

BAPP BOARD OF DIRECTORS MEETING MINUTES
MARCH 5, 2015 – 10:30 A.M. (C.S.T.)
PARK PLACE CENTER, SIOUX FALLS, SD

Peitz called the meeting to order at 10:35 a.m.

In attendance: Linda Peitz, Diane Sevening, Amy Hartman, Kristi Spitzer, Kathy White and Mark Bontreger.

Not in attendance: Greg Sands and Barb Ohme.

Barb Ohme participated via web conference for a portion of the meeting.

Guests in attendance: Amy Iversen-Pollreisz and Justin Pierson.

Administrative Staff in attendance: Paula Koller and Tina Nelson.

Sevening moved and White seconded a motion to approve the December 4, 2014 Board of Director's meeting minutes. Motion carried by a unanimous vote.

Sevening moved and White seconded a motion to approve the financial report. Motion carried by a unanimous vote.

Peitz called for Public Input at 10:45 a.m.

J.K. in attendance at 10:45 a.m. to request approval of his/her Addiction Counselor Trainee Recognition Application. White moved and Spitzer seconded a motion to deny the request. Per BAPP policy, five years must pass between the date of sentencing and the date of application. Sevening abstained. Motion carried by a unanimous vote.

Amanda McKnelly and Maria Eining in attendance at 11:00 a.m. to provide information regarding Midwest Health Management Services, LLC and changes regarding the SD Health Professionals Assistance Program. White moved and Sevening seconded a motion to enter into agreement with HPAP. The BAPP will not be assessed quarterly fees, fixed participation fees, variable service fees or expected financial contributions. The participants are responsible for all fees associated with enrollment in the program. Motion carried by a unanimous vote.

Michelle Majeres and Dodi Haug in attendance at 11:30 a.m. to request approval of a 1 credit hour ethics course, in lieu of the 3 credit hour course, required for Certified Prevention Specialists. White moved and Sevening seconded a motion to deny the request. The newly adopted administrative rules require a 3 credit hour ethics course; therefore, the Board encourages Majeres and Haug to re-submit their request the next time the BAPP promulgates rule changes. Motion carried by a unanimous vote.

Bratkiewicz in attendance at 12:15 p.m.

In order to maintain attorney/client privilege and confidentiality in communications with Mr. Bratkiewicz, attorney for the Board, Peitz called the meeting into Executive Session at 12:20 p.m.

Peitz moved the meeting out of Executive Session at 12:54 p.m.

2014-4 White moved and Spitzer seconded a motion authorizing Bratkiewicz to send a letter to the individual requesting an update on the status of her/his pending civil and/or criminal matters. Motion carried by a unanimous vote.

The Board reviewed C. Fleming's letter regarding termination of D.M.'s supervision. White moved and Spitzer seconded a motion authorizing Nelson to send a letter to Ms. Fleming indicating the BAPP lacks jurisdiction to take action, as the individual's recognition status lapsed January 31, 2015. However, the information will be kept on file and taken into account should the individual seek status with the BAPP in the future. Motion carried by a unanimous vote. No E.C. file number assigned.

White moved and Spitzer seconded a motion authorizing Nelson to send a letter to Keystone Treatment Center reflecting that the Board lacks jurisdiction to take action, as the individual does not have recognition, certification or licensure status with the BAPP. However, the information will be kept on file and taken into account should she/he seek status with the BAPP in the future. A minor was mentioned in the complaint; therefore, the Board trusts that Keystone will comply with reporting regulations under CFR 42 and disclose all necessary information.

Bratkiewicz will send a letter to the individual notifying her/him that the BAPP received notice of a potential ethical violation; and, after the Board's review of the information, she/he is strongly urged to exercise better judgment, particularly if her/his intent is to pursue a career where there are strong prohibitions against personal relationships generating conflict of interests. Motion carried by a unanimous vote. No E.C. file number assigned.

According to the National Practitioner Data Bank, summary suspensions in particular, must be reported, even though they are not final actions. In addition, NPDB regulations require reporting of negative actions or findings by a state licensing or certification authority that, under state law, are publicly available information. Bratkiewicz indicated he will research this matter and report his findings to the Board at the June meeting. This regulation may be significant to 2014-4.

Continuous Query is a way for health care entities, including licensing boards, to register health care practitioners with the NPDB and receive continuous monitoring of any reports filed with the Data Bank on the registered practitioners. Bratkiewicz indicated the BAPP is not required to utilize Continuous Query, as all individuals applying for status with the BAPP are required to sign the Authorization and Release of Information and Statement of Felony Charges forms.

Spitzer moved and Sevensing seconded a motion to approve the Legal Services Contract between Jeff Bratkiewicz and the BAPP. Motion carried by a unanimous vote.

Spitzer moved and White seconded a motion to adopt the NAADAC/NCC AP Code of Ethics in lieu of the 2013 Code of Ethics and Standards of Practice of the BAPP. Motion carried by a unanimous vote.

Iversen-Pollreisz stated the Board may give notice to the field, prior to adopting a new Code of Ethics, or after. However, as a courtesy, recommends notification be sent regarding the Board's desire to make this change, prior to implementation. The notice should include similarities and differences of the 2013 Code of Ethics and Standards of Practice of the BAPP and the NAADAC/NCC AP Code of Ethics. The new Code will address current trends associated with legal / ethical issues related to social media and tele-counseling. The notice will provide professionals the opportunity to submit their concerns in writing, to the BAPP, within 30 days of receiving the notice.

The Board considered coordinating / providing trainings, for profit. Iversen-Pollreisz's email of December 8, 2014, advises the Board against doing trainings for profit, as it could create a conflict of interest for the Board.

The administrative office requested clarification / itemization of the following expenses: central services, purchasing central services, records management services, and human resource services. Iversen-Pollreisz's email of December 8, 2014 reflects the services are assessed to the BAPP, as a result of retaining a Full Time Employee.

The Board did not vote on the nominations for the open positions on the Board, as the required number of nominations needed, was not obtained. The Board will vote on nominations at the June meeting.

Iversen-Pollreisz clarified that an individual cannot be appointed as a lay member to the Board, if the individual works in an agency that provides addiction services.

Justin Pierson indicated he is creating a standardized Boards and Commissions Application. Individuals interested in being nominated to serve as a member of the Board, will be required to complete this Application and submit with their vitae / resume.

Pierson indicated he will create a document to include guidelines for the nomination process, (i.e. number of nominees required for each open position, what does / does not meet the criteria of a Lay Member, recruiting process, required information / vita / resume, timeframes for obtaining nominees, and deadline for submitting nominations to the Governor's Office).

Sevening moved and Spitzer seconded a motion to adjourn the meeting at 1:55 p.m. Motion carried by a unanimous vote.

Respectfully Submitted,
Tina M. Nelson