

MINUTES
BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD
January 24, 2011

I. CALL TO ORDER AND ESTABLISH QUORUM

Kimble Richardson called the meeting to order at 9:03 a.m. in Room W064, 402 West Washington Street, Indianapolis, Indiana and declared a quorum, in accordance with IC § 25-23.6-2.

Members Present:

Kimble Richardson, M.S., L.M.H.C., L.C.S.W., L.M.F.T., Board President
George Brenner, L.C.S.W., L.M.F.T., L.C.A.C., Board Vice President
Andrew Harner, M.S.W., L.C.S.W., Social Work Section Chair
Rex Stockton, Ed.D., L.M.H.C., L.C.S.W., L.M.F.T., Psychologist
Michael Aemmer, M.A., L.S.W., L.M.F.T., Section Chair
Geneva Osawe, M.S.W., L.M.F.T., L.C.S.W., M.F.T,
Carla Gaff-Clark, Ed.D., L.M.H.C., CADAC-IV, L.C.A.C., Section Chair
Ruth Hallett, Consumer Member

Members Absent:

Vacant, Social Work Member
Vacant, Consumer Member
Vacant, Psychiatrist Member

Staff Present:

Valerie L. Jones, Board Director
Ronnie C. Saunders III, Assistant Board Director
Donna Sembroski, Legal Counsel, Office of the Attorney General

II. ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda, as amended.

HARNER/BRENNER
Motion carried 7-0-0

III. APPROVAL OF MINUTES FROM NOVEMBER 22, 2010

A motion was made and seconded to approve the minutes of the November 22, 2010 meeting of the Board, as amended.

STOCKTON/HALLETT
Motion carried 7-0-0

IV. ADMINISTRATIVE HEARING

A. In the Matter of Lindsay R. Egan

Administrative Cause No. 2010 BHSB 015
Re: Appeal of Application Denial

Parties and Counsel Present:

Lindsay R. Egan, Respondent

Participating Board Members:

Mr. Richardson (Hearing Officer)
Mr. Harner
Mr. Brenner
Ms. Gaff-Clark
Ms. Hallett
Mr. Aemmer
Dr. Stockton

Case Summary: Ms. Egan appealed the denial of her social work licensure application. Ms. Egan's application was denied as a result of her failure to pass the ASWB master level examination which is required for licensure as a social worker in the State of Indiana.

Ms. Egan appeared before the Board without counsel and waived her right to counsel. Ms. Egan requested that her application be approved despite her failure to pass the exam.

Ms. Egan testified that she is unable to afford to re-take the exam for the third time.

The Board questioned Ms. Egan about the barriers she has faced with the exam. Ms. Egan informed the Board that some of the questions on the exam have multiple right answers.

The Board questioned Ms. Egan about her possible anxiety issues and explained the legal ramifications of waiving the exam requirements.

Board Action: After review and discussion, a motion was made and seconded to deny Ms. Egan's appeal of her application denial

HARNER/HALLETT
Motion carried 7-0-0

V. EXAM ATTEMPT LEGAL ISSUES DISCUSSION - DONNA SEMBROSKI

Ms. Sembroski discussed the legal issues involved with possibly limiting the number of attempts for exam candidates. Ms. Sembroski discussed the current rules and the possibility of amending the rules.

Dr. Stockton stated that he was opposed to limiting the number of exam attempts.

Ms. Sembroski further stated that the Board can require individuals who fail the ASWB clinical exam for licensure as a LCSW to become licensed as a LSW prior to being allowed to re-take the clinical exam.

VI. PERSONAL APPEARANCES

A. Dr. Barbara Riggs, IAMFT Immediate Past President

Dr. Riggs appeared before the Board to express concerns with the marriage and family therapy representation on the Board and timely review of applications. The Board informed Ms. Riggs of a new procedure put in place to ensure all candidate applications will be reviewed in a timely manner.

B. Scarlet Cramer, LMFTA

Re: MFT Approval Concerns

Ms. Cramer appeared before the Board to express concerns with her marriage and family therapy associate licensure application.

The application was tabled for further review by the marriage and family therapy section.

C. Neelu Chawla, LMFT Applicant

Ms. Chawla failed to appear before the Board as requested. The Board tabled Ms. Chawla's application until the next available board meeting.

D. Grace Wangechi Kimburi, LCSW Applicant

Re: Exam Attempts

Ms. Kimburi failed to appear before the Board as requested. The Board tabled Ms. Kimburi's application until the next available board meeting.

E. Suzanne Jean Bonaventura, LCSW Applicant

Re: Exam Attempts

Ms. Bonaventura appeared before the board after failing to pass the ASWB clinical exam five (5) times.

Ms. Bonaventura is licensed as a LSW and passed the required ASWB master level exam on her first attempt. Ms. Bonaventura currently owns her own agency and works in private practice.

Ms. Bonaventura stated that she believes that she is close and will pass the test soon. The Board reviewed her application and discussed areas where she has shown a weakness.

After discussion, a motion was made and seconded to approve Ms. Bonaventura's repeat exam application to sit for the ASWB clinical exam.

HARNER/STOCKTON
Motion carried 7-0-0

F. Cheryl Ann Bukowski, LCSW Applicant

Re: Exam Attempts

Ms. Bukowski appeared before the board after failing to pass the ASWB clinical exam three (3) times.

Ms. Bukowski informed the board that she was ill for two (2) years and took her first exam during her illness. She took her second and third attempts while she was sick and recovering.

Ms. Bukowski currently works as case manager at Life Springs. Ms. Bukowski holds an expired LSW.

After discussion, a motion was made and seconded to approve Ms. Bukowski's repeat exam application to sit for the ASWB clinical exam.

HARNER/AEMMER
Motion carried 7-0-0

G. Tanika D. Forestal, LMFT Applicant

Re: Exam Attempts

Ms. Forestal appeared before the Board to discuss her failure to pass the AAMFT marriage and family therapy exam. Ms. Forestal has failed the exam three (3) times.

Ms. Forestal explained that she was not prepared to take the exam for her first attempt. She studied for her second and third attempts and has seen a significant increase in her scores after each exam attempt. Ms. Forestal informed the Board that she has ordered some additional study guides and information. In addition, she stated that she has quit her job in order to study, and is focused solely on passing the exam and earning her license to practice marriage and family therapy.

After discussion, a motion was made and seconded to approve Ms. Forestal's repeat exam application to sit for the AAMFT marriage and family therapy exam.

AEMMER/BRENNER
Motion carried 7-0-0

H. Joy Diane Burris, LCSW Applicant

Re: Exam Attempts

Ms. Burris appeared before the Board to discuss the reasons she has failed to pass the ASWB clinical exam. Ms. Burris has failed the exam three (3) times.

Ms. Burris informed the Board that she was unprepared for her first two attempts at the exam.

Ms. Burris is currently employed in a residential placement facility as a therapist. Ms. Burris is not currently licensed as a LSW.

The Board questioned Ms. Burris about the possibility of sitting for the LSW examination. Ms. Burris stated that she does have plans to take a study course.

After discussion, a motion was made and seconded to approve Ms. Burris' repeat application to sit for the ASWB clinical exam.

HARNER/HALLETT
Motion carried 8-0-0

I. Daun Michelle Bieda, License #39001364A

Re: License Reinstatement

Ms. Bieda appeared before the Board to discuss the reasons she allowed her license to expire. Ms. Bieda's license has been expired since April 1, 2002.

Since allowing her license to expire, Ms. Bieda has been a regional director for a company that opens methadone treatment centers. Ms. Bieda is currently working as therapist without a valid license.

Ms. Bieda stated she originally allowed her license to lapse due to family issues.

After discussion, a motion was made and seconded to reinstate Ms. Bieda's mental health counselor license on probation with the following terms and conditions:

1. Ms. Bieda must take and pass the NCMHCE examination within 6 months from the date of the Order.
2. Ms. Bieda must take and pass the jurisprudence exam within 6 months from the date of the Order.

BRENNER/HARNER
Motion carried 8-0-0

J. Dominic Francis Letizia, LCAC Applicant

Re: Positive Response

Mr. Letizia appeared before the Board to discuss the positive response on his initial application for licensure as a clinical addiction counselor. Mr. Letizia answered "yes" to the following questions:

"Are you now being, or have you ever been treated for drug or alcohol abuse?"

"Have you ever been convicted of, pled guilty or *nolo contendere* to any offense, misdemeanor or felony in any state?"

Mr. Letizia informed the Board that he was arrested for an OWI after leaving a party. The conviction was changed to a misdemeanor after he completed his probation terms.

Mr. Letizia was arrested a second time for an OWI after being pulled over as a result of fireworks being thrown out of his car. He was convicted of a misdemeanor OWI because his first arrest was downgraded to reckless driving.

Mr. Letizia was assessed on both occasions for alcohol dependency. Mr. Letizia further stated that he has not abstained from alcohol but drinks limited amounts on rare occasions.

Mr. Letizia is currently in his second year of his doctoral program at the University of Indianapolis.

Mr. Letizia discussed his past behaviors and plans for his future employment

A motion was made and seconded to approve Mr. Letizia's application for licensure as a clinical addition counselor.

GAFT-CLARK/BRENNER
Motion carried 8-0-0

K. Susan D. Myers, LCAC Applicant

Re: Initial Application Review

Ms. Myers appeared before the Board to explain the reasons she failed to check "yes" to the following question:

"Are you now being, or have you ever been treated for drug or alcohol abuse?"

Ms. Myers stated that she has never been in a treatment program however she admitted to being involved with AA. The Board members stated that AA is not a treatment program and that she answered the application truthfully.

Ms. Myers is a therapist with the VA. Ms. Myers also holds licenses as a nurse and clinical social worker.

A motion was made and seconded to approve Ms. Myers' LCAC application.

BRENNER/HARNER
Motion carried 8-0-0

L. Don L. Degner, LCAC Applicant

Re: Initial Application Review

Mr. Degner appeared before the Board to discuss the validity of his master's degree taken at LaSalle University. Mr. Degner was unable to produce his original transcripts for his clinical addiction counselor licensure application.

Mr. Degner discussed the coursework taken in his university program. Mr. Degner stated the courses lasted for a semester and he wrote papers and took exams.

After questioning Mr. Degner about his experience, the Board determined that Mr. Degner could apply for the LCAC under option 3 which requires a bachelor's degree and twenty (20) years of experience. Mr. Degner received his bachelor's degree from Syracuse University.

Mr. Degner further stated that he should have checked "yes" on his application to the following question:

"Are you now being, or have you ever been treated for drug or alcohol abuse?"

Mr. Degner stated that it was an oversight on his part and stated that he has been clean and sober since 1992.

A motion was made and seconded to allow Mr. Degner to correct the record by applying for the LCAC under option 3 and submit official bachelor degree transcripts from Syracuse University as well as submit a written statement addressing his addiction treatment and correct his response on his application.

BRENNER/GAFT-CLARK
Motion carried 8-0-0

A motion was made and seconded to file a complaint with the Office of the Attorney General to determine the validity of his master's degree from LaSalle University that was used to obtain his licensure as a mental health counselor.

HARNER/GAFT-CLARK
Motion carried 7-1-0

Dr. Stockton voted no.

VII. OLD/NEW BUSINESS

A. Reinstatement for Licenses Expired for Three-Plus Years

1. Jean Marie Dwyer, License # 34004387A

The Board reviewed documentation from Ms. Dwyer regarding her request to renew her expired license to practice clinical social work. Ms. Dwyer's license has been expired since April 1, 2004. Ms. Dwyer submitted documentation of having completed 40 hours of CEUs within the previous 24 months, which is necessary for the renewal of licenses expired for longer than three (3) years.

A motion was made and seconded to reinstate.

HARNER/HALLETT
Motion carried 8-0-0

2. Susan Carole Jameson, License # 34004482A

The Board reviewed documentation from Ms. Jameson regarding her request to renew her expired license to practice clinical social work. Ms. Jameson's license has been expired since April 1, 2006. Ms. Jameson submitted documentation of having completed 40 hours of CEUs within the previous 24 months, which is necessary for the renewal of licenses expired for longer than three (3) years.

A motion was made and seconded to request additional information from Ms. Jameson regarding her activities since allowing her license to expire.

HARNER/STOCKTON
Motion carried 8-0-0

3. Russel Timothy Harvey, License #34003906A

The Board reviewed documentation from Mr. Harvey regarding his request to renew his expired license to practice clinical social work. Mr. Harvey's license has been expired since April 1, 2006. Mr. Harvey submitted documentation of having completed 40 hours of CEUs within the previous 24 months, which is necessary for the renewal of licenses expired for longer than three (3) years.

A motion was made and seconded to reinstate Mr. Harvey's expired license to practice clinical social work.

HARNER/STOCKTON

Motion carried 8-0-0

4. Marvel Lynnette Bramwell, License #34003520A

The Board reviewed documentation from Ms. Bramwell regarding her request to renew her expired license to practice clinical social work. Ms. Bramwell's license has been expired since April 1, 2006. Ms. Bramwell submitted documentation of having completed 40 hours of CEUs within the previous 24 months, which is necessary for the renewal of licenses expired for longer than three (3) years.

A motion was made and seconded to request additional information from Ms. Bramwell regarding her activities since allowing her license to lapse.

HARNER/HALLETT
Motion carried 8-0-0

5. Meredith Lynn Miller, License #34004526A

The Board reviewed documentation from Ms. Miller regarding her request to renew her expired license to practice clinical social work. Ms. Miller's license has been expired since April 1, 2006. Ms. Miller submitted documentation of having completed 40 hours of CEUs within the previous 24 months, which is necessary for the renewal of licenses expired for longer than three (3) years.

A motion was made and seconded to request additional information from Ms. Miller regarding her activities since allowing her license to lapse.

HARNER/HALLETT
Motion carried 8-0-0

B. Upcoming Rule Discussion

Director Jones informed the Board of the upcoming rules needed for addiction counselors, clinical addiction counselors, and licensed mental health counselor associates.

The Board discussed the need to establish a timeline for applicants seeking their LMHC that would allow them to continue working in the field until the LMHCA application and rules are complete.

After discussion, a motion was made and seconded to allow candidates graduating on or before July 1, 2012 to apply for licensure as a mental health counselors under the current licensure requirements.

RICHARDSON/STOCKTON
Motion carried 8-0-0

VIII. CE SPONSOR APPLICATION REVIEW

- A. A motion was made and seconded to approve the continuing education sponsor application of Behavioral Health and Gallahue Mental Health Services – Community Health Network.

HALLETT/GAFT-CLARK
Motion carried 8-0-0

IX. FORMAL ADOPTION OF APPLICATION REVIEW

A motion was made and seconded to approve the recommendations made by each section of the Board for the licensure application reviews conducted from 8:00 a.m. to 9:00 a.m., and at any other time since the previous board meeting.

HALLETT/RICHARDSON
Motion carried 6-0-0

X. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 2:08 p.m.

**Kimble Richardson, M.S., L.M.H.C., L.C.S.W., L.M.F.T., Board President
Behavioral Health and Human Services Licensing Board**