

MINUTES

**UTAH
Professional Counselor Licensing Board
MEETING**

September 20, 2011

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

CONVENED: 9:05 A.M.

ADJOURNED: 1:37 P.M.

Bureau Manager:
Board Secretary:

Richard J. Oborn
Lee Avery

Board Members Present:

Jason H. King, Chairperson
Ruth A. Baxter, via telephone
Dee Zarkos
Jerri Sena

Board Members Absent:

Rodger Bischoff

Guests:

Irma Ramos

DOPL Staff Present:

Connie Call, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The Board reviewed the minutes dated June 21, 2011. Ms. Sena motioned to approve the minutes with changes, seconded by Ms. Zarkos. The motion carried unanimously.

Consideration of option to elect new Board Chairperson

Ms. Baxter motioned to keep Mr. King as the Chairperson, seconded by Ms. Sena. The motion carried unanimously.

Compliance Report:

Connie Call, Compliance Specialist

#1. Joanie Jones, probation interview. Ms. Jones is not in compliance with her stipulation. She advised the Board that she had a relapse. Ms. Sena motioned to close the Board meeting at 9:15 A.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Zarkos. The motion carried unanimously. The Board

meeting opened at 9:30 A.M. The Board noted that Ms. Jones failed to submit her support group documentation.

#2. John Washington, probation interview. Mr. Washington is not in compliance with his stipulation. He failed to submit his employee reports for July 1, August 1, and September 1 stating he is not working. Ms. Call instructed him to submit these. He contacted his employer stating he was on sick leave. His supervisor submitted the reports stating he was on sick leave. He failed to submit a therapy report due in August. Dr. Shulimson called Ms. Call stating Mr. Washington is meeting weekly with him, is always on time, and is making good progress. He stated that he completed a neuropsychological assessment and there does not appear to be any problems. Dr. Shulimson released Mr. Washington to return to work. He felt the benefit of Mr. Washington returning to work outweighed the alternative.

APPOINTMENTS:

Joanie Jones, probation interview

Ms. Jones met with the Board for her probation interview. Ms. Zarkos conducted the interview. Ms. Jones stated that she had been seeing her therapist, Patrick Gilmore, once a month, for a couple of years and she now has an appointment with a new therapist on September 27, 2011. Ms. Jones stated she will provide her new therapist information to Ms. Call as soon as she is able to obtain it. Ms. Jones advised the Board that she has not been working since August 24, 2011. Ms. Zarkos motioned to close the Board meeting at 9:46 A.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Baxter. The motion carried unanimously. The Board meeting opened at 10:14 A.M. The Board reviewed the Board's options with Ms. Jones to include a suspension or revocation of her license. Ms. Sena motioned to suspend Ms. Jones' license for a minimum of 3 months. She needs to be in compliance with her stipulation 100% during this time, including attending her support groups. Call in for UA's, have negative UA's. In addition she will need to:

1. obtain a fitness for duty evaluation;

2. have this submitted by December 1, 2011 for the December Board meeting;
3. get her new therapist information to Ms. Call immediately after her 1st appointment; and
4. meet weekly with her new therapist and have her therapist submit monthly therapy reports.

The motion was seconded by Ms. Zarkos. The motion carried unanimously. Ms. Call reminded Ms. Jones that her paperwork is due on the 1st of each month. The Board asked to see Ms. Jones on December 7, 2011. **Ms. Jones is not in compliance with her stipulation.**

John Washington, probation interview

Mr. Washington met with the Board for his probation interview. Ms. Sena conducted the interview. Mr. Washington advised the Board that things are going well. The Board noted that Mr. Washington failed to submit his July, August, and September reports. Mr. Washington apologized to the Board for his misunderstanding, stating that he understood that because he was on medical leave from his employment he did not have to submit these reports. The Board noted that he has not submitted his therapy reports either. Mr. Washington stated that he has been going to therapy weekly. Mr. Washington noted that he is feeling better now that he is back to work. He started working part-time on August 13, 2011. He has had no thought of relapse. He meets in person once a week with his supervisor. Mr. Washington stated there has been no change in his medication. He is keeping busy with family, volunteering, and studying for the exam. The Board asked to see Mr. Washington on December 7, 2011. **Mr. Washington is in compliance with his stipulation.**

Gregory Hood, applicant for Associate Professional Counselor Extern license

Mr. Oborn reviewed Mr. Hood's new application for a license as an associate professional counselor extern. Mr. Wood obtained a master of arts and counseling in August 2007 and passed the NCE exam. He was licensed in January 2008 in Texas and gathered 3,000 hours of experience. Mr. Oborn noted that Mr. Hood does not qualify for a Utah professional counselor license by endorsement at this time. He applied for a Utah license in October 2010. His application was denied because he did not meet the education requirements. In September 2010 he was advised that

the Texas State Board of Examiners of Professional Counselors was investigating him for unprofessional conduct. The Board reviewed the disciplinary information submitted to Mr. Oborn. According to the documentation submitted, Mr. Hood engaged in an inappropriate dual relationship with a client, used the incorrect title while practicing as a intern, and upon termination of services for a client, he failed to take reasonable steps to facilitate a referral for appropriate care. Mr. Oborn noted that during a meeting in September, Texas proposed the following sanctions against Mr. Wood's license: 2 year probation; 40 page report on the rules; receive monthly supervisor; supervision reports sent to the Board quarterly; and complete a 3 hour graduate level ethics course. Mr. Oborn noted there needs to be a final review and agreement to these proposed sanctions by the Texas State Board of Examiners of Professional Counselors. They will then make the formal proposal to Mr. Hood. The Utah Board noted that its options are:

1. deny his application and require him to complete his Texas probation before issuing a Utah license.
2. issue a restricted license with restrictions similar to what Texas and other conditions as determined by the Utah Board and the Division. He would be required to admit to having engaged in unprofessional conduct.

Mr. Hood stated he would like to continue to work in Texas and that he will review the Texas proposal. Mr. Hood noted that Texas would not have anything official until January 2012. Mr. Oborn will consult with the Texas State Board of Examiners of Professional Counselors. The Board advised Mr. Hood that as an extern in Utah, he could not work in his own private practice. The extern license is to obtain additional course work and pass the NCMHCE exam. Once this is completed, he can then apply for the associate license. The Board noted that while he is on probation in Utah, he would need to be 100% in compliance with the Texas stipulation. He would be required to meet with his supervisor, and submit supervisor reports monthly. These reports are due on the 1st of each month. After being in compliance for 6 months, the Board may allow his supervisor reports be

submitted less often. The Board noted that as time goes by and the probationer has been in compliance, the Board might lessen the restrictions. Ms. Sena motioned to grant an extern license with the following restrictions:

1. a 2 year probation;
2. 40 page report on the rules;
3. receive monthly supervision;
4. supervision reports sent to the Board quarterly;
- and
5. complete a 3 hour graduate level ethics course;

The Utah probation terms would be similar to those of his Texas probation terms. He would be required to be in compliance with his Texas probation.

Ms. Zarkos seconded the motion. The motion was carried unanimously. .

DISCUSSION ITEMS:

1. Application review:

Irma Ramos, request for review foreign education.

Ms. Ramos met with the Board. The Board reviewed Ms. Ramos' request for review of foreign education. Ms. Ramos had her documentation translated into English and submitted it to the University of Utah for review. Dr. Paul Gore identified courses that meet Utah requirements and recommended she complete additional education. The Board and Division determined that she needed to complete courses in the following subjects:

- (1) ethical standards, missing 2 hours;
- (2) professional roles, missing 2 hours;
- (3) cultural foundations, missing 3 hours;
- (4) therapeutic interventions, missing 2 hours;
- (5) dysfunctional behaviors, missing 2 hours;
- (6) practicum, missing 3 hours; and
- (7) internship, missing 6 hours.

Ms. Ramos is currently working at Valley Mental Health and Cornerstone. The Board encouraged Ms. Ramos to follow Dr. Gore's recommendations and then submit her application for the associate license to gain the 4,000 hours of supervised experience and pass the NCE and NCMHCE exams.

Joshua Marans review application for license

Mr. Marans participated via telephone. Mr. Oborn reviewed Mr. Marans application with the Board, noting that he is missing hours of internship. He completed 705 clock hours, 303 of which are direct

mental health therapy. Utah requires a 900 hour supervised internship, including 360 hours in mental health therapy. Mr. Marans noted that he holds a graduate degree and passed the NCE exam. He has worked in private practice and as a school counselor. He was hoping the Board would consider allowing the 1500 hours he completed since graduation toward his Utah LPC license. Mr. Marans attended John Hopkins. They are working towards CACREP accreditation. They do not have a dedicated practicum class. They call the “advance techniques course” a practicum. The Board noted that the NCMHCE exam is a clinical exam and Mr. Marans will need to pass this exam. The Board discussed changing the rule to be fair and enforceable in the future with applicants. The Board expressed concern regarding setting a precedence and/or changing the rule. The Board decided that this would be moving away from the established national standards the Board already has in place. The Board also noted that there are universities in Utah that would allow applicants/students to do a practicum as a non-matriculated student. Ms. Sena motioned that Mr. Marans be required to obtain the practicum hours before qualifying for an Associate Professional Counselor license, seconded by Ms. Zarkos. The motion carried unanimously. The Board noted that his internship hours are acceptable.

Allen Garrett application review

Mr. Oborn advised the Board that Mr. Garrett submitted his transcripts as a preliminary review of his education. He completed a degree in human exceptionality, major in psychology and he completed a BA in psychology at the Southern Utah University. The Board noted that with this type of master’s degree, he could not pass NCE or NCMHCE exams. The Board noted he is short hours in therapeutic interventions, human growth, cultural course, test and measurement, research and evaluation, and encouraged him to look at the CACREP standards.

2. Consideration of proposal amend rule to allow Associate professional Counselors to gather hours of supervision via live video conference

The Board tabled this to the December 7, 2011 Board meeting.

3. Report from Ruth Baxter regarding NBCC

Ms. Baxter reported on the NBCC State Licensure

State Licensure Boards Meeting

Boards meeting she attended August 11-12, 2011.

BOARD MEETINGS:

The next Board meeting is December 7, 2011.

2012 Board meetings have been scheduled:

March 20, June 19, September 18, December 18

Motion to adjourn at 1:37 P.M.

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

December 7, 2011
Date Approved

(ss) Jason King
Chairperson, Utah Professional Counselor Licensing
Board

November 14, 2011
Date Approved

(ss) Richard J. Oborn
Bureau Manager, Division of Occupational &
Professional Licensing