

Open Session Teleconference Meeting Minutes  
IOWA BOARD OF BEHAVIORAL SCIENCE

September 8, 2022

9:00 a.m.

Lucas State Office Building, 5<sup>th</sup> 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 9:02 a.m.

**Roll Call**

**Members Present**

Echo Kent, MFT

Cody Samec, MHC

David Wolter, Public Member

Mary "Ramona" Wink, MHC

Nolan Byrnes, Public Member

Maria Valdovinos, BCBA

Kerry Lust, Public Member

Kevin Allemagne, MFT

Amy Mooney, PhD

**Members Absent**

Blake Stephenson, BCBA

**Staff Present**

Steve Garrison, Bureau Chief

Laura Steffensmeier, Assistant Attorney General

Tony Alden, Board Executive

Jessica O'Brien, Board Executive

Beth Jorgenson, Compliance Administrator

**Public Present**

Dr. Treya Rosenberger, Grandview University

Courtney Ackerson, Iowa Medicaid CBT&TA

Jordan Wittrock

Miriam McConnell

## **Introductions**

Were made by the Board members and staff present

## **Approval of Open Session Minutes**

June 9, 2022

Kent moved approval of the June 9, 2022 meeting minutes as amended. A second was received by Samec. All ayes, nays none, motion carried.

## **Report**

Board Executive Report

Numbers, Marriage and Family 411, Temp 64, MHC 1956, Temp 376, Behavioral Analyst paper applications between 175 to 200.

Alden did a presentation for University of Iowa and Upper Iowa. Will also be going to Grandview.

## **Requests**

Miriam McConnell – request for alternate supervision – 645-31.7(2)"e". McConnell was present and gave additional information.

Wink moved the Board approve the request for alternate supervision. A second was received by Mooney. All ayes, nays none, motion carried.

Jordan Wittrock – appeal of CCE education evaluation – 645-31.6(2). Wittrock was present and gave additional information.

Samec moved the Board deny the appeal of CCE education evaluation. A second was received by Kent. All ayes, nays none, motion carried.

Rebecca Potenberg – request the Board consider changing education evaluation requirements. The Board denied the request to consider this change.

Merrie Lipton - Request to waive rule 645-31.3(1)"a" regarding exam requirements.

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

Steve Lahey – request for alternate supervision – 645-31.7(2)"e".

Samec moved the Board approve as a partial request for alternate supervision. A second was received by Wink. All ayes, nays none, motion carried.

## **Administrative Rules**

ARC 6401C Amend Chapter 5 regarding Behavior Analyst licensure fees.

Voldovinos moved the Board move to adopt ARC 6401C to Amend Chapter 5 regarding Behavior Analyst licensure fees. A second was received by Samec. All ayes, nays none, motion carried.

Proposed Notice of Intended Action: Amend Chapter 31 rule 31.6 regarding foreign trained education, rule 31.16 regarding reactivation requirements, and rule 31.8 regarding endorsement requirements.

Wink moved the Board move forward with the Proposed Notice of Intended Action to Amend Chapter 31 as presented. A second was received by Byrnes. All ayes, nays none, motion carried.

### **Public Comment**

Ackerson stated Iowa Medicaid will be issuing educational items for the public.

Valdovinos had questions about insurance on coding and reimbursement. Alden said that was not under the Board's jurisdiction. AAG and Alden will follow up and try to get additional information.

Rosenberger commented he will be attending these meetings as often as he can as he represents ACA of Iowa and Grandview University.

Ackerson asked about rules and if she can reach out to board members. Alden said she could reach out to individual board members.

### **Closed Session**

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

June 9, 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 10:16 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 Lust. A roll call vote was taken with the following results:

Allemande – Aye

Kent – Aye

Mooney – Aye

Samec – Aye

Wolter - Aye  
Wink – Aye  
Byrnes – Aye  
Valdovinos – Aye  
Lust – Aye  
Motion Carried.

The Board recessed at 10:17 a.m. and reconvened at 10:23 a.m.

**Open Session to vote on items discussed in closed session**

The Board returned to open session at 1:09 p.m.

Mooney moved the Board approve the closed session meeting minutes of June 9, 2022 as presented. A second was received by Allemagne. All ayes, nays none, motion carried.

Samec moved the Board approve the Combined Statement of Charges, Settlement Agreement, and Final Order in 21-0259. A second was received by Wink. All ayes, nays none, motion carried.

Kent moved the Board close the following 22-0080, 22-0035, 22-0059, 22-0091, 22-0118, 22-0125, and 22-0123. A second was received by Allemagne. All ayes, nays none, motion carried.

**Future Board Meetings**

December 8, 2022

**Adjournment**

The meeting was unanimously adjourned at 1:12 p.m. on a motion Byrnes and a second by Allemagne. All ayes, opposed none, motion carried.