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Public Session Meeting Minutes

Tuesday, April 26, 2022

TIME: 9:30 a.m.

ATTENDANCE: Quanesha Fuller, Chair
Richard Powers, Vice Chair
Shaynah Barnes Munro, Secretary (arrived at 9:47 a.m., left meeting at 12:00 p.m.)
Carrie Kelley
Scune Carrington
Yvonne Ruiz (left meeting at 12:00 p.m.)
Marie Andree Pierre-Victor (left meeting at 12:00 p.m.)

STAFF: Brian Bialas, Executive Director
Seth Henderson, Board Counsel
Andrew Lutynski, Investigator Supervisor
Teresa Alleyne, Manager of Training and Development

All board members and staff appeared by videoconference.

The meeting was called to order at 9:37 a.m.

Board Business

- **Public Meeting Minutes of March 22, 2022:** After a brief discussion, a motion was made by Mr. Powers, seconded by Ms. Pierre-Victor, to approve the Public Meeting Minutes of March 22, 2022. The motion passed unanimously.
- **Executive Session Minutes of March 22, 2022:** After a brief discussion, a motion was made by Ms. Fuller, seconded by Mr. Powers, to approve the Executive Session Minutes of March 22, 2022. The motion passed unanimously.
- **Adjudicatory Hearing Scheduled in 2020-001094-IT-ENF (VS) for 10 a.m. on August 24 and 25, 2022:** Mr. Bialas reported that an adjudicatory hearing has been scheduled, and board members wishing to attend may contact Mr. Bialas.
- **DOL Enforcement Process:** Mr. Henderson and Ms. Alleyne provided an overview of the complaint enforcement process at DOL.



Ms. Barnes Munro arrived at 9:47 a.m.

Application Review Interview – Prior Discipline

- **Kerry Higgins, Applicant for LSWA:** Ms. Higgins appeared to discuss her application for LSWA and prior discipline on her former LICSW license for marrying a former client. Her LICSW license was suspended in 2010, and, after her term of suspension, she had to complete probation with specific conditions to reinstate her LICSW license. She successfully completed the disciplinary terms on her license in 2013 and let her LICSW license expire in 2018.

Ms. Higgins explained that she is interested in a position at UMass doing disability, case management work that she can perform while living in Washington State, but the position requires a Massachusetts license. The position only involves case management services and no therapy. She is applying for the LSWA license because she does not think she could pass the LICSW examination right now.

The Board expressed concerns that a former LICSW like Ms. Higgins would be tempted to perform clinical work as an LSWA and requested that Ms. Higgins apply for the LCSW license so she would be supervised on a track to get her LICSW license again.

Ms. Higgins agreed to withdraw her LSWA application and apply for the LCSW license.

Application Review – Negative Reference

- **Jill Demeny, Applicant for LCSW:** The Board reviewed Ms. Demeny's request that the Board reconsider its decision to require Ms. Demeny to agree to a conditional licensure agreement to sit for the LCSW examination. After a brief discussion, the Board decided to interview Ms. Demeny at a future meeting.

Ms. Ruiz was recused from the matter and took no part in the discussion of it.

Application Review – Prior Discipline

- **Helen Loewenthal, Applicant for LICSW Renewal:** The Board reviewed Ms. Loewenthal's disclosure of past discipline in Rhode Island on her renewal application. After a brief discussion, the Board decided to interview Ms. Loewenthal at a future meeting.

Monitoring

- **Sandra Garcon, 2019-000571-IT-ENF, Petition to Terminate Suspension:** The Board reviewed Ms. Garcon's petition to terminate suspension. After a brief discussion, the Board decided to interview Ms. Garcon at a future meeting.

Executive Session (Closed Session under G.L. c. 30A, § 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)

At 10:51 a.m., a motion was made by Ms. Carrington, seconded by Ms. Pierre-Victor, to exit the public meeting and enter into a closed executive session under G.L. c. 30A, § 21(a)(1), individual character rather than competence, to interview an applicant regarding her good moral character, 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 personal and medical information in an interview regarding a petition to terminate a conditional licensure agreement and a petition to approve a fitness to practice evaluator. The motion passed unanimously by a roll call vote.

The Board entered executive session at 10:51 a.m.

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

The Board entered quasi-judicial session at 12:26 p.m.

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

Final Decision and Order

2019-001028-IT-ENF (CS):

Consider at next meeting

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

At 12:55 p.m., a motion was made by Ms. Fuller, seconded by Ms. Carrington, to exit quasi-judicial session and enter into a closed investigative conference under G.L. c. 112, s. 65C to discuss a settlement offer. The motion passed unanimously.

The Board entered investigative conference at 12:55 p.m.

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

Settlement

2021-000419-IT-ENF (LL):

Gave direction to board counsel

Adjournment

At 1:03 p.m., a motion was made by Ms. Carrington, seconded by Mr. Powers, to adjourn the meeting. The motion passed unanimously.

The meeting adjourned at 1:03 p.m.

The above Minutes were approved at the public meeting held on May 24, 2022.



Brian Bialas, Executive Director

List of Documents Used During the Public Meeting:

- Agenda for Meeting of April 26, 2022
- Public Meeting Minutes of March 22, 2022
- Executive Session Minutes of March 22, 2022
- 2021 DOL Enforcement Process Overview PowerPoint Slides
- LSWA Application of Kerry Higgins
- Documents from LCSW Application of Jill Demeny, including correspondence regarding proposed conditional licensure agreement
- LICSW Renewal Disclosure of Prior Discipline by Helen Loewenthal, including disciplinary documentation from Rhode Island
- Sandra Garcon, 2019-000571-IT-ENF, Petition to Terminate Suspension