

**BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD
MINUTES**

APRIL 26, 2021

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Mr. Richardson called the meeting to order at 8:17 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
George Brenner, MS, LCSW, LMFT, LCAC, Vice Chair
Stephan Viehweg, MSW, LCSW
Andrew Harner, MSW, LCSW, Board Chair, SW Section Chair, Board Designee
Kelley Gardner, LMFT
Elizabeth Cunningham, D.O., Psychiatric Physician Member (in at 8:19 a.m.)
Jacqueline Eitel, RN, Consumer Member
Rex Stockton, Ed. D., LMHC, LCSW, LMFT (in at 8:30 a.m.)

Board Members Not Present:

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.

Viehweg/Brenner
Motion carried 6-0-0

III. APPROVAL OF MINUTES

There were no minutes for review.

IV. ADMINISTRATIVE RULE HEARING

A. LSA #19-436 Convictions of Concern

Adds 839 IAC 1-7. This rule implements the provisions of IC 25-1-1.1-6 requiring every board, commission, or committee under IC 25 to revise its licensing or certification requirement to explicitly list the convictions of concern that may disqualify an individual from receiving a license; to establish criteria to determine whether an applicant should be denied a license if the applicant has a conviction of concern; and to establish a procedure for an individual to receive a pre-application determination as to whether the individual's criminal history would preclude the individual from obtaining a license.

Public Comments: None

Board Comments: The Board expressed concerns for recommendations for technical amendments if the rule needs different formatting for grammatical clarity.

Board Action: A motion was made and seconded to adopt the rule.
Viehweg/Gardner
7-0-0 Stockton not present

V. ADMINISTRATIVE HEARINGS

A. Michael Boyer (LSW)

Cause No. 2021 BHSB 0003

Re: Petition for Review of Denial of Licensure

Parties Present:

Respondent was present

Heather Orbaugh, Court Reporter, Accurate Court Reporting

Participating Board Members:

Mr. Richardson, LMHC (Hearing Officer)

Mr. Viehweg, LSW

Mr. Brenner, LCAC

Mr. Harner, LCSW

Mr. Gardner, LMFT

Jacqueline Eitel, RN, Consumer Member

Elizabeth Cunningham, D.O., Psychiatric Physician Member

Rex Stockton, Ed. D., LMHC, LCSW, LMFT

Case Summary: Mr. Boyer stated that the pandemic caused adverse stresses to his ability to take the ASWB Master level exam. He would like fair considerations since his testing and temporary permit occurred during COVID. Mr. Boyer informed the Board that he obtained his Master of Social Work Degree in May of 2010 and moved to Illinois. He had applied for his Indiana license in January 2020 and was granted a temporary permit to work at the end of January. He informed the Board that he wanted to get experience in the field prior to scheduling the exam, which is why he did not schedule his exam from the months of January to March. By the time he felt ready to take the exam, the exams were closed due to the pandemic. He stated that when the testing centers were opened, there was still a mask mandate in effect which heightened his anxiety. The Board asked if he was aware of the waiver to extend his exam approval. Mr. Boyer stated he was aware of the waiver after he had already taken the exam. He stated he would like the Board to grant him a 6-month extension after restrictions have been lifted. He stated that he felt pressured to take the exam before he was ready. The Board asked if he was still working at his current employment. Mr. Boyer stated that he still was. He stated that they are not requiring a license since they have an HSPP on staff. The Board informed him that for the State of Indiana you must hold a license in order to work, regardless of, if your employer does not require the license. The Board

asked if he has attempted to schedule the exam again. Mr. Boyer stated he has not since he wanted to talk to the Board and ask for a fair deal to take the exam without a mask. The Board asked what his plan was if masks are always required and if he has investigated getting accommodations. Mr. Boyer stated that if masks were going to be required then he would have to complete many practice exams. He also checked with accommodations by the ASWB; however, he was told they would only be able to arrange for extended time. Mr. Boyer stated that if what is occurring is the new normal, he might have to attempt the exam, but would have hours he has completed to be retroactive due to the pandemic struggles.

Board Action: A motion was made and seconded to deny Mr. Boyer's appeal of denial of his application for licensure. His request for an additional temporary permit may not be granted based upon Indiana Code 25-23.6-5-11 that states they are only allowed one permit.

Harner/Viehweg
Motion carried 8-0-0

B. Krystal Morris, LSW, License No. 33007889A

Cause No. 2020 BHSB 0017

Re: Petition to Withdraw Probation

Parties Present:

Respondent was present

Ryan Eldridge, Deputy Attorney General, Office of the Attorney General

Heather Orbaugh, Court Reporter, Accurate Court Reporting

Participating Board Members:

Mr. Richardson, LMHC (Hearing Officer)

Mr. Viehweg, LSW

Mr. Brenner, LCAC

Mr. Harner, LCSW

Mr. Gardner, LMFT

Jacqueline Eitel, RN, Consumer Member

Elizabeth Cunningham, D.O., Psychiatric Physician Member

Rex Stockton, Ed. D., LMHC, LCSW, LMFT

Case Summary: Ms. Morris' license was initially placed on probation on or about September 9, 2020, with the following terms:

- Placed on Indefinite Probation for no less than three months from the date of the Final Order.
- Shall keep the Board informed of her mailing address and phone number.
- Shall keep the Board informed of her employer(s) name, address, and telephone number.
- Respondent is required to make one personal appearance before the Board to discuss what she has learned through her ordered continuing education.

- Prior to appearing before the Board, Respondent must submit proof of twenty hours of Category I continuing education on professional boundaries. These hours shall not be counted toward the hours required to be completed for license renewal.
- Shall within 90 days of the Final Order, pay a fee of \$5.00 to be deposited in the Health Records and Personal Identifying Information Protection Trust Fund.
- Any violation of the Final Order or the statute and rules of Indiana may result in Respondent's license to be additionally disciplined.

Ms. Morris was placed on probation due to her failure to disclose her employment termination on her license renewal. Ms. Morris stated that she has completed her 20 hours of continuing education in ethics and boundaries, paid her \$5.00 fee, and appeared before the Board at least once. The State asked where Ms. Morris currently is working. Ms. Morris explained that she is currently Brighton Hospice. Her job duties include weekly home visits and emotional support to families. The State inquired what she learned from her continuing education. Ms. Morris explained that she is now aware that her boundaries had lapsed during that period in her life, and she had wished for more guidance. She stated that after completing the required continuing education she learned that she did not want to be put in this position again. Her intentions, if she comes off probation, is to stay in the field of hospice care and move forward with obtaining her clinical license. She is trying to advocate for better coping skills and to be aware of her boundaries. She is aware that professional boundaries are about protecting clients and if she is unable to help the client, she needs to ~~take a step back and~~ refer to someone else to provide the treatment necessary. She attends weekly supervision and monthly meetings with her supervisor. They go over staffing techniques, boundaries, how to support clients, and address changes due to the pandemic. The State informed the Board that Ms. Morris has demonstrated she has met all requirements and it is up to the Board if they will grant her withdraw of probation.

Board Action: A motion was made and seconded to grant Ms. Morris' petition for withdraw of probation.

Harner/Viehweg
Motion carried 8-0-0

VI. PROPOSED SETTLEMENT AGREEMENT

There were no Proposed Settlement Agreements.

VII. PERSONAL APPEARANCES

A. Examination Attempts

There were no appearances for exam attempts.

B. Reinstatement

1. Jennifer Buford, LMFTA, License No. 85000188A

Ms. Buford appeared as requested to discuss the reinstatement of her LMFTA license which expired on April 1, 2016. Ms. Buford explained that she allowed her license to lapse due to a medical condition that prevented her from working. She stated that she has not been sick for the past two years and has been working as a teacher. She has obtained a new employer and supervisor and is requesting the Board to reinstate her license so she can help with telehealth services. She submitted 44 hours of continuing education for the Board to review. The Board stated that the marriage and family therapy associate license is not eligible for reinstatement. She will need to submit a new application.

Board Action: A motion was made and seconded to deny Ms. Buford's application for reinstatement of her marriage and family therapy associate license.

Gardner/Brenner
Motion carried 8-0-0

2. Clayton Carl, LSW, License No. 33004026A

Mr. Carl did not appear as requested. This is the third time Mr. Carl has been scheduled to appear to answer questions regarding his positive response of pleading guilty to a 2019 DUI on his application for reinstatement.

Board Action: A motion was made and seconded to deny Mr. Carl's application for reinstatement due to nonappearance and positive response.

Viehweg/Cunningham
Motion carried 7-0-0 (Richardson was not present.)

3. Patty Ann Crisp, LMHC, LCAC, License No. 39000968A & 87000627A

Ms. Crisp did not appear as requested. She will be rescheduled for the May 2021 meeting.

4. Krista A. Morris-Lehman, LMHC, License No. 39001584A

Ms. Morris-Lehman appeared as requested to discuss the reinstatement of her mental health counselor license that was placed on retirement status in 2008. Ms. Morris-Lehman currently resides out of State and would like to reinstate her license. She stated that her intention is to go into the field of threat assessments. The Board reviewed the continuing education that she has completed and determined that she has submitted 20 hours of approved continuing education, and the remaining continuing education does not appear to be through an approved sponsor.

Board Action: A motion was made and seconded to approve Ms. Morris-Lehman's reinstatement pending passing the jurisprudence exam and the receipt of either proof that her remaining continuing education was from an approved continuing education sponsor

or submit an additional twenty (20) hours of continuing education from an approved sponsor.

Viehweg/Harner
Motion carried 8-0-0

C. Application

1. Kristi Ann Dinn (LSW)

Ms. Dinn appeared as requested to discuss why she did not indicate yes response on her application. Miss Dinn is 2020 graduate of Indiana Wesleyan University. Ms. Dinn stated that she did not indicate yes as she read the question incorrectly. She stated that her incident was dismissed from the courts. Ms. Dinn also stated that she had completed a background check for her employment which she had passed.

Board Action: A motion was made and seconded to approve Ms. Dinn’s application to sit for the ASWB Master’s examination.

Harner/Viehweg
Motion carried 8-0-0

2. Nicole Joanne Dominguez (LCSW)

Ms. Dominguez notified the Board that she could not appear today. She will be rescheduled for May 2021.

3. Karina Elizabeth Garcia (LSW)

Ms. Garcia notified the Board that she could not appear today. She will be rescheduled for May 2021.

4. Melissa Eve Garcia (LSW)

Ms. Garcia appeared as requested to discuss her yes response to question three “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?” Ms. Garcia is a 2011 graduate of the University of Southern Indiana. She submitted a statement and supporting documents regarding two DUI’s in 2003 and 2004 and driving on a suspended license in 2004. Ms. Garcia has been working at Deaconess Cross Pointe since 2008. The Board inquired about her reason for pursuing a license at this time. Ms.

Garcia stated that her employment is requiring the license. She stated that prior to now she had worked in the ER which did not require a license, though it was preferred. She stated that since she had been in the field for 5 years before the license was required, she was exempt from needing the license. The Board expressed concerns that she had been working in the field over 10 years without a license. The Board asked if she had been completing any psychiatric assessments for treatment options when she worked in the ER, and Ms. Garcia stated she had. The Board stated that her doing that is considered clinical work without a license. The Board asked how her background has impacted how she works with her clients. Ms. Garcia stated that it has allowed her to see both sides of incidents better, and it has allowed her to be more empathetic. She attends AA meetings; sits on a board for a nonprofit that supports 12 step programs, she's a sponsor, takes vacations, works within her community, and exercises as part of her self-care routine. She stated that she has relapsed once in 2016, once in 2017, and once in 2018. She has remained sober since those dates.

Board Action: A motion was made and seconded to approve Ms. Garcia application to sit for her ASWB Masters examination.

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

5. Tamara Marie George (LSW)

Ms. George appeared as requested to discuss her yes response to 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?" Ms. George is a 2005 graduate of Southern Illinois University. Ms. George pled guilty in 1993 of a DUI, 2003 of Battery and 2019 of unlawful use of a debit/credit card. Her son was killed in 2012 and she relapsed at that time. She attends NA meetings because of that incident and has been sober since August 2012. Ms. George stated that she maintains her self-care by going to her sponsor, getting support from her husband, and surrounding herself with positive people. She has been working in the field as a substance abuse counselor, so she knows her limits and when to take a break. The Board asked if Ms. George if she held an active license in Illinois and if her incident impacted that license. Ms. George stated she did hold an Illinois license, and it did not impact that license. All incidents have been resolved. Ms. George is not aware if Illinois Board is aware of the charge but stated that she did not self-report the incident. Ms. George stated that she is not planning to renew the expired Illinois license as she is of the understanding that the Illinois license will not carry over into Indiana.

Board Action: A motion was made and seconded to approve Ms. George's application for licensure.

Stockton/Harner
Motion carried 8-0-0

6. William R. Hollon (LMHCA)

Mr. Hollon appeared as requested to discuss his yes response to question number 4 “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. Hollon is a 2014 graduate of Lindsey Wilson College and is currently licensed in state of Kentucky as a LPCA. Mr. Hollon stated that in 2018 while he was at the gym, he was accused of taking inappropriate photos. He turned over all his photos to the police. The charges were dismissed in 2019 due to lack of evidence. He is now more mindful of his surroundings and the perceptions of others. He stated that the perceptions of others, can be seen as reality of the situation. He no longer attends that gym, and he has no other incidents on his record. He is currently licensed in Kentucky with no discipline on the license. Kentucky is aware of the incident.

Board Action: A motion was made to approve Mr. Hollon’s application to sit for the NCE examination.

Stockton/Harner
Motion carried 8-0-0

7. Rowan Z. Kelley (LMHCA)

Mr. Kelley appeared as requested to discuss his yes response to question number 4 “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. Kelley is a 2020 graduate of Indiana University South Bend. Mr. Kelley stated that he had an incident in 2008 which was arrested for possession of marijuana. He stated that during that time he kept checking into the courts for 3 months as the charge had not been filed. He stated that also in 2010 he had been pulled over due to an outstanding warrant on his person. He has since completed all terms by the court and is no longer on probation. He informed the Board that he has not used marijuana since 2013. He is currently employed at Oaklawn Community Health Center. He stated once he is licensed, he would like to deal with anything in the mental health field as he wants to help where he can. The Board noted that Mr. Kelley does meet all educational requirements.

Board Action: A motion was made and seconded to approve Mr. Kelley’s application for the NCE examination.

Brenner/Stockton (Cunningham not present)
Motion carried 7-0-0

8. Kari Lynn Mann (LMHCA)

Ms. Mann appeared as requested to discuss why she did not answer yes on her application. Ms. Mann is a 2010 graduate of IUPUI. Ms. Mann submitted a statement and supporting documents regarding her background. The Board noted that her education requirements have been met. Ms. Mann stated that she has been working as a school counselor and completed a few background checks for the school system which never came back with a concern. She stated that because of this she did not think that the charge in 2012 was still on her background. The charge in 2013 was a result of her taking Ambien and was found sleeping in a car. She no longer takes this medication because of the incident. Ms. Mann stated that her intention is to work as the staff therapist at the school. She would like to be available for crisis work also. The Board inquired who her supervisor would be, and Ms. Mann stated that she has a supervisor from Adult and Child Mental Health Center. The Board expressed concerns that Ms. Mann might be performing unlicensed practice as to work as a counselor and that she needs a license or a temporary permit. Ms. Mann explained that she is a licensed school counselor.

Board Action: A motion was made and seconded to approve Ms. Mann’s application to sit for the NCE examination.

Stockton/Brenner
Motion carried 7-0-0 (Cunningham not present)

9. Mary Jean Mann (LMHC)

Ms. Mann appeared per her request to discuss her application. Ms. Mann is a 2005 graduate of Boston College. Upon review by the Board her education has not met requirements per her last review on March 21, 2021. She was requested to submit additional documentation to verify she has met the Foundations and Contextual Dimensions criteria. Ms. Mann stated that she would like more directed definitional guidance on what to submit to meet the requirements. She had obtained her master’s degree 20 years ago, and the educational requirements for licensure do not match her master’s degree. She stated that she contacted the Board but did not get a straight answer. The Board stated that the Board staff cannot give specific direction; however, Ms. Mann is welcome to email, and they can follow up on answering her questions more directly.

Ms. Mann’s application has been tabled for further review.

10. Rasheed Ojerinde (LMFT)

Mr. Ojerinde appeared per his request to discuss his hours for licensure as an LMFT. Mr. Ojerinde stated that he graduated in 2016 from Indiana Wesleyan University and has taken and passed the AAMFTRB examination in September of 2020. He has held an Indiana LMFTA license since October 29, 2020. He has been under the supervision of Rob Atchison since graduation. He stated that he has completed 138 hours of direct supervision. The Board noted that he cannot accrue hours until his LMFTA license was granted as he did not pass his first exam. Mr. Ojerinde stated that he would like to appeal this as he has been in the field since 2017. The Board explained that they would not be able to accept his appeal as they must follow the statutes and rules for the Board which requires applicants to hold the LMFTA for two years, and if they fail the first available exam, their hours must occur under the LMFTA license.

Board Action: A motion was made and seconded to table Mr. Ojerinde's application until he can obtain all required hours under the LMFTA license.

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

11. Logan Beth Pfeifer (LCSW)

Ms. Pfeifer appeared per her request to discuss her post-degree hours for her LCSW application. Ms. Pfeifer is 2016 graduate of Indiana University and obtained her LSW license in 2016. She has been employed as a social worker in different capacities since that time. She stated that when she worked in Ohio, they had different supervisors. She stated that she was able to contract with different supervisors due to their different level of licensure. Ms. Pfeifer stated that she also had difficulties getting her employers to fill out the employment forms. She has passed the ASWB clinical examination; however, she does not hold the clinical license as Ohio allows that applicant to take the exam prior to obtaining the hours. In Ohio once the hours are obtained then she could be granted the license. Ms. Pfeifer has shown she has completed signed forms of 10 months of supervision and 13 months of employment. Ms. Pfeifer stated that the rest of her supervision cannot be obtained at this time as her current supervisor is in COVID quarantine, and she is not able to reach out to other supervisors. She has been currently contracted with her supervisor since November 2020. The Board advised her that they know it is difficult, but she can collect her forms as she obtains her supervision so she will not get in a hard spot.

Board Action: A motion was made and seconded to approve Ms. Pfeifer's application for clinical social work licensure pending completion of the jurisprudence examination.

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

12. Keith Allen Rogers (LSW)

Mr. Rogers appeared as requested due to his yes response to question number 4 “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. Rogers is a 2020 graduate of Indiana Wesleyan University. Mr. Rogers submitted a detailed statement and supporting documents regarding his background. Mr. Rogers stated that he has been sober since 2010 and he has found that his background allows him to empathize better with his clients. He has been working with clients who have substance abuse and dual diagnosis. He lets his clients know that their background does not define them, and that you can change no matter your age or learning ability. He stated that he would like to eventual pursue the clinical license and obtain an addictions license. He maintains a strict personal boundary and makes sure that he takes personal days, so he does not experience “burn out.”

Board Action: A motion was made and second to approve Mr. Roger’s application to take the ASWB Masters examination.

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

13. Chelsea Summerlot (LMFT)

Ms. Summerlot appeared with Counsel Tammy Murray per her request to discuss her application. Ms. Murray stated that Ms. Summerlot’s application had unreasonable delays to obtain her license. She stated that her application was singled out for denial of meeting hour requirements. She stated that Ms. Summerlot has meet the required number of hours needed for the license; however, her only issue is holding the LMFTA for two years. Ms. Murray stated that other applicants who have applied for licensure have not needed to hold the Associate license for two years, and the Board is being inconsistent with their reviews. Ms. Murray also stated that there is a conflict between the statue and rule.

Board Action: A motion was made and seconded to table Ms. Summerlot’s application to have Board Counsel to review the statue and rules.

Harner/Gardner
Motion carried 6-1-0 (Stockton nay. Cunningham not present.)

After review of more information, the Board counsel advised that per the rule the LMFTA must be held for two years. To change the Rule the Board would have to go through Rule making process.

Board Action: A motion was made and seconded to table the application to research previous application reviews and Ms. Summerlot’s application will be reviewed at the next scheduled Board meeting.

Gardner/Viehweg
Motion carried 5-0-2 (Stockton and Cunningham abstain. Richardson not present.)

14. Jill E. Surine (LSW)

Ms. Surine appeared as requested to discuss her yes response to question three “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?” Ms. Surine is a 2008 graduate of IUPUI. She submitted a detailed statement and supporting document for a 2008 OWI in Ft. Wayne, Indiana and a 2016 arret for failure to appear regarding her dog getting out and going to animal control. Since that time all issues have been resolved. Ms. Surine stated that she is currently working in an addictions facility but has not been working in therapy. Primarily her workload has been case management. She stated that her title is therapist, but she does not perform therapist duties. She is not aware of how billing was done for her duties. The Board informed her that even if she is not doing the duties of a therapist, she cannot call herself a therapist per Indiana statue. They informed her that it is the duty of the practitioner to be aware of this information as it will come back on them and not the organization. Advised her to reach out to her organization regarding the matter.

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

Harner/Viehweg
Motion carried 7-0-0 Richardson not present.

15. Jeffrey Yocum (LCSW)

Mr. Yocum appeared as requested to discuss his yes response to 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?” Mr. Yocum is 2012 graduate of the University of Louisville and is current licensed in the state of Kentucky. Mr. Yocum submitted a detailed statement and supporting documents for the Board. He stated he had a DUI in 2018; however, he has resolved all requirements by the court. Mr. Yocum stated that he has not disclosed the information to the Kentucky Board, and from what he can see their regulations do not require him to disclose the information. He knows that his Kentucky license is due to renew soon, and he is intent to maintain the license. He has accepted a position at Crossover Health which is on the Kentucky and Indiana border. Mr. Yocum stated that he will be providing mostly telehealth services. The Board expressed concerns on his DUI as he was double the legal limit. They inquired if he had completed a substance abuse evaluation. Mr. Yocum stated that he had, and he completed Alcohol Abuse Disorder training. He also stated at that time he had seen a therapist, but no longer needed to continue the therapy.

Board Action: A motion was made and seconded to approve Mr. Yocum’s application by reciprocity pending passing the jurisprudence examination.

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

D. Probation

1. **Erin Colleen Clarey, LCSW, License No. 34008591A**
Cause No. 2019 BHSB 0010

Ms. Clarey appeared as requested to discuss her ongoing probation that was initially placed on July 31, 2019. Ms. Clarey last appeared before the Board in February of this year. She stated that she did have a potential job; however, she did not get it due to not passing the background check. She stated her record does not have felonies, but once she has met all the terms then her incident should come off her record. She stated that she is struggling to find employment, and it is too early in her recovery to get employment in substance abuse. She is no longer seeing her counselor Emily Myers, LCSW, and is now seeing Susie Ross, LCSW. Ms. Clarey stated that she is doing better with the new counselor. Ms. Clarey reported to the Board that she is still working on her 12-step program and volunteering with her AA support group. She stated that Community Health recommended that she practice in the areas of behavior health or medical social work once the probation is withdrawn. Her Tennessee license is now free and clear. Her next appearance before the Board is scheduled for July 26, 2022.

2. **Mark E. Smith, LCSW, License No. 34001845A**
Cause No. 2016 BHSB 0029

Mr. Smith did not appear as requested. He will be rescheduled for May 24, 2021.

3. **Mark R. Steinmetz, LCSW, License No. 34005824A**
Cause No. 2020 BHSB 0022

Did not appear as requested to discuss his probation. Mr. Steinmetz emailed the Board that he has relapsed, and he has not told his employer that he is on probation.

Board Action: A motion was made and seconded to issue Mr. Steinmetz an Order to Show Cause for violation of his probation.

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

VIII. DISCUSSION

A. **Kylie P. Dotson-Blake, Ph.D, NCC, LCMHC**

President and Chief Executive Officer

NBCC

Re: NBCC Compact Statement

The NBCC has sent a notification to the Board of their attempts on creating an interstate license. Currently that will need to be researched by the legislator starting with providing them what Indiana requires in terms of education for the license. The Board would like the Indiana Counseling Association to express concerns with the compact license and the difference between educational standards. The Board is in favor of a compact license but does not want just a blanket “yes” without further considerations.

B. **Jacob Mauck, LMHCA, Temporary Permit No. 99102099A**

Re: Probation Review

Mr. Mauck was placed on probation for his temporary permit in December 2020. He was to notify our office if he had any arrests during that probation period. Mr. Mauck self-reported a relapse, and arrest.

Board Action: A motion was made and second to issue Mr. Mauck an Order to Show Cause for violation of his probation.

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

IX. APPLICATIONS FOR REVIEW

There were no applications for review.

X. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL

The Attorney General’s office reported to the Board that they have 74 open complaints. The average age of the open complaints is 8 months. There are currently 9 open litigation cases which are no older than 9.3 months.

XI. FORMAL ADOPTION OF APPLICATION REVIEWS

A motion was made and seconded to formally adopt the application reviews.

Board Action: A motion was made and seconded to accept application reviews.

Brenner/Viehweg
Motion carried 7-0-0 (Richardson not present.)

XII. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW

A. American Association of Christian Counselors

The Board was unable to review the application at the meeting. Application tabled.

XIII. OLD/NEW BUSINESS

The Board proposed bills of SB3 Telehealth and SB82 Clinal Practitioners able to diagnose. The Board stated that should these two bills past, then the Board will need to start the Rule making process. The Board also discussed HB 1437 regarding virtual meetings.

On Friday and Saturday, the ASWB is having a meeting. Stephan Viehweg of our Board will be chairing that meeting.

XIV. ADMINISTRATORS' REPORT

There was no administrator's report.

XV. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 2:30 p.m. by general consensus.

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

Date