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Public Session Meeting Minutes

Tuesday, May 24, 2022

TIME: 9:30 a.m.

ATTENDANCE: Richard Powers, Vice Chair
Carrie Kelley
Scune Carrington
Yvonne Ruiz
Marie Andree Pierre-Victor (left meeting at 1:45 p.m.)

STAFF: Brian Bialas, Executive Director
Clinton Dick, General Counsel
Jessica Ellis, Assistant General Counsel for Public Affairs
Doris Lugo, Investigator
Matthew Runge, Investigator

All board members and staff appeared by videoconference.

The meeting was called to order at 9:33 a.m.

Mr. Dick explained that he will be the Board's Counsel for the time being. He also introduced Jessica Ellis, DOL's new Assistant General Counsel for Public Affairs.

Board Business

- **Public Meeting Minutes of April 26, 2022:** After a brief discussion, a motion was made by Mr. Powers, seconded by Ms. Ruiz, to approve the Public Meeting Minutes of April 26, 2022. The motion passed unanimously.
- **Executive Session Minutes of April 26, 2022:** After a brief discussion, a motion was made by Mr. Powers, seconded by Ms. Pierre-Victor, to approve the Executive Session Minutes of April 26, 2022. The motion passed unanimously.
- **Conflict of Interest Law and Required Disclosures:** Mr. Dick discussed the conflict of interest law for state employees and board member disclosures under it.



Application Review Interviews – Negative Reference

- **Elena Nolan, Applicant for LICSW**
 - **Interview of Former Supervisor Renee Goldstein Fixler:** Ms. Fixler appeared to discuss her negative reference for Ms. Nolan’s application. Ms. Fixler explained that Ms. Nolan was charged with asking clients certain questions to comply with new Medicaid regulations, but she did not because she thought the questions were too “pushy.” As a result, Ms. Nolan provided incorrect information to patients and her employer. In addition, Ms. Nolan worked remotely during the pandemic in another state but did not inform her supervisor, so she would not have been able to respond in person to emergency situations, and her employer could not arrange coverage. She was not as productive as her peers, and Ms. Fixler has concerns about Ms. Nolan functioning independently as an LICSW.

The Board directed Mr. Bialas to invite Ms. Nolan to a meeting for an interview.

- **Alberto Chang, Applicant for LICSW**
 - **Interview with Former Supervisor Matthew Box:** Mr. Box appeared to discuss his negative reference for Mr. Chang’s application. Mr. Box explained that he has concerns about Mr. Chang’s assessment of client risk and management of that risk. For example, when Mr. Chang would leave for an extended vacation, other staff did not know how to manage his clients. For that reason, Mr. Chang has been instructed to discuss every client during supervision sessions, and he has complied. Mr. Box also clarified that none of Mr. Chang’s clients have experienced adverse consequences because of Mr. Chang’s assessments. Mr. Chang now uses risk assessment tools.

The Board directed Mr. Bialas to invite Mr. Chang to a meeting for an interview.

Application Reviews – Negative Reference

- **Maria Rosati, Applicant for LCSW:** The Board reviewed Ms. Rosati’s application, including a letter from her current supervisor regarding her performance. After a brief discussion, a motion was made by Ms. Carrington, seconded by Ms. Ruiz, to allow Ms. Rosati to continue with the licensing process. The motion passed unanimously.
- **Pamela Chase, Applicant for LICSW:** The Board reviewed Ms. Chase’s application, including a negative reference. After a brief discussion, a motion was made by Ms. Pierre-Victor, seconded by Mr. Powers, to allow Ms. Chase to continue with the licensing process. The motion passed unanimously.

Application Review – Discipline in Another Jurisdiction

- **Joanne Werther, Applicant for LICSW:** The Board reviewed Ms. Werther’s application, including her prior discipline in Maine. After a brief discussion, the Board directed Mr. Bialas to invite Ms. Werther to a meeting for an interview.

Executive Session (Closed Session under G.L. c. 30A, § 21(a)(7) to comply with G.L. c. 4, § 7, para. 26(c) and G.L. c. 214, § 1B, to review sensitive medical information)

At 10:31 a.m., a motion was made by Ms. Carrington, seconded by Mr. Powers, to exit public session and enter into a closed executive session under G.L. c. 30A, § 21(a)(7) to comply with G.L. c. 4, § 7, para. 26(c) and G.L. c. 214, § 1B, to review sensitive personal and medical information in an interview regarding an application. The motion passed unanimously by a roll call vote.

The Board entered executive session at 10:31 a.m.

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

The Board entered quasi-judicial session at 10:40 a.m.

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

Final Decision and Order

2019-001028-IT-ENF (CS):	Determined sanction for final decision and order
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Executive Session (Closed Session under G.L. c. 30A, § 21(a)(7) to comply with G.L. c. 4, § 7, para. 26(c) and G.L. c. 214, § 1B, to review sensitive medical information)

At 11:07 a.m., a motion was made by Ms. Carrington, seconded by Ms. Ruiz, to exit quasi-judicial session and enter into a closed executive session under G.L. c. 30A, § 21(a)(7) to comply with G.L. c. 4, § 7, para. 26(c) and G.L. c. 214, § 1B, to review sensitive personal and medical information in an interview regarding an application. The motion passed unanimously by a roll call vote.

The Board entered executive session at 11:07 a.m.

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

The Board entered investigative conference at 12:02 p.m.

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

Settlements

2020-001600-IT-ENF (DE):	Gave direction to prosecutor
2020-001725-IT-ENF (RC):	Board to interview respondent; Mr. Powers recused himself and did not participate in the

discussion of, or vote on, the case.

Case Interview

2021-001010-IT-ENF (PB):

Interviewed respondent; refer to Office of Prosecutions

Ms. Pierre-Victor left the meeting at 1:45 p.m.

Cases

2016-000753-IT-ENF (SS):

Refer to Board Counsel

2021-001024-IT-ENF (RA):

No new action taken; Refer to Office of Prosecutions

2021-000978-IT-ENF (KD):

Dismiss; open complaint for CE violation

2021-001071-IT-ENF (DC):

Dismiss; open complaint for CE violation.

Adjournment

At 2:05 p.m., a motion was made by Ms. Ruiz, seconded by Ms. Carrington, to adjourn the meeting. The motion passed unanimously.

The meeting adjourned at 2:05 p.m.

The above Minutes were approved at the public meeting held on July 26, 2022.



Brian Bialas, Executive Director

List of Documents Used During the Public Meeting:

- Agenda for Meeting of May 24, 2022
- Public Meeting Minutes of April 26, 2022
- Executive Session Minutes of April 26, 2022
- LICSW Application of Elena Nolan
- LICSW Application of Alberto Chang
- LCSW Application of Maria Rosati
- LICSW Application of Pamela Chase
- LICSW Application of Joanne Werther