

**BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD**  
**MINUTES**  
**August 22, 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  
Andrew Harner, MSW, LCSW, Board Chair, SW Section Chair, Board Designee  
Kelley Gardner, LMFT  
C. Martin Justice, LMHC  
Dr. Dianna Cooper-Bolinskey, LCAC  
Jon Ferguson, LMFT  
Jacqueline Eitel, RN, Consumer Member

**Board Members Not Present:**

Stephan Viehweg, MSW, LCSW  
Vacant – Addiction Member  
Vacant – Physician 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-Bolinskey/Harner  
Motion carried 6-1-0 Gardner not present.

**III. APPROVAL OF MINUTES**

There were no minutes for review.

**IV. PERSONAL APPEARANCES**

**A. Probation**

1. **Joy E.P. Bell, LMHC, License No. 39001547A**  
Cause No. 2021 BHSB 0008

Ms. Bell appeared as requested to discuss her ongoing probation. She informed the Board that she is currently working in private practice, and she has a colleague who helps her review case files. Ms. Bell stated that she has completed the required continuing education and submitted copies of the certificates to the Board. The Board discussed what she learned from her continuing education trainings.

2. **Candace Jo Hall, LMHC, License No. 39002839A**  
Cause No. 2018 BHSB 0007

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

3. **Amy Holbert, LCAC, License No. 87900030A**  
Cause No. 2021 BHSB 0004

Ms. Holbert appeared as requested to discuss her ongoing probation. The Board reviewed her probation reports. Ms. Holbert informed the Board that she is attending self-help meetings and continues to see her therapist. The Board informed Ms. Holbert that for her next appearance they wanted to discuss what goals she is working towards with her therapist.

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

Mr. Moore appeared as requested to discuss his ongoing probation. The Board reviewed the letter from his supervisor, Joanna Wallace, LCSW, and noted her positive feedback. The Board discussed with Mr. Moore the opening of his private practice and reviewed the challenges he is facing. He stated that he volunteers at Ryan's Place. Mr. Moore and the Board discussed the challenges he is facing with a private practice and his progress with professional boundaries. He stated he has completed a large amount of continuing education of which one is telehealth since he is preparing to do telehealth. Also discussed ethics, professional boundaries, and communication.

5. **Scott Peterson, LMHC, License No. 39001409A**  
Cause No. 2020 BHSB 0009

Mr. Peterson appeared as requested to discuss his ongoing probation. He stated that he is currently working at Options Behavioral Health. The Board discussed his supervisor reports with him. The Board asked for clarification on the credentials of his supervisor. Mr. Peterson stated that he believed they were an LCSW but was not sure. The Board emphasized that he needs to know the credentials of his supervisor to ensure he obtains clinical supervision, and that his supervision meets the statute and rule requirements for the profession. Mr. Peterson stated that he has found it difficult to find jobs because of the probationary status of his license. His current job does not require him to have a license. The Board stated that if he is doing clinical work, he is required by the State to have a license, even if the employer does not require it. The Board expressed concerns that Mr. Peterson is not currently in compliance with his probation order as he does not have adequate clinical supervision. The Board stated that if he does not address this, then the Board will have to proceed with further action against his license.

6. **David Shields, LCSW, License No. 34003290A**  
Cause No. 2016 BHSB 0014

Mr. Shields did not appear due to illness. He will be rescheduled.

**B. Reinstatement**

**1. Erik Burns, LAC, License No. 86000112A**

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

**2. Tamara Imel, LMHC, License No. 39001395A**

Ms. Imel appeared as requested to discuss the reinstatement of her mental health license that expired in 2018. She submitted a statement and forty hours of continuing education for the Board to review. Ms. Imel stated that she would like to work part-time in the area of telehealth with clients dealing with chronic illnesses.

**Board Action:** A motion was made and seconded to approve Ms. Imel's application for reinstatement of her mental health license pending the passing of the jurisprudence examination.

Justice/Harner  
Motion carried 7-0-0

**3. Mark Pruitt, LCSW, License No. 34003875A**

Mr. Pruitt appeared as requested to discuss the reinstatement of his clinical social work license that expired in 2018. He submitted a statement and forty hours of continuing education for the Board to review. Mr. Pruitt stated that he has recently moved from Michigan and is starting a non-profit organization.

**Board Action:** A motion was made and seconded to approve Mr. Pruitt's application for reinstatement of his clinical social work license pending the passing of the jurisprudence examination.

Harner/Justice  
Motion carried 7-0-0

**4. Amanda Siemens, LSW. License No. 33005778A**

Ms. Siemens appeared as requested to discuss the reinstatement of her social work license that expired in 2018. She submitted a statement and forty hours of continuing education for the Board to review. Ms. Siemens stated that she moved back to the State in 2015, and her current position only requires an MSW, not a license. The Board informed her that if she is practicing social work, the law requires a license. The Board reviewed her continuing education and determined that only 21 hours can be approved.

**Board Action:** A motion was made and seconded to approve Ms. Siemens' application for reinstatement of her social work license pending the completion of the jurisprudence exam and submission of an addition nineteen hours of approved continuing education.

Harner/Justice  
Motion carried 7-0-0

Ms. Siemens clarified that she has been working as a Behavior Technician. The Board stated that the duties she has been performing requires a license.

**C. Application**

**1. Takia Arrington (LSW)**

Ms. Arrington appeared as requested to discuss her yes response to the question regarding arrests in her background. She provided a statement and supporting documentation for the Board to review. It was noted Ms. Arrington provided expungement documents, but not all incidents were in the expungement order. In 2020, Ms. Arrington was arrested for a DUI and was placed on criminal probation. She stated that she is still on the criminal probation as it was for two (2) years and two hundred and forty (240) days. Her probation will be completed in July 2023. Ms. Arrington is employed at Park Center as an intake specialist. She stated that her position is newly created for the employment, so they are working on arranging supervision. Ms. Arrington is a 2019 graduate of Indiana University.

**Board Action:** A motion was made and seconded to approve Ms. Arrington's application to sit for the ASWB Masters examination, and grant her temporary permit/license on probation with the following terms:

- Ms. Arrington's license shall be placed on Indefinite Probation and may not petition to withdraw the probation until she has completed the terms of her criminal probation.
- While on license probation, she must complete the following terms:
  - Ms. Arrington must keep the Board apprised of the following information in writing and update it as necessary:
    - Ms. Arrington's current home address, mailing address, e-mail address and residential telephone number.
    - Ms. Arrington's place of employment, employment telephone number, employment e-mail address and name of supervisor.
    - Ms. Arrington's title and work schedule, including the number of hours worked per week.
  - Ms. Arrington shall cause the supervisor of her social work practice to submit bi-annual reports to the Board indicating her progress with employment and practice of social work. If Ms. Arrington is unemployed while on probation, she will submit a written personal report to the Board.
  - Ms. Arrington shall provide bi-annual written reports to the Board regarding her status and progress with criminal probation.
  - Ms. Arrington shall provide copies of this Board Order signed by any employers within fifteen (15) days of the issuance of the Order. If Ms. Arrington secures different employment, Ms. Arrington shall provide a copy of the Board Order signed by the new employer within fifteen (15) days of starting employment.

- Ms. Arrington 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.
- The failure of the Ms. Arrington to comply with the terms of her probation may subject Ms. Arrington to a show cause hearing and the possible imposition of further sanctions.

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

**2. Felisha Babb (LCSW)**

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

**3. Jackie Carpenter-Conway (LMHC)**

Mr. Carpenter-Conway did not appear. She will be rescheduled.

**4. Maralee Frush (LSW)**

Ms. Frush appeared as requested to discuss why she did not disclose her background on her application. She submitted a statement and supporting documentation for the Board to review. In May of 2014, Ms. Frush was charged with inhaling toxic vapors. The charge was dismissed in January of 2015. She stated that she thought her record had been expunged. The Board discussed the differences of dismissal and expunged with Ms. Frush. The Board discussed her work and noted no concerns. Ms. Frush is a 2021 graduate of Ball State University.

**Board Action:** A motion was made and seconded to approve Ms. Frush's social work application to sit for the ASWB masters examination.

Harner/Gardner  
Motion carried 7-0-0

**5. James Fuller (LSW & LCACA)**

Mr. Fuller appeared as requested to discuss his yes response to the application question regarding a condition or impairment that may interfere with his practice on his social work and clinical addiction counselor associate application. He submitted a statement and supporting documentation for the Board to review. Mr. Fuller stated that he has been sober for the last 5 years. He has set boundaries for his selfcare. Mr. Fuller is a 2022 graduate of Indiana University.

**Board Action:** A motion was made and seconded to approve Mr. Fuller’s application for social work and clinical addiction counselor associate to sit for both his ASWB masters examination and clinical addiction examination.

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

6. **Denessa Granberry (LCSW)**

Ms. Granberry appeared as requested to discuss her application. Ms. Granberry applied for a clinical social work license, but she does not hold a social work license. The Board discussed that she earned her clinical and supervision hours without a license. She explained that she worked in Virginia which does not require a license. They just require that she be supervised. She stated that the hours she has submitted for her Indiana license were completed in Virginia under those stipulations. The Board noted that she submitted documentation of hours under Family Services in Indiana. They stated that she cannot count any hours in Indiana as she did not hold the license and stated that she will need to obtain that license first. She will then need to be licensed as a social worker in order to complete the required hours. The Board discussed unlicensed practice with Ms. Granberry. Ms. Granberry is a 2019 University of Southern California.

**Board Review:** A motion was made and seconded to change Ms. Granberry’s social work application and approve her to take the ASWB master level examination.

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

7. **Brett Hancock (LSW)**

Mr. Hancock appeared as requested to discuss why he did not disclose his background on his application. He provided a statement and supporting documents for review. In November of 2004, Mr. Hancock was arrested for possession of marijuana. He completed two years of probation and a substance abuse program. He stated that he thought his record was expunged, and it was not his intention to deceive the Board. The Board discussed the differences between dismissed and expunged and to ensure he reviews the application questions carefully as it asks about arrests. Mr. Hancock is a 2018 graduate of the University of Louisville.

**Board Action:** A motion was made and seconded to approve Mr. Hancock’s social work application and to sit for the ASWB masters examination.

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

8. **Crystal Linkous (LCSW)**

Ms. Linkous appeared as requested to discuss her yes response to the questions regarding past arrests. She provided a statement and supporting documentation for the Board to review. In 2008, Ms. Linkous was convicted of forgery, false pretenses, and possession of a schedule II drug and 2011 she was convicted of Petty Larceny. Since that time, she graduated from Radford University in 2017 and has taken and passed the ASWB Clinical examination. She currently holds a license in the state of Virginia with no disciplinary action.

**Board Action:** A motion was made and seconded to approve Ms. Linkous application for clinical social work by reciprocity pending the passing of the jurisprudence examination.

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

#### 9. **Christina Murphy (LSW)**

Ms. Murphy appeared as requested to discuss her yes response to the questions regarding past arrests. She provided a statement and supporting documentation for the Board to review. From 2002 to 2008, Ms. Murphy has been arrested/convicted of altering a prescription, assisting a criminal, dealing a narcotic drug, possession of methamphetamine, and receiving stolen property. The Board discussed her recovery and self-care routine. Ms. Murphy is a 2022 graduate of Indiana Wesleyan University.

**Board Action:** A motion was made and seconded to approve Ms. Murphy's social work application to sit for the ASWB masters examination.

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

#### 10. **Jennifer Ogle (LCSW)**

Ms. Ogle appeared as requested to discuss her yes response regarding disciplinary against a license she has held. She provided a statement and supporting documentation for the Board to review. In November of 2016, Ms. Ogle was charged with engaging in inappropriate multiple roles with respect to treatment of a complex family. On September 27, 2017, she entered into a Consent Order of a \$450 fine and one of the charges dismissed. The Board discussed what led up to the incident and what she learned after the incident was concluded. The Board and Ms. Ogle discussed documentation practices and the importance of informed consent. Ms. Ogle stated that she has completed all terms and requirements to address her Michigan discipline.

**Board Action:** A motion was made and seconded to approve Ms. Ogle's clinical social work application by reciprocity pending the completion of the jurisprudence examination.

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

### 11. Tracey Papas (LCSW)

Ms. Papas appeared as requested to discuss her work history as it appears she might be working in Indiana without a license. Ms. Papas stated that she held an inactive license in the state of Illinois, but she reactivated her Illinois license in order to obtain licensure in Indiana by reciprocity. She stated that the Illinois Board requested she retake the ASWB Clinical examination, which she did and passed. The Board discussed practicing in Indiana without a license. Ms. Pappas is a 2003 graduate of Adelphi University.

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

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

### 12. Melinda Rothrock (LSW)

Ms. Rothrock appeared as requested to discuss her yes response to the question regarding past arrests. She provided a statement and supporting documentation for the Board to review. Ms. Rothrock has had arrests/convictions of the following: 2006 of operating a vehicle while intoxicated, 2008 operating a vehicle while intoxicated with a prior, 2011 operating a vehicle as a habitual traffic violator and 2020 criminal mischief. She informed the Board that she has completed all court requirements. The Board discussed with her what led up to the arrest, the current arrest, and what she is doing to prevent a similar incident from re-occurring. Ms. Rothrock is a 2021 graduate of Indiana Wesleyan University.

**Board Action:** A motion was made and seconded to approve Ms. Rothrock's social work application to sit for ASWB masters examination.

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

### 13. Andrew Saunders (LSW)

Mr. Saunders appeared as requested to discuss his yes response to the question regarding past arrests. He provided a statement and supporting documentation for the Board to review. Mr. Saunders pled guilty to operating a vehicle while intoxicated and failure to stop after an accident resulting in injury or death which resulted in serving two years in the Indiana Department of Corrections. Mr. Saunders stated that his father and current boss are present for support should the Board have additional questions. The Board discussed with Mr. Saunders his employment from the past few years and discussed how the incident impacted his life. The Board discussed with him his self-care and professional boundaries plans. Mr. Saunders is a 2022 graduate of Indiana University.



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

Harner/Gardner  
Motion carried 7-0-0

**14. Bryan Seguin (LSW)**

Mr. Seguin appeared as requested to discuss his yes response to the question regarding past arrests. He provided a statement and supporting documentation for the Board to review. Mr. Seguin was convicted of an OWI in 2010, 2012 and 2016. He has since completed all court requirements. The Board discussed his previous struggles with mental health and the treatment regime he has completed. The Board discussed his current work and how he maintains motivation and professional boundaries. Mr. Seguin confirmed that he has discussions with his clinical supervisor regarding these issues. Mr. Seguin also provided the Board clarification on his self-care routine. Mr. Seguin is a 2022 graduate of the University of Indianapolis.

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

Harner/Justice  
Motion carried 7-0-0

**15. Samuel Stephens (LBSW)**

Mr. Stephens appeared as requested to discuss his yes response to the question regarding past arrests. He provided a statement and supporting documentation for the Board to review. In January of 2002, Mr. Stephens was arrested for burglary. In July of 2002, the charges were dismissed. The Board discussed with him the impact the incident has had on his personal and professional life. Mr. Stephens discuss his current employment and what he intends to pursue in the future.

**Board Action:** A motion was made and seconded to approve Mr. Stephens' bachelor social work application to sit for the ASWB Bachelor examination.

Harner/Gardner  
Motion carried 7-0-0

**16. Stacey Totten (LACA)**

Ms. Totten appeared as requested to discuss her yes response to the question regarding past arrests. She provided a statement and supporting documentation for the Board to review. In December of 2011, Ms. Totten pled guilty to dealing methamphetamine and was sentenced to eight years of house arrest, six years formal probation and six years informal probation. Since that time, she has completed all court requirements. She stated that she

is on track to get her record expunged, but that her charges were lowered from the initial arrest. The Board discussed with Ms. Totten her current work as a coordinating care provider, and that she is currently under the supervision of a clinical social worker. The Board discussed her educational requirements with her and noted that it appears that she is using coursework that is at the associate degree level, not the bachelor's degree level. Ms. Totten stated she was informed that she only needed the Associate level education for the license. The Board clarified that this was untrue, and they would need to review her education further.

**Board Action:** A motion was made and seconded to approve Ms. Totten's response regarding her arrests, but table her application for further education review.

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

#### 17. Tamera Walker (LMHCA)

Ms. Walker appeared as requested to discuss her yes response to the question regarding past arrests. She provided a statement and supporting documents for the Board to review. The Board asked for her to provide more clarifications on her 2016 arrest. Ms. Walker explained in more detail what led up to the arrest and how it was resolved stating that the charges were dismissed. She felt like she was racially profiled. The Board discussed with her how she deals with those situations, and how that impacts her work. Ms. Walker is a 2020 graduate of Grand Canyon University.

**Board Action:** A motion was made and seconded to approve Ms. Walker's mental health associate application to sit for the NCE examination.

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

#### 18. Stephen Young (LCSW)

Mr. Young appeared as requested to discuss his yes response to the question regarding past arrests. He provided a statement and supporting documentation for the Board to review. In August of 2020, Mr. Young was arrested for declining a breathalyzer. He pled to reckless driving and was placed on probation. He stated that he completed his criminal probation in October 2021, and that the arrest was reported to the Georgia Board. He informed the Board that Georgia has not filed any action against his license in their State. The Board discussed with Mr. Young the impact his arrest has had on his personal and professional life.

**Board Action:** A motion was made and seconded to approve Mr. Young's clinical social application for reciprocity pending the completion of the jurisprudence examination.

Harner/Cooper-Bolinsky

Motion carried 7-0-0

**V. ADMINISTRATIVE HEARINGS**

**A. Melissa Covarrubias, LSW, License No. 33007568A**

Cause No. 2021 BHSB 0014

Re: Petition for Modification of Probation

**Parties Present:**

Respondent was present with counsel Todd Ess

Shane Teary, Deputy Attorney General, Office of the Attorney General

Lindy Myer, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Kimble Richardson, LMHC (Hearing Officer)

Andrew Harner, LCSW

Kelley Gardner, LMFT

C. Martin Justice, LMHC

Dr. Dianna Cooper-Bolinsky, LCAC

Jon Ferguson, LMFT

Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about April 14, 2022, a Proposed Settlement was reached to address the Administrative Complaint filed against Ms. Covarrubias on or about August 18, 2021. Ms. Covarrubias agreed to the following terms:

- Respondent's license shall be placed on INDEFINITE PROBATION for a MINIMUM of SIX (6) MONTHS.
- Respondent shall, within sixty (60) days of the issuance of the final order in this matter, pursuant to Ind. Code § 4-6-14-10 (b), pay a FEE of FIVE DOLLARS (\$5.00) to be deposited into the Health Records and Person Identifying Information Protection Trust Fund.
- Respondent shall complete FOUR (4) hours of continuing education in the area of ethical practice and/or billing. Respondent shall complete written reflections on each course taken and submit them to IPLA in advance of her probationary appearance(s), along with proof of completion of the course(s).
- Respondent's practice of social work while on probation shall be governed by the following terms and conditions:
  - Respondent shall provide the Board with her current home address, mailing address, email address, and direct or residential telephone number and notify the Board of any change thereto within seven (7) days.
  - Respondent must notify the Board of her place of employment, employment telephone number, employment e-mail address and name of supervisor and notify the Board within seven (7) days of any change. Notifying the Board of any change includes notifying the Board of any termination or suspension.
  - Respondent shall provide a copy of all Board orders imposing discipline or limiting practice to any social work employer. The social work employer shall sign and return a copy of such orders to the Board with employer letterhead, and/or business card attached within seven (7) days of employment or receipt of this order. Should Respondent's employment change, she shall submit a copy of the Board order signed by her new employer within (7) days of commencing employment with the new employer.

- Respondent shall submit to the Board quarterly supervisory reports from all social work employers that address the Respondent's work performance, her attendance, documentation, communication skills, disciplinary actions, and/or any complaints made against Respondent. If Respondent is not employed as a social worker, Respondent shall submit quarterly personal reports to the Board stating why she is not employed as a social worker and the nature of her current employment. All reports must be submitted individually at the end of every quarter, while Respondent's license remains on probation. Supervision of Respondent and quarterly supervisory reports shall be completed by Amanda Hathcock ("Hathcock"). Hathcock is licensed in the State of Michigan as a Limited License Professional Counselor.
- Respondent must have at least ONE (1) probationary appearance before the Board prior to petitioning to have probation withdrawn.
- Respondent must maintain her license in active status at all times while this order is in effect. If the Respondent fails to maintain this license in active status, the Respondent agrees that any renewal application shall be denied by the Board unless the Respondent agrees to continue the terms of discipline ordered under this cause number on the renewed license.
- Respondent further understands that a violation of the Final Order, any noncompliance with the statutes or regulations regarding the practice of clinical social work, clinical addiction counseling, or any violation of this Settlement Agreement may result in Petitioner requesting a summary suspension of Respondent's licenses, an Order to Show Cause may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions up to and including revocation of Respondent's licenses.

Mr. Ess filed a Motion to Modify Ms. Covarrubias' probation on or about July 21, 2022, on the grounds that Ms. Hathcock can no longer provide supervision as she is currently on maternity leave. Mr. Ess requested that the probation order allow supervision reports to be completed by Ms. Slaughterbeck, RN to provide the Board's requested supervision reports. Mr. Teary stated that the State is willing to accept the modification, or modification of an equivalent supervisor that the Board approves. The Board noted that they would like a supervisor as licensed by a behavioral health board, rather than an RN. Ms. Covarrubias stated that she currently works at Purdue's One to One Health Clinic.

Mr. Ess submitted Exhibit 1 which is a copy of Ms. Covarrubias's one on one Annual Review Evaluation sheet. The State had no objections to the Exhibit and the Board accepted it.

Mr. Ess submitted Exhibit 2 which is a formal letter from One to One Health Clinic which to Kristen Slaughterbeck supervising Ms. Covarrubias. The State had no objections and the Board accepted it.

Ms. Covarrubias stated that she last saw Ms. Hathcock for supervision on July 17<sup>th</sup>, and she has been under the supervision of Ms. Slaughterbeck since. Ms. Covarrubias stated that she has submitted the \$5.00 fee and completed 3 of the 4 required continuing education. She stated that her only attendance issues have been absences due to medical issues, and she has been employed at this organization for a year. The Board inquired if Ms. Slaughterbeck will help with supervising her clinical experience and supervision. Ms. Covarrubias stated that she will not, she will supervise Ms. Covarrubias on her attendance and billing. Ms. Covarrubias understands the Board's concerns regarding clinical supervision but does not want to move

employment due to a lack of supervisor. Mr. Ess agrees that they are trying to find a pragmatic solution to the probation terms due to changed circumstances.

**Board Action:** A motion was made and seconded to modify the probation terms to state that Ms. Covarrubias must be supervised by any person licensed by this Board and have them provide the supervision reports.

Harner/ Ferguson  
No vote, motion withdrawn after discussion.

**Board Action:** A motion was made and seconded to modify the probation terms to allow Ms. Slaughterbeck to provide quarterly reports as it relates to her work performance, attendance, communication skills, disciplinary actions, and any complaints, and to have a quarterly report submitted by a licensed clinical social worker even outside of her organization as it relates to clinical issues.

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

**Board Action:** A motion was made and seconded to have this hearing count towards Ms. Covarrubias's probation requirement for a personal appearance before the Board.

Harner/Gardner  
Motion carried 7-0-0

**B. Charles Martinez, LSW, License No. 33010231A**  
Cause No. 2022 BHSB 0001  
Re: Administrative Complaint

**Parties Present:**

Respondent was present  
Carah Rochester, Deputy Attorney General, Office of the Attorney General  
Lindy Myer, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Kimble Richardson, LMHC (Hearing Officer)  
Andrew Harner, LCSW  
Kelley Gardner, LMFT  
C. Martin Justice, LMHC  
Jon Ferguson, LMFT  
Jacqueline Eitel, RN, Consumer Member

**Recused Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC

**State Witness:**

Brittney Snow, Case Analyst, Office of the Attorney General

**Case Summary:** On or about May 20, 2022, an Administrative Complaint was filed against Mr. Martinez with allegations that he misrepresented his qualifications, that he did not have the necessary qualifications or experience to provide psychotherapy services without the proper

license, that he provided services without a proper license to practice, and that he provided false advertisement misleading the public regarding qualifications for practice. Ms. Rochester stated that Mr. Martinez opened his practice in 2018 but did not obtain his LSW license until May 6, 2021. His current business is fee for service as he does not bill insurance. He is not currently under supervision.

Mr. Martinez stated that his life experiences have made him resilient and feels like that allegations levied against him are unfair. He stated that he has had rough few years and finds it challenging to move forward. Mr. Martinez stated that he is the owner of H.O.P.E. Fill Solutions, opened in July 2018. He stated that he opened the practice so that clients without insurance can receive the care they need. He stated that his business helps those with depression, PTSD, mental health diagnosis, case management work, and family services.

The State submitted Exhibit A which is a copy of Mr. Martinez's work brochure of services. Mr. Martinez had no objections; the Board accepted the Exhibit.

The State submitted Exhibit B-1 and B-2 which are screenshots of Mr. Martinez's website. Mr. Martinez did not object and the Board accepted the Exhibits.

Mr. Martinez explained to the Board his personal circumstances regarding his life events, and that he has primarily had to advocate for himself. He stated that prior to starting his business he sought legal advice from legalzoom.com. The State objected to his statements based upon hearsay testimony. Mr. Martinez asked the State to define hearsay for him. The Board requested Mr. Martinez continue his case. Mr. Martinez stated that the Office of Attorney General filed a case against him that was dismissed. Ms. Rochester objected as that statement had no relevance to this current case. Mr. Martinez stated that he feels that the state does not feel he is qualified for opening his own practice, and he cannot afford to contract a supervisor to supervise him. He stated that IPLA has not given a response on how to obtain free supervision. He stated that he should not be penalized because of his financial constraints. He stated that he was not given an adequate support system.

The Board inquired if he obtained special training for psychotherapy. He stated that his training for psychotherapy was covered in his master's program and his internship at the Hamilton Center. The Board inquired if he understood the reason for the complaint, and if he ceased practicing once he received the notice. Mr. Martinez stated that he understood that the complaint was filed because he was working without a license, and he did not cease practicing. He stated that he thought he could practice if he held his MSW. The Board inquired if he had an active Facebook page, Mr. Martinez stated he did.

The State called Brittney Snow, Investigator for the Office of the Attorney General, as witness. The State submitted Exhibit H which is a copy of Mr. Martinez's Facebook page obtained by Ms. Snow. Mr. Martinez had no objections, and the Board accepted the Exhibit. Ms. Snow stated that the Facebook page lists Mr. Martinez has having obtained an LSW license and providing psychotherapy services.

The State concluded that Mr. Martinez is trying to muddy the waters of what occurred, and that he has committed fraud. The State requested that Mr. Martinez's license be placed on a minimum 2-year probationary period with terms that include a \$500 fine and any additional terms as decided by the Board.

Mr. Martinez concluded that he has not muddied the waters, and that he cannot get supervision without the financial resources available to him. He stated if the Board chooses to impose a fine, he would not be able to pay it.

**Board Action:** A motion was made and seconded to find Mr. Martinez in violation of misrepresenting of his qualifications.

Harner/Ferguson  
Motion carried 6-0-1 Cooper-Bolinsky- recused

**Board Action:** A motion was made and seconded to find Mr. Martinez in violation of being unfit to practice due to undertaking psychotherapy services without the proper license or training.

Harner/Gardner  
Motion carried 6-0-1 Cooper-Bolinsky- recused

**Board Action:** A motion was made and seconded to find Mr. Martinez in violation of practicing without a proper license.

Harner/Gardner  
Motion carried 6-0-1 Cooper-Bolinsky- recused

**Board Action:** A motion was made and seconded to find Mr. Martinez in violation of committing false advertising of his services and qualifications.

Harner/Gardner  
Motion carried 6-0-1 Cooper-Bolinsky- recused

**Board Action:** A motion was made and seconded to Suspend Mr. Martinez's license with the following terms:

- License shall be placed on Suspension for a minimum of Six (6) months. Prior to returning to any activity that requires licensure by this Board per State statute and regulation, Respondent must petition and be approved by the Board for his license to be reinstated.
- Respondent is ordered to cease advertising for and conducting any services or activities that require licensure by the Board.
- Prior to petitioning for reinstatement, Respondent shall undergo a fitness for duty Mr. Martinez must complete twelve (12) hours of CEUs in the areas related to ethics and scope of practice evaluation by a Health Service Provider in Psychology ("HSPP"). Respondent shall provide a copy of this Order to the evaluator. Respondent shall submit any recommendations made as a result of the evaluation to the Board prior to petitioning for reinstatement.
- If Respondent's license is reinstated on probation, the recommendations made by the HSPP shall be taken under advisement by the Board in crafting any terms and conditions of said probation.
- Prior to petitioning for reinstatement, Respondent shall complete twelve (12) Continuing Education Units in the areas of ethics and practice procedures.

- Respondent shall, pursuant to Ind. Code § 4-6-14-10 (b), pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund.
- A violation of the Final Order, or any non-compliance with the statutes or regulations regarding the practice of social work, may result in Petitioner requesting a summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

Harner/Ferguson  
 Motion carried 6-0-1 Cooper-Bolinskey- recused

**C. Marci Burnett, LCSW, License No. 34008585A**

Cause No. 2022 BHSB 0009  
 Re: Administrative Complaint

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

**VI DISCUSSION**

**A. Application Questions**

The Board asked if they could rephrase the online application question regarding a “condition or illness (including a history of alcohol abuse) ...” The Board stated they would like to update the language to read as “impairment” rather than “illness”. Board staff stated that they will look into doing that update.

**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 125 open complaints and they have closed 63 since the beginning of the year. The average age of the open complaints is 8.5 months. There are currently 20 open litigation cases with only 14 closed this year. The average duration of the litigation cases are 9.3 months.

**IX. FORMAL ADOPTION OF APPLICATION REVIEWS**

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

Harner/Cooper-Bolinskey  
 7-0-0

**X. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW**

There were no CE applications for review.

**XI. OLD/NEW BUSINESS**

**A. Beryl Cohan- NASW**



Ms. Cohan provided an update on changes and discussions that are occurring at the ASWB. She stated that the ASWB has put out some testing demographics on the examination, and as a result there are individuals advocating to eliminate the examination from licensure. The report from the ASWB was ninety-four (94) pages and distributed to each school regarding the statistical data. Currently the average passing rate for the Master level examination for 2021 is 80%. Because of the demographic information, the ASWB will be having a series of meetings to discuss testing exemptions and potential policy changes. Ms. Cohen stated that there is a concern with removing the examination from the licensure requirements, as it could lead to a slow deregulation of the profession. She stated that the ASWB is aware of concerns regarding English as a second language, racial bias, and struggle with standardized testing for those who cannot pass the examination. She stated that the ASWB is going to try to address those concerns by exploring the research and review of the examination questions.

**XII. ADMINISTRATORS' REPORT**

Ms. Vaught reported to the Board that IPLA is undergoing updates to the website and application forms.

**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 2:59 p.m. by general consensus.

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

\_\_\_\_\_  
Date