

MINUTES

**UTAH
SUBSTANCE ABUSE COUNSELOR
LICENSING BOARD MEETING**

April 27, 2011

**Room 474 – 4th Floor – 9:00 A.M.
Heber M. Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:04 A.M.

ADJOURNED: 3:00 P.M.

Bureau Manager:
Board Secretary:

Richard J. Oborn
Lee Avery

Board Members Present:

Shawn M. McMillen, Chairperson
Marilyn Foster
Gloria Boberg
Georgia Hare
David Felt, Acting Chairperson
Pete Prazza

Board Members Absent:

Stephen R. Sheppard, Ph.D.

Guests:

Jeremy Boberg, AUSAP
Mark Morgan, Director of Discovery House
Sirinda Leftwich
Duane Berry

DOPL Staff Present:

Susan Higgs, Compliance Specialist
Kent Barnes, Compliance Manager

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Minutes:

The Board reviewed the minutes from the January 26, 2011 Board meeting. Mr. Felt motioned to approve the minutes with changes, seconded by Ms. Hare. The motion carried unanimously.

COMPLIANCE REPORT:

Susan Higgs, Compliance Specialist

#1 Mr. Dee Marble is in compliance with his stipulation. His supervisor report is positive and he

submitted his support group attendance.

#2. Ms. Colette Nelson is in compliance with her stipulation. She is requesting early termination. Her supervisor and employer reports are positive and support for early termination of her probation.

Discussion:

The Board noted that Ms. Nelson's probation is due to end October 8, 2011 and she is anxious to be released from probation. The Board noted that she has been in compliance with her stipulation with one exception when she self reported.

#3. Mr. Michael Garrett is not in compliance. He has not submitted the supervisor report for April. He has had 2 drugs screens and both were negative. Mr. Garrett passed the exam and was issued a CSAC license.

#4. Mr. Chuck Robertson is in compliance with his stipulation. His employer and supervisor reports are positive. He works at Turning Point. His supervisor was already approved.

#5. Ms. Noelle Carter is not in compliance with her stipulation. Her probation was due to end in February 2011. Because she has not been working her probation term is extended. Her therapist has not submitted therapy reports. Ms. Carter is considering going back to school.

#6. Ms. Janice Lohrmeyer (AuBuchon) is in not compliance with her stipulation. She did not submit her supervisor report for April. She missed a drug screen. She is not calling the CVI (drug screen) regularly. She has not submitted support group attendance documentation since 2/26/2011. She submitted her marriage certificate. She submitted her essay for approval and a certificate for 6 CEU credits.

Discussion:

The Board noted that this is not the first time Ms. Lohrmeyer has not contacted the drug screen line. At the October 27, 2010 Board meeting the Board advised Ms. Lohrmeyer that she missed calling CVI.

#7. Ms. Rebecka McNeil is not in compliance with her stipulation. She has not submitted her supervisor report for April or her support group attendance documentation. Ms. McNeil submitted information regarding Jerry Costley as her new supervisor and her essay. Mr. Jason Webb was already approved as her supervisor while at the Ark.

#8. Ms. Paula Bruce is not in compliance with her stipulation. She has not submitted her supervisor reports for March or April. She missed calling CVI a few times.

#9. Ms. Rochelle Beutler is in compliance with her stipulation. She just started working at I Promise Foundation. She submitted 2 supervisor evaluations. The Board needs to approve Robert Trevenen as her supervisor.

#10. Ms. Lilia (January) Riggin is a new probationer and is in compliance with her stipulation. She needs to have her supervisor, Melissa Gallegos, LCSW, approved. She has submitted 2 positive employer reports and support group attendance documentation. Ms. Riggin has an extensive criminal that includes the following convictions:

02/01, plead guilty to 1 ct of forgery, felony,

04/04, plead guilty to 1 count to DUI, Class B,

05/05, plead guilty to 1 ct of driving on suspended license, 1, count of following another vehicle too close, both Class C.

10/05, plead guilty to 1 ct illegal possession use of a CS, 2nd deg, later reduced to a Class A

12/05, plead guilty to 1 ct of possession of drug paraphernalia, Class A and 1 ct of retail theft, Class B
9/06, plead guilty to 1 ct of no proof of insurance, Class B

10/06, plead guilty to 2 cts of possession of a forged writing/devise, each 3rd degree felony.

#11. Ms. Heather Apo is a new probationer and is in compliance with her stipulation. Ms. Apo's criminal history includes the following convictions:

6/02, plead guilty to 1 ct of attempted illegal possession of a CS, Class A

8/06, plead guilty to 1 ct of possession of CS drug paraphernalia and 1 ct of possession of dangerous drugs, each a 2nd degree felony and 1 ct of possession of narcotic equipment, Class A. Ms. Apo has already signed up with CVI and has 2 negative drug screens. The Board needs to approve her supervisor, Douglas Stafford, LPC.

Discussion:

Mr. McMillen stated that he has a professional relationship with Ms. Apo.

#12. Ms. Julie Kopaunik-Berg is in compliance with her stipulation.

Discussion:

The Board noted that Ms. Kopaunik-Berg has not completed her continuing education hours yet. The essay that is due this month cannot be completed because she has not completed the continuing education courses required to write the essay. The Board may need to consider giving her another extension.

APPOINTMENTS:

Mr. Dee Marble, probation interview

Mr. Marble met with the Board for his probation interview. Ms. Boberg conducted the interview. Mr. Marble stated he is keeping busy. He continues attending his support groups and is on step 9. Mr. Marble stated he will have his essay completed in 2 weeks. He will have 3 more hours on ethics training. The Board asked to see Mr. Marble July 27, 2011.
Mr. Marble is in compliance with his stipulation.

Ms. Colette Nelson, probation interview

Ms. Nelson met with the Board for her probation interview. Ms. Hare conducted the interview. Ms. Nelson advised the Board that her surgery went well and things are going fine for her. The Board noted that Ms. Nelson has been consistently in compliance with her stipulation. She has been professional and she completed the work the Board requested of her. The Board encouraged her to rely on her mentors and support system to help her. **Ms. Hare motioned that**

Ms. Nelson be released from probation due to her being consistently in compliance with her stipulation and because she no longer poses a threat to the public, seconded by Mr. Prazza. The motion carried unanimously.

Mr. Michael Garrett

Mr. Garrett met with the Board for his probation interview. Mr. Felt conducted the interview. The Board noted that Mr. Garrett had 2 drug screens and both were negative. Mr. Garrett stated that he just transferred to the adult facility and will have a new supervisor. They are still working out the details. Mr. Garrett stated that his supervisor might be Sabina Wiel. The Board noted that Ms. Wiel might already have enough supervisees that current statute allows. Mr. Oborn will research this. The Board reminded Mr. Garrett that his supervisor reports are due by the 10th of each month. Mr. Garrett stated he is working to keep his professional life separate from his personal life. He is looking for a support group to attend. So far, he has not found the right fit. He will fax his support attendance documentation to Ms. Higgs. The Board advised Mr. Garrett that his CSAC license was mailed to him. The Board asked to see Mr. Garrett on July 27, 2011. **Mr. Garrett is not in compliance with his stipulation because he did not submit a supervisor report for the month of April.**

Mr. Chuck Robertson

Mr. Robertson met with the Board for his probation interview. The Board noted that his employer and supervisor reports are positive. Mr. Robertson stated that he continues attending support groups and he is working on his BA degree at the University of Phoenix. Mr. Robertson stated he just finished his internship at Discovery House and is due to graduate in March 2012. Mr. Robertson stated that he will enter the LPC program once he finishes his bachelor's degree. The Board noted that he has completed just over half of his probation. The Board asked to see Mr. Robertson on July 27, 2011. **Mr. Robertson is in compliance with his stipulation.**

Ms. Noelle Carter, probation interview

Ms. Carter met with the Board for her probation interview. The Board advised Ms. Carter that she is not in compliance with her stipulation. Her therapy reports have not been received. Ms. Carter stated that

she is still seeing Mr. Gooley. She signed up with Salt Lake Community College for her Associates Degree. She will be taking placement tests and orientation in the next few weeks. The Board advised Ms. Carter that when she is not working, the clock on her probation stops. The Board advised Ms. Carter that she is doing well and encouraged her to continue. Ms. Carter stated that she worked 6 months at Discovery House and 1 ½ years at The Salvation Army. She has approximately 640 hours left to complete the supervision requirements for her LSAC license. The Board advised Ms. Carter to get her therapist report submitted to Ms. Higgs by the end of the day and the Board will consider her to be in compliance with her stipulation. The Board advised Ms. Carter that if she remains in compliance with her stipulation, the Board will reconsider early termination of her probation at the Board meeting in July. The Board asked to see Ms. Carter on July 27, 2011. **Ms. Carter's therapist report was received and she is in compliance with her stipulation.**

Ms. Janice Lohrmeyer (AuBuchon), probation interview

Ms. Lohrmeyer met with the Board for her probation interview. Ms. Lohrmeyer interview was via telephone. Ms. Foster conducted the interview. Ms. Lohrmeyer stated she did not receive the letter regarding her interview with the Board. The Board advised Ms. Lohrmeyer that she is not in compliance with her stipulation. She has not submitted her supervisor report from April or her support group attendance documentation since 2/26/2011. She is not calling CVI regularly and missed a drug screen. Ms. Lohrmeyer stated that she had some issues and is working through them. Ms. Lohrmeyer stated that she became overwhelmed. She is now attending support meetings and working daily with her sponsor. She is downsizing her life. The Board advised Ms. Lohrmeyer that her essay is too general and needs work. The Board expressed concern that Ms. Lohrmeyer is not taking her probation seriously. This is not the first time she has been out of compliance with her stipulation. The Board advised Ms. Lohrmeyer that the Board needs to terminate her interview at this time to conduct other Board business. The Board will call her back at a later time.

Further discussion and interview at 2:00 pm

The Board confirmed that a letter regarding Ms. Lohrmeyer's meeting with the Board was mailed to the correct address. The Board advised Ms. Lohrmeyer that the Board wants to create a path where she can move forward. The Board advised Ms. Lohrmeyer that to stay in compliance she must do the following:

1. Keep a weekly log of support group attendance and file weekly reports to Ms. Higgs. These need to be submitted each Thursday.
2. Be tested by CVI today.
3. Submit supervisor reports from February to April.
4. If she starts working again, she must have her supervisor submit weekly reports.
5. Follow up with Ms. Higgs to confirm that she received supervisor reports.
6. If she is not working in the substance abuse field, she still needs to submit a report with date, stating that she is not working in the field.
7. She needs to submit a written narrative regarding what happened and how this event adversely impacted her clients. The narrative must be submitted on or before May 10, 2011.

The Board advised Ms. Lohrmeyer that Mr. Oborn will send her an essay to show her what the Board is looking for.

The Board advised Ms. Lohrmeyer that she will need to physically meet with the Board until she is back on track and in compliance with her stipulation. The Board asked to see Ms. Lohrmeyer on July 27, 2011.

Ms. Lohrmeyer is not in compliance with her stipulation.

Ms. Rebecca McNeil, probation interview

Ms. McNeil met with the Board for her probation interview. Ms. Foster conducted the interview. The Board reminded Ms. McNeil that her reports are due by the 10th of the month. The Board advised Ms. McNeil that the Board was very impressed with her essay. She covered all the required topics. The essay was very well written. Ms. McNeil advised the Board that her felony charges were reduced to Class A

misdemeanor. She will apply for expungment of these convictions as soon as she is able to. The Board noted that Ms. McNeil has called the drug screen everyday, her UA's have been negative, and she has been consistently in compliance with her stipulation. The Board noted that her probation is due to end March 18, 2012. She is just barely over half way through her probation. Mr. Felt motioned that the Board consider early termination of Ms. McNeil's probation at the next meeting if she has 2 positive supervisor reports and her supervisor indicates he supports early termination of her probation, if she remains in compliance, and if she submits a letter requesting early release from her probation, seconded by Ms. Foster. The motion carried unanimously. The Board asked to see Ms. McNeil on July 27, 2011. **Ms. McNeil is in compliance with her stipulation.**

Ms. Paula Bruce, probation interview

Ms. Bruce met with the Board for her probation interview. Ms. Foster conducted the interview. The Board advised Ms. Bruce that she is out of compliance with her stipulation because she missed calling CVI, she did not submit supervisor reports for March or April, and she has not submitted her support group attendance since 2/20/11. Ms. Bruce stated that she faxed her attendance documentation and will fax it again. Ms. Bruce advised the Board that she is attending the University of Southern California. The Board noted that Jason Webb was approved to be her supervisor. The Board encouraged Ms. Bruce to confirm that the Division receives the supervisor reports on time, calls CVI daily, and that she stays in compliance with her stipulation. The Board asked to see Ms. Bruce on July 27, 2011. **Ms. Bruce is not in compliance with her stipulation.**

Ms. Rochelle Beutler, probation interview

Ms. Beutler met with the Board for her probation interview. Mr. Prazza conducted the interview. Ms. Beutler advised the Board that things are going well. Bob Trevenen, LSAC has agreed to be her supervisor. He will submit his resume to Ms. Higgs within the next few days. The Board noted that her previous 2 supervisor reports are positive. The Board advised Ms. Beutler that her stipulation requires that her supervisor be a mental health therapist. Ms. Beutler stated she would see if John Skidmore will supervise

her. The Board reminded Ms. Beutler that her supervisor will need to oversee her treatment services and she would need to meet with her supervisor on a weekly basis. The Board asked to see Ms. Beutler July 27, 2011. **Ms. Beutler is in compliance with her stipulation.**

Ms. January Riggin, new probation interview

Ms. Riggin met with the Board. The Board introduced itself. Mr. Felt reviewed the responsibilities of the Board and how the Board will help her succeed in her probation. Mr. Felt conducted the interview. Ms. Riggin reviewed her criminal history with the Board. Ms. Riggin stated that she works at Davis Behavioral Health Women's Recovery Center. She has worked there for 4 years. They hired her as a CSAC. She does intakes, screenings, etc. Ms. Riggin stated that she has some clients now. The Board noted that she has submitted documentation of attending support groups and 2 positive employer reports. Ms. Riggin stated that she attends 6 support meetings a month. She uses her supervisor and other therapists as a resource. Ms. Riggin stated that October 9, 2006 is her recovery date. Ms. Hare motioned to accept Ms. Melissa Gallegos, LCSW as Ms. Riggin's supervisor, seconded by Ms. Boberg. The motion carried unanimously. The Board asked to see Ms. Riggin on July 27, 2011. **Ms. Riggin is in compliance with her stipulation.**

Ms. Heather Apo, new probation interview

Ms. Apo met with the Board. The Board introduced itself. Mr. Felt reviewed the responsibilities of the Board and how the Board will help her succeed in her probation. Ms. Hare conducted the interview. Ms. Apo reviewed the charges with the Board. Ms. Apo advised the Board that she has been clean and sober since November 11, 2007. She attends support meetings and has a sponsor that she meets with once a week. Ms. Apo stated that she is also a sponsor and does a lot of service work. Ms. Apo stated she is working on her CE hours and calls the drug screen line everyday. Her supervisor and employer have copies of her stipulation. She is employed at First Step House. Ms. Boberg motioned to accept Mr. Stafford as her supervisor, seconded by Ms. Hare. The motion carried unanimously. The Board asked to see Ms. Apo July 27, 2011. **Ms. Apo is in compliance with her**

stipulation.

Ms. Julie Kopaunik-Berg, probation interview

Ms. Kopaunik-Berg met with the Board. Mr. Prazza conducted the interview. The Board advised Ms. Kopaunik-Berg that her January support group attendance card were not received. Her supervisor reports for August, September and January were not received. Ms. Kopaunik-Berg stated that she will get this information to the Board. Ms. Kopaunik-Berg stated that she is finishing her CEs online and she is studying for her school exams. The Board reminded Ms. Kopaunik-Berg that once she completes the CE hours she needs to submit an essay. The essay must address topics covered in the CE courses. The Board reminded Ms. Kopaunik-Berg submit her paperwork by the 10th of each month; and to call Ms. Higgs to confirm that the Division has received her documents. The Board asked to see Ms. Berg July 27, 2010. Ms. **Berg is in compliance with her stipulation.**

1. David Black surrender of LSAC license

Mr. Oborn advised the Board that Mr. David Black surrendered is LSAC license and that he cannot reapply for 3 years. He will need to submit 6 months of random, clean, urine analysis in order to reapply.

2. 2012 Legislative Session

Mr. Oborn advised the Board that the Utah Legislature did not pass HB 229, 249 and 298. HB 229 would have allowed supervisees such as CSACs and LSACs to be 1099 employees. HB 249 would have clarified online mental health therapy. HB 298 would have allowed qualified psychologists to have limited prescription authority. HB 243 did pass and it amends the DOPL Licensing Act. The Division now has fine and citation authority for the practice of unlicensed individuals and Board members with expiring terms may continue to serve for a limited period until the Governor appoints their replacement.

3. Governor Herbert's proposal to create regulations that are more business friendly

Mr. Oborn shared the quote from Governor Gary R. Herbert's State of the State address on 01/26/2011 with the Board. Mr. Oborn noted that Governor Herbert asked all state agencies to separate regulations that serve an important purpose from those regulations that serve no purpose at all. Mr. Oborn asked the Board to let him know if they are aware of a regulation that is overly burdensome to the substance abuse

counselor profession that does not serve a purpose.

CORRESPONDENCE:

None at this time

Next Board Meeting:

July 27, 2011

2011 Board Meetings have been tentatively scheduled:

July 27, October 27

ADJOURN:

The meeting adjourned: 3:00 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.

July 27, 2011
Date Approved

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

July 27, 2011
Date Approved

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