

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

**DATE:** July 18, 2014

**TIME:** 9:00 a.m., CDT

**LOCATION:** Health Related Boards  
Poplar Room  
665 Mainstream Drive  
Nashville TN 37243

**BOARD MEMBERS**

**PRESENT:** Ms. Butler Butler, LADAC, Chair  
Karen Dennis, LADAC  
Susan Cunningham, LADAC  
Richard Terry Kinnaman, LADAC  
Major McNeil, Citizen Member

**STAFF PRESENT:** Etoyle Harris, Board Administrator  
Ms. Teddy Wilkins, Unit Director  
Ms. Caroline Tippens, Assistant General Counsel

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

Ms. Wilkins introduced new Board Administrator, Etoyle Harris. Board members were asked to provide the Board Administrator with their Edison proxy information. Ms. Wilkins also advised the Board members that the minutes for the April 2014 meeting would be available at the October 24, 2014 Board meeting.

**Office of General Counsel Report**

Ms. Tippens reported that there were no active disciplinary cases in the Office of the General Council. For the Board of Alcohol and Drug Abuse Counselors, there were currently three (3) opened cases in Investigations. There were no current legislation that is currently directly affecting Alcohol and Drug Abuse Counselors. Ms. Tippens stated that the rulemaking hearing and rules have been reviewed by Sue Shelton, Assistant Attorney General; but have not yet been finalized. They will be transmitted to the Secretary of States' office per changes that need to be made. The rulemaking hearing will be posted on the Secretary of State's website when finalized.

Ms. Butler asked Ms. Tippens if there are recommended changes or will the Board have to review them or are they accepted?

Ms. Tippens stated that she would bring it back before the Board if there is something that the Board needs to know.

### **Investigative Report**

Ms. Moran introduced her new staff member Rachael Talley, a Paralegal/Disciplinary Coordinator. Ms. Talley will be working with the Board of Nursing as well as working to be cross-trained to appear before the Boards. There will also be a new paralegal in the Office of Investigations July 28, 2014 who will be introduced at the October 24, 2014 Board meeting.

Ms. Moran stated that there are currently two (2) cases opened in the Office of Investigations. The two people are not in a currently monitored practitioner status, but they are in a licensure disciplinary status.

The Versa system will allow the ability to report to the Board any monies that has been collected per quarter on behalf of the Boards. Disciplinary Coordinators would be in charge of finalizing that which will be added to the reports in the future.

### **Administrative Report**

Ms. Harris reviewed the administrative report with the Board and stated that there are currently four hundred ten (410) actively licensed, one hundred eighty-nine (189) have retired, two hundred fifty-four (254) are expired and eighty-six (86) deceased alcohol and drug abuse counselors.

From April 5, 2014 to July 11, 2014, two (2) new licenses were issued, five (5) new applications were received, two (2) licensees retired, seven (7) licensees expired and forty-four (44) licensees were renewed.

Ms. Wilkins encouraged licensees to utilize the online system as a more efficient way to renew their license as they can pay by debit or credit card.

Ms. Wilkins spoke about the Sunset Review. She stated that she, Ms. Butler and Ms. Tippens went before the Government Operations committee June 24, 2014. Terry Kinnaman and Kathy Benson spoke in support of the LADAC Board. Ms. Wilkins stated that the Government Operations committee will recommend to the full Senate and House that the Board be continued for four (4) additional years. Ms. Wilkins also mentioned that there were three (3) boards for Sunset.

Ms. Tippens stated that G.A. Hardaway would like legislatively change composition of the Board by adding new Board members to off-set cost.

Ms. Wilkins informed the Board that Valerie Nagoshiner, Assistant Commissioner for Legislation and Legislative Liaison, Ben Simpson will also be asked to have more Board

members. One of the three (3) Legislative Liaisons would have Jeremy Davis appear before the Board today, but he was not able to make it.

Ms. Butler mentioned Representative Hardaway would like a report regarding the financials.

### **Financial Report**

There was no financial report presented. Ms. Wilkins stated it should be available at the October 24, 2014 meeting.

### **Discussion for Reducing Fees**

Ms. Butler inquired about finances and surplus in the Boards account. She stated there was a discussion on voting on reducing the fees for applicants in the process of becoming licensed and was cautioned not to do that due to paying a portion of the move, paying for new computer systems, as well as paying for moving computers until the board had that information.

Ms. Wilkins informed the Board that the move did not cost them any money because any cost was taken out of the rent and that the cost is pro-rated based on the number of licensees. She did say there would be a cost for the new on-line licensing system around November and that the Board's share is a certain percentage of the overall cost.

Ms. Wilkins and Ms. Tippens asked Vanessa Crutcher to get an update of the financials at the next meeting for a possible rulemaking decrease in fees. Ms. Tippens suggested that it may be feasible to wait until the other rules are finalized so that there will not be more than one rulemaking in the pipeline while there are others pending.

### **Legislative Report**

Ms. Tippens presented Jeremy Davis's Legislation Report as Mr. Davis was unable to be present.

#### **Senate Bill #1629 – Customer Focus Government Bill**

Allows for initial licensure applications to be accepted on-line and for renewals to licenses that are already available on-line. It also makes available to the public the annual inspections of health care facilities and pharmacies. The Bill has been signed by the Governor and went into effect July 1, 2014. It allows for more information to be posted on the internet about the composition and about the licensure requirements and status for all health related boards.

#### **Senate Bill #2050 – House Bill #1895 – Telehealth as Covered Practice**

Allows Telehealth providers to contract with insurance companies. Telehealth services must comply with State licensure requirements promulgated by Boards with jurisprudence over the provider. Reimbursement for treatment through Telehealth cannot be denied solely because the treatment did not include an in-person encounter. This allows for telephonic consultations. Under prior law, you could not get reimbursement for Telehealth services because it required an in-person visit. This law affects the Board of Medical examiners which has had a rulemaking

hearing regarding Telehealth requirements. Public Chapter 675 will go into effect January 1, 2015.

### **Senate Bill #1674 - House Bill 1928 - Civil Immunities Bill**

This Bills current law provide civil immunity to healthcare providers providing services at clinics that charge patients based on a sliding scale. This legislation extends that immunity health care providers offering services at a clinic that does not charge for patient services. **(Public Chapter 575, Effective March 28, 2014)** Applies to those providers who provide services at a free clinic. Any questions?

Ms. Wilkins spoke in reference to the on-line applications that putting it into place could be a lengthy process because it has to be contracted with someone to actually write the program allowing on-line applications due to being more complicated with means to accept electronic signatures. Hopefully this will be forthcoming in a year or so.

### **Discuss and Ratify or Deny New Licensees**

Ms. Wilkins reported that there were two new licenses, Laura Dansing and Kara Logan.

Mr. Kinnaman made a motion to be approved, seconded by Major McNeil. Motion carried.

### **Exam Report**

Terry Kinnaman reported for Ms. Benson

There are thirteen (13) individuals who have taken the oral exam. Seven have passed the oral exam. Seven passed (Heather Mazey, David Hoffstetter, Nicole Faerber, Janet Parrish, Brandon Davis, David Sappington and Teresa Worthington)

There is another exam set to take place in two weeks. Other oral exams will be completed by mid September.

Terry Kinnaman made a motion to ratify the scores of the seven who passed, seconded by Ms. Dennis. Motion carried.

### **Correspondence**

Carly Brodsky sent correspondence asking how to become an approved provider for on-line education (Out of State Counselor). Ms. Butler suggested that an email or letter could be sent in response stating that any courses approved by NAADAC are automatically accepted by the Board and if there are any other courses that they want approved by the Board, they are welcomed to submit the paperwork.

Ms. Tippens questioned about courses that have not been NAADAC approved. Mr. Kinnaman asked if everything in the Boards rules that are NAADAC approved are automatically approved? He would like better clarification in the letter for NAADAC approved issue with the question about the letter going to Mr. Brodsky asking for classes online to be taught for licensure. Ms.

Tippens referred to Mr. Kinnaman's question about the NAADAC rule is answered in rule 1200-30-01-12 and would only be approved for CEUs but for on-line courses toward licensure it would have to be approved by the Board.

Ms. Butler asked Ms. Tippens to also state in the letter that courses that are approved by NAADAC are automatically approved. Ms. Butler made a motion to have Ms. Tippens send a letter to Ms. Brodsky and was seconded by Ms. Dennis. Motion carried.

Correspondence from Dr. Dawn-Elise Snipes was received requesting the Board to consider live webinars for training. Ms. Butler requested that Ms. Wilkins get more information before the Board considers or discusses the issue.

### **Tobi Abrams** – private practice on the LADAC

Mr. Abrams questioned why live webinars meaning it is an interactive class, as opposed to when you present something on a computer and there is no ability to interact with a teacher? Ms. Tippens responded to Mr. Abrams' question stating that since the initial hours that are stated in the classroom are called a formal classroom setting if CEUs would not include that, but if it is regarding initial hours that is the way the Alcohol and Drug Abuse Counselors rules are. Major McNeil stated this could be found on page four of the agenda: clarification on whether NAADAC approved live or interactive webinars would be considered or acceptable for pre-licensure training? Ms. Butler stated with the new rules that are being put into place, on-line courses will be accepted. Ms. Tippens stated that the rules have not been approved by the Attorney General's office and this cannot take place until the new rules take effect. Ms. Butler asked if it could be shared to say that currently under our rules webinars are not approved and we are reviewing that presently to consider approval. Ms. Butler made a motion to reply to her with that information. Mr. Kinnaman seconded. The motion carried.

### **New Business**

Mr. Kinnaman requested a letter be sent to Melody thanking her for her years of service and dedication from the Alcohol and Drug Abuse Board with the Boards signatures and thoughts.

Charlie Hyatt, President of TADAC was called upon by Mr. Kinnaman to report on an activity that TADAC is sponsoring at the end of July for the training of LADAC counselors.

**Charlie Hyatt, President of TAADAC** stated that he has a train the trainer event beginning July 28<sup>th</sup> through August 1<sup>st</sup>. It is a forty (40) hour training. Cynthia Tuey from NAADAC is coming down to do the presentation. Currently there are twenty-five (25) registered from all four regions of Tennessee. Those who complete this will be in line to train others. Mr. Hyatt stated he will try to continue this annually.

Mr. Kinnaman also stated that this event is introducing the new training that NAADAC has developed for the eight (8) domains. This is geared for those who are attempting to get their hours for licensing.

Mr. Hyatt stated they will be multifaceted. They will cover the eight (8) domains and how to present the material in an effective way. There will also be a teach-back portion of the training where you will display your skills in front of twenty four (24) other people they have picked up at the training. Everyone who attends will have a training and participant manual. He also stated that the Department of Mental Health Substance Abuse Services is sponsoring the training.

Mr. Kinnaman commended TAADAC for taking this on to move to a more standardized curriculum. Ms. Dennis asked what the qualifications are for people to take the training? Mr. Hyatt explained people list their training in the training field. It is requested that the attendee be licensed and have some prior training experience. Ms. Dennis asked if the housing is on site and for Mr. Hyatt to send her that information. Mr. Hyatt stated that the event is being held at Tennessee Tech in Cookeville.

### **New Business**

Ms. Butler asked if there was any new business and if there was anyone else to address the Board

Mr. Kinnaman made a motion to take a break, seconded, passed.

After the break, Ms. Butler stated there is one more new applicant. Major McNeil stated to the Board that Rhonda Tuten met and exceeded requirements for licensure and made a motion that she be allowed to sit for the written exam. Ms. Butler seconded the motion. Motion carried.

Ms. Wilkins was asked a question during the break by a member of the public. Ms. Tippens addressed Ms. Wilkins's question as to whether an applicant who has successfully taken and completed the NAADAC written examination must receive Board ratification of that passing score prior to sitting for the oral exam, under Rule 08. Is that your understanding? Ms. Butler stated that is an area where the board can speed up that process. At the sunset review it was mentioned how long it can take for a person to become licensed. Ms. Tippens will draft a policy statement to bring back to the board at the next meeting.

With no other business to discuss, the board adjourned.

*Ratified by the Board of Alcohol and Drug Abuse Counselors on October 24, 2014.*