MINUTES

UTAH
Clinical Mental Health Counselor Licensing Board
MEETING

October 15, 2012

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

Rule Hearing 12:00 P.M. – 12:30 P.M., Rule hearing for proposed changes to Utah Admin. Code R156-60 and Utah Admin. Code R156-60c

CONVENED: 9:02 A.M.	**ADJOURNED:** 1:04 P.M.
Bureau Manager:	Richard J. Oborn
Board Secretary:	Lee Avery
Board Members Present:	Jason H. King, Ph.D. Chairperson Ruth A. Baxter, Assistant Chairperson Jerri Sena Rodger Bischoff
Board Members Absent:	Dee Zarkos
DOPL Members present:	Susan Higgs, Compliance Specialist
Guests:	Sarah DeHaan, UMHCA

TOPICS FOR DISCUSSION	**DECISIONS AND RECOMMENDATIONS**
ADMINISTRATIVE BUSINESS:	
MINUTES:	The Board reviewed the minutes dated June 11, 2012. Ms. Baxter motioned to approve the minutes with changes, seconded by Ms. Sena. The motion carried unanimously
Compliance Report:	#1. Mr. Gregory Hood is not in compliance with his stipulation. He is having vehicle problems and is unable to meet physically with the Board. His interview will be conducted by telephone. He submitted a supervisor report for August. He has not submitted a supervisor report for June or September. He submitted a letter form the Utah State Office of Rehabilitation, his essay and supervisor agreement.

Discussion:
Ms. Higgs advised the Board that Mr. Hood failed to submit two supervisor reports. In contacting him, he assumed that they are automatically moved to quarterly after the first 6 months of probation. He failed to confirm this with the Board. The Board recommended that his reports continue to come in monthly until further notice. The Board wants to physically see Mr. Hood at the December 18, 2012 Board meeting.

#2. Mr. John Washington is not in compliance with his stipulation. He submitted a therapist report. He has not submitted a supervisor report. He was scheduled to take the NCE exam on 9/6/12. Mr. Washington failed the exam.

Discussion:
The Board expressed concern with him providing therapy to sex offenders, considering his charge was a sexual offence.

#3. Ms. Jodi Hildebrandt is in compliance with her stipulation. She submitted 2 supervisor reports. She has not yet submitted proposed CEs for her probation. These need to be completed by 1/17/2013. The Board may want to remind her these need to be pre-approved by the Board.

APPOINTMENTS:

Gregory Hood, probation interview

Mr. Hood's interview is being conducted via telephone because he is having vehicle problems. Mr. King conducted the interview. Mr. Hood stated he is taking an ethics class and has found this class to be very helpful. Mr. Hood advised the Board that he is meeting with his supervisor, Dr. Ferro, every week. They discuss dual relationships and seeing clients at social functions. The Board encouraged Mr. Hood to consult with the ethics codes and other written material for language to use regarding confidentiality in rural settings and add this to the information clients need to read and sign and make this a part of his client intake process. The Board strongly encouraged Mr. Hood to set firm boundaries with these clients. The Board advised Mr. Hood to submit a copy of his revised consent forms to Ms. Higgs by the end of October, for the Board to review at the December

	Board meeting. The Board noted the Division received the letter from USOR making an exception regarding Mr. Hood's probationary and associate status on his license, because he is in a rural setting. Mr. Hood stated that all of his financial obligations with Dr. Ferro are current. Mr. Hood stated he is completing a course and he needs to complete another essay for the TX Board. He will provide the Utah Board with a copy once it is finished. The Board asked Mr. Hood to submit the following information to Mr. Oborn by 5:00pm today: *1. The formal title of the course.* *2. The name of the instructor.* *3. A short course description.* The Board advised Mr. Hood that this information is needed before the Board will approve this course to be used for CEs to fulfill his probation requirement. The Board asked to see Mr. Hood on December 18, 2012. The Board requested Mr. Hood be physically at this meeting. **Mr. Hood is in compliance with his stipulation.**
John Washington, probation interview	Mr. Washington met with the Board for his probation interview. Ms. Baxter conducted the interview. Mr. Washington advised the Board that he had a bicycle accident in June. His doctor believes the accident because he had a seizure. Mr. Washington stated he was unable to drive for 3 months due to the medication; however, things are better now. Mr. Washington advised the Board that he failed the exam in September and hopes to have both exams passed by February. The Board reminded Mr. Washington that his license cannot be extended beyond 2 years, after completing his 4,000 hours of supervised training. The Board requested Mr. Washington gather, and document, his supervised hours and report these to Mr. Oborn by next week. The Board noted that Mr. Washington's supervisor report was received and he is now in compliance with his stipulation. The Board noted that his supervisor and therapy reports have been positive. The Board asked to see Mr. Washington on December 18, 2012. **Mr. Washington is in compliance with his stipulation.**
Jodi Hildebrandt, new probation interview	Ms. Hildebrandt met with the Board. Ms. Sena conducted the interview. Ms. Hildebrandt stated that

	things are going well. She is working to stay in compliance with her stipulation. She has been discussing topics like dual relationships with her supervisor. Ms. Hildebrandt stated she feels she is receiving good feedback from Karen Debirk, her supervisor. She sees between five and eight clients a day. She takes care of herself and dealing with life's stresses by talking with her supervisor and doing physical things like hiking. Ms. Hildebrandt stated she is not in contact with the clients involved in the case that led the Division to take action against her license. She believes the husband is harassing her and has vandalized her home and vehicle. The Board encouraged her to contact a private attorney regarding her concerns. They also recommended that she review the AMHCA and APA ethics committee for direction with this issue. Ms. Hildebrandt stated she continues to provide couples therapy and lets other therapists provide individual therapy. Ms. Hildebrandt advised the Board she is working on the four hours of continuing education needed for her probation. The Board encouraged Ms. Hildebrandt to obtain the ethics course approved by AMHCA. The Board asked to see Ms. Hildebrandt on December 18, 2012. **Ms. Hildebrandt is in compliance with her stipulation.**
Janis Kirkland, applicant for license interview	Ms. Kirkland met with the Board. Mr. King conducted the interview as the Board reviewed her application and supporting letters for an associate clinical mental health counselor. Ms. Kirkland completed a masters in professional counseling degree in 2006 and applied for the LAC license in Arizona. Ms. Kirkland reviewed the circumstances regarding why her license was called into question with the Arizona State Licensing Board. The Board reviewed Ms. Kirkland's resume. Mr. King motioned, that partly based on the recent letters of support, to issue Ms. Kirkland a license with the following conditions: *1. She be issued a probationary license for two years.* *2. She meet with the Board throughout the probation.* *3. She has supervision and reports are sent to the Board.* The motion was seconded by Mr. Bischoff and

was carried unanimously. Mr. Oborn advised Ms. Kirkland he will send her the stipulation for review and signature. Once this is signed by her and the Division Director accepts it, she will be issued her probationary license. She is not considered licensed in Utah until she receives the license.

Robert Crozier, applicant of licensure interview

Mr. Crozier met with the Board while the Board reviewed his application and supporting documentation. Mr. Crozier advised the Board that he was POST certified and employed by the Utah Department of Corrections. He lost his POST certification because he used a state computer to search sexually orientated internet chat sites. In April 2007, he had sexual relations with the married female in his office at AP&P/UDC after business hours. In May 2007, he met another female on-line who came to his office on two separate occasions, after hours and engaged in sexual relations. Mr. Crozier stated he could apply for re-certification after five years; however, he decided he wants to move his career into the mental health profession. He is currently working with Island View and enjoys working in geriatrics. He completed his practicum at Clinical Consultants and did his internship with Mountain West Psychology. Mr. Crozier stated he finished his master's degree at University of Phoenix. The Board expressed concern with Mr. Crozier about him working with vulnerable clients despite his history. Mr. Crozier stated he has attended therapy and has identified a lot of triggers and prevention related skills. Mr. King motioned to issue Mr. Crozier a license with the following conditions:

1. *He is issued a probationary license for two years.*
2. *He meets with the Board throughout the probation.*
3. *He has supervision and reports are sent to the Board.*

The motion was seconded by Ms. Baxter and was carried unanimously. Mr. Oborn advised Mr. Crozier that he will send him the stipulation for review and signature. Once he signs this and the Division Director accepts it, he will be issued a probationary license. He is not considered licensed in Utah until he receives the license.

DISCUSSION ITEMS:

1. Update on proposed amendments to Utah Admin. Code R156-60c as approved at last Board meeting	The Board reviewed the proposed amendments to Utah Admin. Code R156-60 and Utah Admin. Code R156-60c, as approved at previous Board meetings.
2. Consideration of option to identify in rule acceptable degree disciplines that are prerequisites for practice as a clinical mental health counselor	Ms. DeHaan met with the Board. The Board reviewed the option to identify in rule acceptable degree disciplines that are prerequisites for practice as a clinical mental health counselor. Mr. Oborn stated that when this rule becomes effective, if the education is not CACREP accredited, then the applicant will need to complete the education section in the application. The Board also consolidated the practicum and internship requirements. Mr. Oborn advised the Board that the extern license is issued to correct deficiencies in an applicants' education. It is issued for three years and the licensee needs to work under supervision. Mr. Oborn noted that the statute would need to be changed before the rule could change the extern license.
3. Possible need for clarification of CE requirement as defined in Utah Admin. Code R156-60c-304	Mr. Oborn reviewed a possible need for clarification of the CE requirement as defined in Utah Admin. Code R156-60c-304 Mr. Oborn reviewed the current wording in R156-60c-304 (5) (c): *(c) a maximum of 10 hours per two year period may be recognized for distance learning, clinical readings, or internet-based courses directly related to practice as a mental health therapist or professional counselor.* The Board is considering recommending that the licensees be allowed to complete all CE online if approved by the Division. Mr. Oborn will develop the language for the Board to review at the next meeting.
4. Application processing time for new graduates	Mr. Oborn advised the Board that the application process time for new graduates has been taking longer than usual. This is because all mental health professions were being audited for compliance with their continuing education requirement. A lot of those who were audited waited until the last minute to submit their documentation. Mr. Oborn noted that there was a lot of problems with the documentation

	submitted by licensees. Mr. Oborn noted that this is an isolated incident and feels his staff will back to processing application within 10-15 working days soon.
5. Update on possible legislation to amend Mental Health Professional Practice Act regarding remote supervision and remote therapy	Mr. Oborn reviewed a handout regarding the update on possible legislation to amend Mental Health Professional Practice Act regarding remote supervision and remote therapy. The proposal defines remote mental health therapy and establishes the authority for each of the mental health professions to further define standards for remote supervision and therapy in their professional practice act rule.
6. Report regarding NBCC Annual Meeting	Tabled to the next Board meeting.
BOARD MEETINGS:	The next Board meeting is December 18, 2012. **2013 Board meetings have been scheduled:** March 19, June 18, September17, December 17
	Motion to adjourn at 1:04 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.

December 18, 2012 Date Approved	(ss) Jason King, Ph.D. Chairperson, Utah Professional Counselor Licensing Board
December 18, 2012 Date Approved	(ss) Richard J. Oborn Bureau Manager, Division of Occupational & Professional Licensing