

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

Public Attended Electronically.

CONVENED: 9:02 A.M.

ADJOURNED: 12:18 P.M.

DOPL STAFF PRESENT ELECTRONICALLY:

Bureau Manager: Jennifer Falkenrath

Compliance Manager: Tracy Naff

Board Secretary: Julie Pulsipher

Compliance Specialist: Jennifer Johnson

BOARD MEMBERS PRESENT ELECTRONICALLY:

Dr. Katherine Brown, Chair

Naomi Spencer, CMHC

Abigail Crouse, Vice Chair

Philip Brueck, Public Member

Dr. Kenneth Roach, CMHC

BOARD MEMBERS ABSENT: N/A

GUESTS PRESENT ELECTRONICALLY: N/A

Note: Others may have attended but were not identified.

ADMINISTRATIVE BUSINESS

(See Audio 1 for Specifics 00:00:04-00:01:43)

CALL MEETING TO ORDER AT 9:02 A.M.

REVIEW AND APPROVE MINUTES FROM JANUARY 12, 2022

(See Audio 1 for Specifics 00:00:44-00:02:20)

Dr. Roach motioned for the 1/12/2022 Minutes to be approved.

Mr. Brueck seconded the Motion.

Motion passed unanimously.

APPOINTMENTS:

COMPLIANCE REPORT—JENNIFER JOHNSON

(See Audio 1 for Specifics 00:02:22-00:11:45)

Ms. Johnson presented the Compliance Report, as provided.

DWIGHT HURST—PROBATION INTERVIEW

(See Audio 1 for Specifics 00:12:06-00:32:42)

Dwight Hurst 9:20 A.M.

Dr. Roach conducted the interview, and made introductions.

Dr. Roach asked Mr. Hurst to report on his progress.

Mr. Hurst stated it has been going well. Mr. Hurst stated he supplied some CE's to the Division that need approval from the Board. Mr. Hurst stated having supervision has been a positive experience for him. He has had an increase of his area of focus, and there are more people seeking him out.

Mr. Hurst provided three different courses to be reviewed by the Board.

- Boundary Crossings and Ethics of Multiple Roles Relationships
- Boundary Boundaries with the Patient and Client with Borderline Personality Disorder
- Certified Facilitator Samenow's Overcoming Errors in Thinking (8 hours)

Dr. Roach stated the course Boundary Crossings and Ethics of Multiple Roles Relationships was the most appropriate for Mr. Hurst's Stipulation Order.

Dr. Roach stated CMHC abides by the American Mental Health Counselors Code. Dr. Roach suggested Mr. Hurst review the Code.

Dr. Roach asked Mr. Hurst what he does in his practice to incorporate Ethics.

Mr. Hurst stated he took courses during COVID-19 of which he learned a lot of skills. Mr. Hurst stated he learned to ask himself what he offered in his practice, how to connect it to ethics, and if there were things that would get in the way of that. Mr. Hurst stated he learned to examine his approach to check if he was sharing things metaphorically to just share, or sharing to teach something.

Dr. Roach asked if Mr. Hurst had opportunity to meet with Meg Martinez, his therapist.

Mr. Hurst stated Candice Christiansen has been transferring some of her clients to Meg Martinez. Mr. Hurst stated he has had two sessions since the transfer. Mr. Hurst stated Ms. Martinez does internal family systems and EMDR work, and he feels it has been good so far.

Dr. Roach stated it would be wise to have Mr. Hurst come back in July since there has been a change in therapist. Dr. Roach stated it will give opportunity to give Mr. Hurst time to complete the CE course.

Ms. Johnson asked for clarification on frequency of supervisor and therapy reports until Mr. Hurst meets with the Board in July.

Dr. Roach stated to change to monthly therapy reports and continue quarterly supervisor reports until the Board meets in July.

Dr. Roach motioned to approve the course on Boundary Crossing on Multiple Role Topics and to approve Meg Martinez for Mr. Hurst's therapist.
Naomi Spencer seconded the Motion.
Motion passed unanimously.

JASON MILLER—PROBATION INTERVIEW

(See Audio 1 for Specifics 00:32:50-00:45:05)

Mr. Brueck conducted the interview for Jason Miller. Mr. Brueck asked how things were going for Mr. Miller.

Mr. Miller stated he had been very busy working with United Police Department, working with crisis units, having daily check-ins, and having several speaking opportunities. Mr. Miller stated he works with clients in the Odyssey program. Mr. Miller asked what else he needs to do to get off probation.

Mr. Brueck asked what he has got from being probation for a year.

Mr. Miller stated he was involved in a lot of criminal activity in his past through DUI's. Mr. Miller stated he was used to having people have their thumb on him. Mr. Hurst stated he needed to remain humble, do the best he can, and be better than he was yesterday.

Mr. Miller said he didn't think it was *unnecessary* to be on probation—coming from another state with a record. Mr. Miller stated it was not his intention to be demanding or to have an attitude. Mr. Miller stated he feels he is not the same person as he was.

Ms. Falkenrath stated there would need to be a recommendation to amend the Stipulation from the Board.

Mr. Brueck made a Motion to recommend for Mr. Miller to be taken off probation.
Ms. Spencer seconded the Motion.
Motion passed unanimously.

Ms. Johnson stated for the record, at least the last three reports have not been reported on time. Ms. Johnson stated she has reached out to Christi Johnson multiple times for her reports. Ms. Johnson said her last correspondence was in February, and Ms. Johnson received the records from Christi Johnson, late Monday night. Ms. Johnson said Christi Johnson will have to send things via email to her—as there is no portal to send anything to.

DESIREE PORTER—PUBLIC REPRIMAND INTERVIEW

(See Audio 1 for Specifics 00:45:07-01:07:32)

Dr. Roach conducted the interview, and made introductions.

Dr. Roach stated the meeting is being recorded. Dr. Roach stated because it is the first interview and Ms. Porter is not yet aware, if the discussion involves character, competence, or mental health, the meeting can be closed.

Dr. Roach asked how Ms. Porter ended up with the reprimand.

Ms. Porter stated the details of her circumstances that led up to the public reprimand.

Dr. Roach asked Ms. Porter if she had it to do over again, what she would do.

Ms. Porter said she was taking on something she didn't know she was getting into. Ms. Porter stated she needed more outside perspective.

Dr. Roach asked what it was that was seen by the licensing Division as unethical or problematic.

Ms. Porter stated it was the crossing of boundaries. Ms. Porter stated there should have been more time before bringing her daughter into her household. Ms. Porter stated professionalism was an issue, and she should have been getting more outside consultation for the situation.

Dr. Roach asked how Ms. Porter will be using the American Mental Clinical Health Code in the future.

Ms. Porter stated with all her other clients she has maintained professionalism. Ms. Porter stated outside of not getting enough support and more time from bringing her in, every session was professional and there was no dual relationship.

Dr. Roach stated there was no motion required. Dr. Roach stated it was just required for Ms. Porter to meet with the Board. Dr. Roach asked if there was anything the Board could be for her in the future.

Ms. Porter stated she attended the UMCA meeting, and appreciated faces with humanness. Ms. Porter stated this has been a terrifying process; for Board members to be relatable has been helpful.

Dr. Roach stated he hopes things settle back down to more normalcy for Ms. Porter.

MELANIE CRIDDLE—PROBATION INTERVIEW (*Out of Order*) joined the meeting 25 minutes late at 10:40 A.M.

(See Audio 2 for Specifics 00:21:23- 01:02:00)

Ms. Spencer conducted the interview. Ms. Spencer reminded Ms. Criddle this meeting is a public meeting and is recorded. Ms. Spencer stated if sensitive information such as character, competence, or mental health is discussed, the meeting can go to a closed meeting.

Ms. Criddle said she remembered all day yesterday, but completely forgot about the meeting today.

Ms. Spencer asked how she has been doing.

Ms. Criddle stated she had been working extensively with her therapist to process the events that happened, and identify the steps she needs to take on a personal level and a professional level. Ms. Criddle stated she is working on making sure there are boundaries in all the areas of her life. Ms. Criddle stated she has put jobs in her profession on the back burner for right now. Ms. Criddle stated she does not feel ready to start practicing direct client contact.

Ms. Criddle stated she wants to do utilization review or in-take assessments where there is limited direct client contact. Ms. Criddle asked how that would look with adjusting the supervision piece without direct client contact.

Ms. Spencer said she doesn't know how Ms. Criddle could get supervision in that manner. Ms. Spencer asked Ms. Criddle if she was getting close to being able to practice.

Ms. Criddle stated she still has a great deal of anxiety around the situation because of what happened. Ms. Criddle stated shame and guilt are triggered with the trauma. Ms. Criddle stated it is difficult to put a timeline on it.

Ms. Falkenrath clarified the wording her Stipulation Order and the Rules. Ms. Falkenrath stated Ms. Criddle's Stipulation Order was outlined as it is to specify direct supervision in a clinical role. Ms. Falkenrath stated there is a challenge there if Ms. Criddle is not having direct contact. Ms. Falkenrath stated the job Ms. Criddle is doing right now is more like "not working in the field" type of role.

Ms. Falkenrath stated there is an option to amend an order. Ms. Falkenrath stated there can be a way to amend the Order for some stepping stones for her to be employed.

Ms. Falkenrath stated with people on probation, there cannot be a change or amendment without a recommendation from the Board, to make a recommendation to the Division Director.

Comments, Questions, and Concerns were discussed.

Ms. Johnson stated quarterly reports will be necessary unless monthly reports are needed for the first six months. Ms. Johnson stated it is at the recommendation of the Board for frequency of reporting.

Ms. Spencer stated up until now, Ms. Criddle has been doing monthly reports.

Ms. Spencer motioned that therapist reports be made quarterly.

Mr. Brueck seconded the Motion.

Motion passed unanimously.

Ms. Johnson stated starting in April, Ms. Criddle will be on quarterly therapy reporting.

Ms. Criddle stated in the last meeting, the Board agreed to the psychological evaluation to have the therapist coordinate directly with the supervisor. Ms. Criddle asked what they would be coordinating.

Ms. Spencer stated it would have to do with direct supervision hours so the supervisor can communicate to the therapist things that are surfacing professionally. Ms. Spencer stated Ms. Criddle and her therapist would talk first about what needs to be communicated back and forth with the supervisor.

Ms. Spencer motioned to see Ms. Criddle again in 4 months to see progress with her probation.

Dr. Roach seconded the Motion.

Motion passed unanimously.

Ms. Spencer made a Motion to take a Break.

Mr. Brueck seconded the Motion.

Motion passed unanimously.

BREAK: 10:12-10:18 A.M.

DISCUSSION ITEMS:

LEGISLATIVE UPDATE

(See Audio 2 for Specifics 00:00:33-00:11:34)

Ms. Falkenrath stated SB237, the Counseling Compact, will permit all health professions to enter the Compact. It starts with Clinical Mental Health Counselors. Ms. Falkenrath stated Clinical Mental Health Counselors in the compact would need to be fingerprinted. Ms. Falkenrath stated there is a lot of Rule writing and several steps to take, but it is in process.

Ms. Falkenrath stated HB283 passed as well. It reduces the number of total supervised hours from 4,000 to 3,000 hours for Clinical Mental Health Counselors, Marriage and Family Therapists, and Social Workers. Ms. Falkenrath stated this bill also takes out the Sunset Provision for Rehabilitation Counselors. Ms. Falkenrath stated this bill goes into effect the day the Governor signs it.

Ms. Falkenrath stated SB44 addresses clinical training. SB44 states a license is limited to the period of time necessary to complete clinical training and extends not more than two years of the date the minimum requirement for training is completed, and not exceed four years past the date the minimum supervised clinical training requirement has been completed.

Comments, Questions, and Concerns were discussed.

Ms. Falkenrath stated HB0111 addressed the Court Appointed Therapist Amendment. Ms. Falkenrath stated someone cannot file a complaint against a court appointed therapist until after the court case unless the party has requested a release of the court appointed therapist. Ms. Falkenrath stated it is very important to note that the Bill details a court appointed therapist as a mental health therapist—not a life coach or someone else.

INTERVIEWS:

DOPL REPORT

(See Audio 2 for Specifics 00:13:19-00:15:06)

Ms. Falkenrath presented the DOPL Report, as provided.

RANDISHAE HEPNER—EXTENSION REQUEST

(See Audio 2 for Specifics 00:15:43-00:21:21)

Ms. Spencer conducted the interview for Ms. Hepner. Ms. Spencer stated Ms. Hepner was meeting with the Board to extend her ACMHC License.

Ms. Hepner stated she had recently discovered she can take her exams more quickly than previously thought, and will be taking them in May for licensure.

Ms. Spencer asked how confident Ms. Hepner was in taking the exams.

Ms. Hepner stated she was fairly confident since she was on maternity leave and has had some time to study.

Ms. Spencer asked Ms. Hepner what her alternative plan was if she wasn't able to pass the exams.

Ms. Hepner stated her boss indicated she could move into another position at work until she was able to pass the exams.

Ms. Spencer motioned to extend Ms. Hepner's license until September 2022.

Mr. Brueck seconded the Motion.

Motion passed unanimously.

TINA BRAITHWAITE—EXTENSION REQUEST

(See Audio 2 for Specifics 01:02:23-01:08:34)

Dr. Brown conducted the interview. Dr. Brown stated Ms. Braithwaite was meeting before the Board for requesting a license extension.

Ms. Braithwaite stated she needs an extension to be able to take the test. Ms. Braithwaite stated she finished her required hours this last February, and will be taking the NCMHCE on April 9, 2022. Ms. Braithwaite stated she has received confirmation to take the NCE, but she needs to schedule it. Ms. Braithwaite stated she is an educator, and is having difficulty finding the time to take the exams.

Dr. Brown asked about supervision hours. Dr. Brown stated on her application, Ms. Braithwaite indicated supervision hours being completed on November 2, 2021.

Dr. Roach motioned to extend Ms. Braithwaite's license to September 14, 2022.

Ms. Spencer seconded the Motion.

Motion passed unanimously.

CHUCK ROBERTSON—EXTENSION REQUEST

(See Audio 2 for Specifics 1:08:35-01:16:11)

Dr. Brown conducted the interview. (Mr. Robertson tried several times to join the meeting, and was unsuccessful at maintaining a connection either audibly or visually).

Dr. Brown stated Mr. Robertson requested a one-year license extension to be able to take both the NCMHCE and the NCE. Dr. Brown stated Mr. Robertson has submitted CE's from this past summer. The Board concurred Mr. Robertson is at about 15 CE's from what was indicated. Dr. Brown stated with the information provided, her suggestion would be to recommend extending Mr. Robertson's license until the September Board meeting, with the condition to see CE documentation from Mr. Robertson at that meeting.

Ms. Spencer made a Motion to extend Mr. Robertson's license to the date of the September meeting, September 14, 2022, and to bring documentation of CEU's to that Board meeting.

Dr. Roach seconded the Motion.

Motion passed unanimously.

Mr. Brueck made a Motion to close the meeting.

Dr. Roach and Ms. Spencer seconded the Motion.

Motion passed unanimously.

MEETING ADJOURNED: 11:35 A.M.

NEXT SCHEDULED MEETING: May 18, 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

05/18/2022

Dr. Katherine Brown, Chairperson

Date

Larry Marx

05/18/2022

Larry Marx, Acting Bureau Manager

Date