

Commonwealth of Massachusetts
Board of Allied Mental Health and Human Services Professions
Public Meeting
March 20, 2020
1000 Washington Street, Room 1D
Boston, MA 02118

Board Members Present:

Bill Ahearn, Chair
Susan Egan, Member
Amy Vercillo, Member
Heidi Creighton, Public Member
Kristen Woodbury, Member
Jacqueline Gagliardi, Member
Cynthia Belhumeur, Public Member

Board Members Not Present:

Jennifer Paine, Member

Staff Members Present:

Bruce Hopper, Deputy General Counsel
Brian P. Bialas, Executive Director
Erin Murphy, Associate Executive Director
Ellen D'Agostino, Investigator

Pursuant to Governor Charles D. Baker's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, s. 20, dated March 12, 2020, all board members and staff appeared telephonically.

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

Public Meeting Minutes of February 21, 2020

The minutes for the public meeting of February 21, 2020 were discussed. A motion was made by Ms. Gagliardi, seconded by Ms. Belhumeur, to approve the minutes. The motion passed unanimously.

Executive Session Minutes of February 21, 2020

The minutes for the executive session of February 21, 2020 were discussed. A motion was made by Ms. Gagliardi, seconded by Ms. Creighton, to approve the minutes. The motion passed unanimously.

Discussion

- **Coronavirus and Applicant Experience Hours**
 - **Teletherapy:** The Board discussed whether applicants would be permitted to accrue experience and supervision hours through teletherapy during the state of emergency

declared by Governor Baker because of COVID-19. After discussion, a motion was made by Ms. Gagliardi, seconded by Ms. Woodbury, to approve the following policy: “Because of the current declared state of emergency in Massachusetts, to the extent applicable for applicants of all license types, teletherapy sessions and supervision through video conferencing or telephone that occurred or will occur from March 10, 2020 through June 30, 2020 will be accepted toward experience hours and Direct Client Contact Experience or supervision requirements.” The motion passed unanimously.

- **Waiver of Internship Hours:** Joseph Mageary of MARIACES discussed a proposal that, because of the closure of many clinic sites due to COVID-19, would allow certain students in mental health counselor master’s degree programs to graduate without finishing the required internship hours but make-up those hours either with additional practicum hours they already completed or with additional post-master’s degree experience hours. After discussion, the Board decided to table discussion of the issue until the April meeting to allow staff to conduct additional research and MARIACES to provide additional information.
- **Appointment of I. Scott Cohen as Delegate to AMFTRB:** After a brief discussion, a motion was made by Ms. Woodbury, seconded by Ms. Gagliardi, to approve I. Scott Cohen as the Massachusetts delegate to the AMFTRB. The motion passed unanimously.
- **Executive Order on Teletherapy and Draft Guidance on Executive Order:** The Board next discussed an unanticipated matter regarding Governor Baker’s Order Extending the Registrations of Certain Licensed Health Care Professionals dated March 17, 2020 and draft guidance to accompany it, specifically language that allows licensed psychologists and social workers to provide services through teletherapy across state lines to college students who are established patients and have been displaced because of COVID-19. After a brief discussion, a motion was made by Ms. Vercillo, seconded by Ms. Woodbury, to allow all licensees of the Board to use teletherapy across state lines to the same extent the Executive Order and Draft Guidance permit licensed psychologists and social workers to do so. The motion passed unanimously.
- **Waiver of Live or Interactive CE Requirement for 2019-2021 Licensing Cycle:** Dr. Ahearn proposed that the Board waive its policy requiring 50% of CEs to be done in a live or interactive format, an additional unanticipated matter. After discussion, the Board tabled discussion of the issue until the April meeting.

Correspondence

- **3.2.20 Letter from G. Werner re: LMHC Master’s Degree Matriculation Date:** The Board reviewed a letter from an applicant requesting an exception from the designated matriculation date after which an applicant must complete a 60-credit master’s degree program. After a brief discussion, a motion was made by Ms. Woodbury, seconded by Ms. Creighton, to deny the request. The motion passed unanimously.

Monitoring Report

- **Jessica Goldstein, 2018-000635-IT-ENF, Petition to Terminate Suspension:** After a brief discussion, a motion was made by Ms. Woodbury, seconded by Ms. Gagliardi, to accept the petition to terminate suspension. The motion passed unanimously.

Application

- **Teresa Arroyave-Lopez, for LMHC:** After a brief discussion, a motion was made by Ms. Woodbury, seconded by Ms. Vercillo, to deny the application because the applicant's degree is not in a related field. The motion passed unanimously.

Executive Session (Closed 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)

At 11:02 a.m., a motion was made by Ms. Gagliardi, seconded by Ms. Vercillo, to enter into a closed executive session 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 and personal information in NCMHC Exam accommodation requests. The motion passed unanimously by a roll call vote.

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

At 11:07 a.m., a motion was made by Ms. Egan, seconded by Ms. Creighton, to exit executive session and enter into a closed investigative conference under G.L. c. 112 s. 65C to review a settlement offer and cases. The motion passed unanimously by a roll call vote.

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

Settlement:

2019-000934-IT-ENF (KL): Direction given to prosecutor

Cases:

2019-000401-IT-ENF (LO):	No action taken; to be considered next month
2020-000117-IT-ENF (RP):	Referred to Office of Prosecutions
2019-001339-IT-ENF (WD):	Referred to Office of Investigations
2019-001367-IT-ENF (CC):	Referred to Office of Prosecutions; open additional complaint to monitor criminal case
2020-000043-IT-ENF (EP):	Tabled until a future meeting

At 11:43 a.m., a motion was made by Ms. Gagliardi, seconded by Ms. Belhumeur, to exit investigative conference and return to open session. The motion passed unanimously.

Adjournment

At 11:43 a.m., a motion was made by Ms. Vercillo, seconded by Ms. Woodbury, to adjourn the meeting. The motion passed unanimously.

The above minutes were approved at the open meeting held on April 17, 2020.



Brian Bialas, Executive Director

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

- Agenda for Meeting of March 20, 2020
- Draft Public Minutes of February 21, 2020
- Draft Executive Session Minutes of February 21, 2020
- 3.10.20 Email from J. Mageary re: Applicant Licensure Hours
- 3.12.20 Email from J. Mageary re: Applicant Licensure Hours
- Draft Proposal for Waiver of LHMC Internship Hours from J. Mageary
- 2.26.20 Email from I. Scott Cohen re: Appointment as Massachusetts Delegate to AMFTRB
- Executive Order Extending the Registrations of Certain Licensed Health Care Professionals dated March 17, 2020 and Draft Guidance
- 3.2.20 Letter from G. Werner re: LMHC Master's Degree Matriculation Date
- Jessica Goldstein, 2018-000635-IT-ENF, Petition to Terminate Suspension
- LMHC Application of Teresa Arroyave-Lopez