

MINUTES

UTAH SUBSTANCE ABUSE COUNSELOR LICENSING BOARD MEETING

January 11, 2012

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

CONVENED: 9:00 A.M.

ADJOURNED: 2:57 P.M.

Bureau Manager:
Board Secretary:

Richard J. Oborn
Lee Avery

Board Members Present:

David Felt, Chairperson
Santiago Cortez, Vice Chairperson
Pete Prazza
Lori Buhler
Georgia Hare
David Felt
Stephen R. Sheppard, Ph.D.
Gloria Boberg

Guests:

Sabine Weil, Turning Point
Betty Nielsen
Allison L. Weaver, AUSAP

DOPL Staff Present:

Susan Higgs, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Minutes:

The Board reviewed the minutes from the October 26, 2011 Board meeting. Dr. Sheppard motioned to approve the minutes with changes, seconded by Ms. Buhler. The motion carried unanimously.

COMPLIANCE REPORT:

Susan Higgs, Compliance Specialist

#1. Mr. Marble is in compliance with his stipulation. He submitted positive supervisor reports and verification of his support group attendance. All UAs have been negative.

#2. Ms. Apo-Ewers is in compliance with her stipulation. She submitted her supervisor reports. She has not missed drug screens and she chairs support group meetings.

#3. Mr. Garrett is in compliance with his stipulation. He submitted positive supervisor reports and has submitted a CV for a new supervisor. He attends support group meetings. He submitted his essay for review.

#4. Mr. Robertson is in compliance with his stipulation. He submitted positive employer and supervisor reports.

#5. Ms. Kopaunik-Berg is in compliance with her stipulation. She submitted supervisor reports and her support group attendance meeting documentation. Ms. Kopaunik-Berg attends support groups consistently.

#6. Ms. Buetler is in compliance with her stipulation. She submitted positive supervisor reports. She submitted CV for Craig Bleak, LCSW as a temporary supervisor. She submitted support group attendance documentation. Ms. Buetler is requesting early termination of her probation.

#7. Ms. Riggin is in compliance with her stipulation. She submitted supervisor reports and support group attendance documentation. Ms. Riggin submitted 15 verification CE from attending the 2011 Utah Fall Substance Abuse Conference. Her essay is due 2/2/12.

#8. Ms. Bruce is in compliance with her stipulation. She submitted supervisor reports and support group attendance documentation. Ms. Bruce submitted a CV for her supervisor, Ryan Salter.

#9. Ms. Catherine Cartisano is in compliance with her stipulation. Ms. Cartisano submitted her support group attendance documentation, her probation plan and 3 supervisor reports.

#10. Ms. Nish is not in compliance with her stipulation. She submitted her psychological evaluation from Dr. Underwood and her employer evaluation. She did not submit reports from her therapist.

#11. Ms. Julie Murdock is a new probationer. She missed a drug screen on 12/22/11. Ms. Murdock needs to submit her probation plan.

Preliminary review of Board business

Mr. Oborn reviewed Mr. Hieb's application with the Board.

APPOINTMENTS:

Mr. Dee Marble, probation interview

Mr. Marble met with the Board. Ms. Buhler conducted the interview. The Board noted that Mr. Marble has submitted positive supervisor reports. His reports are quarterly. His UAs have been negative. Mr. Marble stated things are going well. Ms. Boberg motioned to recommend early termination of Mr. Marble's probation, pending receipt of a letter of request from Mr. Marble and a letter of support from his supervisor, seconded by Ms. Hare. The motion carried unanimously. The Board asked to see Mr. Marble on April 18, 2012 if his probation is not terminated before then. **Mr. Marble is in compliance with his stipulation.**

Ms. Heather Apo-Ewers, probation interview

Ms. Apo-Ewers met with the Board. Ms. Hare conducted the interview. Ms. Apo-Ewers stated things are going well. She decided to stay at First Step House. She works in the residential treatment section of the facility. Ms. Apo-Ewers gave the Board documentation of her name change. The Board noted she missed calling in a few times. Ms. Apo-Ewers stated that she had to make some changes in her personal life and is now attending school part-time instead of full-time. She missed calling 2 times in

November when her son was in the hospital. The Board noted that since then, she has not missed calling the drug screen line. Ms. Apo-Ewers stated that she attends support meetings and she frequently chairs these meetings. The Board asked to see Ms. Apo-Ewers on April 18, 2012. **Ms. Apo-Ewers is in compliance with her stipulation.**

Mr. Michael Garrett, probation interview

Discussion:

The Board reviewed Mr. Garrett's essay and felt it would be acceptable.

Mr. Garrett met with the Board. Mr. Felt conducted the interview. Mr. Garrett stated he decided not to join the rock band he considered joining. The Board reviewed the CV for Jerry Buie. Mr. Garrett stated he is learning a lot from Mr. Buie and enjoys working with him. Mr. Prazza motioned to accept Mr. Buie as Mr. Garrett's supervisor, seconded by Mr. Cortez. The motion carried unanimously. The Board reviewed Mr. Garrett's essay and noticed he covered specific areas. Mr. Prazza motioned to accept his essay, seconded by Ms. Hare. The motion carried unanimously. Mr. Garrett stated his personal life is going well. He has been sober for 5 years. He has full custody of his children. He is in a committed relationship. Mr. Garrett stated he is going back to school and wants to eventually obtain his LCSW. The Board asked to see Mr. Garrett on April 18, 2012. **Mr. Garrett is in compliance with his stipulation.**

Mr. Chuck Robertson, probation interview

Mr. Robertson met with the Board. Mr. Felt conducted the interview. Mr. Robertson stated he recently lost his job at Turning Point. His son lives with him and his support system is his family and friends. Mr. Robertson stated he is considering going back into therapy to help with the current stresses in his life.

Ms. Sabine Weil from Turning Point asked to address the Board. Ms. Weil stated Mr. Robertson's release from his employment was not due to his actions. Turning Point no longer needed an outpatient LSAC. Ms. Weil stated she would be a reference for him. Mr. Robertson submitted a letter requesting early termination of his probation. Board expressed concern

in releasing Mr. Robertson at this time. Ms. Weil stated she would support Mr. Robertson's early release from probation. Mr. Robertson stated he is doing his practicum at Crystal Cocoon on Ogden and will be done with school March 2012. He will then enter into his master's program. Ms. Boberg motioned to recommend early termination of Mr. Robertson's probation provided he keeps commitments to the Board to continue taking care of himself and receipt of letter from Ms. Weil supporting early termination of Mr. Robertson's probation, seconded by Mr. Cortez. The motion carried unanimously. **Mr. Robertson is in compliance with his stipulation.**

Ms. Julie Kopaunik-Berg, probation interview

Ms. Kopaunik-Berg met with the Board. Mr. Prazza conducted the interview. Ms. Berg stated she is doing well. She has been sober for 5 years. She continues working for Turning Point centers. She is working in the residential section conducting group therapy, life skills, and spirituality groups. The Board noted that she missed 2 check-ins with the drug screen. Ms. Kopaunik-Berg advised the Board that she started school August 2011 and regularly attends support groups. There are 2 groups she prefers attending and sticks to these. The Board asked to see Ms. Kopaunik-Berg on April 18, 2012. **Ms. Kopaunik-Berg is in compliance with her stipulation.**

Ms. Rochelle Beutler, probation interview

Ms. Beutler met with the Board. Mr. Prazza conducted the interview. The Board noted that Ms. Beutler requested early termination of her probation. Ms. Beutler stated that she feels she learned what she needed to learn and will continue with counseling. Ms. Beutler stated she attends 12 step meetings and her family and friends have been a good support system for her. Ms. Beutler stated that Mr. Paul Dymock was her supervisor and she sees him for her counseling. The Board expressed concern regarding this being a dual relationship and encouraged her to find a different therapist. Ms. Beutler stated she has been sober for 6 years. The Board noted that her supervisor reports have been positive. Ms. Boberg motioned to recommend early termination of Ms. Beutler's probation, seconded by Ms Hare. The motion carried unanimously. **Ms. Beutler is in compliance with her stipulation.**

Ms. Lilia January Riggan, probation interview

Ms. Riggan met with the Board. Dr. Sheppard conducted the interview. Ms. Riggan stated that things are going better. At her last meeting with the Board, she received some very good advice. This has made her feel better about herself and more confident as a professional. Ms. Riggan stated she attends 12 step programs and enjoys performing service. The Board advised Ms. Riggan that before the Board would consider early termination of her probation she would:

1. need to complete at least ½ of her probation time;
2. be consistently in compliance with her probation;
3. submit letters from her supervisor and therapist supporting early release of her probation; and
4. a letter from her stating why she feels she should be released early from probation.

The Board noted that Ms. Riggan's reports are due quarterly. The Board asked to see Ms. Riggan on April 18, 2012. **Ms. Riggan is in compliance with her stipulation.**

Ms. Paula Bruce, probation interview

Ms. Bruce met with the Board. Mr. Cortez conducted the interview. Ms. Bruce stated that things have been going well. She has been in recovery since May 2008. She attends a support group every Sunday and has a very good support system in place. The Board reviewed the CV for Ryan Salter, LCSW. Mr. Cortez motioned to approve Mr. Salter as Ms. Bruce's supervisor, seconded by Ms. Hare. The motion carried unanimously. Mr. Cortez motioned to move her reports to quarterly, seconded by Mr. Prazza. The motion carried unanimously. The Board asked to see Ms. Bruce April 18, 2012. **Ms. Bruce is in compliance with her stipulation.**

Ms. Catherine Cartisano, new probation interview

Ms. Cartisano met with the Board. Ms. Buhler conducted the interview. Ms. Cartisano stated that things are going well. She celebrated her 3rd year of sobriety. Ms. Cartisano stated school is keeping her busy. She is working towards her bachelor's degree. She wants to be an LCSW and is attending the program at the U of U. Ms. Cartisano stated she works at First Step House doing groups, including cognitive restructuring. Ms. Cartisano noted she

missed calling the UA line 2 times. The first time was the same day she first signed up on the Infinity computer program. She did not realize she needed to go to a separate screen in the computer program to see if she needed to test, and the 2nd time was on Christmas. The Board noted that Mr. Doug Staffer was approved as her supervisor. The Board asked to see Ms. Cartisano April 18, 2012. **Ms. Cartisano is in compliance with her stipulation.**

Ms. Charmele Nish, probation interview

Discussion:

Mr. Cortez motioned to close the Board meeting at 10:06 A.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Buhler. The motion carried unanimously. There were no written notes taken. There was no recording made. The Board meeting opened at 10:30 A.M. Mr. Cortez motioned to amend Ms. Nish's stipulation, seconded by Mr. Sheppard. The motion was withdrawn.

Out of order on the agenda:

Ms. Nish met with the Board. Mr. Cortez conducted the interview. Dr. Sheppard motioned to close the Board meeting at 1:42 P.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Mr. Cortez. The motion carried unanimously. There were no written notes taken. There was no recording made. The Board meeting opened at 2:14 P.M.

Ms. Hare motioned to amend Ms. Nish's stipulation to include the following requirements:

1. that she submit monthly reports from her counselor;
2. that she submit a letter to the Board outlining what she heard today and what she has learned from today's meeting;
3. that she abstain from alcohol and drugs she for which she does not have a prescription; and
4. that she does random UA's.

Dr. Sheppard seconded the motion. The motion carried unanimously. Ms. Higgs will give her the information packet. The Board asked to see Ms. Nish April 18, 2012. **Ms. Nish is not in compliance with her stipulation.**

Ms. Julie Murdock, new probation interview

Ms. Murdock met with the Board. The Board was introduced to her. Mr. Felt reviewed the role that the Board will take in her probation. Dr. Sheppard conducted the interview. Ms. Murdock advised the Board that she is a recovering addict. After completing the Odyssey House program, she started working for them. She has been clean for 6 years. She attends AA meetings. Ms. Murdock proposed Ryan Nelson, LCSW, to act as her supervisor. Ms. Murdock submitted Mr. Nelson's CV. Mr. Cortez motioned to accept Mr. Nelson as Ms. Murdock's supervisor, seconded by Ms. Buhler. The motion carried unanimously. The Board asked to see Ms. Murdock on April 18, 2012. **Ms. Murdock is in compliance with her stipulation.**

Mr. Bradley Hieb, applicant for CSAC license

Taken out of order on the agenda:

Mr. Hieb met with the Board. Mr. Felt conducted the interview. Mr. Hieb is applying for the CSAC license. Mr. Oborn noted that there is concern regarding Mr. Hieb's criminal history. His criminal history included misdemeanors. He will have been sober for 5 years in April 2012. The Board noted that this is a longer period of sobriety than others that the Board has placed on probation in the past. Mr. Heib advised the Board that he attended a program through Odyssey House to help with his addiction. He worked through controlling anger and expressing himself verbally. Mr. Heib advised the Board that he has full custody of his 2 children. He worked at Odyssey House as a peer counselor. He is now a facility manager there. Mr. Prazza motioned to recommend Mr. Heib be issued a CSAC license without restrictions, seconded by Ms. Boberg. The motion carried 4 to 2, with Dr. Sheppard and Ms. Buhler opposing.

Ms. Rita Mangum, reinstatement of CSAC license

Ms. Mangum did not meet with the Board.

DISCUSSION ITEMS:

1. Proposal from AUSAP to remove restriction on number of contact hours of CE that can be completed via distance methods

Allison from AUSAP advised the Board that she would like to postpone the proposal from AUSAP to remove restriction on number of contact hours of CE that can be completed via distance methods at this time. She may resubmit it at a later date.

2. Update regarding potential legislation to modify substance abuse counselor license categories and scope of practice

Mr. Oborn updated the Board regarding potential legislation to modify the substance abuse counselor license categories and scope of practice. Mr. Oborn noted that Representative Ray said he would make this a priority bill. He contacted a legislative analyst to work on it. As of Monday 1/10/12, the bill had been transferred to a different analyst. Representative Ray assured the Committee that the bill will be drafted. Mr. Oborn noted that all professions are in support of these changes.

3. Review of proposed amendments to Substance Abuse Counselor Licensing Act Rule approved by the Board at last Board meeting

Mr. Oborn reviewed proposed amendments to the Substance Abuse Counselor Licensing Act Rule approved by the Board at the last Board meeting. Mr. Oborn noted that the change under R156-60d-302b(d) Qualifications for licensure- experience requirement adds

1. unless otherwise approve by the Division in collaboration with the Board

Mr. Oborn noted that the change under R156-60d-502 unprofessional conduct removes “Ethical Standards of Alcoholism and Drug Abuse Counselors established by the NAADAC, August 18, 2008” and adds

1. NAADAC Code of Ethics: Teaching Tool, January 2011 edition; and
2. acting as a supervisor without complying with or ensuring that the supervisee holds the requisite license.

Mr. Cortez motioned to accept the proposal with suggested changes, seconded by Ms. Boberg. The motion carried unanimously.

4. Consideration of rule amendment that would impact LSAC or CSAC ability to pay supervisor

Mr. Oborn advised the Board that there is a question regarding LSACs or CSACs paying for their own supervision. Mr. Oborn stated that the current rule would does not prohibit an LSAC or CSAC from paying their own supervisor for their supervision. Some mental health therapy professions have a clear statement in their rule prohibiting them from paying their own supervisor. This represents an appearance of a conflict of interest. The Board expressed no interest in recommending an amendment to the rule at this time.

CORRESPONDENCE: None at this time

Next Board Meeting: April 18, 2012

2012 Board meetings have been tentatively scheduled
April 18, July 11 and October 17.

ADJOURN: The meeting adjourned: 2:57 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 18, 2012
Date Approved

(ss) David Felt
Chairperson, Utah Substance Abuse Counselors
Licensing Board

April 18, 2012
Date Approved

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