

BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD

Minutes

March 25, 2024

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Dianna Cooper-Bolinskey called the meeting to order at 9:01 a.m. in the Professional Licensing Agency, Indiana Government Center South, 402 West Washington Street, Room W064, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 25-14-1-12(a).

Board Members Present:

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

Board Members Not Present:

Kelley Gardner, LMFT, LMFT Section Chair

State Officials Present:

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

II. ADOPTION OF AGENDA

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

Harner/Justice
Motion carried 9-0-0

III. APPROVAL OF MINUTES

The minutes of January 23, 2023 and February 27, 2023 are accepted as edited.

Viehweg/Harner
Motion carried 9-0-0

IV. PERSONAL APPEARANCES

A. Probation

1. **Carrie Boyd, LMHCA, License No. 88002026A**
Cause No. 2023 BHSB 0013

Ms. Boyed appeared as requested to discuss her ongoing probation. She provided a copy of her supervisor report and copies of her completed continuing education hours. She discussed with the Board what she has learned from her courses and with her supervisor regarding boundaries and self-care.

2. **Elizabeth Heinhuis, LMHC, License No. 39003373A**
Cause No. 2023 BHSB 0020

Ms. Heinhuis appeared as requested to discuss her ongoing probation. She discussed with the Board the ethics training she completed, and what she has learned from her completed continuing education. The Board discussed client boundaries and reviewed her supervisor report with her. The Board noted that they would like to see a more detailed supervisor report.

3. **Jessica Lala, LCSW, License No. 34006551A**
Cause No. 2023 BHSB 0022

Ms. Lala appeared as requested to discuss her ongoing probation. The Board discussed her supervisor report, and noted to her that they would like to see more details. They provided her with what they would like to see. The Board discussed the details of her practice monitor and the process for that review process. Ms. Lala provided copies of her completed continuing education and discussed what she learned with the Board.

4. **Jamie Rodriguez, LMHCA, License No. 88002276A**
Cause No. 2024 BHSB 0004

Ms. Rodriguez appeared as requested to discuss her ongoing probation. She informed the Board that she has changed employments, and her new employer has signed her Board order. She provided the Board with copies of her completed continuing education and discussed what she learned. Ms. Rodriguez discussed with the Board the steps to follow for withdrawal of probation.

B. Renewal

1. **Timothy Gearhart, LCSW, LCAC, License No. 34005777A, 87001112A**

Mr. Gearhart will be rescheduled to appear at a later date.

2. **Dustin Schwyn, LCSW, License No. 34007387A**

Mr. Schwyn appeared as requested with his counsel, Mr. Bradley, to discuss his yes response regarding an arrest that occurred since he last renewed. Mr. Schwyn provided a statement and supporting documentation for the Board to review. Mr. Schwyn discussed with the Board what led to the arrest, and that the court has ruled on his case with terms. Mr. Schwyn discussed his employment aspirations and how his arrest impacted him professionally.

Board Action: A motion was made and seconded to approve Mr. Schwyn's clinical social work license renewal pending receipt of his court document that shows resolution of all his terms.

Harner/Viehweg
Motion carried 9-0-0

3. **Mallorie Will, LSW, License No. 33009904A**

Ms. Will appeared as requested to discuss her yes response regarding an arrest that occurred since she last renewed. She provided a statement and supporting documentation for the Board to review. The Board discussed her arrest with her, and the requirements the court imposed upon her, including what she had learned from the event. Ms. Will stated that her employer was aware of the arrest and discussed her support system.

Board Action: A motion was made and seconded to table Ms. Will's social work license renewal pending submission of the alcohol assessment with the treatment recommendations.

Harner/Viehweg
Motion carried 9-0-0

C. Reinstatement

1. **Kimberly Hinton, LSW, License No. 33001724A**

Ms. Hinton appeared as requested to discuss the reinstatement of her license that expired in 2006. She provided a letter for the Board to review and stated that she completed continuing education hours under a licensed minister. She discussed her volunteer work since her license expired. The Board stated that in order to reinstatement she will need to complete continuing education completed that is approved and the Board explained what could count for continuing education. The Board discussed what is considered the unlicensed practice, and recommended she suspend her volunteer work until her license is reinstated.

Board Action: A motion was made and seconded to reinstate Ms. Hinton's social work license pending the receipt of forty (40) hours of approved continuing education from an approved continuing education sponsor, take and pass the Indiana jurisprudence examination, take and pass the ASWB Master examination, which must be completed no later than 12/3/2024.

Harner/Viehweg
Motion carried 9-0-0

2. **Ruth Kozienski, LCSW, License No. 34002572A**

Ms. Kozienski appeared as requested to discuss the reinstatement of her license that expired in 2020. She provided a statement and copies of her completed continuing education for the Board to review. She requested that the Board accept her supervising a student for some of the hour requirements needed to reinstate. She indicated that once her license expired, she did continue to work, but not in a clinical setting. She discussed her job duties with the Board. The Board discussed concerns of the unlicensed practice and supervision with her. Ms. Kozienski has not taken and passed the ASWB examination due to not being required at the time of licensure.

Board Action: A motion was made and seconded to reinstate Ms. Kozienski's clinical social work license pending the passing of the ASWB clinical examination and the Indiana jurisprudence examination by December 8, 2024.

Harner/Viehweg
Motion carried 9-0-0

A motion was made and seconded to file a complaint of unlicensed practice against Ms. Kozienski to the Office of the Attorney General.

Harner/Viehweg
Motion carried 9-0-0

3. Melanie Massey, LSW, License No. 33008527A

Ms. Massey appeared as requested to discuss the reinstatement of her license that expired in 2020. She provided a statement and copies of her continuing education for the Board to review. She discussed starting a business since her license expired, but it was not Social Work related.

Board Action: A motion was made and seconded to reinstate Ms. Massey's social work license.

Harner/Viehweg
Motion carried 9-0-0

4. Elizabeth Tharp, LMHC, License No. 39002097A

Ms. Tharp appeared as requested to discuss the reinstatement of her license that she retired in 2016. She provided a statement and copies of her continuing education for the Board to review. She discussed how she kept up to date with the profession and wanted to return to practice.

Board Action: A motion was made and seconded to reinstate Ms. Tharp's mental health counselor license.

Richardson/Justice
Motion carried 9-0-0

D. Application

1. Tafadzwa Banda (LMHCA)

Mr. Banda appeared as requested to discuss why he did not disclose his arrest and providing clarification on his educational criteria. Mr. Banda provided a statement and supporting documentation for the Board to review. He graduated from Capella University with a Master of Psychology in June 2023. The Board noted course corrections to show he meets the criteria for Foundations; however, they do not see a course that meets the Contextual Dimensions educational criteria. He stated that he will discuss the matter with his program.

Mr. Banda discussed his response regarding an OWI arrest in 2023 and indicated that he had a final hearing in the matter on January 2024. He stated that he will complete the criminal probation on or about July 5, 2024. He provided the Board with the stipulations of the court, and what he is doing to address the issue. He stated that he did not indicate the arrest on his application as charges had not been filed against him at the time and he was confused regarding the questions.

Mr. Banda discussed his current employment and job duties. The Board discussed ensuring that he is not working outside the scope since he does not have his license yet.

Board Action: The application was tabled so Mr. Banda could provide a copy of the assessment required for his criminal probation, and a letter from his program director outlining how Contextual Dimensions was met.

2. Ronald Cheatham (LCSW)

Mr. Cheatham appeared as requested to discuss why he did not disclose his background on his application. He provided a statement and supporting documentation for the Board to review. He discussed his sobriety since 2012 and provided clarification on his 2023 arrest. The Board went over how his background impacted him professionally, and how he maintains his boundaries.

Board Action: A motion was made and seconded to approve Mr. Cheatham's clinical social work application by reciprocity.

Harner/Viehweg
Motion carried 9-0-0

3. LaRia Crews (LCSW)

Ms. Crews appeared as requested to provide clarification on her experience and supervision hours. The Board noted that her application was confusing, and they had spent over an hour trying to understand her forms as one supervisor provided supervision, but all on different timeframes. The Board stated that the letter she provided to clarify her hours raised more questions. Ms. Crews stated that she worked in the school system, and she contracted a supervisor from Crown Counseling. She stated that her supervisor oversaw her work both at the school system, and at Crown Counseling. Ms. Crews documented part-time hours, and the Board noted that at the rate she has documented she has not documented enough time. Ms. Crews indicated that she is currently working at the VA Hospital and can submit updated employment and supervision.

Board Action: The Board requested additional experience and supervision documented on Form I and Form II to verify her current employment and supervisions at the VA Hospital.

4. Shaun Cutrell (LCSW)

Mr. Cutrell appeared as requested to discuss his yes response regarding past action against a license. He previously held an Indiana LCSW license in 2017; however, it was revoked after he was found to be in an inappropriate relationship with a client. Mr. Cutrell discussed his employment as a school safety officer, and that he has been recently employed at Hendricks Behavioral Health as a behavior technician in anticipation of obtaining his license back and returning to the field. The Board discussed his job duties and expressed concerns with him returning to the field before he appeared to discuss his new license request. Mr. Cutrell indicated that he is currently under supervision, and that his understanding he could return to the field after seven years. He indicated that he tried to get verification regarding returning to the field by calling the Board. Mr. Cutrell indicated that there are many individuals to his understanding that are working in the field without a license but are under supervision. The Board expressed concerns with this statement. The Board discussed if Mr. Cutrell has undertaken any additional steps to address the professional boundary violation that led up to his license revocation. Mr. Cutrell stated that he did have discussions with his minister, but he is willing to do any additional training the Board requests. The Board discussed their concerns with him about returning to the

field before being granted a new license and demonstrating what he had done to prevent a professional boundary violation.

Board Action: A motion was made to approve Mr. Cutrell's application for a clinical social work license on probation with the following terms:

- Indefinite Probation for no less than 2 years.
- Complete a fitness for duty evaluation by an HSPP and follow all recommendations
- Shall have employer sign a copy of her Final Order and send to the Board
- Quarterly supervision reports
- Being supervised by an LCSW while on probation
- Quarterly Board appearances
- 20 hours of CE in ethics and boundaries
- Indiana Jurisprudence Examination.

Harner/

Motion died after discussion with Board counsel. Counsel stated that the Board might consider requesting an evaluation by an HSPP first to provide the Board with more information regarding Mr. Cutrell's status and a complaint regarding unlicensed practice.

A motion was made and seconded to table Mr. Cutrell's application pending receipt of an HSPP fitness for duty evaluation, and upon receipt Mr. Cutrell will be scheduled to appear to discuss his application.

Harner/Viehweg
Motion carried 9-0-0

A motion was made and seconded to file a complaint against Mr. Cutrell concerning the unlicensed practice.

Harner/Viehweg
Motion carried 9-0-0

5. Anee Dennington (LMFTA)

Ms. Dennington appeared as requested to provide clarification on her work history as she indicated that she has been working as a therapist in Indiana since 2021. Ms. Dennington is currently licensed in the state of Washington as a mental health counselor associate. Ms. Dennington stated that she delayed obtaining her license in Indiana due to personal struggles and provided the Board details on that. Ms. Dennington stated that she did try to obtain an LMHCA in Indiana, but that the application was not approved. She clarified that she was not doing any clinical work and provided the Board with a summary of her job duties since she started working in November 2022.

Board Action: A motion was made and seconded to approve Ms. Dennington's mental health counselor application and to take the NBCC NCMHCE examination. Upon passing the examination issue Ms. Dennington's license on the indefinite probation with the following terms:

- Indefinite probation for no less than 6 months
- Shall have employer sign a copy of her Final Order and send to the Board
- 10 hours of CE in the area of ethics and licensure
- Take and pass the Indiana jurisprudence exam.
- Quarterly supervision reports
- One appearance prior to requesting to come off probation.

Ferguson/Richardson
9-0-0

6. **Danyle Dixon (LMHC)**

Ms. Dixon appeared as requested to discuss why she did not disclose her background and provide clarification on her post-degree experience and supervision hours. Ms. Dixon provided a statement and supporting documents for the Board to review. Ms. Dixon discussed her background, and how it impacted her. She stated that all matters have been resolved by the courts. The Board noted that she graduated from Grand Canyon University in 2017, and that the course content area of Contextual Dimensions does not appear to be met by her program. Also, her practicum and internship forms do not reflect the minimum of 66 hours of pre-degree supervision. The post-degree experience and supervision occurred in North Carolina, where she did hold an LCMHC license in that State.

Board Action: A motion was made and seconded to approve Ms. Dixon’s responses regarding her background, and to table her application for further review of her education.

Justice/Richardson
Motion carried 9-0-0

7. **Aja Gray (LMHC)**

Ms. Gray appeared at her request to discuss her application. The Board had previously reviewed her file multiple times, and she previously appeared before the Board on September 25, 2023 to discuss her application. Mr. Richardson, the Mental Health Section Chair, stated that he has spoken to her at length regarding the missing course content of Career and Lifestyle Development. He stated that her school did provide a letter which stated that the course content was not covered by her program, but they did advocate for her to get a license. Mr. Richardson stated that he has not reviewed a file more in depth than hers, but her program was designed to be a Marriage and Family Therapist in California. Ms. Gray stated that she took doctoral classes, and while the course title does not say career, the course content does cover the requirements. Mr. Richardson stated that he did review the syllabi that showed the course content, and tried to find something that would fit. He stated her courses are good courses, but do not cover what is required for the license. The Board staff noted that her application has been pending for over a year, and that the Board will either need to vote on her application, or Ms. Gray can withdraw her application.

Ms. Gray stated that she will withdraw her application.

8. **Jessica Hibbitt (LMHCA)**

Ms. Hibbitt appeared as requested to provide clarification on her work history, and education. Ms. Hibbitt indicated that she graduated from Colorado Christian University in October 2023 and has been working at Integrative Wellness since 2021. The Board reviewed her syllabi and noted that she does meet the educational requirements for licensure. Ms. Hibbitt stated that she works in pediatrics and that her role is as a “behaviorist.” She provided a summary of her job duties, and how she is being supervised. The Board noted that her practicum and internship forms do not reflect the minimum 66 hours of pre-degree supervision. Ms. Hibbitt stated that she has completed that, and she will provide new forms from her university.

Board Action: A motion was made and seconded to approve Ms. Hibbit’s mental health counselor associate application pending the submission of new practicum and internship forms which reflect 66 hours of supervision.

Justice/Richardson
Motion carried 9-0-0

9. Christine Hicks (LCSW)

Ms. Hicks did not appear but will be rescheduled.

10. Sydney Hopp (LMHCA)

Ms. Hopp appeared as requested to provide clarification on her work history as she indicated that she has been working as a therapist since 2017. The Board noted that she meets the educational requirements with amendments which were noted by Board staff. Ms. Hopp indicated that from 2017-2018 she worked as a Registered Behavior Technician (RBT) for two years and then stopped. She then worked as a substance abuse counselor working towards her LCAC, and then her supervisor was terminated. She was not enrolled in a graduate program during this timeframe as she was working under her bachelor’s degree. Ms. Hopp described her job duties and supervision, and the Board noted that the work she is describing does not fall under any of the licensure exemption laws.

Board Action: A motion was made and seconded to approve Ms. Hopp’s mental health counselor associate application on probation with the following terms:

- Indefinite probation for no less than 3 months
- 10 hours of CE in ethics or licensure
- Board order signed by current employer
- Take and pass the Indiana Jurisprudence exam
- 1 appearance before the Board prior to her request to come off probation.

Justice/Harner
Motion carried 9-0-0

11. Chiemeka Iheanacho (LMHCA)

Mr. Iheanacho appeared as requested to discuss why he did not disclose his background and provide clarification on his work history. Mr. Iheanacho provided a statement and supporting documentation for the Board to review. He stated that he did not disclose as he was not aware the incident was on his background, and he apologized for missing the January request as he did not get the appearance notice email. Mr. Iheanacho stated that from 2016-2019 he was licensed

in North Carolina as an Associate Addiction counselor. The Board noted that he did not disclose that information in his application. Mr. Iheanacho stated that the credential was expired so he was not aware he needed to disclose it.

Board Action: A motion was made and seconded to approve Mr. Iheanacho's mental health counselor associate application pending the receipt of verification of his North Carolina license.

Richardson/Justice
Motion carried 9-0-0

12. Michael McCafferty (LACA)

Mr. McCafferty appeared as requested to provide clarification on his work history as he indicated that he has been working as an Addiction Counselor since December 2021. The Board asked for clarification on what his job title, duties, and educational requirements for his position. Mr. McCafferty provided a summary of his job duties and supervision. The Board discussed needing a license to practice and exemptions of licensure. Mr. McCafferty stated that he has obtained the ICAADA recovery coach certification.

Board Action: A motion was made and seconded to approve Mr. McCafferty's addiction counselor associate application and to take the examination.

Adams/Viehweg
Motion carried 9-0-0

13. Jennifer Millar (LMFT)

Ms. Millare did not appear.

14. Tania Norwood (LMFTA)

Ms. Norwood appeared as requested to provide clarification on her work history, as she indicated that she has been working as a therapist since 2020. Mr. Norwood discussed the confusion she and her employment had with understanding if she needed a license, and her attempts in getting a clear answer. She discussed working with DCS as a contractor, and that she works with children, adults, families, etc. The Board discussed the licensure process.

Board Action: A motion was made and seconded to approve Ms. Norwood's marriage and family therapist associate application and to sit for the AMFTRB examination. Upon passing the examination issue her license on probation with the following terms:

- Indefinite Probation for less than six (6) months
- 10 hours of CE in ethics or licensure
- Shall have employer sign a copy of her Final Order and send to the Board
- Shall submit quarterly supervision reports
- Complete and pass the Indiana Jurisprudence exam

Ferguson/Justice
Motion carried 9-0-0

15. Hannah Pence (LSW)

Ms. Pence appeared as requested to discuss her yes response regarding her background. She provided a statement and supporting documentation for the Board to review. She indicated that all matters have been resolved by the courts and discussed with the Board what she learned from the incidents. Ms. Pence talked about her career aspirations.

Board Action: A motion was made and seconded to approve Ms. Pence's social work application and to sit for the ASWB master's examination.

Harner/Viehweg
Motion carried 9-0-0

16. Ian Perrotte (LSW)

Mr. Perrotte appeared as requested to discuss his yes response regarding his background. He provided a statement and supporting documentation for the Board to review. He stated that the incident has been expunged, and talked with the Board how the incident impacted him.

Board Action: A motion was made and seconded to approve Mr. Perrotte's social work application and to sit for the ASWB master's examination.

Harner/Viehweg
Motion carried 9-0-0

17. Kelly Shull (LMHCA)

Ms. Shull appeared as requested to discuss her yes response regarding her background. She provided a statement and supporting documentation for the Board to review. The Board noted that she meets the educational requirements as noted to Board staff. The Board discussed with her the impact her arrests had on her, and how she maintains her self-care plan.

Board Action: A motion was made and seconded to approve Ms. Shull's mental health counselor associate application and to sit for the NBCC NCE examination.

Richardson/Justice
Motion carried 9-0-0

18. Dabney Skutt (LMHCA)

Ms. Skutt appeared as requested to provide clarification on her work history as she indicated that she has been working as a therapist since 2021. The Board noted that she meets the educational requirements as noted to Board staff. Ms. Skutt stated that she was at Selah House during her graduate program, and they employed her after she graduated. The Board discussed her current job duties and Ms. Skutt stated that she understands now that she has been working without a license since graduation. She indicated that her employer did not pressure her to obtain her license, and her new supervisor is now requesting that she obtain a license.

Board Action: A motion was made and seconded to approve Ms. Skutt's mental health counselor associate's application on probation with the following terms:

- Indefinite probation for no less than 6 months
- 10 hours of CE in ethics or licensure

- Board Order signed by employer
- Take and pass the Indiana Jurisprudence exam
- 1 appearance before the Board prior to requesting to come off probation
- Quarterly Supervision Reports

Justice/Richardson
Motion carried 9-0-0

19. Minh Tran (LMHCA)

Mr. Tran appeared as requested to provide clarification on his work history as he indicated that he has been working as a staff clinician since 2020. The Board noted that he meets the educational requirements. Mr. Tran stated that his employer only required him to have his master's degree, not a license. He stated that the workload he was given distracted him from applying for a license. The Board discussed with him how his school provided information to him regarding licensure. Mr. Tran stated that his new supervisor requires him to be licensed.

Board Action: A motion was made and seconded to approve Mr. Tran's mental health counselor associate application and to sit for the NBCC NCE examination. Upon passing issue his license on probation with the following terms:

- Indefinite probation for no less than 6 months
- 10 hours of CE in ethics or licensure
- Board Order signed by employer
- Take and pass the Indiana Jurisprudence exam
- 1 appearance before the Board prior to requesting to come off probation
- Quarterly Supervision Reports

Richardson/Justice
Motion carried 9-0-0

20. Danielle Warren (LMHC)

Ms. Warren appeared at her request to discuss her post-degree experience and supervision hours. Ms. Warren appeared before the Board to discuss her hours at the January 22, 2024 meeting, where the Board requested corrected forms. Ms. Warren stated that she is unable to obtain the corrected forms and provided information on her attempts to reach her employers and supervisors. Ms. Warren provided the forms she was able to get completed to the Board for review.

Board Action: A motion was made and seconded to approve Ms. Warren's mental health counselor application and to sit for the NBCC NCMHCE examination.

Richardson/Justice
Motion carried 9-0-0

21. Rachel Washington (LSW)

Ms. Washington appeared as requested to discuss her yes response regarding her background. She provided a statement and supporting documentation for the Board to review. Ms. Washington provided a summary of the impact it had on her life, and that she completed an

inpatient program. She discussed the volunteering and mentorship programs she has been involved in since she started improving her life. The Board discussed her setting up a business and an LLC and the concerns with how this would be perceived by the Board.

Board Action: A motion was made and seconded to approve Ms. Washington's social work application and to sit for ASWB master's examination.

Harner/Viehweg
Motion carried 9-0-0

22. Jaymes Young (LSW)

Mr. Young appeared as requested to discuss his yes response regarding his background. He provided a statement and supporting documentation for the Board to review. He discussed with the Board how the arrests affected him both professionally and personally. Mr. Young discussed his current employment and that his work is pushing for a license despite the fact his job duties do not require it. Mr. Young discussed his current job duties with the Board.

Board Action: A motion was made and seconded to approve Mr. Young's social work application and to sit for the ASWB master's examination.

Harner/Viehweg
Motion carried 9-0-0

23. LaKendra Martin (LSW)

Ms. Martin appeared as requested to discuss her request to be approved to test for the 8th attempt. She provided a study plan for the Board to review. She discussed with the Board on how she is preparing for the examination and her support system. Ms. Martin indicated that she has taken 3 additional courses and addressed her text anxiety. She discussed her current role at Hendricks Behavioral Health. The Board discussed the scope of practice to ensure that she is not working without a license.

Board Action: A motion was made and seconded to approve Ms. Martin's social work application to sit for the ASWB master's examination for the 8th time.

Harner/Viehweg
Motion carried 9-0-0

24. Sarah Sexson (LCSW)

Ms. Sexson appeared to provide clarification on her current supervision hours. Ms. Sexson's application has previously been reviewed by the Board where they noted that she was being supervised by an LMFT, which is not an approved supervisor for her LCSW application. Ms. Sexson discussed with the Board her understanding of needing an LCSW supervisor to obtain her hours. She indicated that she has been re-doing her hours and is set to be complete by April 15th. The Board noted that she will need to provide updated forms at that time.

Ms. Sexson's application was tabled.

V. NOTICE OF PROPOSED DEFAULT

A. Phillisha Brown, LSW, License No. 33007602A

Cause No. 2022 BHSB 0003

Re: Notice of Proposed Default

Parties Present:

Respondent was not present

Ryan Eldridge, Deputy Attorney General, Office of the Attorney General

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)

Jon Ferguson, LMFT, LCAC,

Kathryn Adams, LCAC, LCSW

Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC

C. Martin Justice, LMHC, LCAC

Andrew Harner, MSW, LCSW

Stephan Viehweg, MSW, LCSW

Peter Karalis, MD, Psychiatry Member

Jacqueline Eitel, RN, Consumer Member

State Witness:

Cindy Vaught, Board Director, Indiana Professional Licensing Agency

Case Summary: On or about December 18, 2023 an Order to Show Cause was issued to Ms. Brown as she has not complied with her probation terms as agreed upon in her Settlement Agreement issued on or about February 22, 2023. Mr. Eldridge stated that she has been notified of this hearing and was sent to her contact address on file by email and certified mail. The State affirms they have sent reasonable notice to Ms. Brown with no response. They requested that the Board find Ms. Brown in Default.

Board Action: A motion was made and seconded to find Ms. Brown in Default.

Viehweg/Harner

Motion carried 9-0-0

Mr. Eldridge stated that per Ms. Brown's Settlement Order she agreed to the following probation terms:

- Indefinite probation for no less than one year
- \$5.00 fee to be deposited into the Health Records and Person Identifying Information Protection Trust Fund.
- 5 hours of CE in professional boundaries, and 5 hours of CE in record keeping/ practice organization
- Shall keep the Board up to date with her contact information, her current employment, her current employment contact information, the name of her current supervisor, and notify the Board within 7 days of any changes
- Signed Board Order by the Employer
- Quarterly Supervision reports

- Understands that any violation of the probation terms, or laws within the profession could result in an Order to Show Cause to be issued which could lead up to further sanctions.

Mr. Eldridge called Cindy Vaught as a witness. Ms. Vaught attested that Ms. Brown has not provided copies of her completed continuing education, reports, or notified the IPLA office of any contact information changes. She stated that as Ms. Brown has been on probation for one year, she should have submitted 4 reports, but as of this date the Board has not received any reports.

Mr. Eldridge stated that Ms. Brown has failed to comply with her agreed upon probation terms and recommended that the Board suspend her license. The Board inquired if the AG's office has looked into seeing if there have been other reasons she has not responded like an unexpected death or move to another State. Mr. Eldridge stated that the AG's office does not typically look for that reason, but that they have not received any notices that would be an issue, and if she moved to another State, it is up to her to ensure we have the correct contact information on file.

Board Action: A motion was made and seconded to find Ms. Brown in violation of her probation terms.

Harner/Viehweg
Motion carried 9-0-0

A motion was made and seconded to suspend Ms. Brown's social work license for a period of one year.

Harner/Viehweg
Motion carried 9-0-0

VI. PROPOSED SETTLEMENT AGREEMENT

There were no Proposed Settlement Agreements.

VII. ADMINISTRATIVE HEARINGS

A. Benjamin Dabney, LMHCA, License No. 88001590A

Cause No. 2023 BHSB 0034

Re: Administrative Complaint and Proposed Settlement Agreement

Parties Present:

Respondent was not present

Ryan Eldridge, Deputy Attorney General, Office of the Attorney General

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)

Jon Ferguson, LMFT, LCAC,

Kathryn Adams, LCAC, LCSW

Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC

C. Martin Justice, LMHC, LCAC

Andrew Harner, MSW, LCSW
Stephan Viehweg, MSW, LCSW
Peter Karalis, MD, Psychiatry Member
Jacqueline Eitel, RN, Consumer Member

Case Summary: On or about August 8, 2023 an Administrative Complaint was filed against Mr. Dabney with allegations of 3 violations of fraud, immoral conduct in the delivery of services, and misrepresentation. On or about February 29, 2024 a Proposed Settlement Agreement was reached with the following terms:

- Indefinite Suspension for no less than 1 year
- Prior to requesting reinstatement of the suspended license, Mr. Dabney agrees to complete a Fitness for Duty evaluation completed by an HSPP
- Prior to requesting reinstatement of the suspended license, Mr. Dabney agrees to complete a college graduate course in professionalism and ethical practice
- Prior to requesting reinstatement of the suspended license, Mr. Dabney agrees to complete 8 CEUs in billing and Medicare/Medicaid requirements.

Mr. Eldridge stated that the agreement was reached after a Settlement conference with Board Liaison, Mr. Andrew Harner. The Board inquired if there was pressure from his employer due to a high caseload. Mr. Eldridge stated he cannot provide clarification on that, only what has been presented in the Settlement Agreement, and the outlined facts in the matter.

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

Viehweg/Justice
Motion carried 8-0-1 Adams abstained.

B. Tammi Broadus

Cause No. 2024 BHSB 0013
Re: Appeal of Denial of Licensure

Parties Present:

Respondent was not present
Ryan Eldridge, Deputy Attorney General, Office of the Attorney General
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

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

Case Summary: On or about December 31, 2023 an email was submitted by Ms. Broadus with a request to appeal her exam scores. Ms. Broadus has the burden of proof to submit her case to appeal

the exam scores. She was contacted for this hearing by email and by post mail with the contact information she provided IPLA. Cindy Vaught, Board Director, who has been sworn in previously attested that the IPLA office has not received any correspondence from Ms. Broadus since her request to appeal.

Board Action: A motion was made and seconded to approve Ms. Broadus's request to appeal and uphold the Board's denial as she failed the examination and did not appear to present her case.

Harner/Viehweg
Motion carried 9-0-0

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

11:30 a.m.

Cause No. 2023 BHSB 0001

Re: Petition for Withdraw of Probation

Ms. Chawla and the state agreed to continue this matter until the August 26, 2024 meeting.

VIII. DISCUSSION

A. Lisa Wooten, LCSW, Veterans Health Administration

National Social Work Program

Re: Social Workers Licensed by Indiana and Naloxone Administration

Ms. Wooten submitted a request to the Board to clarify the laws regarding using Naloxone as a therapist. The Board cannot weigh in on a practice question and can only refer Ms. Wooten to review the statute and rules for the profession.

IX. APPLICATIONS FOR REVIEW

There were no applications for review.

X. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL

The Attorney General's office reported to the Board that they have 6 new complaints opened within the past 30 days with 77 current open complaints and they have closed 40 since the beginning of the year. Primarily the complaints have been from Marion County followed by Hamilton County. The content of the complaints are unlicensed practice, unprofessional conduct, and professional incompetence. The average age of the open complaints is 6.2 months and primarily against Mental Health Counselors and Clinical Social Workers.

There are currently 6 litigation cases open the past 30 days with 22 open litigation cases and 4 closed this year. The average duration of the litigation cases is 9 months. The litigation has occurred mostly in Marion County. The current litigation charges are for unprofessional conduct followed by unlicensed practice, and client abandonment. Primarily the charges have been filed against Mental Health Counselors followed by Certified Social workers and Clinical Social Workers.

XI. FORMAL ADOPTION OF APPLICATION REVIEWS

A motion was made and seconded to adopt the application reviews.

Richardson/Justice
Motion carried 9-0-0

XII. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW

A. Empowerment Behavioral Services

The Board noted there are no clear goals or objectives as the information submitted is too vague. Ms. Katy Adams noted that she is familiar with the CE Sponsor so she can advise them.

Application tabled for additional information.

B. Northstar Learning Lab

Board staff noted that they previously held a CE Sponsor license previously, and the Sponsor needs to renew their license.

XIII. OLD/NEW BUSINESS

There was no old/new business to discuss.

XIV. ADMINISTRATORS' REPORT

Cindy Vaught, Board Director, reported that currently there have been 13, 204 licenses renewed with 324 renewed today. The license renewal window will end on April 1, 2024, and there are still 5, 000 licenses that have not been renewed.

Ms. Vaught discussed the new renewal system and gave an overview of the license renewal process.

XV. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 6:30 p.m. by general consensus.

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW
Board Chair

Date