

**MINUTES**

**BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD**

**JUNE 15, 2015**

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

Mr. Brenner called the meeting to order at 9:00 a.m. in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

**Board Members Present:**

George Brenner, MS, LCSW, LMFT, LCAC, Board Chair  
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC Section Chair  
Andrew Harner, MSW, LCSW, SW Section Chair  
Stephan Viehweg, LCSW  
Carla Gaff-Clark, Ed. D, LMHC, CADAC-IV, LCAC, AC Section Chair  
Donald Osborn, Ph.D., LMFT, LCSW, LMHC, LCAC, MFT Section Chair  
Rex Stockton, Ed. D., LMHC, LCSW, LMFT  
Maria Poor, MD, Physician Member

**Board Members Not Present:**

Vacant, Marriage and Family Therapy Member  
Vacant, Consumer Member  
Vacant, Consumer Member

**State Officials Present:**

Cindy Vaught, Board Director, Professional Licensing Agency  
Heather Hollcraft, Assistant Board Director, Professional Licensing Agency  
Donna Sembroski, Deputy Attorney General, Office of the Attorney General

**II. ADOPTION OF THE AGENDA AS AMENDED**

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

GAFF-CLARK/HARNER  
Motion carried 8-0-0

**III. ADOPTION OF THE MINUTES FROM THE MARCH 23, 2015 MEETING OF THE BOARD**

Approval of the minutes from the March 23, 2015 meeting of the Board was tabled until the next meeting of the Board.

The Board welcomes Mr. Viehweg to the Board. He will represent the social work section.

**IV. PERSONAL APPEARANCES**

**A. Probationary**

**1. Lisa M. Daube, L.M.H.C.**

License No. 39002240A

Administrative Cause No. 2014 BHSB 009

Ms. Daube appeared before the Board, as requested, regarding her ongoing probationary status. This is Ms. Daube's first personal appearance since the administrative hearing placing her mental health counselor license on probation. Ms. Daube is still employed with Family Focus that contracts with Family and Social Services. Ms. Daube is scheduled to appear at the November 16, 2015 meeting of the Board.

**2. Thomas A. Dworniczek, L.C.S.W., L.M.F.T.**

License Nos. 34001178A and 35000659A

Administrative Cause No. 2012 BHSB 003

Mr. Dworniczek appeared before the Board, as requested, regarding his ongoing probationary status. Mr. Dworniczek read the report to the Board from his practice monitor, Kevin Komosa, L.C.S.W., which was favorable. Mr. Dworniczek stated things are going well. The Board is pleased with his progress. Mr. Dworniczek is scheduled to appear at the September 21, 2015 meeting of the Board.

**B. Renewal**

There were no renewal appearances before the Board.

**C. Reinstatement**

There were no reinstatement appearances before the Board.

**D. Application**

**1. Kenneth L. Cox (LMHC)**

Mr. Cox appeared before the Board, as requested, regarding his application for mental health counselor licensure. Mr. Cox answered yes to questions 4 and 5 of the repeat examination application that ask "Are you now, or have ever been treated for drug abuse or alcohol problem?" and "Have you, in the past five years, been convicted of, plead guilty to or nolo contendere to any offense, misdemeanor or felony in any state?" He explained that on July 27, 2014 he was arrested and charged with Operating a Vehicle While Intoxicated Endangering a Person, a Class A Misdemeanor, and Operating a Vehicle with Alcohol Concentration Equivalent to at Least .08 but Less than .15, a Class C Misdemeanor, and on December 27, 2014 was arrested and charged with Operating a Vehicle While Intoxicated Endangering a Person, a Level 6 Felony, Operating a Vehicle with an ACE of .08 or More but where defendant has a prior conviction, a Level 6 Felony, and Possession of Cocaine, a Level 6 Felony. Mr. Cox explained that he is currently on home detention until the end of 2016 and will then be on probation for a period of one (1) year. On April 22, 2015, the court sentenced Mr. Cox to 730 days with 365 days suspended and ordered him to complete an impaired

driver's victim impact panel, have a substance abuse evaluation and pay court costs and fines. The Board requests that he provide a copy of the court ordered addictionology evaluation, a letter from his therapist and a report from his probation officer.

**Board action:** A motion was made and seconded to grant Mr. Cox permission to take the NCMHCE examination for a third attempt with the requirement for Mr. Cox to reappear before the Board once he passes the examination for a licensing decision.

RICHARDSON/STOCKTON  
Motion carried 8-0-0

## 2. Kasey David Everson (LSW)

Mr. Everson appeared before the Board, as requested, regarding his application for social work licensure. Mr. Everson answered yes to question 4 on the application that asks "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. Everson explained that on October 28, 2012 he was arrested and charged with Operating a Vehicle While Intoxicated Endangering a Person, a Class A Misdemeanor, Operating a Vehicle with an ACE to .15 or more, a Class A Misdemeanor, and Driving Left of Center. On November 20, 2012 he entered into a Plea Agreement. He pled guilty to Count II of operating a vehicle with an ACE to .15 or more, a Class A misdemeanor. Mr. Everson was required to complete one (1) year of probation, complete a court ordered alcohol counter measure program and pay court fees and fines. Mr. Everson stated he has completed all court ordered requirements and no longer consumes alcohol. Mr. Everson assured the Board that he has never consumed alcohol on a regular basis. Mr. Everson currently attends counseling twice per week, once by himself and once with his wife.

**Board action:** A motion was made and seconded to approve Mr. Everson's application for social work licensure and approved Mr. Everson to take the ASWB Master's examination.

HARNER/RICHARDSON  
Motion carried 8-0-0

## 3. Caroline I. Fitterling (LCSW)

Ms. Fitterling appeared before the Board, as requested, regarding her application for clinical social work licensure. Ms. Fitterling answered yes to questions 5 and 6 on the application for licensure that ask "Have you ever been denied staff membership or privileges in any hospital or health care facility or had such membership or privileges revoked, suspended or subjected to any restrictions,

probation or other type of discipline or limitations?" and "Have you ever been admonished, censured, reprimanded or requested to withdraw, resign or retire from any hospital or health care facility in which you have trained, held staff membership or privileges or acted as a consultant?" Ms. Fitterling explained that on February 5, 2015 she was terminated from Riley Hospital for Children due to a situation where she did not meet with the family of a critical patient as required by Riley's policy. Ms. Fitterling stated that she was on a performance plan that specified she participate in weekly meetings with her manager to ensure that she stayed on top of her work. She assured the Board that this would not be an issue in the future.

**Board action:** A motion was made and seconded to approve Ms. Fitterling's application for social work licensure and approved Ms. Fitterling to take the ASWB Clinical examination.

STOCKTON/RICHARDSON

Motion carried 7-0-0

\*Mr. Harner recused himself

#### 4. Laci Danielle Giboney (LSW)

Ms. Giboney appeared before the Board, as requested, regarding her application for social work licensure. Ms. Giboney answered yes to questions 3 and 4 on the application that ask "Are you now, or have ever been treated for drug abuse or alcohol problem?" and "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. Giboney explained that from 2001 – 2006 she struggled with an addiction to heroin and other opiates. During this time she was treated several times for drug addiction, in both inpatient and outpatient settings. In 2006 she was charged with C Felony Forgery, D Felony Theft, and D Felony Possession of Paraphernalia and sentenced to three (3) to six (6) years of incarceration with two (2) years of probation to follow. She explained that during her incarceration she learned about her addiction and how to overcome it. She began taking classes at IVY Tech during her work release in June 2008. She then transferred to IUPUI to gain her Bachelor and Masters Degrees, which she was granted in December 2014. She is currently working to start a recovery home in Boone County for recovering heroin addicts. The Board commended her on her recovery and her intended effort to help others.

**Board action:** A motion was made and seconded to approve Ms. Giboney's application for social work licensure and approved Ms. Giboney to take the ASWB Master's examination.

HARNER/OSBORN

Motion carried 8-0-0

#### 5. Nancy Beatrice McKean (LMHCA)

Ms. McKean appeared before the Board, as requested, regarding her application mental health counselor associate licensure. Ms. McKean answered yes to question 4 on the application that asks "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. McKean explained that in April of 2006, she was charged with Possession of up to 35 grams of Marijuana and Unlawful Use of Drug Paraphernalia. She stated that on January 10, 2007, the first count was dismissed and she pled guilty to the second charge. The court required her to pay court costs, complete two (2) years of probation, complete twenty-five (25) hours of community service and obey all laws. She also explained that in February 2014, she was arrested for Operating a Vehicle While Intoxicated and Operating a Vehicle with Alcohol Concentration Equivalent to .15 or more. She stated on April 24, 2014, she was found guilty of Operating a Vehicle While Intoxicated Endangering a Person and was required to complete community service, complete one (1) year of probation, and pay court costs and fines. Ms. McKean stated she has completed all court requirements.

**Board action:** A motion was made and seconded to approve Ms. McKean's application for mental health counselor associate licensure and approved Ms. McKean to take the NCE examination upon submission and review of her substance abuse evaluation.

RICHARDSON/GAFF-CLARK

Motion carried 7-0-0

\*Dr. Stockton recused himself

#### 6. David Michael Moore (LCSW)

Mr. Moore appeared before the Board, as requested regarding his application for clinical social work licensure. Mr. Moore did not answer yes to the question on the application that asks "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?" He explained that the application had changed since the last time he completed one. He states that in 2006, he was arrested and charged with Operating a Vehicle While Intoxicated. He entered into a pre-trial diversion program and completed all court requirements, at which time the case was dismissed. He states that his attorney told him the charge was expunged, but it has not been. He had made a personal appearance before the Board regarding this matter in 2013. He is before the Board today to request a waiver of the

supervision requirement due to his supervisor refusing to complete the form verifying his post-graduate clinical supervision. He assured the Board that he has completed the two years of post-graduate supervision and clinical experience requirement. He stated he was in a session where he physically touched a minor's shoulder to "emphasize" a statement he was making during a de-escalation of a situation with a client. This occurred after his employer had put in a place a no touch policy. Mr. Moore stated that due to this situation the supervisor will not verify the hours. The Board asked Ms. Vaught to draft a letter to his supervisor inquiring as to why she will not complete the verification of supervision form.

**Board action:** A motion was made and seconded to approve Mr. Moore's application for clinical social work licensure and approved Mr. Moore to take the ASWB Clinical examination upon submission of a signed verification of supervision form.

HARNER/GAFF-CLARK  
Motion carried 8-0-0

**7. Amy Beth Schaller (LAC)**

Ms. Schaller did not appear before the Board, as requested, regarding her application for addiction counselor licensure. Ms. Schaller will be rescheduled to appear at the next meeting of the Board.

**8. Joseph Apongule (LMHC)**

Mr. Apongule appeared before the Board, as requested, regarding his application for mental health counselor licensure. Mr. Apongule appeared before the Board on January 26, 2015. At that time, the Board voted that prior to further review of his application, he would need to complete an evaluation/assessment by a licensed clinical addiction counselor. Upon submission of the evaluation/assessment he would be required to appear before the Board. Since that time, Mr. Apongule has completed the evaluation/assessment and the Board has it for review.

**Board action:** A motion was made and seconded to approve Mr. Apongule's application for mental health counselor licensure and approved Mr. Apongule to take the NCMHC examination.

RICHARDSON/GAFF-CLARK  
Motion carried 8-0-0

**E. Examination Attempts**

**1. Joy Diane Burris (LCSW)**

Ms. Burris appeared before the Board, as requested, regarding her request to attempt the ASWB Clinical examination for the fourth time.

**Board action:** After discussion, a motion was made and seconded to grant Ms. Burris permission to sit for the ASWB Clinical examination for the fourth time.

HARNER/RICHARDSON

Motion carried 8-0-0

**2. Peppi Arnita Chapman (LCSW)**

Ms. Chapman appeared before the Board, as requested, regarding her request for approval to take the ASWB Clinical examination for the fourth time.

**Board action:** After discussion, a motion was made and seconded to grant Ms. Chapman permission to sit for the ASWB clinical examination for the fourth time.

HARNER/POOR  
Motion carried 8-0-0

**3. Ray Dean Conley (LCSW)**

Mr. Conley appeared before the Board, as requested, regarding his request for approval to take the ASWB Clinical examination for the fourth time.

**Board action:** After discussion, a motion was made and seconded to grant Mr. Conley permission to sit for the ASWB Clinical examination for the fourth time.

HARNER/VIEHWEG  
Motion carried 8-0-0

**4. Noteka S. Jordan (LCSW)**

Ms. Jordan appeared before the Board, as requested, regarding her request for approval to take the ASWB Clinical examination for the fourth time. She stated she has completed the Dr. Sophia Dziegielewski License Exam Preparation Course twice. She explained that she has discovered she takes too long to dissect the questions and it takes her to the very last minute to complete the examination. She stated that she has made a lot of changes in her life to help make it less stressful for her to be able to successfully take the examination.

**Board action:** A motion was made and seconded to approve Ms. Jordan to sit for the ASWB Clinical examination for the fourth time.

HARNER/VIEHWEG  
Motion carried 8-0-0

**5. Bridgette Spann (LCSW)**

Ms. Spann did not appear before the Board, as requested, regarding her request to attempt the ASWB Clinical examination for the fourth time. Ms. Spann will be scheduled to appear at the next meeting of the Board.

**6. Fredrick Vandi (LMHC)**

Mr. Vandi appeared before the Board, as requested, regarding his request for approval to take the NCMHCE examination for the fourth time. Mr. Vandi explained that he believes he has been unsuccessful with the examination due to a

language barrier. Mr. Richardson recommended Mr. Vandi check with the Indiana Counselor Association and the NBCC websites for test preparation courses. The Board also recommended that he seek an extension of time to take the examination because of the language issue.

**Board action:** A motion was made and seconded to approve Mr. Vandi to sit for the NCMHCE examination for the fourth time.

RICHARDSON/STOCKTON  
Motion carried 8-0-0

**F. Other**

There were no other appearances before the Board.

**V. ADMINISTRATIVE HEARINGS**

**A. State of Indiana v. Kris M. Kasting**

Administrative Cause No. 2013 BHSB 007

Re: Order to Show Cause and Proposed Settlement Agreement

**Parties Present:**

Respondent was not present, nor represented by Counsel  
Kelsie Duggan, Deputy Attorney General for the State of Indiana  
Sherri Rutledge, Court Reporter, Rutledge Independent Reporting

**Participating Board Members:**

Mr. Brenner, Chair (Hearing Officer)  
Mr. Richardson  
Mr. Harner  
Dr. Poor, M.D.  
Dr. Osborn, Ph.D.  
Dr. Stockton, Ph.D.  
Mr. Viehweg

**Case Summary:** On or around June 12, 2015, the State filed a Proposed Settlement for Motion to Cease in Desist in the matter of Respondent's unlicensed practice of clinical social work. Respondent is in the process of taking the ASWB Clinical examination. She currently holds an active temporary clinical social work permit. The Proposed Settlement would order Respondent to immediately cease and desist from engaging in any activity that requires licensure as a clinical social worker as set forth in Ind. Code 25-23.6-4-1, unless and until Respondent is licensed or holds a valid temporary license as a clinical social worker.

**Board action:** A motion was made and seconded to accept the Proposed Settlement Agreement as presented by the State in the matter of Ms. Kasting.

RICHARDSON/HARNER  
Motion carried 7-0-0

**B. Jerry Michael May (LCAC)**



Administrative Cause No. 2015 BHSB 005  
Re: Petition for Reconsideration of the Board's Denial of Petitioner's  
Petition for Review

**Parties Present:**

Petitioner was present, without Counsel  
Kelsie Duggan, Deputy Attorney General for the State of Indiana  
Sherri Rutledge, Court Reporter, Rutledge Independent Reporting

**Participating Board Members:**

Mr. Brenner (Hearing Officer)  
Mr. Richardson  
Mr. Harner  
Dr. Poor, M.D.  
Dr. Osborn, Ph.D.  
Dr. Stockton, Ph.D.  
Mr. Viehweg

**Case Summary:** On or around January 26, 2015, the Board voted unanimously to deny Petitioner's application for licensure based on the fact that he did not meet the minimum requirements for licensure. The letter of denial was mailed to Petitioner on January 30, 2015 giving Petitioner eighteen (18) days to appeal the decision of the Board. Petitioner appealed the decision of the Board, but did not submit his appeal within the allotted timeframe. Petitioner mailed his appeal to the Board by certified mail on February 25, 2015. Petitioner stated he felt the eighteen (18) days only pertained to business days and did not include weekends so therefore he calculated the dates incorrectly. Petitioner entered Exhibit 1, copies of letters of support. The Board did not accept them into evidence as they felt it did not pertain to this case.

**Board action:** A motion was made and seconded to accept this as a timely request for appeal in the matter of Mr. May's administrative hearing.

RICHARDSON/OSBORN  
Motion carried 7-0-0

The hearing notice for the June 15, 2015 hearing stated that the sole issue to be addressed at the hearing was the timeliness of the Petition for review. Petitioner was informed that the hearing on the issue of his qualifications for licensure could be continued to a future date, and he stated that he would prefer to proceed with a hearing immediately. The Board then heard evidence on Petitioner's petition for review

**Case Summary:** On or around March 17, 2104, Petitioner submitted an application for addiction counselor licensure. On or around January 26, 2015, the Board voted unanimously to deny Petitioner's application for licensure. At that time, the Board voted to deny Petitioner's application, because his master's degree was not granted by an educational institution accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation. Petitioner does not meet the educational requirements for licensure as a clinical addiction counselor in the state of Indiana.

**Board action:** A motion was made and seconded to deny the appeal in the matter of Mr. May's application for addiction counselor licensure due to not meeting the educational requirements for licensure as a clinical addiction counselor.

RICHARDSON/OSBORN  
Motion carried 7-0-0

C. **Michal Nugent, L.C.S.W., License No. 34000975A**  
Administrative Cause No. 2018 BHSB 0001  
Re: Petition for Reinstatement

**Parties Present:**

Petitioner was present, with John Ittenbach, Attorney  
Kelsie Duggan, Deputy Attorney General for the State of Indiana  
Sherri Rutledge, Court Reporter, Rutledge Independent Reporting

**Participating Board Members:**

Mr. Harner (Hearing Officer)  
Mr. Richardson  
Dr. Poor, M.D.  
Dr. Osborn, Ph.D.  
Dr. Stockton, Ph.D.  
Mr. Viehweg

**Case Summary:** On or around April 30, 2008, the Board placed Petitioner's clinical social worker license on Indefinite Suspension with terms and conditions after an Administrative Hearing was held that found Petitioner in violation of Ind. Code 25-1-9-4(a)(4)(B). The Board's Final Order states that Petitioner's clinical social work license was to remain on Indefinite Suspension with the requirement of Petitioner to complete a psychological evaluation by a licensed HSPP. The State is concerned that the psychological evaluation was completed by an LCSW and reviewed by an HSPP, but not completed by an HSPP. Petitioner submitted Exhibit 1, a State Vocational Rehabilitation documentation (SVR); Exhibit 2, an Individual Plan for Employment through VRS document; Exhibit 3, copies of continuing education certificates showing completion of 20 hours of continuing education; and Exhibit 4, a copy of a letter of recommendation from Dr. Melinda Cobb, Petitioner's psychiatrist. The State is concerned that Petitioner's psychological evaluation makes no mention of the inappropriate letter written to the patient listed in the Findings of Fact, Conclusion of Law, Ultimate Conclusion of Law and Order. Petitioner stated she would like to work with mothers who have lost children with addictions. Mr. Ittenbach feels the suspension should be set aside and wishes the Board to reinstate her license on a probationary status with terms and conditions so she can be a productive counselor once again. The State feels that Petitioner has not proven beyond a reasonable doubt that she is competent to go back to practicing clinical social work based on the psychological evaluation submitted by Petitioner, as the inappropriate behavior she was disciplined for was not mentioned in the evaluation. The State requests the Board to deny the petition for withdrawal of suspension until Petitioner completes a psychological evaluation by an HSPP provider and follows the Order that is currently in place.

**Board action:** A motion was made and seconded to deny the reinstatement request of Ms. Nugent's clinical social worker license and to require Ms. Nugent to obtain a psychological evaluation to be completed by an HSPP provider, to include a clinical interview as well as specifically stating the reason for the Findings of Fact, Conclusion of Law and Order.

RICHARDSON/POOR

Motion carried 6-0-0

\*Mr. Brenner recused himself

**D. State of Indiana v. Robin Paul, L.C.S.W., License No. 34005771A**

Administrative Cause No. 2015 BHSB 003

Re: Complaint and Extension of the Emergency Suspension

Proposed Settlement Agreement

**Parties Present:**

Respondent was present, with Barclay Wong, Attorney

Kelsie Duggan, Deputy Attorney General for the State of Indiana

Sherri Rutledge, Court Reporter, Rutledge Independent Reporting

**Participating Board Members:**

Mr. Brenner, (Hearing Officer)

Mr. Richardson

Mr. Harner

Dr. Poor, M.D.

Dr. Osborn, Ph.D.

Dr. Stockton, Ph.D.

Mr. Viehweg

**Case summary:** On or around June 3, 2015, the State filed a Complaint alleging Respondent has violated Ind. Code 25-1-9-4(a)(4)(A) in that Respondent has continued to practice although she has become unfit to practice due to professional incompetence based on a violation of 856 IAC 1-3-4(b), which states the competent practice of clinical social work includes acting within generally accepted ethical principles and guidelines of the profession, specifically, Respondent acted in an irresponsible manner and violated ethical standard 1.01 of the NASW Code of Ethics when she sent emails to her staff which contained photos of a character engaged in acts such as drug seeking behavior and committing suicide which did not promote the well-being of the patients/clients at the Mental Health Clinic she supervised at the Clinic at Roudebush Veterans Affairs Medical Center. The State and Respondent have agreed to a Proposed Settlement Agreement that the State feels will resolve this issue placing Respondent's clinical social worker license on Indefinite Probation with the following terms and conditions:

- Respondent may not petition for withdrawal of probation for a period of six (6) months.
- Respondent shall keep the Board apprised of her residential address and telephone number and shall notify the Board, in writing, within seventy-two (72) hours of any changes.
- Respondent shall keep the Board abreast of the name, address, and telephone number of any and all behavioral health employers and shall notify the Board, in writing, within seventy-two (72) hours of any changes.

- Respondent shall submit proof of completion of twenty (20) hours of Category I continuing education, in addition to the standard continuing education requirements, to the Board in the area of ethics within six (6) months of the date of the final order in this matter.
- Respondent shall author an article, using an alias she chooses, appropriate for publication in a social work newsletter, published either locally or nationally, identifying the importance of complying with ethical standards described in 1.01 of the NASW Code of Ethics and consequences of failing to do so, to be approved by the Board or a Board liaison, within sixty (60) days of the Board's final order in this matter.
- Respondent shall pay a fine in the amount of one thousand dollars (\$1,000.00) within six (6) months of the date of the Board's final order in this matter.
- Respondent shall pay a fee of five dollars (\$5.00) to be deposited in the Health Records and Personal Identifying Information Protection Trust Fund.

**Board action:** A motion was made and seconded to accept the Proposed Settlement Agreement as proposed by the State in the matter of Ms. Paul's clinical social worker license.

STOCKTON/OSBORN  
 Motion carried 6-1-0  
 \*Mr. Richardson opposed

**E. Janet S. Pottoroff, L.S.W., License No. 33005287A**  
 Administrative Cause No. 2014 BHSB 002  
 Re: Petition for Reinstatement

**Participating Parties:**

Petitioner was present, without Counsel  
 Kelsie Duggan, Deputy Attorney General for the State of Indiana  
 Sherri Rutledge, Court Reporter, Rutledge Independent Reporting

**Participating Board Members:**

Mr. Harner (Hearing Officer)  
 Mr. Richardson  
 Mr. Brenner  
 Dr. Osborn, Ph.D.  
 Dr. Stockton, Ph.D.  
 Mr. Viehweg

**Case Summary:** On or around September 5, 2014, the Board placed Petitioner's social worker license on Indefinite Suspension after a vote of 7-0-0 by the Board finding Petitioner in Default. Petitioner stated she has begun attending Alcoholics Anonymous meetings and is on step 5 of the program, but did not provide any documentation indicating such. She stated she has also completed some continuing education, but failed to provide documentation for that as well. The State feels she is moving in the right direction but is concerned with her recent relapse, no practice of social work in the past five (5) years and lack of continuing education. The State would like to see documentation of sponsor support letters or the appearance of a

sponsor, documentation of AA attendance, documentation of treatment, and documentation of continuing education in the areas of boundary issues and HIPPA. The State feels this request for reinstatement is premature and would be more comfortable if Petitioner could provide documentation as evidence in her favor at a hearing in the future. The Board recommended Petitioner should come back with evidence of attendance at AA meetings and documentation of continuing education with a strong concentration in HIPPA and boundaries.

**Board action:** A motion was made and seconded to deny Ms. Pottoroff's request for reinstatement and to continue the indefinite suspension of Ms. Pottoroff's social worker license.

STOCKTON/RICHARDSON

Motion carried 5-0-1

\*Mr. Brenner abstained

#### VI. SETTLEMENT AGREEMENT

There were no Settlement Agreements before the Board.

#### VII. NOTICE OF PROPOSED DEFAULT

There were no Notices of Proposed Default before the Board.

#### VIII. DISCUSSION

##### A. Priscilla Vorice, L.S.W., License No. 33002401A

Cause No. 2005 BHSB 0011

Re: Request for Rehearing of Final Order

Ms. Vorice filed a Petition for Judicial Review of the Final Order in Lake Superior Court, and on August 12, 2008, Judge Calvin Hawkins issued an Order remanding the cause back to the Board for further proceedings to correct errors in the final Order. On November 10, 2008, the Board issued its clarified Final Order suspending Respondent's license for a period of at least one year from the date of the Final Order. On March 26, 2009, after a hearing, the Board issued its Order reinstating Respondent's license on probation for a period of at least one year. Respondent has not petitioned for removal of the probation, and her license remains on probation. The Board's Order of March 23, 2007, is no longer in effect, having been superseded by the Lake Superior Court's Order on Judicial Review, the November 10, 2008 Final Order, and the March 26, 2009 Order reinstating Respondent's license on probation.

**Board action:** A motion was made and seconded to deny Ms. Vorice's request for request for a rehearing.

RICHARDSON/HARNER

Motion carried 6-0-0

##### B. Alex Challstrom, BSW, L.S.W.

Renown Health

Re: Public Notaries

The Board discussed correspondence from Mr. Challstrom regarding Nevada's issue with dual relationship with notary publics notarizing documents for clients. The Board does not feel this is an issue at this time.

**C. Ronald J. Golston, MA, MSW, License Nos. 33001144A & 35000561A**  
Re: Reinstatement of Licensure

The Board discussed correspondence from Mr. Golston regarding reinstatement of his expired licenses. Mr. Golston will be sent the reinstatement documents to complete.

**D. Deborah Gerrity, L.M.H.C., License No. 39001142A**  
Re: Request for Extension of time

Ms. Gerrity has requested an extension of time to take the NCMHCE examination in order to reinstate her mental health counselor license. Ms. Gerrity has not been able to take the examination due to injuries from a fall into an empty swimming pool on March 20, 2015 and the recovery period.

**Board action:** A motion was made and seconded go grant Ms. Gerrity a six (6) month extension to take the NCMHCE examination for reinstatement of her expired mental health counselor license.

STOCKTON/RICHARDSON  
Motion carried 6-0-0

**E. Anthony M. McCrovitz, Ph.D., L.M.H.C.**  
Executive Director, Glob Star, LLC

Mr. McCrovitz introduced himself to the Board. He is the new director of the Indiana Counseling Association.

**IX. APPLICATION REVIEW**

There were no application reviews discussed by the Board.

**X. PROBATION REVIEW**

There were no probation files reviewed by the Board.

**XI. FORMAL ADOPTION OF APPLICATION REVIEWS**

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.

RICHARDSON/HARNER  
Motion carried 6-0-0

**XII. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW**

**A. Association of Black Social Workers**

Mr. Harner reviewed the continuing education sponsor application submitted by the Association of Black Social Workers. Mr. Harner would like more specifics and request they provide an example of one of the more recent trainings they have offered. Mr. Harner stated they cannot give their first program until ninety (90) days after April 1, 2015. Mr. Harner recommends tabling this application until more information is received.

**B. Remembrance Products Group**

Mr. Harner reviewed the continuing education sponsor application submitted by the Remembrance Products Group. Mr. Harner would like the program to contain more specific educational courses and less marketing. Mr. Harner feels the presenter does not have the education and training to provide continuing education for social workers or marriage and family therapists as requested. Mr. Harner recommends denial of the continuing education sponsor application for Remembrance Products Group.

**C. Samaritan Health and Living**

Mr. Harner reviewed the continuing education sponsor application submitted by the Samaritan Health and Living. Mr. Harner recommends approval of the continuing education sponsor application for Samaritan Health and Living.

**Board action:** A motion was made and seconded to accept Mr. Harner's recommendations for the continuing education sponsor applications before the Board today.

HARNER/VIEHWIG  
Motion carried 6-0-0

**XIII. OLD/NEW BUSINESS**

Ms. Vaught requested the Board to sign the Resolution to authorize the Executive Director of IPLA or a delegate in his place to sign the Board chair's name on all Orders, Hearing Notices, etc. issued by the Behavioral Health and Human Services Licensing Board.

**Board action:** A motion was made and seconded for Mr. Brenner to sign the Resolution.

HARNER/RICHARDSON  
Motion carried 6-0-0


**XIV. ADMINISTRATOR'S REPORT**

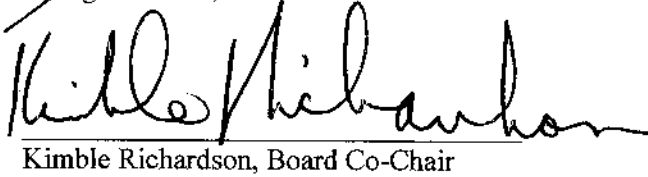
Ms. Vaught reported that that there is new legislation that allows the board to take one hundred twenty (120) days to review renewals and reinstatements instead of the original ninety (90) days. Also, there is a new mandatory reporting requirement of licensees to

report any felony or misdemeanor convictions during a license cycle within thirty (30) days of the conviction. The requirement for IPLA to send reminder notifications for license renewals has changed from sixty (60) days prior to license expiration to ninety (90) days prior to license expiration.

**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 5:45 p.m. by general consensus.

 George Brenner, Board Co-Chair 9-21-15  
George Brenner, Board Co-Chair Date

 Kimble Richardson, Board Co-Chair 9-21-2015  
Kimble Richardson, Board Co-Chair Date