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

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REGULATION

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

Public Meeting Minutes

August 20, 2021

Board Members Present:

Bill Ahearn, Acting Chair
Amy Vercillo, Member (arrived at 10:18 a.m.)
Ashley Williams, Member
Cynthia Belhumeur, Public Member
Frank Gomez, Member
Jacqueline Gagliardi, Member (left meeting at 11:58 a.m.)

Staff Members Present:

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

All board members and staff appeared by videoconference.

Call to Order: The meeting was called to order at 10:06 a.m.

Board Business

- **Public Meeting Minutes of July 16, 2021:** After a brief discussion, a MOTION was made by Dr. Williams, seconded by Mr. Gomez, to approve the Public Meeting Minutes of July 16, 2021 as drafted. The motion passed unanimously by a roll call vote.
- **Executive Session Minutes of July 16, 2021:** After a brief discussion, a MOTION was made by Ms. Gagliardi, seconded by Mr. Gomez, to approve the Executive Session Minutes of July 16, 2021 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 Dr. Williams, seconded by Ms. Gagliardi, 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. Dr. Ahearn requested both cumulative data and data from reviews for the past month for the September meeting.

Ms. Vercillo arrived at 10:18 a.m.

LMHC Application Review – Hearing on Denial of Application

- **Anna Dyadko:**

Mr. Bialas called the hearing to order and announced that the hearing will be recorded by Microsoft Teams. See recording.

Ms. Dyadko argued that her coursework includes coverage of the Professional Orientation course requirement in 262 CMR 2.04(3)(a)(10). The Board noted that the courses she presents are not directed toward practice as a mental health counselor. The Board encouraged Ms. Dyadko to consider applying for a LMFT license by reciprocity because she is licensed as an LMFT in California.

After a brief discussion, a MOTION was made by Ms. Gagliardi, seconded by Dr. Williams, to affirm the Board's previous denial of Ms. Dyadko's application because she does not meet the Professional Orientation course requirement in 262 CMR 2.04(3)(a)(10). The motion passed unanimously by a roll call vote.

Discussion

- **Policy on Teletherapy for Applicant Experience and Supervision Hours:** The Board considered whether to extend its existing policy to December 31, 2021. After a brief discussion, a MOTION was made by Ms. Gagliardi, seconded by Dr. Williams, to approved the draft extended policy as written. The motion passed unanimously by a roll call vote.
- **Changes to NCMHCE:** Mr. Bialas and Ms. Read reported on their meeting with Ms. Woodbury from the Board and representatives from NBCC regarding upcoming changes to the NCMHCE. The representatives explained that the new format for the examination, which they expect will be implemented beginning in June 2022, will mimic real practice experiences more closely and require examination takers to understand criteria for diagnoses. Instead of requiring takers to diagnose a patient initially like in the current examination format, the new format requires takers to modify diagnoses and possibly make new diagnoses in ongoing therapy. The new NCMHCE will provide a diagnosis and require takers to support that diagnosis with facts, rather than providing facts and requiring takers to make a diagnosis. NBCC explained that previously, examinees frequently challenged their results, and the new format is more defensible. NBCC also explained that because many states use the NCMHCE, the examination cannot cater to each state's unique statutes and regulations. Even so, NBCC will consider including a

notice at the beginning of the examination explaining that the examination focuses on clinical skills and not knowledge of state regulations.

Midge Williams of MaMHCA appeared and reported on her own call with representatives from NBCC. She is concerned that the examination will be easier and would like more information from NBCC about that. Ms. Williams will inform the Board of any new developments.

- **Review of 262 CMR 2.00:** The Board tabled consideration of regulation changes to a future meeting.

Correspondence

- **7.13.21 Letter from M. Braga re: Revive Counseling and Wellness Center:** The Board reviewed this request for recognition of a private practice as a Clinical Field Experience Site under 262 CMR 2.02. The Board directed staff to explain that the Board cannot grant exceptions to the regulations.
- **7.25.21 Letter from K. Atkinson re: Atkinson Family Practice as Clinical Field Experience Site:** The Board reviewed this request for recognition of a private practice as a Clinical Field Experience Site under 262 CMR 2.02. The Board directed staff to explain that the Board cannot grant exceptions to the regulations.

LMHC Application Reviews

- **Jose Cruz Rodriguez:** The Board considered Mr. Cruz Rodriguez's application. After a brief discussion, a MOTION was made by Dr. Williams, seconded by Mr. Gomez, to delegate authority to Ms. Woodbury and Ms. Paine to review Mr. Cruz Rodriguez's application and determine whether he can be licensed; if they decide his application should be denied, the application must be reviewed by the full Board for a final decision. The motion passed unanimously by a roll call vote.
- **Meghan Singleton:** The Board considered Ms. Singleton's application. After a brief discussion, a MOTION was made by Ms. Belhumeur, seconded by Ms. Vercillo, to delegate authority to Ms. Woodbury and Ms. Paine to review Ms. Singleton's application and determine whether she can be licensed; if they decide her application should be denied, the application must be reviewed by the full Board for a final decision. The motion passed unanimously by a roll call vote.
- **Jennifer Beardslee:** The Board considered Ms. Beardslee's application. After a brief discussion, a MOTION was made by Dr. Williams, seconded by Ms. Belhumeur, to delegate authority to Ms. Woodbury and Ms. Paine to review Ms. Beardslee's application and determine whether she can be licensed; if they decide her application should be denied, the application must be reviewed by the full Board for a final decision. The motion passed unanimously by a roll call vote.

- **Sarah Adelmann:** The Board considered Ms. Adelmann's application. After a brief discussion, a MOTION was made by Ms. Belhumeur, seconded by Dr. Williams, to deny the application because Ms. Adelmann's post-master's degree experience cannot be completed at a private practice under 262 CMR 2.02. The motion passed unanimously by a roll call vote.
- **Marisa Zucarelli:** The Board considered Ms. Zucarelli's application. After a brief discussion, a MOTION was made by Ms. Belhumeur, seconded by Dr. Williams, to deny the application because Ms. Zucarelli's post-master's degree experience cannot be completed at a private practice under 262 CMR 2.02. The motion passed unanimously by a roll call vote.

Application Reviews – Past Discipline

- **Jessica Askew, LABA Applicant:** The Board considered Ms. Askew's application and her discipline by the Board of Speech-Language Pathology and Audiology for unlicensed practice. After a brief discussion, a MOTION was made by Ms. Gagliardi, seconded by Mr. Gomez, to approve Ms. Askew's application. The motion passed unanimously by a roll call vote. Dr. Williams recused herself from the consideration of, and vote on, the application.
- **Jamie James, LMFT Applicant:** The Board considered Ms. James's past discipline by the Board of Bar Overseers for the improper handling of client funds and improper supervision. The Board directed staff to invite Ms. James to a meeting for an interview.
- **Katherine Glick, LMHC Applicant:** The Board considered Ms. Glick's past discipline in New Jersey for possession of marijuana. The Board directed staff to invite Ms. Glick to a meeting for an interview.

NCMHCE ESL Accommodation Request

- **Silvia Pomares:** The Board considered Ms. Pomares's request for an ESL accommodation. After a brief discussion, a MOTION was made by Ms. Gagliardi, seconded by Mr. Gomez, to allow Ms. Pomares 50% extra time and the use of a word-for-word translation dictionary. The motion passed unanimously by a roll call vote.

Monitoring Reports

- **Bryan Frascati, 2019-001151-IT-ENF, 1st Quarterly Monitoring Report:** The Board considered Mr. Frascati'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.
- **Lynn Oski, 2019-000401-IT-ENF, 3rd Quarterly Monitoring Report:** The Board reviewed Ms. Oski's report. After a brief discussion, a MOTION was made by Dr.

Williams, seconded by Ms. Belhumeur, to accept the report. The motion passed unanimously by a roll call vote.

- **Laura Schroeder, 2019-000864-IT-ENF, Revised 3rd and 4th Quarterly Monitoring Reports:** The Board reviewed Ms. Schroeder's reports. After a brief discussion, a motion was made by Mr. Gomez, seconded by Ms. Gagliardi, to accept both reports. 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

Ms. Williams asked for status update on the LMHC, LABA, and LMFT regulation changes approved by the Board. Ms. Read stated that she would ask DOL management.

Natasha Voight requested a status update on her LMFT application. Mr. Bialas told her that someone will follow up with her on that.

Executive Session (Closed Session 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 11:37 a.m., a motion was made by Mr. Gomez, seconded by Ms. Belhumeur, to exit the public meeting and enter into a closed executive session under G.L. c. 30A, § 21(a)(1) to review the good moral character of an applicant, 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 as part of an application and NCMHCE accommodation requests; (2) then enter into investigative conference under G.L. c. 112 § 65C to review settlement offers and cases; and then, after the conclusion of the investigative conference, (3) not return to the public meeting and adjourn. The motion passed unanimously by a roll call vote.

See separate minutes.

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:

Settlements

2020-001164-IT-ENF (DD): Gave direction to prosecutor

Ms. Gagliardi left the meeting at 11:58 a.m.

2020-000446-IT-ENF (CC): Gave direction to prosecutor

Cases

2021-000430-IT-ENF (AR):	Dismiss
2021-000405-IT-ENF (MS):	Dismiss with advisory letter
2021-000360-IT-ENF (AC):	Refer to Office of Prosecutions
2021-000327-IT-ENF (LB):	Dismiss with advisory letter; open complaint for CE violation
2021-000277-IT-ENF (NT):	Dismiss

Adjournment

At 12:49 p.m., a MOTION was made by Mr. Gomez, seconded by Dr. Williams, to adjourn the meeting. The motion passed unanimously by a roll call vote.

The meeting adjourned at 12:49 p.m.

The above minutes were approved at the public meeting held on September 17, 2021.



Brian Bialas, Executive Director

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

- Agenda for Meeting of August 20, 2021
- Draft Public Meeting Minutes of July 16, 2021
- Draft Executive Session Minutes of July 16, 2021
- Applications Reviewed Under Application Review Policy: April 5, 2021 through August 19, 2021
- Documents for LMHC Application of Anna Dyadko
- Draft Policy on Teletherapy for Applicant Experience and Supervision Hours
- 7.29.21 Letter from MARIACES re: Policy on Teletherapy for Applicant Experience and Supervision Hours
- 7.13.21 Letter from M. Braga re: Revive Counseling and Wellness Center
- 7.25.21 Letter from K. Atkinson re: Atkinson Family Practice as Clinical Field Experience Site
- Documents for LMHC Application of Jose Cruz Rodriguez
- Documents for LMHC Application of Meghan Singleton
- Documents for LMHC Application of Jennifer Beardslee
- Documents for LMHC Application of Sarah Adelmann
- Documents for LMHC Application of Marisa Zucarelli
- Documents for LABA Application of Jessica Askew

- Documents for LMFT Application of Jamie James
- Documents for LMHC Application of Katherine Glick
- NCMHCE ESL Accommodation Request of Silvia Pomares
- Bryan Frascati, 2019-001151-IT-ENF, 1st Quarterly Monitoring Report
- Lynn Oski, 2019-000401-IT-ENF, 3rd Quarterly Monitoring Report
- Laura Schroeder, 2019-000864-IT-ENF, Revised 3rd and 4th Quarterly Monitoring Reports