



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts
Division of Professional Licensure
Board of Registration of Allied Mental Health
and Human Services Professions**

1000 Washington Street, Suite 710
Boston, Massachusetts 02118

EDWARD A. PALLESCHI
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS
REGULATION

LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Public Meeting Minutes

May 21, 2021

Board Members Present:

Bill Ahearn, Acting Chair
Amy Vercillo, Member
Ashley Williams, Member (arrived at 10:48 a.m.)
Cynthia Belhumeur, Public Member
Susan Egan, Member
Kristen Woodbury, Member
Jennifer Paine, Member
Frank Gomez, Member
Jacqueline Gagliardi, Member (left meeting at 12:00 p.m.)

Staff Members Present:

Brian P. Bialas, Executive Director
Lynn Read, Board Counsel
Alan Van Tassel, Investigator Supervisor
Doris Lugo, Investigator

Pursuant to Governor Charles D. Baker's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, s. 20, dated March 12, 2020, all board members and staff appeared by videoconference.

Call to Order: The meeting was called to order at 10:05 a.m.

Board Business

- **Public Meeting Minutes of April 16, 2021:** After a brief discussion, a MOTION was made by Ms. Vercillo, seconded by Ms. Gagliardi, to approve the Public Meeting Minutes of April 16, 2021 as drafted. The motion passed unanimously by a roll call vote.
- **Executive Session Minutes of April 16, 2021:** After a brief discussion, a MOTION was made by Mr. Gomez, seconded by Ms. Woodbury, to approve the Executive Session Minutes of April 16, 2021 as drafted. The motion passed unanimously by a roll call vote.



- **Board Counsel Report:** Ms. Read discussed the new process for hearings on the denial of applications. The Board now will record hearings, and applicants have the right to appear, present evidence, and be represented by counsel. Ms. Read also notified the Board that the COVID-19 state of emergency declared by Governor Baker in March 2020 will end on June 15, 2021. Unless the public meeting laws are changed, board meetings will be in-person after that date.
- **Ratification of Decisions by Board Staff to Approve Applications:** The Board considered whether to approve the decisions made by staff on applications processed since the last meeting. A MOTION was made by Ms. Woodbury, seconded by Ms. Vercillo, to approve the decisions made by staff on applications processed since the last Board meeting. The motion passed unanimously by a roll call vote.
- **Application Processing Under Application Review Policy:** Mr. Bialas reported on the current data concerning applications reviewed under the Board's Application Review Policy.

Discussion

- **Clinical Field Experience Sites:** The Board discussed an email inquiring about the definition of Clinical Field Experience Site for LMHC experience hours. The Board confirmed that, for LMHC and LMFT experience, applicants must obtain experience at a location regulated substantively by the state as a behavioral health provider or exempt under law. An organization does not qualify simply because it is a non-profit, and the Board will not accept private practice experience.

Dr. Williams arrived at 10:48 a.m.

- **LABA Application Attestation Form for Pre-2015 Education:** The Board discussed requiring LABA applicants who obtained their qualifying degree before 2015 to submit a form attesting to completing the coursework required under the regulations. After a brief discussion, a MOTION was made by Dr. Williams, seconded by Ms. Paine, to require the form. The motion passed unanimously by a roll call vote.

LMHC Application Review

- **Anna Dyadko – Review of Coursework:** The Board reviewed Ms. Dyadko's application. After a brief discussion, a MOTION was made by Ms. Woodbury, seconded by Ms. Paine, to deny the application because Ms. Dyadko has not met the Professional Orientation coursework requirement. Specifically, course 5101 does not cover the ACA or AMHCA Code and is only two credits, and course 8602 is not an ethics course. The motion passed unanimously by a roll call vote.

LMHC Emergency Temporary License Application Review

- **Gail Lewis – Discipline in Another Jurisdiction:** The Board reviewed documentation regarding Ms. Lewis’s discipline in Maine for a CE violation. After a brief discussion, a MOTION was made by Ms. Woodbury, seconded by Ms. Paine, to approve Ms. Lewis for a temporary license. The motion passed unanimously by a roll call vote.

Monitoring Reports

- **Virginia Childs, 2018-000909-IT-ENF, 6th Quarterly Monitoring Report:** The Board reviewed Ms. Childs’ report. After a brief discussion, a MOTION was made by Ms. Paine, seconded by Mr. Gomez, to accept the report. The motion passed unanimously by a roll call vote.
- **Lynn Oski, 2019-000401-IT-ENF, Revisions to 2nd Quarterly Monitoring Report and 3rd Quarterly Monitoring Report:** The Board reviewed Ms. Oski’s reports. After a brief discussion, a MOTION was made by Ms. Woodbury, seconded by Ms. Gagliardi, to accept the revisions to the 2nd Quarterly Monitoring Report and to direct staff to inform Ms. Oski and her supervisor that the 3rd Quarterly Monitoring Report is due and should follow the same format as the revised 2nd Quarterly Monitoring Report. The motion passed unanimously by a roll call vote.
- **Bryan Frascati, 2019-001151-IT-ENF, Approval of Proposed Supervisor:** The Board reviewed Mr. Frascati’s proposed supervisor, Jennifer Thorell, LICSW. After a brief discussion, a MOTION was made by Dr. Williams, seconded by Mr. Gomez, to approve Ms. Thorell as Mr. Frascati’s supervisor. The motion passed unanimously by a roll call vote.

Open Session for Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of Meeting

Dr. Ahearn discussed his meeting with Commissioner Layla D’Emilia regarding the Board’s expected move to the Department of Public Health from the Division of Professional Licensure.

Sharon Schwartz-Vanderhoff asked about the status of her LMHC application. Mr. Bialas stated that he would look into it for her.

Midge Williams of MaMHCA asked about scheduling hearings for the proposed changes to the LMHC and LMFT regulations that the Board approved. Ms. Read stated that she would inquire about the status of the proposed changes.

As an unanticipated matter, the Board considered whether to approve remote participation under 940 CMR 29.10 and G.L. c. 30A, s. 25(a) and (b). Such approval would be necessary if there is no legislative extension of authorization for remote meetings when the State of Emergency ends. After a brief discussion, a MOTION was made by Ms. Paine, seconded by Ms. Gagliardi, to

allow members, if necessary, to participate at board meetings by telephone or electronic means if a quorum is physically present. The motion passed unanimously by a roll call vote.

Adjourn Public Meeting and Enter Executive Session (Closed Executive Session under G.L. c. 30A, s. 21(a)(1), individual character rather than competence, and under G.L. c. 30A, s. 21(a)(7) to comply with G.L. c. 4, s. 7, para. 26(c) and G.L. c. 214, s. 1B, to review sensitive medical information in NCMHCE accommodation requests)

At 11:39 a.m., a MOTION was made by Ms. Paine, seconded by Mr. Gomez, to exit the public meeting and enter into a closed executive session under G.L. c. 30A, s. 21(a)(1), individual character rather than competence, and under G.L. c. 30A, s. 21(a)(7) to comply with G.L. c. 4, s. 7, para. 26(c) and G.L. c. 214, s. 1B, to review sensitive medical information in NCMHCE accommodation requests. The motion passed unanimously by a roll call vote.

The Board entered executive session at 11:39 a.m. See separate minutes.

Quasi-Judicial Session (Closed Session under G.L. c. 30A, s. 18)

The Board entered quasi-judicial session at 12:21 p.m.

During the quasi-judicial session, the Board took the following action:

Final Decision and Order

2019-000515-IT-ENF (KF):

Adopt Tentative decision and dismiss. Ms. Woodbury recused herself from the discussion and vote on the case and left the meeting.

Investigative Conference (Closed Session under G.L. c. 112, s. 65C)

At 12:52 p.m., a MOTION was made by Mr. Gomez, seconded by Ms. Vercillo, to exit quasi-judicial session and enter into closed investigative conference under G.L. c. 112, s. 65C to discuss an order to show cause, review a settlement offer, and review cases. The motion passed unanimously by a roll call vote.

During the investigative conference, the Board took the following actions:

Discussion of Order to Show Cause

2020-001164-IT-ENF (DD):

Gave direction to prosecutor

Settlement

2020-000503-IT-ENF (MM):

Gave direction to prosecutor

Ms. Woodbury returned to the meeting.

Cases

2020-001731-IT-ENF (PS):	Dismiss
2021-000006-IT-ENF (JH):	Dismiss. Open complaint for CE violation.
2021-000057-IT-ENF (MW):	Dismiss
2021-000065-IT-ENF (LC):	Dismiss

Adjournment

At 1:32 p.m., a MOTION was made by Ms. Paine, seconded by Ms. Belhumeur, to adjourn the meeting. The motion passed unanimously by a roll call vote.

The meeting adjourned at 1:32 p.m.

The above minutes were approved at the public meeting held on July 16, 2021.



Brian Bialas, Executive Director

List of Documents Used by the Board at the Public Meeting:

- Agenda for Meeting of May 21, 2021
- Draft Public Meeting Minutes of April 16, 2021
- Draft Executive Session Minutes of April 16, 2021
- Applications Reviewed Under Application Review Policy: April 5, 2021 through May 20, 2021
- 5.10.21 Email from K. Frohock re: Clinical Field Experience Site
- Draft LABA Application Attestation Form for Pre-2015 Education
- Documents for LMHC Application of Anna Dyadko
- Documents for LMHC Emergency Temporary License Application of Gail Lewis
- Virginia Childs, 2018-000909-IT-ENF, 6th Quarterly Monitoring Report
- Lynn Oski, 2019-000401-IT-ENF, Revisions to 2nd Quarterly Monitoring Report and 3rd Quarterly Monitoring Report
- Bryan Frascati, 2019-001151-IT-ENF, Approval of Proposed Supervisor