

**TENNESSEE BOARD OF ALCOHOL AND DRUG ABUSE COUNSELORS
MINUTES**

DATE: July 19, 2013

TIME: 9:00 a.m., CDT

LOCATION: Health Related Boards
Poplar Room
227 French Landing, Suite 150
Nashville, TN 37243

BOARD MEMBERS

PRESENT: Sherry Butler, LADAC, Chair
Susan Cunningham, LADAC
Richard Terry Kinnaman, LADAC
Major McNeil, Citizen Member

BOARD MEMBERS

ABSENT: Karen Dennis, LADAC

STAFF PRESENT:

Melody Spitznas, Board Administrator
Teddy Wilkins, Unit Director
Caroline Tippens, Assistant General Counsel
Grant Mullins, Assistant General Counsel
Juanita Stone, Disciplinary Coordinator, Office of Investigations

Ms. Butler, Chair, called the meeting to order at 9:00 a.m. and declared a quorum to be present.

Minutes

Mr. Kinnaman made a motion, seconded by Ms. Cunningham, to approve the April 19, 2013 minutes as amended. The motion carried.

Ms. Cunningham made a motion, seconded by Mr. Kinnaman, to approve the April 29, 2013 minutes as amended. The motion carried.

Mr. Kinnaman stated that he wanted the minutes to reflect what an outstanding job Ms. Spitznas did with the minutes.

OGC Report

Ms. Tippens introduced Grant Mullins, Assistant General Counselor, a new member of the team of the Office of General Counsel.

Ms. Tippens stated that there is currently one (1) open case in the Office of General Counsel pertaining to the Board of Alcohol and Drug Abuse Counselors.

Ms. Tippens state that there are currently two (2) cases in the Office of Investigations.

Ms. Tippens discussed Public Chapter 122, which affects all Health Related Boards, including A&D Counselors. The bill adds several sections and subsections to existing laws that will affect procedures across all health related boards to benefit current and recent active-duty members of the armed forces in several ways. The bill adds a new requirement that the Department expedite the issuance of a license, certification, or permit to perform professional services (e.g., medical doctor, nurse, pharmacist, dentist, etc.) to any person who holds a current license/certification in that profession from another state and applies for a Tennessee license within 180 days of retirement, honorable discharge, or release from active duty from any branch of the armed forces of the United States.

Ms. Tippens stated that there is a new subsection to T.C.A. § 68-1-101, subsection (c), which requires each health related board to accept an individual's military education, training, or experience toward the qualifications to receive a license or certification that individual has applied for, but only if the commissioner or board determines the education, training, or experience is "substantially equivalent" to Tennessee's existing standards.

Additionally, new subsection to T.C.A. § 68-1-101 is added, subsection (d). Subsection (d)(1) mandates that the health related boards license or certification of members of the national guard or armed forces reserves shall be kept in good standing during any period of activation. Subsection (d)(2) further states that such individuals' licenses will be "temporarily renewed" without being required to A) pay dues/fees, B) obtaining continuing education credits if the person's military duty prevents them from obtaining required continuing education and the person has submitted a waiver request OR if the person performs the licensed or certified occupation as part of their military duties, and C) perform any other act typically required for renewal. Subsection (d)(3) states that the certification, license, or permit will continue to be renewed throughout the covered individual's active duty time until no later than six months from the person's release from active duty.

The bill also grants each board and other entity subject to the law authority to promulgate rules and regulations to effectuate the purposes of the act, including authority to promulgate emergency rules under T.C.A. § 4-5-208.

Health Related Boards has begun the process of drafting rules on this topic, although no format has been finalized at this time.

Ms. Tippens stated that the Rules discussed at the last Board meeting have been drafted and are currently in the internal review process at the Office of General Counsel.

Ms. Cunningham inquired about Public Chapter 190 and the eight (8) domains statute, which will become effective July 1, 2013. Ms. Tippens stated she would send a draft to the Department of Mental Health and Substance Abuse Services for their review.

Investigative Report

Ms. Stone stated that there are currently two (2) cases currently being investigated in the Office of Investigations.

Disciplinary Report

Ms. Stone stated there are two (2) practitioners are currently being monitored and there have been no changes since the report from the last board meeting.

Administrator Report

Ms. Spitznas reviewed the administrator report with the Board and stated that there are currently 428 actively licensed alcohol and drug abuse counselors.

From April 9, 2013 to July 10, 2013, four (4) new licenses were issued, one (1) new application was received and six (6) licenses were retired.

Nineteen (19) alcohol and drug abuse counselors renewed their license online between April 9, 2013 and July 10, 2013. Ms. Spitznas asked the Board to encourage its colleagues to utilize the online system as it helps reduce administrative costs and is an efficient way to renew their license.

Ms. Wilkins reviewed the new Conflict of Interest Statement with the Board. Ms. Wilkins stated that the following item was added regarding association meetings and members attending as a representative of the Board. A board member shall not accept honoraria or other compensation for activities which are, or should be, performed as part of one's official duties, except as provided by the Comprehensive Travel Regulations of the Department of Finance and Administration. Ms. Wilkins asked Board members to sign the new Conflict of Interest Statement and give it to Ms. Spitznas at the end of the meeting.

Newly Licensed

Mr. Kinnaman made a motion, seconded by Ms. Cunningham to approve the following newly licensed Alcohol and Drug Abuse Counselors:

David Jay Crager
Cindy M. Ewing
G. Michael Pilcher
Edward Mervin Stannard

The motion carried.

NCAC (Written) Examination Results

During the June 2013 test period, five (5) candidates sat for the written examination. Three (3) of the five (5) candidates passed the exam. Ms. Cunningham made a motion, seconded by Mr. McNeil, to accept the exam results, permitting the applicants who passed deemed eligible to sit for the oral examination. The motion carried.

Oral Examination Results

On May 31 2013, the oral exam team examined five (5) candidates. Out of the five (5) examined, two (2) candidates passed and three (3) candidates failed.

Correspondence

The Board reviewed a letter from **Ramie Siler** requesting an extension to take the written examination until December 2013. Mr. Kinnaman made a motion, seconded by Ms. Cunningham, to grant the extension. The motion carried.

The Board reviewed a letter from **Bruce Wilks** regarding his inability to have a former supervisor submit a supervisor evaluation for his application for licensure. Mr. McNeil made a motion, seconded by Ms. Cunningham, to have Ms. Spitznas send a certified letter to the supervisor asking for the form to be completed and a certified letter to Mr. Wilks informing him of the items still deficient in his file. The motion carried.

The Board reviewed make-up continuing education hours submitted by **Mary Avery** regarding non-compliance of her continuing education requirement. Mr. Kinnaman made a motion, seconded by Mr. McNeil, to not accept six (6) of the hours Ms. Avery submitted for a course entitled "Prepare/Enrich" through the Harding Graduate School, unless she can show proof the hours were NAADAC approved. If the hours are not NAADAC approved, she must submit six (6) additional Board approved hours to be in compliance with the continuing education audit. The motion carried. Mr. Kinnaman made a motion, seconded by Ms. Cunningham, to deny the Agreed Citation Ms. Avery was issued at this time until six (6) additional Board approved continuing education hours are submitted. The motion carried.

Lapsed License Policy

Ms. Wilkins reviewed the Lapsed License Policy Statement with the Board and stated that this issue will become reportable to the National Practitioner Data Bank in the future. Ms. Wilkins stated that the Office of General Counsel reviewed this Policy Statement and these actions need to be reported to the National Practitioner Data Bank. Ms. Cunningham made a motion, seconded by Mr. Kinnaman, to amend the current Lapsed License Policy Statement to reflect the new changes regarding reporting and the consequences that will occur. The motion carried.

Application Review

Mr. McNeil made a motion, seconded by Mr. Kinnaman, to approve **Richard Reeves** for licensure by reciprocity. The motion carried.

Other Board Business

Mr. Kinnaman stated that there is an agency called the Tennessee Certification Board, but does not understand its origin. Ms. Tippens stated that they have a website that shows it is a non-profit organization and stated this is misleading, as well as concerning, and will check into it and report back to the Board at the next meeting with her findings.

With no other Board business to conduct, Mr. Kinnaman made a motion, seconded by Ms. Cunningham, to adjourn the meeting at 10:47 a.m. The motion carried.

Ratified by the Board on November 1, 2013.