

**BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD
MINUTES**

September 26, 2022

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Mr. Richardson called the meeting to order at 9:01 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 § 25-14-1-12(a).

Board Members Present:

Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC, Board Chair
Andrew Harner, MSW, LCSW, SW Section Chair, Board Designee
Kelley Gardner, LMFT
C. Martin Justice, LMHC
Dr. Dianna Cooper-Bolinskey, LCAC
Jon Ferguson, LMFT

Board Members Not Present:

Stephan Viehweg, MSW, LCSW
Jacqueline Eitel, RN, Consumer Member
Vacant - Physician
Vacant – Clin

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.

Cooper-Bolinskey/Gardner
Motion carried 6-0-0

III. APPROVAL OF MINUTES

A motion was made and seconded to approve the March 22, 2021 minutes as amended.

Harner/Justice
Motion carried 6-0-0

IV. PERSONAL APPEARANCES

A. Probation

1. **John DeMarsilis, LMHC, License No. 39003327A**
Cause No. 2021 BHSB 0017

Mr. DeMarsilis did not appear as requested to discuss his ongoing probation. The Board has not received any quarterly reports from him. This is his first appearance since he was placed on probation February 28, 2022. The Board stated will reschedule his appearance for October 24, 2022, but if he fails to appear they will have to issue an Order to Show Cause.

2. **Jennifer Dyarman, LCSW, LCAC, License No. 34006895A, 87001541A**
Cause No. 2021 BHSB 0027

Ms. Dyarman did not appear as requested. She will be rescheduled for October 24, 2023.

3. **Candace Jo Hall, LMHC, License No. 39002839A**
Cause No. 2018 BHSB 0007

Ms. Hall appeared as requested to discuss her ongoing probation. She informed the Board that she was promoted by her employer and is continuing with her personal therapy. She stated that she has left Genysis and Crossroads and is now only employed at the YMCA. She has provided her supervision reports from Jennifer Cramer, LMHC, and counseling reports from Julie Flohr, LMHC for the Board to review. The Board discussed her employment and what she has been learning. The Board noted that if she would like to withdraw her probation, she will need to submit a formal written request.

4. **David Shields, LCSW, License No. 34003290A**
Cause No. 2016 BHSB 0014

Mr. Shields appeared as requested to discuss his ongoing probation. He informed the Board that he is doing well. He stated that he has submitted his reports from Dr. Susan Conroy, and Mindy Hughett his supervisor. The Board noted that the supervision report from Ms. Hughett is brief. Mr. Shields stated that he continues to learn and be challenged as they review case files together. The Board inquired if he sees clients. Mr. Shields stated that he sees clients, interns, and associates. Mr. Shields stated that he feels he has met his requirements and will submit a request to withdraw his probationary status.

B. Reinstatement

1. **Erik Burns, LAC, License No. 86000112A**

Mr. Burns did not appear as requested. Notice of appearance has been given via email and post mail to the contact information he has provided our office. The Board noted that Mr. Burns' license was grandfathered in, and he would be required to take the national examination should he wish to reinstate. The Board reviewed his reinstatement packet as submitted without an appearance.

Board Action: A motion was made and seconded to approve Mr. Burns' application for reinstatement of his addiction counselor license pending the passing of the national examination.

Cooper-Bolinsky/Harner
Motion carried 6-0-0

2. **Sharin Martin, LMHC, License No. 39000619A**

Ms. Martin did not appear as requested. Notice of appearance has been given via email and post mail to the contact information she has provided our office. Ms. Martin's license was retired in 2002. Board staff have requested Ms. Martin provide proof of current continuing education and a statement since July 2022 with no response.

Board Action: A motion was made and seconded to deny Ms. Martin's application for reinstatement for failure to provide continuing education and a statement of her current practice.

Justice/Harner
Motion carried 6-0-0

C. **Application**

1. **Felisha Babb (LCSW)**

Ms. Babb did not appear as requested but did provide Board staff that her appearance has been delayed due to health reasons. She was requested to appear to discuss her yes response regarding past arrests. Since 2001 to 2017, Ms. Babb was arrested/convicted for a DUI, marijuana, drug paraphernalia, and theft by deception. She provided a statement and supporting documentation for the Board to review. The Board reviewed written statements and did not note any concerns as she has provided documentation that shows all criminal matters have been resolved. Ms. Babb is a 2017 graduate of Western Kentucky University.

Board Action: A motion was made and seconded to approve Ms. Babb's application for clinical social worker by reciprocity pending the completion of the jurisprudence examination.

Harner/Cooper-Bolinskey
Motion carried 6-0-0

2. **Peggy Boas (LSW)**

Ms. Boas appeared as requested to discuss why she did not disclose her background on her application, and to discuss her interactions with Board staff. In 1990, Ms. Boas was arrested for check deception and dealing cocaine. The charges were dismissed. In 2001 she was arrested for possession of marijuana and possession of paraphernalia. Pled guilty due the marijuana charge being dismissed. She provided a statement and supporting documentation for the Board to review. She stated that she overlooked the questions on the application, and it was not her intention to mislead the Board. She stated that she has worked at Centerstone for twenty (20) years, working primarily with addictions. Ms. Boas provided the Board details of her frustrations with the application process. The Board stated that they understand being frustrated, but that they must ensure that those licensed by this Board interact with others in a professional manner both with their clients, and outside a client setting. Ms. Boas is a 2022 graduate of Indiana Wesleyan University.

Board Action: A motion was made and seconded to approve Ms. Boas' application for social work and approval to sit for the ASWB masters examination.

Harner/Cooper-Bolinsky
Motion carried 6-0-0

3. **Ashley Boyd-Minor (LMFT)**

Ms. Boyd-Minor appeared per her request to discuss her application. The Board staff noted confusion on her post-degree experience and supervision forms. Ms. Boyd-Minor has had her supervisors and employers submit supplemental emails; however, the information is conflicting. The MFT Section Chairs also informed Ms. Boyd-Minor that they had trouble following what occurred as well. The Board reviewed each form with Ms. Boyd-Minor, and Ms. Boyd-Minor clarified her experience and supervision to the Board's satisfaction.

Board Action: A motion was made and seconded to approve Ms. Boyd-Minor's application for marriage and family therapy licensure.

Gardner/Ferguson
Motion carried 6-0-0

4. **Stacy Cary (LSW)**

Ms. Cary appeared as requested to discuss her yes response to the questions regarding that she does have an impairment that might impact practice, and that she did get arrested prior to licensure. In 2009 Ms. Cary was arrested for a DUI. Completed a diversion program and it was dismissed. In 2012, she was arrested for illegal gambling. Charges were never filed. Ms. Cary provided a statement and supporting documents for the Board to review. She informed the Board that she has been in recovery since 2016 and provided them details on how she maintains her sobriety. The Board noted that all arrests have been resolved with the courts. Ms. Cary is a 2021 graduate of Indiana University.

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

Harner/Justice
Motion carried 6-0-0

5. **Tiara Eaton (LSW)**

Ms. Eaton did not appear. Ms. Eaton was requested to provide clarification on her work history as she might be working without a license in Illinois and Indiana, and to discuss not disclosing her background. Ms. Eaton provided a statement and supporting documentation regarding her background. The Board discussed rescheduling her appearance. Application was tabled and to reschedule Ms. Eaton appear.

6. **Jalisha Govan (LSW)**

Ms. Govan appeared as requested to discuss her yes response to the question regarding previous arrests. In 2022, Ms. Govan was found guilty of operating a vehicle under the influence in the state of Ohio. Ms. Govan provided a statement and supporting documentation for the Board to review. She stated that she completed all terms of the court probation in 2020. She provided the Board with details of her self-care routine and work aspirations so the incident would not occur again. Ms. Govan is a 2022 graduate of IUPUI.

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

Harner/Cooper-Bolinskey
Motion carried 6-0-0

7. **Rachel Hartman (LCAC)**

Ms. Hartman did not appear. She will be rescheduled.

8. **Olivia Malott (LSW)**

Ms. Malott appeared as requested to discuss her yes response to the questions regarding previous arrests. In 2017, Ms Malott was arrested for illegal consumption. Completed a diversion agreement and it was dismissed. In 2018, was charged with possession of marijuana. This was dismissed. She provided a statement and supporting documentation for the Board to review. The Board noted that her incidents were resolved by the courts.

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

Harner/Cooper-Bolinskey
Motion carried 6-0-0

9. **Kelsie Strand (LCSW)**

Ms. Strand appeared as requested to discuss her yes response on her LSW renewal and on her LCSW application regarding a previous arrest. In 2020, Ms. Strand was arrested for public intoxication and operating a vehicle while intoxicated. Placed on probation with terms and conditions. She has completed all probation requirements. Provided a statement and supporting documentation for the Board to review. She provided the Board details of what led up to the arrest. The Board discussed with her professional boundaries and how the incident impacted her work.

Board Action: A motion was made and seconded to approve Ms. Strand's social work license renewal.

Harner/Justice
Motion carried 6-0-0

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

Harner/Cooper-Bolinskey
Motion carried 6-0-0

10. Heather Westerberger (LCSW)

Ms. Westerberger appeared as requested to discuss her yes response to previous arrests. In 2001, Ms. Westerberger was arrested for possession of a controlled substance while crossing the United States Board. She provided a statement and supporting documentation for the Board to review. She informed the Board that she completed a three (3) year criminal probation and informed the Board how the arrest impacted her life. She stated that she has been in recovery for fifteen (15) years and provided the Board with her work aspirations.

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

Harner/Justice
Motion carried 6-0-0

11. Neshawn Grady (LSW)

Mr. Grady did not appear. The Board reviewed his application as presented but requested that he appear at the next meeting.

V. ADMINISTRATIVE HEARINGS

A. Libby Christianson, LCSW, LMHC, License No. 34002589A, 39000270A

Cause No. 2021 BHSB 0002

Re: Petition for Reinstatement of Licensure

Parties Present:

Respondent was present

Michael Progar counsel for Respondent not present

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

Heather Orbaugh, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)

Andrew Harner, LCSW

Kelley Gardner, LMFT

C. Martin Justice, LMHC

Dr. Dianna Cooper-Bolinskey, LCAC

Jon Ferguson, LMFT

Case Summary: The Board inquired to Ms. Christianson if she would like to proceed without her counsel as she is currently suspended and going forth with a hearing could potentially be a liability for her. Ms. Christianson stated that she would like to proceed without her counsel.

On or about August 5, 2021 Ms. Christianson's license was suspended following an Administrative Hearing with this Board with the following terms:

- Respondent's Indiana L.C.S.W. & L.M.H.C. licenses are INDEFINITELY SUSPENDED for a minimum of TWELVE (12) MONTHS, from the date of the final order.
- Prior to petitioning for reinstatement, Respondent shall submit twenty (20) continuing education hours in boundaries, documentation, ethics, and confidentiality. Respondent shall submit proof of completion of these continuing education hours to IPLA prior to petitioning for reinstatement.
- Prior to reinstatement, Respondent shall obtain a fitness for duty evaluation with an HSPP. Respondent shall submit the results to IPLA and show that she followed any and all recommendations made by the evaluator.
- Prior to reinstatement, Respondent shall complete a graduate level course in profession and ethical standards. Respondent shall submit a transcript to IPLA showing successful completion.
- Respondent shall, prior to seeking probation withdrawal, pursuant to Ind. Code 4-6-14-10 (b), pay a FEE of FIVE DOLLARS (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund.
- A violation of this Final Order, any non-compliance with the statutes or regulations regarding the practice of behavioral health, or any violation of this final order may result in the Petitioner receiving further sanctions against their professional license up to revocation.

Ms. Christianson stated that she has done additional training and brought notebooks for the Board to show that she has gone above and beyond to address the Board's concerns. She stated that she would like to dispute the charges that the filed against her. Mr. Eldridge objected to this statement, as the case has already been litigated. Ms. Christianson attempted to try to point out why she does not agree with the charges. The Board reminded Ms. Christianson that she must try to only address the items that were in her Suspension Order, not the original charges as she has already had a hearing to dispute those charges.

Ms. Christianson provided a binder of evidence which included:

- Human Trafficking trainings- Mr. Eldridge noted that they do not meet her Order and objected to them on the basis they do not qualify for her case. The Board did not accept Human Trafficking tab.
- Letter from HSPP- Mr. Eldridge noted no objections to the letter. The Board accepted letter.
- Professional Training Binder- Mr. Eldridge objected to part of it as not all the documentation in the binder appears to be relevant for this case. The Board accepted part of the binder of trainings.

Mr. Eldridge asked for clarification if the letter from the HSPP is a formal evaluation. Ms. Christianson stated that she talked with the HSPP, and it was a letter of recommendation, and they did an interview together, not a formal testing.

Ms. Christianson stated that her additional training with her Human Trafficking training shows the valuable knowledge she obtained. Mr. Eldridge still objects to this information as she has provided mostly emails, and not certificate of completion for the trainings. Board stated that they cannot accept the Human Trafficking information, and requested she discuss the other trainings she completed.

Ms. Christianson stated that she took a graduate course at Indiana Wesleyan University where she studied the Social Worker code of ethics and boundary training. She stated that her binder also shows her completed CEU for her reinstatement. Board stated that they see twenty (20) hours of CE that meets the requirements of her order.

The Board inquired if she paid the \$5.00 fee. Ms. Christianson stated the receipt is in the binder of information she provided. She also stated that she is a supervisor for thirteen (13) counties in Georgia looking over treatment plans, assessments, and additional casework for Medicaid clients.

Mr. Eldridge reviewed the original charges with Ms. Christian. Ms. Christianson stated that she disagrees with those charges. Mr. Eldridge stated that the Board has already had a case for this matter, and requested the Board take notice of the official file. The Board acknowledged their file in this matter. Mr. Eldridge confirmed with Ms. Christianson that she had completed her required twenty (20) hours of CE trainings. Mr. Eldridge confirmed with Ms. Christianson that she only did an interview with an HSPP, and not a formal evaluation. Mr. Eldridge inquired if Ms. Christianson attends any personal counseling. She stated that she does every week. She stated that she does immediately report any suspected child abuse cases. The Board inquired if her graduate course at IWU discussed mandatory reporting. She stated that they did. The Board inquired on examples of proper documentation. Ms. Christianson stated that she is not an expert, and that her courses did cover that, but she was not clear on the details. The Board inquired how she would review the previous incident with her current understanding. She stated that she would not have believed her client would immediately report. She stated that at the time she was just concerned, and not suspicious. She stated that experience is the best teacher, and she is working on improving her documentation.

Ms. Christianson concluded that this is her life work, and that she is one of the few people in her area that has Medicaid experience. She stated that she is more professional now since that case occurred.

Mr. Eldridge stated that the State still finds that there are a number of concerns still with Ms. Christianson, and she has not adequately shown she has met the requirements set forth in her Order to address the Board's concerns. Ms. Christianson is supposed to demonstrate that she is safe to practice with her HSPP evaluation; however, the letter from the HSPP is more of a character reference. Mr. Eldridge stated that Ms. Christianson has stated that she took poor documentation but has not shown she has taken responsibility for her own documentation and actions. He informed the Board that the State recommends that the Board deny Ms. Christianson's request for reinstatement of her suspended licenses.

Board Action: A motion was made and seconded to deny Ms. Christianson's petition for reinstatement of her suspended clinical social work license and mental health counselor license.

Harner/Ferguson
Motion carried 6-0-0

B. Antoinette White (LCSW)

Cause No. 2022 BHSB 0024

Re: Appeal of Denial of License

Ms. White did not appear.

C. Tiffany Thompson (LMHC)

Cause No. 2022 BHSB 0025

Re: Appeal of Denial of License

Parties Present:

Respondent was present

Heather Orbaugh, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)

Andrew Harner, LCSW

Kelley Gardner, LMFT

C. Martin Justice, LMHC

Dr. Dianna Cooper-Bolinskey, LCAC

Jon Ferguson, LMFT

Case Summary: On or about March 14, 2019 Ms. Thompson submitted an initial application for Mental Health Counseling. She was approved to take the NCMHCE examination which she did not pass on or about March 6, 2020. Ms. Thompson's application was then denied. She attempted the examination again on or about June 17, 2022 and did not pass. Ms. Thompson submitted a request to dispute her scores on the basis of poor testing environment. She informed the Board that she has put in several years to become a counselor, working primarily in school counseling. Ms. Thompson stated that she has taken several courses and education prep courses. She informed the Board that she believes that there is a cultural bias in the examination, as people of color struggle to pass the examination. She stated that she is requesting the Board grant her licensure on the basis of her field experience. She discussed with the Board the data that she was aware of regarding the potential cultural bias, and her passion to help her community. Ms. Thompson provided the Board details of her last testing location conditions. The Board inquired if there was a specific area for her that she is struggling to pass. She stated that she struggles to pass the assessment, specifically the eugenics section. The Board stated that they understand her position, but the law requires the passing of the examination.

Board Action: A motion was made and seconded to uphold the denial of Ms. Thompson's application for a mental health counselor license.

Harner/Cooper-Bolinskey

Motion Carried 6-0-0

D. Grace Allred (LSW)

Cause No. 2022 BHSB 0026

Re: Appeal of Denial of License

Parties Present:

Respondent was present

Heather Orbaugh, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)
Andrew Harner, LCSW
Kelley Gardner, LMFT
C. Martin Justice, LMHC
Dr. Dianna Cooper-Bolinskey, LCAC
Jon Ferguson, LMFT

Witness for Respondent:

Patrick Allred

Case Summary: On or about July 16, 2021 Ms. Allred submitted an initial application for social work licensure. She has taken the ASWB Master examination on December 21, 2021 and June 9, 2022 and has not passed the examination. She stated that she is currently working for her community health hospital under a temporary permit as she attempts to pass her examination. She has submitted an application for a third examination attempt, and is requesting that the Board accept her last examination attempt as she only failed the examination by one point. Ms. Allred stated that during her examination attempts, she was experiencing personal struggles which led her to not focus on the examination. She stated that her first examination attempt occurred when her husband was experiencing chemotherapy, and she rushed to complete her second exam attempt before her temporary permit expired. She stated that her current employer and supervisor are willing to keep her on staff until she obtains her license as they are currently short-staffed. She informed the Board that with her husband still in treatments, she is the only bread winner, and would like any considerations the Board is able to give.

The Board stated that they understand her situation, but the passing rate is decided by the ASWB, and the license requires a passing score.

Board Action: A motion was made and seconded to uphold the denial of Ms. Allred's application for an LSW license.

Harner/Cooper-Bolinskey
Motion carried 6-0-0

E. Guirlene Thomas-Durosier (LMFTA)

Cause No. 2022 BHSB 0025
Re: Appeal of Denial of License

The hearing in the matter of Ms. Thomas-Durosier was continued.

G. Koyauna Jones (LMHC)

Cause No. 2022 BHSB 0028
Re: Appeal of Denial of License

Parties Present:

Respondent was present
Heather Orbaugh, Court Reporter, Accurate Court Reporting

Participating Board Members:

Kimble Richardson, LMHC (Hearing Officer)

Andrew Harner, LCSW
Kelley Gardner, LMFT
C. Martin Justice, LMHC
Dr. Dianna Cooper-Bolinsky, LCAC
Jon Ferguson, LMFT

Case Summary: On or about July 19, 2021 Ms. Jones submitted an initial application for Mental Health Associate. She took and did not pass her NCE examination on July 22, 2022. Ms. Jones stated that she did not pass the examination by two (2) points and is requesting the Board issue her license. She stated that if the Board cannot grant the license, she requested that the Board extend her temporary permit. Ms. Jones informed the Board that she works for the Department of Education in Wayne Township. She stated that in preparation to take the examination, there was no official study guide. She informed the Board that the only study guide(s) she was able to find were the advertised one, where she was prompted to pay. She also informed the Board that during the examination, she was supposed to have a break. She stated that she never had a break during her examination attempt. Ms. Jones provided the Board with screenshots of the NBCC website with her request of appeal.

The Board stated that they understood her position but must go by what the law requires which is a passing score. They advised her to reach out to the NBCC regarding their testing procedures.

The Board also stated that they cannot extend the temporary permits, as there is nothing in the law that gives them jurisdiction to extend a permit.

Board Action: A motion was made and seconded to uphold the denial of Ms. Jones' application for an LMHC license.

Justice/Cooper-Bolinsky
Motion carried 6-0-0

VI DISCUSSION

The Board discussed virtual supervision. Currently the law states that the Board can only count 50% of post-degree supervision in a virtual setting. There have been allowances made during COVID and the Health Emergency. As the Governor's Health Emergency Executive Order is no longer in effect, we have to go back to what the current laws requires. The Board discussed virtual supervision across State lines, and supervisors who are not present in the State. The Board stated that communications are going out to various Associations regarding this issue.

The Board discussed how virtual supervision was occurring in schools and universities. Counsel stated that if the University accreditation is accepting the virtual supervision, then the Board will accept this supervision.

VII. APPLICATIONS FOR REVIEW

There were no applications for review.

VIII. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL

The Attorney General's office reported to the Board that they have 133 open complaints and they have closed 69 since the beginning of the year. The average age of the open complaints is 8.6 months. There are currently 20 open litigation cases with only 15 closed this year. The average duration of the litigation cases are 10.1 months.

Amy Osborn, Deputy Attorney General, informed the Board that the Office of the Attorney General, is currently going through a change with their reports. She stated that their new format will give the Board more information regarding the complaints.

IX. FORMAL ADOPTION OF APPLICATION REVIEWS

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

Harner/Cooper-Bolinsky
Motion carried 6-0-0

X. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW

A. Kiley Consulting and Counseling

The Board reviewed the application and supporting documentation. They had no objections.

Board Action: A motion was made and seconded to approve Kiley Consulting and Counseling applications as continuing education sponsor.

Harner/Justice
Motion carried 6-0-0

B. Fellowship Missions

The Board reviewed the application and supporting documentation. They had no objections.

Board Action: A motion was made and seconded to approve Fellowship Mission application as a continuing education sponsor.

Harner/Justice
Motion carried 6-0-0

C. Indiana Association of Mediators

The Board reviewed the application and supporting documentation. They had no objections.

Board Action: A motion was made and seconded to approve Indiana Association of Mediators as continuing education sponsor.

Harner/Cooper-Bolinsky
Motion carried 6-0-0

D. Neuroforce

The Board reviewed the application and supporting documentation. They stated that a sample course of what will be presented will need to be provided. They are looking for a course highlighting their objectives as it is not clear.

Application tabled.

XI. OLD/NEW BUSINESS

There was no old/new business to discuss.

XII. ADMINISTRATORS' REPORT

The Board discussed with staff on updating the MFT application forms to make the request of clinical hours and relational hours clearer for review.

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 1:54 p.m. by general consensus.

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

Date