

**BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD**

**Minutes**

**January 22, 2024**

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

Dr. Dianna Cooper-Bolinskey called the meeting to order at 9:01 a.m. in the Professional Licensing Agency Conference Center Room 4 & 5, 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:**

Dr. Dianna Cooper-Bolinskey, LCAC, LCSW, Board Chair  
Kathryn Adams, LCAC, LCSW  
Kelley Gardner, LMFT, LMFT Section Chair  
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC Section Chair  
C. Martin Justice, LMHC, LCAC  
Andrew Harner, MSW, LCSW, SW Section Chair, Board Designee  
Stephan Viehweg, MSW, LCSW  
Peter Karalis, MD, Psychiatry Member (arrived at 9:24 a.m.)  
Jacqueline Eitel, RN, Consumer Member

**Board Members Not Present:**

Jon Ferguson, LMFT, LCAC, Vice Chair  
Peter Karalis, MD, Psychiatry 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.

Justice/Adams  
Motion carried 8-0-0

**III. APPROVAL OF MINUTES**

The minutes are currently under review.

**IV. APPEARANCE**

Ryan Ritchie, Vice President of Government Relations  
RJL Solutions

Mr. Ritchie will not be appearing.

**V. PERSONAL APPEARANCES**

**A. Probation**

1. **Margaret (Heine) Parker, LMFT, License No. 35002100A**

Cause No. 2021 BHSB 0007

Ms. Parker appeared as requested to discuss her ongoing probation. She stated that she has not been employed since May of 2023 and is currently a stay-at-home mother. Ms. Parker stated that her counselor will be changing her treatment plan and reducing the frequency of visits. The Board noted that the report from her counselor should have been more detailed. They clarified that they do not want an invasive report but provided Ms. Parker with some information of what was needed for future reports.

**B. Renewal**

1. **Jennifer Day, LSW, License No. 33008843A**

Ms. Day appeared as requested to discuss her yes response to an arrest that occurred since she last renewed her license. She provided a statement and supporting documentation to the Board regarding her pre-trial diversion agreement for domestic battery. She stated that after she completes the diversion program, her charges will be dismissed in August 2024. She provided a brief summary of her charge, and the Board discussed how it impacted her employment and role as a therapist.

**Board Action:** A motion was made and seconded to approve Ms. Day’s social work license renewal and place her on indefinite probation with terms and condition until the completion and resolution of her criminal charges and criminal diversion have been resolved. The terms of her probation are as follows:

- A. Licensee shall cause her therapy provider to submit a summary of treatments, interventions, and outcomes from recently completed therapy or any ongoing therapy to the Board.
- B. Licensee shall provide copies of this Order signed by any employers within fifteen (15) days of the issuance of the Order. If Applicant starts or secures different employment, Applicant shall provide a copy of the Board Order signed by the new employer within fifteen (15) days of starting employment.
- C. 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.
- D. Licensee shall comply with all statutes and rules regulating the practice of behavioral health and report any future arrests, 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 8-0-1 Karalis abstained.

Let the record show that Ms. Day agreed to the probation terms.

### C. Reinstatement

1. **Melissa Baker, LCSW, License No. 34006547A**

Ms. Baker did not appear as scheduled. She will be rescheduled to appear at the next meeting.

2. **Monica Berry, LAC, License No. 86000378A**

Ms. Berry did not appear as scheduled. She will be rescheduled to appear at the next meeting.

3. **Joan Cannon, LMFT, License No. 35001572A**

Appeared as requested to discuss the reinstatement of her license that expired in 2016. She provided the Board with a letter and continuing education certificates for the Board to review. She provided clarification on her difficulties with reinstating the license, and that the reason she allowed her license to expire was to focus on her health. The Board sought clarification on her work from 2016- 2019. She provided clarification of her work duties and that she was not seeing clients. She stated that she did stop working completely once she realized her license was expired and was working towards reinstatement.

**Board Action:** A motion was made and seconded to reinstate Ms. Cannon's marriage and family therapy license pending the passing of the law examination.

Gardner/Justice

Motion carried 9-0-0

4. **Eve Johnson, LSW, License No. 33006947A**

Did not appear as requested. She has been scheduled for today and on December 11, 2023. The Board noted concerns regarding Ms. Johnson's work history and wanted an appearance to discuss the matter. Due to statutory requirements, the Board must consider her request for reinstatement without her appearance.

**Board Action:** A motion was made and seconded to deny Ms. Johnson's application for reinstatement of her social work license.

Harner/Viehweg

Motion carried 9-0-0

5. **Russell Lee Price, Jr., LSW, License No. 33006137A**

Did not appear as requested. The Board reviewed Mr. Price's statement and copies of his continuing education certificates. His statement to the Board indicates that he is currently licensed in the state of Kentucky. The Board was satisfied with his statement and continuing education documentation.

**Board Action:** A motion was made and seconded to reinstate Mr. Price's social work license pending passing of the Jurisprudence examination.

Harner/Viehweg

Motion carried 9-0-0

6. **Jennifer Werling, LSW, License No. 33004526A**

Did not appear as requested. Ms. Werling's license expired in 2014. She submitted a statement and a copy of her continuing education certificates for the Board to review. The Board noted

questions regarding her work history and possibly working without a current license in the state of Indiana since May 2023.

**Board Action:** A motion was made by Mr. Viehweg to approve Ms. Werling's reinstatement of her social work license. Motion failed due to no second.

A motion was made and seconded to deny Ms. Werling's application for reinstatement of her social work license due to her nonappearance.

Harner/Viehweg  
Motion carried 9-0-0

#### **D. Application**

**1. Tafadzwa Banda (LMHCA)**

Did not appear as requested to discuss why he did not disclose his background. The Board reviewed his education and noted that his course criteria for Foundations and Contextual Dimensions has not been met. The Board requested staff to communicate with Mr. Banda to submit a syllabus, course catalog, or a letter from his program director to show how the criteria was met prior to his next scheduled appearance.

**2. Brittney Beatty (LACA)**

Ms. Beatty appeared as requested to provide clarification regarding her work history. Ms. Beatty graduated with her bachelor's degree in 2013 and indicated that has been working as a Triage Coordinator since 2020. She informed the Board that she is working towards her Master of Social Work degree and provided a summary of her job duties. She stated that her intention is to work in Wabash once she obtains her license.

**Board Action:** A motion was made and seconded to approve Ms. Beatty's application to sit for the LACA examination.

Adams/Viehweg  
Motion carried 9-0-0

**3. Lynsey Cook (LMHCA)**

Ms. Cook appeared as requested to discuss why she did not disclose her criminal background. She provided a statement and supporting documentation for the Board to review. She clarified to the Board that her application process has been long as she tried to obtain her documentation. The Board discussed her two arrests, the resolution of the cases, personal boundaries, and the progress of any personal counseling she might have completed. The Board asked for clarification as to whether she has completed any post-degree work. She indicated that she has not completed any post degree work due to being rejected by insurance and not having a license. Ms. Cook stated that she has just completed a mission trip.

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

Richardson/Justice  
Motion carried 7-1-1 Gardner nay. Cooper-Bolinsky abstained.

**4. Ryan Dobbs (LMHC)**

Mr. Dobbs did not appear. He will be rescheduled for February 2024.

**5. Jamie Firestine (LMFTA)**

Ms. Firestine appeared as requested to discuss her positive response regarding past arrests. She provided a statement and supporting documentation for the Board to review. Ms. Firestine provided clarification as to what led up to the arrests and the resolution by the courts. She provided the Board with a summary of her professional aspirations, and they discussed supervision requirements in order to obtain her clinical license.

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

Gardner/Richardson  
Motion carried 9-0-0

**6. Mary Hollenbaugh (LSW)**

Ms. Hollenbaugh appeared as requested to discuss why she did not disclose her criminal background. Ms. Hollenbaugh has applied by reciprocity. She holds a current license in the state of Utah. She provided a statement and supporting documentation for the Board to review. She stated that there have been no charges filed against her, and that the case is pending but expected to be dismissed. Her recent arrest was for a charge of property damage/destruction – loss of less than \$500, a Class B misdemeanor, in the Salt Lake City Justice Court, Salt Lake County, Utah. She clarified that she did not disclose the arrest as the case was expected to be dismissed. She currently has a job on hold until she obtains her social work license. The Board discussed supervision hours in order to obtain her clinical license.

**Board Action:** A motion was made and seconded to approve Ms. Hollenbaugh’s application to sit for the ASWB Masters examination. Upon passing the examination, to issue her license on indefinite probation with the following terms and conditions:

1. The Applicant may not petition for withdraw of the probation until completion of the terms of any criminal probation or diversion, or resolution of any charges.
2. The Applicant’s practice shall be governed by the following TERMS AND CONDITIONS:
  - 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 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.
  - c. The Applicant shall personally appear before the Board on a QUARTERLY basis to provide updates on the status of the pending criminal charge.
  - d. The Applicant shall cause their employment supervisor to submit QUARTERLY supervision reports to the Board regarding Applicant’s employment progress.
  - e. The Applicant shall take and pass the Indiana jurisprudence examination.
  - f. The Applicant shall comply with all statutes and rules regulating behavioral health and report any future arrests, instances of substance abuse, work discipline or terminations to the Board immediately in writing.

3. The failure of the Applicant to comply with the terms of his probation may subject Applicant to a show cause hearing and the possible imposition of further sanctions.

Harner/Viehweg  
Motion carried 9-0-0

**7. Chiemeka Iheanacho (LMHCA)**

Did not appear as requested. The Board noted that he meets the educational coursework with some changes. Mr. Iheanacho's practicum and internship forms are missing the pre-degree supervision requirements. The Board requested that Ms. Iheanacho will still need to appear to provide clarification regarding his work history. He will be rescheduled for the February 2024 meeting.

**8. Claude Johnson (LCAC)**

Mr. Johnson appeared as requested to discuss his positive response regarding past arrests. He has applied by reciprocity. He provided a statement and supporting documentation for the Board to review. He informed the Board that he is currently licensed in Kentucky, and his background was reviewed by their Board. He discussed with his Board on the expansion of his practice along the Indiana and Kentucky border.

**Board Action:** A motion was made and seconded to approve his clinical addiction counselor application pending the passing of the law examination. The Board also approved his information and response regarding his background for his pending mental health counselor application.

Adams/Viehweg  
Motion carried 9-0-0

**9. Latoya Jones (LSW)**

Ms. Jones did not appear as requested. She will be rescheduled for February 2024. Did not appear. Rescheduled.

**10. Michaelangelo McClendon (LMHC)**

Mr. McClendon appeared as requested to discuss his yes response regarding past arrests. He provided a statement and supporting documentation for the Board to review. The Board discussed his arrests and the resolution by the courts. It was noted that he graduated with his master's degree in 2021, and that he does not currently hold an associate license. Without holding the associate license his post-degree hours cannot be accepted. The Board noted his educational coursework is met with changes.

Mr. McClendon discussed his employment as a contractor for DMHA and stated that it was not clinical work. He provided a summary of his job duties. The Board expressed confusion about his work as he provided his work on the clinical experience forms. He stated that he was under the impression those forms were for the practicum and internship.

**Board Action:** A motion was made and seconded to switch Mr. McClendon's application to the mental health counselor associate license and approve him to sit for the NCE examination.

Richardson/Justice  
Motion carried 9-0-0

**11. Sarah Rich (LMHC)**

Ms. Rich appeared as requested to discuss her yes response regarding her past arrests. She provided a statement and supporting documentation regarding the OWI for the Board to review. Ms. Rich discussed with the Board the resolution of the courts, and how it impacted her professionally and personally.

**Board Action:** A motion was made and seconded to approve Ms. Rich's application to sit for the NCMHCE examination.

Richardson/Harner  
Motion carried 9-0-0

**12. Alexis Shepherd (LMHCA)**

Ms. Shepherd appeared at her request to discuss her application. The Board previously reviewed her application in August 2023, November 2023, and again in November 2023. The Board noted that she has not completed the educational criteria of Foundations of Mental Health and Contextual Dimensions. Ms. Shepherd requested clarification of what course content she is meant to demonstrate. The Mental Health Section Chair, Kimble Richardson, discussed requirements with Ms. Shepherd.

**13. Danielle Warren (LMHC)**

Ms. Warren appeared as requested to discuss her yes response regarding her background, and to provide clarification on her post-degree experience and supervision. She provided a statement and supporting documentation for the Board to review. She discussed the impact her background had on her professional experience and discussed her current work and supervision with DCS.

**Board Action:** A motion was made and seconded to approve Ms. Warren's application to sit for the NCMHCE examination pending the receipt of updated post-degree employment and supervision forms only counting time from 2013 to the present.

Justice/Viehweg  
Motion carried 8-0-1 Richardson not present.

**14. Terri Young (LMHCA)**

Ms. Young appeared as requested to provide clarification of her work history. She indicated on her application that she worked as a social worker from 2012-2019 and is currently working as a Clinical Director. She does not currently hold a license to practice in the state of Indiana. She provided a summary of her job duties to the Board, and limitations. She stated that she understands title protection, but that the work she engaged in was not clinical work, but rather case management and supervising managers. The Board noted that the duties she described sounds like clinical work.

**Board Action:** A motion was made and seconded to switch Ms. Young's application to the mental health counselor associate license and approve Ms. Young to sit for the NCE examination. Upon passing the exam, place her license on indefinite probation with the following terms:

1. 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 from the date of January 22, 2024.

2. The Applicant's practice shall be governed by the following TERMS AND CONDITIONS:
  - 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 shall take at least ten (10) Continuing Education Units ("CEUs") in ethics or licensure and submit documentation of those CEUs to the Board.
  - c. The Applicant shall provide copies of this Order signed by any employers within ten (10) days of the issuance of the Order. If Applicant starts or secures different employment, Applicant shall provide a copy of the Board Order signed by the new employer within ten (10) days of starting employment.
  - d. The Applicant shall take and pass the Indiana Jurisprudence examination.
  - e. Prior to a personal appearance before the Board, Applicant shall cause her employment supervisor to ONE supervision report to the Board regarding Applicant's employment performance. If Applicant is not employed, Applicant shall submit a written self-report.
  - f. Prior to petitioning for withdraw of probation, The Applicant shall have at least ONE (1) Personal Appearance before the Board to discuss the progress with her probation.
  - g. The Applicant shall comply with all statutes and rules regulating the practice of behavioral health and report any future arrests, work discipline, or terminations to the Board immediately in writing.
3. The failure of the Applicant to comply with the terms of this probation may subject Applicant to a show cause hearing and the possible imposition of further sanctions.

Justice/Harner

Motion carried 8-0-1 Richardson abstained

#### **15. Cederia King (LSW)**

Ms. King appeared as requested to discuss her yes response regarding her background. She provided a statement and supporting documentation regarding an OWI for the Board to review. She discussed with the Board how her background has impacted on her professional experience, and discussed how she would approach working with her clients differently.

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

Harner/Viehweg

Motion carried 9-0-0

## **VI. NOTICE OF PROPOSED DEFAULT**

There were no Notices of Proposed Defaults.



## VII. PROPOSED SETTLEMENT AGREEMENT

There were no Proposed Settlements.

## VIII. ADMINISTRATIVE HEARINGS

### A. Jennifer Dyarman, LCSW, LCAC, License No. 34006895A, 87001541A

Cause No. 2021 BHSB 027

Re: Petition for Withdraw of Probation

#### **Parties Present:**

Respondent was present

Autumn Murphy, Deputy Attorney General, Office of the Attorney General

Margie Addington, Court Reporter, Accurate Court Reporting

#### **Participating Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)

Kelley Gardner, LMFT, MFT Section Chair

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

C. Martin Justice, LMHC, LCAC

Andrew Harner, MSW, LCSW, SW Section Chair, Board Designee

Stephan Viehweg, MSW, LCSW

Kathryn Adams, LCAC, LCSW

Peter Karalis, M.D., Psychiatric Physician Member

Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about June 20, 2022 Dr. Dyarman agreed to a Proposed Settlement that placed her license on probation with the following terms:

- Both parties agree to the Settlement and all facts within this matter.
- Both parties agree to waive a public hearing in this matter, and all other proceedings in this action which either party may be entitled to by law, including juridical review.
- Both parties agree that terms of the Proposed Settlement will resolve all outstanding claims, allegations, potential claims, or potential allegations relating to the complaint filed on November 8, 2021.
- Dr. Dyarman agrees that her Clinical Social Work license and Clinical Addiction Counselor license shall remain on Indefinite Probation for no less than eighteen (18) months with the following terms:
  - Dr. Dyarman shall keep the Board up to date on her contact and residential information.
  - Dr. Dyarman shall keep the Board informed of her behavioral health employer's name and contact information.
  - Within ninety (90) days of the Final order in this matter, Dr. Dyarman shall submit a fitness for duty evaluation completed by an HSPP or LCSW. Dr. Dyarman agrees to follow all treatment recommendations made by the provider, and the provider shall not be someone whom Dr. Dyarman has a prior professional or personal relationship with of any kind.
  - Dr. Dyarman shall make quarterly appearances before the Board.
  - Dr. Dyarman shall have all behavioral health employers submit a signed copy of the final order in this matter and any future orders to the Board within ten (10) days of beginning employment, so long as Dr. Dyarman remains on probation.

- Dr. Dyarman shall have all behavioral health employers submit quarterly reports detailing her work performance. If she is not employed as an LCSW or LCAC, she shall submit quarterly self-reports to the Board covering her personal circumstances. These reports shall continue as long as Dr. Dyarman remains on probation.
- If Dr. Dyarman is self-employed, she shall have a practice monitor to audit her cases on a quarterly basis. Her practice monitor shall submit quarterly reports to the Board on the audit and any other supervision they might have provided Dr. Dyarman. The practice monitor shall be licensed practitioner licensed by this Board, and not have any disciplinary sanctions levied against their license. The practice monitor shall not be someone with whom Dr. Dyarman has a prior professional or personal relationship of any kind.
- Dr. Dyarman shall complete twenty (20) additional continuing education units covering the area of boundaries and ethics. She shall submit proof of their completion to the Board.
- Dr. Dyarman shall not practice social work or clinical addiction counseling in a correctional setting, inclusive of offering services to incarcerated clients.
- Dr. Dyarman shall comply with all statute and rules regulating the practice of behavioral health.
- Dr. Dyarman shall pay a fee of \$5.00 to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund.
- Dr. Dyarman must maintain her licenses in Active status at all times while the Board's Final Order is in effect. Dr. Dyarman agrees that any renewal application shall be denied by the Board unless agrees to the continued terms of discipline order under this cause number on the renewed licenses.
- Dr. Dyarman understands that any violation of her Agreement could result in an Order to Show Cause that could lead to further action against her license up to revocation.

Dr. Dyarman stated that she has completed all the above terms, and requests that the Board withdraw the probation status. The Board discussed with Dr. Dyarman how probation impacted her professionally and personally. The Board also discussed her current work and supervision.

The State submitted Exhibit A, which is an affidavit from IPLA which states that Dr. Dyarman has submitted all required reports for her probation and met all terms. The State indicated no other concerns.

**Board Action:** A motion was made and seconded to grant Ms. Dyarman's motion to withdraw the probation status.

Harner/Viehweg  
Motion carried 9-0-0

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

Cause No. 2022 BHSB 0023

Re: Petition for Withdraw of Probation

Ms. Juarez was unable to attend the hearing scheduled for today. She will be rescheduled for February 2024.

**C. Nesetta Gellizeau, LMHCA, License No. 88001928A**

Cause No. 2023 BHSB 0018

Re: Petition for Withdraw of Probation

**Parties Present:**

Respondent was present  
Margie Addington, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)  
Kelley Gardner, LMFT, MFT Section Chair  
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC Section Chair  
C. Martin Justice, LMHC, LCAC  
Andrew Harner, MSW, LCSW, SW Section Chair, Board Designee  
Stephan Viehweg, MSW, LCSW  
Kathryn Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member  
Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about April 6, 2023 after reviewing her application the Board placed Ms. Gellizeau’s license on probation with the following terms:

- Indefinite probation for no less than three (3) months from the date of the Final Order.
- Shall keep the Board up to date on her contact information
- Shall keep the Board up to date on her employment information and their contact information
- Must completed 10 CEUs in the area of ethics or licensure
- Must have one (1) appearance before the Board to discuss progress and CEUs and compliance with the Order.
- Must provide a copy of the Final Order signed by any employers within ten (10) days of the issuance of the Order. If Ms. Gellizeau obtains new employment, her new employer must be signed by her new employer within ten (10) days of starting.
- Ms. Gellizeau must take and pass the Indiana jurisprudence exam.
- Ms. Gellizeau must follow all statute and rules regulating the practice of mental health counseling and report any future arrests, work discipline, or terminations to the Board immediately in writing.
- Failure to comply with the terms of the probation could result in Ms. Gellizeau to be subject to a show cause hearing that may end in imposing further sanctions.

Ms. Gellizeau informed the Board that she completed eleven (11) continuing education hours and has appeared at least once before the Board. She stated that she had her employer sign her order and completed the Indiana law examination as well. The Board discussed with her the impact the probation had on her license and what she learned from the experience and her continuing education programs. Ms. Gellizeau discussed her employment and supervision.

**Board Action:** A motion was made and seconded to grant Ms. Gellizeau’s motion to withdraw the probation status.

Richardson/Justice  
Motion carried 9-0-0

**D. Rebecca Hall, LSW, Temporary Permit No. 99117658A**  
Cause No. 2023 BHSB 0019  
Re: Petition for Withdraw of Probation

**Parties Present:**

Respondent was present  
Margie Addington, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)  
Kelley Gardner, LMFT, MFT Section Chair  
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC Section Chair  
C. Martin Justice, LMHC, LCAC  
Andrew Harner, MSW, LCSW, SW Section Chair, Board Designee  
Stephan Viehweg, MSW, LCSW  
Kathryn Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member  
Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about April 6, 2023 after reviewing her application the Board placed Ms. Hall's license on probation with the following terms:

- Indefinite probation for no less than three (3) months from the date of the Final Order.
- Shall keep the Board up to date on her contact information
- Shall keep the Board up to date on her employment information and their contact information
- Must completed 10 CEUs in the area of ethics or licensure
- Must have one (1) appearance before the Board to discuss progress and CEUs and compliance with the Order.
- Must provide a copy of the Final Order signed by any employers within ten (10) days of the issuance of the Order. If Ms. Hall obtains new employment, her new employer must be signed by her new employer within ten (10) days of starting.
- Ms. Hall must take and pass the Indiana jurisprudence exam.
- Ms. Hall must follow all statute and rules regulating the practice of social work and report any future arrests, work discipline, or terminations to the Board immediately in writing.
- Failure to comply with the terms of the probation could result in Ms. Hall to be subject to a show cause hearing that may end in imposing further sanctions.

Ms. Hall requested that the Board remove the probation status as she has met all the terms. She discussed with the Board the impact of probation and what she learned from the experience and completion of her continuing education.

**Board Action:** A motion was made and seconded to grant Ms. Hall's motion to withdraw the probation status.

Viehweg/Harner  
Motion carried 8-0-1 Karalis not present.

**E. Carlyn Smith, LCACA, Temporary Permit No. 99118302A**  
Cause No. 2023 BHSB 0021  
Re: Petition for Withdraw of Probation

**Parties Present:**

Respondent was present  
Margie Addington, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)  
Kelley Gardner, LMFT, MFT Section Chair  
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC Section Chair  
C. Martin Justice, LMHC, LCAC  
Andrew Harner, MSW, LCSW, SW Section Chair, Board Designee  
Stephan Viehweg, MSW, LCSW  
Kathryn Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member  
Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about May 12, 2023 after reviewing her application the Board placed Ms. Smith's license on probation with the following terms:

- Indefinite probation for no less than three (3) months from the date of the Final Order.
- Shall keep the Board up to date on her contact information
- Shall keep the Board up to date on her employment information and their contact information
- Must completed 10 CEUs in the area of ethics or licensure
- Must have one (1) appearance before the Board to discuss progress and CEUs and compliance with the Order.
- Must provide a copy of the Final Order signed by any employers within ten (10) days of the issuance of the Order. If Ms. Smith obtains new employment, her new employer must be signed by her new employer within ten (10) days of starting.
- Ms. Smith must take and pass the Indiana jurisprudence exam.
- Ms. Smith must follow all statute and rules regulating the practice of clinical addiction counseling associate and report any future arrests, work discipline, or terminations to the Board immediately in writing.
- Failure to comply with the terms of the probation could result in Ms. Smith to be subject to a show cause hearing that may end in imposing further sanctions.

Ms. Smith did appeal the Board's initial decision in a hearing on or about October 13, 2023; however, the Board upheld their decision.

Ms. Smith stated that she has completed all the terms of the probation, and requests that the Board withdraw the probation status. She discussed with the Board the impact of probation status, and what she learned from the experience and completion of her continuing education. She indicated that she is not currently employed and submitted that notice to the Board in November. She submitted Exhibit 1 which are copies of the eleven (11) hours of continuing education she completed for her probation terms.

**Board Action:** A motion was made and seconded to grant Ms. Smith's motion to withdraw the probation status.

Richardson/Adams  
Motion carried 9-0-0

**F. Kayla O'Day, LMHCA, License No. 88001403A**  
Cause No. 2022 BHSB 0021  
Re: Petition for Withdraw of Probation

**Parties Present:**

Respondent was present

Margie Addington, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)

Kelley Gardner, LMFT, MFT Section Chair

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

C. Martin Justice, LMHC, LCAC

Andrew Harner, MSW, LCSW, SW Section Chair, Board Designee

Stephan Viehweg, MSW, LCSW

Kathryn Adams, LCAC, LCSW

Peter Karalis, M.D., Psychiatric Physician Member

Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about August 26, 2022 after reviewing her application for license renewal the Board placed Ms. O'Day's license on probation with the following terms:

- Ms. O'Day shall be placed on Indefinite Probation and may not request withdrawal of her probation until the successful completion and resolution of her criminal charges, and criminal probation.
- Ms. O'Day shall keep the board apprised of the following information and update it as is necessary:
  - Ms. O'Day 's current home address, mailing address, and residential telephone number; and
  - Ms. O'Day 's place of employment, employment telephone number, and name of supervisor.
- Ms. O'Day shall continue substance abuse treatments and follow all treatment recommendations from a Health Service Provider in Psychology ("HSPP") or other counselor or professional licensed by the Board who is qualified to render substance abuse treatment.
- Ms. O'Day shall cause the treating HSPP or counselor to submit quarterly reports to the Board regarding progress with substance abuse treatment and compliance with treatment recommendations.
- Ms. O'Day shall comply with all statutes and rules regulating the practice of Mental Health Counseling Associate and report any future arrests, instances of substance abuse, work discipline or terminations to the Board immediately in writing.
- 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.

Ms. O'Day requested to withdraw her probation status, indicating that she has completed all terms. She informed the Board of a relapse in February 2023, but that she sought additional treatment and switched employments to address her feelings of being overwhelmed. She stated that she completed eleven (11) hours of continuing education and completed her post-degree experience and supervision in order to pursue the full license. The Board discussed her progress and completion of her treatment programs, job duties, and job changes. She stated that she has been sober since June 2023 and all criminal matters have been resolved.

**Board Action:** A motion was made and seconded to grant Ms. O'Day's motion to withdraw the probation status.

Richardson/Justice

Motion carried 8-0-1 Gardner not present.

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

Cause No. 2022 BHSB 0009

Re: Administrative Complaint

**Parties Present:**

Respondent was present

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

Margie Addington, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)

Kelley Gardner, LMFT, MFT Section Chair

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

C. Martin Justice, LMHC, LCAC

Andrew Harner, MSW, LCSW, SW Section Chair, Board Designee

Stephan Viehweg, MSW, LCSW

Kathryn Adams, LCAC, LCSW

Peter Karalis, M.D., Psychiatric Physician Member

Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about May 20, 2022 an Administrative Complaint was filed against Ms. Burnett with allegations of lewd or immoral conduct, sex with a patient, exploitation of a patient, and sexual activities with a patient. Ms. Burnett and the State have agreed to the Stipulation and Facts and Conclusions of Law which was filed today. State Exhibit 1 is a copy of the Stipulated Facts and Conclusions of Law. The State recommends that Ms. Burnett's license be suspended due to the nature of the agreed violation. Ms. Burnett stated that what occurred was a violation of NASW code of ethics, and she is no longer employed at that facility. She requested that the Board impose a different discipline than suspension as she needs her license to work. Ms. Burnett informed the Board that she has tried to make amends and has talked over this behavior with her supervisor. The Board asked Ms. Burnett some clarifying questions regarding how this violation occurred. Ms. Burnett attested she never met the client in person, and it was not a relationship. She stated that what occurred was through texts and phone calls.

**Board Action:** A motion was made and seconded to accept the Stipulation of Facts and Conclusions of Law in the matter of Ms. Burnett.

Harner/Richardson

Motion carried 9-0-0

A motion was made and seconded to suspend Ms. Burnett's clinical social work license for a period of at least two (2) years, and at least 180 days prior to requesting reinstatement she must complete a fitness for duty, by an HSPP, and follow all recommendations outlined in the report.

Harner/Viehweg

Motion carried 9-0-0

**H. Kevin Pollert, LCSW, License No. 34006077A**

Cause No. 2023 BHSB 0012

Re: Order To Show Cause

**Parties Present:**

Respondent was present

Carah Rochester, Deputy Attorney General, Office of the Attorney General  
Margie Addington, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)  
Kelley Gardner, LMFT, MFT Section Chair  
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC Section Chair  
C. Martin Justice, LMHC, LCAC  
Andrew Harner, MSW, LCSW, SW Section Chair, Board Designee  
Stephan Viehweg, MSW, LCSW  
Kathryn Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member  
Jacqueline Eitel, RN, Consumer Member

**State Witness:**

Cindy Vaught, Board Director, Indiana Professional Licensing Agency

**Case Summary:** On or about August 8, 2023 Mr. Pollert entered into a Settlement Agreement with the following terms:

- Respondent's license shall be placed on INDEFINITE PROBATION for a period of NO LESS THAN TWO (2) YEARS. Respondent may petition the Board for the withdrawal of probation following two (2) years of ACTIVE PRACTICE.
- The following TERMS AND CONDITIONS shall govern Respondent's practice while on probation:
  - Prior to starting a position as a behavioral health provider, Respondent shall undergo a fitness for duty evaluation by a Health Service Provider in Psychology. Respondent shall provide a copy of this agreement and the Final Order to the evaluator. Respondent shall submit any report or recommendations made as a result of the evaluation to the Board within forty-eight (48) hours of receiving such;
  - Respondent shall provide Copies of the Final Order in this case to each and every behavioral health employer during the course of Respondent's probation, to be signed and returned to the Board within ten (10) days of either the issuance of the Final Order or upon commencement of any new employment;
  - Respondent shall cause any behavioral health employer to provide quarterly written reports to the Board;
  - If Respondent is self-employed, he shall provide quarterly personal written reports to the Board;
  - If Respondent is self-employed, Respondent shall have a PRACTICE MONITOR audit Respondent's cases on a QUARTERLY basis and provide a report of their findings to the Board. The practice monitor shall hold a behavioral health license in Indiana, be approved by the Board, and not have had any disciplinary sanctions levied against their license by the Board.
  - All quarterly reports are due at the end of each quarter.
  - Respondent shall complete eight (8) continuing education hours EACH in the topics of 1) ethics; 2) professionalism; and 3) boundaries. Prior to petitioning for the withdrawal of probation, Respondent shall provide proof of the completion of the continuing education hours to the Board.
  - Respondent shall make quarterly personal appearances before the Board, as scheduled by the Board;



- Respondent shall not violate any laws regulating the practice of behavioral health and human services
- Respondent shall immediately report in writing any future arrests, instances of substance abuse, work discipline or terminations to the Board; and
- Respondent shall keep the Board apprised of the following information in writing:
  - Respondent's current home address, mailing address, e-mail address and residential telephone number.
  - Respondent's place of employment, employment telephone number, employment e-mail address and name of supervisor.
- Respondent shall, within ninety (90) 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 further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of behavioral health, or any violation of this Settlement Agreement 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.

On or about December 18, 2023 the Board issued an Order to Show Cause against Mr. Pollert to demonstrate that he has not complied with his Order. Mr. Pollert stated that that he is currently not employed or working in the field. He stated that his Order indicates he does not have to report anything until he is employed. He stated that he is currently handling a number of personal difficulties which took him away from the field.

The State indicated that Mr. Pollert has agreed to the terms of the Probation, and he has not submitted anything to IPLA or the State regarding any changed circumstances. The State called Cindy Vaught as witness.

Ms. Vaught stated that Mr. Pollert has been requested to appear twice, and he has failed to appear. She stated that she received an email from Mr. Pollert on November 12<sup>th</sup> which only stated that he was not practicing. When she sent an email for his 2<sup>nd</sup> appearance on December 11<sup>th</sup>, she did not receive a response.

Mr. Pollert stated that his understanding of his Order was that if he was not working in the field, he did not have to follow the probation terms. He stated that he now understands.

The State concluded that it is up to Mr. Pollert to have the burden of proof to show he was not in violation of his probation, and he stated that he did not follow the requirements. She stated that will be up to the Board if they wish to impose further sanctions.

**Board Action:** A motion was made and seconded to find Mr. Pollert in non-compliance of his Order, and modify Mr. Pollert's probation terms to the following:

- While Respondent remains unemployed as a behavioral health provider, he shall attend personal appearances on a bi-annual (twice a year) basis.
- While Respondent remains unemployed as a behavioral health provider, he shall provide written personal reports to the Board on a quarterly basis.
- All other aspects of the Board's August 8, 2023, Order imposing probation remain in effect.

- A violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of clinical social work, or any violation of this final order 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/ Viehweg  
Motion carried 9-0-0

**I. Phillisha Brown, LSW, License No. 33007602A**

Cause No. 2022 BHSB 0003

Re: Order To Show Cause

**Parties Present:**

Respondent was not present

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

Katie Kramer, Deputy Attorney General Intern, Office of the Attorney General

Margie Addington, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)

Kelley Gardner, LMFT, MFT Section Chair

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

C. Martin Justice, LMHC, LCAC

Andrew Harner, MSW, LCSW, SW Section Chair, Board Designee

Stephan Viehweg, MSW, LCSW

Kathryn Adams, LCAC, LCSW

Peter Karalis, M.D., Psychiatric Physician Member

Jacqueline Eitel, RN, Consumer Member

**State Witness:**

Cindy Vaught, Board Director, Indiana Professional Licensing Agency

**Case Summary:** On or about February 22, 2023 Ms. Brown entered into a Settlement Agreement with the Board with the following terms:

- Ms. Brown's license shall be placed on Indefinite Probation for a minimum of one (1) year.
- Ms. Brown shall pay a fee of \$5.00 to be deposited in the Health Records and Person Identifying Information Protection Trust Fund.
- Prior to petitioning to come off probation, Ms. Brown agrees to complete five (5) hours of continuing education in the area of professional boundaries and five (5) hours of continuing education in the area of record keeping/practice organization. She shall submit proof of completion to Professional Licensing Agency.
- Ms. Brown's practice of social work while on probation shall be governed by the following terms and conditions:
  - Shall maintain her current home address and contact information with the Board. Any changes to her information should be sent and notified to the Board within seven (7) days.

- Ms. Brown shall notify the Board of her employment, and employment contact information. If a change should occur with her employment, Ms. Brown shall notify the Board within seven (7) days of the change and the new contact information.
- Ms. Brown shall provide a copy of all Board orders imposing discipline or limiting her practice to her social work employer. Her employer shall sign and return a copy of the order to the Board with employer letterhead, and/or business card attached within seven (7) days of employment or receipt of this order. Should her employment change, she shall submit a copy of the order, signed by her new employer within seven (7) days of commencing her new employment.
- Ms. Brown shall submit to the Board quarterly supervision reports from all her social work employers that address her work performance, attendance, documentation, communication skills, disciplinary action, and/or any complaints made against her. If she is not employed as a social worker, Ms. Brown shall submit personal quarterly reports stating why she is not employed as a social worker, and the current nature of her employment. All reports must be submitted individually at the end of every quarter while her license remains on probation. Her probationary supervision reports shall be completed by Bridget Sibb, or another supervisor approved by the Board should Ms. Sibb be unavailable.
- While on probation, Ms. Brown shall appear before the Board twice per year.
- Ms. Brown understands that any violation of the Final Order, or any noncompliance of the Order may lead to further disciplinary action against her license.

Mr. Eldridge stated that Ms. Brown was notified of this hearing on December 18<sup>th</sup> due to a concern of non-compliance with her probation order. As she has not appeared to address this concern, he requests that the Board issue a Notice of Default.

**Board Action:** A motion was made and seconded to issue a Notice of Proposed Default in the matter of Ms. Brown.

Viehweg/Harner  
Motion carried 9-0-0

## **IX. DISCUSSION**

### **A. Counseling Compact**

The Counseling Compact was discussed. Kimble Richardson, MHC Section Chair, has attended a few conferences and meetings to discuss the Counseling Compact and how it would impact not only Indiana, but also other States who join. There was discussion of who might not be eligible for the Compact like those who have criminal convictions, revoked licenses, or non-equivalent educational standards. There might be Rules the Board will have to adopt depending on how the Compact is implemented. The Board staff discussed how Compact licenses are implemented under other professions.

## **X. APPLICATIONS FOR REVIEW**

There were no applications for review.

## **XI. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL**

The Attorney General's office reported to the Board that they have opened three new complaints within the past thirty days with eighty-four current open complaints and they have closed five since the beginning of the year. Primarily the complaints have been from Marion County followed by Hamilton County. The content of the complaints are unlicensed practice, professional incompetence, and unprofessional conduct. Roughly one-fourth (¼) of the complaints received are unlicensed practice. The average age of the open complaints is 6.6 months and primarily against clinical social workers and mental health counselors.

There have been two litigation cases open in the past thirty days with sixteen open litigation cases and none closed this year. The average duration of the litigation cases is 11.1 months. The litigation has occurred mostly in Marion County. The current litigation charges are for unprofessional conduct followed by unlicensed practice, lewd/immoral conduct, and criminal conviction. Primarily the charges have been filed against clinical social workers followed by Mental Health Counselors.

**XII. FORMAL ADOPTION OF APPLICATION REVIEWS**

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

Justice/Gardner  
Motion carried 9-0-0

**XIII. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW**

There were no continuing education sponsor applications for review.

**XIV. OLD/NEW BUSINESS**

The Board members discussed the rise in unlicensed practices reports. The Board also discussed with Board staff regarding any delays in processing.

**XV. ADMINISTRATORS' REPORT**

There was no administrator report.

**XVI. ADJOURNMENT**

There being no further business, and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 4:51 p.m. by general consensus.

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Dr. Dianna Cooper-Bolinsky, LCAC, LCSW  
Board Chair

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Date