

MINUTES

**UTAH
SUBSTANCE ABUSE COUNSELORS
BOARD MEETING**

July 9, 2008

**Room 402 – 4th Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:05 A.M.

ADJOURNED: 4:30 P.M.

Bureau Manager:
Board Secretary

Rich Oborn
Lee Avery

Board Members Present:

Shawn M. McMillen, Chairperson
Joel Millard, DSW
Kelly J. Lundberg, Ph.D.
Stephen R. Sheppard, Ph.D.

Board Members Excused:

Patrick J. Fleming resigned
Linda Cornaby
Ronald K. Wilkey

Guests:

Gloria Boberg, President AUSAP
Jeremy Boberg, President Elect AUSAC
Ron Fujino
Elizabeth Bowman
Lynda Steele, LCSW
Judith A. Jensen, Assistant Attorney General
Joel Hanson

DOPL Staff Present:

F. David Stanley, Division Director
Susan Higgs, Compliance Specialist

TOPICS FOR DISCUSSION
ADMINISTRATIVE BUSINESS:

DECISIONS AND RECOMMENDATIONS

MINUTES:

The minutes from April 9, 2008 were reviewed. Dr. Lundberg motioned to approve the minutes with changes, seconded by Dr. Sheppard. The motion carried unanimously.

Elect a Board Chairperson

Because there are several members of the Board not present at this time, the Board decided to not elect a chairperson until later in the meeting.

Changes in the Work schedule:

Mr. Oborn briefly reviewed the work hour changes implemented by Governor Huntsman to become effective August 4, 2008. The Division's hours will be Monday through Thursday, 7:00 a.m. to 6:00 p.m.

Preliminary Review of Board Business:

Mr. Oborn reviewed the agenda items with the Board, and briefly reviewed the letter received from Mr. Galway requesting to supervise additional supervisees.

Mr. Oborn advised the Board that Ms. Collette Nelson has submitted additional information regarding the denial of her license. Mr. Oborn stated he believes this information is substantial and is requesting the Board review it.

Mr. Oborn briefly reviewed the presentation for interviewing probationers presented by Dr. Walton.

COMPLIANCE REPORT:

Susan Higgs, Compliance Specialist

#1. Ms. Theresa Lloyd was listed on the agenda in error. At the meeting in November 2007, the Board stated she did not have to meet with it until she starts working as a Substance Abuse Counselor again. Ms. Lloyd is in compliance with her stipulation.

#2. Mr. William Green is a new probationer and will be meeting once with this Board. Mr. Green holds a license as a Substance Abuse Counselor and a Social Service Worker. The Social Work Licensing Board will monitor his probation. Mr. Green is in-compliance with his stipulation.

#3. Ms. Danielle Velarde is a new probationer. Mr. Oborn stated he met with Ms. Velarde and reviewed her stipulation when she signed it. Ms. Higgs reviewed Ms. Velarde's violations with the Board. Ms. Velarde is in compliance with her stipulation.

#4. Ms. Melissa Zahn is not in compliance with her

stipulation. At the last Board meeting there were questions regarding her changing supervisors. Ms. Zahn needs to submit her supervisor report.

#5. Mr. Michael Julian is in compliance with his stipulation.

#6. Ms. Julie Jones is in compliance with her stipulation.

APPOINTMENTS:

Melissa Zahn, Probation Interview

Ms. Zahn and her therapist, Paul Ricks, LCSW, presented themselves to the Board. Dr. Lundberg conducted the interview. Ms. Zahn was advised her supervisor reports have not been received and requested that Ms. Zahn follow-up with her supervisor to insure these reports are submitted on time. Ms. Zahn advised the Board she has submitted applications for employment with several agencies. The Board reminded Ms. Zahn the Board needs to review and approve her employment opportunities before she accepts a position. Mr. Ricks advised the Board that Ms. Zahn asks questions regarding boundaries, ethics and relationships. Mr. Ricks stated they focus on healthy boundaries and developed a system of how to set boundaries. Ms. Zahn has made some progress and taken steps to keep from crossing boundaries in the future. Ms. Zahn has begun to see some insights and has accepted responsibilities for her actions. Ms. Zahn now sets clear boundary guidelines at work. Mr. Ricks stated he does not feel Ms. Zahn needs to continue with therapy. Ms. Zahn advised the Board that working with Mr. Ricks has been very helpful and she will continue working with Mr. Ricks; however, she feels the Board should not mandate this. After talking with Ms. Zahn the Board decided to continue with the probation requirement as listed in her Stipulation and Order. The Board asked to see Ms. Zahn October 15, 2008. **Ms. Zahn is in compliance with her stipulation.**

Lewis Galway – Request for additional Supervisees

Mr. Galway presented himself to the Board. Mr. Galway advised the Board that he is requesting a written exemption to allow him to supervise additional Certified Substance Abuse Counselor's (CSAC). The

Board talked with Mr. Galway in detail and reviewed the statutes. Dr. Lundberg motioned to approve for two (2) additional supervisees. After a brief discussion the motion was amended to notify the Board of any changes in staffing, up or down or work schedules, the amended motion seconded by Dr. Sheppard. The motion carried unanimously. Mr. Oborn will follow-up with a letter to Mr. Galway.

Joanie Jones – Probation Interview

Ms. Jones presented herself to the Board. Dr. Sheppard conducted the interview. Ms. Jones gave the Board copies of the ethics course she completed at the University of Phoenix for Continuing Education. The Board reviewed this course noting it is in legal and ethical issues in counseling. The Board felt the information is sufficient and the Board accepted it. The Board noted Ms. Jones has completed all of the required additional continuing education per her stipulation. Ms. Jones stated she is working hard and doing case management. She will be finished with school by May 2009. She decided to stop going to marriage counseling; however, she continues to attend counseling for herself as required in her Memorandum of Understanding. Dr. Sheppard motioned to reduce her appearance with the Board to every six (6) months, seconded by Mr. Millard. The motion carried unanimously. The Board asked to see Ms. Jones in January 2009. **Ms. Jones is in compliance with her stipulation.**

Noelle Carter – Probation Interview

Ms. Carter presented herself to the Board. Mr. McMillen conducted the interview. Ms. Carter stated she has had some health problems since she last met with the Board. Ms. Carter's doctor prescribed medication with instructions to take as needed for pain. Ms. Carter stated that she kept her pain medication locked inside her vehicle, and she would go to her vehicle when she needed to take it. Ms. Carter stated that when it became more difficult for her to walk, her supervisor gave her permission to bring the medication inside the building and lock it up in her desk drawer. A co-worker advised her that he took some pills from the prescription bottle when her desk was unlocked. Ms. Carter stated the only time

her desk was unlocked was during the installation of a new computer. Ms. Carter advised the Board that the co-worker asked her not to turn him into the supervisor. Ms. Carter stated she did advise her supervisor and this co-worker no longer works at this facility. Ms. Carter expressed concern regarding how this may affect her license and probation with the Board. The Board talked with Ms. Carter about this situation and the different kinds of medication she is taking. Ms. Carter stated she attends at least two (2) support meetings a month and tries to attend more. She has a good support system with her family. Ms. Carter stated she is seeing the same therapist. The Board advised Ms. Carter that if there is a change in her medication, she should increase her contact with her therapist. The Board asked Ms. Carter to submit copies of her group attendance cards and therapy reports to the Division at least two (2) weeks before her appointment. **Ms. Carter is in compliance with her stipulation.**

DISCUSSION:

NOTE* The Board expressed concerns regarding the many different kinds of medication Ms. Carter has been prescribed. After further discussion, the Board stated it would like to review a report from the Substance Abuse Data Bank each time Ms. Carter meets with the Board. The Compliance Unit will provide this report. The Board decided it would like to meet with her supervisor, Ms. Orton, at its next meeting. Mr. Oborn stated he will advise Ms. Carter the Board would like to meet with Ms. Orton.

Dr. Charles Walton, Probation Presentation Interview

Because of a scheduling conflict, Mr. Oborn provided the training regarding interviewing probationers.

Danielle Velarde, New Probation Interview

Ms. Velarde failed to keep her appointment with the Board. **Ms. Velarde is not in compliance with her stipulation. A non compliant letter will be mailed to her.**

William Green, New Probation Interview

Mr. Green presented himself to the Board. The Board introduced itself to Mr. Green. Dr. Sheppard

conducted the interview. Mr. Green reviewed the reasons why his license is on probation. Mr. Green stated he crossed boundaries with a patient. Mr. Green advised the Board that he is not working as a Substance Abuse Counselor at this time. Mr. Green stated he has been sober fourteen (14) years. He is an active member of Alcoholics Anonymous (AA). Mr. Green stated his supervisor had similar substance abuse issues. Mr. Green stated he completed an ethics class in December. Mr. Green stated he has not yet sought therapy because he first wanted to meet with the Board. The Board encouraged Mr. Green to find a therapist and submit their information to the Board for approval. The Board advised Mr. Green it would like him to consider a supervisor who is not struggling with substance abuse issues. Mr. Green talked about opening an office in his home. The Board expressed concerns indicating that Mr. Green is not prepared to practice from his home. The Board encouraged Mr. Green to go slowly in the development of his practice. The Board asked to see Mr. Green October 15, 2008. **Mr. Green is in compliance with this stipulation.**

Colette Nelson, Application Review

Ms. Collette Nelson presented herself to the Board with Mr. Fujino, her attorney. The Board introduced itself to Ms. Nelson and Mr. Fujino. Mr. Oborn advised the Board that Ms. Nelson submitted an application for licensure as a Licensed Substance Abuse Counselor. Mr. Oborn stated that the application was denied because of the nature and recency of Ms. Nelson's criminal history. Mr. Oborn reviewed Ms. Nelson's criminal history with the Board. Ms. Nelson requested an agency review and submitted additional information for consideration. Mr. Oborn stated the Department has remanded the application back to the Division and Board for further consideration. Mr. Oborn reviewed the letter from Mr. Fujino and summarized Ms. Nelson's criminal record. The Board reviewed letters of endorsement. Ms. Nelson advised the Board she is on criminal probation until August 2010 because of the restitution issues. The Board expressed concerns regarding her still being on criminal probation. Ms. Nelson stated she attends Alcoholics Anonymous (AA) and has been clean for five (5) years. The Board reviewed several written endorsements submitted by Ms. Nelson.

Ms. Linda Steele introduced herself to the Board. Ms. Steele advised the Board that she believes Ms. Nelson is exemplary. She stated she felt that Ms. Nelson's criminal history is directly related to her addiction. Ms. Steele stated she has no problems with her working for Project Recovery and supporting her in this field. Ms. Steele stated Ms. Nelson is not working as a counselor at this time. The type of work she is currently doing for Project Recovery is taking continuing care plans and ensuring the continuing care plans are implemented. The Board noted this does not require licensure with Project Recovery.

Dr. Joel Hanson introduced himself to the Board. Dr. Hanson was Ms. Nelson's former supervisor. Dr. Hansen stated Ms. Nelson has been very effective with their clients. She worked for them eleven months and in some ways she had been more effective because of her life experiences. She is far enough in recovery he has no concerns. She is currently seeing a counselor. The Board expressed concerns regarding Ms. Nelson taking on additional stress of being a counselor including the risk of transference. A probationary license would add additional stress and expense, i.e. drug screens, therapy reports and continuing education. The Board advised Ms. Nelson it will be more difficult for her employer to obtain liability insurance with her being on criminal Federal probation. Ms. Nelson advised the Board that she sees this as just another hurdle to get over and she is striving to move forward. Ms. Nelson stated the witness tampering/juror tampering charge is not hers and she is in the process of challenging this. The Board stated this would need to be resolved before it will consider approving her application. The Board stated that if it decided to approve a probationary license the terms would be more stringent. Dr. Lundberg stated she is willing to place Ms. Nelson on a very restricted probation and she would like to see the Board have some input regarding the conditions of the stipulation. The Board thanked Ms. Nelson for meeting with it.

Michael Julian – Probation Interview

Mr. Julian presented himself to the Board. Mr. Millard conducted the interview. Mr. Julian advised

the Board that he found a sponsor and that his therapy is going well. Mr. Julian stated his supervisor resigned and the replacement did not want to sign his name to anything. After talking with Mr. Julian the Board stated it would accept employer reports from his employer for April and he will need to submit a resume to the Board for approval of Michael Brunson, his supervisor.

The Board did not indicate when it wanted to see Mr. Julian.

Mr. Julian is in compliance with this Memorandum of Understanding.

DISCUSSION ITEMS:

Options for Substance Abuse Education program

Dr. Yells presented himself to the Board. The Board introduced itself. Dr. Yells advised the Board he has been working on developing an on-line substance abuse education course for the Utah Valley University/Southern Utah University. Dr. Yells stated the first program will start the Fall 2008 and is scheduled to conclude the end of Summer 2009. The Board talked with Dr. Yells in detail. Dr. Yells stated that once a history has been established, a certificate of completion would be given to the graduating student. The Board talked about how the practicum will work. Dr. Yells stated the online course would call it an internship. The program will run year round, at least once per year. If the demand is there statewide, they may offer the course more often. Dr. Yells advised the Board that students from out of state needing only one or two courses could be able to sign up. Dr. Yells thanked the Board for meeting with him.

Application Review:

Paul Gavin - Review Substance Abuse Education Program from the Military

Taken out of order on the Agenda.

The Board reviewed the application submitted by Mr. Gavin. Mr. Oborn advised the Board that Mr. Gavin received Substance Abuse education in the Air Force. The Board Mr. Gavin worked as a Substance Abuse Counselor in the Air Force from 1986 to 1989. The Board expressed concern regarding the length of time Mr. Gavin has not worked in the Substance Abuse Counselor field. After reviewing Mr. Gavin's

education and work history, the Board decided to not approve Mr. Gavin's request for licensure as a Licensed Substance Abuse Counselor, however; the Board encouraged him to request licensure as a Certified Substance Abuse Counselor after completion of an approved substance abuse program. Mr. Oborn will send Mr. Gavin a denial letter.

CORRESPONDENCE:

None

2008 Board Meeting Schedule

The Board meeting for 2008 is scheduled for October 15, 2008.

2009 Board meetings have been tentatively scheduled: January 7, April 18, July 8, October 14.

ADJOURN:

The meeting adjourned at: 3:28 pm

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

October 15, 2008

Date Approved

(ss) Shawn McMillen

Chairperson, Utah Substance Abuse Counselors
Licensing Board

September 15, 2008

Date Approved

(ss) Richard Oborn

Bureau Manager, Division of Occupational &
Professional Licensing