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Board of Allied Mental Health and Human Services Professions
Public Meeting Minutes
April 21, 2023

Board Members Present:

William Ahearn, Acting Chair (left meeting at 12:31 a.m.)
Cynthia Belhumeur, Public Member
Frank Gomez, Member (left meeting at 12:19 p.m., returned at 12:40 p.m.)
Amy Vercillo, Member (arrived at 10:08 a.m.)
Jacqueline Gagliardi, Member (left meeting at 11:33 a.m.)
Jennifer Paine, Member
Ashley Williams, Member (left meeting at 12:19 p.m.)
Kristen Woodbury, Member

Staff Members Present:

Brian Bialas, Executive Director
Sheila York, Board Counsel
Lauren McShane, Investigator Supervisor

All board members and staff appeared by videoconference.

Call to Order: The meeting was called to order at 10:04 a.m.

Roll Call for Attendance

Mr. Bialas called the roll of board members. William Ahearn, Cynthia Belhumeur, Frank Gomez, Jacqueline Gagliardi, Ashley Williams, Kristen Woodbury, Jennifer Paine all present by videoconference.

Board Business

- **Public Meeting Minutes of March 17, 2023:** After a brief discussion, a MOTION was made by Dr. Williams, seconded by Ms. Woodbury, to approve the Public Meeting Minutes of March 17, 2023 as drafted. The motion passed unanimously by a roll call vote.

- **Executive Session Minutes of March 17, 2023:** After a brief discussion, a MOTION was made by Ms. Gagliardi, seconded by Ms. Paine, to approve the Executive Session Minutes of March 17, 2023 as drafted. The motion passed unanimously by a roll call vote.
- **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. Paine, to approve the decisions made by staff on applications processed since the last Board meeting. The motion passed unanimously by a roll call vote.

Dr. Vercillo arrived at 10:08 a.m.

- **Application Processing Under Application Review Policy:** Mr. Bialas presented application review data and stated that application reviews have been going well in the new eLX system.

Hearing on Denial of Application

- **Ana Correa De Ornelas, Applicant for LMHC:** Dr. Ornelas appeared for a further continuation of her hearing on the Board's denial of her application because she did not complete graduate courses in Counseling Theory, Human Growth and Development, Psychopathology, Group Work, Clinical Skills, Professional Orientation, and Social and Cultural Foundations or a pre-master's degree practicum or internship as required by 262 CMR 2.04. Dr. Ornelas provided additional documentation that the practicum and internship she completed were part of her master's degree program and more documentation regarding her education. The Board continued the hearing in March to allow both LMHC Board members to review the new documentation.

Ms. Woodbury and Ms. Paine explained that the documentation submitted meets the requirements of the regulations and recommended that Dr. Ornelas be allowed to continue with the licensing process. Ms. Woodbury and Ms. Paine stated that, although Dr. Ornelas's degree in sexology is sufficient in her case, not all degrees in sexology necessarily will satisfy the Board's regulations.

After a brief discussion, a motion was made by Ms. Woodbury, seconded by Ms. Paine, to accept Dr. Ornelas's education and experience and allow her to continue with the licensing process. The motion passed unanimously by a roll call vote.

NCMHCE ESL Accommodation Request

- **Yajaira Jimenez Marranzini:** The Board reviewed Ms. Marranzini's request. After a brief discussion, a motion was made by Dr. Williams, seconded by Mr. Gomez, to allow Ms. Marranzini 50% extra time and the use of a word-for-word translation dictionary. The motion passed unanimously by a roll call vote.

Discussion

- **Passing Score for New Educational Psychologist Examination:** The Board reviewed a request from Educational Testing Service (ETS) to determine a passing score for the new Educational Psychologist Examination. After a brief discussion, a motion was made by Ms. Paine, seconded by Ms. Gagliardi, to approve the recommended passing score of 155. The motion passed unanimously by a roll call vote.

Monitoring

- **Anna Cardoso, 2021-000360-IT-ENF, Petition to Terminate Stayed Suspension:** The Board reviewed Ms. Cardoso's petition. After a brief discussion, a motion was made by Dr. Williams, seconded by Mr. Gomez, to accept the petition. The motion passed unanimously by a roll call vote.
- **Kathleen Brennan, 2021-000311-IT-ENF, Termination Notice:** The Board reviewed a notice from Ms. Brennan's former supervisor that her employment was terminated and the reasons for that termination. After a brief discussion, the Board directed Mr. Bialas to provide notice to Ms. Brennan under her consent agreement that her supervisor must be replaced, and that she must propose a new supervisor within 15 days of the Board's notice.
- **Charlene Kelly, 2020-000430-IT-ENF, 2nd Quarterly Monitoring Report:** The Board reviewed Ms. Kelly's 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.
- **Jessica Soto Sierra, 2021-000229-IT-ENF, 3rd Quarterly Monitoring Report:** The Board reviewed Ms. Soto Sierra's report. After a brief discussion, a motion was made by Ms. Gagliardi, seconded by Ms. Belhumeur, to accept the report. The motion passed unanimously by a roll call vote.

The Board directed Mr. Bialas to inform the supervisor that this latest report is the third quarterly report.

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

Mr. Bialas explained that, starting next month, the Board will use Webex as its videoconference platform and only will use mass.gov email addresses to communicate about Board business. The Board also will start recording its meetings.

Midge Williams asked for an update on the regulatory review process. Ms. York explained that the regulations are being reviewed at the Department of Public Health. Ms. Williams also stated that she would like the new Licensed Supervised Mental Health Counselor license allowed by recent statutory changes to be in place as soon as possible. Finally, Ms. Williams would like to

know whether she may receive board packets before board meetings. Ms. York stated that she will investigate.

Jami Osborne from MaMHCA asked for a list of the common problems staff see when reviewing LMHC applications. She also asked whether the Board recommends a particular service to review foreign education. Mr. Bialas stated that he will work on a list of common problems, and that the Board does not recommend any foreign education evaluation service.

Hannah Derleth asked about the status of her LMHC application. Mr. Bialas stated that someone from his staff will provide an update to her.

Ms. Williams asked about the report on the cost and feasibility of creating an LMHC Board due on June 30, 2023 and whether any meetings about it are open to the public. Mr. Bialas stated that, because the law requiring the report created no public body, no meetings are scheduled for the public to attend.

Executive Session (Closed Session under G.L. c. 30A, § 21(a)(7) to comply with G.L. c. 4, § 7, ¶ 26(c) and G.L. c. 214, § 1B, to review sensitive medical information, and under G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to litigation in *Highsmith Rich v. Board*, Middlesex Superior C.A. 2281CV04295, because holding this discussion in open meeting may have a detrimental effect on the Board's litigating position)

At 10:56 a.m., a MOTION was made by Ms. Paine, seconded by Ms. Belhumeur, to exit the public meeting and (1) enter into a closed executive session under G.L. c. 30A, § 21(a)(7) to comply with G.L. c. 4, § 7, ¶ 26(c) and G.L. c. 214, § 1B, to review sensitive medical information in NCMHCE accommodation requests, and under G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to litigation in *Highsmith Rich v. Board*, Middlesex Superior C.A. 2281CV04295, because holding this discussion in open meeting may have a detrimental effect on the Board's litigating position; then (2) enter into investigative conference under G.L. c. 112, § 65C to review a settlement offer, a request for reconsideration, and new cases; and then, after the conclusion of investigative conference, (3) not return to the public meeting and adjourn. The motion passed unanimously by a roll call vote.

Board maintains separate minutes of Executive Session.

Ms. Gagliardi left the meeting at 11:33 a.m.

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

The Board entered investigative conference at 11:48 a.m.

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

Settlement

2021-000533-IT-ENF (CS):

Gave direction to prosecutor

Request for Reconsideration

2022-000377-IT-ENF (MS):

Refer to office of
investigations

Cases

CASE-2023-0114 (Family Service Association):

Table until next month

Dr. Williams recused herself from consideration of the next two cases and left the meeting at 12:19 p.m.

Mr. Gomez recused himself from consideration of the next case and left the meeting at 12:19 p.m.

2022-000831-IT-ENF (KR):

Refer to office of
prosecutions

Dr. Ahearn recused himself from consideration of the next case and left the meeting at 12:31 p.m.

Ms. Gomez returned to the meeting at 12:40 p.m.

2022-001073-IT-ENF (KC):

Dismiss

Adjournment

At 12:40 p.m., a motion was made by Mr. Gomez, seconded by Ms. Belhumeur, to adjourn the meeting. The motion passed unanimously by a roll call vote.

The meeting adjourned at 12:40 p.m.

The above minutes were approved at the public meeting held on May 19, 2023.



Brian Bialas, Executive Director

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

- Agenda for Meeting of April 21, 2023
- Public Meeting Minutes of March 17, 2023
- Executive Session Minutes of March 17, 2023

- Applications Reviewed Under Application Review Policy: January 1, 2023 through April 20, 2023
- Documents from LMHC Application of Ana Correa De Ornelas
- NCMHCE ESL Accommodation Request of Yajaira Jimenez Marranzini
- 3.16.23 Email from L. Colon Durham of Educational Testing Service re: Passing Score on Educational Psychologist Examination
- Anna Cardoso, 2021-000360-IT-ENF, Petition to Terminate Stayed Suspension
- Kathleen Brennan, 2021-000311-IT-ENF, Termination Notice
- Charlene Kelly, 2020-000430-IT-ENF, 2nd Quarterly Monitoring Report
- Jessica Soto Sierra, 2021-000229-IT-ENF, 3rd Quarterly Monitoring Report