

MINUTES

**UTAH
Clinical Mental Health Counselor Licensing Board
MEETING**

December 18, 2012

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

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, via phone
Jerri Sena
Rodger Bischoff

Board Members Absent:

Dee Zarkos

Guests:

Jessie Howes, Argosy Univ.
Renate Turcotte, Univ. of Phoenix
Jason Wagoner, Univ. of Phoenix
Krista Petersen, Univ. of Phoenix
Sam Worthen, Univ. of Phoenix
Robin Fassett, Argosy Univ.
Annie Puehar, Univ. of Phoenix
Brian Curtis, Univ. of Phoenix
Sherstin Fife, Univ. of Phoenix

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The Board reviewed the minutes dated October 15, 2012. Mr. Bischoff 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 failed to submit his October supervisor report. He submitted the October and November supervisor report.

Discussion:

The Board reviewed Mr. Hood's stipulation with the Board and reviewed information submitted to Mr. Oborn.

#2. Mr. John Washington is in compliance with his stipulation. The Board needs to review his therapy report and his supervisor reports for September and December. He is planning on retaking his exams in February 2013.

Discussion

The Board noted that his license expires in February 2013. His license might not be able to be extended due to the length of time that has passed since he obtained his license.

#3. Ms. Jodi Hildebrandt is in compliance with her stipulation. The Board needs to review her October and November supervisor reports. The Board needs to review any proposed CEs. She needs to have these completed by January 1, 2013.

Discussion:

The Board discussed Ms. Hildebrandt completing the AMHCA CE course, noting that this course deals with her boundary violations. This was a webinar that was held the week of December 10, 2012. She still needs to complete her essay.

#4. Ms. Helen Johnson, first probation interview. The Board needs to review her probation plan, supervisor report dated 11/26/12, proposed supervisor CV and Certification of Notification of MOU.

Discussion:

The Board reviewed Ms. Johnson's violations to include the following: failure to maintain confidentiality of a client; provided what appeared to be a diagnosis of an individual without having a therapeutic relationship with them; authored letters that included information obtained from a third party; conflict of interest when she authored a letter containing recommendations for custody and visitation arrangements for a client; inaccurate recordkeeping; and failure to contact DCFS when she determined a child was in danger.

The Board noted that her supervisor had been disciplined by the Board and her license was reinstated with full privileges on March 16, 2010. The Board would prefer she propose other names for her supervision. The Board also reviewed a proposed CE course.

#5. Mr. Robert Crozier, first probation interview. The Board met with him at the October meeting. The Board reviewed his violations noting that he is certified and employed by Utah Department of Corrections (UDC) as a correctional officer since June 1992. He later became certified as a law enforcement officer. In October 2007, he resigned from UDC after admitting to: use of state computer to search sexually oriented internet chat sights; sex with married female in office after business hours (not co-worker or inmate); sex with another female in office after business hours (not co-worker or inmate). In March 2008, his Peace Officer Certification was suspended for 4 years.

Discussion:

He completed his schooling and received favorable reports from his supervisor. He is currently not working in the field and does not need to meet with the Board until he gains employment in the field.

APPOINTMENTS:

Gregory Hood, probation interview

Mr. Hood met with the Board. Mr. King conducted the interview. Mr. Hood stated he finished the ethics course that was approved by the Board. This course was approximately 10 hours. It is a doctorate level program. He advised the Board that he learned the need for paying close attention to detail, maintaining confidentiality, and maintaining appropriate boundaries with clients. The Board reviewed his revised essay and noted that he personalized it more. Mr. Hood advised the Board that he frequently meets with associates in a support system. His financial arrangement with Dr. Ferro is going well. They have established boundaries he is being careful not to cross. Mr. Hood stated he faxed the October report earlier today. The Board reviewed the supervision section of his stipulation, noting that his supervisor reports are

due monthly for 6 months, or until the Board determines otherwise. At this time, the Board wants his reports submitted monthly. Mr. Hood stated he took an advanced abnormal psychology course required by the Texas Board and would like to count this course toward meeting the CE requirement with his stipulation. Mr. Oborn advised Mr. Hood that the rule indicates there is a limit of 10 hours for clinical or distance learning and he could use up to 10 hours for his Utah CE requirement. The Board advised Mr. Hood that he cannot double dip CE hours, i.e., CE hours required in his stipulation are separate from the CE hours required for renewal of his Utah license. Mr. Bischoff motioned to approve the second essay submitted by Mr. Hood, seconded by Ms. Sena. The motion carried unanimously.

Ms. Sena motioned to close the Board meeting at 10:30 A.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Baxter. The motion carried unanimously. The Board meeting opened at 10:48 A.M. The Board is requesting that monthly supervisor reports continue at this time. The Board asked to see Mr. Hood on March 19, 2013. The Board will wait to see how things work out in the courts to determine if this meeting is to be held physically or telephonic. **Mr. Hood is not in compliance with his stipulation because the Board did not receive his October supervisor report and due to the pending criminal charges.**

John Washington, probation interview

Mr. Washington met with the Board for his probation interview. Ms. Sena conducted the interview. Mr. Washington advised the Board that his wife had some health issues; however, she is doing better now. He took the CMHC exam and failed by 4 points. He also failed the NCE exam. He plans to retake both exams as soon as possible. Mr. Washington stated he has not completed the 4,000 supervised hours yet because he continues working part time. Mr. Washington was advised to submit a written request to Mr. Oborn for an extension of his associate license approximately 30 days before it expires. The Board reminded Mr. Washington that he needs to ensure his supervisor is submitting his reports to the Division on time because this reflects on Mr. Washington's compliance with his

order. The Board asked to see Mr. Washington on March 19, 2013. **Mr. Washington is in compliance with his stipulation.**

Jodi Hildebrandt, new probation interview

Ms. Hildebrandt met with the Board. Mr. King conducted the interview. Ms. Hildebrandt expressed concern regarding the students in attendance at this Board meeting. She was advised that the Board meetings are open to the public. She may request her interview with the Board be closed to discuss the character, professional competence, or physical or mental health of an individual. Ms. Hildebrandt stated she was okay with the meeting remaining open at this time. Ms. Hildebrandt noted that currently a former client and the inability to protect herself and her family from him stalking her is the biggest stress in her life. She believes that confidentiality laws prohibit her from identifying him to legal authorities at this time. She continues to be concerned about herself and her family's safety because she believes that she is still being stalked. She believes that he has been to her home 2 times since her meeting with the Board in September. Ms. Hildebrandt stated she continues working with law enforcement for assistance in this matter. Currently her local police department has 18 calls from her regarding the stalking and vandalisms. She attended 2 ethics courses and talked with the instructors regarding the stalking. They gave her the same feedback as the association lawyers and Board. One of the instructors stated he would research this further to see how other mental health therapists in other states handle this. Ms. Hildebrandt stated she regularly consults with her supervisor. They review her cases. The Board reminded Ms. Hildebrandt that when she is called into court, she should only share how a client is doing in treatment and if the court wants a recommendation, she should refer them to a mental health professional, licensed to provide custody evaluations. To do anything further would be a conflict of interest. The Board also advised Ms. Hildebrandt that it is appropriate for her to request a court order before responding to an attorney's request for client information. Ms. Hildebrandt stated that she manages her stress by exercising, looking to friends for support and talking with seasoned therapists. Ms. Hildebrandt stated she took a vacation out of state and

found this very helpful. The Board noted that her supervisor reports are positive. Ms. Hildebrandt gave the Board a certificate showing she completed a continuing education course and will provide the Board with another one when she is able to get it printed. The Board encouraged Ms. Hildebrandt to review the Mental Health Practice Act, Exemptions for Confidentiality, 58-60-114 (2)(a)(i) reporting under Title 62A, Chapter 3, Part 3, Abuse, Neglect, or Exploitation of a Vulnerable Adult to see if her circumstances would fall under this category, and to consult with her liability provider attorney. The Board asked to see Ms. Hildebrandt on March 19, 2013. **Ms. Hildebrandt is in compliance with her stipulation.**

Helen Johnson, first probation interview

Ms. Johnson met with and was introduced to the Board. Mr. Bischoff conducted the interview. Ms. Johnson reviewed the violations that brought her before the Board. The Board encouraged her to read the AMHCA Code of Ethics, specifically pages 11 and 12. The Board noted that these are good guidelines for all mental health therapists. Ms. Johnson stated that her proposed supervisor has a private office. Ms. Johnson stated that she knew her supervisor's license had been on probation with the Board; however, she feels she can learn a lot from this supervisor. They have reviewed some of her letters to the court and Ms. Helquist, the proposed supervisor, has given her good feedback on them. Ms. Johnson stated her supervisor, Ms. Helquist, is a colleague, not a friend. They know each other in passing only because they worked in the same office and attended a couple of the same training classes. Ms. Johnson stated she looked at others for supervision and Ms. Helquist was willing to supervise her. They talk via skype and over the phone. Ms. Helquist has reviewed her stipulation.

Mr. King motioned to have Ms. Helquist submit a letter to the Board to address the following:

1. Her understanding of the violations committed by Ms. Johnson;
2. How she can help Ms. Johnson gain understanding and insight regarding those violations;
3. Proper diagnostic procedures;
4. Letters Ms. Johnson writes to the courts;
5. When to report danger to CPS; and

6. Detail what her competencies are in these areas and how she can help Ms. Johnson.

The Board may approve the supervision contingent upon receipt and review of the letter. The motion was seconded by Mr. Bischoff and carried unanimously. The Board reviewed continuing education courses proposed by Ms. Johnson. One is a webinar for 4 hours, "Avoid Ethical and Legal Pitfalls" by Bob Stinson. One talks about forensics. Ms. Sena motioned to approve both CE courses, second by Mr. Bischoff. The motion carried unanimously. The Board advised Ms. Johnson that her probation plan is approved by the Board. The Board asked to see Ms. Johnson on March 19, 2013. **Ms. Johnson is in compliance with her stipulation.**

Robert Crozier, first probation interview

Mr. Crozier was introduced to the Board. Mr. Bischoff conducted the interview. Mr. Crozier stated that he quit his job because the work environment became hostile. He has submitted several applications for employment and received some interviews. He continues to attend therapy and keeps busy with his family and school. Mr. Crozier stated he sees a therapist for sexual addiction and he and his wife go to counseling. Mr. Crozier noted that his therapist helped him develop a safety plan. He discusses things that can get him into trouble and how to avoid them. He sees his therapist 3 or 4 times a week and attends support groups. Mr. Crozier received his master's degree from University of Phoenix and is attending Waldon University for his doctorate in health psychology. The Board stated Mr. Crozier does not have to do therapy, complete additional continuing education, or an essay at this time. The Board will require it if he is out of compliance with his stipulation. The Board advised Mr. Crozier that he will need to submit supervision reports once he starts working in the field. The Board wants him to submit reports quarterly stating he is not working. The next one due is March 1, 2013. The Board asked to see Mr. Crozier on March 19, 2013. **Mr. Crozier is in compliance with his stipulation.**

DISCUSSION ITEMS:

1. Review of amendments to Clinical Mental Health Counselor Licensing Act Rule and

Mr. Oborn reviewed amendments to Clinical Mental Health Counselor Licensing Act Rule and Mental

Mental Health Professional Practice Act Rule that became effective on Nov. 13, 2012

Health Professional Practice Act Rule that became effective on November 13, 2012 with the Board. Mr. Oborn stated that the extern license is issued for 3 years. This license cannot be renewed or extended. If the licensee fails to complete their education during this time, they cannot continue working until they complete the education and submit the application for the associate license. Mr. Oborn noted that the other rule change related to clarifying the definition of an employee in the Mental Health Professional Practice Act Rule.

2. Update on possible legislation to amend Mental Health Professional Practice Act regarding remote supervision and remote therapy

The Board reviewed a handout regarding the update on possible legislation to amend the Mental Health Professional Practice Act regarding remote supervision and remote therapy. Mr. Oborn noted that this proposal will also update the Psychology Practice Act.

3. Report from Mr. Bischoff regarding NBCC Annual Meeting

Taken out of order on the agenda:

Mr. Bischoff reviewed the topics discussed at the NBCC Annual meeting including:

1. Ethics
2. Counseling on the internet
3. Contacting NBCC for assistance
4. Working with medicare for reimbursement
5. Serving military families
6. Social media

At the meeting, Mr. Bischoof did a lot of networking with other state representatives.

4. Board survey of online disciplinary documents

Mr. Oborn reviewed the letter to the Board regarding the Board Survey of Online Disciplinary Documents, from DOPL Director Mark Steinagel.

Ms. Baxter motioned to recommend option #1: We believe disciplinary documents posted on DOPL's website should only be found through a search someone performs within DOPL's website. General internet searches should not be allowed to display or embed disciplinary documents as a search result. The motion was seconded by Ms. Sena and carried unanimously.

5. Identification of agenda items for next meeting

1. Rule change possibility of increasing online CE from 6 hours to 10 hours.

3. Remote therapy law changes; and
4. Discussion about possible future phasing in of CACREP education requirement for all new clinical mental health counselors.

6. Scheduling of 2013 Board meetings

The Board will review this at the March 2013 Board meeting.

BOARD MEETINGS:

The next Board meeting is March 19, 2013

2013 Board meetings have been scheduled:

March 19, June 18, September 17, December 31

Motion to adjourn at 1:43 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.

March 19, 2013
Date Approved

(ss) Jason King, Ph.D
Chairperson, Utah Professional Counselor Licensing Board

March 19, 2013
Date Approved

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