

MINUTES
UTAH CLINICAL MENTAL HEALTH COUNSELOR LICENSING BOARD
ELECTRONIC MEETING
January 12, 2022 | 9:00 A.M.
No Anchor Location

Public Attended Electronically.

CONVENED: 9:00 A.M.

ADJOURNED: 12:18 P.M.

DOPL STAFF PRESENT ELECTRONICALLY

Bureau Manager: Jennifer Falkenrath
Board Secretary: Julie Pulsipher
Compliance Manager: Tracy Naff

Compliance Specialist: Jennifer Johnson
Quality Assurance: Tracy Taylor

BOARD MEMBERS PRESENT ELECTRONICALLY:

Dr. Katherine Brown, Chair
Abigail Crouse, CMHC, Vice Chair
Dr. Kenneth Roach, CMHC

Naomi Spencer, CMHC
Philip Brueck, Public Member

BOARD MEMBERS ABSENT: N/A

GUESTS PRESENT ELECTRONICALLY:

Michael Gerald, PHD, CMHC, CRC, USU

Note: Others may have attended but were not identified.

ADMINISTRATIVE BUSINESS

(See Audio 1 for Specifics 00:00:07--00:02:05)

CALL MEETING TO ORDER AT 9:03 A.M.

REVIEW AND APPROVE MINUTES FROM NOVEMBER 10, 2021

(See Audio 1 for Specifics 00:02:07--00:03:12)

Mr. Philip Brueck motioned to approve November 11, 2021 Minutes.

APPOINTMENTS:

COMPLIANCE REPORT—JENNIFER JOHNSON

(See Audio 1 for Specifics 00:03:22--00:06:00)

Ms. Johnson stated the Board would be meeting with Dennis Woodruff. Mr. Woodruff received a public reprimand signed September 2, 2021. Ms. Johnson stated this was due to a dual relationship with a client. Part of the requirements of Mr. Woodruff's stipulation were to meet with the Board, and Mr. Woodruff is meeting today. Ms. Johnson stated there were some scheduling conflicts; therefore, meeting with the Board was delayed. Ms. Johnson stated this was not anything on Mr. Woodruff's part that delayed the meeting. Mr. Woodruff was required to do 6 CEU's focused on boundaries, and for those CEU's to be completed within one year.

Ms. Johnson provided the certificate of completion and course description of approved course Mr. Woodruff sent in for Bureau Manager approval.

Ms. Spencer asked if there were any questions to be asked by the Board.

Ms. Falkenrath stated when there is a public reprimand, the probationer meets before the Board. This is in part for the probationer, and also for public understanding of what situation brought the probationer before the Board.

DENNIS WOODRUFF—PUBLIC REPRIMAND INTERVIEW—MS. SPENCER

(See Audio 1 for Specifics 00:06:00-00:07:00)

Ms. Naomi Spencer conducted the interview for Mr. Woodruff. Ms. Spencer stated Mr. Woodruff was meeting before the Board in relation to a public reprimand. The public reprimand was formalized in September of 2021. Ms. Spencer asked Mr. Woodruff what led up to this public reprimand.

Ms. Falkenrath clarified the meeting could be closed under 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.

Ms. Spencer asked Mr. Woodruff if he would like the meeting to be closed.

Mr. Woodruff stated affirmatively that he would like the meeting to be closed.

Ms. Abigail Crouse motioned to close the meeting to the public.

Ms. Spencer seconded the Motion.

Motion passed unanimously.

Meeting closed at 9:10 A.M.

Meeting re-opened 9:15 A.M.

(See Audio 2 for Specifics 00:00:01--00:05:58)

Ms. Spencer asked if Mr. Woodruff had questions for the Board.

Mr. Woodruff stated he had posed questions to DOPL Staff, and felt he didn't have any further questions.

Mr. Philip Brueck asked Mr. Woodruff if he had particular relationship with this person now.

Mr. Woodruff stated he did have a current relationship with this person now.

Mr. Brueck stated he wanted to ensure it didn't happen again, and to please elaborate.

Mr. Woodruff stated he and the other person are significant others.

Ms. Spencer asked if there were any other questions or concerns from Board members. Ms. Spencer asked what the next step would be for the Board.

Ms. Falkenrath said Mr. Woodruff completed 6 ¼ CE's which finishes the requirements of the stipulation. Ms. Falkenrath stated this experience should be a learning experience for Mr. Woodruff.

Dr. Roach questioned if the Board was going to ask Mr. Woodruff to return to meet with the Board in addition to the CEU completion.

Ms. Falkenrath stated the stipulation required one board interview; if there are any more unprofessional acts of conduct, there would be need for more interaction with the Board.

Ms. Crouse asked if there was something Mr. Woodruff took away from the experience.

Mr. Woodruff stated he had failed to realize his need to be more cautious in ensuring professional relationships stayed professional, and not straying into friendship status. Mr. Woodruff stated he had failed to realize by crossing boundaries, the healing process and time of healing of another person was out of his control.

Ms. Spencer stated this is why there are ethics procedures and boundaries in place. Ms. Spencer stated she was glad to hear Mr. Woodruff say he had understanding of the concept of client safety.

Ms. Spencer thanked Mr. Woodruff and wished him good luck in the future.

DOPL REPORT

(See Audio 2 for Specifics 00:06:00-00:11:10)

Ms. Falkenrath presented the DOPL report, as provided.

Comments, Questions, and Concerns were discussed.

DISCUSSION ITEMS

(See Audio 2 for Specifics 00:11:19-00:14:30)

NO SURPRISE ACT

Ms. Crouse stated she wanted some clarification on this matter for Counselors. Ms. Crouse stated it was brought to her attention from colleagues and her own business experience. She asked for Board member input.

Comments, Questions, and Concerns were discussed.

Ms. Falkenrath stated she provided a document in her packet of information to Board Members regarding the NO SURPRISE ACT.

SB 68

(See Audio 2 for Specifics 00:14:31-00:24:42)

Ms. Falkenrath stated Dr. Roach had asked this item to be added to the agenda.

Ms. Falkenrath stated in the 2020 General Session, the Legislature passed amendments, comprising SB68. These amendments enabled applicants the ability to qualify for an ACMHC License if they had a degree in Rehabilitation Counseling and had passed the NCE and NCMHCE.

Ms. Falkenrath stated DOPL was required to report the number of applicants for licensure to the OPLR Committee during the 2021 interim. Ms. Falkenrath stated there were four applicants: Three from Utah State University and one from the University of Texas. Two of the applicants were approved for licensure. Two of the applicants from Utah State met the qualifications and were approved. One applicant from Utah State and one applicant from the University of Texas were denied for failure to meet exam requirements.

Ms. Falkenrath stated any changes to the Rule after May 12th regarding qualifications for licensure would be the addition of the NCE for all CMHC registered applicants.

Ms. Falkenrath stated there are recommendations for legislation: Amending 58-60-405-1(d) to align with the national average of supervised training for ACMHC.
<https://le.utah.gov/xcode/Title58/Chapter60/58-60.html>

Ms. Falkenrath stated currently the Code requires 4,000 hours of post-graduate supervised training; the national average is 3,000 hours. Ms. Falkenrath stated this number came from SB 23, which looked at endorsement and requirements across the nation.

Mr. Brueck asked if there was any movement in this area to change the number of supervised hours.

Ms. Falkenrath stated she had gone to the USAAV Committee Meeting, and they felt strongly it should not decrease to 3000, but to stay at 4,000 hours.

Dr. Roach stated it would not make sense to reduce hours solely for this profession, and not change any other mental health professions. Dr. Roach stated changing the number of hours would not change the mandatory two-year period. Dr. Roach stated presumably applicants could be finished in 18 months, and could not move forward until the two-year period had finished.

Ms. Falkenrath stated she would reach out if there was a bill in the legislature regarding any changes or movement toward a change in supervisory hours.

Dr. Brown asked if the motive for this movement was due to difficulty in getting licensure.

Ms. Falkenrath stated this issue was being addressed because of endorsement difficulties facing out-of-state applicants. Ms. Falkenrath stated if applicants haven't been licensed for a full year in their own state, they would have to be licensed as an ACMHC in Utah until the additional 1,000 hours had been completed.

Dr. Brown asked if the Endorsement Map for licensing had been completed.

Ms. Falkenrath stated the Endorsement Map was located on the Division Website under Apply for a license, Clinical Mental Health, Endorsement Map. [https://dopl.utah.gov/cmhc/endorsement to utah-CMHC.pdf](https://dopl.utah.gov/cmhc/endorsement%20to%20utah-CMHC.pdf) Ms. Falkenrath stated in applying by new application, education requirements were needed; by applying by Endorsement, Supervision Requirements were needed.

POST DEGREE PATHWAY UTAH ADMIN. CODE R156-60c-302c

(See Audio 2 for Specifics 00:24:44-00:34:21)

Ms. Falkenrath presented the Clinical Mental Health Counselor Rule and Statue, as provided.

Clinical Mental Health Counselor Licensing Act Rule:

<https://adminrules.utah.gov/public/search/R156-60c-101./Current%20Rules>

Definitions, Equivalency Fields, and Qualifications were presented.

Comments, Questions, and Concerns were discussed.

BREAK

(See Audio 2 for Specifics 00:34:22-34:36)

Ms. Crouse motioned to take a break until 11:10 A.M.

Ms. Spencer seconded the Motion.

Motion passed unanimously.

The Board adjourned at 9:45 A.M.

Meeting resumed at 11:13 A.M.

INTERVIEWS:

BENJAMIN LASLETT

(See audio 3 for Specifics 00:01:14--00:23:47)

Dr. Roach conducted the interview for Mr. Benjamin Laslett. Dr. Roach stated Mr. Laslett had completed a 24-hour semester Master's Program and a Doctoral degree in School Sports Psychology and Exercise.

Dr. Roach stated he had concerns the focus wasn't sufficiently clinical. Dr. Roach stated Mr. Laslett conducted work with psycho-educational groups rather than psycho-therapy, and his Doctorate was research-focused instead of clinically-focused. Dr. Roach stated there were significant clinical deficiencies regarding coursework. It was Dr. Roach's opinion there could possibly be a transfer of some credits into a Master's program here in the United States. Dr. Roach stated Mr. Laslett's Master's program was well over 20 years old.

Dr. Roach recommended the application be denied as it did not meet CHMC requirements. Dr. Roach made the recommendation for Mr. Laslett to look into universities he could possibly transfer credits into another program.

Mr. Laslett asked questions regarding CACREP Accreditation, In-Person Programs, Online Programs, Hybrid Programs, and possibilities for his educational transfer to another program.

Comments, Questions, and Concerns were discussed.

Ms. Falkenrath stated she would be sending a letter to Mr. Laslett detailing what was covered in the Board meeting.

Mr. Laslett thanked the Board for their time.

ADRIENNE DEJAGER

(See Audio 3 for Specifics 00:23:51-00:27:07)

Mr. Brueck conducted the interview for Ms. Adrienne DeJager.

Mr. Brueck stated Ms. DeJager's paperwork was in order other than taking the exam. Mr. Brueck asked Ms. DeJager about her CE hours.

Ms. DeJager stated she had sent in her CE hours to the Division, and that she takes advantage of CE courses as much as she can.

Mr. Brueck motioned to extend Ms. DeJager's ACMHC license until July 13, 2022, to be able to take her exam.

Ms. Crouse seconded the Motion.

Motion passed unanimously.

Ms. DeJager thanked the Board for their time.

DONALD BEST

(See Audio 3, for Specifics 00:27:11-00:33:09)

Dr. Brown conducted the interview.

Mr. Best stated he has been working for a private practice, as a W2 employee. Mr. Best stated his direct supervision hours have been difficult, but he has met them. Mr. Best stated he is on track to meet all of the hours by July of 2022.

Ms. Falkenrath stated Mr. Best would need to submit his extension request at least 30 days before the next Board meeting.

Mr. Best stated he had 2,700 hours completed. Mr. Best stated he felt total hour completion was attainable by July. Mr. Best then stated he would be taking his exams in this six-month period, and expressed confidence in being able to do so.

Dr. Roach stated it is usually about 6 months to get 1000 hours completed.

Ms. Falkenrath and Dr. Roach both questioned how Mr. Best would be able to complete that many hours in the six-month period.

Dr. Roach stated the Board would see Mr. Best in July, regardless, to be updated on his progress.

Ms. Crouse made a Motion to extend Mr. Best's license to July 13, 2022.

Mr. Brueck and Dr. Roach both seconded the Motion.

Motion passed unanimously.

RANDISHAE HEPNER—EXTENSION REQUEST

(See Audio 3 for Specifics 00:33:10--00:42:41)

Ms. Crouse conducted the interview.

Ms. Crouse acknowledged the purpose for Ms. Hepner's meeting with the Board was for an extension request.

Ms. Crouse asked Ms. Hepner if her supervised hours were completed in September of 2020 or in February of 2021.

Ms. Hepner confirmed supervised hours were completed February of 2021.

Ms. Hepner said when she filed the original request, the documents should have said February 2021.

Ms. Crouse stated the reason for the Board's inquiry was that extensions can only be extended for two years.

Ms. Crouse stated the first requests she saw in the documentation did have her supervision hours being completed in September of 2020. Ms. Crouse asked Ms. Hepner to please explain the discrepancy.

Ms. Hepner stated she had probably been mistaken with the initial documentation, and human error was to blame.

Ms. Falkenrath stated the Division could extend Ms. Hepner's license to the date of the next meeting. In that time period, each supervisor would need to verify the hours listed.

Ms. Crouse motioned to extend Ms. Hepner's license to the date of the next Board meeting being held on March 9, 2022. In the meantime, supervisors would be contacted to verify hours.

Mr. Brueck seconded the Motion.

Motion passed unanimously.

Ms. Falkenrath stated she could verify with the supervisors.

Dr. Brown cautioned Ms. Hepner if the supervision forms were indeed September 2020, there was not much time before the September 2022 deadline for being able to work with extensions.

Dr. Roach added in the event Ms. Hepner did not pass her exams before September, she could not practice only until she passed the exams rather than never being able to practice.

CAROLYNN EMOND—EDUCATION REVIEW

(See Audio 3 for Specifics 00:42:36--01:01:30)

Dr. Roach conducted the interview.

Dr. Roach stated he had some questions before giving some feedback. He was confused by some of the information in the transcripts.

Ms. Emond stated she began her Master's Graduate work in Human Service Health Counseling. Ms. Emond stated she received a 36-hour Master's Degree. It was at that point Ms. Emond stated she took her NCE Exams. Ms. Emond stated she then continued on with a CS program in School Counseling Psychological Services.

Dr. Roach asked about the nature of her clinical training, practicum and internship.

Ms. Emond stated she did personal counseling, and conducted some youth programs involving substance abuse. Over the last twelve years, Ms. Emond stated she had been doing work with low-income students in the Syracuse City School District, in conjunction with Syracuse University.

Ms. Emond stated she was a supervisor at a Catholic mental and physical health charities children's health home. Ms. Emond stated she had been working with Central Square School District as a liaison between schools and families in the community.

Dr. Roach asked the Board for input concerning her training.

Comments, Questions, and Concerns were discussed.

Ms. Emond stated she has recently taken a position at UVU, and will be going to Utah in less than a month. Ms. Emond stated she is willing to do what is necessary; she feels she is capable with what she has been doing.

Dr. Roach made a motion to grant Ms. Carolynn Emond an Extern license, with the expectation she complete the group coursework, and complete a 700-hour internship.

Dr. Crouse seconded the Motion.

Motion passed unanimously.

Ms. Falkenrath stated the Extern License is a three-year license.

Ms. Emond thanked the Board for their time.

The Board thanked Ms. Emond for her time.

ADJOURN:

Meeting Adjourned at 12:18 P.M.

(See Audio 3 for Specifics 01:06:09)

NEXT SCHEDULED MEETING: March 9, 2022

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.

Katherine Brown

03/09/2022

Dr. Katherine Brown, Chairperson

Date

Jennifer Falkenrath

Jennifer Falkenrath (Mar 9, 2022 15:50 MST)

03/09/2022

Jennifer Falkenrath, Bureau Manager

Date