

IOWA BOARD OF BEHAVIORAL SCIENCE

May 6, 2011

Minutes

Call to Order

The Iowa Board of Behavioral Science met on May 6, 2011 in the Lucas State Office Building, Professional Licensure Conference Room, Des Moines. The meeting was called to order by Dan Harkness, Vice-Chair, at 9:10 am. The order of the agenda was altered and the Adoption of Rules was addressed first since many public members were in attendance to address this specific issue. The election of officers and remaining agenda items followed the Rules discussion and adoption.

Roll Call

Members Present:

Kenneth Allen Fann
Daniel Harkness
Lonnie Marshall
Erik Oostenink
Sarah Thomas
Sherill Whisenand

Members Absent:

Barbara O'Rourke
Vickie Miene

Staff present:

Judy Manning, Board Executive
Barb Huey, Bureau Chief
Sara Scott, AAG
Paulette Lappe, Clerk Specialist

Public in Attendance:

Diane Thomas
Jason Haglund
Kevin Carroll
Wade Leuwerke
Darcie Davis-Gage
Julie Shepard
Deanna Triplett

Public Comment: Public in attendance introduced themselves to the Board. No public comment was received.

Administrative Rules:

Members from the Iowa Behavioral Health Association were present to express their concern about the rule changes. Julie Shepard and Jason Haglund were the spokespersons. Judy Manning, Board Executive, explained the education requirements effective in 2007 were proposed to be adopted into the rules to help graduates who did not have separate courses for Assessment and Diagnosis & Treatment meet licensure requirements.

The Behavioral Health Association raised concerns about the APA Code of Ethics requirement for the Professional Identity content area. After a brief discussion it was determined the ACA Code of Ethics should be required since mental health counselors are being licensed by the

Board, not psychologists, social workers or other counseling professions who have their own code of ethics. To maintain their own professional identity, mental health counselors will be required to fulfill the ACA Code of Ethics requirement.

Next there was a discussion about defining the term 'mental health setting' in the rules. The Iowa Behavioral Health Association requested the term be changed to 'behavioral health setting'. Dan stated changing a word could also change the meaning or context and lessen the standards. The Board voiced concern about protecting the public, maintaining standards, and upholding the qualifications of supervisors. Erik mentioned schools need to be adopting the CACREP standards instead of expecting the Board to accommodate other standards. A question was raised regarding the meaning of 'protecting the public'. AAG, Sara Scott, said the Boards' responsibility in 'protecting the public' is making sure competent people are licensed as well as ensuring the laws and rules are followed.

Erik proposed that 'mental health setting' be defined as a behavioral health setting where an applicant is providing mental health services including the diagnosis, treatment, and assessment of emotional and mental health disorders and issues. Judy asked for all those in favor. The Board responded Aye except Allen and Dan who voted Nay. Allen and Dan again expressed their concerns about changing the definition of 'mental health setting'.

Erik made a motion to adopt ARC 9547B as changed, including the revised definition of mental health setting. Dan seconded the motion. Allen voted Nay. Motion carried.

Election of Officers:

Dan Harkness nominated Erik Oostenink and Allen Fanning seconded the motion. The Board voted unanimously for Erik to serve as Board Chair.

Next, Erik Oostenink nominated Dan Harkness as Vice Chair and Sherill Whisenand seconded the motion. The Board unanimously voted to sustain Dan as Vice Chair.

Approval of Minutes:

Minutes from the February 4, 2011 meeting were approved as presented (MSC: Sarah/Sherill). Motion carried.

Reports:

Administrator: Judy reported Lonnie Marshall had volunteered to attend the NBCC meeting in August 2011. He is currently awaiting registration information.

The Bureau Chief - Barb Huey welcomed the new board members. Barb told the Board there was a new protocol for the administrative rule process. Rule changes must now go to the Governor's office for pre-clearance before being noticed.

Next, Barb shared updated information about AMANDA, the new software program, which will be available for the Bureau in approximately a year and a half. Currently, the program is in the design and analysis phase. The AMANDA system will have many new features and capabilities for applicants, board members, and staff. The finished product will allow individuals to apply

for licensure online and licensees will be able to renew, reactivate and complete a verification of licensure online. A confidential Board Meet Folder will allow board members to access meeting and disciplinary information online.

Chair – Judy informed the Board there was a vacancy on the discipline committee because one of the three members was not reappointed. Erik appointed Barbara O'Rourke to serve on the discipline committee.

AAG

Sara Scott gave a general review of the Board Member Guidelines and Professional Licensure Policy Statements. Sara explained her role as an AAG and the Board Member's responsibilities. A board members' primary responsibility is to protect the public. It is important to attend the meetings and come prepared by reviewing material prior to the meeting. Also, if there is any appearance of a conflict of interest, a board member should recuse themselves. Closed sessions have sensitive information and confidentiality is essential. Sara also stated, in a discipline hearing, the board members are the final decision makers.

New Business:

LMFT Research Presentation: Kevin Carroll, Drake University graduate, presented his research material regarding the Marriage and Family Therapist profession.

MHC Appeal –Kate Kathleen Cross – Grace University

Kate appealed taking two courses recommended by CCE to fulfill academic requirements. Since precedent had been established in accepting a former applicant from Grace University, Dan made a motion to approve the appeal and Sherill seconded. Allen voted nay. The appeal was approved.

MHC Appeal – Michelle Sauser – Bellevue University

The Board denied Michelle's request to appeal the CCE evaluation regarding waiving the internship requirement. Sherill made the motion to deny and Dan seconded. Motion carried.

MHC Appeal – Maya Abdul Hafiz – A motion was made by Allen and seconded by Sarah to deny the appeal to accept the proposed basic counseling course for Psychopathology and/or the Diagnosis category. Motion to deny the appeal carried unanimously.

Petition for Waiver – Lynn Conner – A motion was made by Erik to deny the waiver for group supervision since group supervision is not required and Mr. Conner could complete the direct supervision requirement with individual supervision. Lonnie seconded the motion and the motion carried.

Petition for Waiver – Heidi Cuda – The petition for the Board to accept two years of supervision provided by an unlicensed supervisor was denied. Lonnie made the motion to deny and Allen seconded. Motion carried unanimously.

Complaints

The Board went into closed session in accordance with Iowa Code Chapter 21.5(1)''d'' to discuss complaints at approximately 11:51 a.m. The motion was made by Erik and seconded by Allen. Roll call vote: Allen Fann, aye; Daniel Harkness, aye; Erik Oostenink, aye; Lonnie Marshall, aye; Sarah Thomas, aye; and Sherill Whisenand, aye.

The Board returned to open session at approximately 12:37 pm. (MSC: Allen/Lonnie) and took the following actions:

11-001	Closed	(MSC: Erik/Dan)
11-003	Closed	(MSC: Allen/Sarah)
10-014	Closed	(MSC: Sarah/Erik)

Future Board Meetings:

August 5, 2011	May 3, 2012
November 4, 2011	August 9, 2012
February 2, 2012	November 1, 2012

Adjournment:

Sherill made the motion to adjourn the meeting at approximately 12:40 pm and Allen seconded the motion.

Respectfully Submitted,

Paulette Lappe