

MINUTES

UTAH MARRIAGE AND FAMILY THERAPIST LICENSING BOARD MEETING

December 14, 2012

Room 474 – 4th Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:05 A.M.

ADJOURNED: 11:14 A.M.

Bureau Manager:
Board Secretary:

Richard J. Oborn
Lee Avery

Board Members Present:

Scot M. Allgood, Ph. D., Chairperson
Veon G. Smith, DSW, Acting Chairperson
Alan Springer, Ph.D.
Elaine Reintjes

DOPL Staff Present:

Susan Higgs, Compliance Specialist
Dee Thorell, DOPL Investigator

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The Board reviewed the minutes dated September 28, 2012. Dr. Springer motioned to approve the minutes, seconded by Mr. Smith. The motion carried unanimously.

Compliance Report:

#1. Lawrence Bradley is in compliance with his stipulation. The Board needs to review his probation plan, his proposed supervisor's CV and discuss his plan to fulfill his CE requirement.

Discussion:

The Board reviewed the CV for Mr. Mark Whelchel, MS, LMFT, AAMFT Approved Supervisor, who Mr. Bradley has proposed be approved as his supervisor. The Board may want to talk with Mr. Whelchel via by telephone at the next meeting.

#2. Richard Passoth, is a new probationer. The Board needs to review his probation plan, the CV for his proposed supervisor and proposed CEs. Mr. Passoth is requesting the Board consider approval of completed CE hours he had taken at the U of U Drug School in June 2012. The Board needs to consider employer reports because he is a contracted employee.

Discussion:

The Board reviewed Mr. Passoth's stipulation and the sections of the code of ethics he violated. Mr. Passoth engaged in marriage and family therapy with a married couple and then provided therapy to Ms. Jane Doe. He authored a letter for Ms. Doe and her attorney that shared information from couples therapy without obtaining a release from the husband. He also appeared in court on Jane Doe's behalf regarding custody recommendations. He was the therapist for both the wife and husband and then acted as an advocate in court for the wife. This constituted a conflict of interest and a dual relationship in violation of the AAMFT Code of Ethics.

APPOINTMENTS:

Lawrence Bradley, probation interview

Mr. Bradley met with the Board. Dr. Springer conducted the interview. Mr. Bradley stated he is creating his research documents and is also looking to others research for models regarding the how to develop training, assignment from the Board. He plans to attend a CE course in Las Vegas. Mr. Bradley stated he does not know much about his proposed supervisor. He looked up supervisors on the AAMFT supervisor website, concentrating on supervisors living in Nevada and contacted Mark Whelchel. Mr. Whelchel reviewed the stipulation and agreed to supervise him with Utah Board approval. Mr. Bradley stated he chose him because they share the same value system. The Board reviewed Mr. Whelchel's resume. Mr. Bradley asked the Board if Mr. Whelchel's review of Mr. Bradley's sessions with clients could be done via live video conferencing, using skype due to the remote rural area of the ranch where he works. The Board stated that would be acceptable. Mr. Smith moved to approve Mr. Whelchel as Mr. Bradley's supervisor and approved Mr. Whelchel's review of sessions via remote means, in addition to or lieu of recordings. Mr. Bradley is still required to meet with

the supervisor face to face on a weekly basis until further notice. The Board will be revisit this at a later date to determine if Mr. Bradley's and the Board's needs are being met, seconded by Ms. Reinjtes. The motion carried unanimously. The Board reminded Mr. Bradley that the reports are to be turned in monthly for the first 6 months, then at the Board's discretion. Mr. Bradley stated the facility has not been issued their Nevada license yet and he is not seeing clients at this time. Mr. Oborn advised Mr. Bradley that the Nevada Board has not contacted him; however, if they do, he will answer any questions they have regarding Mr. Bradley's probation. The Board asked to see Mr. Bradley on March 15, 2013. **Mr. Bradley is in compliance with his stipulation.**

Richard Passoth, new probationer

Mr. Passoth met with and was introduced to the Board. Mr. Smith conducted the interview. Mr. Passoth reviewed his professional history with the Board noting that he has been practicing as marriage and family therapy for almost 40 years. He is an AAMFT approved supervisor and supervised post graduate students in Colorado and in Utah. He is currently working part-time, 25 to 30 hours a week. Mr. Passoth reviewed the circumstances that placed his license on probation. The Board noted that he has a long and distinguished career. The problem is that his decision violated the Utah standards. The Board stated that if he continues doing therapy, he may have a similar case. He may want to spend some time with an attorney and/or the facility director and come up with a plan for documentation in his notes. He needs to be careful with this documentation because not including information could be considered fraudulent billing. The Board advised Mr. Passoth that for renewal of his license, he needs to obtain 40 hours of CEs, at least 15 hours directly related to marriage and family therapy and at least 6 hours must be in ethics/law of which at least 3 hours must be directly related to marriage and family therapy. These CEs must be completed between October 1, 2012 and September 30, 2014. For his probation he needs to obtain 10 additional hours of CE in ethics directly related to his violations. These need to be obtained by November 17, 2013 and cannot be counted towards his renewal. The Board encouraged him to attend the

UAMFT conference in May 2013. The Board noted that training attended at a university can be counted toward his ethics for renewal but not for the stipulation. Mr. Passoth stated he tried to find an MFT supervisor who has had experience with the courts. The director of the agency he is currently working with has a lot of experience with the courts. The Board advised Mr. Passoth that he needs to find a supervisor who can work with him that from outside of his agency. The Board encouraged him to go to the AAMFT website and look at the approved supervisors. Dr. Springer moved to approve his probation plan as outlined, his supervisor needs to be AAMFT and CEs need to be ethics specific to MFT, which could include the annual conference in May 2013, seconded by Ms. Reintjes. The motion carried unanimously. The Board asked to see Mr. Passoth on March 15, 2013.
Mr. Passoth is in compliance with his stipulation.

DISCUSSION:

1. Consideration of request from Carla Huffstetler, MFT for approval to supervise more than 3 associate MFTs

The Board reviewed the request from Ms. Huffstetler for approval to supervise more than 3 associate MFTs. The Board is requesting that Ms. Huffstetler submit a resume or summary of her background and experience. The Board expressed concern that if she is doing so much therapy, it would be difficult for her to provide adequate supervision. The Board wants verification of her work load at the Arch, with the hope that her caseload would be decreased, to allow for adequate supervision of supervisees. The Board tabled this discussion for the March 15, 2013 Board meeting or until the additional information is received.

2. Update on proposed rule amendment to definition of "employee" in the Mental Health Professional Practice Act Rule (Utah Admin. Code R156-60)

The Board discussed this item earlier in the meeting.

3. Update on possible legislation to amend Mental Health Professional Practice Act regarding remote supervision and remote therapy

The Board discussed this item earlier in the meeting.

4. Consideration of proposal to further define continuing education requirement in Utah Admin. Code R156-60b-304

Tabled this item to be discussed at the March 15, 2013 Board meeting.

5. Board survey of online disciplinary documents

Mr. Oborn reviewed the letter to the Board regarding the Board Survey of Online Disciplinary Documents, from DOPL Director Mark Steinagel.

Dr. Springer motioned to recommend option #1: We believe disciplinary documents posted on DOPL's website should only be found through a search someone performs within DOPL's website. General internet searches shouldn't be allowed to display or embed disciplinary documents as a search result, seconded by Dr. Smith. The motion carried unanimously.

6. Update regarding Board vacancy

Tabled this item to be discussed at the March 15, 2013 Board meeting.

7. Identification of agenda items for next Board meeting

The Board was encouraged to contact Mr. Oborn about items they want to discuss at the next meeting.

CORRESPONDENCE:

None at this time.

NEXT MEETING SCHEDULED FOR:

The Board meeting is scheduled for March 14, 2013.

2013 Board meetings tentatively scheduled

March 14, June 14, September

The Board will discuss rescheduling the December 13, 2013 Board meeting at a later date.

ADJOURN:

The Board adjourned at 11:14 A.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.

March 15, 2013

Date Approved

(ss)Scot Allgood, Ph.D.

Chairperson, Utah Marriage and Family Therapist Licensing Board

March 15, 2013

Date Approved

(ss) Richard J. Oborn

Bureau Manager, Division of Occupational & Professional Licensing