

MINUTES

**UTAH
PRIVATE PROBATION PROVIDER LICENSING BOARD
MEETING**

March 18, 2009

**Room 464 – 4th Floor – 10:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 10:02 a.m.

ADJOURNED: 11:33 a.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Jacky Adams

Board Members Present:

Ann Taylor, Chairperson
Sylvester Daniels
Larry Chatterton
Richard Packham
Ruth Potkins

Board Members Absent:

Guests:

Fredrick Nielson

DOPL Staff Present:

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Approve the December 18, 2008 Board Meeting Minutes.

Mr. Chatterton seconded by Mr. Packham made a motion to approve the December 18, 2008, Board Meeting Minutes, as amended, the motion carried unanimously.

APPOINTMENTS:

10:15 a.m. Neilson, Rick, Clarification on experience

Mr. Neilson appeared for his appointment with the Board to determine if his Education and Experience met the qualifications for licensure under Title 58 Chapter 50. Mr. Ormond reminded the Board that at the December 18, 2008 meeting, Mr. Neilson had been requested to submit a complete application, with detailed information regarding his experience, hours

worked in this profession, certificates held or achieved, schooling obtained, and any additional information he feels will substantiate that he meets the qualifications for licensure.

Mr. Ormond reviewed Mr. Neilson's application for licensure, including his resume, transcripts, and military records. Mr. Ormond then reviewed additional information which indicated that Mr. Neilson may have embellished his qualifications for licensure.

After an extensive review and discussion of Mr. Neilson's application for licensure, Ms. Taylor, Ms. Potkins, Mr. Daniels, and Mr. Chatterton were all concerned with the discrepancies within the documentation. It was determined, due to the length of time since Mr. Neilson obtained his education, and his experience having not been directly within this profession, he does not meet the qualifications for licensure.

Mr. Daniels seconded by Mr. Chatterton made a motion do deny Mr. Neilson's application for licensure due to his lack of experience, adding that he may reapply in the future, once he has obtained the required education, and/or experience, the motion carried, with Mr. Packham abstaining.

DISCUSSION ITEMS:

Board Duties and Responsibilities

(listen to your recording)
Rick Schwarmer.

Ms. Taylor commented that she was concerned with the current referral process from Judicial Courts. She explained that Judges are referring offenders to Mental Health Professionals instead of to a qualified Private Probation Provider. Ms. Taylor then added that R156-50-502 (4) (a) defines "Unprofessional Conduct" as simultaneously providing mental health therapy services and private probation services to the same offender. Mr. Ormond explained that it would be considered to be unprofessional conduct for the Private Probation Provider, however, depending on the Mental Health Professionals, definition it may not be.

After a detailed discussion it was then determined that an educational meeting with Judicial Court Judges may resolve this issue. It was also determined to discuss this issue with the Bureau Manager over Mental Health Professionals, to determine what action

could be taken to clarify this issue with his professions.

Ms. Taylor then questioned how this profession could obtain access to the Controlled Substance Database, and Motor Vehicle Records, as need, to better supervise probationers. Mr. Ormond suggested for this profession to form an Association to look into amending 58-50 to better define who can perform probation services, and obtain access to State databases. Mr. Chatterton recommended contacting the Utah Correctional Association.

ADJOURN:

11:33 a.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.

April 6, 2009

Date Approved

(ss) Ann Taylor

Chairperson, Private Probation Provider Licensing Board

April 27, 2009

Date Approved

(ss) Clyde Ormond

Bureau Manager, Division of Occupational & Professional Licensing