

**MINUTES**

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

**December 02, 2015  
Room 475 - 4<sup>th</sup> floor – 9:00 A.M.  
Heber M. Wells Building  
Salt Lake City, UT 84111**

Rule Hearing – R156-60c Clinical Mental Health Counselor Practice Act Rule

**CONVENED:** 9:17 A.M.

**ADJOURNED:** 1:34 P.M.

**Bureau Manager:**  
**Board Secretary:**

Dane Ishihara  
Lee Avery

**Board Members Present:**

Jason H. King, Ph.D., Chairperson  
Jerri Sena  
Kenneth Roach

**Board Members Excused:**

Ruth Baxter, Vice Chairperson  
Travis Manning

**DOPL Staff:**

Sharon Bennett, Compliance Specialist  
Ron Kunzler, Attorney General Office  
Ben Baker, DOPL Investigator

**Guests:**

Uma Doran  
Julie Gardner  
Shirley Ringo  
Chad Stern

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

**MINUTES:**

The Board reviewed the minutes dated September 23, 2015. Ms. Sena made a motion to approve the minutes with changes. Mr. Roach seconded the motion. The motion carried unanimously.

The Board reviewed the minutes dated October 13, 2015. Ms. Sena made a motion to approve the

minutes with changes. Mr. Roach seconded the motion. The motion carried unanimously

The Board reviewed the minutes dated October 21, 2015. Ms. Sena made a motion to approve the minutes with changes. Mr. Roach seconded the motion. The motion carried unanimously

**Probation Report:**

Ms. Bennett, Compliance Specialist

**Ms. Bennett reviewed the probation report with the Board.**

Ms. Sandy Brooke – There was a miscommunication regarding her appointment time with the Board. Her appointment was moved to 11:30 A.M.

Ms. Julie Ann Berg – She changed jobs and has not advised the Division where she is working now. She tested positive with amphetamines. When Ms. Bennett talked with her, she stated that she is training for a 50k, and is taking a powder drinks. Ms. Bennett checked with Affinity and was advised that these drinks will frequently show drug screens positive with amphetamines.

Ms. Bonnie Warenski – The Board needs to approve her essay.

**APPOINTMENTS:**

Aaron Gardner – informal hearing

Mr. Gardner met with the Board. Mr. Kunzler, assistant attorney general, reviewed the DOPL investigative report and the Perry Police Department police report regarding Mr. Gardner with the Board. Mr. Gardner strangled his mother's dog and placed the dog in the garbage can. The next morning, he looked inside the garbage can, noticed the dog was still alive, strangled it again, and put it in a neighbor's garbage can and covered it. The neighbor contacted the police. The Division feels this is unprofessional conduct, shows a lack of or a warped sense of judgement as to handling matters related to his ability to safely, and competently practice his profession. The Division's position is this relates to his profession. The Division is requesting a recommendation regarding Mr. Gardner's license from the Board. Mr. Ishihara noted that the Board may recommend the following:

1. No additional sanctions;

2. Issue a probationary license with requirements;
3. A public reprimand with requirements, i.e. additional CEs and essay;
4. Revoke Mr. Gardner's license.

Mr. Gardner reviewed the events that led to strangling the dog. Mr. Kunzler stated the Board would need to close the meeting and deliberate, or continue with the Board meeting and deliberate after all other Board business is resolved.

The Board thanked Mr. Gardner for meeting with it.

#### Sandy Brooke, probation interview

Ms. Brooke and her attorney Mr. Steur met with the Board. Mr. Roach conducted the interview. The Board noted that this interview is a follow-up probation interview. Ms. Brooke stated that things are going well. Ms. Brooke gave the Board information regarding a CE course, New Developments in Ethics and the Law. This course is a webinar for three CEs. Mr. Roach made a motion to approve this course. Ms. Sena seconded the motion. The motion carried unanimously. The Board encouraged her to obtain six CE hours in total. Ms. Brooke needs to have her probation plan completed for the Board to review at the March 16, 2016 Board meeting. The Board asked to see Ms. Brooke March 16, 2016. **Ms. Brooke is in compliance with her stipulation.**

#### Julie Ann Berg, probation interview

Ms. Berg met with the Board. Ms. Sena conducted the interview. Ms. Berg confirmed that she is working at the same two places, Steps and the Salt Lake County Jail. She was considering leaving the jail and working only at Steps, but changed her mind. She works at the jail one day a week. Ms. Berg gave the Board the power drink she was encouraged to use to help her with her energy level while training for the 50k. Ms. Berg stated she has stopped using these products. Board asked to see Ms. Berg March 16, 2016. The Board approved a telephone meeting in March if she stays in compliance. **Ms. Berg is in compliance with her stipulation.**

#### Lyle Cottle, CMHC, public reprimand

Mr. Cottle met with the Board regarding his public reprimand. Dr. King conducted the interview. Mr. Cottle reviewed the violations that brought him before the Board. He authored a letter, written on his own letterhead and sent it to the Utah County Attorney

regarding his two granddaughters. He included a clinical recommendation. He had not established a clinical relationship with them. This is the second time he has received a public reprimand. The Board recommends that the eight hours of CEs are to be in ethics. He needs to submit proposed courses to the Division. The Division will submit them to the Board for approval. He needs to have the CEs pre-approved and completed by April 2016.

Ronald Ringo, ACMHC application review

Mr. Ringo met with the Board. The Board reviewed his application. After 30+ years, Mr. Ringo retired from the Marine Chaplain Corps where he provided counseling in all capacities to active military, veterans and their families. The Board reviewed Mr. Ringo's education and advised him that his formal education is deficient. The Board recommended he is issued an extern license for three years to complete the education requirements, including the practicum/internship.

**DISCUSSION ITEMS:**

1. Application review
2. CACREP degree needed for licensure, tabled from March and September Board meetings
3. Foreign trained applicants, education review

The Board tabled reviewing this application.

Ms. Doran met with the Board for the discussion of CACREP degree need for licensure. Dr. King advised the Board that by 2020 NBCC will be consistent across the country that only applicants who complete a CACREP accredited program will be allowed to test. There are external forces that is pushing the industry in this direction. Dr. King noted that the NBCC Conference is in March 2016 and there may be more discussion then.

The Division is starting to receive numerous applications where the applicant is foreign trained. There are agencies on the website who will translate and review the education. The Board questioned the integrity of the review and encouraged the Division to contact Tom Clawson, NBCC. They provide international training and may be able to help.

Mr. Roach motioned to close the Board meeting to discuss Mr. Gardner's Informal Hearing. Ms. Sena seconded the Motion. The motion carried unanimously. The Board meeting opened at 1:27 P.M.

Mr. Roach motioned to recommend that Mr. Gardner's license be placed on a two-year probation. With the following conditions:

1. He completes a thinking errors class
2. He completes an ethics CE, at least two hours
3. He submit an essay exploring his own thinking errors in his behavior.

Ms. Sena seconded the motion. The motion carried unanimously.

The Board reviewed Ms. Warenski's essay and feels it is too general. Dr. King requested that the essay be emailed to the Board members for additional input.

**BOARD MEETINGS:**

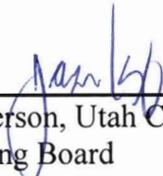
The next Board meeting is scheduled for March 16, 2016

**2016 Board meetings tentatively scheduled:**  
March 16, June 21, September 20, December 6

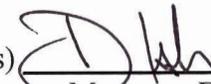
Motion to adjourn at 1:34 P.M.

*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.*

3/16/16  
Date Approved

(ss)   
Chairperson, Utah Clinical Mental Health Counselor  
Licensing Board

March 16, 2016  
Date Approved

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