

**MINUTES**

**BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD**

**SEPTEMBER 23, 2013**

**I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

Mr. Brenner called the meeting to order at 9:00 a.m. in the Professional Licensing Agency Conference Room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

**Board Members Present:**

George Brenner, MS, LCSW, LMFT, LCAC, Board Chair  
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC Section Chair  
Andrew Harner, MSW, LCSW, SW Section Chair  
Sherry Rediger, Ph.D., LMFT, MFT Section Chair  
Rex Stockton, Ed. D., LMHC, LCSW, LMFT  
Steven Douglas, JD, Consumer Member

**Board Members Not Present:**

Carla Gaff-Clark, Ed. D, LMHC, CADAC-IV, LCAC, AC Section Chair  
Roger Reeves, Consumer Member  
Vacant, Social Work Member  
Vacant, Marriage and Family Therapist Member  
Vacant, Psychiatric Physician Member

**State Officials Present:**

Cindy Vaught, Board Director, Professional Licensing Agency  
Heather Hollcraft, Assistant Board Director, Professional Licensing Agency  
Donna Sembroski, Deputy Attorney General, Office of the Attorney General

**II. ADOPTION OF THE AGENDA AS AMENDED**

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

RICHARDSON/STOCKTON  
Motion carried 6-0-0

**III. ADOPTION OF THE MINUTES FROM AUGUST 26, 2013 MEETING**

A motion was made and seconded to adopt the minutes from the August 26, 2013 meeting of the Board, as revised.

RICHARDSON/HARNER  
Motion carried 6-0-0

#### IV. PERSONAL APPEARANCES

##### A. Application

###### 1. Joel Allen Makin, LCAC and LMHC Applicant

Mr. Makin appeared before the Board, as requested, regarding his application for licensure as a clinical addiction counselor and mental health counselor. Mr. Makin answered yes to questions 3 and 4B that ask "Do you have any condition or impairment (including a history of alcohol or substance abuse) that currently interferes, or if left untreated may interfere, with your ability to practice as a mental health counselor in a competent and professional manner?" and "Have you ever been convicted of, plead guilty or nolo contendere to any offense, misdemeanor or felony in any state?" He explained that in 2005 he was involved in a very serious accident after drinking and driving. Mr. Makin is currently being supervised three (3) hours per month.

**Board action:** A motion was made and seconded to approve the positive response on the application for licensure with further review by the section chair regarding the education and supervision.

HARNER/REDIGER  
Motion carried 6-0-0

##### B. Probationary

###### 1. Thomas A. Dworniczek, LCSW, LMFT License No. 34001178A and 35000659A Cause No. 2012 BHSB 003

Mr. Dworniczek appeared before the Board, as requested, regarding his ongoing probationary status. He indicated to the Board that he is not currently employed as a counselor. He stated that he is not sure if he wants to continue with the counseling profession. Mr. Dworniczek reported he has moved to Valparaiso, Indiana. Mr. Dworniczek submitted a supervisor report as requested by the Board. The Board asked if he is currently teaching Kabala. He indicated he has not since June, but plans to in the future. Mr. Dworniczek asked if it would be acceptable for him to gain part time employment with the proper supervision. The Board stated that would be fine as long as he is properly supervised.

##### C. Reinstatement

There were no reinstatement appearances before the Board.

##### D. Examination Attempts

There were no examination attempt appearances before the Board.

#### V. ADMINISTRATIVE HEARINGS

**A. Robert A. Hundt, License No. 34004333A**

Administrative Cause No. 2011 BHSB 002

Re: Petition to Withdraw Probation

**Participating Parties:**

Petitioner was present with Peter Boyles, Attorney  
Kelsie Duggan, Deputy Attorney General for the State of Indiana  
Sherri Rutledge, Court Reporter

**Participating Board Members:**

Mr. Brenner, Board Chair (Hearing Officer)  
Mr. Richardson  
Mr. Harner  
Ms. Rediger  
Dr. Stockton  
Mr. Douglas, JD

**Case Summary:** On or around October 4, 2011, Petitioner's clinical social worker license was placed on Indefinite Probation for a period of no less than two (2) years with terms and conditions for violation IC 25-1-9-4(a)(4)(B) to wit: "A practitioner has continued to practice although he has become unfit... due to his failure to keep abreast of current professional theory or practice" as evidenced by Respondent's act of ending his professional relationship with a patient of pursuing a romantic relationship with her; and IC 25-1-9-4(a)(8) to wit: "A practitioner has knowingly violated any state statute or rule, federal statute or regulation, regulating the profession in question" as evidenced by Respondent's act of hiding the patients status as a former client from his friends, family, and co-workers, his own statements acknowledging that he was aware of the unethical nature of his romantic relationship with the patient, and his statements accepting responsibility for initiating the relationship that caused harm to his patient. Petitioner states that since this has occurred, he has learned to clarify boundaries as well as the potential impact crossing boundaries may have.

**Board action:** A motion was made and seconded to grant the withdrawal of probation in the matter of Mr. Hundt's clinical social worker license.

HARNER/DOUGLAS

Motion carried 6-0-0

**B. State of Indiana vs. Timothy Dworniczek**

Administrative Cause No. 2013 BHSB 0006

Re: Order to Show Cause

**Participating Parties:**

Respondent was present, without Counsel  
Kelsie Duggan, Deputy Attorney General for the State of Indiana  
Sherri Rutledge, Court Reporter

**Participating Board Members:**

Mr. Brenner, Board Chair (Hearing Officer)

Mr. Richardson  
Mr. Harner  
Ms. Rediger  
Dr. Stockton  
Mr. Douglas, JD

**Case Summary:** On or around May 31, 2013, the State filed a Motion for Order to Cease and Desist in the matter of Respondent practicing without proper licensure. The State entered Exhibit A, a certificate of completion of an Intensive Outpatient Program. The State indicated that Respondent has shown that he was not practicing without a license and asks that the Cease and Desist be dismissed.

**Board action:** A motion was made and seconded to dismiss the Cease and Desist in the matter of Mr. Timothy Dworniczek.

HARNER/REDIGER  
Motion carried 6-0-0

- C. State of Indiana vs. Kris M. Kasting**  
Administrative Cause No. 2013 BHSB 007  
Re: Order to Show Cause

**Board action:** A motion was made and seconded to grant the continuance in the matter of Kris M. Kasting's administrative hearing.

HARNER/DOUGLAS  
Motion carried 6-0-0

## **VI. SETTLEMENT AGREEMENT**

There were no Settlement Agreements before the Board.

## **VII. NOTICE OF PROPOSED DEFAULT**

There were no Notices of Proposed Default before the Board.

## **VIII. DISCUSSION**

### **A. Change of Title and Pre-degree Hour Requirement for Counselors**

Mr. Richardson asked that discussion of this topic be tabled until more information can be gathered.

## **IX. FORMAL ADOPTION OF APPLICATION REVIEWS**

A motion was made and seconded to approve the recommendations made by each section of the Board for the licensure application reviews conducted 8:00 a.m. to 9:00 a.m., and at any other time since the previous board meeting.

HARNER/DOUGLAS  
Motion carried 6-0-0

**X. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW**

**A. Columbus Behavioral Center**

The Board reviewed the application submitted by Columbus Behavioral Center to be approved as a continuing education provider. The Board requests they clarify whether or not they will be providing continuing education for addiction counselors.

**Board action:** A motion was made and seconded to grant the approval to Columbus Behavioral Center for continuing education sponsorship.

HARNER/STOCKTON  
Motion carried 6-0-0

**XI. OLD/NEW BUSINESS**

- The Board answered questions from the students in attendance from Wesleyan University.

**XII. ADMINISTRATOR'S REPORT**

Ms. Vaught reported that rule re-adoptions will be on the November 18, 2013 agenda and will not be discussed today. She explained that there are new procedures in place regarding the re-adoption of rules that are about to expire. She also reported to the Board that there is an ASWB meeting being held in Nashville, Tennessee and asked if any of the members would like to attend the meeting since the ASWB is funding one participant. The Board explained that in the past, Ms. Jones, a previous board director, had been on the ASWB board and feels it would be good for Ms. Vaught to attend if she is able to.

**XIII. ADJOURNMENT**

There being no further business, and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 11:30 a.m.

**Board action:** A motion was made seconded to adjourn the meeting of the Behavioral Health and Human Services Licensing Board at 11:30 a.m.

HARNER/DOUGLAS  
Motion carried 6-0-0

  
George Bremner, Board Chair

LESW, LMFT, LCAC

1-27-14

Date



Kimble Richardson, Board Vice-Chair

1-27-2014

Date