

MEETING MINUTES

UTAH CLINICAL MENTAL HEALTH COUNSELOR LICENSING BOARD

July 17, 2019 9:00 A.M.
Room 464 – 4th floor
Heber M. Wells Building
160 E. 300 S Salt Lake City, UT 84111

CONVENED: 9:00 A.M.

ADJOURNED: 2:18 P.M.

DOPL MEMBERS PRESENT:

Bureau Manager: Jennifer Zaelit
Bureau Manager: Larry Marx
Board Secretary: Jennifer Johnson
Compliance Specialist: Mark Smith
Management Analyst: Carolyn Dennis

BOARD MEMBERS PRESENT:

Paul Carver, CMHC, Chairperson
Ashley Alfieri, CMHC, Vice Chairperson
Kenneth Roach, CMHC, EdD
David Wilde, CMHC
Philip Brueck, Public Member

GUESTS:

Sue Reeves, USU
Michelle Lizothe, USU
Trujillo Amy, Development Counseling Services
Jenny Taylor, Steps

ADMINISTRATIVE BUSINESS:

Call Meeting to Order

Mr. Carver called the meeting to order at 9:00 A.M.

Review and Approve Minutes

The Board reviewed the minutes dated May 8, 2019.
Ms. Alfieri made a motion to approve the minutes as written.
Mr. Brueck seconded the motion.
The Board motion passed unanimously.

COMPLIANCE REPORT

Mr. Smith reviewed the report as provided.

DOPL REPORT

Ms. Johnson reviewed the report as provided.

Mr. Brueck made a motion to close the meeting in accordance with the Open and Public Meetings Act, 52-4-250(1) (a) to discuss the character, professional competence or physical or mental health of an individual.

Dr. Roach seconded the motion.

All Board members voted in favor of closing the meeting.

The meeting was closed at 9:06 a.m.

No notes were taken and a recording was not made.

Dr. Roach made a motion to open the meeting.

Mr. Brueck seconded the motion.

The Board motion passed unanimously.

The meeting opened at 9:21 a.m.

APPOINTMENTS:

TRENT LANDON – UTAH STATE UNIVERSITY (00:07)

Dr. Landon met with the Board to discuss Utah State University's current rehabilitation program.

Dr. Roach stated with additional courses and faculty having mental health orientation, the Board would be open to review and consider the curriculum.

The Board stated, at this time, the current curriculum does not meet the current education requirements to qualify for licensure as a Clinical Mental Health Counselor.

The Board reviewed the Vocational Rehabilitation Counselors Licensing Act Rule, R156-78-102 (4), regarding related fields and stated clinical mental health counselor is not identified as being a related field.

Ms. Zaelit stated getting a CACREP accredited Clinical Mental Health program would benefit Utah State University and allow them to meet requirements for licensure.

JASON EARLE, STIPULATION AND ORDER REVIEW (00:45)

Mr. Earle met with the Board to review his stipulation and order. Mr. Earle reviewed the circumstances that has brought him before the Board. He and stated he brought a client to live in his home and after a few months they entered into a romantic relationship.

Ms. Alfieri asked Mr. Earle if he had discussed his situation with a supervisor or colleague prior to making the decision to have the client move in with him.

Mr. Earle stated he had not spoken with a supervisor or anyone from his place of employment because he did not feel comfortable discussing the situation.

Mr. Carver asked Mr. Earle if he had spoken to another colleague or thought to call DOPL when thinking about this decision.

Mr. Earle stated he had spoken to a former classmate and they were understanding and supportive of Mr. Earle's decision.

Ms. Alfieri asked Mr. Earle if he had reviewed his code of ethics.

Mr. Earle stated he could not allow this person to become homeless or lose their animal and made the decision knowing there was a potential risk or consequence and a violation of his professional code of ethics.

Mr. Wilde asked Mr. Earle how the Board was notified.

Mr. Earle stated another agency filed the complaint.

Ms. Alfieri asked Mr. Earle if he has any contact with the individual since ending their relationship.

Mr. Earle stated he still lives with the individual while they continue to find another place to live.

Mr. Carver asked Mr. Earle if he understood he was continually violating his stipulation and order every day that he continues to live with his former client.

Mr. Earle stated he was not.

The Board expressed serious concern that Mr. Earle did not understand how serious his situation was and he continues to violate his professional ethics and his probationary order each day he continues his living situation. The Board stated there is a lack of urgency on Mr. Earle's end they are concerned this situation would happen again in the future.

Ms. Zaelit and Mr. Marx advised Mr. Earle with his continued violation of his probationary order it can result in a fine or loss of license. Mr. Earle was advised of the option to surrender his license.

Mr. Earle stated he loves the profession, has worked too hard and does not want to lose his license.

Ms. Zaelit stated Mr. Earle needs to comply with his professional ethics and his stipulation and order.

Mr. Carver made a recommendation that Mr. Earle's required continuing education be done in person and not online. Mr. Earle will need to submit proposed live continuing education courses to the Board for review and approval.

Mr. Carver made a recommendation to the Division for further investigation into Mr. Earle's circumstances and review the requirements of his current stipulation and order. Mr. Carver asked to amend the order if necessary.

JENAE MACFARLANE, STIPULATION AND ORDER REVIEW (1:14)

Ms. Macfarlane met with the Board to review her stipulation and order and discuss the circumstances that brought her before the Board. Ms. MacFarlane stated she worked for an online company providing letters to housing and airlines for emotional support animals. Ms. MacFarlane stated she provided an emotional support letter, without following proper procedure, and did not make contact with the client. Ms. MacFarlane stated when she wrote the letter she felt she had enough information to provide the letter. Ms. MacFarlane stated she was caught in an undercover operation. Ms. Macfarlane stated she no longer works for the company.

Mr. Wilde asked if the job required Ms. Macfarlane to give a diagnosis.

Ms. Macfarlane stated the job required that she advise whether the client had a qualifying diagnosis.

Ms. Zaelit asked the Board what areas they would like Ms. Macfarlane to complete continuing education and how many hours they would like her to complete

Mr. Carver stated he would like Ms. Macfarlane to complete four hours of continuing education in ethical decision making.

Dr. Roach made a motion that Ms. Macfarlane complete four continuing education units, in ethical decision making process; When a course or courses are found that she submit to DOPL and the Board for review and approval.

Ms. Alfieri seconded the motion.

The Board motion passed.

WILFRIED TEPPER, ACMHC EXTENSION REQUEST (1:53)

Mr. Tepper met with the Board to request an extension of his ACMHC License in order to complete 95.5 hours and take and pass his exam. Mr. Tepper stated he was not aware that he needed to pass the NCMHCE exam or do continuing education.

Ms. Alfieri stated the last time Mr. Tepper met with the Board he was advised he needed to take the NCMHCE exam.

Mr. Tepper stated he thought it was a recommendation and not a requirement.

Mr. Carver stated 40 hours of continuing education every two years is required for the Associate CMHC license. Mr. Carver stated six hours need to be in ethics or law and two hours in suicide prevention, and a certification of completion should be provided.

Mr. Carver advised Mr. Tepper to review the Clinical Mental Health Counselor Laws and Rules in order for Mr. Tepper to understand the requirements of his license.

Mr. Carver asked Mr. Tepper how long of an extension he is requesting.

Mr. Tepper stated he is requesting at least six months.

Ms. Alfieri made a motion to extend Mr. Tepper's ACMHC license until January 30, 2020, to complete 218 hours of mental health hours, complete CEU's and take and pass the NCMHCE exam.

Mr. Brueck seconded the motion.

The Board motion passed.

GLORIA LUCINDA HOWES, ACMHC REINSTATEMENT (1:29) Out of order

Ms. Howes met with the Board to request the reinstatement of her ACMHC License in order to complete her hours towards CMHC licensure. Ms. Howes passed her NCMHCE exam in May and needs to complete at least 1800 more hours.

Mr. Carver asked Ms. Howes if she has completed any continuing education.

Ms. Howes stated she has not. She has been waiting until her license is reinstated before moving forward with her continuing education. Ms. Howes stated previously she had completed continuing education courses but failed to get certificates of completion.

The Board asked Ms. Howes how much time she will need to complete her remaining hours.

Ms. Howes stated she will be accruing 32 plus hours per week and feels she can complete the hours within 15 months.

Mr. Carver made a recommendation to reinstate Ms. Howes ACMHC license and meet with the Board in six months to review her progress completing her continuing education.

Dr. Roach made a motion to reinstate Ms. Howes license until January 30, 2019, and the expectation is that Ms. Howes will make satisfactory progress towards hours and continuing education.

Mr. Wilde seconded the motion.

The Board motion passed.

An appointment was made for Ms. Howes to meet with the Board January 15, 2019.

JENNIFER COURT, ACMHC EXTENSION REQUEST (2:09)

Ms. Court met with the Board to request an additional extension of her ACMHC License in order to take and pass her exam. Ms. Court completed her 4000 hours April 25, 2019.

Mr. Carver asked how long of an extension Ms. Court is asking for.

Ms. Court stated a year.

Mr. Wilde asked if Ms. Court is current with her continuing education.

Ms. Court stated she is and has a few more courses that she will be attending.

Dr. Roach made a motion to extend Ms. Court's ACMHC license until July 31, 2020.

Ms. Alfieri seconded the motion.

The Board motion passed.

CHANDNI PATEL, ACMHC EXTENSION REQUEST (2:16)

Ms. Patel met with the Board to request a one year extension of her ACMHC License in order to complete her hours and take and pass her exam. Ms. Patel stated she has attended continuing education conferences and has received the certificates.

Mr. Carver asked how long Ms. Patel is requesting.

Ms. Patel stated she would like one year.

Mr. Carver made a recommendation to extend Ms. Patel's license to July 31, 2020.

Ms. Alfieri made a motion to extend Ms. Patel's ACMHC license to July 31, 2020.

Dr. Roach seconded the motion.

The Board motion passed.

WORKING LUNCH

Not on the agenda (2:24)

Ms. Jenny Taylor attended the meeting as a guest and asked to speak with the Board regarding a question she had with her licensure. Ms. Taylor proceeded to ask specific questions relating to her license application that had been denied.

Ms. Zaelit stated licensee information, such as Ms. Taylor's, is not reviewed with the Board without having been added to the agenda. Ms. Zaelit stated information had been provided to Ms. Taylor regarding her licensure.

Ms. Taylor stated she had not received any information from the Division and asked if the Division had her correct address.

Ms. Zaelit stated it was Ms. Taylor's responsibility to keep the Division updated with current contact information including mailing address.

Ms. Zaelit stated the meeting needed to close in order to discuss any further information.

Mr. Wilde made a motion to close the meeting in accordance with the Open and Public Meetings Act, 52-4-250(1) (a) to discuss the character, professional competence or physical or mental health of an individual.

Dr. Roach seconded the motion.

All Board members voted in favor of closing the meeting.

The meeting was closed at 12:34 P.M.

No notes were taken and a recording was not made.

Dr. Roach made a motion to open the meeting.

Alfieri seconded the motion.

The Board motion passed unanimously.

The meeting opened at 12:47 P.M.

ANNA PALMER, ACMHC EXTENSION REQUEST – TELEPHONIC (2:30)

Ms. Palmer met with the Board to request an extension of her ACMHC License in order to complete her hours. Ms. Palmer passed her NCMHCE exam 04/21/2016 and has completed 2725 hours. Ms. Palmer works part time and is requesting a one year extension to complete her remaining hours.

Dr. Roach made a motion to extend Ms. Palmer's license until July 31, 2020 with the expectation that she will complete continuing education hours as required.

Ms. Alfieri seconded the motion.

The Board motion passed.

BERTA RODRIGUEZ DIAZ, ACMHC EXTENSION REQUEST (2:37)

Ms. Diaz met with the Board to request an extension of her ACMHC License in order to allow her time to pass her NCMHCE exam. Ms. Diaz has taken the NCHMCE exam three times and completed her hours in March of 2018.

Mr. Carver stated since Ms. Diaz completed her hours in March of 2018 the Board can only grant an extension until March of 2020. Mr. Carver stated if Ms. Diaz has not passed the exam by March of 2020 then she will be unable to receive any additional extensions on her license and would have to discontinue practicing.

Dr. Roach made a motion to extend Ms. Diaz's license until March 31, 2020

Mr. Wilde seconded the motion.

The Board motion passed.

JOSHUA LARSEN, ACMHC EXTENSION REQUEST (2:54)

Mr. Larsen met with the Board to request an extension of his ACMHC License in order to allow him time to pass his NCMHCE exam. Mr. Larsen completed his hours in June of 2018.

Ms. Alfieri made a motion to approve an extension Mr. Larsen's license until June 30, 2020.

Dr. Roach seconded the motion.

The Board motion passed.

CAITLYN STRINGHAM, ACMHC EXTENSION REQUEST (3:04)

Ms. Stringham met with the Board to request an extension of her ACMHC License in order to complete her CE's, supervised experience hours and take and pass her NCMHCE exam.

Dr. Roach made a motion extend Ms. Stringham's license until July 31, 2020 with the expectation that Ms. Stringham will complete her hours, exam and stay caught up on her CE's.

Mr. Brueck seconded the motion.

The Board motion passed.

AARON MOON, ACMHC EXTENSION REQUEST (3:21)

Mr. Moon met with the Board to request an extension of his ACMHC License in order to allow him time to pass his NCMHCE exam. Mr. Moon completed his hours in October 15, 2017, and has taken NCMHCE exam twice.

Mr. Carver stated since Mr. Moon completed his hours in October 15, 2017, the Board can only grant an extension until October 15, 2019. Mr. Carver stated if Mr. Moon does not pass the exam and is unable to apply for full licensure before October 15, 2019, he will be unable to receive any additional extensions on his license and would have to discontinue practicing.

Dr. Roach made a motion to extend Mr. Moon's License until October 15, 2019.

Ms. Alfieri seconded the motion.

The Board motion passed.

DISCUSSION:

1. REINSTATE NCE, STATUS OUT OF ORDER (2:44)

Mr. Carver stated he would like to see the NCE exam reinstated as a requirement for the CMHC licensure.

Ms. Zaelit reviewed R156-60c-302c and stated the language could be added in and ready for Rule filing in September and would take affect potentially in October or November of 2019.

The Board discussed a potential grace period for those that currently hold an ACMHC license would not be required to take the NCE exam for CMHC licensure.

Dr. Roach made a motion to reinstate the NCE as a requirement for CMHC license and would affect those that become licensed as an ACMHC after the requirement has gone into affect.

Ms. Alfieri seconded the motion.

The Board motion passed.

2. PROPOSED RULE AMENDMENTS: R156-60c-102, R156-60c -302a (3:32)

Ms. Zaelit reviewed the proposed rule amendments with the Board.

Mr. Wilde made a motion to accept the proposed rule amendments.

Ms. Alfieri seconded the motion.

The Board motion passed.

3. SUPERVISION REQUIREMENT STANDARDS

Discussed with the Proposed Rule Amendments.

ADJOURN:


The meeting adjourned at 2:18 P.M.

Next Scheduled Meeting Date

September 11, 2019

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.

9/11/2019
Date Approved


Paul Carver, Chairperson, Utah Clinical Mental Health Counselor Licensing Board

9/11/2019
Date Approved


Jennifer Zaelit, Bureau Manager, DOPL