

MINUTES
SUBSTANCE ABUSE/PROBLEM GAMBLING PROGRAM LICENSURE COMMITTEE
NOVEMBER 14, 2012 - 9:00 A.M.
ICN ROOM, 6TH FLOOR
LUCAS STATE OFFICE BUILDING

CALL TO ORDER

Mr. Hansen called the meeting to order at 9:00 a.m. and Ms. Harris conducted roll call.

ROLL CALL

Members Present:

Jay Hansen, Chair
Justine Morton
Diane Thomas

Other Attendees:

Heather Adams, AG
DeAnn Decker, IDPH
Cynthia Kelly, IDPH
Bob Kerksieck, IDPH
Jeff Gronstal, IDPH
Robyn Harris, IDPH

I. Agenda/Minutes

Ms. Morton moved that the minutes from the October 10, 2012 meeting be approved. Ms. Thomas seconded. Motion carried unanimously.

II. Substance Abuse/Problem Gambling Licensure

A. Substance Abuse Licensure Recommendations

1) Two (2) and Three (3) Year Programs

A motion was made by Ms. Morton and seconded by Ms. Thomas to approve a license for a period of two (2) years to Northeast Iowa Behavioral Health, Inc., Decorah, Iowa license effective January 21, 2013 to January 21, 2015 and to approve a license for a period of three (3) years to Creative Counseling Services, Inc., Ames, Iowa, license effective December 6, 2012 to December 6, 2015, to Private Counseling Services, Inc., Forest City, Iowa, license effective December 17, 2012 to December 17, 2015; and to Community and Family Resources, Fort Dodge, Iowa, license effective December 14, 2012 to December 14, 2015. Motion carried unanimously.

2) 270 Day Program

A motion was made by Ms. Morton and seconded by Ms. Thomas to approve a license for a period of 270 days to Transitional Services of Iowa, Inc., Sioux City, Iowa, license effective November 14, 2012 to August 10, 2013. Motion carried unanimously.

3) Deemed Status

A motion was made by Ms. Thomas and seconded by Ms. Morton to approve a license through deemed status to Center for Alcohol and Drug Services, Inc., Davenport, Iowa, based on the accreditation survey conducted and awarded by the Commission of Accreditation of Rehabilitation Facilities (CARF), license effective October 31, 2012 to October 31, 2015. Motion carried unanimously.

Additional comments:

Mr. Hansen noted the reduction of complaints. Staff noted that complaints are received sporadically. Ms. Thomas noted the ability of the licensure staff to perform on-site inspections prior to the expiration of the programs license. This allows programs to be re-licensed prior to their expiration. Ms. Kelly noted that this has been a goal of the licensure staff. Ms. Kelly also noted that the licensure staff will only do site visits once the re-application was complete. Ms. Kelly noted that they were able to meet this goal by modifying the time of re-application notification to five months prior to expiration rather than four months. Noting that the extra time allowed the programs to submit needed items to make their application complete.

III. Licensure Fee Structure – Jeff Gronstal, Cynthia Kelly and Bob Kerksieck

Ms. Kelly gave an overview of her research into charging fees for licensing. This research showed that most fees are minimal. Ms. Adams stated that as the rules stand now the committee has the authority to adopt rules to charge fees to some of the licensees. However, the amount the department would charge would not offset the licensure program expenses and there would need to be a statutory change in the rules, otherwise the fees received would go directly into the general fund. The committee voiced a concern about the fees going to the general fund rather than to offset the licensure program. Ms. Adams noted that in Iowa Administrative Code **125.14 Licenses – renewal – fees: *The department shall not charge a fee for licensing or renewal of programs contracting with the department for provision of treatment services. A fee may be charged to other licensees.*** Ms. Adams noted that this language was established in 1989. Mr. Hansen noted that technically none of the programs contract with the department, they contract with Magellan. Ms. Adams also noted that the committee could proceed with the statutory change for the next legislation session to allow the department to charge fees for all programs and allow the retention of those fees to the department. Ms. Morton suggested amending the language in the standards, but not pursue the charging and or retaining the fees at this time. Ms. Adams stated that she would work with the licensure staff and will submit to the committee amendments in the language of the standards regarding fees and retention of fees for licensure.

IV. Summary Suspension – Jeff Gronstal

Mr. Gronstal provided a rough draft of the licensure report for Help Clinic, run by Winnie Hall, located in Des Moines. Stating that this was initially licensed as a sole practice, level I services. Mr. Gronstal stated that when licensure staff arrived to conduct the on-site visit, Ms. Hall had hired staff that was providing services primarily in the Council Bluffs area. In doing this, the program was no longer a sole practitioner. Mr. Gronstal reported that Help Clinic had no structure in place as a program, no policies or procedures. In addition, there were no treatment files for licensure staff to review. Mr. Gronstal stated that these two issues combined created a serious situation. Mr. Gronstal stated that in the report she received 0 percent in clinical standards, .05 percent in administrative standards, and 44 percent in programing standards. The non-compliance areas include; all clinical items, no professional liability insurance, no safety policy for clients in place. Due to the severity of the non-compliance, licensure staff recommends issuing a “Summary Suspension” of the Help Clinic license at this time. Ms. Adams explained Summary Suspension in that it allows the immediate suspension of the license and operation of a program. Ms. Adams stated that there has to be a finding that the health, safety or welfare of the public is in danger by the continued operation of the program. Ms. Adams stated that process would be to have a motion for the notice of proposed denial and a motion

for the Summary Suspension at the same time so the program would not be allowed to provide services pending the outcome.

Mr. Gronstal stated that he believes that there is sufficient evidence that the health, safety or welfare of the public is in danger if Help Clinic is allowed to continue. The committee agreed. Mr. Hansen inquired if this program could eventually be licensed. Mr. Gronstal stated that according to the standards, Ms. Hall would have to wait one calendar year before re-applying.

Ms. Morton moved and Ms. Thomas second to order a Summary Suspension subject to Iowa Administrative Code 155.11(6) be issued to the Help Clinic, Des Moines, Iowa effective immediately. Motion carried unanimously. Mr. Hansen directed licensure staff to notify the Department of Transportation and Department of Education of the order of Summary Suspension.

Ms. Thomas moved and Ms. Morton second to issue Initial Notice to Refuse to Renew to the Help Clinic, Des Moines, Iowa, in accordance with Iowa Administrative Code 155.11(2). Motion carried unanimously. Mr. Hansen directed licensure staff to notify Magellan of said notice.

There was a brief discussion regarding social media and standards for non-credentialed staff. Mr. Hansen stated he thought these would be appropriate issues for the Iowa Behavioral Health Association to address.

V. Next Meeting

The Committee's next meeting is scheduled for Wednesday, December 12, 2012. Please note this will be a teleconference meeting. The meeting will originate in the Director's conference room, 6th Floor, Lucas State Office Building.

VI. Adjournment

Mr. Hansen adjourned the meeting at 9:44 a.m.