

MINUTES
BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD
November 22, 2010

I. CALL TO ORDER AND ESTABLISH QUORUM

Andrew Harner called the meeting to order at 9:09 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, M.S.W., L.C.S.W., Board President, Social Work Section Chair
Kimble Richardson, M.S., L.M.H.C., L.C.S.W., L.M.F.T., MHC Section Chair
Rex Stockton, Ed.D., L.M.H.C., L.C.S.W., L.M.F.T., Psychologist
Michael Aemmer, M.A., L.S.W., L.M.F.T., Section Chair
George Brenner, L.C.S.W., L.M.F.T., L.C.A.C.
Carla Gaff-Clark, Ed.D., L.M.H.C., CADAC-IV, L.C.A.C., Section Chair
Ruth Hallett, Consumer Member

Members Absent:

Geneva Osawe, M.S.W., L.M.F.T., L.C.S.W., M.F.T, Board Vice-President.
Michael Aemmer, M.A., L.S.W., L.M.F.T.
Vacant, Social Work Member
Vacant, Consumer Member
Vacant, Psychiatrist Member

Staff Present:

Valerie L. Jones, Board Director
Ronnie Saunders III, Assistant 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.

HALLETT/BRENNER
Motion carried 6-0-0

III. APPROVAL OF MINUTES FROM SEPTEMBER 27, 2010

A motion was made and seconded to approve the minutes of the September 27, 2010 meeting of the Board, as amended.

STOCKTON/HALLETT
Motion carried 6-0-0

IV. ADMINISTRATIVE HEARING

A. In the Matter of Heather L. Richardson

Administrative Cause No. 2010 BHSB 013
Re: Complaint

Parties and Counsel Present:

Morgan L. Burton, Office of the Attorney General
Heather Richardson, Respondent
Peter Pogue, Counsel for the Respondent

Participating Board Members:

Mr. Harner (Hearing Officer)
Mr. Richardson
Mr. Brenner
Ms. Gaff-Clark

Ms. Hallett
Dr. Stockton

Case Summary: An administrative complaint was filed against Heather Richardson on July 28, 2010 alleging that she was in violation of the social work regulations by being involved in a sexual relationship with her client.

The Office of the Attorney General presented a proposed settlement for consideration. The Respondent, according to the terms of the settlement, agrees to a two (2) year indefinite suspension.

Board Action: After review, a motion was made and seconded to accept the settlement agreement as presented.

STOCKTON/HALLETT
Motion carried 6-0-0

V. PERSONAL APPEARANCES

A. Daniel Adam Brodsky, License No. 39001770A

Re: Probation Appearance

Mr. Brodsky appeared before the Board as a requirement of his current probation status.

Mr. Brodsky is currently on criminal probation for criminal recklessness and has current charges pending for domestic battery. Additionally, Mr. Brodsky informed the Board that he anticipates that his current court case will be resolved in February 2011.

Mr. Brodsky also submitted proof of completing 10 hours of continuing education in domestic battery.

No Board Action was required.

B. Grace Wangechi Kimburi, LCSW Applicant

Re: Exam Attempts

Ms. Kimburi failed to appear before the Board as requested.

The Board tabled Ms. Kimburi's application to the next available board meeting.

C. Cassandra Owens, LCSW Applicant

Re: Exam Attempts

Ms. Owens appeared before the Board to discuss her failure to pass the ASWB clinical exam. Ms. Owens has failed the exam three (3) times. Ms. Owens is currently employed with the Regional Mental Health in East Chicago, Indiana.

Ms. Owens described the barriers she believed that she has faced while taking the exam. She informed the Board that she has been told by her current supervisor that she reads more into the exam than is required. Ms. Owens further stated that she has not used any study materials in preparation for the exam.

The Board questioned Ms. Owens about the reasons she has chosen not to obtain the LSW.

After discussion, a motion was made and seconded to approve Ms. Owens's repeat exam application to sit for the ASWB clinical exam.

HARNER/STOCKTON
Motion carried 6-0-0

D. Christine Maria Craigin, LMFTA Applicant

Re: Exam Attempts

Ms. Craigin appeared before the Board to discuss her failure to pass the AAMFT licensure exam. Ms. Craigin has failed the exam three (3) times.

Ms. Craigin explained the reasons that she believes that she has failed the exam. She also discussed the notes and study guides that she used to prepare for the exam.

Ms. Craigin is currently employed with her supervisor in private practice.

The Board discussed the issues Ms. Craigin has had obtaining the individual score reports from the testing agency.

After discussion, a motion was made and seconded to approve Ms. Craigin's repeat exam application to sit for the AAMFT exam.

BRENNER/STOCKTON
Motion carried 6-0-0

E. Felicia Bates, LCSW Applicant

Re: Exam Attempts

Ms. Bates appeared before the Board to discuss her failure to pass the ASWB clinical exam. Ms. Bates has failed the exam three (3) times.

Ms. Bates explained that she had a number of personal issues to overcome, including miscarriages and a death in a family. Ms. Bates is currently not employed.

Ms. Bates further stated that she has attempted study programs to help her become prepared to take the exam and believes that she may have some test anxiety.

After discussion, a motion was made and seconded to approve Ms. Bates' repeat exam application to sit for the ASWB clinical exam.

BRENNER/HALLETT
Motion carried 6-0-0

F. Evette Abiola Blackman, LCSW Applicant

Re: Exam Attempts

Ms. Blackman appeared before the Board to discuss the reasons she has failed to pass the ASWB clinical exam. Ms. Blackman has failed the exam three (3) times. Ms. Blackman has been employed with the Adult and Child Mental Health for the last 6 years.

Ms. Bates stated that she is a not a good test taker. She informed the Board that she did not study for the first exam however, has studied since her first attempt. Ms. Bates further discussed the methods that she believes will help her pass the exam.

After discussion, a motion was made and seconded to approve Ms. Blackman's repeat application to sit for the ASWB clinical exam.

RICHARDSON/STOCKTON
Motion carried 6-0-0

G. Claude Ann Poupolos, LCSW Applicant

Re: Exam Attempts

Ms. Poupolos appeared before the Board to discuss the reasons she has failed the ASWB clinical exam. Ms. Poupolos has failed the exam three (3) times. Ms. Poupolos is currently employed with HTI Family Counseling in Merrillville, Indiana.

Ms. Poupolos informed the Board that she had test anxiety and that she plans to work with a study group and to stop over thinking the questions. She further stated that she needs to work at answering the best right answer. In preparation for the exam, Ms. Poupolos stated that she has taken home study courses, a NASW course, and other computer based exams.

After discussion, a motion was made and seconded to approve Ms. Poupolos' repeat exam application to sit for the ASWB clinical exam.

BRENNER/STOCKTON
Motion carried 6-0-0

H. Suzanne Jean Bonaventura, LCSW Applicant

Re: Exam Attempts

Ms. Bonaventura failed to appear before the Board as requested.

The Board tabled Ms. Bonaventura's application to the next available board meeting.

I. Kelly Jo Creek, License No. 39001092A

Re: Positive Response on Renewal Application

Ms. Creek appeared before the Board to discuss the positive response on her renewal application. Ms. Creek answered "yes" to the following question:

"Since you last renewed, have you been denied staff membership or privileges in any hospital or health care facility or have staff membership or privileges been revoked, suspended, or subject to any restriction, probation, or other type of discipline – or have you resigned in lieu of discipline or termination?"

Ms. Creek informed the Board that she was terminated the Indiana Developmental Training Center as a result of working from home and emailing documents to her home location.

Ms. Creek is currently employed with Pinnacle Behavioral Services.

After discussion, a motion was made and seconded to renew Ms. Creek's license.

HARNER/GAFF-CLARK
Motion carried 6-0-0

J. Michelle Jean Roberts, LCAC Applicant

Re: Positive Response & Waiver Request

Ms. Roberts appeared before the Board to request a waiver of the experience requirement for the LCAC licensure requirement. Ms. Roberts had a positive response on her licensure application. Ms. Roberts answered "yes" to the following question:

"Has disciplinary action ever been taken regarding any health license, certificate, registration or permit that you hold or have held?"

The Board discussed the information submitted in Ms. Roberts' original response and determined that there was no issue that would prevent Ms. Roberts from being licensed as a result of her positive response.

Ms. Roberts holds a bachelors degree and requested that they Board consider waiving the 20 year requirement so that she could be licensed as a LCAC.

The Board then questioned Ms. Roberts about her years of experience. The Board determined that she had 14-15 years of actual experience. However, Ms. Roberts stated that she was only 24 months short of the experience requirement as a result of taking time off to raise her children and move to a different state.

After review, the Board determined that based on her additions experience start date, the total number of years she could have earned in the field would have been nineteen (19) if there were no interruptions. As such, the Board encouraged Ms. Roberts to apply for the LAC. The Board further informed Ms. Roberts that they have not accepted anything less twenty (20) years of experience.

A motion was made and seconded to deny Ms. Roberts application for the LCAC.

GAFF-CLARK/BRENNER
Motion carried 6-0-0

VI. OLD/NEW BUSINESS

A. Reinstatement for Licenses Expired for Three-Plus Years

1. Jill D. Bailey, License # 34001819A

The Board reviewed documentation from Ms. Bailey regarding her request to renew her expired license to practice clinical social work. Ms. Bailey's license has been expired since April 1, 2004. Ms. Bailey 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.

After review and discussion, a motion was made and seconded to reinstate her license to practice clinical social work upon successful completion of the jurisprudence exam.

STOCKTON/HALLETT
Motion carried 6-0-0

2. Jacqueline Renee Smith, License # 34004482A

The Board reviewed documentation from Ms. Smith regarding her request to renew her expired license to practice clinical social work. Ms. Smith's license has been expired since April 1, 2004. Ms. Holloway 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.

After review and discussion, a motion was made and seconded to reinstate her license to practice clinical social work upon successful completion of the jurisprudence exam.

HARNER/STOCKTON
Motion carried 6-0-0

3. Phyllis J. Davis, License #34002723A

The Board reviewed documentation from Ms. Davis regarding her request to renew her expired license to practice clinical social work. Ms. Davis' license has been expired since April 1, 2006. Ms. Davis 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.

After review and discussion, a motion was made and seconded to reinstate her license upon successful completion of the jurisprudence exam.

BRENNER/HALLETT
Motion carried 6-0-0

4. David Alexander Allen, License #39000164A

The Board reviewed documentation from Mr. Allen regarding his request to renew his expired license to practice mental health counseling. Mr. Allen's license has been expired since April 1, 2004. Mr. 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.

After review and discussion, a motion was made and seconded to reinstate his license.

STOCKTON/RICHARDSON
Motion carried 6-0-0

5. Daun Michelle Bieda, License #39001364A

The Board reviewed documentation from Ms. Bieda regarding her request to renew her expired license to practice mental health counseling. Ms. Bieda's license has been expired since April 1, 2002. Ms. Bieda 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.

After review and discussion, a motion was made and seconded to request a personal appearance to determine her current level of competence.

RICHARDSON/STOCKTON
Motion carried 6-0-0

6. Elizabeth Jane Terveer, License #39000518A

The Board reviewed documentation from Ms. Terveer regarding her request to renew her expired license to practice mental health counseling. Ms. Terveer's license has been expired since April 1, 2006. Ms. Terveer 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.

After review and discussion, a motion was made and seconded to reinstate her license.

STOCKTON/BRENNER
Motion carried 6-0-0

B. Proposed Rule – LSA Document #09-811

The Board reviewed the proposed marriage and family therapist and marriage and family therapist associate rules that will be submitted to the Indiana Register.

The Board expressed concerns about the number of years of experience an equivalent supervisor must obtain prior to supervisor.

After discussion, a motion was made to change the supervision requirement from ten (10) years to (5) five years.

HARNER/RICHARDSON
Motion carried 6-0-0

C. Upcoming Rule Discussion

Director Jones informed the Board of the upcoming rules needed for addiction counselors, clinical addiction counselors and licensed mental health counselor associates.

The Board further discussed the need to establish a timeline for applicants seeking their LMHC that would allow them to continue working in the field until the LMHCA application process and rules are complete.

After discussion, a motion was made and seconded to allow candidates graduating on or before July 1, 2012 to apply for licensure as a mental health counselors under the current licensure requirements.

RICHARDSON/STOCKTON
Motion carried 6-0-0

D. Board Elections

A motion was made and seconded to elect Kimble Richardson as board President.

HARNER/HALLETT
Motion carried 6-0-0

A motion was made and seconded to elect George Brenner as board Vice President.

STOCKTON/HALLETT
Motion carried 6-0-0

E. ASWB Annual Meeting Report

Assistant Director Saunders reported on the ASWB Annual Meeting. Mr. Saunders informed the Board of the ASWB disciplinary data base and the National Practitioner's Data Base reporting.

VII. CE SPONSOR APPLICATION REVIEW

- A. A motion was made and seconded to approve the continuing education sponsor application of Aging Avenues.

HALLETT/RICHARDSON
Motion carried 6-0-0

- B. A motion was made and seconded to approve the continuing education sponsor application of Life Spring, Inc.

HALLETT/STOCKTON
Motion carried 6-0-0

- C. A motion was made and seconded to approve the continuing education sponsor application of Elkhart County Drug Free Partnership.

HALLETT/GAFF-CLARK
Motion carried 6-0-0

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/RICHARDSON
Motion carried 6-0-0

IX. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 12:08 p.m.

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