms. Hufford, seconded by Mr. Goodnough, approved. Ms. York is advised to submit the required 40 hours of CEUs prior to October 26, 2018, renewal of her inactive status.
- L. January 15, 2018 letter of request from Melanie Green, MS, (MFT) for a waiver for Mhp 306.02 (b). She is requesting an additional year be allowed for her to finish the required hours under her supervision agreement. **Board Action: 2/16/18** – On motion of Ms. Vaccarello, seconded by Ms. Hufford, approved. Unanimous.
- M. February 2, 2018 letter of request from Jeremy French, MSW, requesting supervision hours from 6/23/17 to 9/15/17 be counted towards his clinical supervision, due to the inability to contact anyone in the Board’s office. **Board Action: 2/16/18** – On motion of Ms. Dyer, seconded by Ms. Hufford, approved supervision hours effective 7/17/17 to 9/15/17. 4 to 1 absent, motion carries.
- N. February 9, 2018 letter of request from Meliss Brennan, LCSW, requesting her Inactive Status be changed to an Active Status. **Board Action: 2/16/18** – On motion of Ms. Dyer, seconded by Ms. Kennedy, approve the request pursuant to Ms. Brennan submitting the required CEU’s, Mhp 401.05(d)(1-3). Unanimous.

- O. NBCC – Contract Issue. **Board Action: 12/15/17** – On motion by Mr. Goodnough, seconded by Ms. Hufford, renew contract. Unanimous. To renew contract the Board needed to approve contract with one of three changes 1) State/Board can review Transcripts and provide CCE approval for candidates to sit for the exam 2) Candidates can test without submitting a transcript or 3) NBCC can review the Transcripts for a fee of \$75.00 per person. Board noted that we already receive the Transcripts and to move forward with #1. **Board Action: 2/16/18** – On motion of Ms. Vaccarello, seconded by Ms. Dyer, approve new contract allowing Candidates to register with CCE, without being required to provide a pre-approval letter. Unanimous.
- P. December 10, 2017 – Letter from Peri Scarpino requesting a waiver to Mhp 302.01, for clinical supervision to be performed by a supervisor who is in the same profession. Ms. Scarpino is also asking for a waiver of Mhp 305.01 and 305.02 and to accept courses she has already taken that do not match the Mhp rules exactly. **Board Action: 2/16/18** – On motion of Mr. Goodnough, seconded by Ms. Hufford, approve. Unanimous.
- Q. Invitation to the Office of the Attorney General’s 20th Annual Administrative Law Training on Friday, March 23, 2018. **Board Action: 2/16/18** – File no action required.

V. NON-PUBLIC SESSION

Motion to commence Non-Public session:

On motion of Ms. Hufford, seconded by Ms. Vaccarello, the Board voted to conduct a non-public session for the purpose of evaluating complaints, the approval disapproval/correction of the Non-Public Minutes and other confidential Board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:5, IV, RSA 330-A:18, RSA 330-A:29, *Lodge v. Knowlton*, 119 N.H. 574 (1978), and the Board’s executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

NON-PUBLIC SESSION

[Minutes kept separately]

Motion to keep minutes of non-public session confidential:

Upon the motion of Ms. Hufford and the second of Ms. Vaccarello, the Board voted to withhold the minutes of the preceding non-public session 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/or to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

ACTIONS AUTHORIZED DURING NON-PUBLIC SESSION:

- I. APPLICATIONS AND LICENSURE. Board Action: 2/16/18** – On motion of Mr. Goodnough, seconded by Ms. Dyer, approve the following licenses and supervisory agreements. Unanimous.

MENTAL HEALTH COUNSELORS

APPLICATIONS FOR LICENSURE

- A. FRITZ, Jessica L. MS
- B. HOYT, Cassandra Abare, MS
- C. KOPP, Megan M., MHC
- D. MACLEOD, Kimberly Marie

CANDIDATES FOR LICENSURE SUPERVISION AGREEMENTS

- A. DANNAR, Robert Henry, MS
- B. POUPOLO, Danielle Elizabeth, MS

APPLICATIONS FOR CHANGE IN SUPERVISION AGREEMENTS

- A. CHMIELECKI, David, MA
- B. FOURNIER, Sheila, MS

SOCIAL WORKERS

APPLICATIONS FOR LICENSURE

- A. BALTIMORE, Alexandra B., MSW
- B. BRACONI, Elizabeth, MSW
- C. HOWELL, Megan Rae, MSW
- D. HUCKABEE, Sarah, MSW
- E. NIESUCHOUSKI, James F., MSW
- F. PARSONS, Heather, MSW
- G. PRICE, Derek, MSW

CANDIDATES FOR LICENSURE SUPERVISION AGREEMENTS

- A. BERRY, Aimee Katherine, MSW
- B. MACK, Denise Elizabeth, MSW

- C. MENASCO, Kevin, MSW
- D. PEARSON, Lynn M., MSW
- E. ROWE, Erica Christine, MSW

MARRIAGE AND FAMILY THERAPISTS

APPLICATIONS FOR CHANGE IN SUPERVISION AGREEMENTS

- A. RILEY, Kerin Marie, MFT

Next meeting is scheduled for Friday, March 16, 2018 at 9:00 a.m.