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STATE OF NEW HAMPSHIRE
BOARD OF MENTAL HEALTH PRACTICE

Mailing Address:

Board of Mental Health Practice
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Fax Number (603) 271-3950
TDD Access: Relay NH 1-800-735-2964
www.nh.gov/mhpb

Hon. Joseph P. Nadeau
Chair
Kim Gretchen Spencer, MSW
Secretary
Dayl H. Hufford, D.Min.
Howard A. Goodman, Ph.D.
Shawn J. Hassell, MS
Kathleen S. Shulman, Ed.D.
Public Member
Jane Power Kilcoyne, Ed.D.
Public Member

September 1, 2013

Her Excellency Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

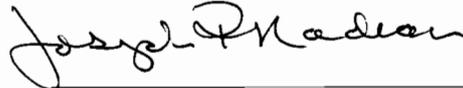
Your Excellency and Members of the Council:

REQUESTED ACTION

Pursuant to RSA 330-A:13, please accept the attached Biennial Report for Fiscal Year 2012 and Fiscal Year 2013 for the Board of Mental Health Practice.

Respectfully submitted,


Peggy Lynch, Administrator
Board of Mental Health Practice


Joseph P. Nadeau, Chairperson
Board of Mental Health Practice

**The Board of
Mental Health Practice**

Governing Board of

Licensed Pastoral Psychotherapists

Licensed Independent Clinical Social Workers

Licensed Clinical Mental Health Counselors

Licensed Marriage and Family Therapists

Licensed Psychologists (until 7/1/2013)

Biennial Report

Fiscal Year 2012 & 2013

September 1, 2013

Pursuant to RSA 330- A:13

BOARD OF MENTAL HEALTH PRACTICE

JOSEPH P. NADEAU, CHAIRPERSON

New Hampshire Governor Margaret W. Hassan



Executive Council

District 1

District 2

District 3

District 4

District 5



**Councilor
Raymond S. Burton**



**Councilor
Colin Van Ostern**



**Councilor
Christopher T. Sununu**



**Councilor
Christopher C. Pappas**



**Councilor
Debora B. Pignatelli**

BOARD OF MENTAL HEALTH PRACTICE

2 CLASSIFIED EMPLOYEES

1 full-time position – Supervisor II

1 full-time position – Program Assistant

0 UNCLASSIFIED EMPLOYEES

0 TEMPORARY EMPLOYEES

NH BOARD OF MENTAL HEALTH PRACTICE

Shawn J. Hassell, MS

Licensed Marriage & Family Therapist

Initial Appointment: 8/24/2011 (partial term)

Term Expires: 10/31/2014

Goodman, Howard A., Ph.D

Licensed Clinical Mental Health Counselor

Initial Appointment: 8/24/2011

Term Expires: 10/31/13

Dayl H. Hufford, D.Min.

Licensed Pastoral Psychotherapist

Initial Appointment: 7/10/2013

Term Expires: 10/31/2015

Jane Power Kilcoyne, Ed.D.

Public Member

Initial Appointment: 3/28/2012

Reappointed: 10/3/2012

Term Expires: 9/27/215

Justice Joseph P. Nadeau (Ret.)

Public Member

Initial Appointment: 7/13/2011

Term Expires: 9/27/2014

Kathleen Skinner Shulman, Ed.D.

Public Member

Initial Appointment 10/31/2011

Term Expires 10/31/2013

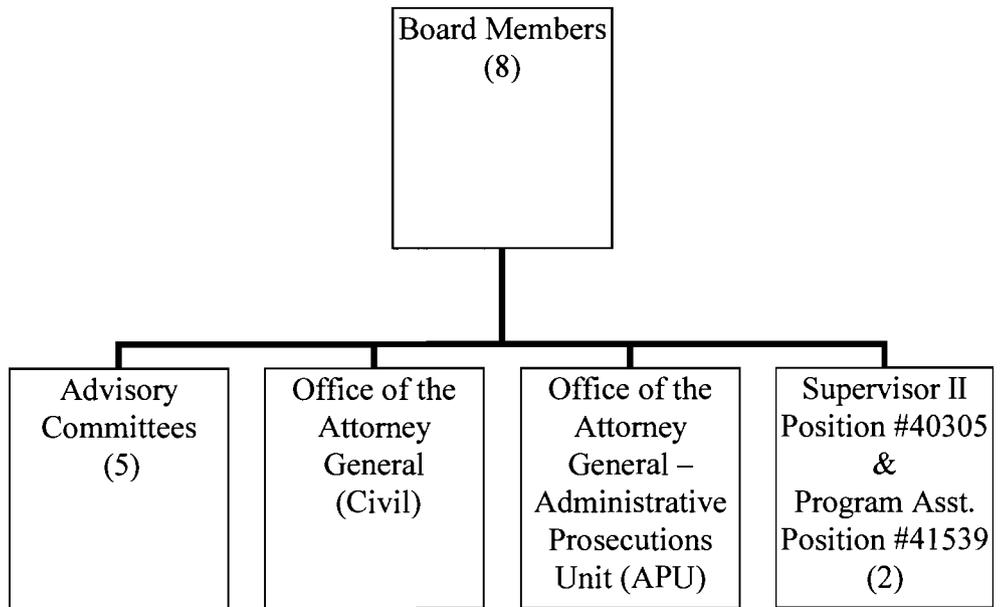
Kim Spencer, MSW

Licensed Independent Clinical Social Worker

Initial Appointment: 12/20/2010

Term Expires: 10/13/2013

**ORGANIZATIONAL CHART – BOARD OF MENTAL HEALTH
PRACTICE**



Biennial Report

Fiscal Year 2012 and 2013

July 1, 2011 to June 30, 2013

RSA 330-A:13

ORGANIZATION:

The Board of Mental Health Practice consists of five mental health professionals and three public members: psychologist, pastoral psychotherapist, independent clinical social worker, clinical mental health counselor, marriage and family therapist and public members as allowed by RSA 330-A.

The Board elects a Chairperson in December to preside over the next year's meetings. The Board shall have authority to issue initial licenses, license renewals, reinstate licenses, investigate licensees, take necessary disciplinary action, report final disciplinary actions to appropriate national databases, take legal action against unauthorized practice, investigate and prepare reports on any matter within its scope of authority under RSA 330-A and the specific Board's practice act, and adopt rules which govern the persons licensed under the Board. The Board shall also establish Advisory Committees and appoint Professional Conduct Investigators.

FUNCTION

The Board of Mental Health Practice is responsible for the protection of the public by:

- a. Collecting all supporting documentation in accordance with the Board rules for the purpose of initial licensure, license renewals, and reinstatement of license;
- b. Issuance of initial licenses, license renewals, and reinstatement of licenses;
- c. Investigating licensees;
- d. Undertaking adjudicatory proceedings and, if necessary, imposing disciplinary action;

- e. Reporting final disciplinary actions to appropriate national databases.
- f. Adopting rules as authorized; and
- g. Carrying out any specific responsibilities set forth in RSA 330-A..

BUDGET AND REVENUE

Please refer to Appendix A

OPERATIONS:

Under RSA 330-A the Board of Mental Health Practice established statutory authority to renew licenses every two years. Psychologist , pastoral counselor, clinical social worker, clinical mental health counselor and marriage and family therapist licenses are valid for a period of 2 years and become invalid on the expiration date unless renewed.

This cycle allows for more predictable revenue, as the renewal numbers for the professions are about equal for each renewal cycle. This cycle also allows for a timelier processing of renewals due to the increasing number of licensees and the limited amount of office staff.

In FY 12 & 13, the Board of Mental Health Practice approved new licenses and renewed applications for license in five professions;

	<u># of new licensees</u>	<u>Total # of licensees</u>
Psychologists:	58	579
Pastoral Psychotherapists	0	25
Clinical Social Workers	126	964
Clinical Mental Health Counselors	143	717
Marriage and Family Therapists	20	101
Totals as of June 30, 2013	347	2386

**LETTERS OF ALLEGED MISCONDUCT, COMPLAINTS AND
DISCIPLINARY ACTIONS**

Letters of Alleged Misconduct reviewed = 45

- 13 - Psychologist
- 0 - Pastoral Psychotherapist
- 14 - Independent Clinical Social Worker
- 16 - Clinical Mental Health Counselor
- 0 - Marriage and Family Therapist
- 2 - Candidate for Licensure: CMHC

Investigations (Letters of alleged misconduct deemed complaints – no preliminary response requested) = 12

- 4 - Psychologist
- 0 - Pastoral Psychotherapist
- 4 - Independent Clinical Social Worker
- 4 - Clinical Mental Health Counselor
- 0 - Marriage and Family Therapist

Investigations (Letters of alleged misconduct deemed complaints after a preliminary response was reviewed) = 7

- 1 - Psychologist
- 0 - Pastoral Psychotherapist
- 2 - Independent Clinical Social Worker
- 4 - Clinical Mental Health Counselor
- 0 - Marriage and Family Therapist

Preliminary response requested and no further action taken = 13

- 5 - Psychologist
- 0 - Pastoral Psychotherapist
- 3 - Independent Clinical Social Worker
- 3 - Clinical Mental Health Counselor
- 0 - Marriage and Family Therapist
- 2 - Candidate for Licensure: CMHC

No basis for action (no preliminary response requested) = 13

- 3 - Psychologist
- 0 - Pastoral Psychotherapist
- 5 - Independent Clinical Social Worker
- 5 - Clinical Mental Health Counselor
- 0 - Marriage and Family Therapist

There were 19 new investigations initiated in FY12 and FY13. The Board took the following actions:

8 no further actions:

- 3 - Psychologist
- 4 - Independent Clinical Social Worker
- 1 - Clinical Mental Health Counselor

9 still in progress:

- 1 - forwarded to Board of Psychology
- 2 - Independent Clinical Social Worker
- 6 - Clinical Mental Health Counselor

2 Disciplinary Actions

Marino, Alexander, Ph.D., Licensed Psychologist
Spiegler, Jeffrey, LCMHC

The Board took 7 following disciplinary actions on investigations started in previous fiscal years (investigation was initiated in **FY10 and *FY11):

- 4 - Independent Clinical Social Worker – *Butler, Jason, MSW; *Gagne, Frances; **Hollick, Patricia, MSW and *Lassins, Paul, MSW
- 3 - Clinical Mental Health Counselor – *Bates, Fred, M.Ed., **Groetzinger, Joanne; **Segal, Richard; *Soukup, Lorraine and Spiegler, Jeffrey.

The Board Investigator, along with Professional Conduct Investigators and the Administrative Prosecutions Unit (“APU”) of the Attorney General’s office investigate and prosecute complaints. The operating budget funds services provided by the Administrative Prosecutions Unit (“APU”) and Professional Conduct Investigators. The Board Investigator is a Board member who is recused from participating in the deliberations conducted by the Board and works directly with the Professional Conduct Investigators and the APU. The Board of Mental Health Practice has developed a strong working relationship with attorneys from the APU and the Civil Bureau. The attorney from the Civil Bureau acts as counsel for the Board and provides legal advice on governing Board related issues. The APU attorneys prosecute all disciplinary hearings before the Board. They also write most

Notice of Hearings and all Settlement Agreements. Board members as well as Professional Conduct Investigators attend the Board training sessions for conducting investigations and hearings provided by the Justice Department whenever possible.

The investigative resources provided to the Board by the Department of Justice, Administrative Prosecutions Unit and Professional Conduct Investigators were valuable to the successful resolutions of investigations. Allegations investigated include quality of care or treatment, record keeping and billing issues, ethics, and substance abuse. There is monetary compensation for these services. The Civil Bureau of the Justice Department provides legal counsel to the Board on various topics. Board staff and Board members attend the yearly Attorney General training.

LEGISLATION:

No Legislation was put forth by the Board of Mental Health Practice this fiscal year.

RULES:

The Board recognizes rule changes are needed due to SB 343 and HB 1508 becoming law. Psychologists will no longer be regulated by the Board of Mental Health Practice as of July 1, 2013 and the Administrative Rules need to be rewritten to reflect change. HB 1508 made changes to some of the Board's investigative processes and will require rule changes. The Board plans to begin rulemaking this fall.

GOALS FOR FY 2014 and FY 2015:

A goal of the Board of Mental Health Practice was to establish online renewals for all five professions. Due to significant budget cuts it was not possible to reach this goal. The Board will continue to keep this as a future goal. By developing and implementing a system by which a licensee could renew their license online this office would significantly reduce the budget established for postage. This system for online renewals would also benefit the licensee. This

benefit would include easier access to the renewal form, reduction in the chance a licensee would submit the form with incomplete information, confirmation the form has been submitted, ability to pay via credit card, and quicker responses via e-mail of incorrect or inaccurate information.

Senate Bill 499 “relative to administration support of certain professional regulatory boards by the Department of Health and Human Services was passed in the 2010 Legislative Session. The bill calls for the Department of Health and Human Services to consolidate some administrative functions of professional regulatory boards, which are overseen by or attached to the department. As a result of this legislation the Board of Mental Health Practice will be moving to the Philbrook Building in November 2013.

End of Report

APPENDIX A

05 HEALTH AND SOCIAL SERVICES
 74 HHS ADMIN ATTACHED BOARDS
 74 HHS: ADMIN ATTACHED BOARDS
 746510 NH BD.OF MENTAL HLTH PRACTICE

	FISCAL YEAR 2012	FISCAL YEAR 2013
010 Personal Services-Perm. Classi	88,464	86,949
020 Current Expenses	7,816	7,816
022 Rents-Leases Other Than State	1	1
026 Organizational Dues	4,000	4,000
027 Transfers To DOI	18,837	8,443
028 Transfers To General Services	1	1
030 Equipment New/Replacement	1	1
039 Telecommunications	1,200	1,200
046 Consultants	1	1
049 Transfer to Other State Agencies	64,069	71,958
050 Personal Service-Temp/Appointe	7,230	4,402
060 Benefits	51,352	54,202
070 In-State Travel Reimbursement	7,585	7,585
080 Out-Of State Travel	1	1
TOTAL	250,558	246,560

Boards and Advisory Committees Financial Summary SFY12-15

	FY2012	FY2013	FY2014	FY2015
	Actual	Adj Auth	House	House
COSMETOLOGY				
TOTAL EXPENSES	360,458	391,037	394,762	394,318
TOTAL REVENUE	559,299	535,000	538,500	543,000
125%	155.16%	136.82%	136.41%	137.71%
DENTAL				
TOTAL EXPENSES	267,564	271,490	298,907	299,901
TOTAL REVENUE	448,237	280,000	438,072	280,000
125%	167.53%	103.13%	146.56%	93.36%
ELECTROLOGY				
TOTAL EXPENSES	335	3,290	2,998	3,055
TOTAL REVENUE	3,133	6,000	3,200	6,000
125%	935.14%	182.37%	106.74%	196.40%
FUNERAL				
TOTAL EXPENSES	19,604	21,490	17,993	14,619
TOTAL REVENUE	39,725	43,000	40,000	40,000
125%	202.64%	200.09%	222.31%	273.62%
MENTAL HEALTH				
TOTAL EXPENSES	217,639	247,917	223,309	226,919
TOTAL REVENUE	234,186	450,000	221,175	349,800
125%	107.60%	181.51%	99.04%	154.15%

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