

MINUTES
UTAH CLINICAL MENTAL HEALTH COUNSELOR LICENSING BOARD
ELECTRONIC MEETING
January 13, 2021 | 9:00 A.M.
Heber M. Wells Building
160 E. 300 S Salt Lake City, UT 84111

DUE TO COVID-19, NO PUBLIC ANCHOR LOCATION WAS PROVIDED.
Public attended electronically.

CONVENED: 9:00 A.M.

ADJOURNED: 2:05 P.M.

DOPL STAFF PRESENT ELECTRONICALLY

Bureau Manager: Jennifer Falkenrath
Board Secretary: Jennifer Johnson
Compliance Specialist: Neena Bowen

Compliance Manager: Tracy Naff
Management Analyst: Carolyn Dennis

BOARD MEMBERS PRESENT ELECTRONICALLY

Dr. Kenneth Roach, CMHC
Philip Brueck, Public Member
Dr. Katherine Brown, CMHC, Chair

Abigail Crouse, CMHC, Vice Chair

BOARD MEMBERS ABSENT: N/A

GUESTS PRESENT ELECTRONICALLY

James Davis, ACMHC
Michael Gerald, Utah State University
Tara Adamson, Monarch Counseling Center
Lori Groen

Note: Others may have attended but were not identified.

ADMINISTRATIVE BUSINESS:

(Refer to audio for specifics.) (Audio 1_ 01)(00:00 – 00:02:38)

CALL MEETING TO ORDER.

Dr. Roach called the meeting to order at 9:00 A.M.

REVIEW AND APPROVE NOVEMBER 4, 2020 MEETING MINUTES.

(Refer to audio for specifics.) (Audio 1_ 01)(00:02:40 – 00:03:20)

Mr. Brueck made a motion to approve the minutes with correction.

Dr. Roach seconded the motion.

The Board motion passed.

NOMINATE CHAIR AND VICE CHAIR.

(Refer to audio for specifics.) (Audio1_01)(00:04:00 – 00:08:45)

Mr. Brueck made a motion to nominate Dr. Katherine Brown as Chair and Abigail Crouse as Vice Chair.

Dr. Roach seconded the motion.

The Board motion passed.

DISCUSSION ITEMS:

(Refer to audio for specifics.) (Audio1_01)(00:10:38 – 00:29:50) & (Audio1_02) (00:00:00 – 00:09:45)

S.B. 23

Ms. Dennis stated as a reminder the Division is reviewing the licensure and license requirements in the 55 other jurisdictions to see which jurisdictions are equivalent to transfer licensure into the state of Utah. Those that qualify must be licensed and in good standing within that jurisdiction and have one year of independent license practice.

Ms. Dennis stated during the last meeting the Board had requested Ms. Dennis provide additional exam information for the different jurisdictions. Ms. Dennis stated there is only one other state that requires both the NCE and NCMHCE exam and most other states require either the NCMHCE or the NCE exams and there is a small group that allows for the CRC exam.

Ms. Dennis stated the Board needs to determine whether they would allow for the CRC exam to be considered. Since Utah just recently added the requirement for the NCE exam it would be helpful to know the reason behind the decision and may help determine acceptance of exams from the other states.

Dr. Roach stated Utah had required both exams until about four years ago when the decision was made to remove the NCE exam as a requirement. Both the NCE and NCMHCE exams pull different types of knowledge. The NCE exam content covers the breadth and in depth knowledge a clinician should have when they graduate and are entering the profession. While both exams assess clinical skills the NCMHCE exam assesses the clinician's clinical skills and their ability to assess, diagnose, and treat mental health.

Dr. Roach stated because both exams assess different knowledge skills and bases the Board felt the requirement for both exams were valuable and the decision was made to reinstate the NCE exam as a requirement for licensure.

Ms. Dennis stated since the endorsement provision requires one year of unrestricted independent practice, does the Board feel the one year of practice demonstrates the individual would have the same clinical experience, knowledge, and skills both exams look for and if so would not require the individual to have passed both exams.

Questions, comments, and concerns were discussed.

The Board expressed concerns with the one year of experience and not having information as to whether a person practiced full time or part time, what type of setting they practiced in especially if it was a non-clinical setting. The Board also reiterated the importance of the NCMHCE exam and what it identifies and measures.

Ms. Dennis stated because Utah Code 58-60 does have its own endorsement provision, the Board does have the option to combine both endorsement provisions to create multiple pathways. Ms. Dennis stated this would allow the Board to identify the states they were comfortable allowing to endorse as is, the states they would allow if they take the NCMHCE exam, and other states that would require they have at least two years of experience.

Dr. Roach stated he felt Ms. Dennis's recommendation is reasonable and a good compromise.

Ms. Dennis stated whatever pathways and exams the Board chooses to recognize the Division needs the reasons to be clear as to why and the exam requirement needs to be defensible. Allowing for additional review and other pathways toward licensure leaves the door open to license with Utah and complies with the intention of the law.

The Board discussed the CRC exam and CRC certification and stated due to their unfamiliarity with the CRC exam and not knowing if practice has been in a clinical setting they would be more comfortable requiring the individual take the NCMHCE exam. Another option would be for those not wanting to take another exam would require verifying two years of independent practice experience instead of one.

The Board discussed the states that license a variety of degrees and have a very broad scope with education. The Board stated they would like the NCMHCE exam to be a requirement. The Board still had concerns with the education programs below 60 semester hours.

Ms. Dennis stated based on this feedback she will prepare additional information for next meeting regarding the states that meet the educational and exam requirements and which states do not.

REVIEW OF UTAH ADMIN. CODES R156-60 AND R156-60c

(Refer to audio for specifics.) (Audio 1_02)(00:09:45 – 00:18:40)

Ms. Falkenrath reviewed the recent rule changes that went into effect on November 10, 2020, and highlighted the areas affected.

- **Changes to continuing education requirements.**
- **The NCE exam is now required for CMHC licensure.**
- **Requirement of a supervision contract as well as a supervision form.**

- **Changes to verification of supervised experience forms.**

Ms. Falkenrath stated the continuing education requirements for the mental health professions moved to the umbrella rule and is now found in Utah Admin. Code R156-60, the Mental Health Professional Practice Act Rule. Information regarding the supervised training requirements, the supervision contract, and the duties and responsibilities of the supervisee and supervisor are also found in this Rule.

Ms. Falkenrath stated the Clinical Mental Health Counselor Licensing Act Rule R156-60c, has the information regarding the exams requirement, and also provides information about Post Degree Program requirements for those found to have deficiencies in their coursework.

Ms. Falkenrath discussed questions the Division receives regarding these changes and questions regarding the new forms. Ms. Falkenrath stated the Verification of Supervision form can be emailed to b3@utah.gov.

Ms. Falkenrath stated the updated Rules can be found on <https://adminrules.utah.gov/public/search//Current%20Rules> Select Commerce and then select Occupational and Professional Licensing.

LPC COMPACT

(Refer to audio for specifics.) (Audio 1_02)(00:18:40 – 00:30:08)

Ms. Falkenrath stated she wanted to start the discussion with the Board regarding a counseling compact and their interest in it.

Ms. Falkenrath stated the Division currently has a few compacts in place for a few different professions. The compact allows for practice in compact participating states without requiring individual state licensure.

Questions and comments were discussed.

Ms. Dennis stated a compact benefits both Utah counselors and counselors outside of Utah. Allows for practice without requiring an individual to jump through the hoops of obtaining licensure. Ms. Dennis stated when compacts are enacted all the states that join agree to a standard and those participating have to adhere to those standards at a minimum. Some offer temporary practice. Others allow participation and allow for the ability to see patients in other compact states as long as they maintain residency and licensure in their home state.

The Board expressed interest and stated this is a conversation that is needed and they would like to continue since there are questions and concerns with this.

Ms. Falkenrath thanked the Board for their feedback and stated as information continues to be provided she can add it for discussion for future Board meetings.

APPOINTMENTS:

COMPLIANCE REPORT – Neena Bowen

(Refer to audio for specifics) (Audio1_03) (00:00 – 00:07:20)

Ms. Bowen reviewed the DOPL report as provided.

Questions and comments were discussed.

LANE PORTER, PROBATION

(Refer to audio for specifics) (Audio1_03) (00:07:30 – 00:13:45)

The Board welcomed Mr. Porter to the meeting. Introductions were made. Dr. Roach conducted the interview with Mr. Porter.

Mr. Porter provided an update to the Board. Stated things were going well, he enjoys the work he does and stated he recently passed five years of sobriety.

Dr. Roach stated he was happy to hear things have been going well for Mr. Porter and stated the recent supervisor report the Board received also reflected that as well. Dr. Roach asked how long Mr. Porter has been on probation and what is the anticipated end date.

Mr. Porter stated he has been on probation for 14 months.

Ms. Bowen stated Mr. Porter is on three year probation and his expected end date is November 21, 2022.

Mr. Porter stated he was under the impression he could ask for early termination after completing 12-18 months of probation as long as there weren't any issues or concerns. Mr. Porter stated he planned to request this in July of 2021.

Dr. Roach stated Mr. Porter's reports have been consistent and have not indicated anything of concern. Based on this information Dr. Roach stated he would like to recommend meeting with Mr. Porter in May and Mr. Porter could submit a proposal for early termination at that time or wait until July.

There was no objection from the other Board members.

Dr. Roach made a motion to continue Mr. Porter's probation, his progress has been and continues to be above satisfactory, and would like to meet with Mr. Porter on May 10, 2021.

Mr. Brueck seconded.

The Board motion passed.

Mr. Brueck stated he wanted to thank Mr. Porter for always being open and positive with the Board and that it shows how well he is progressing.

Mr. Porter thanked the Board for their time.

The Board found Mr. Porter IN COMPLIANCE.

An appointment was made for Mr. Porter to meet with the Board on March 10, 2021.

ZACK ELLIS, PROBATION

(Refer to audio for specifics) (Audio1_03) (00:14:00 – 00:30:08) & (Audio1_04) (00:00 – 00:03:58)

The Board welcomed Mr. Ellis to the meeting. Dr. Roach conducted the interview with Mr. Ellis.

Dr. Roach advised Mr. Ellis the meeting was a public meeting and he had the option to close the meeting if character, professional competence, or physical or mental health would be discussed.

Mr. Ellis declined the option to close the meeting stating he preferred to have the information on the record. Mr. Ellis provided an update to the Board regarding his progress with counseling, meetings, and psychological exams. Mr. Ellis stated he has abstained from medicinal marijuana.

Dr. Roach stated he wanted to commend Mr. Ellis on the progress he has made.

Dr. Roach asked if the other Board members had any questions for Mr. Ellis.

Ms. Crouse stated she did not have any questions but wanted to commend Mr. Ellis on the progress he has made. Ms. Crouse stated it demonstrates Mr. Ellis's dedication and indicates he took the Board recommendations from the last meeting seriously.

Dr. Roach stated he would like to recommend moving Mr. Ellis's license status from suspension to active on probation.

Questions and comments were discussed.

Dr. Roach made a motion to recommend Mr. Ellis's ACMHC license is reinstated and no longer on suspension.

Ms. Crouse seconded the motion.

The Board motion passed.

Ms. Falkenrath stated the amendment will be forwarded to the Division Director to review and sign. The license amendment is effective the date of the Division Director's signature. Once signed, the Order requires the individual to meet with the Board at the next Board meeting.

Ms. Falkenrath stated the Divisions expectation is the individual will attend each Board meeting to ensure compliance with the terms of their Order. This also allows the Division and the Board to address any concerns they have. Changes in frequency of reports or Board meeting attendance aren't discussed or determined until a consistent time of compliance has been established.

Mr. Brueck stated he wanted to thank Mr. Ellis for the responsibility he has shown and stated he can use this with his counseling of others.

Mr. Ellis thanked the Board for their time and their comments.

Dr. Roach advised Mr. Ellis to not resume practice until he has verified he has an active license.

Ms. Falkenrath stated Ms. Bowen will notify Mr. Ellis once his amendment has been signed by the Division Director. If a license is issued Mr. Ellis will receive the license via email.

An appointment was made for Mr. Ellis to meet with the Board on March 10, 2021.

BREAK

Mr. Brueck made a motion to take a break.

Dr. Roach seconded the motion.

The Board motion passed.

The Board adjourned for a break at 10:33 A.M.

The meeting resumed at 11:03 A.M.

DOPL REPORT

(Refer to audio for specifics) (Audio1_04) (00:04:00 – 00:29:59) & (Audio1_05) (00:00 – 00:01:09)

Ms. Johnson reviewed the DOPL report as provided.

Questions and comments were discussed.

PAUL RUTH, EXTENSION

(Refer to audio for specifics) (Audio1_05) (00:01:10 – 00:15:30)

The Board welcomed Mr. Ruth to the meeting. Introductions were made.

Dr. Brown conducted the interview with Mr. Ruth.

Mr. Ruth met with the Board to request an extension of his license. He needs to complete the majority of his hours, pass both the NCE and NCMCE exams, and complete CE's.

Mr. Ruth provided an update to the Board and stated since receiving his Medicare approval he has not obtained any new clients. Since the start of COVID-19 he has lost

clients as well. Because of this he has not had the opportunity to obtain any additional experience hours. Mr. Ruth stated he has not registered for either exam but plans to retake the NCMHCE exam in March. Mr. Roach stated he has not obtained CE's and is concerned he has not received information about courses being offered.

Dr. Roach stated wanted to clarify Mr. Ruth received approval for Medicaid and not Medicare. With regards to CE's, there is not an email list available to receive information regarding upcoming courses and it is the responsibility of the licensee to identify and locate trainings being provided on their own. Dr. Roach suggested reaching out to one of the professional associations like the Utah Clinical Mental Health Counselors Association.

Dr. Brown made a recommendation to extend Mr. Ruth's ACMHC license until March, with the expectation Mr. Ruth will meet with the Board in March and provide evidence of exam registration for either of the exams, and evidence of the completion of CE's.

Dr. Brown asked the other Board members if they had any questions, comments or recommendations for Mr. Ruth.

Dr. Roach stated because Mr. Ruth has not provided any evidence of completing CE's he would like to recommend Mr. Ruth verify the completion of at least 20 hours of CE's completed in the last year.

Dr. Roach stated he would also like to recommend Mr. Ruth be in an employment position to accrue hours. The Board cannot enforce employment but in order to grant an extension of the license they would like to see progress is being made towards experience hours when Mr. Ruth meets with the Board in March.

Mr. Ruth asked for clarification regarding the CE requirement.

Dr. Roach stated CE's have always been required for the time Mr. Ruth has held the ACMHC license. 40 hours of CE's including six in ethics and two in suicide prevention are required every two years. The Board would like to see Mr. Ruth has accrued 20 hours of CE's within the last year.

Dr. Roach made a motion to extend Mr. Ruth's ACMHC license until the March 10, 2021. With the expectation Mr. Ruth can provide evidence of registration and passing the NCE or NCMHCE exam, documentation of completing 20 hours of CE's in the last 12 months, and able to provide evidence of ongoing attempts for employment in order to satisfy the experience hours required for licensure.

Ms. Crouse seconded the motion.

The Board motion passed.

An appointment was made for Mr. Ruth to meet with the Board on March 10, 2021.

Mr. Ruth thanked the Board for their time.

SHAUNA BUCK, EXTENSION

(Refer to audio for specifics) (Audio1_05) (00:16:00 – 00:26:16)

The Board welcomed Ms. Buck to the meeting. Introductions were made. Ms. Crouse conducted the interview with Shauna Buck.

Ms. Buck met with the Board to request an extension of her ACMHC license. She completed her hours of experience for CMHC licensure on October 31, 2019, and needs to pass both the NCMHCE and NCE exams. Ms. Buck took the NCMHCE exam in October 2020 and must wait 90 days before she can reregister again.

Ms. Buck provided an update to the Board. Ms. Buck stated she has registered to retake the NCMHCE exam is waiting for the authorization to test and anticipates taking the NCMHCE exam in May. She stated she is aware of the NCE exam requirement and plans to register for NCE exam after the NCMHCE exam has been completed. Ms. Buck stated she has kept up with her CE's.

Ms. Crouse stated because Ms. Buck completed her hours on October 31, 2019, she is only eligible for an extension up until October 31, 2021. If Ms. Buck is unable to complete the requirements to apply for her CMHC license her ACMHC license expires she will have to discontinue practicing. Ms. Crouse stated Ms. Buck can continue to take the exams without an active license she just can't practice.

Ms. Crouse made a motion to extend Ms. Buck's ACMHC license until May 12, 2021. Ms. Buck will need to provide verification of registration or passing of one of the exams, evidence of CE's, and evidence of continued supervised practice.

Dr. Roach seconded the motion.

The Board motion passed.

Ms. Johnson stated she wanted to provide clarification to Ms. Buck regarding the extension of her license. Ms. Johnson stated while Ms. Buck is eligible for an extension until October 31, 2021, the Board is only granting an extension until May 12, 2021, at time. Ms. Buck will not need to meet with the Board in May unless she will require an extension of her ACMHC license beyond May 12, 2021. Ms. Johnson stated Ms. Buck will need to contact Ms. Johnson in April if she will need to meet with the Board in May.

The Board wished Ms. Buck good luck with her exams.

Ms. Buck thanked the Board for their time.

TORILYN TOPHAM, EXTENSION

(Refer to audio for specifics) (Audio1_05) (00:26:35 – 00:39:19)

The Board welcomed Ms. Topham to the meeting. Introductions were made.

Mr. Brueck conducted the interview with Ms. Topham.

Ms. Topham met with the Board to request an extension of her ACMHC license. Ms. Topham needs to complete her experience hours and pass both the NCMHCE and NCE exams.

Ms. Topham provided an update to the Board and stated she is almost complete with her hours. She has taken the exam four times and currently registered to retake it and waiting for her authorization to test from the exam provider. She plans to register to take the NCE as soon as the exam provider will allow her to.

Mr. Brueck made a recommendation to extend Ms. Topham's ACMHC license until May 12, 2021, to allow her the time to complete her hours and pass her exams.

Mr. Brueck stated Ms. Topham would not have to meet with the Board in May if she has completed the requirements to apply for the CMHC license. Ms. Topham would only meet with the Board if she requires an extension beyond May 12, 2021.

Ms. Topham asked if she needed to remain a W2 employee once she has completed her hours.

Dr. Roach stated while Ms. Topham holds an active ACMHC license she is required to continue working as a w2 employee under supervision.

Mr. Brueck made a motion to extend Ms. Topham's ACMHC license until May 12, 2021.

Ms. Crouse seconded the motion.

The Board motion passed.

The Board wished Ms. Topham good luck with her exams.

Ms. Topham thanked the Board for their time.

LUNCH

Mr. Brueck made a motion to take lunch.

Dr. Roach seconded the motion.

The Board motion passed.

The Board adjourned for lunch at 12:08 P.M.

The meeting resumed at 12:30 P.M.

EVELYN DILLINGHAM, EXTENSION

(Refer to audio for specifics) (Audio2_01) (00:00 – 00:18:12)

The Board welcomed Ms. Dillingham to the meeting. Introductions were made.

Dr. Brown conducted the interview with Ms. Dillingham.

Ms. Dillingham met with the Board to request a reinstatement and extension of her ACMHC license. Ms. Dillingham completed her hours for licensure July 7, 2020, and needs to take and pass the NCMHCE and NCE exams.

Ms. Dillingham provided an update to the Board and stated she has registered for the NCE exam and waiting to receive her authorization to test. Ms. Dillingham stated she is almost up to date with her CE's.

Dr. Brown asked Ms. Dillingham to provide the documentation verifying the completion of CE's to Ms. Johnson with the Division.

Dr. Brown asked Ms. Dillingham to comment on the gap in supervision from September 2019 thru April 2020. Dr. Brown stated the verification of supervision forms received by the Division identified a gap in supervision.

Ms. Dillingham stated during that time her place of employment went through several supervisors and there was not one that was consistent. Ms. Dillingham stated she continued working during that time.

Dr. Brown stated while holding the ACMHC license Ms. Dillingham is required to be under supervision and there is a concern that she was not properly supervised during the timeframe identified.

Ms. Dillingham stated there was always a supervisor just not one that could sign off on her hours.

Dr. Brown stated while Ms. Dillingham states she was being supervised there is a concern a specified supervisor was not identified or on file that was eligible to to supervise her and sign off on her hours at the time.

Dr. Brown asked if the other Board members had any questions, comments, or concerns they would like to add.

Dr. Roach stated its disturbing Ms. Dillingham is not able to provide documentation she was being properly supervised during the time in question. Dr. Roach stated if an allegation of misconduct was made the for the time in question there is not clear information Ms. Dillingham was practicing appropriately under supervision.

Dr. Brown asked if there was anything that needed to be done at this time regarding this issue on the Division's end.

Ms. Falkenrath stated for this instance there is nothing that can be done if documentation is not available. Moving forward Ms. Dillingham needs to understand she is not able to practice mental health therapy if she does not have proper supervision.

Ms. Dillingham stated she is not the only one that has fallen in to this situation and knows of other clinicians that have experienced this issue as well. Ms. Dillingham stated she was under the impression she could continue to practice while waiting for a supervisor to be established.

Dr. Roach stated ACMHC's performing clinical duties must have an appropriate supervisor in place and this information documented.

Dr. Roach recommended Ms. Dillingham get a note from her employer that could verify the information provided for her file.

Dr. Brown made a recommendation to extend Ms. Dillingham's license until May 12, 2021. During that time Ms. Dillingham will need to verify she has made progress with the NCE or NCMHCE exam and provide an update with CE's.

Dr. Roach made a motion to reinstate and extend Ms. Dillingham's ACMHC license until May 12, 2021.

Ms. Crouse seconded the motion.

The Board motion passed.

Ms. Dillingham asked what she needs to do to meet with Board in May.

Ms. Johnson stated Ms. Dillingham will need to contact the Division in April if she will need to meet with the Board in May to request additional extension of her license.

The Board thanked Ms. Dillingham for her time.

COURTNEY LYMAN, EXTENSION

(Refer to audio for specifics) (Audio2_01) (00:18:14 – 00:26:00)

The Board welcomed Mr. Lyman to the meeting. Introductions were made.

Dr. Roach conducted the interview with Mr. Lyman

Mr. Lyman met with the Board to request an extension of his ACMHC license.

Mr. Lyman completed his hours for CMHC licensure June 30, 2020, and needs to pass both the NCMCE and NCE exams.

Mr. Lyman provided an update to the Board and stated he plans to register for the NCMHCE exam at the end of January and plans to take the NCE shortly after.

Dr. Roach stated because Mr. Lyman completed his hours on June 30, 2020, he will only be eligible for an extension of the ACMHC license up to June 30, 2022.

Mr. Lyman stated he understood and stated he planned to have both exam completed with within the next few months.

Dr. Roach asked Mr. Lyman how he was doing with his CE's.

Mr. Lyman stated he is up to date with his CE's and plans to have 120 CE's completed by the end of February.

Dr. Roach stated because there is a minimum requirement for CE hours in suicide prevention and ethics he would like Mr. Lyman to submit evidence of completion prior to the next Board meeting.

Dr. Roach asked if any other members had questions for Mr. Lyman.

The other Board members stated they did not.

Dr. Roach made a motion to extend Mr. Lyman's ACMHC license until May 12, 2021. With the expectation he will provide evidence of completing 20 hours of CE's within the last 12 months.

Mr. Brueck seconded the motion.

The Board motion passed.

Dr. Brown stated Mr. Lyman would only need to appear at the May 12, 2021, meeting if he required further extension of his ACMHC license.

Mr. Lyman thanked the Board for their time.

JED EVANS, EXTENSION

(Refer to audio for specifics) (Audio2_01) (00:26:00 – 00:30:00) & (Audio2_02) (00:00 -00:00:20)

The Board welcomed Mr. Evans to the meeting. Introductions were made.

Ms. Crouse conducted the interview with Jed Evans.

Mr. Evans met with the Board to request an extension of his ACMHC license. Mr. Evans completed his hours for CMHC licensure November 8, 2019, and needs to pass both the NCMHCE and NCE exams. Mr. Evans has had to reschedule the NCMHCE exam twice due to person reasons including COVID-19.

Mr. Evans provided an update to the Board and stated he had to reschedule his most recent exam date due to COVID-19. Mr. Evans stated he plans to reschedule the test as soon as he can once he has been cleared from having to quarantine. Mr. Evans stated he plans to register for the NCE exam once he has completed the NCMHCE exam.

Ms. Crouse stated because Mr. Evans completed his hours November 8, 2019, he is only eligible for an extension until November 8, 2021, and wanted to make sure Mr. Evans was aware of the time he had left on his license.

Ms. Crouse made a motion to extend Mr. Evans's ACMHC license May 12, 2021. With the expectation he will need to provide evidence of progress made towards the NCMHCE and NCE exams.

Mr. Brueck seconded the motion.

The Board motion passed.

Ms. Crouse stated Mr. Evans only needs to meet with the Board if he will require an extension of his ACMHC license beyond May 12, 2021.

The Board wished Mr. Evans the best of luck with his recovery and with his exams.

Mr. Evans thanked the Board for their time.

NILE BRANDT, EXTENSION

(Refer to audio for specifics) (Audio2_02) (00:00:20 – 00:05:22)

The Board welcomed Mr. Brandt to the meeting. Introductions were made.

Mr. Brueck conducted the interview with Mr. Brandt.

Mr. Brandt met with the Board to request an extension of his ACMHC license. Mr. Brandt is completing a doctoral program and needs additional time to complete his hours and pass both the NCMHCE and NCE exams. Mr. Brandt needs to complete 1442 hours and plans to take the NCE exam in June and the NCMHCE in August.

Mr. Brandt provided an update to the Board and stated he will try to take the exams sooner than he identified if he can.

Mr. Brueck thanked Mr. Brand for being on top of his CE's and stated he would like to make the recommendation to extend Mr. Brandt's license until September to allow him the time to complete his hours and pass his exams.

The other Board members agreed.

Mr. Brueck made a motion to extend Mr. Brandt's ACMHC license until September 8, 2021.

Dr. Roach seconded the motion.

The Board motion passed.

Mr. Brandt thanked the Board for their time.

ARIANNE SWINNEY-GRIGGS, EXTENSION

(Refer to audio for specifics) (Audio2_02) (00:05:30 – 00:10:50)

The Board welcomed Ms. Swinney-Griggs to the meeting. Introductions were made.

Dr. Brown conducted the interview with Ms. Swinney-Griggs.

Ms. Swinney-Griggs met with the Board to request an extension of her ACMHC license. Ms. Swinney-Griggs completed her hours for CMHC licensure on March 26, 2020, and needs to pass both the NCMHCE and NCE exams.

Ms. Swinney-Griggs provided an update to the Board and stated she took NCMHCE exam in November and missed passing by a few points. She has to wait 90 days before she can reschedule the exam and hopes to be able to do that in February. She plans to register to take the NCE exam after she has completed the NCMHCE exam.

Dr. Brown stated she saw Ms. Swinney-Griggs provided information regarding CE's and asked if any of the other Board members had questions.

Dr. Roach stated all the CE's provided are not clinical or do not apply to the ACMHC license. Dr. Roach stated he is not indicating Ms. Swinney-Griggs did not complete the required hours of CE's he just recommends she provide evidence she completed clinically related CE's for the next meeting with the Board.

Ms. Swinney-Griggs stated she understood and stated she has registered to take additional CE courses through Utah State University. Ms. Swinney-Griggs asked how long she is eligible for an extension since she completed her hours.

Dr. Brown stated since she completed her hours on March 26, 2020, she is eligible for an extension up to two years from the date she completed her hours which is March 26, 2022.

Dr. Brown stated based on the information provided she would like to recommend extension of the license to the Board's May or July meeting. And request Ms. Swinney-Griggs submit evidence of progress towards the NCMHCE and NCE exams and provide evidence of updated CE's at that time.

Dr. Roach made a motion to extend Ms. Swinney-Griggs ACMHC license until July 14, 2021. With the expectation she provides evidence she has made satisfactory progress towards passing the licensure exams and provide evidence of completing 20 hours of clinical CE's completed in the last 12 months.

Ms. Crouse seconded the motion.

The Board motion passed.

Dr. Brown stated Ms. Swinney-Griggs will only have to meet with the Board in July if she requires an extension of her license beyond July 14, 2021.

The Board wished Ms. Swinney-Griggs good luck.

Ms. Swinney-Griggs thanked the Board for their time.

RUSSELL BEHRMANN, EXTENSION

(Refer to audio for specifics) (Audio2_02) (00:17:45 – 00:24:17) Out of Order

The Board welcomed Mr. Behrmann to the meeting. Introductions were made. Ms. Crouse conducted the interview with Mr. Behrmann.

Mr. Behrmann met with the Board to request an extension of his ACMHC license. Mr. Behrmann completed his hours for licensure June 27, 2019, and needs to pass both the NCMCE and NCE exams.

Mr. Behrmann provided an update to the Board and stated he was scheduled to take the NCMHCE exam in October for the second time but to health reasons he was not able to test. Mr. Behrmann stated he was hoping for an extension long enough to allow him to retake his exam and complete his CE's.

Ms. Crouse stated she wanted Mr. Behrmann to be aware he is eligible for an extension on his license up until June 27, 2021, since he completed his hours on June 27, 2019.

Mr. Behrmann stated he thought he had already taken once of the exams during his master's.

Ms. Crouse asked if it was the CPCE exam and if it was Mr. Behrmann is still required to take the NCMHCE and NCE exams for licensure.

Mr. Behrmann stated he would have to look into what exam he had taken to determine if it was the NCE or CPCE exam.

Ms. Crouse asked if the other Board members had questions for Mr. Behrmann.

The Board stated they did not.

Ms. Crouse made a motion to extend Mr. Behrmann's ACMHC license until to March 10, 2021.

Dr. Roach seconded the motion.

The Board motion passed.

Ms. Crouse stated Mr. Behrmann would need to meet with the Board March if he will require an extension of his license beyond March 10, 2021, and would need to provide evidence of making progress towards the exams and completing CE's.

The Board wished Mr. Behrmann good luck with his exams.

Mr. Behrmann thanked the Board for their time.

SARAH HEWITT, EXTENSION

(Refer to audio for specifics) (Audio2_02) (00:13:50 – 00:16:54) Out of Order

The Board welcomed Ms. Hewitt to the meeting. Mr. Brueck conducted the interview with Ms. Hewitt.

Ms. Hewitt met with the Board to request an extension on her ACMHC license. Ms. Hewitt completed her hours for licensure on February 10, 2020, and needs to pass the NCE exam.

Ms. Hewitt provided an update to the Board and stated she took and passed her NCMHCE exam yesterday January 12, 2021, and stated now she will plan to register to take the NCE exam.

The Board congratulated Ms. Hewitt on passing her NCMHCE exam.

Mr. Brueck stated he would like to recommend extending Ms. Hewitt's license until May 12, 2021. Mr. Brueck stated if Ms. Hewitt completes all the requirements to apply for her CMHC license before then she would not need to meet with the Board.

Mr. Brueck made a motion to extend Ms. Hewitt's ACMHC license until May 12, 2021.

Ms. Crouse seconded the motion.

The Board motion passed.

Ms. Hewitt thanked the Board for their time.

ARTHUR KLEINFELDER, EXTENSION

(Refer to audio for specifics) (Audio2_03) (00:10:05 – 00:28:47) Out of Order

The Board welcomed Mr. Kleinfelder to the meeting. Introductions were made. Dr. Roach conducted the interview with Mr. Kleinfelder

Mr. Kleinfelder met with the Board to request an extension of his ACMHC license. Mr. Kleinfelder completed his hours for CMHC licensure May 31, 2020, and needs to pass the NCE exam.

Mr. Kleinfelder provided an update to the Board and stated since he last met with the Board in July he has been studying and completing practice exams through the website counselingexam.com and stated it has been a game changer for him. Mr. Kleinfelder stated he wished he had known about the site previously because it reduced his test anxiety tremendously.

Mr. Kleinfelder stated when he met with the Board in July the only requirement he had left at that time was to pass the NCMHCE Exam and he did that on January 6, 2021, and at this time is asking that he not have to take the NCE Exam.

The Board congratulated Mr. Kleinfelder on passing the NCMHCE Exam.

Dr. Roach stated the NCE Exam did recently become a requirement for the CMHC license and the Board does not have authority to grant exceptions to taking the NCE exam.

Mr. Kleinfelder stated the entire time he has held the ACMHC license only the NCMHCE exam has been required. He expressed frustration with exam process and stated because the exam provider requires a 90 day wait between exams the new NCE exam requirement went in to effect before he could retake the NCMHCE exam. Mr. Kleinfelder stated he was not aware of the NCE exam requirement until recently and stated had he passed the NCMHCE exam previously he would have already received his CMHC.

Mr. Kleinfelder stated he suffered the loss of his dad two days before he took his NCMHCE exam in January and asked if there is any way he would not have to take the NCE exam.

Dr. Roach conveyed the Board and the Divisions condolences to Mr. Kleinfelder and stated everyone was truly sorry for his loss.

Dr. Roach stated he could not remember when the NCE was reinstated and agrees the Board could have done a better job advising Mr. Kleinfelder, when they last met with him in July, of the potential changes that were in process. Dr. Roach stated had that happened the Board could have conveyed the urgency for Mr. Kleinfelder to retake the NCMHCE exam as soon as possible.

Dr. Roach stated he understands there is always room for improvement and agrees the Board, the Division, and the State could have done better job of providing notice and Mr. Kleinfelder's feedback is heard and acknowledged.

Dr. Roach stated it is true the Board does not have the authority to waive any licensure requirements once they are part of the Statute or Administrative Rule. Dr. Roach stated a provision has to be not written into Rule to allow Board discretion to waive or excuse license requirements. Because a provision was not written into Rule in this case, Dr. Roach stated he wants to make it clear there is not an option for the Board to waive the exam for Mr. Kleinfelder.

Additional questions and comments were discussed.

Dr. Roach made a motion to extend Mr. Kleinfelder's ACMHC license until July 14, 2021. With the expectation he provides evidence of satisfactory completion of 20 CE's.

Ms. Crouse seconded the motion.

The Board motion passed.

Dr. Roach stated Mr. Kleinfelder will not need to meet with the Board in July if he is able to complete requirements and apply for CMHC licensure before then.

The Board wished Mr. Kleinfelder well.

Mr. Kleinfelder thanked the Board for their time.

LORI STROUP, EXTENSION

*(Refer to audio for specifics) (Audio2_02) (00:25:00 – 00:30:12) & (Audio2_03) (00:00 – 00:01:04)
Out of Order*

The Board welcomed Ms. Stroup to the meeting. Dr. Brown conducted the interview with Ms. Stroup.

Ms. Stroup met with the Board to request an extension of her ACMHC license.
Ms. Stroup needs to complete her hours and pass the NCMHCE and NCE exams.

Ms. Stroup provided an update to the Board and stated she has taken the NCMHCE exam twice and has registered to take the exam in March. She stated she attempted to register for the NCE exam through the website but was unable to at the time and will plan to register as soon as she is able to. Ms. Stroup stated she continues to complete her CE's and has completed 3928 experience hours, including 2229.5 mental health hours and 125.5 direct supervision hours, leaving her with 80 hours left to complete.

Dr. Brown stated she did not have any concerns at this time and asked if the other Board members had any questions or concerns.

The Board stated they did not.

Ms. Stroup asked if she is unable to register for the NCE exam because she is currently scheduled for the NCMHCE exam.

Ms. Falkenrath stated the Division has been made aware there were issues with not being able to register for more than one exam at a time and they will reach out to NBCC as the applicants notify them of the issue.

Dr. Brown stated she recommends an extension until the July Board meeting. If Ms. Stroup is able to complete her hours and exams and apply for licensure before the meeting she would not need to meet with the Board.

Ms. Stroup asked for clarification regarding when CE's are due.

Ms. Falkenrath stated the CE cycle starts October 1 of every even year through September 30 of the following even year.

Dr. Roach stated the expectation is to accrue 40 hours of CE's during that two-year period including six in ethics and two in suicide prevention. Dr. Roach stated annually its 20 per year including three in ethics and one in suicide prevention.

Ms. Crouse made a motion to extend Ms. Stroup's ACMHC license until July 14, 2021.

Mr. Brueck seconded the motion.

The Board motion passed.

The Board wished Ms. Stroup good luck with her exams.

Ms. Stroup thanked the Board for their time.

JONATHAN MARBLE, EXTENSION

(Refer to audio for specifics) (Audio2_03) (00:28:00 – 00:32:52) Out of Order

The Board welcomed Mr. Marble to the meeting. Introductions were made.

Ms. Crouse conducted the interview with Mr. Marble.

Mr. Marble met with the Board to request an extension of his ACMHC license.

Mr. Marble completed his hours for licensure August 6, 2019, and needs to pass the NCMHCE and NCE exams.

Mr. Marble provided an update to the Board and stated due to COVID-19 he has not been able to take his exams. Mr. Marble stated he has attempted the NCMHCE exam twice and came close to passing. Mr. Marble stated he only recently became aware of the NCE exam requirement.

Ms. Crouse thanked Mr. Marble for providing his CE information. Ms. Crouse stated since Mr. Marble completed his hours August 6, 2019, he is only eligible for an extension of his ACMHC license until August 6, 2021, and wanted to make sure he was aware of the time. Ms. Crouse stated Mr. Marble would still be able to take the exams he just would not be able to practice once his license expires.

Ms. Crouse made a motion to extend Mr. Marble's ACMHC license until May 12, 2021.

Mr. Brueck seconded the motion.

The Board motion passed.

Ms. Crouse asked Mr. Marble if he had any questions at this time.

Mr. Marble stated he did not.

The Board wish Mr. Marble good luck.

Mr. Marble thanked the Board for their time.

TAMMIE DANIEL, EXTENSION

(Refer to audio for specifics) (Audio2_03) (00:01:10 – 00:10:05) Out of Order

The Board welcomed Ms. Daniel to the meeting. Introductions were made. Mr. Brueck conducted the interview with Ms. Daniel's

Ms. Daniel met with the Board to request an extension of her ACMHC license. Ms. Daniel completed her hours towards licensure in November of 2019 and needs to pass the NCMHCE and NCE exams.

Ms. Daniel provided an update to the Board and stated she recently took the NCMHCE exam and failed it and will need to wait 90 days before she can reregister to take the exam again. Ms. Daniel stated she recently had surgery and may need to request accommodations to test again. Ms. Daniel stated she had hoped to ask for a waiver for the NCE exam. Ms. Daniel stated she has been completing CE's.

Mr. Brueck stated the Board does not have the authority to waive the NCE exam and Ms. Daniel will be required to take the exam. Mr. Brueck asked Ms. Daniel to submit evidence of completing her CE's to Ms. Johnson. Mr. Brueck stated the Board needs to see she is maintaining compliance with the CE requirement of use completing 40 CE's every two years including six in ethics and two in suicide prevention.

Ms. Daniel stated she understood.

Mr. Brueck stated based on the information Ms. Daniel has provided he would like to recommend an extension of her license until the July Board meeting. If she has completed all requirements and can apply for the CMHC license then she would not need to meet with the Board. Otherwise she would need to meet with the Board to request an extension beyond July 14, 2021, and provide evidence of progress with the exams and CE's.

Ms. Daniel stated she would not have an issue following up with the Board in July if needed.

Mr. Brueck asked if Ms. Daniel had any questions or if any of the Board members had any questions before a motion is made.

Dr. Roach wanted to make sure Ms. Daniel's question regarding exam accommodations can be addressed.

Ms. Johnson stated ADA accommodations are available for those that qualify and asked Ms. Daniels to reach out to her after the meeting in order to discuss this further.

Mr. Brueck made a motion to extend Ms. Daniel's ACMHC license until July 14, 2021.

Dr. Roach seconded the motion.

The Board motion passed.

The Board wished Ms. Daniel good luck on her exams.

Ms. Daniel thanked the Board for their time.

ADJOURN:

The meeting adjourned at 2:05 P.M.

NEXT SCHEDULED MEETING: March 10, 2021

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.

03/10/2021

Date Approved

Abigail Crouse, CMHC
Abigail Crouse, CMHC (Mar 10, 2021 10:53 MST)

**Abigail Crouse, Vice Chair
Clinical Mental Health Counselor Licensing Board**

03/10/2021

Date Approved

JenniferFalkenrath, Bureau Manager

Jennifer Falkenrath, Bureau Manager, DOPL

Signature: *JenniferFalkenrath, Bureau Manager*
JenniferFalkenrath, Bureau Manager (Mar 10, 2021 11:05 MST)

Email: jzaelit@utah.gov