

**MINUTES**

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

**October 9, 2013**

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

**CONVENED:** 9:03 A.M.

**ADJOURNED:** 3:45 P.M.

**Bureau Manager:  
Board Secretary:**

Richard J. Oborn  
Lee Avery

**Board Members Present:**

Ruth A. Baxter, Vice Chairperson  
Travis Manning  
Jerri Sena

**Board Members Excused:**

Jason H. King, Ph.D., Chairperson  
Rodger Bischoff

**DOPL Staff**

Susan Higgs, Compliance Specialist

**Guests:**

Grant Protzman

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

**Swear in new Board member, Travis Manning**

Mr. Travis Manning was sworn in as the new Board member. Mr. Manning introduced himself to the Board.

**MINUTES:**

The Board reviewed the minutes dated July 10, 2013. Ms. Sena made a motion to approve the minutes. The motion was seconded by Ms. Baxter and carried unanimously.

**Compliance Report:**

1. Ms. Helen Johnson is in compliance with her stipulation. She submitted her supervisor's report for September. Her supervision was moved to monthly and supervisor reports were moved to quarterly at the last Board meeting.

2. Mr. John Washington is in compliance with his stipulation. He submitted his supervisor and therapy report for October.

3. Mr. Robert Crozier is not in compliance with his stipulation. He submitted a supervisor report for March, April and May as instructed during the July 10, 2013 Board meeting. He has not submitted four supervisor reports from Barbara Willobee and one supervisor report from Kent Nabers. The Board may want to consider a penalty for not being in compliance with his stipulation.

**Discussion:**

The Board would like his supervisor to include more information in the supervisor reports. His only supervisor now is Kent Nabers.

4. Ms. Jennifer Spangler is in compliance with her stipulation. She submitted her revised essay and the July, August and September supervisor reports.

5. Ms. Linda Protzman is a new probationer. She submitted supervisor reports for July, August, and September. She submitted her essay. The Board approved her probation plan, supervisor and proposed CEs at the last Board meeting. She submitted certificates for the CEs.

6. Mr. Lane Porter is a new probationer. He submitted his probation plan, essay regarding illegal acts and a resume for proposed supervisor, Diana Handy, CMHC. He submitted information regarding prescribing MD, designated pharmacy, etc.

**Discussion:**

The Board reviewed Mr. Porter's stipulation. He has an evaluation completed with Dr. Mike Dusoe; however, the evaluation results have not been received yet. He is opening a rehabilitation facility. The Board wants more information regarding the facility, how his supervision is set up. The Department of Human Services is aware that his license is on probation.

7. Mr. Gregory Hood is in compliance with his stipulation. He submitted supervisor reports for July, August and September. He entered into a plea in abeyance.

**Discussion:**

Mr. Oborn reviewed the Notice of Agency Action and Order to Show Cause packet with the Board.

**APPOINTMENTS:**

Helen Johnson, probation interview

Ms. Johnson's interview was via telephone and Ms. Baxter conducted the interview. The Board called Ms. Johnson at 10:20 am. Ms. Johnson stated she is doing well. She is working 40 hours a week and she meets with Ms. Helquist once a month. They review the letters she writes and she calls her supervisor more frequently when needed. She is working more with adults and is moving away from working with divorced families. Ms. Johnson stated Ms. Helquist picks the cases they review. The Board noted her supervisor reports are positive. Ms. Johnson stated she has a good support system established to help with the stresses in life. She takes care of herself through getting massages and she is part of an ATV group. In her private practice, she meets with approximately 25 to 30 clients a week for about 50 to 55 minutes a session. The Board noted that Ms. Johnson has completed one year of her three-year probation and she has consistently been in compliance with her stipulation. Ms. Johnson was advised that her appointment for the next Board meeting will be at 10:00 am. The Board asked to see Ms. Johnson on December 11, 2013. **Ms. Johnson is in compliance with her stipulation.**

John Washington, probation interview

Mr. Washington met with the Board. Ms. Baxter conducted the interview. Mr. Washington stated he is doing well. Things at work are picking up. He is now working about forty hours a week. He would like to work ten to fifteen hours a week. He has group meetings two times a week in education and anger management classes, domestic violence, substance abuse, and Prime for Life classes. He continues to attend SA groups two times a week. The Board noted his supervisor and therapy reports are positive. Mr. Washington stated he continues to study for the exams. The Board advised Mr. Washington that the

Board is pleased with his progress and the direction he is headed. The Board asked to see Mr. Washington on December 11, 2013. **Mr. Washington is in compliance with his stipulation.**

Robert Crozier, probation interview

Mr. Crozier met with the Board. Ms. Sena conducted the interview. Mr. Crozier stated he is doing well. He continues working at Mountain West Psychology and he is going to school. He enjoys working with the geriatric population. He is trying to work more with Alzheimer's and Dementia patients. The Board advised Mr. Crozier that his supervisor reports have been late and the Board has not received the report for July. His reports need to be submitted to Ms. Higgs by the 20<sup>th</sup> of the month prior to his meeting with the Board. He needs to have his supervisor elaborate more in the report to include topics they talk discuss. He is attending a 12-step support group and checks in with his therapist when needed. Mr. Crozier stated he had some thoughts of relapse; however, he was able to control them. He is attending a doctorate program at Walden University in health psychology. This program is online. Mr. Crozier stated he is working an average of forty hours a week. His supervisor reviews his notes; however, his supervisor has not sat in on his sessions since the beginning of his probation. The Board advised Mr. Crozier that his stipulation indicates his supervisor needs to sit in on at least two sessions a month. With the client's consent, he could also record these sessions and review the recordings with his supervisor. He would need to make sure the audio is destroyed afterwards. His supervisor not monitoring his sessions since April makes him out of compliance with his stipulation and he needs to correct this as soon as possible. Mr. Crozier will need to propose another supervisor if his current supervisor is unable to meet this requirement. The Board advised Mr. Crozier he will need to have his supervisor continue submitting monthly reports. He has completed almost one year of a two-year probation and this is the first time he has been out of compliance. The Board requested he have his supervisor submit a new report for September 15 to October 15 with more current information. The Board asked to see Mr. Crozier on December 11, 2013. **Mr. Crozier is not in compliance with his stipulation because he failed to**

**have his supervisor sit in on sessions or listen to recordings at least two times a month.**

Jennifer Spangler, probation interview

Ms. Spangler met with the Board. Ms. Baxter conducted the interview. Ms. Spangler stated she is doing well. She is working to absorb the lessons learned and apply them to her practice. Ms. Spangler stated her supervision is going well. Dr. McKein has been a good resource for her. The Board advised Ms. Spangler that her supervisor reports from July to August and August to October are the same. The Board would like her to have him include how she is doing each month and the topics they discuss each month. His role is to oversee her clinical practice. The Board is looking for feedback from this observation. Ms. Baxter made a motion to move her supervisor reports to quarterly. The motion was seconded by Ms. Sena and carried unanimously. Her next report will be due by the 20<sup>th</sup> of November. The Board advised Ms. Spangler that her updated essay was very good. The Board appreciated her taking full responsibility for her actions. Ms. Sena made a motion to accept the amended essay. The motion was seconded by Ms. Baxter and carried unanimously. The Board asked to see Ms. Spangler on December 11, 2013. **Ms. Spangler is in compliance with her stipulation. If she stays in compliance with her stipulation the Board approved a phone interview for the next meeting.**

Linda Protzman, new probation interview

Ms. Protzman met with the Board. Ms. Sena conducted the interview. Ms. Protzman reviewed the violations that placed her license on probation. Ms. Protzman stated she has been terminated from employment and opened a private practice July 1, 2013. She is currently seeing between thirteen and fifteen clients a week. Ms. Protzman stated her husband helps her in the office. The Board noted that she could include in her consent form that her husband is acting as her office manager only and that personal files are secure and the office manager does not have access to them; however, the Board encouraged her to not have family members working in the office anyway. The Board noted Ms. Protzman proposed Dr. Joan Zone for her supervisor. Because she had a previous working relationship with Dr. Zone, the

Board encouraged her to propose someone else. She may want to find someone in private practice. The Board asked her to submit a name by November 20, 2013. The Board asked to see Ms. Protzman on December 11, 2013. **Ms. Protzman is in compliance with her stipulation.**

Lane Porter, new probation interview

Mr. Porter met with the Board. Ms. Sena conducted the interview. Mr. Porter advised the Board that he had a relapse in July that lasted over two weeks. He self-reported to the Board and was terminated from employment. He will start working at Renaissance Ranch soon. At 12:02 P.M., Mr. Porter requested the Board meeting be closed. Ms. Baxter made a motion to close the meeting to discuss the character, professional competence, or physical or mental health of an individual. The motion was seconded by Ms. Sena and carried unanimously. There were no written notes. A recording was not made. The Board meeting opened at 12:44 P.M. The Board encouraged Mr. Porter to consult with his supervisor and therapist regarding triggers and coping skills and submit these strategies to the Board before his next meeting in December. The Board expressed concern with Ms. Handy being his supervisor because of previous social interactions. The Board advised Mr. Porter to submit another proposed supervisor to Mr. Oborn as soon as possible for a preliminary approval. The Board asked to see Mr. Porter on December 11, 2013. **Mr. Porter is in compliance with his stipulation.**

Gregory Hood, probation interview

Mr. Hood met with the Board. Ms. Baxter conducted the interview. Mr. Hood stated that professionally he is doing well in his practice and supervision. He submitted reference letters from the director of vocational rehabilitation, Moab Free Health Clinic, the school superintendent, and the Grant County School Board. They are aware of his license on probation and okay with him working with small children. The Texas Board renewed his Texas license and his Texas Insurance license was renewed. Mr. Hood reviewed the circumstances regarding the Notice of Agency Action and Order to Show Cause.

Mr. Hood stated that he missed one meeting with the Board and this was a one-time mistake. He was not

around when the Board tried to contact him via his cell phone and he did not hear it ring.

Prior to a different appointment, he sent Mr. Oborn an email message stating he was ill, and requested his interview take place via telephone. The two times the Board called him, he was out. He does not feel this should count towards non-compliance because he did email the Bureau Manager that he could not make it to the meeting due to illness.

Regarding the criminal charges, Mr. Hood stated that He did not know the bullet went through the fence and hit a car until he was advised by the Board in October. He was not minimizing the incident. He would not have withheld information from the Board. Mr. Hood noted that he does not do very much drinking.

Regarding the missing supervisor reports, Mr. Hood stated that as soon as he was notified that his reports were not received, he contacted Dr. Ferro and requested he fax them to DOPL. Dr. Ferro stated he did fax the reports and will do it again. According to Dr. Ferro, the reports had already been faxed once.

Mr. Hood also failed to comply with his order when he represented himself on a website as a LPC without holding that license in Utah. He advertised himself as an LPC when he started teaching yoga. Had he put Texas in parentheses this would not have been an issue because he holds the license in Texas. Mr. Hood stated that he sells life insurance in Texas only. His clients in Utah do not know he sells life insurance. When he was instructing yoga, he would not have provided mental health counseling or financial advice. Mr. Hood stated that he is very cautious what personal information he shares with clients. The Board advised Mr. Hood that using the titles the way he did appeared to mislead his Utah clients. In addition, there is an appearance of possible dual relationship. The Board noted that the purpose of DOPL is to promote public safety. Mr. Hood stated he understands this now and will make sure it does not happen again. Mr. Hood stated that the plea in abeyance with the court indicates he cannot consume alcohol and he has not had any alcohol since June 2013. All of his fines were

paid in full.

Mr. Oborn stated there are aggravating circumstances to consider. These include the fact that he has multiple violations and that that he has prior violations that caused him to be placed on probation.

Mr. Oborn stated that there are mitigating factors the Board may consider as well. These include the fact that his supervisor reports have been positive, his letters of support, and no prior criminal history.

Mr. Oborn stated that once the Board makes its recommendation, he will share the recommendation with the Division Director who will make a final decision.

Mr. Oborn noted that the Board may recommend that the Division take one of the following actions: (1) take no action; (2) Extend his probation term; (3) drug and alcohol testing; (4) issue a fine; (5) suspend his license until he meets the terms of the criminal probation and take further action if he fails to comply with the criminal probation; and (6) revoke his license.

The Board advised Mr. Hood that when a licensee is on probation, the Board wants to see improvement; however, Mr. Hood has engaged in behavior that make it appear that he has not improved. The Board noted that criminal offense took place while he was on probation with the Division. The Board is concerned he is brushing over it. The Board expressed concern that he has minimized his violations and made excuses. The Board reminded Mr. Hood that he holds a license and a position of responsibility as a clinician to treat people who committed similar crimes for which he was found guilty. He needs to reflect and identify when he is using a thinking error. The Board also advised Mr. Hood that if he violates the conditions of his current criminal probation, he should be willing to surrender his license. Dr. King made a motion to recommend that the Division take the following actions in regarding to Mr Hood:

1. His probation be extended for 18 months after the plea in abeyance is successfully completed.
2. He submit to random UAs.
3. A fine of \$500 to be paid by February 1, 2014.
4. If he shows a pattern of missing calls or positive or



- dilute UAs, it is a violation of his stipulation.
5. Needs to physically meet with the Board for at least the next 6 months.
  6. The Board will recommend to revoke his license immediately, if he fails court probation, or is not in compliance with his stipulation with Board.

The motion was seconded by Ms. Baxter and carried unanimously. Mr. Oborn will consult with the Division Director for his final decision. The Board asked to see Mr. Hood on December 11, 2013. **Mr. Hood is not in compliance with this stipulation.**

**DISCUSSION ITEMS:**

1. Update regarding proposed rule amendments to Mental Health Professional Practice Act Rule (Utah Admin. Code R156-60)

Mr. Oborn advised the Board that the proposed rule amendments to Mental Health Professional Practice Act Rule (Utah Admin. Code R156-60) will become effective October 22, 2013.

**BOARD MEETINGS:**

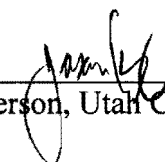
The next Board meeting December 11, 2013.

**2014 Board meetings have been scheduled:**  
March 18, June 17, September 16, December 16

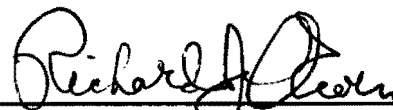
Motion to adjourn at 3:45 P.M.

*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.*

12/11/13  
Date Approved

(ss)   
Chairperson, Utah Clinical Mental Health Counselor Board

12/11/13  
Date Approved

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