

MINUTES

**UTAH
SUBSTANCE ABUSE COUNSELOR
LICENSING BOARD MEETING**

April 18, 2012

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

CONVENED: 9:01 A.M.

ADJOURNED: 3:42 P.M.

Bureau Manager:

Richard J. Oborn

Board Secretary:

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.

Board Members Absent:

Gloria Boberg

Guests:

Janet Johnson
Teresa Burton
Farrina Coulam, Univ. of Utah
Dorann Mitchell, Univ. of Utah

DOPL Staff Present:

Francine Giani, –Department of Commerce, Executive Director
Thad Levar, Department of Commerce, Deputy Director
Mark Steinagel, DOPL Director
David Furlong, DOPL Chief Investigator
Susan Higgs, Compliance Specialist
Debra Troxel, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

9:00 A.M. Executive Director request for Board approval to remove Gloria Boberg from

Ms. Giani requested the Board remove Ms. Boberg from the Substance Abuse Counselor Licensing Board.

the Substance Abuse Counselor Licensing Board.

Ms. Hare motioned to remove Ms. Boberg from the Substance Abuse Counselor Licensing Board, seconded by Mr. Cortez. The motion carried unanimously.

Minutes:

The Board reviewed the minutes from the January 11, 2012 Board meeting. Ms. Buhler motioned to approve the minutes, seconded by Mr. Cortez. The motion carried unanimously.

Not on the agenda:

Mr. Felt stated he feels the Board should be chaired by a substance abuse counselor and requested the Board elect a new chairperson holding a substance abuse counselor license.

Ms. Hare motioned for Mr. Cortez to be the new Chairperson, seconded by Dr. Sheppard. The motion carried. This will become effective for the July 11, 2012 Board meeting.

COMPLIANCE REPORT:

Susan Higgs, Compliance Specialist

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

#2. Mr. Garrett is in compliance with his stipulation. He submitted a positive supervisor report. He is entering his support group attendance reports. The Board may want to consider quarterly reports. His probation with the Board is scheduled to end November 23, 2012.

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

#4. Ms. Bruce is in compliance with her stipulation. She submitted supervisor reports and support group attendance documentation.

#5. Ms. Riggin is not in compliance with her stipulation. She has not submitted her supervision reports. She has not submitted support group attendance. She submitted 15 CEU from 2011, Utah Fall Substance Abuse Conference.

#6. Ms. Julie Murdock is not in compliance with her stipulation. She missed calling the drug screen 17 times and has not shown up for 2 drug screens. She has not submitted support group attendance. Ms. Murdock submitted her probation plan.

#9. Ms. Catherine Cartisano is in compliance with her stipulation. Ms. Cartisano submitted her support group attendance documentation. She has not missed any drug screens.

#10. Ms. Nish is in compliance with her stipulation. She was asked by the Board to submit a letter stating she understood what the Board is asking of her. She has not submitted this letter.

Discussion:

Dr. Sheppard motioned to close the Board meeting at 9:31 A.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Buhler. The motion carried unanimously. A recording was not made. There were no written notes taken. The Board meeting opened at 9:45 A.M.

#11. Ramone Christian is a new probationer. His charges are he pled guilty to one count of aggravated assault, a 3rd degree felony. He was unsuccessfully terminated from criminal probation on or about May 12, 2009, due to an unpaid restitution balance owing in the case. He has not submitted his written plan.

Preliminary review of Board business

Mr. Oborn reviewed the application submitted by Mr. James Gibson. Mr. Gibson is applying for a CSAC license and has an extensive criminal history. Mr. Oborn is requesting the Board's recommendation regarding the consideration of placing Mr. Gibson's

license on probation. Mr. Oborn noted that precedence has been established if an applicant commits an offense within the last 5 years, the licensee is typically issued a restricted/probationary license.

APPOINTMENTS:

Ms. Heather Apo-Ewers, probation interview

Ms. Apo-Ewers met with the Board. Ms. Hare conducted the interview. Ms. Apo-Ewers stated she is still working at First Step House. She is considering moving to outpatient care. Her supervisor is Doug Stafford and she enjoys working with him. Ms. Apo-Ewers advised the Board that her sobriety date is November 11, 2007. She chairs a women's support group and attends her own support meetings. She works from 7:00 am to 4:00 pm and is currently attending Salt Lake Community College. The Board noted that her probation is February 02, 2011 to February 02, 2013. Her supervisor reports are positive and she has been consistently in compliance with her probation. Mr. Cortez motioned to excuse her from the July meeting and to see her October 17, 2012. She can come prepared to discuss early termination when she meets with the Board. Ms. Hare seconded the motion. The motion carried unanimously. The Board asked to see Ms. Apo-Ewers on October 17, 2012.

Ms. Apo-Ewers is in compliance with her stipulation.

Mr. Michael Garrett, probation interview

Mr. Garrett met with the Board. Mr. Felt conducted the interview. Mr. Garrett discussed some family concerns with the Board. Mr. Garrett stated he sees his therapist. Despite family stresses, he does not have thoughts of relapse. He keeps himself on track by using a checklist he completes daily. He continues working at Discovery House and attends two AA meetings a month. Ms. Hare motioned to meet with Mr. Garrett on October 17, 2012 to discuss early termination, seconded by Mr. Cortez. The motion carried unanimously. The Board advised Mr. Garrett that he needs to submit a letter from his supervisor and employer supporting early termination of his probation, and a letter from himself stating why he should be released from his probation early. The Board advised Mr. Garrett that he may submit his reports quarterly now. The Board asked to see Mr. Garrett on October 17, 2012. **Mr. Garrett is in**

compliance with his stipulation.

Ms. Julie Kopaunik-Berg, probation interview

Ms. Kopaunik-Berg met with the Board. Mr. Prazza conducted the interview. The Board noted that Ms. Berg missed one test in February. Ms. Berg stated she is doing well. She is keeping busy working, going to school, gym and attending meetings. Ms. Berg stated she is still working at Turning Point. The Board noted that her supervisor reports are positive. She stated she started school in August and is receiving good grades. She is attending the LPC program at the University of Phoenix. Ms. Berg is current in her CEs. Ms. Berg stated her sobriety date is October 23 of last year. She attends meeting for support. She does not do the 12 steps. Her probation term began January 28, 2010 and ends January 28, 2013. The Board asked to see Ms. Kopaunik-Berg on July 11, 2012. **Ms. Kopaunik-Berg 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 she still works at Ascend and things are going well. She has been in recovery four years on May 29, 2012 and continues to attend AA most Sunday mornings. The Board noted that her probation term is July 27, 2010 to July 27, 2012 and she has consistently been in compliance with her stipulation. The Board encouraged Ms. Bruce to have her supervisor include in his report that he supports Ms. Bruce being released from probation and for Ms. Bruce to submit a letter to the Board requesting termination of her probation and a summary of what she has learned from her probation and her recovery. The Board asked Ms. Bruce to submit this before the next Board meeting. The Board asked to see Ms. Bruce on July 11, 2012. **Ms. Bruce is in compliance with her stipulation.**

Ms. Lilia January Riggan, probation interview

Ms. Riggan met with the Board. Dr. Sheppard conducted the interview. The Board advised Ms. Riggan that she is not in compliance with her stipulation because her supervisor reports or 12 step attendance documentation has not been submitted. Ms. Riggan stated they were faxed to the Division. The Board encouraged her to fax these again. Ms. Riggan stated she is still working towards her hours. She meets weekly with her supervisor. She is now

working 4/10's. The Board advised Ms. Riggin she missed checking the drug screen February 12 and March 15. Ms. Riggin admitted she forgot to call in. She has been sober for 5 years in October 2011. She continues to attend 12 step meetings. She is involved in recovery activities. She meets with her sponsor via phone, once a month and sees her at the recovery events they attend. Ms. Riggin stated she is working on her personal recovery including what she wants to do with her career. The Board noted that her probation term began December 9, 2011 and it ends December 9, 2013 and expressed concern that a year ago when the Board moved her reports to quarterly she missed calling the UA drug screen and failed to submit reports on time. The Board expressed additional concern because Ms. Riggin does not appear to be taking ownership of her responsibility to her probation requirements. Ms. Riggin advised the Board that calling the UA drug screen line has always been a struggle for her. Ms. Riggin stated she might be traveling in June when her daughter gets out of school and once their plans have been finalized, she will advise Ms. Higgs. The Board asked to see Ms. Riggin on July 11, 2012. **Ms. Riggin is not in compliance with her stipulation.**

Ms. Julie Murdock, probation interview

Ms. Murdock met with the Board. Dr. Sheppard conducted the interview. The Board advised Ms. Murdock that she is not in compliance with her stipulation because she failed to call the UA drug screen line 17 times and 10 of these were since January 2012. Ms. Murdock stated she did not have her personal phone and would forget to call until after she left work. Ms. Murdock assured the Board that she has not relapsed noting that she now has her phone and has been very diligent in calling. The last time she missed calling was February 27. The Board asked Ms. Murdock to fax her supervisor report and support group documentation to Ms. Higgs. She needs to submit January and April's reports. Ms. Murdock stated she is attending the University of Phoenix. Her goal is to get her master's degree in professional counseling. She is has been attending different support group meetings, trying to find one that she feels she connects to. The Board advised Ms. Murdock that if this pattern of non-compliance

continues the Board may recommend the Division take further action against her license. The Board asked to see Ms. Murdock on July 11, 2012. **Ms. Murdock is not in compliance with her stipulation.**

Ms. Catherine Cartisano, probation interview

Ms. Cartisano met with the Board. Ms. Buhler conducted the interview. Ms. Cartisano stated that things are going well. She is keeping busy with school and working at a private clinic providing outpatient services. She works full time at First Step House and part time and CLD3. Mr. Doug Stafford was approved to be her supervisor at First Step House. The Board decided that she will need to have her supervisor at CLD3 approved by the Board and that this supervisor will need to submit reports. Mr. Cortez motioned to approve Chuck Divney, seconded by Ms. Hare. The motion carried unanimously. The Board advised Ms. Cartisano that Mr. Divney needs to note that he has reviewed her M.O.U. Ms. Cartisano stated she attends support group meetings at least once a week and meets with her sponsor. Ms. Cartisano stated her sobriety date is December 8, 2008. Ms. Buhler motioned to move her reports to quarterly, seconded by Mr. Cortez. The motion carried unanimously. The Board advised Ms. Cartisano that her next report is due by June 20, 2012. The Board asked to see Ms. Cartisano on July 11, 2012. **Ms. Cartisano is in compliance with her stipulation.**

Ms. Charmele Nish, probation interview

Ms. Nish and her attorney, Ms. Janet Jensen, met with Board. Mr. Cortez conducted the interview. Ms. Nish stated that things are going ok. She is still working at her part time job and she continues with counseling. Ms. Nish stated she gave a copy of the psychological evaluation to her therapist. The Board noted that there were some very difficult topics discussed at the last meeting. Ms. Nish signed a new stipulation. Her probation has been extended one year and her expected release date is now February 4, 2014. The Board reminded Ms. Nish that she needs to have her essay submitted within 30 days. The essay needs to be at least 500 words. The Board feels like Ms. Nish needs to acknowledge she was not being honest with the Board or her evaluator and she needs to take ownership when she rewrites her essay. Ms. Nish was encouraged to contact Mr. Oborn or Ms. Higgs with

any questions. The Board advised Ms. Nish that because she has been out of compliance with her stipulation, her reports are still due monthly. The Board asked to see Ms. Nish on July 11, 2012. **Ms. Nish is in compliance with her stipulation.**

Mr. Ramone Christian, new probation interview

Mr. Christian met with the Board. Mr. Felt conducted the interview. Mr. Felt reviewed the Board's role in Mr. Christian's probation. Mr. Cortez motioned to close the meeting at 1:07 P.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Buhler. The motion carried unanimously. A recording was not made. There were no written notes taken. The Board meeting opened at 1:18 P.M. Mr. Christian stated he attends support meetings at least two times a week and works with a sponsor. He works at Southwest Center, part time and at Verizon House. His supervisor is Leslie Riggs Arnold. Mr. Christian stated that his sobriety date is October 3, 2008. When he struggles with sobriety he turns to his support group and friends. The Board reviewed Mr. Christian's probation plan. The Board reminded Mr. Christian that the Board needs to approve his supervisor. He will need to have his supervisor submit a CV for the Board's review, make sure his reports are submitted on time, have his support group information faxed to Ms. Higgs, call drug screen line daily, and follow up with performing a drug screen when required. The Board asked to see Mr. Christian on July 11, 2012. **Mr. Christian is in compliance with his stipulation.**

Mr. John Kliarsky, telephone interview

The Board contacted Mr. Kliarsky via telephone and reviewed the citation that he had been issued for allowing a substance abuse counselor to work under his supervision without a license. Mr. Kliarsky reviewed the circumstances that initiated him being issued a citation and assured the Board that the agency has established a policy to ensure all mental health and substance abuse professionals hold a current license and the facility will place a copy of that license on a wall.

James Gibson, app for CSAC

Mr. Felt reviewed Mr. Gibson's application and criminal history. Mr. Gibson stated he entered Odyssey House on November 1, 2007. He will have

been sober for 5 years on November 1, 2012. Mr. Gibson reviewed his criminal history with the Board, noting that the charges were pled down to misdemeanors. Mr. Gibson stated he attends support meetings once a month. He works at New Roads Treatment Centers. Mr. Cortez motioned to issue a conditional license for two years, to Mr. Gibson, seconded by Ms. Buhler. Mr. Oborn stated the Division will propose conditions in the MOU. If Mr. Gibson chooses not to sign the MOU, then his application will be denied and he can appeal the denial. Mr. Oborn stated he will include information regarding an appeal with the denial letter. The Board advised Mr. Gibson that if he is consistently in compliance with his stipulation, he may request early termination of his probation once he has completed at least half of the term. The Board encouraged him to contact Mr. Oborn with any questions or concerns.

DISCUSSION ITEMS:

1. Transition to new substance use disorder counselor license titles

Mr. Oborn reviewed the new license titles and education, exam, experience and scope of practice with the Board. Mr. Oborn noted that an LSAC can qualify for the ASUDC license by submitting an application prior to July 2013 and verifying completion of at least 12,000 hours (6 years) of experience. Mr. Oborn noted that there would no longer be an extern license. The Substance Abuse Counselor Act Rule has changed to the Substance Use Disorder Counselor Act.

1. The certified substance abuse counselor (CSAC) license title will change to certified substance use disorder counselor (CSUDC).
2. The certified substance abuse counselor intern (CSAC-I) will change to certified substance use disorder counselor intern (CSUDC-I).
3. The licensed substance abuse counselor (LSAC) will change to substance use disorder counselor (SUDC).

The new additional titles are:

4. Certified advanced substance use disorder counselor (CASUDC);
5. Certified advanced substance use disorder counselor intern (CASUDC-I); and
6. Advanced substance use disorder counselor (ASUDC).

2. Consideration of rule amendments to Utah Admin. Code R156-60d necessitated by passing of H.B. 496: Mental Health Practice Act Revisions during 2012 General Legislative Session

The Board noted that other states are transitioning to use these same titles.

Mr. Oborn reviewed rule amendments to Utah Admin. Code R156-60d. These rule changes are proposed because of the passing of H.B. 496: Mental Health Practice Act Revisions during 2012 General Legislative Session. Mr. Cortez, motioned to accept these rule changes with modifications, seconded by Ms. Hare. The motion carried unanimously.

3. Review of rule amendments approved at past Board meetings

The Board reviewed the rule amendments approved at past Board meetings.

Mr. Cortez, motioned to accept these rule changes with modifications, seconded by Ms. Hare. The motion carried unanimously.

4. Consideration of outline of new curriculums for substance use disorder education programs at U of U and UVU

The Board tabled this agenda item for the July 11, 2012 Board meeting.

5. Posting of public disciplinary orders on DOPL website license

Out of order on the agenda:

Mr. Oborn advised the Board that DOPL disciplinary orders are now posted on the DOPL website. The orders will be posted to the DOPL website a week after the discipline has been finalized.

6. Jeffrey Dee Jones surrender of LSAC

Out of order on the agenda:

Mr. Oborn advised the Board that Mr. Jones surrendered his license. He owned and operated the Center of Recovery in Kamas, Utah since 1998. He failed to keep adequate patient records of clients. He had patient records from treatment facilities where he previously worked. He no longer provides substance abuse counseling services to these clients.

7. Open and Public Meeting Act training

Out of order on the agenda:

Mr. Oborn shared the Open and Public Meetings Act training with the Board

CORRESPONDENCE:

None at this time

Next Board Meeting:

July 11, 2012

2012 Board meetings have been tentatively scheduled

July 11 and October 17.

ADJOURN:

The meeting adjourned: 3:42 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 17, 2012
Date Approved

(ss) Santiago Cortez
Chairperson, Utah Substance Abuse Counselors
Licensing Board

July 17, 2012
Date Approved

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