

## MINUTES

### UTAH Clinical Mental Health Counselor Licensing Board MEETING

December 11, 2013

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

**CONVENED:** 9:02 A.M.

**ADJOURNED:** 1:20 P.M.

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

Richard J. Oborn  
Lee Avery

**Board Members Present:**

Jason H. King, Ph.D., Chairperson  
Rodger Bischoff  
Ruth A. Baxter, Vice Chairperson  
Travis Manning  
Jerri Sena

**DOPL Staff**

Susan Higgs, Compliance Specialist

**Guests:**

Epifanio J. Garcia  
Kristin Erskine

#### TOPICS FOR DISCUSSION

#### DECISIONS AND RECOMMENDATIONS

##### **ADMINISTRATIVE BUSINESS:**

**MINUTES:**

The Board reviewed the minutes dated October 9, 2013. Ms. Sena made a motion to approve the minutes. The motion was seconded by Ms. Baxter and carried unanimously.

**Compliance Report:**

1. Mr. John Washington is in compliance with his stipulation. He submitted supervisor reports for October and December. He submitted his therapy reports for October and December. His probation ends on March 7, 2014.
2. Ms. Helen Johnson is in compliance with her stipulation. She submitted a positive supervisor report for September and November. Her supervisor reports were moved to quarterly at the last meeting.

3. Mr. Robert Crozier is in compliance with his stipulation. He is no longer working part-time. He submitted his report for October and November. He continues working in geriatrics. The Board needs to follow up to ensure the supervisor is sitting in on sessions or listening to the audio.
4. Ms. Jennifer Spangler is in compliance with her stipulation. The supervisor report was moved to quarterly at the last Board meeting. Her November report was more comprehensive than previous reports have been.
5. Ms. Linda Protzman is in compliance with her stipulation. She submitted her supervisor reports for October and November. The essay was submitted in October, but not officially approved. The Board requested she find a different supervisor because of a prior relationship. She is proposing Larry Jacobson who is having surgery. Ms. Zone will continue supervising her until Mr. Jacobson returns from a short medical leave.
6. Mr. Lane Porter is in compliance with his stipulation. He submitted a new proposed supervisor as requested by the Board for approval. He submitted a written essay about his triggers and how to handle these. He submitted a fitness for duty letter from Dr. Crookston, a supervisor report for October and November. He submitted therapy report from J. Holbrook and SA TX report from K. McLaren. He is proposing approval of Kristin Erskine, CMHC as his supervisor. The Board reviewed the CV and contract from Ms. Erskine, a list of Mr. Porter's triggers, and his psychological evaluation.
7. Mr. Gregory Hood is in compliance with his stipulation. He submitted supervisor reports for July, August and September. He is still submitting monthly reports due to his prior probation violations. Under additional disciplinary action taken by the Division, his probation was extended for 18 months after the date that his criminal probation ends. He was issued a fine but it has not yet been paid in full. He is required to call the drug screen line daily and do random drug screens. He entered into a plea in abeyance for the

criminal charges.

## APPOINTMENTS:

John Washington, probation interview

Mr. Washington met with the Board. Ms. Sena conducted the interview. The Board noted that his probation term is 11/4/2010 to 3/7/2014. His reports are on time and are positive. He has consistently been in compliance with his stipulation. Mr. Washington stated he is trying to increase his work hours. He is working about 45 hours a month. He continues to attend support meetings. He will start studying for the exam at the end of the year. He needs to take the NCE and is part of a study group in his office. Mr. Washington stated he would like to work with clients with substance abuse issues. Mr. Oborn advised Mr. Washington that his probation is scheduled to end March 7, 2014. As long as he continues to be in compliance with is stipulation, he would receive a stipulation releasing him from probation and a new license in the middle of March 2014. **Mr. Washington is in compliance with his stipulation.**

Helen Johnson, probation interview

Ms. Johnson's interview was via telephone and Ms. Baxter conducted the interview. Ms. Johnson stated she is doing well. The Board noted that her supervisor is submitting brief reports and the Board would like these to include more detail. Ms. Johnson stated her supervisor reviews everything and has been every helpful with suggestions regarding her progress notes and assessments with the court. Ms. Johnson stated her hours were reduced. She receives support from her husband and church. She also belongs to a support group for children with special needs. Her probation is for three years. In April 2014, she will have completed half of her probation time and she has consistently been in compliance. Ms. Johnson stated she has learned a lot though this process, including, how take better notes and the need to include more detailed in her notes. She needs to state the facts and not her impressions or interpretation of the facts. She learned about the need for self-care and keeping herself aware of her professional ethics. Not only how they affect her but also how they affect her clients. The Board encouraged her to submit a letter from her supervisor indicating her support for Ms. Johnson's early termination from probation, and for her to submit

a letter to the Board requesting early release from probation. The Board would like her to include why she feels she should be released from probation and what she has learned during this time. These letters need to be submitted by February 20, 2014. The Board asked to see Ms. Johnson on March 18, 2014. **Ms. Johnson is in compliance with her stipulation. The Board would like to physically see Ms. Johnson at the March Board meeting.**

Robert Crozier, probation interview

Mr. Crozier met with the Board. He was late to this appointment due to illness in the family. Ms. Sena conducted the interview. Mr. Crozier stated things are going well. He continues to attend Walden University to complete a degree in Health Psychology. He is taking only one class this time. The Board noted that his supervisor reports are looking better. He gave his supervisor two audio recordings to review. His supervisor picks the sessions that he wants to listen too. He meets with his supervisor two times a month. They have been doing training regarding dementia. He has about 35 patients that he sees once a week. He usually spends about 20 minutes with each one and completes his paperwork at night. Most of his clients have a form of dementia or Alzheimer's. He continues attending weekly support meetings and sees his therapist once or twice a month. The Board asked to see Mr. Crozier on March 18, 2014. **Mr. Crozier is in compliance with his stipulation.**

Jennifer Spangler, probation interview

Ms. Spangler met with the Board. Ms. Baxter conducted the interview. Ms. Spangler stated she is doing well. During the holiday's many of her clients have cancelled appointments. Her supervision is going well. His advice and direction have been very helpful to her. The Board noted that his current report was more detailed and specific than the previous ones have been. They discuss current cases and listen to the audio recordings of sessions together. Ms. Spangler stated that she referred a case to DCFS. She is working with them to help the children involved. Ms. Spangler stated she enjoys swimming, exercising and spending time with her family. The Board asked to see Ms. Spangler on March 18, 2014. **Ms. Spangler is in compliance with her stipulation. The Board would like to physically see her at the March**

**meeting.**

Linda Protzman, new probation interview

Ms. Protzman met with the Board. Mr. Manning conducted the interview. Ms Protzman stated she is doing well. There have been some stresses in life but she is working through them. She is currently running her own practice. Her husband is managing the office. Ms. Protzman stated that she added a disclosure in her patient packet that he does not have access to any client records. Ms. Protzman stated her practice is growing. She is seeing between 13 and 15 people a week and is working an average of 20 hours a week. Ms. Protzman submitted a CV for her proposed supervisor, Larry K. Jacobson, CMHC. Ms. Baxter made a motion to accept Mr. Jacobson as Ms. Protzman's supervisor. The motion was seconded by Ms. Sena and carried unanimously. Mr. Jacobson is having surgery. Ms. Zone will continue supervising Ms. Protzman until he returns to work. The Board asked Ms. Protzman to bring examples of how to handle borderline personalities and how she will not cross boundaries in the future to the next Board meeting. The Board reviewed Ms. Protzman's essay. She stated that prior to meeting with any clients she reviews her professional ethics to ensure she is not crossing boundaries with clients. She is now trying to see how therapy is going from her client's point of view. She continuously seeks their feedback. Ms. Protzman stated Ms. Zone has been listening to her recorded sessions and giving her good feedback. Ms. Sena made a motion to accept Ms. Protzman's essay. The motion was seconded by Mr. Bischoff and carried unanimously. The Board asked to see Ms. Protzman on March 18, 2014. **Ms. Protzman is in compliance with her stipulation.**

Lane Porter, new probation interview

Mr. Porter met the Board. Dr. King conducted the interview. The Board noted that Mr. Porter completed his evaluation with Dr. Dusoe. He recommended Mr. Porter obtain an evaluation with an addiction specialist. Mr. Porter stated he completed an IOP program for 6 weeks and is working the next level of recovery. Once he completes this program, he will receive a certificate and provide the Board with a copy. Mr. Porter stated he saw Dr. Crookston for another substance abuse evaluation. He will provide

the Board a copy of Dr. Crookston's letter. Mr. Porter stated he is taking medication to help with concentration. He is attending support group meetings. He also meets with his LDS 12 step sponsor. He goes to counseling weekly. His family is very active in supporting his sobriety and he has been sober for twenty-five months. He stays positive and stays focused on who he is and what he stands for. The Board expressed concern regarding Mr. Porter starting his private practice and asked him to outline some of the things he is doing. Mr. Porter stated that he brought in administrative help with the practice. He also established daily limits on how much direct service he provides. Currently he provides direct service to clients about 3 hours a day. He has a SUDC do the prime for life classes and Ms. Kristi Erskine, CMHC, NCC, SAP acts as his clinical supervisor. The Board expressed concern that his DOPL probation supervisor is working for him and advised Mr. Porter that he will need to hire a new supervisor and have Ms. Erskine supervise other employees in his practice. He could also cease having her as an employee of his practice and she could continue being his probation supervisor. He will need to submit a CV for his new proposed supervisor. The Board asked to see Mr. Porter on March 18, 2014. **Mr. Porter is in compliance with his stipulation.**

#### Gregory Hood, probation interview

Mr. Hood met with the Board. Mr. Bischoff conducted the interview. Mr. Hood stated he passed the CMHCE test in October 2013. He meets with his supervisor and they talk about boundaries, transference, and counter transference. He has a good relationship with Dr. Ferro and feels he can bring any problem or question to him. Mr. Hood stated he is learning the importance of staying on top of things and being more diligent in preparing notes, making them more legible, clarifying diagnosis and consulting with his supervisor. Mr. Hood stated he is an insurance broker; and is working through a brokerage affiliate. He holds insurance licenses in Utah and Texas. He is not doing business with insurance in Utah, only Texas. Mr. Hood asked if he could co-lead a group with Dr. Ferro. The Board indicated this would be between him and Dr. Ferro; however, they need to ensure they adhere to

the ethics, laws and his stipulation with DOPL. Mr. Oborn requested feedback from the Board regarding the Division issuing a CMHC license to Mr. Hood. Mr. Oborn noted that his license would still be on probation. The Board stated that due to his current probation in two states, his criminal offenses, and the additional action taken against his license, the Board does not support issuing Mr. Hood a full license at this time. The Board noted that his probation with the Board was extended and is eighteen months after he successfully completes court probation. The Board encouraged Mr. Hood to submit copies of the court documentation regarding his successful termination of his court probation to Ms. Higgs as soon as he receives it. The Board asked to see Mr. Hood on March 18, 2014. **Mr. Hood has been out of compliance with his order in the past, but he is now back in compliance..**

**DISCUSSION ITEMS:**

1. Proposed amendment to Utah Admin. Code R156-60 creating exemption for students between internship end and issuance of a license

Mr. Oborn reviewed the following proposed amendment to Utah Admin. Code R156-60 creating exemption for students between completion of all required courses for a degree and issuance of a license. **R156-60-102. Definitions.**

(6) "On-the-job-training program" means a program that:

- (a) is applicable to individuals who have completed all courses required for graduation in a degree or formal training program that would qualify for licensure under this chapter;
- (b) starts immediately upon completion of all courses required for graduation;
- (c) ends 45 days from the date it begins, or upon licensure, whichever is earlier, and may not be extended or used a second time;
- (d) is under supervision by a qualified individual licensed under this chapter and that includes supervision meetings on at least a weekly basis when supervisee and supervisor are physically present in the same room at the same time; and
- (e) is completed while the individual is an employee of a public or private agency engaged in mental health therapy or substance use disorder counseling.

A student completes an internship of at least 1,000 hours of supervised practice. In the current law, students can practice under a student exemption until they complete the internship course. Liability issues are covered by the school's insurance, and the school approves the facility. If adopted, this proposal allows students to continue to practice under certain conditions for a 45 day period after completion of the internship course as long as they have completed all required coursework necessary for their degree. Mr. Oborn stated this would apply to the following licensing groups: CMHC, MFT, SW, SUDC and psychologists. Mr. Oborn noted that in the near future, he will request input from additional Utah schools with students who would benefit from this proposal. Ms. Baxter made a motion to support the proposed changes. The motion was seconded by Mr. Bischoff and carried unanimously.

- 2. Update regarding possible bill to amend requirements for extern licenses

Mr. Oborn reviewed the update regarding a possible bill to amend requirements for extern licenses. Mr. Bischoff made a motion to accept the proposal. The motion was seconded by Ms. Baxter and carried unanimously.

**BOARD MEETINGS:**

The next Board meeting March 18, 2014.

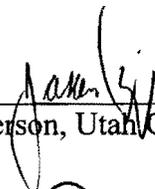
**2014 Board meetings have been scheduled:**  
March 18, June 17, September 16, December 16

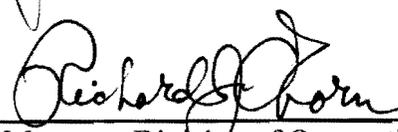
Motion to adjourn at 1:20 P.M.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

3/18/14  
Date Approved

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Date Approved

(ss)   
Chairperson, Utah Clinical Mental Health Counselor Board

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