

MSOTA Minutes
August 19, 2020
Worldwide on Zoom

I) Brief Introductions:

- a. Attending: Katie Donath, Anne Harris, Barbara Monaco, Charmaine Nicholson, Kevin Wyse, Anne DeWolf, Shaye LaMunyan, Chris Quigley, Barb Bottomly, Shawn Abbott, Brenda Erdelyi, Michelle Puerner, Elise Watts, Mathew Wenzel, Jamie Rogers, Jeffrey Scogin, Andy Hudak, Bo Smelko, Christa Smelko,

II) Reading of minutes

- a. Minutes were not available

III) Officer reports

a. President Chris Q

i. Reviewed agenda items

- 1. Discussion of Law and Justice Interim Committee progress on Draft bills
- 2. How are Clinicians coping with COVID and their practice?
- 3. The resignation of the Worden at MSP and the implications for treatment protocols
- 4. Spring 2021 Meeting????
- 5. Training for members

b. Vice President

c. Treasurer

- i. Kevin is working to get into the bank to sign the papers needed to take over the MSOTA checking account. Technically I am still it. I will not make the meeting today.
- ii. There are 6 clinical members who have not paid their dues and 5 associate members. I will be passing on all records to Kevin.
- iii. The current balance as of **08/17/2020 is \$17,827.97**. All monies were refunded for the training that did not happen.

d. Secretary

- i. Anne will be working to improve the accuracy of the MSOTA web page, especially the Membership Directory to include Associate and Board Members.

IV) Law and Justice Interim Committee

a. SORNA encouragement from legislators to adopt the Federal SORNA guidelines

- i. Does not take level of dangerousness into consideration for Tiers
- ii. Research analyst for the L&JIC did a search of all mention of MSOTA in MT statutes
- iii. Two bills were yielded
 - 1. A SO management board under DOC (Sen Kelker)
 - 2. An SO licensure administered by the Dept. of Labor Behavioral Health Board
 - 3. Following the announcement at our October 2019 MSOTA Meeting in

MSOTA Minutes
August 19, 2020
Worldwide on Zoom

4. Butte, that the US Dept of Justice was launching a concerted effort to convince the State of Montana, with the help of the Montana Dept of Justice, to adopt Federal SORNA SO registration guidelines, Chris began regularly attending all LJIC Meetings. Along with Andy, he attended two in person meetings and three on Zoom.
5. During the most recent legislative session, the statutory language requiring that Psychosexual Evaluations be conducted by MSOTA members was struck from MCA, during changes to a Dept of Corrections spending bill.
6. Since then, Andy had been working with a member of the LJIC to sponsor a bill that would reinsert the MSOTA language, and felt the MSOTA language would be reinserted. Andy and I both appealed to the entire LJIC to do that. The committee requested that Rachel Weiss, the Committee's Research Analyst, perform a deep dive into statute history, which she did. Her research discovered a garbled history of MSOTA being mentioned in several statutes over a 25 year period, and that something should be done to rectify this problem.
7. In the LJIC private, (but observable to the public) work meetings, it became clear that none of the committee members thought that the name of a professional association (MSOTA) belonged in MCA language, and that there should be another means for achieving a similar objective (that only experts in Sex Offenders perform SO Evals). During the most recent live LJIC Meeting, there were two proposed, and quickly decided upon choices, written in separate Draft Bills by two different committee members.
8. **Choice #1)** A Bill stating that "within the Dept of Corrections, a Sex Offender Management Board will be established." The cliff notes are that this board would decide who is qualified to perform SO Evals and treatment, what curriculum is to be used by DOC *and* community treatment providers, and DOC's SO Management Board would settle all professional complaints of SO Providers, (there was more, but these are the highlights)
9. **Choice #2)** A Bill stating that "the Board of Behavioral Health, under the Montana State Dept of Labor and Industry (the same Board that issues Licensed Addictions Counselors, LAC, Licenses), will establish a license for Sex Offender Specialist". This Draft Bill also included extensive language detailing the design, and credentialing requirements of that license.
10. It was apparent that the committee was absolutely going to adopt one of these two choices. Andy worked hard behind the scene to encourage the Choice #2 Bill Sponsor, to gently convince the Choice #1 Bill Sponsor, that DOC is not the agency that should be managing a large group of Private Practice Health Care Providers
11. It then quickly became apparent, again during the live meeting, that the Sponsor of Choice #1, (for the DOC, Sex Offender Management Board), was willing to support, and develop the Draft for Choice

MSOTA Minutes
August 19, 2020
Worldwide on Zoom

#2., Representative Kathy Kelker (R), for a D of L&I, SO Specialist License.

12. Since this was happening in real time, Chris saw an opportunity to show some support, with the caveat that the statue itself should not attempt to legislate credentialing requirements, rather, that the Bill language should simply state that the "Board of Behavioral Health will work together with a panel of current Montana Certified Sex Offender Experts, to establish licensing and credentialing requirements for a "Licensed Sex Offender Specialist". The model would hopefully be simple, and similar the "Licensed Addictions Counselor" program, and that the Board of Behavioral Health would largely adopt our current MSOTA Membership, certification standards.
 13. Soon after, Chris was contacted by phone and email by Rep. Kelker (R), and she very graciously requested that I help her draft the "Draft", for this State Licensing idea. Chris believes that ideally, that if this Bill is eventually made into law, that a group of MSOTA Members can eventually be tasked with helping the Board with this Licensed SO Specialist development.
 14. Rep. Kelker made it clear that this is anything but a "done deal" and that there will be push back for the Dept. of Labor and Industry, during the different voting stages of the legislative process. D of L&I have been sued several times for their involvement in everything from Massage Therapists to Hunting Guides. You can imagine their lack of enthusiasm about licensing folks that work with sex offenders.
 15. Here's the thing, if this effort fails, I have no doubt that the Sponsor of Choice #1, (also, Rep. Kelker, R) will fall back on it as the only choice (a DOC run Sex Offender Management Board).
 16. Simply put, several members of the LJIC are very determined that Montana's sex offender experts, be no longer self-certifying, it's that simple.
- V) Committee Meetings/Reports Committees did breakout for a brief time to test out the breakout capacities of Zoom.
- a. Ethics No Report, no known complaints at this time
 - b. Education/Public Affairs No Report
 - c. Legislative Met as committee of the whole, see above
 - d. Membership No report
 - e. Standards No report
- VI) Old Business
- a. Thanks to Brenda and Bob for their guidance of MSOTA during their tenures
- VII) New Business
- a. Focus on the ILJC see above

MSOTA Minutes
August 19, 2020
Worldwide on Zoom

- b. How are MSOTA members coping with COVID and their SO treatment practices.
 - i. Most have adapted using outdoor or other socially distanced group and/or zoom type 1-1 and groups
- c. Future meetings and Spring Meeting training
 - i. Board Member Barbara Monaco suggested that promoting best practice training is essential to maintain interest in MSOTA meetings for non-MSOTA members.

VIII) Next meeting time and location

- a. Setting Agenda for Fall meeting, Monday, October 19th at 9 AM on Zoom
- b. Zoom Meeting Link
<https://us02web.zoom.us/j/5724617839?pwd=dGtldGlmL04xT0xNTWJtbG4xNVh6QT09>
- c. Zoom Meeting ID: 572 461 7839 Passcode: Sirah

IX) Adjournment 2:30