

MINUTES

**UTAH
SUBSTANCE ABUSE COUNSELOR
LICENSING BOARD MEETING**

July 8, 2009

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

CONVENED: 9:07 A.M.

ADJOURNED: 12:22 P.M.

Bureau Manager:

Rich Oborn

Board Secretary:

Lee Avery

Board Members Present:

Shawn M. McMillen, Chairperson
Stephen R. Sheppard, Ph.D.
Georgia Hare
Kelly J. Lundberg, Ph.D.
Marilyn Foster

Board Members Absent:

Ronald K. Wilkey

Guests:

Jeremy Boberg, LSAC, A.U.S.A.P.

DOPL Staff Present:

Mark B. Steinagel, Division Director
Susan Higgs, Compliance Specialist

**TOPICS FOR DISCUSSION
ADMINISTRATIVE BUSINESS:**

DECISIONS AND RECOMMENDATIONS

MINUTES:

The minutes for the April 8, 2009 meeting were reviewed. Dr. Lundberg motioned to approve the minutes, seconded by Dr. Sheppard. The motion carried unanimously.

DOPL administrative changes

Mr. Oborn advised the Board that Mr. Stanley retired and Mr. Mark Steinagel is the new Division Director.

Posting of Board minutes on the website

Mr. Oborn advised the Board that due to legislative changes the Board minutes are now required to be posted on the DOPL website within thirty (30) days after the Board meeting. Mr. Oborn stated that because this Board meets quarterly, a draft of the minutes will be posted on the website. When the

Board meets again and approves the minutes, the approved minutes will be posted on the DOPL website.

Selection of Board chairperson for 2009-2010

Dr. Lundberg motioned to retain Mr. McMillen as the chairperson, seconded by Dr. Sheppard. The motion carried unanimously.

Preliminary review of Board business

Mr. Oborn advised the Board that Chuck Robertson is a new probationer. The Board may want to talk about the details of the violations.

COMPLIANCE REPORT:

Susan Higgs, Compliance Specialist

UPDATE:

Mr. William Green is in compliance with this stipulation and is being monitored by the Social Worker Licensing Board.

Ms. Teresa Lloyd is in compliance with her stipulation and is being monitored by the Professional Counselor Licensing Board.

#1. Ms. Colette Nelson is not in compliance with her stipulation. She needs to submit a probation officer report for June. Her new supervisor needs to be approved.

#2. Mr. Michael Julian is in compliance with his stipulation. The Board needs to approve his new supervisor.

#3. Ms. Noelle Carter is in compliance with her stipulation. She works for Salvation Army and is doing well. She has submitted her reports.

#4. Ms. Joanie Jones is not in compliance with her stipulation. She needs to submit her therapy report due April 2009.

#5. Mr. Chuck Robertson is in compliance with his stipulation. Mr. Robertson submitted his essay.

DISCUSSION:

The Board reviewed Mr. Robertson's essay.

#6. Mr. Aaron Bryant is in compliance with his stipulation. The Board needs to clarify his employers

and determine if he needs two (2) employer/supervisor reports.

DISCUSSION:

Dr. Lundberg stated that Mr. Bryant works part-time at the University. The work he does there does not require LSAC licensing. The Board determined he does not need to submit two employer reports.

APPOINTMENTS:

Ms. Colette Nelson, probation interview

Ms. Nelson met with the Board for her probation interview. Mr. McMillen conducted the interview. Ms. Nelson stated she is currently seeing a therapist once a month. She works at ASCENT, Inc. on Saturdays and ACES during the week. Ms. Nelson submitted continuing education for approval. Dr. Lundberg motioned to approve the "Sexual Issues and Counseling" course for three (3) credit hours, seconded by Ms. Hare. The motion carried unanimously. This course is NAADAC approved. Ms. Nelson stated she would contact her probation officer for his report. Ms. Nelson stated that she continues to attend a womens support group. The meeting closed at 9:45 A.M. to discuss personal issues, seconded by Dr. Lundberg. The motion carried unanimously. There were no recordings or written notes taken during this time. The Board meeting opened at 10:10 A.M. The Board asked to see Ms. Nelson on October 7, 2009. **Ms. Nelson is not in compliance with her stipulation because her latest probation report was not received.**

Mr. Michael Julian, probation interview

Mr. Julian met with the Board for his probation interview. Dr. Lundberg conducted the interview. Mr. Julian stated he is doing better. He has a new supervisor and will submit a resume as soon as possible. He gave his new supervisor a copy of his Memorandum of Understanding (MOU) and will have his supervisor submit a letter to the Board stating he received a copy of his MOU. The Board noted that Mr. Julian has been in compliance with his stipulation and his reports have been positive. After a brief discussion, Dr. Sheppard motioned to move Mr. Julian's reports to quarterly, seconded by Ms. Hare. The motion carried unanimously. The Board asked to see Mr. Julian on October 7, 2009. **Mr. Julian is in compliance with his stipulation.**

Ms. Noelle Carter, probation interview

Ms. Carter met with the Board for her probation interview. Mr. McMillen conducted the interview. Mr. Oborn introduced Mr. Steinagel. Ms. Carter stated that she is currently seeing a therapist and is doing well. She is employed at the Salvation Army and is really enjoying it. Ms. Carter stated that she has been in recovery four (4) years and regularly meets with her sponsor. Ms. Carter stated she may need surgery in the future and will talk more about the details at another time. After a detailed discussion, the Board opted to not change how often Ms. Carter meets with the Board at this time. The Board asked to see Ms. Carter on October 7, 2009. **Ms. Carter is in compliance with her stipulation.**

Ms. Joanie Jones, probation interview

Ms. Jones met with the Board for her probation interview. Dr. Sheppard conducted the interview. Ms. Jones stated that she continues working on her personal growth. She uses her support systems and is going to school. The Board advised Ms. Jones that her therapy reports for January, February, and March have still not been received by the Division. Ms. Jones stated that during this time, because of financial issues, she cut back on her therapy and chiropractic appointments. She utilized the twelve (12) step program. The reports for April, May, and June are the only reports available. The Board asked to see Ms. Jones on October 7, 2009. **Ms. Jones is in compliance with her stipulation.**

Mr. Chuck Robertson, new probation interview

Mr. Robertson met with the Board for his probation interview. Dr. Lundberg conducted the interview. The Board introduced itself. Mr. McMillen motioned to close the meeting at 10:47 A.M to discuss the character, professional competence, or physical or mental health of an individual. There were no written notes or recordings taken during this time. The Board meeting opened at 10:05 A.M. Mr. Robertson reviewed his outline for his probation. He has an appointment with Dr. Yelsa for his psychological evaluation. Mr. Robertson reviewed his stipulation with the Board. Mr. Robertson noted that his essay is due by within sixty (60) days of his order. He will need to have his supervisor and his employer submit reports. The Board advised Mr. Robertson that his

supervisor and continuing education courses would need to be pre-approved by the Board. Mr. Robertson was advised that he would be required to submit his employer reports stating he is not working. Once he finds employment, he must have his employer submit an employer report. The Board asked to see Mr. Robertson on October 7, 2009. **Mr. Robertson is in compliance with his stipulation.**

Mr. Aaron Bryant, probation interview

Mr. Bryant met with the Board for his probation interview. Ms. Hare conducted the interview. Mr. Bryant advised the Board that he is still enrolled in the BSW program at the University of Utah and is doing well. Mr. Bryant stated he is working twenty-eight (28) to thirty-two (32) hours a week at First Step House and two (2) to three (3) hours a week at the University. After further discussion, it was determined that the work Mr. Bryant does at the University is not under the scope of practice for an LSAC, therefore, employer reports are not needed from the University. The Board noted that Mr. Bryant's reports are positive. The Board stated that it would consider moving Mr. Bryant's reports to quarterly at its next meeting. Mr. Bryant stated his family is his support system. The Board advised Mr. Bryant those individuals who do not have a support system become vulnerable. The Board encouraged Mr. Bryant to not isolate himself. The Board asked to see Mr. Bryant October 7, 2009. **Mr. Bryant is in compliance with his stipulation.**

DISCUSSION ITEMS:

Substance Abuse Rule change update

Taken out of order on the agenda:

Mr. Oborn provided copies of the proposed changes to the Substance Abuse Counselor Licensing Act Rule. The proposed changes are summarized as follows:

1. The National Association of Alcohol and Drug Abuse (NAADAC) examination is being added to the examination requirement and the current examination, (ICRC/AODA) will be phased out January 1, 2010.
2. A clarification regarding the continuing education requirement is being added. Currently six (6) hours are for clinical reading. This will be changed to include internet-based courses.

Mr. Oborn stated that the comment period begins July 14, 2009 and ends October 14, 2009. The hearing will

be July 29, 2009. The rule may become effective after August 21, 2009.

Mr. Jeremy Boberg, LSAC, A.U.S.A.P, joined the Board. Mr. Boberg advised the Board that the association is working with NAADAC representatives to grandfather everyone who has already taken the exam into the NAADAC certification. The Board expressed concern regarding NAADAC's requiring a minimum of a bachelor's degree. Mr. Boberg stated he would get this clarified. Mr. Boberg stated they plan to have the NAADAC examination available in October 2009 and the applicants would be able to take the examination anytime during the first week. The examination would be administered quarterly throughout the year. Once everything is finalized the association will notify the membership of the changes. After a brief discussion, the Board also noted that certification is different from licensure. Certification is obtained through the association. Licensure is obtained through DOPL.

Utah Valley University Substance Abuse
Training Program update

Taken out of order on the agenda:

Mr. Oborn reviewed the Utah Valley University Substance Abuse Training Program with the Board.

Certified Professional Counselor Intern Scope
of Practice – Limitations

Taken out of order on the agenda:

Mr. Oborn reviewed the memorandum regarding the Certified Professional Counselor Intern Scope of Practice in a substance abuse treatment setting. Mr. McMillen reviewed the First Step House Team Structure and requested clarification regarding the scope of practice for a Certified Professional Counselor Intern (CPCI), specifically if a CPCI could sign off on treatment plans. The Division's position is that only a mental health therapist (MHT) can sign off on the treatment plans, and a CPCI is not a MHT as defined in Utah law. The Board discussed this in detail, noting that the supervisor needs to sign off on the hours. Mr. Oborn stated the Board could recommend a rule change. After further discussion, the Board opted to not recommend any changes at this time.

CORRESPONDENCE:

None at this time.

Next Board Meeting:

October 7, 2009

2010 Board meetings have been tentatively scheduled:
January 20, April 21, July 21, October 27

ADJOURN:

The meeting adjourned at 12:22 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.

October 7, 2009
Date Approved

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

August 4, 2009
Date Approved

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