

MINUTES

**UTAH
SUBSTANCE ABUSE COUNSELORS
BOARD MEETING**

October 15, 2008

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

CONVENED: 9:06 A.M.

ADJOURNED: 3:54 P.M.

Bureau Manager:

Rich Oborn

Board Secretary:

Lee Avery

Board Members Present:

Shawn M. McMillen, Chairperson

Joel Millard, DSW

Stephen R. Sheppard, Ph.D.

Linda Cornaby

Ronald K. Wilkey

Board Members Excused:

Kelly J. Lundberg, Ph.D.

Guests:

Gloria Boberg, President AUSAP

Jeremy Boberg, President Elect AUSAC

DOPL Staff Present:

F. David Stanley, Division Director

Susan Higgs, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from July 9, 2008 were reviewed. Mr. Wilkey motioned to approve the minutes, seconded by Ms. Hare. The motion carried unanimously.

Swearing-in of Marilyn M. Foster as Board Member

Ms. Foster was sworn in as the New Board Member. Ms. Foster briefly introduced herself to the Board.

Swearing-in of Georgia Hare as Board Member

Ms. Hare was sworn in as the New Board Member. Ms. Hare briefly introduced herself to the Board.

Elect a Board Chairperson

Mr. Wilkey nominated to keep Mr. McMillen as the Board Chairperson, seconded by Dr. Sheppard. The

COMPLIANCE REPORT:
Susan Higgs, Compliance Specialist

motion carried unanimously.

#1. Ms. Melissa Zahn is in compliance with her stipulation.

#2. Ms. Danielle Velarde is not in compliance with her stipulation. The Board has not received her employer reports, her supervisor reports or her psychological evaluation. Ms. Velarde had failed to keep her appointment with the Board in September.

#3. Mr. Michael Julian is in compliance with his stipulation. His supervisor is Dr. Brunson. After a brief discussion, the Board determined that since Dr. Brunson is approved by the Division the Board would not require his resume.

#4. Ms. Joanie Jones is in compliance with her stipulation. Ms. Jones has developed a medical problem and is working with her physician regarding the medication she is being prescribed.

#5. Ms. Noelle Carter is in compliance with her stipulation. The Board reviewed the letters submitted by Ms. Carter.

#6. Colette Nelson, New Probation Interview. Ms. Nelson is in compliance with her probation. She has a criminal history and is currently on a federal probation until 2010. Her employer and supervisor will be the same person. Currently she is working as a caseworker until the facility she works for obtains a license from the Department of Health.

Update:

Teresa Lloyd is currently not working as a Substance Abuse Counselor. She is submitting her reports.

Preliminary Review of Board Business:

Aaron Bryant

Mr. Oborn gave the Board a summary of Mr. Bryant's

criminal history and documentation in his application.

Dennis Ash (Todd)

Mr. Oborn gave the Board a copy of Mr. Ash's information, including a summary of his criminal history. Mr. Oborn stated that the Board might need to close the meeting during Mr. Ash's interview.

Glenna White:

Mr. Oborn gave the information regarding Ms. White's criminal history. The Board may need to close the meeting during Ms. White's interview.

APPOINTMENTS:

Ms. Melissa Zahn, Probation Interview

Ms. Zahn presented herself to the Board. Mr. Wilkey conducted the interview. Ms. Zahn stated she has developed some health issues she is working on. She feels her health issues may have affected her work; however, she works to keep them separated. Ms. Zahn stated she continues with therapy once a month. The Board asked to see Ms. Zahn January 14, 2008. Ms. Zahn is in compliance with her stipulation.

Ms. Danielle Velarde, Probation Interview

Ms. Velarde failed to keep her appointment with the Board.

Mr. Michael Julian, Probation Interview

Mr. Julian presented himself to the Board. Mr. Millard conducted the interview. Mr. Julian stated that things are going well. Once a week he does workshops on different topics. He attends his support group every week. Mr. Julian submitted a written request to move his reports to quarterly. After a brief discussion

Mr. McMillen motioned to approve Mr. Julian to submit his reports quarterly, seconded by Dr. Sheppard. The motion carried unanimously. The Board asked to see Mr. Julian January 17, 2008. **Mr. Julian is in compliance with his stipulation.**

Ms. Joanie Jones, Probation Interview

Ms. Jones presented herself to the Board. Dr. Sheppard conducted the interview. The new Board members were introduced. Ms. Jones advised the Board that she has developed some health problems she is working on. She has increased the number of meetings with her therapist to every two weeks instead of every month and she contacts her sponsor in

Narcotics Anonymous (NA) for help. Ms. Jones stated that she is also having some family issues she is also working on. Ms. Jones stated she keeps her communication open with her chiropractic physician, her medical physician, and her employer. Her sister monitors her pain medication. The Board talked about reinstating the drug screen requirement however, they instead decided to have the compliance unit submit a controlled substance data base report. The Board requested Ms. Jones submit a treatment plan from her physician and to keep the Board advised of the physicians that she is seeing. The Board asked to see Ms. Jones on January 14, 2008. **Ms. Jones is in compliance with her stipulation.**

Ms. Noelle Carter, Probation Interview

Ms. Carter presented herself to the Board. Mr. McMillen conducted the interview. The new Board members were introduced. Ms. Carter advised the Board that she is well, however; things have been very stressful because she is no longer working and has developed more health issues. Ms. Carter gave the Board a copy of the letter of recommendation she received from her previous supervisor. Ms. Carter stated she continues looking for employment. Ms. Carter stated she might have an offer to work on an as needed basis at Cirque Lodge. After a brief discussion, the Board encouraged Ms. Carter to continue looking for full-time employment because her stipulation requires she work at least sixteen (16) hours a week. The Board advised Ms. Carter that if she is unable to find full time employment she should submit a formal written request to the Board to amend her stipulation to allow her to work less hours. The Board noted that all of her evaluations are complete. Ms. Carter stated she has been sober since June 13, 2005 and has no intentions of relapsing. Ms. Carter stated she has her fiancé monitor the pain medications she is taking. The Board asked Ms. Carter to submit a copy of her prescriptions and to have her therapist state she is aware of the medications Ms. Carter is taking in her reports to the Board. The Board asked to see Ms. Carter on January 14, 2009. **Ms. Carter is in compliance with her stipulation.**

Dr. Robert Simmons, Request for Additional Supervisees

Dr. Simmons presented himself to the Board. Mr. McMillen stated that Dr. Simmons is the individual

who hired him for his current position. He feels he can participate in the discussion and decision without prejudice. Mr. McMillen noted that they do not work together. The Board reviewed the current Substance Abuse Counselor Practice Act Rules and the letter from Dr. Simmons requesting Board approval for additional supervisees. Dr. Simmons states his job description is to provide only supervision. He does not carry a caseload. After a brief discussion, Mr. Wilkey motioned to grant Dr. Simmons request for additional supervisees, seconded by Dr. Sheppard. Specifically, the Board approved Dr. Simmons to supervise a total of six (6) supervisees that includes a combination of Certified Substance Abuse Counselor (CSAC's) and Licensed Substance Abuse Counselor (LSAC's). The motion carried unanimously.

Mr. Dennis Ash, Application Review

Discussion:

The meeting was closed at 12:51 P.M. to discuss Mr. Ash's character, professional competence, or physical or mental health. There were no recordings or written notes. Mr. Wilkey recused himself due to a personal relationship with Mr. Ash.

The Board meeting opened at 1:42 P.M. Mr. Millard motioned to deny Mr. Ash's application for licensure, seconded by Ms. Hare. The motion carried unanimously.

Ms. Glenna White, Application Review

Discussion:

The meeting closed at 1:50 P.M. to discuss Ms. White's character, professional competence, or physical or mental health. There were no recordings or written notes. The meeting opened at 1:56 P.M. Ms. White failed to keep her appointment with the Board. Mr. Wilkey motioned to deny Ms. White's application for licensure, seconded by Ms. Hare. The motion carried unanimously.

Note* On October 27, 2008 Ms. White's letter inviting her to meet with the Board was returned "unable to forward, attempted, not known".

Mr. Aaron Bryant, Application Review

Discussion:

Mr. McMillen advised the Board that Mr. Bryant attended his program and works in housing department as a case manager. Mr. Bryant has completed his internship hours. Mr. McMillen stated that he does

not supervise Mr. Bryant and feels he can participate in the discussion and decision without prejudice. The Board reviewed the application, criminal history, and letter from Mr. Bryant. Mr. Bryant presented himself to the Board. Mr. Oborn reviewed Mr. Bryant's criminal history, completion of programs and a letter from his probation officer showing completion of his criminal probation. Mr. Bryant reviewed his history with the Board. He was released from jail and completed his criminal probation in 2006. Mr. Bryant stated the Division of Children and Family Services (DCFS) awarded him full custody of his three (3) month old daughter. Mr. Bryant stated that DCFS will do home visits and random urine analysis (UA). Mr. Oborn reviewed the Board's options regarding Mr. Bryant's request for licensure which are as follows: (#1.) Approve without restrictions, (#2.) Deny, (#3.) Approve with restrictions. A restricted license could require Mr. Bryant to submit therapy reports, supervisor reports, urine analysis (UA's), additional continuing education, and/or psychological evaluation and follow treatment recommendations. Mr. Oborn stated that probation with the Division is usually three (3) to five (5) years. Mr. Bryant stated that he had a psychological evaluation through Vocational Rehabilitation about a year ago. He will sign a release so the Board can review the evaluation. Mr. Bryant thanked the Board for meeting with him.

Discussion:

The Board requested more information from Mr. Bryant to determine if it will approve his application. Mr. Oborn indicated that he will send a letter to Mr. Bryant requesting the following documents:

1. Midvale City Police Report for August 8, 2004 Arrest (Case Number 4100759, Midvale Justice Court). This is to include the police agency's narrative for the following Class B Misdemeanor offenses for which he pled guilty: disorderly conduct, criminal mischief, and domestic violence in the presence of a child. If the jurisdiction is unable to provide documentation
2. Requested, the police agency is to submit a statement addressed to DOPL office indicating their inability to provide it.
3. Documentation Verifying Current Disposition

of Every Plea in Abeyance. This includes documentation relating to the following cases:

- a. Case No. 511001170, Taylorsville Justice Court, Domestic Violence Class B, Criminal Mischief Class B. Arrest Date: 12/18/2004; Conviction Date: 1/22/2007; and
 - b. Case No. 51107312, Taylorsville Justice Court, Criminal Mischief Class B, Domestic Violence Class B. Arrest Date: 8/20/2005; Conviction Date: 12/14/2005.
4. DCFS Records. This includes all records relating to your child custody case before Utah Department of Child and Family Services (DCFS). This is not limited to the following: a service plan, written assessments, and any other records.
5. Documentation of Psychological Evaluation. This is to be Mr. Bryant's most recent psychological evaluation.

Mr. Oborn will request that Mr. Bryant submit these items by January 1, 2009 in time for the Division to review them before his appointment with the board on January 14, 2009.

Colette Nelson, New Probation Interview

Ms. Nelson presented herself to the Board. The Board introduced itself. Ms. Nelson stated that she met with Ms. Higgs and reviewed her stipulation. Ms. Nelson stated that she understands it better now. She noted that she needs to submit her prescriptions, therapy reports, work in a facility that is licensed, meet with the Board, submit employer and supervisor reports, and complete urine analysis (UA). Ms. Nelson stated that Ms. Mangham would not release her drug and alcohol testing information to the Division. Ms. Nelson is currently doing case management at Project Recovery. The Board advised Ms. Nelson that she would need to submit continuing education information for the Boards pre-approval. When the courses are completed, she will need to submit a five hundred (500) word essay. Ms. Nelson stated she relies on her family and sponsor for support. She attends three (3) support groups a week. Ms. Nelson

gave the Board her pharmacy and physician information. Ms. Nelson stated her therapist is Mindy MacDougall, LCSW. The Board requested a copy of Ms. MacDougall's resume as soon as possible because the Board needs to pre-approve Ms. Nelson's therapist. The Board reminded Ms. Nelson that it needs her employer reports. The Board asked to see Ms. Nelson on January 14, 2009. **Ms. Nelson is in compliance with her stipulation.**

Danielle Velarde, update,

Mr. Oborn advised the Board that the letters the Division sent to Ms. Velarde were returned. After a brief discussion, Ms. Foster motioned to recommend the Division proceed with an order to show cause, seconded by Ms. Hare. The motion carried unanimously.

DISCUSSION ITEMS:

None at this time

CORRESPONDENCE:

None at this time

2009 Board Meeting Schedule

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

ADJOURN:

The meeting adjourned at 3:54 P.M.

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.

January 14, 2009
Date Approved

(ss) Shawn McMillen
Shawn McMillen, Chairperson, Utah Substance Abuse Counselors Licensing Board

December 9, 2009
Date Approved

(ss) Richard Oborn
Richard Oborn, Bureau Manager, Division of Occupational & Professional Licensing