

BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD
Minutes
January 27, 2025

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Mr. Jon Ferguson called the meeting to order at 9:05 a.m. in the Indiana Government Center South, Room W064, 402 West Washington Street, Indianapolis, Indiana, and by Zoom and declared a quorum with Indiana Code § IC 25-23.6-2.

Board Members Present:

Jon Ferguson, LMFT, LCAC, Board Chair
Dr. Dianna Cooper-Bolinskey, LCAC, LCSW, Vice Chair
Kelley Gardner, LMFT, LMFT, Section Chair
Kathryn Adams, LCAC, LCSW, Section Chair
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC, Section Chair
C. Martin Justice, LMHC, LCAC, Board Designee
Stephan Viehweg, MSW, LCSW, Section Chair
Peter Karalis, MD, Psychiatry Member
Jacqueline Eitel, RN, Consumer Member

Board Members Not Present:

Licensed Clinical Social Worker - Vacant

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Dana Brooks, Assistant Board Director, Professional Licensing Agency
Bradley Repass, Litigation Specialist, Professional Licensing Agency
Adam Harvey, Deputy Attorney General, Office of the Attorney General

The video recording can be found on:

<https://www.youtube.com/@INProfessionalLicensingAgency>

II. ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda as amended.

Richardson/Justice
Motion carried 9-0-0

III. APPROVAL OF MINUTES

A motion was made and seconded to adopt the minutes of December 9, 2024 as amended.

Justice/Gardner
Motion carried 9-0-0

IV. ADMINISTRATIVE HEARINGS

A. Keely King, LMHC, License No. 39003049A

Cause No. 2021 BHSB 0011

Re: Petition For Reinstatement

Parties Present:

Respondent was present with counsel William Lawson
Ryan Eldridge, Deputy Attorney General
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Jon Ferguson, LMFT, LCAC, (Hearing Officer)
Dr. Dianna Cooper-Bolinskey, LCAC, LCSW,
Kathryn Adams, LCAC, LCSW
Kelley Gardner, LMFT
Kimble Richardson, LMHC, LCSW, LMFT, LCAC
C. Martin Justice, LMHC, LCAC
Stephan Viehweg, LCSW
Peter Karalis, MD, Psychiatry Member
Jacqueline Eitel, RN, Consumer Member

Case Summary: On or about May 25, 2021 a Consumer complaint was filed against Ms. King. On or about June, 18 2021 the Board suspended Ms. King's license as she was determined to be clear and immediate danger. On or about August 15, 2023 a Settlement Agreement was reached with the following terms:

- Indefinite suspension for no less than 1 year
- Complete a fitness for duty evaluation completed by an HSPP within two months of her request to reinstate, and follow all recommendations
- Shall pay a fee of \$5.00 to be deposited into the Health Records and Personal Identifying Information protection Trust Fund
- May continue employment at Maple Heights Behavioral Health but not act in the role of an LMHC or LCAC while suspended.

Ms. King stated that she has met all the terms of her agreement. Mr. Lawson submitted Exhibit's 1-3 with the stipulation that Exhibit 3 be marked as "not for public access." The exhibits are copies of her continuing education certificates regarding boundary training, a letter from her clinical director, and a copy of her fitness for duty evaluation. The Board discussed what she learned from her continuing education courses she completed and reviewed her fitness for duty evaluation. The State indicated that they recommend that if the Board votes to reinstate Ms. King's license, that she be placed on probation for a period of at least two years with terms and conditions.

Board Action: A motion was made and seconded to grant Ms. King's petition for reinstatement and place her license on probation with the following terms and conditions:

- Indefinite probation for a period of no less than two years.
- Continue to attend personal therapy and have the therapist provide quarterly reports on her progress which should include attendance of AA meetings.
- A signed board order from her employer.
- Bi-monthly supervision reports from her supervisor regarding her progress.
- Quarterly employer reports regarding her progress.
- Prohibited from directly supervising interns while on probation.

Justice/Richardson
Motion carried 9-0-0

B. Rawan Haddad, LCACA, License No. 87900141A

Cause No. 202408-BHS-0058

Re: Petition For Withdraw of Probation

Parties Present:

Respondent was present

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Jon Ferguson, LMFT, LCAC, (Hearing Officer)

Dr. Dianna Cooper-Bolinskey, LCAC, LCSW,

Kathryn Adams, LCAC, LCSW

Kelley Gardner, LMFT

Kimble Richardson, LMHC, LCSW, LMFT, LCAC

C. Martin Justice, LMHC, LCAC

Stephan Viehweg, LCSW

Peter Karalis, MD, Psychiatry Member

Jacqueline Eitel, RN, Consumer Member

Case Summary: On or about August 29, 2024 the Board placed Ms. Hadden's license on the following probation with the following terms due to her unlicensed practice:

- Indefinite probation for no less than three months from May 20, 2024
- Keep the Board updated on her contact information.
- Complete 10 hours of continuing education in ethics or licensure and submit proof of completion to the Board.
- Order signed by her employer.
- Take and pass the Indiana jurisprudence examination.

Ms. Haddad stated that she has completed all terms of her probation and stated that she was unaware that there was an associate license available. She stated that she received no guidance on licensure, and her intention is to educate new graduates on the licensure process. She submitted Exhibit 1, which is a copy of her signed Board Order. The Board accepted her exhibit. Ms. Haddad stated that she appreciates the learning opportunity the Board gave her.

Board Action: A motion was made and seconded to grant Ms. Haddad's petition for withdraw of probation.

Adams/Richardson
Motion carried 9-0-0

C. Neelu Chawla, LMFT, License No. 35001727A

Cause No. 2023 BHSB 0001
Re: Petition For Withdraw of Probation

Parties Present:

Respondent was present
Autumn Murphy, Deputy Attorney General
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Jon Ferguson, LMFT, LCAC, (Hearing Officer)
Dr. Dianna Cooper-Bolinskey, LCAC, LCSW,
Kathryn Adams, LCAC, LCSW
Kelley Gardner, LMFT
Kimble Richardson, LMHC, LCSW, LMFT, LCAC
C. Martin Justice, LMHC, LCAC
Stephan Viehweg, LCSW
Peter Karalis, MD, Psychiatry Member
Jacqueline Eitel, RN, Consumer Member

Case Summary: On or about January 6, 2022 an Administrative Complaint was filed against Ms. Chawla with allegations of client abandonment and failure to maintain mental accurate mental health records. On or about July 27, 2023 Ms. Chawla entered into a Settlement Agreement with the Board for the following terms:

- Indefinite probation for no less than one year
- Keep the Board up to date on her contact information
- Refrain from operating a solo private practice in an outpatient setting while on probation
- If employed as an independent contractor, she shall retain the services of a practice supervisor. The practice supervisor shall audit Ms. Chawla's cases on a quarterly basis, have discussions with Ms. Chawla on the audit, and submit quarterly reports to the Board of the audit and discussion progress.
 - Signed Board order by employer
 - Practice Supervisor should be licensed by the Board, not have any disciplinary sanctions, and not be someone who Ms. Chawla has had a prior professional or personal relationship with.
- If Ms. Chawla is employed at a Behavioral Health Employer she shall:
 - Keep the Board up to date on her employer's name and contact information
 - Signed order by employer

- Have employer submit quarterly reports regarding her job performance and fitness to practice.
- Prior to withdrawing probation she shall:
 - Complete 4 employer reports
 - Complete 4 supervisor reports
 - Complete 12 hours of CEU in professionalism and ethics
- Pay a fee of \$5.00 to be deposited in the Health Records and Personal Identifying Information Protection Trust Fund.

The State noted no objections to Ms. Chawla's request to withdraw her probation status. Ms. Chawla stated that she has met all the terms of her probation. The State submitted Exhibit 1 which is an affidavit from Brad Repass, Litigation Specialist, Indiana Professional Licensing Agency, for the Board to review. The Board accepted the exhibit. The Stated noted that the deficiencies included in the affidavit does not rise to a concern for them.

Board Action: A motion was made and seconded to grant Ms. Chawla's petition for withdraw of probation.

Gardner/Justice
Motion carried 9-0-0

V. NOTICE OF PROPOSED DEFAULT

There were no Notices of Proposed Default.

VI. PROPOSED SETTLEMENT AGREEMENT

A. Joseph Gerbofsky, LMFT, License No. 39004401A

Cause No. 202410-BHS-0068

Re: Administrative Complaint and Proposed Settlement Agreement

Parties Present:

Respondent was not present

Autumn Murphy, Deputy Attorney General

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Jon Ferguson, LMFT, LCAC, (Hearing Officer)

Dr. Dianna Cooper-Bolinskey, LCAC, LCSW,

Kathryn Adams, LCAC, LCSW

Kelley Gardner, LMFT

Kimble Richardson, LMHC, LCSW, LMFT, LCAC

C. Martin Justice, LMHC, LCAC

Stephan Viehweg, LCSW

Peter Karalis, MD, Psychiatry Member

Jacqueline Eitel, RN, Consumer Member

Case Summary: On or about October 3, 2024 an Administrative Complaint was filed against Mr. Gerbofsky with allegations that he engaged in sexual contact with a patient, failed to act in accordance with the highest standards of professional integrity and competence, and failed to keep abreast of current professional theory and practice. On or about January 9, 2025 a Settlement Agreement was reached with the following terms:

- Indefinite suspension for no less than two years
- Prior to requesting reinstatement, Mr. Gerbofsky must show:
 - One year of documented therapy sessions at no less than monthly sessions under a therapist at a frequency of not less than monthly according to the following terms:
 - Therapist must not have a prior professional or personal relationship with him.
 - Must have a full unencumbered license in Indiana or Massachusetts as a mental health counselor, clinical social worker, or health service provider in psychology.
 - Provide a copy of the Board order within 10 days after he starts sessions with his therapist where they will sign the order and submit the signed order to the Board within 10 days of the first scheduled session.
 - At the conclusion of 1 year of sessions, Mr. Gerbofsky shall have his therapist submit to the Board his current status and participation, along with recommendations as needed.
 - Within 90 days of the request to reinstate, Mr. Gerbofsky shall complete a fitness for duty evaluation by a full and encumbered licensed HSPP who does not have a prior professional or personal relationship with him.
 - 30 hours of CEU
 - 12 in Professionalism/Ethics
 - 12 in Professional Boundaries
 - 6 in documentation
 - Pay a fee of \$5.00 to be deposited in the Health Records and Personal Identifying Information Protection Trust Fund.

Ms. Murphy stated that this agreement was reached following a settlement conference with the Board liaison.

Board Action: A motion was made and seconded to accept the Proposed Settlement Agreement in the matter of Mr. Gerbofsky.

Richardson/Viehweg
Motion carried 9-0-0

VII. PERSONAL APPEARANCES

A. Application

1. Mela Archibald (LMHCA)

Ms. Archibald appeared as requested to provide clarification on her current employment. The Board noted that for her education, she was missing course content for Foundations of Mental Health, and Contextual Dimensions. She indicated that she is currently in the process of applying for the LMFTA application. She stated that with her current role, she is only seeing Medicaid clients, as they allow Master level clinicians to bill provided that it is signed off by an HSPP. She stated that she did clinical work when she was issued her temporary LMFTA permit, and once it expired, she only saw Medicaid clients. She is currently contracted with a school. The Board expressed concerns as she is providing therapy to clients without holding a license. Ms. Archibald stated that she was stunned and overwhelmed as this was the first time this had been brought to her attention. The Board advised her to review the statute and rules, and to cease providing therapy until she holds her license.

The Board tabled Ms. Archibald's application pending further information.

2. David Briner (LCACA)

Mr. Briner appeared as requested via zoom to discuss his background. He provided a statement and supporting documentation for the Board to review. He discussed his current work and supervision. The Board expressed concerns regarding his current job title as a Clinical Supervisor as it is misleading if he is only providing operational supervision. Mr. Briner stated that he understood that, but he has no control over what the company calls the position. The Board stated that he might wish to have a conversation with his employer.

Board Action: A motion was made and seconded to approve Mr. Briner's application for the examination.

Adams/Cooper-Bolinsky
Motion carried 9-0-0

3. Shavonne Dennie (LCSW)

Ms. Dennie appeared as requested via zoom to discuss her next examination attempt. She provided a study plan for the Board to review. She graduated with her Master of Social Work in 2007, and does not currently have a social work license as her hours were previously accepted. She indicated that she is currently working as a case manager and in mentoring services. The Board noted that the grandfathering timeframe has passed, and she will have to be approved for the social work license and redo her 2 years of supervised experience. She stated that if that is her option, then she will switch her application to social work.

Board Action: A motion was made and seconded to switch Ms. Dennie's application to the social work license and approve her to test for the ASWB Master level examination.

Viehweg/Richardson
Motion carried 9-0-0

4. Teresa Iacobucci (LACA)

Ms. Iacobucci appeared as requested to discuss her background. She provided a statement and supporting documentation for the Board to review. She discussed her current recovery progress and that she has been working in the field of addictions since 2022 as a peer support specialist. She discussed her current support system, and that she does have a supervisor at her employer.

Board Action: A motion was made and seconded to approve Ms. Iacobucci to sit for the ADC examination.

Adams/Cooper-Bolinskey
Motion carried 9-0-0

5. Caitlin Johnson (LMFTA)

Ms. Johnson appeared as requested via zoom to discuss her application. She previously held a marriage and family therapy license in Indiana that expired in 2016. As associate licenses are not eligible for reinstatement after one year from expiration, she was required to submit a new associate application. The Board discussed what would count for her post-degree hours towards her marriage and family therapy license. The Board indicated that she would need to start her hours over from the issuance of the new marriage and family therapy associate license and will need to hold the license for a period of two years.

Board Action: A motion was made and seconded to approve Ms. Johnson's marriage and family therapy associate application.

Gardner/Justice
Motion carried 9-0-0

Please let the record show that Dr. Cooper-Bolinskey left the meeting at 11:48 a.m.

6. Kyrstin Kohn (LMHCA)

Ms. Kohn appeared as requested via zoom to provide clarification on her employment. The Board noted that she meets the educational requirements with some amendments. She stated that when she applied for licensure, she was anxious about what to call herself; however, her role is case manager. She provided a letter from her employer that outlines her job duties. The Board expressed concerns that it is not on letterhead and looks unprofessional. She discussed her past employment, job duties, and supervision.

Board Action: A motion was made and seconded to approve Ms. Kohn's application to sit for the NCE examination provided that she takes and passes the Indiana jurisprudence examination and provide an updated letter from her employer on official letterhead.

Richardson/Justice
Motion carried 8-0-0

7. Lainie Krumenacker (LMHCA)

Ms. Krumenacker appeared as requested to discuss her application. She attended Murray State University, and her file has been reviewed by the Board on July 14, 2024, September 9, 2024, and October 30, 2024 where it was determined that she was missing 3 educational requirements. The Board noted that she did attend an Out of State program, and it is a psychology program rather than mental health. They have reviewed a letter from her clinical professor; however, the courses her professor listed are not ones previously accepted by the Board. Ms. Krumenacker stated that she did not attend a counseling program, but she provided an outline of how the counseling criteria was met for the Board's consideration. The Board noted that it is a well thought out document, but that they did not agree with her determination. Ms. Krumenacker stated that she has been frustrated with the application process, and communication she has received. She stated that she wants clarification from the Board on what they are looking for. The Board noted that they will reach out to her program director and have a discussion regarding the missing course content of Group Work, Career and Lifestyle Development and Contextual Dimensions.

8. Tamra Murphy (LSW)

Ms. Murphy appeared to discuss her background. She provided a statement and supporting documentation for the Board to review. She discussed her recovery and the steps she has taken to maintain her sobriety. Ms. Murphy provided letters of support for the Board to review. She currently holds a license in the state of Illinois

Board Action: A motion was made and seconded to approve Ms. Murphy's application for social work licensure.

Viehweg/Gardner
Motion carried 8-0-0

9. Victoria Sandefur (LMHCA)

Ms. Sandefur appeared as requested via zoom to provide clarification on her work experience. She indicated on her application that she has been working as a pre-licensed therapist since she graduated in 2023. The Board noted that her coursework is accepted with some modifications; however, her pre-degree internship documentation shows that it was completed after she graduated. She indicated that the program she completed had two different internships, and the form must have been completed incorrectly. She stated that she will have the form corrected and sent to the Board. Ms. Sandefur stated that since graduation she has been working as a registered behavior therapist, and then as a social

worker at Benchmark. At Benchmark they used the term case manager and social worker interchangeably. She stated that they were contractors through DCS. She stopped working at Sunstone as a pre-licensed therapist in January 2024 as she was told she could work under her supervisor's license. The Board discussed practicing without a license. She indicated that she was not aware of the requirements of needing a license to practice.

Board Action: A motion was made and seconded to approve Ms. Sandefur's application for the NCE examination pending receipt of a corrected Form I and passing the Indiana jurisprudence examination.

Richardson/Justice

Motion carried 6-3-0 Furgeson, Cooper-Bolinskey, and Viehweg nay.

B. Reinstatement

1. Elizabeth Beghtel, LSW, License No. 33004510A

Ms. Beghtel appeared as requested via zoom to discuss the reinstatement of her social work license that expired in 2010. She submitted copies of her continuing education certificates and a letter for the Board to review. She discussed with the Board her anticipated work once her license is reinstated.

Board Action: A motion was made and seconded to approve Ms. Beghtel's reinstatement application.

Viehweg/Richardson

Motion carried 9-0-0

2. Alan Christenberry, LMHC, License No. 39001088A

Mr. Christenberry did not appear as requested. His license expired in 2006, and he does not have proof that he took a national examination on file. The Board noted that his continuing education hours he completed are acceptable; however, they do require an appearance for his reinstatement.

Mr. Christenberry will be rescheduled for February 24, 2025.

3. Anna Williams, LCSW, License No. 34006272A

Ms. Williams appeared as requested via zoom to discuss the reinstatement of her license that expired in 2016. She discussed her volunteer work and the need to reinstate her Indiana license in order to reciprocate to the State of Virginia. The Board discussed telehealth options for her in case she wishes to provide services in Indiana.

Board Action: A motion was made and seconded to approve Ms. Williams' reinstatement application.

Viehweg/Justice
Motion carried 9-0-0

VIII. PRESENTATION

A. ML1 New License Applications

Eric Buron, IT Director of IPLA, presented a demonstration of the new online applications to the Board. Attending with him was Doug Boyle, Communications Director of IPLA, and Matt Doades, Application System Analyst of IPLA.

Mr. Burton stated that the intention of the new applications was to make the process easier for the applicant and the Board to review. The Board expressed concerns about the education portion, and the list of determined accredited programs. The Board also indicated that the new applications look good.

IX. DISCUSSION

- A. Litigation monitoring** - Mr. Viehweg, Social Work Section, inquired as to how discipline is monitored for those that the Board has put on probation or suspension. Cindy Vaught, Board Director, and Bradley Repass, Litigation Specialist, provided an overview of the litigation processing and tracking. The Board expressed concerns that there should be more oversight and monitoring to track the progress of those individuals to ensure that the practitioner is addressing the concerns during the process, rather than at the very end.
- B. ASWB Exam Service** - Mr. Viehweg reported that the ASWB is changing their examination service away from PSI to Pearson Vue. He discussed the examinations, and different examination models that are used across different States.
- C. Licensure Compact** - The Board discussed the progress of the licensure compact, and the requirements in order to join the compact. Mr. Richardson is the Board representative of Compact.
- D. IPLA Report Request** - The Board inquired if IPLA could provide a monthly report of the number of applications received, licenses issued and the number of applicants who have been approved to test. They stated that a report might help with transparency with others on the application process.

X. APPLICATIONS FOR REVIEW

1. Shaundra Harris (LCAC)

Ms. Harris's clinical addiction counselor application by reciprocity was submitted for review to determine if the CADAC certification credential she holds in the state of Illinois is

equivalent to an Indiana license. The Board noted that they do not feel comfortable accepting it as reciprocity as they do not know the education, she had to meet in order to obtain the credential, and she has not provided proof of passing a national examination. They noted that if she can provide documentation that is equal level, the Board would reconsider her application.

Ms. Harris' application was tabled pending receipt of additional documentation.

2. Linda Kersey Williamson (LCAC)

Ms. Kersey-Williamson's clinical addiction counselor application by reciprocity was submitted for review to determine if the certification she received from New York and Georgia is equivalent to an Indiana license. She has provided a copy of the IC & RC examination she took in 2008; however, the Board does not know how it translates to today's standards. The board noted that they can reach out to the IC & RC for information on determining equivalency. The Board noted that they would need additional documentation on her education/training, and if the credential she has obtained in those states operates like a license.

Ms. Kersey's application was tabled pending receipt of additional documentation.

XI. FORMAL ADOPTION OF APPLICATION REVIEWS

Board Action: A motion was made and seconded to accept the application reviews.

Cooper-Bolinskey/Richardson
Motion carried 9-0-0

XII. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW

1. Quality Counseling and Psychological Services

The Board noted no concerns with the continuing education sponsor application.

Board Action: A motion was made and seconded to approve Quality Counseling and Psychological Services as continuing education sponsor.

Gardner/Cooper-Bolinskey
Motion carried 9-0-0

XIII. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL

Ryan Eldridge reported to the Board that they have had 6 new complaints opened within the past 30 days, 150 current open complaints, and they have closed 132 since the beginning of the year. Primarily the complaints against respondents were from Marion County followed by Allen County. The complaints were filed from complainant in Marion County followed by outside the State/Country. The content of the complaints are unlicensed practice, unprofessional conduct, and

professional malpractice. The average age of open complaints is 7 months and primarily against mental health counselors and clinical social workers.

There were 3 litigation cases closed in the past 30 days with 14 open litigation cases. The average duration of litigation cases is 4.4 months. Litigation has occurred mostly outside of the State/County. The current litigation charges are for lewd/immoral conduct and unlicensed practice. Primarily the charges have been filed against Clinical Social Workers.

The Board discussed paths they can cover regarding education and training for licensure.

XIV. OLD/NEW BUSINESS

There was no old/new business.

XV. ADMINISTRATORS' REPORT

There was no administrators' report.

XVI. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 3:47 p.m. by general consensus.