

MINUTES

**UTAH
SUBSTANCE ABUSE COUNSELORS
BOARD MEETING**

January 14, 2009

**Room 475 – 4th Floor – 9:00 A.M. and
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:10 A.M.

ADJOURNED: 1:19 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.

Ronald K. Wilkey

Georgia Hare

Board Members Excused:

Kelly J. Lundberg, Ph.D.

Marilyn Foster

Guests:

Sirinda Leftwich

Debra Wilson

Lisa Nelson

Gloria Boberg, President AUSAP

Donna E. Didas, University of Utah/ARS

DOPL Staff Present:

F. David Stanley, Division Director

Susan Higgs, Compliance Specialist

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

DECISIONS AND RECOMMENDATIONS

MINUTES:

The minutes for the October 15, 2008 meeting were reviewed. Dr. Sheppard motioned to approve the minutes, seconded by Ms. Hare. The motion carried unanimously.

COMPLIANCE REPORT:

Susan Higgs, Compliance Specialist

Ms. Higgs advised the Board of the following updates:
Mr. Green is being monitored by the Social Worker

Licensing Board and has been in compliance with his stipulation.

Ms. Lloyd licensed as a CPCI and will be monitored by the Professional Counselor Licensing Board.

Ms. Velarde has not been in compliance with her stipulation. The Division is pursuing an order to show cause.

Probation appointments:

#1. Ms. Joanie Jones is in compliance with her stipulation.

#2. Ms. Colette Nelson is in compliance with her stipulation. She has just obtained a new therapist. The Board will need to approve this.

#3. Ms. Melissa Zahn is in compliance with her stipulation. Her probation with the Board is due to end February 27, 2009.

#4. Mr. Michael Julian is not in compliance with his stipulation. He missed three drug screens. One employer report stated he said some inappropriate things and they did a corrective action. He took this well.

#5. Ms. Noelle Carter is in compliance with her stipulation.

Discussion:

The Board noted that Ms. Carter is still out of work. She continues looking for employment. She hand delivered her prescriptions and is currently not doing drug screens. The Division received documentation verifying participation in a twelve (12) step program. She had returned to John Malouf. She has just moved to South Jordan which may be the reason for her use of multiple pharmacies. She needs to be reminded that she must use one pharmacy.

Preliminary Review of Board Business:

Mr. Oborn advised the Board that Mr. Aaron Bryant has an appointment with the Board to review his application for CSAC license. Mr. Oborn reviewed the concern regarding the 4,000 hours experience as required under the Substance Abuse Counselor Licensing Act. The specific area of concern is an individual who obtains their CSAC license has either 2 or 4 years to obtain their hours of supervised experience. Due to unforeseen circumstances, i.e. health issues, sometimes they cannot obtain these hours in either two (2) or four (4) years depending on their education. The current statute does not allow for any exceptions. Mr. Oborn stated that Ms. Gloria Boberg from the Association of Utah Substance Abuse Professionals (AUSAP) would be meeting with the Board to discuss this and other issues.

APPOINTMENTS:

Ms. Joanie Jones, Probation Interview

Ms. Jones presented herself to the Board. Dr. Sheppard conducted the interview. Ms. Jones stated that she is doing well. She is continuing to complete coursework needed for a masters degree at the University of Phoenix. She plans on doing her practicum course this coming summer. She continues seeking medical help for her health issues. Ms. Jones stated that things are also going well at work. The Board encouraged Ms. Jones to keep the Board advised of her progress. The Board asked Ms. Jones to meet with it on July 8, 2009. **Ms. Jones is in compliance with her stipulation.**

Ms. Colette Nelson, Probation Interview

Ms. Nelson presented herself to the Board. Mr. McMillen conducted the interview. Ms. Nelson advised the Board that she switched insurances because she changed jobs. Ms. Nelson gave the Board a receipt and resume for Patrice Tadge, LCSW. Ms. Nelson stated that she is currently working part-time for Court Supportive Services and gave the Board a letter regarding why she quit Project Recovery. Her current supervisor, at Court Supportive Service, is Brent Pace. The Division will need to approve her supervisor. He was unable to meet with the Board today because of personal issues. The Board noted that the Division has received his letter stating he received a copy of her stipulation. Ms. Nelson stated that she teaches educational, anger management, and

theft classes to first and second time offenders with misdemeanor charges. The Board advised Ms. Nelson to inform Ms. Higgs as soon as she finds full-time employment as a Substance Abuse Counselor. The meeting closed at 10:17 A.M. to discuss Ms. Nelson's health issues. There was no recording or written notes taken during this time. The meeting opened at 10:26 A.M. Ms. Nelson stated that she continues to attend Alcoholics Anonymous (AA) and meets with her sponsor two (2) times a week. Ms. Nelson stated that she is doing the twelve (12) step program and is currently on step four (4). The Board encouraged Ms. Nelson to keep it advised of any changes. Dr. Sheppard motioned to approve Patrice Tadge as Ms. Nelson's therapist, seconded by Mr. Wilkey. The motion carried unanimously. The Board asked to see Ms. Nelson on April 8, 2009. **Ms. Nelson is in compliance with her stipulation.**

Ms. Melissa Zahn, Probation Interview

Ms. Zahn presented herself to the Board. Mr. Wilkey conducted the interview. Ms. Zahn advised the Board that she is doing better. She continues looking for employment. Ms. Zahn stated that she asks for extra support when she feels the need. The Board meeting closed at 10:46 A.M. to discuss Ms. Zahn's health issues. There were no recording or written notes taken during this time. The Board meeting opened at 10:52 A.M. Ms. Zahn gave the Board a letter asking for early termination of her probation, mostly because of her medical issues. The Board noted that her projected probation termination date is February 27, 2009. The Board expressed concerns regarding Ms. Zahn's health and its stresses. The Board decided not to grant Ms. Zahn's request for early termination. **Ms. Zahn is in compliance with her stipulation.**

Mr. Michael Julian, Probation Interview

Mr. Julian presented himself to the Board. Mr. Millard conducted the interview. Mr. Julian stated that things were going well. His clients are doing what they are supposed to do. The Board reviewed the three (3) times Mr. Julian missed calling Compass Vision for drug screens. Mr. Julian stated he did not realize he missed calling three (3) times, and will set up a reminder system to keep this from happening again. Mr. Julian stated he has been clean and sober four (4) years. He attends support meetings regularly

and is working the twelve (12) step program. He has a sponsor and stays active in community service. Mr. Julian gave the Board his signed alcoholics anonymous attendance cards. Mr. Julian stated that things were going well on his job except recently he made an inappropriate comment. He immediately apologized to those involved and reported it to his supervisor. The Board noted that Mr. Julian has been very dedicated to calling in daily for his drug screens and has been consistently in compliance with his stipulation. The Board asked to see Mr. Julian on April 8, 2009. **Mr. Julian is not in compliance with his stipulation; however, he has reported a plan to resolve the problem.**

Ms. Noelle Carter, Probation Interview

Ms. Carter presented herself to the Board. Mr. McMillen conducted the interview. Ms. Carter advised the Board that she is doing well; however, she is having a hard time finding employment. She is seeking employment with abstinence-based programs. Ms. Carter advised the Board that she moved to West Jordan in December and gave the Board her current mailing address and phone number. Ms. Carter stated that she is seeing John Malouf her original counselor. Ms. Carter stated that her sobriety date is June 15, 2005 and she has had no struggles with relapses. She has a sponsor and attends a twelve (12) step program two (2) times a month. Ms. Carter advised the Board that she has been asked by two individuals to be their sponsor. The Board encouraged Ms. Carter to review this with her sponsor before making this decision. Ms. Carter gave the Board copies of her prescriptions. The Board meeting closed at 11:20 A.M. to discuss Ms. Carter's health and medication. There were no recording or written notes taken during this time. The Board meeting opened at 11:30 A.M. Ms. Carter stated she is still getting married. Her family support is solid. She asked the Board to consider amending her stipulation to allow her to work part-time. She feels this may help her obtain part-time employment and then work up to full-time employment. The Board talked with Ms. Carter in detail noting that Ms. Carter's stipulation requires her to work at least sixteen (16) hours a week and no more than forty (40) hours a week. The Board stated that part-time hours would count toward her probation time. The Board

also noted that part time employment might not get her the supervision she is required to have. After further discussion, Ms. Carter withdrew her request. The Board asked to see Ms. Carter on April 4, 2009. **Ms. Carter is in compliance with her stipulation.**

Licensed Substance Abuse Counselor (LSAC)
Experience Requirement Discussion

Mr. Oborn reviewed the statutes regarding the LSAC experience requirements. Ms. Gloria Boberg, President of the Utah Substance Abuse Professionals Association, introduced herself. Ms. Lisa Melton and Ms. Debra Wilson introduced themselves to the Board. Mr. Oborn reviewed the statutes regarding the LSAC experience requirements. Mr. Oborn advised the Board that the Division is receiving questions regarding individuals who obtained their CSAC license, started working and gathered their hours; however, due to unforeseen circumstances, have not been able to complete their hours within the time frame required. Ms. Boberg advised the Board that licensing LSAC's has been happening for only the past ten (10) or eleven (11) years. In the beginning, there was not a time restraint because the educational courses were not available. Since then, research and statistics has caused the education in this field to be consistently changing. If an individual is out of the profession and not keeping up with the changes, this could be a public safety concern. Ms. Boberg stated that most states require certification; however, Utah requires licensure. The Board discussed the possibility of amending the statute to include "at the Division's discretion." The Board discussed opening up the practice act and making changes to the Substance Abuse Counselor Rules, however, no decision was made. The Board discussed the exams and continuing education requirements. No decisions were made.

Mr. Aaron Bryant, Application Review for
CSAC

Discussion: Mr. Oborn reviewed a letter he mailed to Mr. Bryant summarizing his meeting with the Board in October 2008. Mr. Bryant presented himself to the Board. Ms. Donna Didas, Mr. Bryant's current supervisor also introduced herself to the Board. Mr. Oborn reviewed with the Board the additional documentation that Mr. Bryant submitted. Mr. Oborn advised the Board that the additional information submitted by Mr. Bryant supported his statements at

the October 2008 Board meeting. Mr. Oborn stated that DCFS also provided the records as requested. Mr. Bryant stated that was doing weekly drug screens with DCFS and these were negative. He submitted an invoice confirming a payment for psychotherapy services. Mr. Bryant advised the Board that he completed court probation and the CATS program on September 26, 2008. Mr. Bryant stated that he completed the Alcohol and Drug Abuse Treatment Training Program at the University of Utah. Mr. Bryant stated that DCFS has a copy of his letter indicating his conditional entrance into the social work bachelors program. He started school this week. Mr. Bryant stated that he still sees Tom Foster for therapy and he will provide reports to the Board if needed. After taking with Mr. Bryant, Mr. Oborn advised the Board that it has the option of recommending: #1. Full licensure; #2. Licensure with restrictions; or #3. Deny his request for licensure. The Board talked with Ms. Didas, Mr. Bryant's supervisor of the University of Utah/ARS. Ms. Didas advised the Board that she asked Mr. Bryant if she could meet with the Board on his behalf. She stated that Mr. Bryant has his own personal recovery program and she does not have any concerns with him. ARS has been very impressed with his accomplishments and he has enrolled at the University of Utah and is working on a bachelors degree there. He has been appropriate in his clinical groups. Mr. Oborn outlined the potential restrictions listed in the Memorandum of Understanding (MOU). Mr. Millard motioned to approve Mr. Bryant's CSAC license with restrictions, seconded by Dr. Sheppard. The motion carried unanimously. After further discussion, Mr. McMillen motioned that the MOU indicate that Mr. Bryant have the least amount of supervision. Mr. Oborn stated this would include probation for twenty four (24) months, no drug screens, quarterly meetings with the Board and supervisor reports from ARS as well as First Step House, and monthly reports for the first six (6) months, then at the Board's discretion. The MOU will also require Mr. Bryant submit a copy of the judge's order confirming custody of his daughter, and demonstration of progress in his BSW program. Continuing education hours would not be required. Mr. Millard seconded the motion. After a short

discussion, the motion carried unanimously.

DISCUSSION ITEMS:

None at this time

CORRESPONDENCE:

None at this time

Next Board Meeting:

April 8, 2009

2009 Board Meeting Schedule

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

ADJOURN:

The meeting adjourned at 1:19 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.

April 8, 2009
Date Approved

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

March 11, 2009
Date Approved

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