

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

**May 23, 2022**

**I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

Mr. Richardson called the meeting to order at 9:00 a.m. in the Professional Licensing Agency Conference Room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 25-14-1-12(a).

**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  
C. Martin Justice, LMHC  
Dr. Dianna Cooper-Bolinsky, LCAC  
Jon Ferguson, LMFT

**Board Members Not Present:**

Vacant  
Vacant  
Jacqueline Eitel, RN, Consumer Member

**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.

Cooper-Bolinsky/Justice  
Motion carried 7-0-0

**III. APPROVAL OF MINUTES**

There were no minutes for review.

**IV. PERSONAL APPEARANCES**

**A. Probation**

**B. Renewal**

1. **Erika Atkinson, LSW, License No. 33010039A**

Ms. Atkinson appeared as requested to discuss her yes response to the renewal question regarding a conviction that occurred. In June of 2021, Ms. Atkinson was convicted of Obstruction of Justice - knowingly or intentionally to an official proceeding by plea agreement and was placed on probation for a period of one year. She provided a statement and supporting documents for her arrest and conviction. Ms. Atkinson stated that she was also terminated from her employment after the arrest. Ms. Atkinson stated that the criminal probation will be completed June 9, 2022. The Board discussed professional boundaries with her.

**Board Action:** A motion was made and seconded to approve Ms. Atkinson's social work license renewal on indefinite probation with terms and conditions. Ms. Atkinson agreed to the probation.

Licensee may not petition for withdrawal of probation until successful completion of criminal probation, resolution of all criminal charges, and at least one personal appearance before the Board. Additionally, Licensee's probation will be subject to the following TERMS and CONDITIONS:

- A. Licensee shall complete and provide documentation of completion of at least ten (10) continuing education units ("CEUs") in Ethics and Professional Boundaries.
- B. Licensee shall cause her employment supervisor to submit monthly reports to the Board regarding Licensee's employment performance and progress.
- C. Licensee shall keep the board apprised of the following information and update it as is necessary:
  - a. Licensee's current home address, mailing address, and residential telephone number; and
  - b. Licensee's place of employment, employment telephone number, and name of supervisor.
- D. Licensee shall comply with all statutes and rules regulating the practice of social work and report any future arrests, instances of substance abuse, work discipline or terminations to the Board immediately in writing.
- E. Failure to comply with the terms of this order of probation may subject Licensee to an Order to Show Cause before the Board and imposition of additional terms and conditions.

Harner/Viehweg  
Motion carried 7-0-0

**2. Jennifer Campbell, LCAC, License No. 87001499A**

Ms. Campbell will not be appearing and will be rescheduled.

**3. Kaitlyn Carlson, LCSW, License No. 34009130A**

Ms. Carlson appeared as requested with counsel Adrianna Zeljkovic to discuss her yes response to the renewal question regarding an arrest that occurred. In February of 2021, Ms.

Carlson was arrested for driving under the influence of alcohol. She provided a statement and supporting documents and will be on criminal probation until April 2023.

**Board Action:** A motion was made and seconded to approve Ms. Carlson's clinical social work license renewal on probation with terms and conditions. Ms. Carlson agreed to the probation terms.

Licensee may not petition for withdrawal of probation until the completion and resolution of her criminal charges and criminal probation. Additionally, Licensee's probation will be subject to the following TERMS and CONDITIONS:

- A. Licensee shall submit participate in a recovery program, such as Alcoholics Anonymous, and submit documentation to the Board of meeting attendance and other participation including meeting logs.
- B. Licensee shall continue to meet with her employment supervisor on a weekly basis and shall cause her employment supervisor to submit bi-annual reports and supervision logs to the Board.
- C. Licensee shall appear before the Board on a bi-annual basis.
- D. Licensee shall keep the board apprised of the following information and update it as is necessary:
  - i. Licensee's current home address, mailing address, and residential telephone number; and
  - ii. Licensee's place of employment, employment telephone number, and name of supervisor.
- E. Licensee shall comply with all statutes and rules regulating the practice of clinical social work and report any future arrests, instances of substance abuse, work discipline or terminations to the Board immediately in writing.
- F. Failure to comply with the terms of this order of probation may subject Licensee to an Order to Show Cause before the Board and imposition of additional terms and conditions.

Harner/Viehweg  
Motion carried 7-0-0

**4. Jennifer Dyarman, LCAC, License No. 87001541A**

Ms. Dyarman appeared as requested with counsel Elliot Pinky as she did not provide a statement for her yes response to the renewal question regarding discipline against her license. Mr. Pinky stated that they are currently in the process of reaching a Settlement Agreement. The Board informed Ms. Dyarman that a statement was needed. Renewal was tabled pending the additional information.

**5. Lisa Gibson Pettibon, LSW, License No 33007645A**

Ms. Gibson-Pettibon appeared as requested to discuss her yes response to the renewal question regarding an arrest that occurred. In May of 2020, Ms. Gibson-Pettibon was

arrested for a DUI. She provided a statement and supporting documents for the DUI and provided proof that her one-year criminal probation was completed.

**Board Action:** A motion was made and seconded to grant renewal of Ms. Gibson-Pettibon's social work license.

Harner/Viehweg  
Motion carried 7-0-0

6. **Timothy Jacobs, LCAC, License No. 87001577A**

Mr. Jacobs did not appear. He will be rescheduled.

7. **Cara Juarez, LBSW, License No. 33900293A**

Ms. Juarez did not appear. He will be rescheduled.

8. **Misty Lee, LSW, License No. 33009674A**

Ms. Lee appeared as requested to discuss her yes response to the renewal question regarding an arrest that occurred since her last renewal. On November 19, 2021, Ms. Lee was arrested for providing contraband to an inmate at a South Carolina jail. She has been granted a pre-trial intervention program to have the charges expunged upon completion of the diversion program. She was charged with a felony for providing tobacco to an inmate. Ms. Lee provided a statement and supporting documents for her arrest.

**Board Action:** A motion was made and seconded to renew Ms. Lee's social work license on indefinite probation with terms and conditions. Ms. Lee agreed to the probation.

Licensee may not petition for withdrawal of probation until the completion of pre-trial diversion and resolution of all criminal charges and at least one personal appearance before the Board. Additionally, Licensee's probation will be subject to the following TERMS and CONDITIONS:

- A. Licensee shall obtain a Fitness for Duty evaluation from a Health Service Provider in Psychology ("HSPP") or a Psychiatrist and provide a copy of the evaluation to the Board.
- B. Licensee shall complete and provide documentation of completion of at least ten (10) continuing education units ("CEUs") in Ethics and Professional Boundaries.
- C. Licensee shall be supervised by a Licensed Clinical Social Worker ("L.C.S.W.") or other clinical level licensee of the Board.
- D. Licensee shall cause their supervisor to submit monthly reports to the Board of licensee's practice performance and progress.
- E. Licensee shall cause their therapist to submit monthly reports to the Board regarding compliance and progress with treatment.

- F. Licensee shall keep the board apprised of the following information and update it as is necessary:
  - a. Licensee's current home address, mailing address, and residential telephone number; and
  - b. Licensee's place of employment, employment telephone number, and name of supervisor.
- G. Licensee shall comply with all statutes and rules regulating the practice of social work and report any future arrests, instances of substance abuse, work discipline or terminations to the Board immediately in writing.
- H. Failure to comply with the terms of this order of probation may subject Licensee to an Order to Show Cause before the Board and imposition of additional terms and conditions.

Harner/Viehweg  
Motion carried 7-0-0

**9. Raychel Minasian, LCS 2W, License No. 34009430A**

Ms. Minasian appeared as requested to discuss her yes response to the renewal question regarding an arrest that occurred. In July of 2021, Ms. Minasian entered into a Pretrial Diversion Agreement. She provided a statement and supporting documents for her arrest for the Board to review. Ms. Minasian stated that she also is currently going through a Settlement Agreement process for a Complaint that was filed in May 2020 against her professional license. The Board tabled her renewal application so they may vote on both her renewal and the Proposed Settlement Agreement at the same time.

**10. Nathaniel Wagner, LMHC, License No. 39003306A**

Mr. Wagner appeared as requested to discuss his yes response to the renewal questions regarding an arrest that occurred and the pending administrative complaint currently pending before the Board. In November of 2021, Mr. Wagner was arrested and charged with misdemeanors and felonies in relation to an alleged domestic violence incident with his exwife. He provided a statement and supporting documents for the Board to review. He informed the Board that his criminal charges are still pending but should have a resolution soon. The Board tabled action on his renewal until a final resolution has been made for his pending criminal charges.

**C. Reinstatement**

**1. Evelyn Allen, LSW, License No. 33005363A**

Ms. Allen will not be appearing. He will be rescheduled.

**2. Mary Dial, LSW, License No. 33006005A**

Ms. Dial did not appear.

3. **Amy Whitehead, LSW, License No. 33006052A**

Ms. Whitehead appeared as requested to discuss the reinstatement of her license that expired in 2013. She provided a statement and forty (40) hours of continuing education certificates that were completed over the past two years for the Board to review. Ms. Whitehead stated that she has not been practicing since her license expired but would like to do school social work.

**Board Action:** A motion was made and seconded to reinstate Ms. Whitehead's social work license pending the completion of the jurisprudence examination.

Harner/Viehweg  
Motion carried 7-0-0

**D. Application**

1. **Scott Barger (LSW)**

Mr. Barger appeared as requested to discuss why he did not disclose his background. He provided a statement and supporting documents for the Board to review. Mr. Barger had several criminal arrests, charges, and convictions from 1980 to 1990's. In June of 2006 he was arrested for an OWI and in November of 2006 he was arrested for OVWI. He informed the Board that the incidents occurred over ten (10) years ago and he did not believe that it would be on his background. He additionally stated he thought the incident was expunged. The Board asked for clarification on his work history since graduation in May 2021. Mr. Barger stated that he has been working at the Bowen Center under supervision since his graduation. He stated that he has only been working with Medicaid clients. The Board stated that he cannot work, even under supervision, until he has obtained his license. Mr. Barger is a 2021 graduate of Indiana University.

**Board Action:** A motion was made and seconded to approve Mr. Barger's social work application and place his temporary permit on indefinite probation with terms and conditions. He was also approved to take the ASWB Masters examination.

The Applicant's license shall be on INDEFINITE PROBATION. The Applicant may not petition for withdraw of the probation for at least six (6) months.

- a. The Applicant must keep the Board apprised of the following information in writing and update it as necessary:
  - i. The Applicant's current home address, mailing address, e-mail address and residential telephone number.
  - ii. The Applicant's place of employment, employment telephone number, employment e-mail address and name of supervisor.
  - iii. The Applicant's title and work schedule, including the number of hours worked per week.
- b. The Applicant must be supervised by a Licensed Clinical Social Worker ("L.C.S.W.") for the duration of their probation.

- c. The Applicant shall cause the L.C.S.W. supervising his social work practice to submit monthly reports to the Board indicating his professional competence, sense of responsibility, work habits, mental attitude, and ability to work with others. If Applicant is unemployed while on probation, he will submit a written personal report to the Board.
- d. The Applicant must complete at least ten (10) Continuing Education Units on Ethics of Clinical Practice.
- e. The Applicant shall have at least one (1) Personal Appearance before the Board prior to petitioning for withdraw of Probation.
- f. The Applicant shall provide copies of this Board Order signed by any employers within fifteen (15) days of the issuance of the Order. If Applicant secures different employment, Applicant shall provide a copy of the Board Order signed by the new employer within fifteen (15) days of starting employment.
- g. The Applicant shall comply with all statutes and rules regulating the practice of social work and report any future arrests, instances of substance abuse, work discipline or terminations to the Board immediately in writing.
- h. The failure of the Applicant to comply with the terms of his probation may subject him to a show cause hearing and the possible imposition of further sanctions.

Harner/Viehweg  
Motion carried 7-0-0

2. **Jamie Brown (LCACA)**

Ms. Brown did not appear. She will be rescheduled.

3. **Mary Bush (LMFT)**

Ms. Bush appeared as requested to discuss her application and provide clarification on her employment and supervision. Ms. Bush stated that she thought she could start accruing hours after graduation. Ms. Bush was a resident graduate at the VA as an unpaid intern starting in August 2020. She informed the Board that her supervisor was Lori Newberger from January 2021 to present was during her time as the VA resident. Ms. Bush stated that she was also working as a corporate therapist during COVID so she could get more relational hours. She stated that she quit the job once she obtained her hours and her supervisor moved to South Carolina and no longer resided in Indiana.

**Board Action:** A motion was made and seconded to approve Ms. Bush's supervision and employment hours and her application for marriage and family therapy licensure pending the passing of the jurisprudence examination.

Gardner/Ferguson  
Motion carried 7-0-0

4. **Anthony Cooper (LSW)**

Mr. Cooper did not appear. He will be rescheduled.

5. **Dusty Dawkins (LAC)**

Mr. Dawkins appeared as requested to discuss his education and his yes response to the application questions regarding arrests, condition or impairment that might impact work, and if he has been denied a license in any State. From 1999 to 2018, Mr. Dawkins has had several arrests and convictions for alcohol and operating while suspended. He provided a statement and supporting documents for the Board to review. The Board reviewed his education and noted that three (3) educational criteria do not appear to be met. The Board informed Mr. Dawkins that he cannot use field experience to meet these requirements and requested that he submit his syllabi or course descriptions for review. The Board requested clarification on his employment as it only showed ten (10) months. Mr. Dawkins stated that he struggled to get his employment signed off.

Mr. Dawkins stated that in regard to his arrests, he has resolved all things regarding with the courts. He stated that he has struggled with substance use but is currently maintaining his sobriety. Mr. Dawkins is a 2012 graduate of Indiana Tech.

**Board Action:** A motion was made and seconded to approve Mr. Dawkins to take the exam provided he meets the deficiencies regarding his three missing educational criteria and employment documentation.

Cooper-Bolinsky/Justice  
Motion carried 7-0-0

6. **Nathan Hora (LMHC)**

Mr. Hora did not appear. He will be rescheduled.

7. **Michael Ledford (LSW)**

Mr. Ledford appeared as requested to discuss why he did not disclose his background. He provided a statement and supporting documents for the Board to review. In April of 2017, Mr. Ledford was convicted of a DUI. He informed the Board that he misread the questions on the application, and thought the Board was inquiring about felonies. He stated that the DUI was five (5) years ago and that the criminal charges have been resolved by the courts.

**Board Action:** A motion was made and seconded to approve Mr. Ledford's social work application to sit for the examination.

Harner/Viehweg  
Motion carried 7-0-0

8. **Kiera Norwood (LMHC)**



Ms. Norwood appeared as requested with her counsel Todd Ess to discuss her post-degree experience and supervision. Ms. Norwood's supervisor, Ms. Painter, appeared as well to provide clarification. The Board noted that they can accept 1080 hours of her post degree experience, but the remaining hours could not be accepted as it appears she was working independently in her own private practice. Ms. Norwood and Mr. Ess provided the supervision contract created between Ms. Norwood and her supervisor Ms. Painter to address the Board's concerns regarding ethical and safe practice. The Board stated that they understand the intent behind the supervision; however, their main concern is the employment. They clarified that when an associate works at an Agency, the clinical operation of the business and clinical training is through the employer and supervisor. The Board inquired to the specifics on how the clinical employment operations were structured, discussing billing, documentation, security, how the supervisor could review cases, and how much authority Ms. Painter had over Ms. Norwood's business if she felt that Ms. Norwood was performing a service outside safe clinical work. Ms. Painter stated that she did not work at Ms. Norwood's business as she was a contracted supervisor, and she was employed at a different business. The Board stated that they do not have an issue the quality of the supervision, but that Ms. Norwood has documented that she is working independently in her own private practice as an associate. They further stated that the purpose of the associate license is to allow new graduates to gain experience in the field prior to working independently to allow them to understand the profession at not only a clinical level, but also at an employment and business level. From what has been provided, Ms. Painter does not have the correct employment authority over Ms. Norwood for the experience to count towards licensure.

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**Board Action:** A motion was made and seconded to accept Ms. Norwood's hours and approve her application to take the NBCC NCMHCE examination.

Viehweg/Cooper-Bolinsky

Motion did not pass 3-4-0

Viehweg - yes, Harner - no, Richardson - no, Justice - no, Gardner - yes, Ferguson - yes, Cooper-Bolinsky - no

The Board stated that in order to meet the requirements Ms. Norwood will need 10 months and 1855 hours of employment, not in private practice. Application has been tabled pending the additional employment hours.

#### 9. **Meaghan Owens (LSW)**

Ms. Owens did not appear. She will be rescheduled.

### V. **ADMINISTRATIVE HEARINGS**

**11:00 a.m.**

#### A. **Joseph Fernandez, LCSW, LCAC, License No. 3400005750A, 87001191A**

Cause No. 2022 BHSB 0002

Re: Administrative Complaint and Extension of Summary Suspension

Voluntary Summary Suspension Agreement

Hearing Continued on the Administrative Complaint

**Parties Present:**

Respondent was not present  
Heather Orbaugh, Court Reporter, Accurate Court Reporting  
Amanda Cassidy, Deputy Attorney General, Office of the Attorney General

**Participating Board Members:**

Kimble Richardson, LMHC (Hearing Officer)  
Stephan Viehweg, LCSW  
Andrew Harner, LCSW  
Kelley Gardner, LMFT  
C. Martin Justice, LMHC  
Dr. Dianna Cooper-Bolinskey, LCAC  
Jon Ferguson, LMFT

**Case Summary:** On or about February 24, 2022, Mr. Fernandez agreed to a Voluntary Suspension of his license in response to the Administrative Complaint filed against him on or about April 7, 2022. The State is requesting at this time an extension of Mr. Fernandez's voluntary license suspension until either a settlement can be reached, or the Board holds a full Administrative Hearing on this matter.

**Board Action:** A motion was made and seconded to accept the Voluntary Summary Suspension Agreement in the matter of Mr. Fernandez for an additional ninety days.

Cooper-Bolinskey/Justice  
Motion carried 7-0-0

**B. Michael Russ, LCSW, License No. 34009434A**

Cause No. 2022 BHSB 0031  
Re: Extension of Emergency Suspension

**Parties Present:**

Respondent was not present  
Heather Orbaugh, Court Reporter, Accurate Court Reporting  
Amanda Cassidy, Deputy Attorney General, Office of the Attorney General

**Participating Board Members:**

Kimble Richardson, LMHC (Hearing Officer)  
Stephan Viehweg, LCSW  
Andrew Harner, LCSW  
Kelley Gardner, LMFT  
C. Martin Justice, LMHC  
Dr. Dianna Cooper-Bolinskey, LCAC  
Jon Ferguson, LMFT

**Case Summary:** On or about February 28, 2022, Mr. Russ's license was Summarily Suspended as it was determined he was a clear and present danger to the public based upon his arrest on October 30, 2021. The Office of Attorney General has attempted to reach out to Mr. Russ via phone and post mail regarding his license at all known potential locations. Ms.

Cassidy stated that the Office of Attorney General no longer has an operational phone number to reach Mr. Russ, but they are aware he is currently residing in the county jail for his charges. Ms Cassidy stated that his charges are still under investigation, and she informed the Board that the State still considers Mr. Russ a danger to the public and requests that his summary suspension be extended. She assured the Board that despite his circumstances, Mr. Russ does have the right to obtain his own counsel to speak on his behalf. Ms. Cassidy stated that their office has not received word that he has obtained counsel.

**Board Action:** A motion was made and seconded to extend the summary suspension of Mr. Russ' license for an additional ninety days.

Viehweg/Harner  
Motion carried 7-0-0

## VI DISCUSSION

### A. FAQ's

The Board is creating FAQs for each of their sections that will cover questions that pertain to Telehealth, Experience and Supervision, Private Practice, how long Associates must be held, educational requirements, and questions regarding who can diagnose. Once Board staff has compiled the information, it will be presented to the Board for final review.

### B. Review of 2022 Statute Changes

Evan Bartel, Deputy Director of IPLA, and Douglas Boyle, Communications Liaison of IPLA, presented information on the proposed changes in the current legislative session that might impact the Board. Mr. Bartel stated that SB5 is a proposal that eliminates the graduate credit hour requirement for LMHC and LMHCA graduates. The proposed bill also eliminates the language that if the course is not clear, the Board may request a syllabus. Mr. Bartel clarified that this does not eliminate the educational coursework requirements but that this change should bring the focus back on the programs to ensure that the course requirements are clear for the Board's review. He stated that the intent is so applicants obtain accredited degrees, which should speed up the licensure process. Mr. Bartel stated that if coursework is still unclear, the Board still has the authority to have applicants appear and provide documentation to show proof that they meet requirements. The Board discussed with Mr. Bartel how the change was determined.

Mr. Bartel also stated that there is proposed language to speed up reciprocity. He stated that the current proposed language will give the Board the requirement that they must issue the license within thirty (30) days of the last item received. This requirement is in effect provided that there is no background to be concerned about, nor any disciplinary action taken against a practitioner's license that needs to be addressed. Mr. Bartel stated that this bill was proposed to help get more individuals into the workforce.

Mr. Boyle stated that he is currently working on updating the website to provide clearer language regarding Telehealth on the website.

### C. Hannah Neuenschwander, LMFTA

Ms. Neuenschwander submitted a request for a temporary marriage and family therapy license to be issued while she completes the required two years of experience and supervision. The Board stated that

there is nothing in the statute and rules that allows them to issue the temporary marriage and family therapy license for this reason. In order to qualify for licensure, she must hold her associate license for a period of two years at minimum per the statute and rules before Ms. Neuenschwander can apply for the marriage and family therapy license and a temporary permit.

**VII. APPLICATIONS FOR REVIEW**

There were no applications for review.

**VIII. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL**

The Attorney General's office reported to the Board that they have 102 open complaints and they have closed 37 since the beginning of the year. The average age of the open complaints is 5.8 months. There are currently 24 open litigation cases with only 8 closed this year. The average duration of the litigation cases are 5.9 months.

**IX. FORMAL ADOPTION OF APPLICATION REVIEWS**

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

Cooper-Bolinsky/Viehweg  
7-0-0

**X. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW**

There were no CE applications for review.

**XI. OLD/NEW BUSINESS**

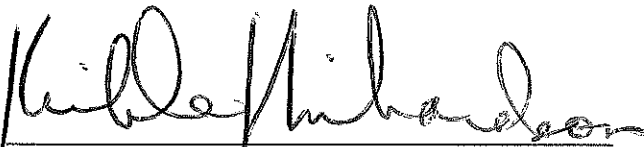
The Board discussed online training for becoming a supervisor. The ASWB holds various webinar trainings on how to be a supervisor.

**XII. ADMINISTRATORS' REPORT**

There was no administrator report.

**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 2:00 p.m. by general consensus.



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

8/21/2023  
Date