

**BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS**  
**OPEN SESSION MINUTES**  
**June 9, 2005**

**I. CALL TO ORDER**

The meeting was called to order at 9:30 a.m. by Board Chair Florence Schatten who read the notice of compliance with the Open Public Meetings Act.

**II. ROLL CALL**

Present:

Board Member, Florence Schatten  
Board Member, Barbara Andrews  
Board Member, Edward Reading  
Board Member, Margaret Pipchick  
Board Member, Edward Stroh  
Board Member, James Verser  
Board Member, Ronald K. Walthall

Excused:

Board Member, James Verser  
Board Member, Roland A. Alum  
Board Member, Samira Haddad

Staff Present:

Deputy Attorney General, Mileidy Perez  
Executive Director, Elaine L. DeMars  
Administrative Staff, Celeste Sweeper  
Administrative Staff, Aishah Figueroa

**III. APPROVAL OF PUBLIC MINUTES**

On a motion by Ed Stroh, seconded by Ronald Walthall, the minutes of May 12, 2005 were approved as amended.

**IV. EXECUTIVE DIRECTOR'S REPORT**

Kimberly S. Ricketts, Acting Director, Division of Consumer Affairs

A. The Committee reviewed Ms. Ricketts' letter of introduction and acknowledgment of the public protection efforts of the professional boards.

Email from AMFTRB -Discussion Board

B. AMFTRB provided a reminder informing all delegates and members of licensing boards that the discussion board is currently operational.

NJ Licensed Occupations

C. The New Jersey Licensed Occupations handbook was introduced. It contains listings of occupations that require a license by the State.

## **V. LEGISLATIVE/REGULATORY**

N.J.S.A.45:8B-13, N.J.A.C.13:34-3.4, 3.5 and 4.2

The Board, along with RegulatoryAnalist Daniel Swenson will continue to draft revisions of the regulations based on P.L.2005,c..49.

Senate Bill 2369

"New Jersey Advance Directives for Mental Health Care Act"

The Bill will recognize a patient's right to make voluntary, informed choices to accept, reject, or choose among alternative courses of medical and surgical treatment and specifically for a competent adult to plan ahead for health care decision through the execution of an advance directive for health care, and to have the wishes expressed therein respected .

While the Board found the Bill to of positive intent, the Board voted to oppose the Bill based on the lack of clarification.The Board recommends the following clarifications/amendments:

- 1). The proposal seems to contradict the current system and the responsibility of the courts.
- 2). The bill contains conflicting definitions for attending mental health care professional and mental health care professional. The former is more limited and the latter is more expansive.
- 3). The bill allows for very subjective decision-making criteria.
- 4). The bill does not consider the role of medical professionals. Competency decisions require input sources beyond the patient. It is usually a group of medical and mental health professionals involved with the patient, the patient, etc.
- 5).Specifics are needed as to what is included in "treatable illnesses". It should refer to imminent danger or disability of the patient.
- 6). How will the directive be implemented?

Assembly Bill 4138

This Bill provides immunity for civil liability to volunteer health care professionals providing patient care or treatment at nonprofit free-standing clinics, and also provides immunity to these clinics with respect to the care or treatment provided by the health care professionals.

The Board opposes the Bill as written. Although the intent is good, it is too broad and vague. The Board recommends that the volunteers be licensed, in active and good standing status. The Board also had concerns with:

- 1). The need for a definition of "nonprofit" agency.
- 2). Who is being protected?
- 3). Do the provisions of this bill duplicate the "Good Samaritan" legislation? If so, why duplicate?
- 4). Will clients be coerced to give up their rights?

Senate Bill 2526

Caps non-economic damages in medical malpractice actions arising from emergency care at \$250,000.

Upon review the Board accepted the proposed legislation as informational, taking no position.

## **VI. CREDENTIAL REVIEWS**

On a motion made by Barbara Andrews, seconded by Ron Walthall, the Committe voted to approve the following applications as all licensure requirements have been satisfied.

Elena Brash

Jill Resnick

## **VII. NEXT MEETING**

The next regularly scheduled meeting of the Board will be July 14, 2005, at 9:00 a.m., 124 Halsey Street, Newark, New Jersey.

## **VIII. EXECUTIVE SESSION**

On a motion by Ronald Walthall, seconded by Barbara Andrews, the Board moved to Executive Session at 11:42 a.m. to discuss confidential matters.

## **IX. ADJOURNMENT**

On a motion by Edward Reading, seconded by Ronald Walthall, the meeting adjourned at 1:00 p.m.

Respectfully Submitted,

Elaine L. DeMars  
Executive Director