



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
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**Board of Allied Mental Health and Human Services Professions**  
**Public Meeting Minutes**  
June 16, 2023

**Board Members Present:**

William Ahearn, Member, Acting Chair  
Cynthia Belhumeur, Public Member  
Frank Gomez, Member (left meeting at 11:00 a.m., returned at 11:10 a.m.)  
Amy Vercillo, Member (arrived at 10:16 a.m.)  
Jacqueline Gagliardi, Member  
Jennifer Paine, Member  
Ashley Williams, Member  
Kristen Woodbury, Member  
Susan Egan, Member (arrived at 10:16 a.m., left the meeting at 12:07 p.m., returned at 1:05 p.m.)

**Staff Members Present:**

Brian Bialas, Executive Director  
Sheila York, Board Counsel  
Marine Jardonnet, Board Counsel  
Lauren McShane, Investigator Supervisor  
Doris Lugo, Investigator

All board members and staff appeared by videoconference.

**Call to Order:** The meeting was called to order at 10:10 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 May 19, 2023:** After a brief discussion, a MOTION was made by Ms. Paine, seconded by Ms. Gagliardi, to approve the Public Meeting Minutes of May 19, 2023 as drafted. The motion passed unanimously by a roll call vote.
- **Executive Session Minutes of May 19, 2023:** After a brief discussion, a MOTION was made by Ms. Paine, seconded by Mr. Gomez, to approve the Executive Session Minutes of May 19, 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. Egan and Ms. Vercillo arrived at 10:16 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**

- **Esther Kim, Applicant for LMHC:** Ms. Kim appeared for the hearing, and Mr. Bialas discussed potential additional grounds for the denial of Ms. Kim's application besides the reason given in Ms. Kim's preliminary denial letter. After a brief discussion, the Board directed Mr. Bialas to postpone the hearing to a future meeting after the Board considers the potential additional grounds for denial.

## **Discussion**

- **Policy on Delegation of Authority re: Drafting Orders to Show Cause and Consent Agreements to Board Counsel and the Prosecution Unit:** The Board reviewed a proposed policy that allows a prosecutor (1) to negotiate with respondents in adjudicatory matters within a range of discipline provided by the Board; and (2), in consultation with the executive director and board counsel, to add violations to orders to show cause for cases that are not included in the Board's referral to the Office of Prosecutions.

After a brief discussion, a motion was made by Ms. Gagliardi, seconded by Ms. Woodbury, to approve the policy. The motion passed unanimously by a roll call vote.

- **Policy re: Standard Consent Agreement Terms:** The Board reviewed a draft policy that creates standard language about violations for consent agreements.

After a brief discussion, a motion was made by Dr. Williams, seconded by Ms. Paine, to approve the policy. The motion passed unanimously by a roll call vote.

Mr. Gomez left the meeting at 11:00 a.m. and returned at 11:10 a.m.

- **Proposed Changes to 262 CMR 2.00 Regarding Teletherapy Permissible for Applicant Experience and Supervision Hours:** The Board reviewed proposed regulation changes to allow for teletherapy for applicant experience and supervision hours and additional clarifying changes. After a brief discussion, a motion was made by Dr. Egan, seconded by Ms. Gagliardi, to approve the changes. The motion passed unanimously by a roll call vote.
- **Confirmation of Delegation of Authority to Resolve Continuing Education Violations:** The Board considered whether to continue to delegate authority to investigators to resolve complaints for continuing education violations by a standard consent agreement for a \$200 fine and the make-up of deficient continuing education hours. After a brief discussion, a motion was made by Ms. Woodbury, seconded by Dr. Vercillo, to confirm the delegation. The motion passed unanimously by a roll call vote.

#### **LMHC Application Reviews**

- **Samantha Reis:** The Board reviewed Ms. Reis's application, including a letter from her graduate university noting that she completed a two-credit Psychopathology course. After a brief discussion, a motion was made by Ms. Paine, seconded by Ms. Woodbury, to deny Ms. Reis's application because the Psychopathology course was not three credits as required by 262 CMR 2.02 and 2.04(3)(a)(3). The motion passed unanimously by a roll call vote.
- **Peyton Grant:** The Board reviewed Mr. Grant's application, including a letter from his graduate university discussing his pre-master's degree experience. After a brief discussion, a motion was made by Ms. Paine, seconded by Ms. Woodbury, to deny Mr. Grant's application because he did not complete an internship or practicum as required by 262 CMR 2.04(3)(c) and (d), and to delegate authority to Ms. Paine and Ms. Woodbury to review Mr. Grant's transcript for coursework deficiencies. The motion passed unanimously by a roll call vote.
- **Carolina Polanco Rosario:** The Board reviewed Ms. Rosario's application, including a foreign education review of her graduate education. After a brief discussion, a motion was made by Dr. Williams, seconded by Mr. Gomez, to deny Ms. Rosario's application because her second master's degree is not from a Recognized Educational Institution under 262 CMR 2.02 and 2.04(2). The motion passed unanimously by a roll call vote.
- **Martha Baez:** The Board reviewed Ms. Baez's application, including a foreign education review of her graduate education. After a brief discussion, a motion was made by Ms. Woodbury, seconded by Dr. Williams, to deny Ms. Baez's application because

her graduate education is not from a Recognized Educational Institution under 262 CMR 2.02 and 2.04(2). The motion passed unanimously by a roll call vote.

### **LMHC Application Review – Discipline in Another Jurisdiction**

- **Barbara Farell:** The Board reviewed Ms. Farell's application, including her disclosure that her Connecticut license is on probation. After a brief discussion, the Board directed Mr. Bialas to invite Ms. Farell to a meeting for an interview.

The Board also directed Mr. Bialas to request a copy of the charging document from Ms. Farell's disciplinary case.

### **NCMHCE ESL Accommodation Request**

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

### **Monitoring**

- **Zachary Etter, Conditional Licensure Agreement, Submission of Proposed Supervisor:** The Board reviewed Mr. Etter's submission of Timothy Dowling to be his supervisor. After a brief discussion, a motion was made by Ms. Gagliardi, seconded by Ms. Belhumeur, to approve Mr. Dowling. The motion passed unanimously by a roll call vote.
- **Lynn Oski, 2019-000401-IT-ENF, 7th and 8th Quarterly Monitoring Reports:** The Board reviewed Ms. Oski's reports. After a brief discussion, a motion was made by Ms. Woodbury, seconded by Mr. Gomez, to accept the reports. The motion passed unanimously by a roll call vote.

Dr. Egan left the meeting at 12:07 p.m.

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

Jami Osborne from the Massachusetts Mental Health Counselors Association (MaMHCA) asked whether licensees must complete any specific continuing education courses for this year's renewal. Mr. Bialas stated that, besides the required Chapter 260 training on domestic and sexual violence, the answer is no.

Midge Williams from MaMHCA asked where the discipline that is imposed on licensees by the Board is posted every month. Mr. Bialas stated he would check.

Ms. Williams also explained that the Board's cutoff date of July 1, 2017 in the LMHC regulations to accept certain education for licensure is two years from the date the regulations were promulgated in 2015.

### **LMHC Application Review**

- **Esther Kim, Applicant for LMHC:** The Board reviewed Ms. Kim's application. The Board determined that Ms. Kim has met the Special Treatment and Professional Orientation coursework areas, but she did not matriculate into her Master's Degree or Certificate of Advanced Graduate Studies (CAGS) programs on or before July 1, 2017 under 262 CMR 2.04(1) and (2). A motion was made by Ms. Woodbury, seconded by Ms. Paine, to deny Ms. Kim's application. The motion passed unanimously by a roll call vote.

**Executive Session** (CLOSED under G.L. c. 30A, § 21(a)(1), individual character rather than competence, and 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)

At 12:22 p.m., a MOTION was made by Ms. Belhumeur, seconded by Ms. Woodbury, to exit the public meeting and (1) enter into a closed executive session under G.L. c. 30A, § 21(a)(1), individual character rather than competence, to review an applicant's good moral character as required for licensure, and 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 NCMHCE examination accommodation requests that involve the review of medical records and information of patients; then (2) enter into investigative conference under G.L. c. 112, § 65C to review 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.

Dr. Egan returned to the meeting at 1:05 p.m.

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

The Board entered investigative conference at 1:11 p.m.

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

#### **Cases**

CASE-2023-0021 (SS):	Dismiss with advisory letter
CASE-2023-0069 (KH):	Interview respondent
CASE-2023-0081 (SU):	Dismiss; refer case to Nursing Board

## **Adjournment**

At 1:45 p.m., a motion was made by Ms. Belhumeur, seconded by Mr. Gomez, to adjourn the meeting. The motion passed unanimously by a roll call vote. The meeting adjourned at 1:45 p.m.

The above minutes were approved at the public meeting held on September 29, 2023.



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Brian Bialas, Executive Director

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

- Agenda for Meeting of June 16, 2023
- Public Meeting Minutes of May 19, 2023
- Executive Session Minutes of May 19, 2023
- Applications Reviewed Under Application Review Policy: January 1, 2023 through June 15, 2023 and May 1, 2023 through May 31, 2023
- Documents from LMHC Application of Esther Kim
- Draft Policy on Delegation of Authority re: Drafting Orders to Show Cause and Consent Agreements to Board Counsel and the Prosecution Unit
- Draft Policy re: Standard Consent Agreement Terms
- Draft of Proposed Changes to 262 CMR 2.00 Regarding Teletherapy Permissible for Applicant Experience and Supervision Hours
- Documents from LMHC Application of Samantha Reis
- Documents from LMHC Application of Peyton Grant
- Documents from LMHC Application of Carolina Polanco Rosario
- Documents from LMHC Application of Martha Baez
- Documents from LMHC Application of Barbara Farell
- NCMHCE ESL Accommodation Request of Adriana Goncalves
- Zachary Etter, Conditional Licensure Agreement, Documents for Submission of Proposed Supervisor
- Lynn Oski, 2019-000401-IT-ENF, 7th and 8th Quarterly Monitoring Reports