

**ALCOHOL AND DRUG COUNSELOR COMMITTEE
PUBLIC SESSION MINUTES
June 19, 2009**

I. CALL TO ORDER

This scheduled meeting was called to order at 9:45 a.m., in the Somerset Conference Room, 6th floor, 124 Halsey Street, Newark, New Jersey.

II. ROLL CALL

Present:

Committee Chairman, Edward Reading
Committee Member, Sylvia Lippe
Committee Member, Norwood Allen
Committee Member, Jamie Lugo

Recused:

Committee Member, Lorenzo Puertas

Until the matter is resolved, Public Member, Lorenzo Puertas recused from attendance based on services he provides related to the profession that may be a possible violation of the statutory requirement for public board members. Announcement of quorum was made by Committee Chair, Dr. Reading.

Administrative Staff: Elaine L. DeMars
Celeste Paige
Vivian Lopez

III. APPROVAL OF MINUTES

On a motion made by Sylvia Lippe, seconded by Norwood Allen, the minutes of the May 15, 2009 public session meeting were approved as presented.

IV. PUBLIC COMMENT

There were no public members present.

V. LEGISLATIVE/REGULATORY

A. Proposal Comments

Proposed Readoption with Amendments: N.J.A.C. 13:34C Proposed Repeal: N.J.A.C. 13:34C-2.1 Proposed New Rule: N.J.A.C. 13:34C-6.2A Proposed Repeal and New Rule: N.J.A.C. 13:34C-1.6

Comments were submitted by:

1. Addiction Professionals Certification Board of New Jersey Richard Bowe, LPC, LCADC, Executive Director
2. James Britton, LCADC
3. Michael Chenkin, DLCSW,LC
4. Division of Addiction Services Raquel Mazon Jeffers, Director

5. Dean J. LaBolitta, Director Monmouth County I.D.R.C.

6. J. Michael Walker, Executive Director New Jersey Board of Psychological Examiners

7. Barry Ward, LCADC

The public comment period ends today (June 19, 2009). Maryann Sheehan, Regulatory Analyst, met with the Committee to review the comments received to date. The Committee determined to hold a meeting at 2:00 p.m. on Thursday, July 16 to complete the response to the individual comments received.

B. Assembly Bill 3934

"An Act concerning the use of health information technology products, amending P.L. 2007, c. 330 and supplementing Titles 26 and 45 of the Revised Statutes Although this is a concept strongly supported by President Obama, the Alcohol and Drug Counselor Committee voiced serious concern with the provisions of the proposal.

There was a single line in the language of the bill that said the systems would comply with all federal privacy regulations. The Committee is concerned that HIV/AIDS, Substance Abuse, and other Mental Health information will be transferred into the system without all the safeguards of 42 CFR-Part 2 and similar Mental Health and HIV, and STD privacy protections.

Depending on the degree of integration of records, it may prevent people from getting treatment because of stigma related to their treatment. It will be beneficial if the Federal government required all carriers to pay for the treatment that is required. The Committee is concerned that parody legislation will be "put off till the economy recovers"...then there will be no payment for services and no control over the patient records.

This is even more important for patients who are now using "primary care physicians" for detox purposes. Their Primary Care records will now be including "narcotic dependence and treatment"and it will be difficult to separate the "stigmatized diagnoses" from the general medical records. (Chemically Addictive Disease, HIV Disease, Major Mental Illness, and STDs).

The Committee suggests, at a minimum, that if patient record confidentiality is violated, that the patient should be notified immediately and the record be retroactively cleared. The Committee expressed its conviction that the potential violation of confidentiality is what keeps people from accessing needed treatment.

C. Assembly Bill 4026

A 4026 Establishes additional investigative and enforcement powers in the Division of Consumer Affairs to deter individuals from engaging in unauthorized practice of professions and occupations. (Supplementing P.L. 1978 c. 73 (C.45:1-14 et seq.) Upon review, the Committee determined to make no comment since the language of the proposal appears to be intended to clarify the language of the existing statute.

VI. CORRESPONDENCE

Michael F. D'Angelo, LPC, LCADC, Coordinator, Human Services Program Passaic County Community College The Committee reviewed the June 3, 2009 e-mail in which Mr. D'Angelo lists the minor changes to the Passaic County Community College's Human Services and the Psychology course work matrices. The Committee noted the notice as a good example of how matriculated course work is evaluated and updated on an ongoing basis.

VII. DAS MATTERS

Division of Addiction Services Rules Adoption: N.J.A.C. 10:161B The Committee reviewed and accepted notice of the regulations adoption as informational.

VIII. OLD BUSINESS

Lincoln University, Master of Human Services (MHS) program. Elaine DeMars advised the Committee that there has been no response to a call made to Drs. Virginia Smith and Vivian Price at Lincoln University. During their appearance at the March 23, 2009 meeting, Drs. Smith and Price indicated that following consultation with the University's administration, they would advise the Committee of the determination made regarding whether graduates of the MHS would be permitted to enroll in the Master of Human Services (program) with a Concentration in Counseling. The Committee had determined that the MHS transcript included a maximum of 6 clinical credits. The MHS with a Concentration in Counseling would supplement the MHS with 12 clinical graduate credit requirement to satisfy the requirement of N.J.A.C. 13:34C-2.2(b).

IX. X. NEW BUSINESS

A. Election of Officers: N.J.S.A. 45:2D-15

On a motion made by Norwood Allen, seconded by Jamie Lugo, the Committee reelected by acclamation, Edward Reading as Chair and Sylvia Lippe as Vice-Chair for the year, June 2009 - June 2010.

B. Rutgers Center of Alcohol and Drug Studies - May 2009

Correspondence from Gail Milgram, Professor Emerita and copies of the class rosters, certificates of completion and evaluation summaries for the seminars listed below as informational.

- Understanding the Criminal Justice System
- LCADC/CADC Mandatory Renewal Course
- Sexual History Taking
- Neurobiological Aspects of Alcohol

VIII. NEXT MEETING

The next meeting of the Committee is scheduled for July 16, 2009 at 2:00 p.m. to address the regulations comments and July 24, 2009 at 9:30 a.m. for the regular agenda meeting. Meetings will be held in the State Office Building at 124 Halsey Street, Newark, New Jersey.

October 23, 2009

July 24, 2009 November 19, 2009

August 28, 2009 December 17, 2009

September 25, 2009

IX. EXECUTIVE SESSION

The Committee will move to Executive Session to conduct three investigative inquiries, review criminal history background reports, pending disciplinary and confidential matters.

X. REVIEW OF CREDENTIALS

Applications for licensure and certification will be reviewed and moved for approval.

A. LCADC - Regular

1. Aaron Carter
2. Virginia C. Downey

3. Victoria Trause
4. Jane Willenborg

B. LCADC - Upgrade

1. Makim Shakur-Purvis
2. Annette Rivera

C. CADC - Regular

1. John Burlick
2. Ronald Priest
3. Yury Tarnavskyj

D. Written and Oral Examinations

1. Jesse Akins
2. Robert E. Bozzomo
3. Beth Bronfman
4. Karen Douglas
6. Bridget Flowers
7. Theresa Gurley
8. Brian E. Homer
9. Thomas Jordan, Jr.
10. Theresa V. Cifelli
11. Beverly D. Palin
12. Laurence Stom
13. Gary C. Ward.

XI. ADJOURNMENT

On a motion by Norwood Allen, seconded by Jamie Lugo the meeting adjourned at 3:10 p.m.

Respectfully submitted,

Elaine L. DeMars