

BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD

MINUTES

JANUARY 24, 2022

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Mr. Richardson called the meeting to order at 8:03 a.m. through virtual video and audio conferencing and declared a quorum.

Board Members Present:

Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC, Board Chair
Stephan Viehweg, MSW, LCSW
Andrew Harner, MSW, LCSW, Board Chair, SW Section Chair, Board Designee
Kelley Gardner, LMFT (out at 11:00 a.m.)
Jon Ferguson, LMFT
C. Martin Justice, LMHC
Dr. Dianna Cooper-Bolinsky, LCAC (in at 9:15 a.m.)
Jacqueline Eitel, RN, Consumer Member

Board Members Not Present:

Elizabeth Cunningham, D.O., Psychiatric Physician Member
Dr. Dianna Cooper-Bolinsky, LCAC (out at 12:00 p.m.)
Kelley Gardner, LMFT (out at 11:00 a.m.)

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Dana Brooks, Assistant Board Director, Professional Licensing Agency
Adam Harvey, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF AGENDA

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

Harner/Eitel
Motion carried 7-0-0

III. APPROVAL OF MINUTES

There were no minutes for review

IV. PERSONAL APPEARANCES

A. Probation

1. **David Moore, LCSW, License No. 34007612A**
Cause No. 2016 BHSB 0015

Mr. Moore appeared to discuss his ongoing probation. He is currently residing in Michigan and volunteering at Ryan's Place. He is coordinating to obtain a clinical supervisor and is trying to obtain quality work so he can request to remove his probation. He is participating in personal

counseling and balancing co-parenting with his ex-wife. He attends two different men's groups for support and maintains a self-care routine. His next appearance is scheduled for April 28, 2022.

2. **Delilah Spriggs, LSW, License No. 33010032A**
Cause No. 2020 BHSB 0027

Ms. Spriggs appeared as requested to discuss her ongoing probation. She is currently working at the Parkview Behavioral Health Institute in the crisis clinic. She is supervised by Carolyn Brown. She stated she and her supervisor go over case management and talk about traumas. She submitted a copy of her substance abuse evaluation for the Board. The Board stated that the evaluation is incomplete and what she has submitted is a report from an associate counselor, not a clinical level counselor. She informed the Board that she is currently working on her self-care routine. Ms. Spriggs stated that she is trying not to take work home. The Board asked if her criminal matters have been resolved. Ms. Spriggs stated they have, and she will try to obtain documentation that shows the resolution. The Board requested to have Ms. Spriggs appear in February so she can provide the documentation of the completion of her criminal matters, and an evaluation performed by a clinical provider.

3. **Ashley White Johnson, LSW, License No. 33010396A**
Cause No. 2021 BHSB 0013

Ms. White Johnson appeared as requested with her counsel Austin Andreas to discuss her ongoing probation. She is currently doing contract work through Indiana University Health. She is supervised by Petina Uspah, LCSW. The Board asked about the status of her criminal probation. She stated that her probation officer informed her she was complete, and she can obtain documentation to show it is resolved. She stated that she is still receiving therapy, and that she saw a separate addiction focused therapist. Ms. White Johnson stated that the addictions therapist discharged her after eight (8) sessions and stated she can continue her regular therapy sessions. Ms. White Johnson expressed her frustration with the licensing and probation process.

B. Reinstatement

1. **Roy Thomas, LCSW, License No. 340004378A**

Mr. Thomas appeared as requested to discuss the reinstatement of his license that expired in 2016. Mr. Thomas stated that he has been working in the state of Mississippi as an LCSW since his license expired in Indiana. He provided copies of 41 hours of continuing education that he completed and a statement for the Board to review. It was noted that he currently has taken his ASWB clinical exam, and that his intention is to provide EMDR psychotherapy in Indiana.

Board Action: A motion was made and seconded to reinstate Mr. Thomas' clinical social work license pending the passing of the jurisprudence examination.

Harner/Viehweg
Motion carried 7-0-0

2. **Lena Goffinet, LSW, License No. 33006948A3**

Ms. Goffinet appeared as requested to discuss the reinstatement of her license that expired in 2018. She informed the Board that she has not been in the social work field since the expiration of her license. She had primarily been working in the business field. Ms. Goffinet submitted copies of 41 hours of continuing education that she completed and a statement for the Board to review.

Board Action: A motion was made and seconded to reinstate Ms. Goffinet’s license pending the passing of the jurisprudence examination.

Harner/Viehweg
Motion carried 7-0-0

C. Application

1. Ha’Gee Blakey (LBSW)

Ms. Blakey appeared as requested to discuss why she did not disclose her background. She submitted a statement and supporting documents for the Board to review. She stated that her incident occurred in 2019, and she thought that the charges were dropped and would not be on her background. She was not required to complete any criminal probation, and it was not her intention to mislead the Board. Ms. Blakey is a 2021 graduate of Martin University.

Board Action: A motion was made and was seconded to approve Ms. Blakey application for the e ASWB Bachelors examination.

Harner/Viehweg
Motion carried 7-0-0

2. Ashley Broughton (LSW)

Ms. Broughton appeared as requested to discuss why she did not disclose her background. She submitted a statement and supporting documents for the Board to review. She stated that she had two incidents around 2012. Ms. Broughton stated that since the incidents occurred over ten (10) years ago during her undergraduate time it would not be on her record. She stated that she is a different person now, than what she was during that time period. Ms. Broughton is a 2019 graduate of Indiana University Purdue University.

Board Action: A motion was made and seconded to approve Ms. Broughton’s application to take the ASWB Masters examination.

Harner/Viehweg
Motion carried
7-0-0

3. Rebekah Burgette (LMHC)

Ms. Burgette did not appear.

4. Carissa Goff (LCACA)

Ms. Goff appeared as requested to discuss her yes response to the questions “Do you have any condition or impairment (including a history of alcohol or substance abuse) that currently interferes, or if left untreated may interfere. with your ability to practice in a competent and professional manner?” and question number four “Except for minor

violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?” She submitted a statement and supporting documents for the Board to review. Ms. Goff stated that there have been no other charges against her since 2017 and she has remained sober since 2018. She has been employed at Integrative Wellness since 2020 where she was hired after she completed her internship. She is under the supervision of Jessie Lockmoney. She maintains her sobriety by being around recovering addicts who motivate her. She also attends AA meetings, spends time with her family, and is currently remodeling her house. She is currently looking for a new therapist that will accept her insurance. The Board noted that she has met the educational requirements. Ms. Goff is a 2021 graduate of Indiana Wesleyan University.

Board Action: A motion was made and seconded to approve Ms. Goff’s application to take the MAC examination.

Cooper-Bolinsky/Justice
Motion carried 8-0-0

5. **Victor Jones (LCACA)**

Mr. Jones appeared as requested to discuss his yes response to “Except for minor violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?” Mr. Jones submitted a statement and supporting documents for his incident in 2013. He informed the Board that his charge of an OWI was reduced to reckless driving. He stated that he has maintained his sobriety since 2012, and that the incident is the only one on his record. He stated that his prerogative is to be part of the solution, and that the arrest allows him to give more considerations for his clients. His self-care routine includes reading his Bible, exercising, family, and staying away from negative people. He has been working as a therapist for the past two years. He is a 2020 graduate of Liberty University and that while he had the title of therapist, his duties were limited as he did not have a license.

Board Action: A motion was made and seconded to approve Mr. Jones’s application to take the MAC examination.

Cooper-Bolinsky/Justice
Motion carried 7-0-1 (Eitel abstained.)

6. **Nancy Laurita (LSW)**

Ms. Laurita appeared as requested to discuss her yes response to “Except for minor violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?” She submitted a statement and supporting documents for the Board to review. She informed the Board that she had a number of incidents due to her substance abuse addiction. She stated that she wishes she did not have these experiences and would like to help her clients as she can relate to them because of her own past. She informed the Board that she is not proud of her “street cred.” Ms. Laurita stated that her self-care routine is drawing, painting art, listening to music, cooking, and tennis. She stated that she is currently not under supervision, as her previous supervisor wanted her to falsify documents. She is unemployed and will look for new employment once her license has been issued. The Board encouraged her to find a good employer and supervisor once her license has been issued. Ms. Laurita is a 2020 graduate of the University of Southern California.

Board Review: A motion was made and seconded to approve Ms. Laurita’s application for her ASWB Master examination.

Harner/Viehweg
Motion carried 8-0-0

7. **Jose Negrete (LSW)**

Mr. Negrete appeared as requested to discuss why he did not disclose his background. He submitted a statement and supporting documents for the Board to review. Mr. Negrete stated that he had an OWI in 2019 and thought that as soon as he completed the probation that the charge was no longer on his record. He informed the Board that in 2019 he submitted an application, but he did not complete that application process. He stated that the reason his application was not completed was due to the pandemic and a lot of personal challenges. The Board encouraged him to find a good employer and supervisor once his license has been issued. Mr. Negrete is a 2020 graduate of Indiana University Northwest.

Board Review: A motion was made and seconded to approve Mr. Negrete’s application for his ASWB Master examination.

Harner/Viehweg
Motion carried 8-0-0

8. **Robert Riddle (LCSW)**

Mr. Riddle appeared as requested to discuss why he did not disclose his background. He submitted a statement and supporting documents for the Board to review. He stated that he

was discharged from the military service in 2010 and suffers from PTSD and depression. He felt discriminated as he was not arrested for controlled substances. He stated that he was approached by a plain clothed officer and questioned. He stated that at the time he was self-medicating to address his PTSD. Mr. Riddle stated that no due process occurred for the incident, and he was unaware it was on his background. He holds an addiction license in the state of Ohio with no discipline and has only had one complaint filed against him that was investigated and dismissed. The Board clarified that they are not judging his past, but they are gathering information to ensure protection of the public.

Board Action: A motion was made and seconded to approve Mr. Riddle's application pending for licensure by reciprocity pending the passing of the jurisprudence examination.

Harner/Viehweg
Motion carried 8-0-0

9. **Patricia Ringle (LMHCA)**

Ms. Ringle appeared as requested to discuss why she did not disclose her background. She submitted a statement and supporting documents for the Board to review. She stated that she had an incident in 2007 and did not realize that it would be on her background as the case was dismissed. She stated that her past will not impact her interactions with her clients. The Board noted that her education will need to be modified to show how she meets requirements. The Board stated that the Helping Relationships criteria will be covered by her courses 503 and 504, and Knowledge and Skills criteria can be covered by 632 and 618.

Board Action: A motion was made and seconded to approve Ms. Ringle's application to take the NBCC NCE examination.

Richardson/Justice
Motion carried 7-0-0 (Gardner not present.)

10. **LaWana Westmoreland (LCSW)**

Ms. Westmoreland appeared as requested to discuss her request for approval to take the ASWB Clinical examination for the fourth time. Ms. Westmoreland graduated from Cleveland State University with her Master of Social Work in 2004. She last took the clinical examination in 2011. The Board expressed concerns as it has been many years since she last took the examination, and she does not currently hold an LSW license in the State. Ms. Westmoreland stated that she has gone through many personal challenges to prepare herself to take the examination. She has attended counseling and is in AA to maintain her own mental health. The Board stated that if put to a vote they cannot approve her for a fourth attempt, but she can request a change to the LSW license. Ms. Westmoreland stated she will pursue the LSW path. Application was tabled.

11. **Jessica Whitesell (LSW)**

Ms. Whitesell appeared as requested to discuss her yes response to the question “Except for minor violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?” Ms. Whitesell submitted a statement and supporting documents for the Board to review. Ms. Whitesell previously appeared before the Board in November 2021 where she informed the Board that she was currently on criminal probation for her charge of operating a vehicle while intoxicated. The Board approved her take her examination but requested that she appear once her probation was completed. Ms. Whitesell submitted a copy of the probation completion notice from the courts. She stated that her incident allowed her to become more empathetic with her clients, and she learned a lot from what occurred.

Board Action: A motion was made and seconded to approve Ms. Whitesell’s application to take the ASWB Master exam.

Harner/Viehweg
Motion carried 7-0-0 (Gardner not present.)

V. ADMINISTRATIVE HEARINGS

A. Jennifer Fageol, L.S.W., License No. 33009809A

Cause No. 2021 BHSB 0033

Re: Administrative Complaint and Proposed Settlement Agreement

Parties Present:

Respondent was present with counsel Rori Goldman
Amy Osborne, Deputy Attorney General, Office of the Attorney General
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)
Stephan Viehweg, LCSW
Andrew Harner, LCSW
Kelley Gardner, LMFT
Jacqueline Eitel, RN, Consumer Member
Jon Ferguson, LMFT
C. Martin Justice, LMHC
Dr. Dianna Cooper-Bolinsky, LCAC

Case Summary: On or about December 16, 2021, an Administrative Complaint was filed against Ms. Fageol with allegations that she engaged in sexual relations with a client, that she failed to keep abreast of current professional practices, and that she

exploited her relationship with her client to their detriment. A Proposed Settlement Agreement was presented to the Board with the following terms:

- Both parties voluntarily waive their rights to a public hearing on the Complaint, and all other proceedings in this action to which either party may be entitled by law, including judicial review
- Ms. Fageol agrees to the terms of the Proposed Settlement Agreement, and that the Agreement will resolve any an all-outstanding claims or allegations relating to disciplinary action against Ms. Fageol’s license regarding the Complaint.
- Ms. Fageol license shall be placed on Indefinite Suspension for no less than one (1) year from the date of the final order.
- Prior to her request to petition for reinstatement of her Suspended license, Ms. Fageol agrees to complete the following:
 - Obtain a fitness for duty evaluation from a licensed HSPP. This HSPP may not be an acquaintance of Ms. Fageol. The evaluation shall include, but not be limited to, whether Ms. Fageol retains any deficiencies in understanding what constitutes a professional relationship, and whether she has any mental health issues.
 - The HSPP shall submit a copy of the fitness for duty with a copy of the Final Order that is signed by the HSPP provider.
 - The fitness for duty evaluation must be complete no more than ninety (90) days prior to the request to come off Suspension.
- Upon reinstatement off the Suspended status, the Board will determine if Ms. Fageol’s license shall be placed on Probation with any other restrictions as determined by the Board, and/or recommendations per the results of the fitness for duty evaluation.
- Ms. Fageol must pay a \$5.00 fee to be deposited into the Health Records and Person Identifying Information Protection Trust Fund.

The State and Ms. Goldman request that the Board accept the Proposed Settlement.

Board Action: A motion was made and seconded to accept the Proposed Settlement Agreement in the matter of Ms. Fageol.

Viehweg/Gardner
Motion carried 8-0-0

B. Lisa Pacheco, L.M.H.C., L.C.A.C., License No. 39001143A, 87001221A
Cause No. 2021 BHSB 0023
Re: Administrative Complaint

The hearing in the matter of Ms. Pacheco was continued.

C. Shaine Lund, L.S.W., License No. 33007923A
Cause No. 2021 BHSB 0024
Re: Administrative Complaint and Extension of Summary Suspension

Parties Present:
Respondent was not present

Amanda Cassidy, Deputy Attorney General, Office of the Attorney General
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)
Stephan Viehweg, LCSW
Andrew Harner, LCSW
Kelley Gardner, LMFT
Jacqueline Eitel, RN, Consumer Member
Jon Ferguson, LMFT
C. Martin Justice, LMHC
Dr. Dianna Cooper-Bolinsky, LCAC

Case Summary: On or about November 8, 2021, a Complaint was filed against Mr. Lund. Mr. Lund's license was Suspended on or about November 10, 2021, after a hearing was held that where it was determined that Mr. Lund was a clear and present danger to the public. The State is requesting the extension of the current Summary Suspension of Mr. Lund's license to allow Mr. Lund time to complete a psychological evaluation to determine his mental health and fitness for duty. Mr. Lund has been terminated from his employment in light of the mental health issues he is struggling with.

Board Action: A motion was made and seconded to extend the summary suspension in the matter of Mr. Lund.

Harner/Gardner
Motion carried 8-0-0

- D. Melissa Ketner, L.C.S.W., License No. 34005637A**
Cause No. 2020 BHSB 0015
Re: Petition for Withdraw of Probation

The hearing in the matter of Ms. Ketner was continued.

- E. Heather Richardson, L.M.H.C., License No. 39001802A**
Cause No. 2010 BHSB 0013
Re: Petition for Reinstatement of Suspended License

Parties Present:

Respondent was present with counsel Richard Moore
Alex James, Deputy Attorney General, Office of the Attorney General
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)
Stephan Viehweg, LCSW
Andrew Harner, LCSW

Kelley Gardner, LMFT
Jacqueline Eitel, RN, Consumer Member
Jon Ferguson, LMFT
C. Martin Justice, LMHC
Dr. Dianna Cooper-Bolinsky, LCAC

Witness for Respondent:

Troy Richardson

Case Summary: On or about July 28, 2010, an Administrative Complaint was filed against Ms. Richardson with allegations of reckless disregard of the best interest of her client, and that she engaged in sexual contact with her client. After a hearing before this Board, on or about December 17, 2020, Ms. Richardson's license was placed on Suspension for no less than two (2) years. Ms. Richardson stated that she renewed her license on the suspension status through 2013. She stated that after that time, the employment she was engaged in did not require a license, so she no longer renewed the license. She informed the Board that her current employment does require a license. The State affirmed that the Board could reinstate her license to her, provided she can perform a reasonable level of skill and show she has addressed the previous deficiencies.

Ms. Richardson stated that she has attended personal counseling over the years regarding boundaries and other personal issues. She informed the Board that she is still in a relationship with the individual indicated in the original complaint, but that she would not suggest other individuals to follow the same path. She stated that she encouraged her husband to seek mental health services as needed, and they have attended couples counseling to address healthy boundaries. She stated that she started the research process to reinstate her license in 2018, and she contacted legal counsel in 2021. She is currently on leave from her employment.

The State asked for clarification. It was noted in the facts of her original suspension that she was required not to have further contact with the client. Ms. Richardson affirmed that was in the order, but that she did continue to have contact with that client, and they eventually married. The State asked what steps she is taking to ensure that the same boundary violation does not happen again. Ms. Richardson stated that she is making sure her supervisor is aware of her history, and that she will seek out supervision to ensure oversight. She stated that she still completes continuing education to ensure she is up to date with current practices and standards. Her continuing education covered boundaries and ethics. She stated that she is of the understanding that before 2019 she could practice as long as she was under supervision, and it is only recently that a license was required. She stated that she let her employers know of her suspended license and provided them a copy of the Order. The State asked if she completed a fitness for duty evaluation. Ms. Richardson stated she had not.

Mr. Moore stated that Ms. Richardson is aware of the gravity of what occurred, and she has maintained current knowledge in the field. She is seeking trusted supervisors that

are aware of her history. The State concluded to say that it is the burden of Ms. Richardson to show the deficiencies have been addressed since her suspension; however, she has admitted to continuing the relationship and is still providing services to clients despite the fact that she does not hold a current license to practice.

Board Action: A motion was made and seconded to deny Ms. Richardson's petition for reinstatement of her mental health counselor's license.

Viehweg/Harner
Motion carried 8-0-0

VI DISCUSSION

1. Telehealth

The Board asked for clarification if students and associate level licenses are allowed to provide telehealth. Board counsel is currently seeking clarification. The current telehealth language states that only those who hold an unrestricted license may provide telehealth, but the law also states any license issued by the Board. Currently the telehealth certificates can only be applied to clinical level licenses.

2. Renewal Progress

The window to renew licenses with the Behavior Health Board is open. Board staff noted that there has not been a lot of licenses renewed at this time.

VII. APPLICATIONS FOR REVIEW

There were no applications for review by the Board.

VIII. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL

The Attorney General's office reported to the Board that they have 87 open complaints and they have closed 8 since the beginning of the year. The average age of the open complaints is 5.9 months. There are currently 25 open litigation cases with only 1 opened this year. The average duration of the litigation cases are 4.1 months.

IX. FORMAL ADOPTION OF APPLICATION REVIEWS

A motion was made and seconded to formally accept the adoption of application reviews.

Viehweg/Justice
7-0-0 (Cooper-Bolinsky not present.)

X. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW

There were no continuing education sponsor applications for review.

XI. OLD/NEW BUSINESS

There was no old/new business to discuss.

XII. ADMINISTRATORS' REPORT

Currently the Board has received a high number of applications. Normally application submissions slow down before the May school graduations, but with the opening of telehealth the office has received a higher number of practioners seeking reciprocity in the State. The Board staff is currently processing 3,500 pending applications and processing is slow due to the volume.

XIII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 2:07 p.m. by general consensus.

Kimble Richardson, MS, LMHC, LCSW,
LMFT, LCAC, MHC
Chair

Date