

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

**DATE:** July 12, 2019  
**TIME:** 9:00 A.M.  
**LOCATION:** Health Related Boards Conference Center  
Poplar Room, 665 Mainstream Drive  
Nashville, TN 37243

**BOARD MEMBERS**

**PRESENT:** David Brown, LADAC, Chair  
Ella Bentley, LADAC, Secretary  
Dr. Jane Abraham, LADAC, NCAC II  
Thomas Corman, LADAC  
Major McNeil, Citizen Member

**STAFF**

**PRESENT:** Latonya Shelton, ASA 3  
Teddy Wilkins, Unit Director  
Caroline Tippens, Assistant General Counsel

Ms. Teddy Wilkins, Unit Director called the meeting to order at 9:04 a.m. Ms. Wilkins determined that a sufficient number of members were in attendance to constitute a quorum. Ms. Wilkins asked staff to introduce themselves: Teddy Wilkins, Unit Director; Latonya Shelton, ASA3, Caroline Tippens, Assistant General Counsel. Ms. Wilkins also introduced Mr. John Tidwell, Executive Director of Health Related Boards.

**Administrative Report**

Ms. Shelton stated there are 461 licensees; one (1) level one application; sixteen (16) level two applications; two (2) reinstatement applications and two (2) reciprocity application.

Ms. Shelton stated eleven (11) licenses have been issued; one (1) retired; seven (7) expired; twenty-nine (29) renewals.

Ms. Shelton stated the next meeting is: October 18, 2019.

Ms. Wilkins informed the Board that Board staff has been invited to the 2019 Journey Together Conference and they are welcomed to join us for the F&A segment of the conference.

## **Office of Investigations**

Ms. Leonard stated her office had a total of three (3) new complaints opened, four (4) closed and three (3) under review/investigation open complaints as of July 2019. Ms. Leonard informed the Board that she is currently monitoring no practitioners being monitored.

## **Office of General Counsel (OGC)**

Ms. Tippens also discussed the conflict of interest policy with the board members:

**PURPOSE:** To assure that the individual interests of board members do not conflict with or have the appearance of conflicts with their responsibilities to the Board to which they are appointed.

**CONFLICT OF INTEREST:** A circumstance in which a board member's individual interest impairs or impedes, or gives the appearance of impairing or impeding, his or her ability to make full, unbiased decisions or to provide full unbiased service to the Board. Each board member shall disclose to the Board on a case-by-case basis, any personal relationship, interest or dealings that impairs or impedes, or gives the appearance of impairing or impeding, his or her ability to make full, unbiased decisions on a matter. Any board member who has a conflict of interest as defined above must recuse himself/herself from any matter and is prohibited from participating in any discussion or vote on the matter, and shall leave the hearing room during the discussion or vote. It is improper for any board member having a conflict of interest to attempt to influence another board member at any time, including prior to the discussion on the matter for which the conflict exists.

## **Litigation**

Ms. Tippens informed the Board there are no cases currently in the Office of General Counsel pertaining to licensed alcohol and drug abuse counselors.

## **Legislation**

Sarah Warren, Officer of Legislative Affairs is here today to present a Legislative Update for 2019.

### **[Public Chapter 15](#)**

This act extends the Board of Alcohol and Drug Abuse Counselors to June 30, 2025. This act was signed by the governor on March 22, 2019.

### **[Public Chapter 61](#)**

This act states that an entity responsible for an AED program is immune from civil liability for personal injury caused by maintenance or use of an AED if such conduct does not rise to the level of willful or wanton misconduct or gross negligence.

### **Public Chapter 117**

This act adds a definition of “alternative treatments” to 63-1-164 pertaining to the restrictions and limitations on treating patients with opioids. This act took effect April 9, 2019.

### **Public Chapter 124**

This act makes a variety of small changes and additions to the TN Together opioid initiative put in place in 2018. One addition is allowing access to Controlled Substance Monitoring Database (CSMD) data to a healthcare practitioner under review by a quality improvement committee (QIC), as well as to the QIC, if the information is furnished by a healthcare practitioner who is the subject of the review by the QIC. The requirement for e-prescribing of all schedule II substances by January 1, 2020 has been delayed to January 1, 2021 and is modified to require all schedule II through V prescriptions to be e-prescribed except under certain circumstances. The law also requires all pharmacy dispensing software vendors operating in the state to update their systems to allow for partial filling of controlled substances. Definitions are given by this act to the terms palliative care, severe burn and major physical trauma. Along with its new definition, palliative care has now joined severe burn and major physical trauma as an exception to the opioid dosage limits otherwise required under TN Together. An unintended consequence of last year’s Public Chapter 1039 was on cough syrup. This act establishes that the law does not apply to opioids approved by the FDA to treat upper respiratory symptoms or cough, but limits such cough syrup to a 14 day supply. Also changed from last year’s act is the requirement to partial fill. Partial filling of opioids is now permissive.

Finally, the opioid limits under have been simplified from the previous year’s act. The twenty day supply and morphine milligram equivalent limit has been eliminated. Three day and ten day requirements remain the same. Instances such as more than minimally invasive surgery, which previously fell under the twenty day provision, now can be treated under the limits of the thirty day category. This act took effect on April 9, 2019.

### **Public Chapter 131**

This act requires social workers, marriage and family therapists, professional counselors, pastoral counselors, alcohol and drug abuse counselors and occupational therapists to complete a suicide prevention training at least once every 4 years (instead of every 5 years under current law) beginning January 1, 2020. This act was signed by the governor on April 9, 2019.

### **Public Chapter 195**

The majority of this act pertains to boards governed by the Department of Commerce and Insurance. One small section applies to the health related boards. Currently, the health related boards have an expedited licensure process for military members and their spouses. Previously, a spouse of an active military member had to leave active employment to be eligible for this expedited process. This act removes that requirement. This section applies to all health related boards. The Commissioner of Health is permitted to promulgate rules, but rules are not needed to implement the act. This act takes effect July 1, 2019.

### **Public Chapter 229**

This act allows healthcare professionals to accept goods or services as payment in direct exchange of barter for healthcare services. Bartering is only permissible if the patient to whom services are provided is not covered by health insurance. All barter accepted by a healthcare professional must be submitted to the IRS annually. This act does not apply to healthcare services provided at a pain management clinic. This act took effect April 30, 2019.

### **Public Chapter 243**

This act mandates that an agency that requires a person applying for a license to engage in an occupation, trade, or profession in this state to take an examination must provide appropriate accommodations in accordance with the Americans with Disabilities Act (ADA). Any state agency that administers a required examination for licensure (except for examinations required by federal law) shall promulgate rules in regard to eligibility criteria. This legislation was introduced to assist individuals with dyslexia. This act took effect May 2, 2019 for the purpose of promulgating rules, and for all other purposes, takes effect July 1, 2020.

### **Public Chapter 255**

The act permits a medical professional who has a current license to practice from another state, commonwealth territory, or the District of Columbia is exempt from the licensure requirements of such boards if: (1) the medical professional is a member of the armed forces; and (2) the medical professional is engaged in the practice of the medical profession listed in 68-1-101 through a partnership with the Federal Innovative Readiness Training. The respective health boards may promulgate rules for implementation. This act took effect April 18, 2019 for the purpose of promulgating rules, and for all other purposes, takes effect July 1, 2019.

### **Public Chapter 327**

This act requires the Commissioner of Health, by January 1, 2020, to study instances when co-prescribing of naloxone with an opioid is beneficial and publish the results to each prescribing board and to the board of pharmacy. The findings shall be included in the chronic pain guidelines adopted by the Chronic Pain Guidelines Committee. This act took effect May 8, 2019.

### **Public Chapter 359**

This act creates civil liability for the unlicensed practice of psychotherapy. A provider must have a license under Title 63 in order to treat a mental health disorder and practice without a license is illegal (though some exemptions are listed in the act). The act does not expand or restrict the scope of practice for any person holding a license under Title 63. This act was goes into effect July 1, 2019.

### **Public Chapter 447**

This act permits law enforcement agencies to subpoena materials and documents pertaining to an investigation conducted by the Department of Health prior to formal disciplinary charges being filed against the provider. This bill was brought by the Tennessee Bureau of Investigation. This act went into effect May 22, 2019.

## **Rules**

Ms. Tippens informed the Board that rules pertaining to Public Chapter 396 (2018), the “Kenneth and Madge Tullis, MD, Suicide Prevention Training Act;” Public Chapter 215 adopting National Association for Addiction Professionals (NAADAC) and the National Certification Commission for Addiction Professionals (NCC AP) Code of Ethics; and Public Chapter 350 allowing healthcare providers to satisfy continuing education hours through performance of voluntary healthcare will be heard before Joint Government Operations on July 24, 2019.

Public Chapter 131 (2019), the “Kenneth and Madge Tullis, MD, Suicide Prevention Training Act,” requires the Board to promulgate rules regarding suicide prevention training. Public Chapter 131 requires that beginning on January 1, 2020, all licensed LADACs must take at least one approved course from the Department of Mental Health on suicide prevention every four (4) years. The Board approved the changes required by Public Chapter 131 at its April 5, 2019 meeting. These rules have been drafted by the Office of General Counsel and are in internal review.

Public Chapter 243 This act mandates that an agency that requires a person applying for a license to engage in an occupation, trade, or profession in this state to take an examination must provide appropriate accommodations in accordance with the Americans with Disabilities Act (ADA). Any state agency that administers a required examination for licensure (except for examinations required by federal law) shall promulgate rules in regard to eligibility criteria. Ms. Bentley made a motion to accept the rule changes to allow accommodation in accordance with ADA. Mr. Corman seconded the motion. This motion carried.

## **Ratify newly licensed/reinstated applications**

Ms. Bentley made a motion, seconded by Dr. Abraham, to approve the following newly licensed applicants. The motion carried.

### **Level 1**

\_Kecia Harris

### **Level 2**

|                    |                 |
|--------------------|-----------------|
| Shauntay Alexander | Samantha Monday |
| Karl Bremer        | Cynthia Slover  |
| Jennifer Garrett   | Selena Smith    |
| Catherine Guzik    | Ross Sparboe    |
| Lewis McCarter     | Bruce Walker    |

## **Applicant Interview**

**Sha'Vonya Stephens-** Ms. Stephens was present. Ms. Stephens's initial application was presented to the Board for review at the April 5, 2019 meeting. After a brief discussion the Board agreed to have Ms. Stephens to appear on an interview regarding derogatory information on her criminal background check history. Ms. Stephens answered questions regarding her arrest record and presented documentation that no charges were filed against her. After a brief discussion and clarification Mr. Corman made a motion to approve Ms. Stephens to sit for the written exam. Ms. Bentley seconded the motion. This motion carried.

**Jeffrey Shaw-** Mr. Shaw was present to request a waiver of the remaining six (6) continuing education hours of the required one hundred and thirty-five hours for reinstatement. Dr. Abraham motioned to deny the waiver and added that Mr. Shaw complete continuing education courses Cultural Competency and Title VI. Ms. Bentley made the following addendum to give authorization for administrative staff to approve Mr. Shaw once he submits completion of the two (2) three (3) hour continuing education courses. Ms. Bentley seconded the motion. This motion carried.

## **Discussion**

After the Board had a lengthy discussion regarding educational degree language that's a potential barrier of entry into the LADAC profession, Ms. Bentley made a motion to accept the proposed rules pertaining to deletion of the word "behavioral health". Mr. McNeil seconded the motion. This motion carried.

After a lengthy discussion, comments, concerns and support from the audience members from different associations regarding the pros and cons of accepting IC & RC certification solely on provision for reciprocity. Mr. Corman made a motion to accept and add IC & RC for reciprocity into the rules. Ms. Bentley seconded the motion. A roll call vote was held and Dr. Abraham abstained, Mr. Brown nay and all other members voted yes. This roll call vote passed.

### ***Review/Discuss/Consider approval of Chantell Stokes request to accept her unofficial transcript for licensure:***

Ms. Stokes application was initially reviewed and approved at the October 20, 2017 to sit for the level 2 written exam upon receipt of her official transcript directly from Liberty University. Ms. Stokes appeared at the meeting and asked the Board to waive her unofficial transcript due to hardship of paying her student loan. During a lengthy discussion Ms. Stokes informed the Board that she has a Bachelor of Arts in Sociology and she can apply for licensure using this degree because she still qualify for a level 2 licensure. Ms. Bentley made a motion that Ms. Stokes provide an official transcript showing her Bachelor of Arts Degree in Sociology and submit documentation showing proof of one thousand eight hundred and forty (1,840) hours of alcohol and drug abuse counseling under clinical supervision while being supervised by a qualified clinical supervisor or submit her official Master's Degree transcript to proceed with the application process. Dr. Abraham seconded the motion. This motion carried.

The Board also strongly suggested that Ms. Stokes make payment arrangements to pay her debt to her university.

### **Application Review**

Upon review of the application of **Mr. Charles Brashier**, it was seen he included documentation within his application that his Tennessee Nursing license was revoked due to his addition to drugs and noncompliance of previous board orders and peer assistant agreement and recommendations. Mr. Terry Kinneman spoke on Mr. Brashier behalf recommending him for licensure. After a lengthy discussion Mr. McNeil made a motion, seconded by Mr. Corman to approve Mr. Brashier to sit for the Level 2 written exam. A roll call vote was conducted and the vote passed.

Upon review of the application of **Ms. Priscilla Broussard**, Dr. Abraham made a motion that her application file is incomplete and to have Ms. Broussard appear for the Board for an interview regarding full disclosure of disciplinary action with supporting documentation, seconded by Ms. Bentley. The motion carried.

Upon review of the application of **Ms. Lisa Corbin**, Dr. Abraham made a motion, seconded by Mr. McNeil, to approve Ms. Corbin to sit for the Level 2 written exam. The motion carried.

Upon review of the application of **Ms. Jennifer Griffin**, Mr. Brown made a motion, seconded by Ms. Bentley, to approve Ms. Griffin to sit for the Level 2 written exam. The motion carried.

Upon review of the application of **Mr. Antonio Hampton** Mr. Brown made a motion, seconded by Mr. McNeil, to approve Mr. Hampton to sit for the Level 2 written exam. The motion carried.

Upon review of the application of **Ms. Detra Hopkins** Dr. Abraham made a motion, seconded by Ms. Bentley, to approve Ms. Hopkins to sit for the Level 2 written exam. The motion carried.

Upon review of the application of **Ms. Katrina Long**, she informed the board that she had a vehicular homicide charge on her criminal back ground history. Ms. Long was sentenced to ten (10) years' probation with one year max of incarceration and a week at Father's day and a week at Christmas every year incarcerated. Mr. Corman made a motion, seconded by Ms. Bentley, to approve Ms. Long to sit for the Level 2 written exam. The motion carried.

Upon review of the application of **Ms. Whitney Malone** Mr. McNeil made a motion, seconded by Ms. Bentley, to have Ms. Malone to sit for the Level 2 written exam. Dr. Abraham recused herself. The motion carried.

Upon review of the application of **Ms. Asia McIntyre**, Mr. Corman made a motion, seconded by Mr. McNeil, to approve Ms. McIntyre to sit for the Level 2 written exam. The motion carried.

Upon review of the application of **Ms. Kristie Mechoso**, Mr. Corman made a motion, seconded by Mr. McNeil, to approve Ms. Mechoso to sit for the Level 2 written exam. The motion carried.

Upon review of the application of **Ms. Kristy Pomeroy**, Mr. Corman made a motion, seconded by Mr. McNeil, to approve Ms. Pomeroy to sit for the Level 2 written exam. The motion carried.

**Adjourn**

With no other business to conduct, the meeting was adjourned at 12:22 p.m. The next meeting is October 18, 2019 at 9:00 a.m. at 665 Mainstream, Ground Floor, Nashville, Tennessee

*These minutes were ratified at the October 18, 2019 Alcohol and Drug Abuse Counselor Board meeting.*