

KENTUCKY BOARD OF ALCOHOL & DRUG COUNSELORS
BOARD MEETING MINUTES
April 2, 2020

A special meeting of the Kentucky Board of Alcohol and Drug Counselors was conducted on Thursday, April 2, 2020 at 10:00 A.M. online via Zoom video communication platform.

MEMBERS PRESENT

Tim Cesario, Chair
Livinus Uba, Vice Chair
Billy Noble
Kristi Elrod
Leon Heaton
Stephanie Raglin

MEMBERS ABSENT

Kelly Preston

DEPARTMENT OF PROFESSIONAL LICENSING

Dr. Michael Newman, Commissioner
Kevin R. Winstead, General Counsel
Chessica Nation, Admin Section Supervisor
Mallory McDonald, Board Administrator

OTHERS IN ATTENDANCE

Bryan Morrow, Public Protection Cabinet, Legal Counsel
Marisa M. Neal, Board Investigator

CALL TO ORDER

Mr. Cesario called the meeting to order at 10:00 A.M.

MINUTES

Mr. Heaton made a motion to approve the March 6, 2020 meeting minutes pending requested changes. Fr. Livinus seconded the motion, and the motion carried unanimously.

FINANCIAL REPORT

Financial statements were not submitted from DPL for review.

DEPARTMENT OF PROFESSIONAL LICENSING REPORT

Commissioner Dr. Michael Newman discussed DPL contracts submitted for 2021 with the Board. Following discussion, Fr. Livinus made a motion to approve the DPL MOA. Mr. Noble seconded the motion, and the motion carried unanimously.

NEW BUSINESS

- The Board discussed an update on combined SB 191 and HB 406. No substantial changes made, combined all to SB 191. Following discussion, the Board addressed concerns of credential holders in attendance. Mr. Heaton made a motion for the Board to send a letter to members of the Consent Committee currently reviewing SB 191 and note the Board's opposition to it as written. Ms. Elrod seconded the motion, and the motion carried unanimously.
- The Board discussed and approved waiving the 50% in-person CE requirements, 201 KAR 35:040, Section 2(3) during the COVID19 health crisis allowing any in-person CE program that has recently been approved to now be approved for online dissemination. Mr. Heaton made a motion to accept these recommendations. Mr. Noble seconded the motion, and the motion carried unanimously.
- The Board discussed and approved Chairman Cesario's request to have travel for legislative meetings in Frankfort approved for February & March. Mr. Heaton made a motion to approve the travel request. Mr. Noble seconded the motion, and the motion carried unanimously.
- The Board discussed Executive Orders 2020-215 State of Emergency & 2020-243 State of Emergency Relating to Social Distancing. Effective 3/18/20 the Department of Insurance (DOI) pushed back all renewal dates during the crisis, reflecting a 90 day extension allowing licensees additional time to renew. The Board will re-evaluate the extension before the 90-day extension has ended. A motion to accept the

change in renewal dates was made by Mr. Noble. Ms. Elrod seconded the motion, and the motion carried unanimously.

- The Board discussed 201 KAR 35:040, Section 9(5), which requires a person requesting reactivation of registration, certification or licensure to submit evidence of receiving twenty (20) hours of continuing education within one (1) year immediately preceding the date of reactivation is requested. Ms. Elrod made a motion that the requirement that a minimum of ten (10) hours shall be live, face-to-face continuing education presentations be suspended during the State of Emergency contained Executive Order 2020-215, and that synchronous trainings attended via telecommunication will be accepted as face-to-face. Fr. Livinus seconded the motion, and the motion carried unanimously.
- The Board discussed 201 KAR 35:050, Section 1(1)(a)1, which requires sixteen (16) hours of interactive training in ethics of which eight (8) hours shall consist of face-to-face training. The Board discussed Section 1(2)(b), which requires that a person seeking certification as an alcohol and drug counselor attend a minimum of six (6) hours of face-to-face ethics training related to counseling. The Board also discussed Section 1(3)(b), which requires a person seeking licensure as a licensed clinical alcohol and drug counselor attend a minimum of six (6) hours of face-to-face ethics training related to counseling. The Board agreed that during the State of Emergency contained Executive Order 2020-215, synchronous ethics trainings attended via telecommunication will be accepted as face-to-face. A motion was made by Mr. Noble accepting the recommendation. Ms. Elrod seconded the motion, and the motion carried unanimously.
- The Board discussed supervision experience 201 KAR 35:070 Section 1(4) regarding the requirement that a minimum of 200 hours of clinical supervision shall be conducted face-to-face in an individual or group setting. The Board also discussed Section 3(1)(a), which requires that all supervision requirements shall be met with face-to-face individual or group weekly contact between supervisor and supervisee. During the State of Emergency contained in Executive Order 2020-215, synchronous supervision attended via telecommunication will be accepted as face-to-face. A motion was made by Ms. Elrod to accept the recommendation. Mr. Heaton seconded the motion, and the motion carried unanimously.
- The Board discussed delivery of services by telehealth and supervision of credential holder by telehealth. The Board also discussed 201 KAR 35:030 Code of Ethics regarding HIPAA compliant platforms in the delivery of services by telehealth. The U.S. Department of Health & Human Services (HHS) is not sanctioning people for good faith use of non-HIPAA complaint platforms during the COVID-19 crisis. The Board agreed suspend any regulation that requires compliance HIPAA and to post more information regarding this issue on ADC website and distribute communication to licensees including HHS guidelines. A motion to accept the recommendation was made by Ms. Elrod. Mr. Noble seconded the motion, and the motion carried unanimously.
- The Board discussed the Kentucky School presentation.
- The Board discussed IC&RC Meeting/Testing/Office – Closed during the health crisis. The IC&RC meeting has been postponed for now. The Board agreed to approve travel for Chairman Cesario to attend in the future. A motion to accept the request for travel was made by Ms. Elrod. Mr. Heaton seconded the motion and the motion carried unanimously.

COMPLAINTS COMMITTEE

The Complaints Committee cancelled their meeting for the month of April.

LEGAL COUNSEL REPORT

Following discussion, Mr. Heaton made a motion to accept OLS MOA. Ms. Elrod seconded the motion and the motion carried unanimously. Mr. Morrow reported no other updates at this time.

TRADPSS APPLICATION REVIEW

Mr. Heaton made a motion to accept the application recommendations as specified. Ms. Elrod seconded the motion, and the motion carried unanimously.

APPROVED

Denise Reed
Bryan Ford

RADPSS APPLICATION REVIEW

Ms. Elrod made a motion to accept the application recommendations as specified. Mr. Noble seconded the motion, and the motion carried unanimously.

DEFERRED

Bradley Dehaven
Alicia Moran

TEMPORARY CADC APPLICATION REVIEW

Mr. Heaton made a motion to accept the application recommendations as specified. Ms. Elrod seconded the motion, and the motion carried unanimously.

APPROVED

Demetrius Thompson
Joann Ray
Jordan McEuen
Junior Mondie
Sarah Johnson
Zachary Palmer
John Benton-White
Carolyn Lee
Jessica Marshall
Brandi Martin
Kathy Frasure
Rawan Riadi

DEFERRED

Cindy Keel
Mallory Moore
Monique Champlin

Shelby Henry
Tracy Dixon
Carmencita Tackett
Misty Meadors

CADC APPLICATION REVIEW

Mr. Noble made a motion to accept the application recommendations as specified. Ms. Elrod seconded the motion, and the motion carried unanimously.

APPROVED

Jamie Howell

LCADCA APPLICATION REVIEW

Mr. Noble made a motion to accept the application recommendations as specified. Mr. Heaton seconded the motion, and the motion carried unanimously.

APPROVED

Megan Cooper
Steven Buchanan
Carla Suttles
Saleha Khan

DEFERRED

Joseph Milazzo

LCADC APPLICATION REVIEW

Mr. Noble made a motion to accept the application recommendations as specified. Mr. Heaton seconded the motion, and the motion carried unanimously.

APPROVED

Hannah King

DEFERRED

Haley Bosemer

APPEALS

Eliana Brunner

DENIED

John Ferguson

REQUEST TO PROVIDE SUPERVISION REVIEW

Mr. Heaton made a motion to accept the application recommendations as specified. Ms. Elrod seconded the motion, and the motion carried unanimously.

APPROVED

Bonnie Coleman
Deborah Jones

DENIED

Martin Mathews

ONLINE & PAPER SUBMISSIONS FOR SUPERVISORY AGREEMENTS AND ANNUAL REPORTS

Ms. Elrod made a motion to accept the application recommendations as specified. Mr. Heaton seconded the motion, and the motion carried unanimously.

REQUESTS FOR EXTENSIONS, LEAVE & STATUS CHANGES

Mr. Heaton made a motion to accept the application recommendations as specified. Ms. Elrod seconded the motion, and the motion carried unanimously.

APPROVED REQUESTS

Jenny Durham
Sallie Hunter

RE-EXAMINATION APPLICATION REVIEW

Mr. Heaton made a motion to accept the application recommendations as specified. Fr. Livinus seconded the motion, and the motion carried unanimously.

APPROVED REQUESTS

Gatt Ware

REINSTATEMENT APPLICATION REVIEW

Mr. Noble made a motion to accept the application recommendations as specified. Fr. Livinus seconded the motion, and the motion carried unanimously.

APPROVED

Rebecca Cornell

CONTINUING EDUCATION APPLICATION REVIEW

Mr. Noble made a motion to accept the application recommendations as specified. Ms. Elrod seconded the motion, and the motion carried unanimously.

Kentucky Association of Addiction Professionals	<i>1st Annual Kentucky Association of Addiction Professionals Conference</i>	5/15/20	7.0	<i>Approved</i>
Kentucky Coalition Against Domestic Violence	<i>BIP Certification Training</i>	March 11-13, June 24-26, September 23-25, December 9-11	23.25	<i>Approved</i>
The Ridge Behavioral Health System	<i>9th Annual Supporting Families Summit</i>	4/2/20	6.0	<i>Approved</i>
NorthKey Community Care	<i>Suicide Assessment, Treatment & Management Training</i>	4/28/20	6.0	<i>Approved</i>
Four Rivers Behavioral Health	<i>High in Plain Sight? Current Alcohol & Drug Culture Trends & Identifiers</i>	4/14/20	3.0	<i>Approved</i>
LifeSkills, Inc.	<i>Understanding & Programming for Students with Emotional, Behavioral and Mental Health Disorders</i>	July 13 & 14, 2020	12.0	<i>Approved</i>

RECIPROCITY APPLICATION REVIEW

Mr. Heaton made a motion to accept the application recommendations as specified. Ms. Elrod seconded the motion, and the motion carried unanimously.

APPROVED

Cynthia Curtis

NEXT MEETINGS

Friday, May 8, 2020 at 10:00 A.M., Department of Professional Licensing, Frankfort, KY.

ADJOURN

Fr. Livinus made a motion to adjourn at 1:17 P.M. Mr. Heaton seconded the motion, and the motion carried unanimously.

Kentucky Board of Alcohol and Drug Counselors – Tim Cesario, Board Chair
Minutes prepared by Mallory McDonald, Board Administrator