

MINUTES

BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD

JANUARY 25, 2010

I. CALL TO ORDER AND ESTABLISH QUORUM

Andrew Harner called the meeting to order at 9:07 a.m. in Room W064, 402 West Washington Street, Indianapolis, Indiana and declared a quorum, in accordance with IC § 25-23.6-2.

Members Present:

Andrew Harner, MSW, L.C.S.W., President
Geneva Osawe, MSW, L.M.F.T., L.C.S.W., MFT Section Chair, Vice-President
Kimble Richardson, M.S. L.M.H.C., L.C.S.W., L.M.F.T., MHC Section Chair
Michael Aemmer, MA, L.S.W., L.M.F.T.
Rex Stockton, Ed.D., L.M.H.C., L.C.S.W., L.M.F.T., Psychologist, MHC Section Chair
George Brenner, L.S.W., L.C.S.W., L.M.F.T.
Carol Gaff-Clark, Ed.D., L.M.H.C., CADAC-IV
Ruth Hallett, Consumer Member

Members Absent:

Vacant, SW Section Chair
Vacant, Consumer Member
Vacant, Psychiatrist Member

Staff Present:

Valerie Jones, Board Director
Donna Sembroski, Legal Counsel, Office of the Attorney General

II. ADOPTION OF AGENDA

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

OSAWA/HALLETT
Motion carried 8-0-0

III. APPROVAL OF MINUTES FROM DECEMBER 14, 2009

A motion was made and seconded to approve the minutes of the December 14, 2009 meeting of the Board, as amended.

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

IV. PERSONAL APPEARANCES

A. Debra Cannon, License #33000568A & 35000551A

Ms. Cannon appeared before the board after submitting a request to renew her expired licenses. Ms. Cannon's licenses have been expired since April 1, 2000.

Ms Cannon informed the board that she has maintained her current job for financial benefit and would like to pursue Christian counseling. Ms. Cannon has been out of the field for ten (10) years and stated that her goal is to take some additional courses related to Christian counseling. She stated that she intends to prepare to re-enter the profession once her licenses are reinstated.

The Board questioned Ms. Cannon about her current knowledge of the profession. Ms. Cannon stated that she has read books in order to keep abreast of the new trends within her profession.

After discussion, a motion was made and seconded to reinstate her licenses to practice social work and marriage and family therapy.

RICHARDSON/OSAWA
Motion carried 8-0-0

B. Cheryl L. Gay, License #34004806A

Ms. Gay appeared before the board as a requirement of the terms and conditions of her probationary order.

Ms. Gay submitted proof completing six (6) hours of continuing education, as required by the terms and conditions of her probation, and discussed what she believed that she learned during the training.

The Board questioned Ms. Gay about what she believed she has learned since being placed on probation. She stated that she has learned a great deal about narcissistic personality disorder. The Board then asked Ms. Gay about the clinical issues she should be aware of when treating patients. Ms. Gay informed the Board that being approached by clients to be friends would be considered a one example.

The Board also questioned Ms. Gay regarding her compliance with the terms of her probation. The Board informed Ms. Gay that it had not received any information from her supervisor or the signed copies of her Probation Order.

The Board requested a quarterly report from Ms. Gay's supervisor, Sue Spread, and requested that her supervisor submit a signed copy of her probationary order. In addition, the Board requested that Ms. Gay address boundary issues and the nature of a therapeutic relationship during her supervisory sessions.

No official Board action was required.

C. Stephen Bradstreet Wildes, LMHC Applicant

Mr. Wildes appeared before the board to discuss the positive response on his application for licensure as a mental health counselor in the State of Indiana.

Mr. Wildes answered "yes" to the following question:

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?

Mr. Wildes informed the Board that he is licensed in Illinois and is currently working in the Wabash Valley Correctional Facility.

The Board questioned Mr. Wildes about his current position and the incidents leading to his positive response.

After reviewing Mr. Wildes' application file, and discussing the issues listed in Mr. Wildes letter regarding the positive response on his application, a motion was made and seconded to approve Mr. Wildes' application for licensure as a mental health counselor.

RICHARDSON/OSAWA
Motion carried 8-0-0

V. ADMINISTRATIVE HEARINGS

A. In the Matter of Danielle Tyler-Fox
Administrative Cause No. 2010 BHSB 001
Re: Appeal of Application Denial

Parties and Counsel Present:
Danielle Tyler-Fox, Petitioner

Participating Board Members:
Mr. Harner (Hearing Officer)
Mr. Richardson
Ms. Osawe
Ms. Hallett
Dr. Stockton
Mr. Brenner
Ms. Gaff-Clark

Case Summary: Ms. Danielle Tyler-Fox appeared before the board to appeal the denial of her application to practice clinical social work in the State of Indiana.

Ms. Tyler-Fox's application was denied due to a lack of a course covering the psychopathology requirement.

Ms. Tyler-Fox requested a waiver of the psychopathology course as a result of the extensive training that she has had with the DSM IV since graduation.

The Board questioned Ms. Tyler-Fox about her coursework. Ms. Tyler-Fox informed the Board that she has not taken a course in psychopathology because it was not a degree requirement.

Board Action: After discussion, a motion was made and seconded to deny Ms. Tyler-Fox's appeal of her application for licensure as a clinical social worker.

RICHARDSON/STOCKTON
Motion carried 8-0-0

B. In the Matter of Rick Ritter
Administrative Cause No. 2008 BHSB 0004
Re: Probation Withdrawal Request

Parties and Counsel Present:
Rick Ritter, Respondent
Mark Mader, Deputy Attorney General for the State of Indiana, Petitioner

Witnesses:
Valerie Jones, Director of the Behavioral Health and Human Services Licensing Board

Participating Board Members:
Mr. Harner (Hearing Officer)
Mr. Richardson
Ms. Osawe
Ms. Hallett
Dr. Stockton
Mr. Brenner
Ms. Gaff-Clark

Case Summary: Mr. Ritter appeared before the board to request the withdrawal of the probationary status of his license to practice clinical social work in the State of Indiana.

Mr. Ritter's license was placed on indefinite probation on May 28, 2008 with no opportunity to request withdrawal of his probation for at least one (1) year.

Mr. Ritter appeared, without counsel, and requested that his license be reinstated in his opening statement.

Mr. Mader, appearing for the State of Indiana, made an opening statement requesting that Mr. Ritter demonstrate that he has complied with all terms of his Probation Order. Mr. Mader walked Mr. Ritter through his probationary order and questioned whether he was in compliance with all terms and conditions placed on him by the Board.

Mr. Mader called Director Jones to testify regarding the contents of the probationary file and questioned Director Jones about Mr. Ritter's compliance with the Order.

Director Jones testified that Mr. Ritter was not in compliance with all of the terms of his Probation Order.

The Board further questioned Mr. Ritter about his progress since being placed on probation.

Board Action: After discussion, a motion was made and seconded to deny the request to withdraw probation from Mr. Ritter's license and require Mr. Ritter to follow the current terms of his Order for the next twelve (12) months.

OSAWA/HALLETT
Motion carried 8-0-0

VI. OLD/NEW BUSINESS

A. Reinstatement for Licenses Expired for Three-Plus Years

1. Veronica Gibbs, License # 34002743A & 39000271A

The Board reviewed documentation from Ms. Gibbs regarding her request to renew her expired licenses to practice clinical social work and mental health counseling. Ms. Gibbs' licenses have been expired since April 1, 2004. Ms. Gibbs submitted documentation of having completed 40 hours of CEUs within the previous 24 months, which is necessary for the renewal of licenses expired for longer than three (3) years. Further, Ms. Gibbs submitted a letter detailing the reasons for failing to renew her licenses.

A motion was made and seconded to reinstate her expired licenses to practice clinical social work and mental health counseling.

STOCKTON/HALLETT
Motion carried 8-0-0

2. Diane Louise Harshberge Allen, License # 34001131A

The Board reviewed documentation from Ms. Allen regarding her request to renew her expired license to practice clinical social work. Ms. Allen's license has been expired since April 1, 2004. Ms. Allen submitted documentation of having completed 40 hours of CEUs within the previous 24 months, which is necessary for the renewal of licenses expired for longer than three (3) years. Further, Ms. Allen submitted a letter detailing the reasons for failing to renew her license.

A motion was made and seconded to reinstate her expired license to practice clinical social work upon the successful completion of the jurisprudence exam.

RICHARDSON/OSAWA
Motion carried 8-0-0

B. MFT Qualified Supervisor Discussion

The Board discussed the MFT qualified supervisor as it relates to supervisors used in university programs. The Board determined that universities should make the decision as to who is considered a qualified supervisor based on the criteria set by their university program.

C. Dr. Nelson, Legislative Committee Chair, Indiana Counseling Association (IAC)

Dr. Nelson appeared before the board to discuss the current legislation introducing the mental health counselor associate license type and health care reform.

Dr. Nelson informed the Board that currently licensed mental health counselors (LMHC) are not covered under Medicaid reimbursement. ICA is working on adding LMHC to Medicaid reimbursement.

Dr. Nelson further stated that Senator Mischler is the author of the mental health counselor associate license bill and stated that there is currently no opposition to their licensure.

VII. CE SPONSOR APPLICATION REVIEW

- A. A motion was made and seconded to request additional information on the continuing education sponsor application of Northwest Healthcare Center.

HALLETT/RICHARDSON
Motion carried 8-0-0

- B. A motion was made and seconded to request additional information for the continuing education sponsor application of Kindred Healthcare.

HALLETT/STOCKTON
Motion carried 8-0-0

- C. A motion was made and seconded to approve the continuing education sponsor application of Seasons Hospice & Palliative Care.

HALLETT/RICHARDSON
Motion carried 8-0-0

VIII. FORMAL ADOPTION OF APPLICATION REVIEW

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.

HALLETT/STOCKTON
Motion carried 8-0-0

IX. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Social Worker, Marriage and Family Therapist and Mental Health Counselor Board adjourned at 11:41 a.m.

**Andrew Harner, MSW, L.C.S.W., President
Behavioral Health and Human Services Licensing Board**