

MINUTES

**UTAH
SUBSTANCE ABUSE COUNSELOR
LICENSING BOARD MEETING**

January 23, 2013

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

CONVENED: 9:04 A.M.

ADJOURNED: 1:20 P.M.

Bureau Manager:
Board Secretary:

Richard J. Oborn
Lee Avery

Board Members Present:

David Felt, Acting Chairperson
Lori Buhler
Georgia Hare
Stephen R. Sheppard, Ph.D.
Pete Prazza
Valerie Fritz
Georgia Hare

Board members absent:

Santiago Cortez

DOPL Staff Present:

Susan Higgs, Compliance Specialist

Guests:

Ebbiel Cabrera, Argosy University
Amy Miner, Argosy University
Taunya Cox, Argosy University
Matthew Greene, Grand Canyon University
Jodi Davies, Argosy University
Charrisse Schroder, Argosy University
Autumn Baxter, Argosy University
Jacqui Butler Argosy University
Megan Allred, Argosy University
Jacob Flesch, Argosy University
Janet Jenson, Attorney for Charmele Nish

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Minutes:

The Board reviewed the October 17, 2012 Board

meeting minutes. Mr. Prazza motioned to accept the minutes, seconded by Dr. Sheppard. The motion carried unanimously.

COMPLIANCE REPORT:

Susan Higgs Compliance Specialist

#1. Ramone Christian, is in compliance with his stipulation. His interview will be via telephone. His drug screens have been negative. He submitted 3 supervisor reports. He attends 12 step meetings and is logging these into the Affinity program.

#2. Catherine Cartisano is in compliance with her stipulation. She submitted 12 step attendance through January 10, 2012 and supervisor reports for both of her employers: First Step and CLD3. She missed 3 total check-ins since she started but all tests have been negative.

#3. January Riggin is not in compliance. She did not submit a supervisor report form indicating she is not working in the field. She missed a check-in and test on 1/8/13. She missed 28 check-ins from 1/1/12 to present. The Board should consider penalties for non-compliance.

Discussion:

Mr. Oborn advised the Board that she refused to sign the new stipulation. Ms. Riggin advised Mr. Oborn that she will present documentation to the Board regarding her side of the situation. The Board is interested in reviewing Ms. Riggin's documentation. The Board discussed amending her order to include: (1) a list of additional days she failed to call in; (2) An extension of her probation for 1 year; and a requirement that she continue in therapy.

#4. James Gibson is not in compliance with his stipulation. He is not compliant because he missed 9 check-ins since October 2012 and one was a test. He has had 3 negative results and one dilute. He submitted verification of 12 step attendance for October, November and December. He attends 12 step groups twice per month. He has not submitted supervisor report forms indicating he is not working in the field since June 2012. The Board needs to consider penalties for non-compliance.

Discussion:

The Board discussed possible penalties for Mr. Gibson's non-compliance. The Board wants a commitment from him to either surrender his license or get serious about his probation and get back into compliance.

#5. Gretchen Gibson is in compliance with her stipulation. She submitted 12 step attendance documentation on Affinity, she is attending support groups at least twice a month, and is logging these into the Affinity program. Her supervisor submitted 3 positive supervisor reports. The Board may consider moving her to quarterly supervisor reports.

#6. Charmele Nish is not in compliance with her stipulation. After being contacted by Ms. Higgs, she submitted supervisor evaluations for November, December and January. She has not submitted her therapy report for January 2013.

Discussion:

The Board noted that she is out of compliance with her stipulation every other Board meeting and her stipulation was amended once, extending her probation one year. She works at Intermountain Substance Abuse. She has been on probation for three years now. She has been out of compliance multiple times in the past. The Board discussed suspension for a year to allow her to get help in therapy. She may request that the Board review her status in six months.

#7. William Collins is a new probationer. His charges include a criminal history to include;

1. 2/07, pled guilty to public urination, class C misdemeanor,
2. 10/07 pled guilty to intoxication, Class C misdemeanor,
3. 10/08 pled guilty to DUI, reduced to reckless-alcohol/drug related a Class B misdemeanor,
4. 12/08 pled guilty to intoxication, Class C misdemeanor,
5. 11/09 pled guilty to possession with intent to distribute a CS, Class A misdemeanor, and pled guilty to driving under the influence of alcohol/drugs, Class B misdemeanor.

He fixed the inappropriate information on his application and was issued his SUDC license on

December 28, 2012. He submitted his probation plan and is waiting to receive the probation packet in the mail to sign up with the Affinity program.

APPOINTMENTS:

Mr. Ramone Christian, probation interview

Mr. Christian met with the Board. Mr. Christian's interview was conducted via the telephone. Mr. Prazza conducted the interview. Mr. Christian stated he is doing well. He is content with life and moving forward. He meets with his supervisor every week and submitted 3 supervisor reports. Mr. Christian stated that he discusses clients and how he is doing in his learning and growing with his supervisor. The Board noted that his supervisor reports are positive. Mr. Christian asked if he could be removed from probation and/or if his UAs could be reduced. He is testing every 3 or 4 weeks. The Board advised him that the Board may decrease the frequency of his UAs; however, probationers are not usually removed from UAs at this stage of their probation. Ms. Hare motioned to move Mr. Christian's reports to quarterly, seconded by Mr. Prazza. The motion carried unanimously. Ms. Higgs stated that his reports are due on the 10th of the month, prior to his meeting with the Board. The Board asked to see Mr. Christian in person on April 24, 2013. **Mr. Christian is in compliance with his stipulation.**

Ms. Catherine Cartisano, probation interview

Ms. Cartisano met with the Board. Ms. Buhler conducted the interview. Ms. Cartisano stated things are going well. She anticipates graduating next year and will then apply a master's level license. The Board noted that she submitted her 12 step attendance through January 10, 2013. In addition, she has only missed 3 check-ins since she started her probation. All UAs have been negative. The Board advised her that her last missed call in was June 2012. The Board noted that she submitted her supervisor reports and these were positive. Ms. Cartisano stated that she continues working at First Step House. She works at First Step House full-time and works 6 hours a week at CLD3. The Board noted that her probation is due to end in September 2013. The Board will meet again in April and the Board would consider a request for early termination of her probation. She must submit a written request and a letter from her supervisor

supporting this proposal. The Board asked to see Ms. Cartisano on April 24, 2013. **Ms. Cartisano is in compliance with her stipulation.**

Ms. Lilia January Riggin, probation interview

Ms. Riggin met with the Board. Dr. Sheppard conducted the interview. Ms. Riggin stated that since October things have been frustrating for her because of the last report her supervisor sent DOPL. Ms. Riggin stated she does not want to sign the new stipulation with the Board because she felt like her supervisor's report was fraudulent. Ms. Riggin stated she made an appointment with the CEO of Davis Behavioral Health and she is considering legal action. Ms. Riggin advised the Board that there has never been any documentation regarding the concerns in her supervisors report to the Board. Every report has indicated that she is a good counselor. Ms. Riggin advised the Board that she is struggling with calling in for UAs. This is an area she struggles with and she will continue working on it. Ms. Riggin stated that she has worked hard these last 6 years to stay clean. She has been on probation with DOPL for 2 years and on criminal probation since she was 13 years old. Ms. Riggin stated she feels her supervisor got her revenge with the poor supervisor report. Ms. Riggin feels like her character was slandered, her self-esteem has been affected, and she has fears of getting back into the field. The Board noted that things for Ms. Riggin snowballed since a client overdosed last summer. The Board recommended that she have the CEO submit a letter to DOPL regarding her issues with DBH. The Board will take it under consideration. The Board encouraged Ms. Riggin to do the following:

#1. Resolve the allegations.

#2. When a client overdoses, the Board strongly recommends high levels of self care and healing on her part. There is still a lot of turmoil Ms. Riggin continues to struggle with.

#3. Continue working on self-improvement and psychological growth.

The Board is advised Ms. Riggin that the Board is concerned she may relapse and strongly encouraged her to get into therapy. She may want to check with the Utah State Office of Vocational Rehabilitation for financial help with therapy.

#4. Needs to fix not calling the drug screen line.

Mr. Felt proposed to amend her order to add an additional year to her probation, making her probation end February 2014. Mr. Felt also recommended that she obtain individual therapy. The motion was seconded by Dr. Sheppard and carried unanimously. The Board noted that her supervisor and therapist needs to be pre-approved. The Board asked to see Ms. Riggin on April 24, 2013. **Ms. Riggin is not in compliance with her stipulation because she failed to submit her reports and she failed to check-in.**

Mr. James Gibson, probation interview

Mr. Gibson met with the Board. Mr. Prazza conducted the interview. Mr. Gibson stated he is doing well. Since he last met with the Board, he has been putting a lot of thought into what he wants to do with his career. He decided to pursue his career with his company and wants to surrender his license. Mr. Oborn stated he will prepare an order to surrender and send it to him to sign. Mr. Oborn advised Mr. Gibson that he will be able to reapply for 5 years. The order will show it is a voluntary disciplinary surrender.

Ms. Gretchen Gibson, probation interview

Ms. Gibson met with the Board. Ms. Hare conducted the interview. Ms. Gibson stated that things are going well. She is working at new Roads Treatment Center and was made the Director of Vocational Services program. This program is for transitional clients or scholarship clients. The Board noted that her drug screens have been negative. Ms. Gibson stated she attends 2 support group meetings a month. Ms. Hare motioned to move Ms. Gibson's reports to quarterly, seconded by Dr. Sheppard. The motion carried unanimously. The Board asked to see Ms. Gibson on April 24, 2013. **Ms. Gibson is in compliance with her stipulation.**

Ms. Charmele Nish, probation interview

Ms. Nish and her attorney, Ms. Janet Jensen, met with Board. Mr. Felt conducted the interview. The Board advised Ms. Nish that she is not in compliance with her stipulation. Ms. Higgs had to call her for her supervisor reports and the Division has not received her therapist reports. The Board noted that she has been out of compliance for 5 of the last 9 meetings with the Board. The Board advised Ms. Nish that she failed to submit her psychological evaluation on time

and she failed to complete her CE hours on time. The Board encouraged Ms. Nish to read her order to see when she needs to have information submitted to the Board. The Board noted that Ms. Nish struggles with staying in compliance with her stipulation. Every other time she meets with the Board she is not in compliance with her stipulation. The Board expressed concern for a professional who is licensed to take care of clients, but who shows a lack of initiative or following through. The Board noted that due to non-compliance in the past, she was given a chance to continue on probation and one year was added to her probation term. The Board stated that her pattern of non-compliance is surfacing again. Dr. Sheppard motioned to suspend Ms. Nish's license for one year with option to reinstate in six months. She will still need to submit monthly therapy reports. The motion was seconded by Mr. Prazza and was carried unanimously.

Mr. Oborn advised Ms. Nish that if she does not sign the stipulation, the Division will move forward to propose revocation of her license. The Board encouraged Ms. Nish to contact the Utah State Office of Vocational Rehabilitation for financial assistance with a counselor. The Board advised Ms. Nish that once her suspension is lifted she would meet with the Board and submit documentation of improvement and compliance with her stipulation.

Mr. Tyson Dixon, applicant for CSUDC-I license

Discussion:

Mr. Oborn advised the Board that the Board needs to decide if Mr. Dixon's license should be issued and placed on probation or issued without restrictions. The Board reviewed the application and letter to the Board submitted by Mr. Dixon. Mr. Dixon's letter stated that it has been over 4 years since he last used drugs and his criminal charges have been over 6 years ago. He is working at Renaissance Ranch and he continues to attend recovery groups.

Mr. Dixon met with the Board. Mr. Dixon's interview was held via telephone. Mr. Dixon stated he had been working with the LDS 12 step program. Mr. Dixon stated he feels his license should not be placed on probation. He feels he is a completely different person

from who he used to be. His character was the criminal type of mentality. Mr. Dixon stated that going through the 12 step process, he has seen the values of honesty and humility. He has kept his disease in remission. Mr. Dixon stated his criminal history charges are due to the theft he did to support his drug addiction. The addiction overrides the ability to make rational decisions. His recovery is a continuation of working the steps and admitting to himself he is powerless over chemicals. They will make his life unmanageable. Mr. Dixon stated he continues to make amends where he can. He serves because he needs to maintain what he has gained. He attends AA 4 to 6 times a month. He is now attending the LDS addiction meetings and serves as a facilitator. Dr. Sheppard motioned to approve license without restrictions, because of his recovery time, the type of offenses and the time passed since his criminal charges. The motion was seconded by Ms. Hare and carried unanimously.

Informal notice of agency action regarding Julie M. Murdock.

The Board reviewed the informal notice of agency action regarding Julie Murdock, CSUDC Intern. Mr. Oborn noted that this order establishes the basis for the Division to revoke her license. She has not been in compliance with her stipulation with the Board. The Division is asking the Board to consider making a recommendation to support the Division's decision to revoke Ms. Murdock's license. She was given the opportunity to surrender her license but she never signed the order. Dr. Sheppard motioned to move forward with revocation of Ms. Murdock's, seconded by Ms. Fritz. The motion carried unanimously.

William Collins, new probation interview

Mr. Collins met with the Board. His interview was conducted via telephone. The Board introduced itself to Mr. Collins. The Board advised Mr. Collins he would meet with the Board regularly. The Board's intent is to keep the public safe but also to help the probationer succeed in their probation. Mr. Collins stated he works as Discovery Ranch in Mapleton. He is assigned to the girl's house as a mentor/role model. He has been there almost a year. They have a small substance abuse program and a counselor is there already. He sent out resumes to substance abuse treatment centers. The Board advised Mr. Collins that

he will need to:

1. Get his supervisor approved by the Board.
2. Submit supervisor reports monthly.
3. Meet with the Board every Board meeting.
4. Do random drug testing
5. Continue sending in reports stating he is not working in the field.

The Board will review his probation plan, once he is working in the field and is working off his probation time. Mr. Collins stated he attends support meetings 2 times a week and meets with his sponsor regularly. He was in therapy for 2 years and has developed a good support system with his family and friends. The Board asked to see Mr. Collins April 24, 2013.

Mr. Collins is in compliance with his stipulation.

DISCUSSION ITEMS:

1. Update on H.B.56: Behavioral Health Care Workforce Amendments

The Board reviewed HB 56 Behavioral Health Care Workforce Amendments and HB 244, Mental health Professional practice Act. Mr. Oborn stated these bills are currently being considered by the Utah Legislature.

2. Differences between how MOUs and Stipulation and Orders are reflected on DOPL website.

The Board tabled this discussion until the Board meeting April 24, 2013.

3. Confirm 2013 Board meeting dates

Mr. Prazza will not be able to attend the April 24, 2013 Board meeting.

CORRESPONDENCE:

None at this time.

Next Board Meeting:

2013 Board meetings have been tentatively scheduled
April 24, July 31, October 23

ADJOURN:

The meeting adjourned: 1:20 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 24, 2013
Date Approved

(ss) Santiago Cortez
Chairperson, Utah Substance Use Disorder Counselor Board

April 24, 2013
Date Approved

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

Professional Licensing