

MINUTES

**UTAH
SUBSTANCE ABUSE COUNSELOR
LICENSING BOARD MEETING**

April 24, 2013

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

CONVENED: 9:07 A.M.

ADJOURNED: 12:51 P.M.

**Bureau Manager:
Board Secretary:**

Richard J. Oborn
Lee Avery

Board Members Present:

Santiago Cortez, Chairperson
Lori Buhler
Georgia Hare
Stephen R. Sheppard, Ph.D.
David Felt
Valerie Fritz
Georgia Hare

Board members absent:

Pete Prazza

DOPL Staff Present:

Susan Higgs, Compliance Specialist
Dee Thorell, DOPL Investigator

Guests:

none

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Minutes:

The Board reviewed the January 23, 2013 Board meeting minutes. Mr. Felt motioned to accept the minutes, seconded by Ms. Buhler. The motion carried unanimously.

COMPLIANCE REPORT:

Susan Higgs Compliance Specialist

#1. Ramone Christian, is in compliance with his stipulation. His drug screens are all negative with one dilute. He submitted quarterly supervisor report and attends 12 step meetings.

#2. Marshall Hardin is a new probationer.

#3. Kendelin Newton is a new probationer. She submitted a probation plan.

#4. 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.

Discussion:

The Board reviewed Ms. Gibson's history with the Board. She is requesting to have her probation with the Board terminated early. She has been clean and sober for 5 years in July. She has continuously been in compliance with the Board since she started her probation. The Board feels she has done very well and is a candidate to recommend early termination.

#5. Charmele Nish is in compliance with her stipulation. She submitted her supervisor evaluations for February, March and April. Her therapy reports for October, November, December, January, February and March have been submitted.

Discussion:

The Board expressed concern that her therapist took responsibility for her therapy reports not being submitted. The Board noted that Ms. Nish has a history of not accepting responsibility and hopes she now realizes the Board is serious about Ms. Nish being in compliance with her stipulation. The Board reviewed her therapy reports.

#6. Catherine Cartisano is in compliance with her stipulation. She submitted 12 step attendance through April 16, 2013 and supervisor reports for both of her employers: First Step and CLD3. She missed one check-in since her last meeting with the Board. All UA tests have been negative.

Discussion:

The Board noted that Ms. Cartisano's probation is scheduled to end September 2013. She inquired about early termination with the Board at her last meeting with the Board. She was advised to have her

supervisor and therapist submit letters supporting early termination of her probation with the Board.

Preliminary review of discussion items

Mr. Oborn reviewed the discussion items with the Board.

APPOINTMENTS:

Mr. Ramone Christian, probation interview

Mr. Christian met with the Board. Mr. Cortez conducted the interview. The Board noted that Mr. Cortez is in compliance with his stipulation. Mr. Christian stated it is his priority to keep in compliance with his stipulation. All of his UA's have been negative. His reports were moved to quarterly at the last Board meeting. Mr. Christian stated things are going okay. He continues to work at Horizon House and sometimes he feels a little overwhelmed and stressed however, mostly he feels good about working there. When he feels stress, he spends time with his family and talks with his co-workers. He does some IOP and some residential. Mr. Christian stated he works a part time job and they may start requiring him to travel, possibly out of the country. The Board noted how well Mr. Christian has done so far and reminded him to keep the Board informed. The Board advised Mr. Christian that because he has completed over one year of his probation he might want to request early termination. He would need to submit a letter from his supervisor supporting early termination. The Board asked to see Mr. Christian in person on July 31, 2013. As long as he is in compliance with his stipulation, the Board will interview him via telephone. **Mr. Christian is in compliance with his stipulation.**

Mr. Marshall Hardin, new probation interview

He advised Ms. Higgs this morning that he intends to surrender his license and will not be at this meeting.

Kendelin Newton, new probation interview

Ms. Newton met with the Board. The Board introduced itself to Ms. Newton. Ms. Fritz conducted the interview. Mr. Santiago reviewed the Board's function in assisting licensees through their probation with the Board. The Board wants to be supportive to Ms. Newton, however, if she does not stay in compliance with her stipulation, the Board's role then becomes punitive. Ms. Newton stated she has been in recovery for six years. She is not working in the SUDC field at this time. She successfully completed her probation with the electrician's Board.

Ms. Newton stated she was prosecuted federally for bank fraud. Her charges were because she was using substances and that led to criminal charges. She completed the CATS program in jail and worked at STEPS as a psyc. tech. She is careful to not involve herself with her clients and limits what she divulges to them. She turns to friends and attendance meetings for support. The Board asked to see Ms. Newton July 31, 2013. **Ms. Newton is in compliance with her stipulation.**

Ms. Gretchen Gibson, probation interview

Ms. Gibson met with the Board. Ms. Hare conducted the interview. Ms. Gibson stated she is doing okay. She is going through finals at college, and is feeling a little stressed, but she is working through it. She is working on her bachelors in psychology. Her goal is to obtain her LCSW license. Ms. Gibson stated she continues to attend 12 step meetings, NA and firelight meetings. Ms. Gibson works at New Roads Treatment Center and part time at The Body Shop. Ms. Gibson has been sober and clean for 5 years. She is requesting early termination. The Board noted that Ms. Gibson did a good job on probation. She consistently met the requirements of her stipulation. The Board expressed its appreciation for her hard work and progress. Ms. Hare motioned to recommend early termination of Ms. Gibson's probation with the Board. The motion was seconded by Mr. Felt and carried unanimously.

Ms. Charmele Nish, probation interview

Ms. Nish met with Board. Mr. Felt conducted the interview. The Board noted that she is in compliance with her stipulation. Ms. Nish stated she continues to see her therapist twice a month and feels she is making progress. The Board advised Ms. Nish that her evaluations have been submitted to the Division. Ms. Nish noted that she plans to obtain a copy of her therapy report and bring it with her to her meetings with the Board. Ms. Nish stated there were no changes in her employment. She is receiving positive feedback from her employer, however, she is still looking for full time work in the field. The Board advised Ms. Nish that she has a consistent pattern of being in compliance with her stipulation every other time she meets with the Board. This is the one time she is in compliance and encourages her to continue being in compliance and have the good reports from

her supervisor. The Board encouraged Ms. Nish to review her stipulation to ensure she is meeting all requirements. The Board advised Ms. Nish that she needs to stay in compliance with her stipulation. The Board asked to see Ms. Nish on July 31, 2013.

Ms. Nish is in compliance with her probation.

Ms. Catherine Cartisano, probation interview

Ms. Cartisano met with the Board. Ms. Buhler conducted the interview. Ms. Cartisano stated things are going well. She has one more final and she is done for the semester. She will be done with classes in the spring and will then do her practicum. Ms. Cartisano stated she works at First Step House full time and at CID3 part time. The Board noted that Ms. Cartisano had one missed call on April 1, 2013, however, all UA's are negative. Her 12 step attendance record has been submitted. Ms. Cartisano's probation is due to end September 2013. The Board encouraged her to submit a letter requesting early termination, and letters from supervisors supporting early release. The Board asked to see Ms. Cartisano on July 31, 2013. **Ms. Cartisano is in compliance with her stipulation.**

DISCUSSION ITEMS:

1. Investigation report

Ms. Thorell reviewed the statistics and investigation report with the Board.

2. Review of changes to Open and Public Meetings Act under S.B. 77: Availability of Government Information

Mr. Oborn reviewed the changes to the Open and Public Meetings Act under S.B.77.

3. Consideration of rule amendments prompted by bills passed during 2013 General Legislative Session

Mr. Oborn reviewed a summary of H.B.56 – Behavioral Healthcare Workforce Amendments. These become effective May 14, 2013.

The Board reviewed proposed language to update R16-60, Mental Health Professional Practice Act Rule. Mr. Felt motioned to accept the proposal, with a request that the Division look at making the language simpler, seconded by Ms. Fritz. The motion carried unanimously.

Mr. Felt motioned to accept the language as proposed, seconded by Ms. Fritz. The motion carried unanimously.

4. Upcoming Board vacancy and request for nominations for replacement

Mr. Oborn advised the Board that Ms. Hare will complete her term on the Board June 30, 2013. She has completed eight years on the Board. Mr. Oborn noted that if her replacement appointment has not been made by the July meeting, she may be requested to come back to that meeting. The Board discussed having this vacancy filled by someone who lives in southern Utah.

5. Joanie Jones, SUDC, disciplinary surrender of license

Mr. Oborn advised the Board that Ms. Jones surrendered both her SUDC and ACMHC licenses. She cannot reapply for five years.

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

Mr. Oborn reviewed handouts regarding the difference between MOU and Stipulation orders are reflected on the DOPL website. Mr. Oborn noted that an MOU is for an individual whose license was placed on probation, before the license was issued, i.e.; previous criminal history, license is on probation with another Board or in another state. A Stipulation is issued to an individual whose license was placed on probation because of violations they committed after their license was issued. The Board expressed concern that these are both represented the same on the DOPL website. Mr. Felt motioned the Division consider making the difference more recognizable on the website, seconded by Dr. Sheppard. The motion carried unanimously. The Board feels there is a stigma keeping this information on the website indefinitely.

7. Confirm 2013 Board meeting dates and location of July meeting

Mr. Oborn advised the Board that in June and July DOPL is being remodeled. The conference rooms will be filled with employees working. If the remodeling is not completed by July 31, the Board may need to meet off site. Mr. Felt was able to schedule a conference room for the July Board meeting, if needed.

8. Identification of agenda items to place on next meeting's agenda

1. Rule hearing

Next Board Meeting:

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

ADJOURN:

The meeting adjourned: 12:51 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.

Date Approved

(ss) _____
Chairperson, Utah Substance Use Disorder Counselor Board

Date Approved

(ss) _____
Bureau Manager, Division of Occupational & Professional Licensing

Waiting formal approval