

# **BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD**

## **Minutes**

**December 9, 2024**

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

Dr. Dianna Cooper-Bolinskey called the meeting to order at 9:07 a.m. in the Indiana Government Center South, Conference Center - Rooms 4 & 5, 302 West Washington Street, Indianapolis, Indiana, and declared a quorum.

#### **Board Members Present:**

Dr. Dianna Cooper-Bolinskey, LCAC, LCSW, Board Chair  
Jon Ferguson, LMFT, LCAC, Vice Chair (present at 9:19 a.m.)  
Kelley Gardner, LMFT, LMFT, Section Chair (present at 9:43 a.m.)  
Kathryn Adams, LCAC, LCSW, Section Chair  
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC, Section Chair  
C. Martin Justice, LMHC, LCAC, Board Designee  
Stephan Viehweg, MSW, LCSW, Section Chair  
Peter Karalis, MD, Psychiatry Member  
Jacqueline Eitel, RN, Consumer Member

#### **Board Members Not Present:**

Jon Ferguson, LMFT, LCAC, Vice Chair (present at 9:19 a.m.)  
Kelley Gardner, LMFT, LMFT, Section Chair (present at 9:43 a.m.)  
Licensed Clinical Social Worker - Vacant

#### **State Officials Present:**

Cindy Vaught, Board Director, Professional Licensing Agency  
Dana Brooks, Assistant Board Director, Professional Licensing Agency  
Catherine Briney, Litigation Specialist, Professional Licensing Agency  
Jill Haddad, Deputy Attorney General, Office of the Attorney General (present at 9:30 a.m. and left at 10:34 a.m.)  
Adam Harvey, Deputy Attorney General, Office of the Attorney General (present at 10:08 a.m.)

### **II. ADOPTION OF AGENDA**

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

Viehweg/Justice

Motion carried 7-0-0 (Ferguson and Gardner not present.)

### **III. APPROVAL OF MINUTES**

A motion was made and seconded to adopt the minutes of November 18, 2024.

Adams/Viehweg  
Motion carried 7-0-0 (Ferguson and Gardner not present.)

#### IV. ADMINISTRATIVE HEARINGS

##### A. Anthony Grady

Cause No. 202409-BHS-0067

Re: Notice of Proposed Default and Response

##### **Parties Present:**

Respondent was present with counsel Shontrai Irving  
Carah Rochester, Deputy Attorney General  
Margie Addington, Court Reporter, Accurate Court Reporting

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

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)  
Jon Ferguson, LMFT, LCAC  
Kathryn Adams, LCAC, LCSW  
Kimble Richardson, LMHC, LCSW, LMFT, LCAC  
C. Martin Justice, LMHC, LCAC  
Stephan Viehweg, LCSW  
Peter Karalis, MD, Psychiatry Member  
Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about September 19, 2024 a Motion to Cease and Desist was filed against Mr. Grady for unlicensed practice. A hearing was set for October 28, 2024 but he failed to appear in person or by counsel. A Notice of Proposed Default was issued due to no response and not being present in person or by counsel for the hearing. Mr. Irving, his attorney, submitted a response on November 20, 2024, to Set Aside the Notice of Proposed Default and Set for Hearing due to not receiving the hearing notice. Ms. Rochester requested that the Notice of Proposed Default be set aside, and this matter reset for hearing on January 27, 2025 with a Final Hearing for this matter be set for January.

**Board Action:** A motion was made and seconded to set aside the Notice of Proposed Default and set this matter for hearing.

Richardson/Viehweg  
Motion carried 8-0-0 (Gardner not present)

**Board Action:** A motion was made and seconded to continue the hearing in the matter of Mr. Grady.

Richardson/Viehweg  
Motion carried 8-0-0 (Gardner not present)

##### B. Debra Taylor

Cause No. 202411-BHS-0070

Re: Motion for an Order to Cease and Desist

**Parties Present:**

Respondent was not present  
Carah Rochester, Deputy Attorney General  
Margie Addington, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)  
Jon Ferguson, LMFT, LCAC  
Kelley Gardner, LMFT  
Kathryn Adams, LCAC, LCSW  
Kimble Richardson, LMHC, LCSW, LMFT, LCAC  
C. Martin Justice, LMHC, LCAC  
Stephan Viehweg, LCSW  
Peter Karalis, MD, Psychiatry Member  
Jacqueline Eitel, RN, Consumer Member

**Case Summary:** On or about November 14, 2024 a Motion to Cease and Desist was filed against Ms. Taylor for unlicensed practice. An Agreed Proposed Order was filed on December 2, 2024, for review by the Board. Ms. Rochester stated that Ms. Taylor has a website where she advertises services, while not holding a license in Indiana. She did respond to the email stating that she does not provide those services as she works for DCS. She has removed the information from her website. The Board noted that her website lists herself as “license eligible” which is not a term recognized by the Board. They expressed concerns that she might still be practicing outside the scope. Ms. Rochester stated that they can only investigate on a case-by-case basis and must have a new complaint filed to investigate to see if she falls under any exemption.

**Board Action:** A motion was made and seconded to accept the Proposed Agreed Order to Cease and Desist advertising and/or performing social work, addiction counseling, and/or mental health counseling without the required licensure in Indiana.

Viehweg/Richardson  
Motion carried 9-0-0

**IV. PERSONAL APPEARANCES**

**A. Application**

**1. Janis Ashburn (LMHC)**

Ms. Ashburn failed to appear as requested.

The Board had concerns regarding her post-degree experience and supervision hours and documentation. They noted that her Form E2 has a sticker over it and the hours cannot be verified for accuracy. They also noted that she did not obtain her mental health counselor associate license until 2022 but provided documentation of hours starting in 2021. The

Board requested that staff file a complaint with concerns about unlicensed practice as Ms. Ashburn has not responded to requests to appear to clarify her application.

## **2. Starr Franklin (LSW)**

Ms. Franklin appeared as requested to discuss her yes response regarding her background. She provided a statement and supporting documentation for the Board to review. Ms. Franklin discussed how the incident impacted her, and her work at a middle school. She indicated that all matters have been resolved by the courts. She discussed her support system and how it keeps her on track.

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

Viehweg/Richardson  
Motion carried 9-0-0

## **3. Debolina Ghosh (LMHCA & LMHC)**

Ms. Ghosh appeared per her request to discuss her applications. The Board noted that her application was complicated, and she had a strong academic background. She noted on her application that for the content area of Foundations of Mental Health Counseling, she taught that course. She was asking the Board to consider her teaching the content into consideration. The Board stated that they cannot accept her teaching the course; however, her program provided a letter on her behalf that noted the content was covered.

The Board noted concerns with her pre-degree supervision as it is noted she only has 63 hours, and she needs at least 66. She requested that the Board consider a course named Advanced Family which required some clinical practice to complete. The Board noted they will accept that.

The Board discussed what license level she wished to pursue as she has applied for both levels. Ms. Ghosh inquired about the counseling compact, and how that would apply for her licensure. The Board noted that while there is a counseling compact, it is not officially operational at this time as there are administrative processes that need to be in place. Ms. Ghosh inquired if she could be grandfathered in now that she holds a Missouri license. The Board noted that grandfathering has been closed for many years and would not apply for her situation.

Ms. Ghosh stated that she wanted to pursue the LMHC and be approved for the NCMHCE. She stated concerns about passing, so she would like to also keep the LMHCA in the event that she fails. The Board noted that she cannot keep both license applications open, and it is up to her what license she wants to pursue. She stated she would proceed with the LMHC.

**Board Action:** A motion was made and seconded to approve Ms. Ghosh to proceed with the mental health counselor license application and to approve her for the NBCC NCMHCE examination.

Richardson/Justice  
Motion carried 9-0-0

#### **4. January Whitacker (LACA)**

Ms. Whitacker appeared as requested to discuss her yes response regarding her background. She provided a statement and supporting documentation for the Board to review. The Board requested clarification on her practicum. She stated that she started her practicum during her associate degree, and Indiana Wesleyan reviewed it when she entered her master's program. She indicated that IWU determined that it was equivalent for their program. She described her practicum work and supervision and noted the different dates that she earned hours. The Board requested an updated Form P with the updated dates as it was discussed with the Board, due to all of the practicum dates not being documented.

The Board discussed her response regarding her background. Ms. Whitacker stated that all matters have been resolved with the courts. She discussed her struggles with addiction and the steps she took to recover. She discussed how she handles clients that might trigger her own struggles, and her own support system.

**Board Action:** A motion was made and seconded to approve Ms. Whitaker's application to test pending receipt of an updated Form P.

Adams/Justice  
Motion carried 9-0-0

## **VI. DISCUSSION**

### **1. Election of Officers**

The tradition of the board chair and vice-chair has been to serve a two-year term and the four board sections share these roles in an orderly fashion. In January 2025, the board chair will switch to the Marriage and Family Therapy section and it was determined that Jon Ferguson would serve a two-year term.

Jon Ferguson- Board Chair  
Martin Justice – Vice Chairman and Board Liaison

**Board Action:** A motion was made and seconded to accept election of officers.

Richardson/Adams  
Motion carried 9-0-0

## **VII. APPLICATIONS FOR REVIEW**

There were no applications for review.

#### **VIII. FORMAL ADOPTION OF APPLICATION REVIEWS**

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

Richardson/Justice

Motion carried 7-0-0 (Ferguson and Gardner not present.)

#### **IX. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW**

##### **1. Save the Therapist**

A motion was made and seconded to approve the CE application.

Gardner/Ferguson

Motion carried 9-0-0

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

Carah Rochester reported to the Board that they have 14 new complaints opened within past 30 days, 150 current open complaints, and they have closed 133 since the beginning of the year. Primarily the complaints were from Marion County followed by Hamilton County. The content of the complaints are unlicensed practice, unprofessional conduct, and professional incompetence. The average age of open complaints is 6.8 months and primarily against mental health counselors and clinical social workers.

There were 4 litigation cases closed in the past 30 days with 14 open litigation cases and 28 closed this year. The average duration of litigation cases is 3.8 months. Litigation has occurred mostly in Hamilton County. The current litigation charges are for unprofessional conduct and lewd/immoral conduct followed by unlicensed practice. Primarily the charges have been filed against Clinical Social Workers followed by Mental Health Counselors.

Ms. Rochester stated that unlicensed practice is high as there is misunderstanding because of the license exemptions in place for FSSA and DCS. She stated that there is ignorance from employers and billing practices.

#### **XI. OLD/NEW BUSINESS**

Dr. Cooper-Bolinsky thanked the Board members and staff for keeping up with Board commitments the past few months. She noted that the Board had 3 meetings in the past 6 weeks.

#### **XII. ADMINISTRATORS' REPORT**

Cindy Vaught, Board Director, provided her report. She informed the Board that online applications are moving to a new online platform, and that she hopes the new applications will help guide applicants through the process.

#### **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 11:04 a.m. by general consensus.