

North Carolina Substance Abuse Professional Practice Board
8:30am, December 14th, 2018
Sheraton Imperial, Durham, NC

Members Present: Laura Veach, Mark Crabtree, Dale Willetts, Mary Jane McGill, Jane Peck, Cheryl Gentile, Richard Hicks, Lea Tackett, Elizabeth Ramos, Al Mooney, John Sanders, Starleen Scott Robbins, Angie Banther, Jo Leblanc, Fran Gordon, Flay Lee, David Turpin, Johnny Bass

Board Members Absent (excused): Carol Hoffman, Brenda Smith-Williams, Geri Miller, Anthony McLean, Smith Worth

Staff: Barden Culbreth, Katie Gilmore, Marcie Murfin, Nelson Harris, Randolph Cloud

Public: Jeff King, Christina Swenton, Kaitlin Sexton, Nicole Ferguson, Semekia "Sam" Evans

Call to Order: President Laura Veach called the meeting to order at 8:35am.

Ethics Awareness Statement: President Veach read the Ethics Awareness Statement and asked for potential conflicts of interest or appearances of conflict. It was noted that some members would be recusing themselves from the Disciplinary Hearings later in the meeting and would announce their recusal at that time. Hearing no further conflicts, the meeting continued.

Announcements: President Veach asked for any announcements to be made. Quality Assurance Chair Mary Jane McGill reported the results of the recent Clinical Supervision Survey. Included in the findings was a need for a Clinical Supervision Training provided by the Board. There would be a follow up meeting on January 25th. McGill also circulated the results to the Board.

The Board congratulated Marcie Murfin on the expectancy of her first child. Her due date is January 4th.

Public Hearing on Permanent Rules:

President Laura Veach convened an open, Public Hearing to receive comments on the proposed Permanent Rules before the Board.

McGill asked that .0203 be amended so that the Certified Substance Abuse Counselor (CSAC) Registration fee remain at \$125. Starleen Scott Robbins agreed. Elizabeth Ramos concurred.

Johnny Bass stated that the Board risked fiscal insolvency if Registration fees were not increased.

Angie Banther asked if the Board had considered the number of CSAC's and Licensed Clinical Addiction Specialists (LCAS) were affected by this fee increase.

Barden Culbreth reported that a tiered Registration system would increase difficulties in accounting and reporting.

Extensive discussion followed.

Mark Crabtree motioned to close the Public Hearing. Fran Gordon seconded.

President Veach asked the Board to conduct votes on each the Rules separately.

Voting:

.0203 – David Turpin motioned to approve the rule with a correction in lines 13-14 to \$200 instead of \$150. Fran Gordon seconded. **Aye- (11) Mark Crabtree, Dale Willetts, Cheryl Gentile, Lea Tackett, Al Mooney, John Sanders, Jo Leblanc, Fran Gordon, Flay Lee, David Turpin, Johnny Bass; Opposed- (5) Mary Jane McGill, Jane Peck, Elizabeth Ramos, Starleen Scott Robbins, Angie Banther**

Motion Passed.

.0205 – Fran Gordon motioned to approve with technical corrections. Richard Hicks seconded. Discussion followed. Motion was clarified and restated. Cheryl Gentile seconded. Veach called the question.

Aye- (16) Mark Crabtree, Dale Willetts, Mary Jane McGill, Jane Peck, Cheryl Gentile, Richard Hicks, Lea Tackett, Elizabeth Ramos, John Sanders, Starleen Scott Robbins, Angie Banther, Jo Leblanc, Fran Gordon, Flay Lee, David Turpin, Johnny Bass; Nay- (1) Al Mooney.

Motion Passed.

.0206 – Mary Jane McGill motioned to accept the Rule with technical corrections. Nelson clarified and restated motion. Fran seconded.

Aye- (16) Mark Crabtree, Dale Willetts, Mary Jane McGill, Jane Peck, Cheryl Gentile, Richard Hicks, Lea Tackett, Elizabeth Ramos, John Sanders, Starleen Scott Robbins, Angie Banther, Jo Leblanc, Fran Gordon, Flay Lee, David Turpin, Johnny Bass; Nay- (1) Al Mooney.

Motion Passed.

.0207 – Angie Banther motioned to approve Rule with technical change from 30 days instead of 5, and late fee to be \$50 instead of \$125. Fran Gordon seconded.

Aye- (17) Mark Crabtree, Dale Willetts, Mary Jane McGill, Jane Peck, Cheryl Gentile, Richard Hicks, Lea Tackett, Elizabeth Ramos, Al Mooney, John Sanders, Starleen Scott Robbins, Angie Banther, Jo Leblanc, Fran Gordon, Flay Lee, David Turpin, Johnny Bass; Nay- 0

Motion Passed.

.0208 – Dale Willetts motioned to accept as written. Mark Crabtree seconded.

Aye- (17) Mark Crabtree, Dale Willetts, Mary Jane McGill, Jane Peck, Cheryl Gentile, Richard Hicks, Lea Tackett, Elizabeth Ramos, Al Mooney, John Sanders, Starleen Scott Robbins, Angie Banther, Jo Leblanc, Fran Gordon, Flay Lee, David Turpin, Johnny Bass; Nay- 0.

Motion Passed.

.0211 – Fran Gordon motioned to approve as written. Flay Lee seconded.

Aye- (17) Mark Crabtree, Dale Willetts, Mary Jane McGill, Jane Peck, Cheryl Gentile, Richard Hicks, Lea Tackett, Elizabeth Ramos, Al Mooney, John Sanders, Starleen Scott Robbins, Angie Banther, Jo Leblanc, Fran Gordon, Flay Lee, David Turpin, Johnny Bass; Nay- 0

Motion Passed.

.0212 – Flay Lee motioned to approve as written. David Turpin seconded.

Aye- (17) Mark Crabtree, Dale Willetts, Mary Jane McGill, Jane Peck, Cheryl Gentile, Richard Hicks, Lea Tackett, Elizabeth Ramos, Al Mooney, John Sanders, Starleen Scott Robbins, Angie Banther, Jo Leblanc, Fran Gordon, Flay Lee, David Turpin, Johnny Bass; Nay- 0

Motion Passed.

.0305 – Mary Jane McGill motioned to approve with technical corrections. Fran Gordon seconded.

Aye- (17) Mark Crabtree, Dale Willetts, Mary Jane McGill, Jane Peck, Cheryl Gentile, Richard Hicks, Lea Tackett, Elizabeth Ramos, Al Mooney, John Sanders, Starleen Scott Robbins, Angie Banther, Jo Leblanc, Fran Gordon, Flay Lee, David Turpin, Johnny Bass; Nay- 0

Motion Passed.

.0306 – Richard Hicks motioned to approve, with technical corrections. Fran Gordon asked to increase renewal fee for Deemed Status LCAS from \$35 to \$50. Seconded by Jane Peck.

Aye- (17) Mark Crabtree, Dale Willetts, Mary Jane McGill, Jane Peck, Cheryl Gentile, Richard Hicks, Lea Tackett, Elizabeth Ramos, Al Mooney, John Sanders, Starleen Scott Robbins, Angie Banther, Jo Leblanc, Fran Gordon, Flay Lee, David Turpin, Johnny Bass; Nay- 0

Motion Passed.

Approval of the Agenda: Cheryl Gentile motioned to approve the agenda. Jane Peck seconded. The agenda was approved.

Disciplinary Hearings: Mark Crabtree and Dale Willetts recused themselves from both cases. Angie Banther recused herself from the Richard Dunn case.

Hearing on Charlotte Garnes – Office of Administrative Hearings recommendation from Administrative Law Judge to permanently revoke her credential. Fran Gordon motioned to accept the recommendation. David Turpin seconded. Motion passed unanimously.

Hearing on Richard Dunn - The Ethics Committee presented a recommendation to permanently revoke his credential following a series of felony armed robbery charges. David Turpin motioned to permanently revoke and charge Dunn the costs of hearing. Cheryl Gentile second. The motion passed unanimously. ‘

Hearings ended.

Approval of Previous meeting minutes: Flay Lee motioned to approve. Angie Banther seconded. Elizabeth Ramos asked that several grammatical typos be addressed and she would present to Board staff after meeting. The motion passed unanimously.

Treasurer's Report: Johnny Bass reported on the investment accounts. There is approximately \$10,000 increase in earning in stocks and \$19,000 earned from bonds. The profit from bonds would be put into the cash account and off set losses for the year. Resulting deposit would put Board in positive position.

Barden reported on day to day cash expenses of the Board and praised the Board members for minimizing costs and pushing for fiscally conservative budget.

Government and Policy Update: Randolph Cloud was recognized to provide update from the NC General Assembly and Department of HHS. He provided an update from the election.

Laura Veach recognized the PACT students from Central Piedmont Community College. The students introduced themselves to the Board.

Associate Director Katie Gilmore reported on the new testing company employed by an IC&RC. There was a request for the office to better notify the field of the changes associated with the new company. The board will prepare a Board Buzz e-newsletter on this.

Discussion followed.

Periodic Rules Review: Barden presented 11 new rules (.0101, .0102, .0201, .0204, .0209, .0213, .0214, .0215, and .0401) for consideration by the Board. Elizabeth Ramos motioned to approve these draft Rules for Publication and Public Comment. Jane Peck seconded. Starleen Scott Robbins asked if Criteria C schools were involved in the changes to .0214. Laura Veach reported that Standards Committee had worked with these stakeholder schools. The motion passed unanimously.

Committee Reports:

Executive Committee – Mark Crabtree reported that this comment met via conference call on October 17 and they will present recommendation under Unfinished Business.

Standards Committee – Kate Gomes reported on a case that was put before the committee. This case would result in a Contested Case before the Office of Administrative Hearings.

Ethics Committee – Dale Willetts reported updates on cases, 13 cases closed this quarter. Twelve were opened this quarter. There are 15 active cases. Angie Banther asked about response rate compared to other Boards. Laura Veach asked the Ethics Committee to gather this information and report back to the Board.

Quality Assurance Committee – Mary Jane McGill presented on two cases before this committee; one that will be allowed to proceed and one still under consideration. The committee is working on an accelerated program curriculum for community colleges. The committee is developing an action plan for applicants who are not moving beyond registered status.

Nominations and Elections Committee – Jane Peck reported that the committee was largely responsible for hosting the annual training event in the past. Their immediate focus would remain on free education

opportunities for applicants and license holders. Kate Gomes has volunteered to do a webinar. Jane Peck asked for additional volunteers to do web-based training.

Unfinished Business: Mark Crabtree reported on an Executive Committee call where a recommendation had been made to hold a one day meeting, as opposed to the two day meeting schedule to start in 2019. Laura Veach asked the Board to be willing to make changes and try new meeting formats to save money.

Barden Culbreth reported that the new hotel contract planned to hold committee meetings at 10:30am, with a working lunch and Board meeting to start at 12:00 or 12:30pm. Angie Banther asked that the board remember its commitment to protect the public; and a shortened schedule may lead to the Board to be rushed on business. She asked the office to get meeting material out earlier in advance of meeting.

Laura Veach asked that the Board consider teleconferencing at the committee level to evaluate its utility at a Board level. Al Mooney recommended the members try out his service that he uses if they are unfamiliar with teleconferencing.

Laura Veach reminded the Board that it would reconvene at 5:30pm via conference call to ratify the votes made today on the Permanent Rules.

New Business: None.

Fran Gordon motioned to recess until 5:30pm. Angie Banther seconded and the meeting went into recess.

The Board reconvened at 5:30pm.

Members In Attendance: David Turpin, Cheryl Gentile, John Sanders, Starleen Scott Robbins, Richard Hicks, Al Mooney, Lea Tackett, Fran Gordon, Johnny Bass, Laura Veach, Flay Lee, Jane Peck, Mary Jane McGill, Dale Willetts, Angie Banther

Staff: Nelson Harris, Randolph Cloud, Barden Culbreth

President Veach asked the Board members on the call ratify their votes on the rules, excluding .0305 and .0306.

Hearing no objection, the votes were ratified. These rules passed.

Mary Jane McGill motioned to change the previously approved language voted on in Rule .0305, with exception to line 31-33, which returns to originally published language with technical changes. Richard Hicks seconded. The motion passed unanimously.

Mary Jane McGill motioned to change the previously approved language voted on in Rule .0306, with exception to line 8, which returns to the motion to the originally published language with technical changes. David Turpin seconded. The motion passed unanimously.

Adjourn: Fran Gordon motioned to adjourn. Cheryl Gentile seconded and the meeting ended.