

Open Session Teleconference Meeting Minutes
IOWA BOARD OF BEHAVIORAL SCIENCE
June 9, 2022
9:00 a.m.
Lucas State Office Building, 5th Floor Conference Room #526
Des Moines, Iowa

A hybrid meeting was held in conference room #526 of the Lucas State Office Building. Some attendees attended in-person and some attendees attended virtually via Zoom.

Call to Order

The meeting was called to order at 9:00 a.m.

Roll Call

Members Present

Kevin Allemagne, MFT
Natalia Indrasari, MFT
Echo Kent, MFT
Amy Mooney, PhD
Cody Samec, MHC
Blake Stephenson, BCBA
David Wolter, Public Member
Mary "Ramona" Wink, MHC
Nolan Byrnes, Public Member
Maria Valdovinos, BCBA

Members Absent

Kerry Lust, Public Member

Staff Present

Steve Garrison, Bureau Chief
Laura Steffensmeier, Assistant Attorney General
Tony Alden, Board Executive
Beth Jorgenson, Compliance Administrator

Public Present

Brianne Dunkelberger, temporary license
Dr. Treya Rosenberger, Grandview University
Courtney Ackerson, Iowa Mental Health Counselors Association
Kayla Bell-Consolver
Jennifer Becker, MHC

Unknown phone attendee 319 504 3210 joined at 10:00 a.m.

Introductions

Were made by the Board members and staff present

Election of Officers

Chair

Mooney moved the nomination of Allemagne as Board Chair. A second was received by Kent. All ayes, nays none, motion carried.

Vice Chair

Kent moved the nomination of as Mooney as Vice Chair. A second was received by Wink. All ayes, nays none, motion carried

Approval of Open Session Minutes

March 10, 2022

Wink moved approval of the March 10, 2022 meeting minutes as amended. A second was received by Samec. Allemagne abstained. All ayes, nays none, motion carried.

Reports

Board Executive Report

Alden did presentation at Upper Iowa University. Students had many good questions and Alden thought it went well. Alden also gave an update on the exam change process. Licensure web page will give updates.

Numbers, Marriage and Family 401 temp 56 mhc 1877 temp 362 approx 190 behavioral analyst.

July 20th is the effective date with a mass email to the licensee notifying of the changes and there will be new supervision and reports posted.

Requests

Request to waive rule 645-31.3(1)"d" regarding exam requirements—Carrie Baumgartner. Licensed in Wisconsin and has been licensed since 2008.

Samec moved the Board approve the request regarding exam requirements. A second was received by Wink. All ayes, nays none, motion carried.

Request to waive rule 645-31.3(1)"d" regarding exam requirements – Emre Umucu. He took the exam in 2013. Licensed in Wisconsin since 2017.

Mooney moved the Board approve the request regarding exam requirements. A second was received by Wink. All ayes, nays none, motion carried.

Request to waive rule 645-31.3(1)"d" regarding exam requirements – Megan Earp. NCE exam in October 2021. If taken after March 2021 president is to deny. Board does not see this as a hardship.

Kent moved the Board deny the request regarding exam requirements. A second was received by Mooney. All ayes, nays none, motion carried.

Request to waive rule 645-31.3(1)"d" regarding exam requirements – Brianne Dunkelberger. Passed NCE exam May 6, 2020. Professor had not explained about the new exam. Four months past the deadline, April 30, 2020 is when rule became effective. She went to the University of Iowa and all students in her class took this exam. Board considers this a hardship and she only missed by a few days. She has been very proactive. She could have taken the exam earlier but with the pandemic, there was a backlog. She is eight months pregnant.

Mooney moved the Board approve the request regarding exam requirements. A second was received by Samec. All ayes, nays none, motion carried.

Request to waive rule 645-31.3(1)"d" regarding exam requirements – John Mohn. He took the psychology exam. He does not meet the requirements. Masters level can have a lower score. The Board could review his course work as he does have a lot of experience. He has passed a clinic exam but he will have to meet the education requirements.

Allemagne moved the Board approve the request regarding exam requirements. A second was received by Indrasari. All ayes, nays none, motion carried.

Request to waive rule 645-31.3(1)"a" regarding exam requirements – Merrie Lipton. Took California exam back in 1983. Board has granted similar waivers in the past. This is an equivalent exam. This person did not state their hardship. She did not complete the form. Board will encourage this person to complete their form. This will remain pending.

Request to waive rule 645-31.3(1)"a" regarding exam requirements – Tanya Underwood. She passed Californian exam in 2016 and clinic in 2019. This is an equivalent exam. She meet clinical qualification. Licensed in 2019. She serves the population over 65.

Indrasari moved the Board approve the request regarding exam requirements. A second was received by Kent. All ayes, nays none, motion carried.

Kent suggested a clarification on the form for the personal hardship portion of the waiver. It needs to be about the person not the public they are serving.

Request to waive rule 645-31.16(3)"b"(2) regarding continuing education for reactivation—James Burr. Samec works at the same place but does not know this person so AAG said he did not need to recuse. Burr wants to return to practice and then obtain he con-ed. He has meet the national requirements. He has been inactive since 2014. He needs 80 hours of continuing education for his reactivation. He wants the time waived and he wants to practice during that time. He does have Parkinson's disease. He is very accomplished but has not been practicing for almost ten years. He can get all of his continuing education on line. There is free training too.

Allemagne moved the Board approve the request with the condition that he does 40 hours con-ed before he resumes practice and then he has to meet all

licensure requirements regarding continuing education requirements. A second was received by Mooney. All ayes, nays none, motion carried.

Request to backdate supervision approval—Nicole Hamilton-Brahm. Board is not impressed with this application.

Kent moved the Board deny the request regarding exam requirements. A second was received by Wink. All ayes, nays none, motion carried.

The Board recessed at 10:14 a.m. and reconvened at 10:22 a.m.

New Business

Nominations for delegate for Counseling Regulatory Boards Summit August 3-5, 2022 Board agrees to send Allemagne and Samec.

Administrative Rules

Proposed Notice of Intended Action: Amend Chapter 5 regarding Behavior Analyst licensure fees. \$120.00 would be the new licensure fee.

Voldovinos moved the Board approve the Proposed Notice of Intended Action: Amend Chapter 5 regarding Behavior Analyst licensure fees. A second was received by Stephenson. All ayes, nays none, motion carried.

Garrison gave an overview on the Bureau's budget with regards to increase in licensure fees.

Public Comment

Kayla Bell-Consolver requested a meeting with a board member to discuss issues. Alden explained the quorum issues. She was told she could contact board members.

Dr. Rosenberger thanked the Board as this was a very informative meeting.

Closed Session

Review closed session minutes [21.5(1)(a)]

March 10, 2022

Discussion of Ruling on Judicial Review in Ardent Counseling Center v. Iowa Board of Behavioral Science [21.5(1)(c)]

Complaints and investigative information [21.5(1)(d)]

Combined Statement of Charges, Settlement Agreement, and Final Orders [21.5(1)(d) and 21.5(1)(f)]

Kent moved the Board go into closed session at 10:42 a.m. pursuant to Iowa Code section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation; pursuant to Iowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings, and pursuant to Iowa Code Section 21.5 (1)(f), to discuss the decision to be rendered in a contested case conducted according to the provisions of 17A. A second was received by Samec. A roll call vote was taken with the following results:

Allemagne – Aye
Indrasari – Aye
Kent – Aye
Mooney – Aye
Samec – Aye
Stephenson – Aye
Wolter - Aye
Wink – Aye
Byrnes – Aye
Valdovinos - Aye
Motion Carried.

Open Session to vote on items discussed in closed session

The Board returned to open session at 3:53 p.m.

Kent moved the Board approve the closed session meeting minutes of March 10, 2022 as presented. A second was received by Stephenson. Abstained Allemagne, all other ayes, nays none, motion carried.

Wink moved the Board approve the Combined Statement of Charges, Settlement Agreement, and Final Order in 21-0097. A second was received by Kent. All ayes, nays none, motion carried.

Stephenson moved the Board approve the Settlement Agreement and Final Order in 19-0147. A second was received by Kent. All ayes, nays none, motion carried.

Wink moved the Board close 20-0211. A second was received by Mooney. Recused Kent, all other ayes, nays none, motion carried.

Kent moved the Board close 21-0317. A second was received by Samec. Recused Stephenson, all other ayes, nays none, motion carried.

Stephenson moved the Board close 22-0015. A second was received by Wink. Recused Mooney, all other ayes, nays none, motion carried.

Kent moved the Board close the following: 20-0240, 21-0022, 21-0132, 21-0260, 21-0222, 22-0001, 22-0008, 21-0086, 21-0268, 22-0076, and 22-0107. A second was received by Samec. All ayes, nays none, motion carried.

Future Board Meetings

September 8, 2022

Adjournment

The meeting was unanimously adjourned at 4:00 p.m. on a motion Stephenson and a second by Samec. All ayes, opposed none, motion carried.