

BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD

Minutes

October 23, 2023

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 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:

Dr. Dianna Cooper-Bolinskey, LCAC, LCSW, Board Chair
Jon Ferguson, LMFT, LCAC, Vice Chair
Kelley Gardner, LMFT, LMFT Section Chair
Katy 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, M.D., Psychiatric Physician Member
Jacqueline Eitel, RN, Consumer Member

Board Members Not Present:

Jacqueline Eitel, RN, Consumer Member (left early)
Jon Ferguson, LMFT, LCAC, Vice Chair (left early)

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.

Justice/Harner
Motion carried 10-0-0

III. APPROVAL OF MINUTES

The minutes of January 23, 2023 are under review.

IV. PERSONAL APPEARANCES

A. Probation

1. **Stacy Howard, LSW, License No. 33004830A**
Cause No. 2023 BHSB 0028

Ms. Howard appeared as requested to discuss her ongoing probation. She discussed about moving to a new employment at Noah's Animal Health as a Resource Manager. She discussed her new position and expected job duties. She stated that she does have a contracted LCSW

supervisor Kristine Johnson. The Board noted that they have not received any supervision reports from her supervisor at Transitions Academy. She stated that her supervisor at that employment abruptly left, and they aware of her probation terms. The Board discussed how she can still have her reports completed or documented on her attempts to obtain her reports. The Board noted that they also do not have a copy of her Order signed by her new employer. Board advised her about ensuring she is following the terms for her probation.

2. **Amy Holbert, LCACA, LMHCA, License No. 87001712A, 88001890A**
Cause N. 2021 BHSB 0004, 2022 BHSB 0015

Ms. Holbert appeared as requested to discuss her ongoing probation. She discussed her progress with the IPRP program, and what she learns from the AA meeting she attends. She provided a summary of how her random screenings were completed.

3. **Victoria Thompson, LMHCA, Temporary Permit No. 99119918A**
Cause No. 2023 BHSB 0032

Ms. Thompson appeared as requested to discuss her ongoing probation. She discussed her current employment with Hope Haven and the CE courses she is going to take. Ms. Thompson indicated that she has provided a copy of her signed Order from her employer. She discussed with the Board some of the discussions she had with her supervisor. The Board acknowledge her supervisor report and that she has taken the law exam.

B. Reinstatement

1. **Lori Magnuson, LMHC, License No. 39000760A**

Ms. Magnuson did not appear as requested regarding her reinstatement of license. Based upon review, Ms. Magnuson only provided 20 hours of approved continuing education. The requirement is 40 hours of continuing education.

Board Action: A motion was made and seconded to deny Ms. Magnuson's application to reinstate her mental health counselor's license.

Richardson/Harner
Motion carried 8-0-0

C. Application

1. **Julia Compton (LSW)**

Ms. Compton appeared as requested to discuss her 'yes response' regarding her criminal background. She provided a statement and supporting documentation for the Board to review. Ms. Compton indicated that her law license was suspended, but that she has resolved all issues for that license. She stated that she could request to reinstate it; however, she does not wish to return to that profession, so she has not requested reinstatement. Ms. Compton discussed her OWI arrest and the recovery program she completed. The Board discussed her self-care plan and the discussions she has with her supervisor.

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

Harner/Viehweg
Motion carried 10-0-0

2. Shavon Coxton (LCSW)

Ms. Coxton did not appear.

3. John Dietz (LMHCA)

Mr. Dietz appeared as requested to provide clarification on his work history. Mr. Dietz graduated August 2022 and indicated that he has been working as a therapist since October 2022. Mr. Dietz stated that he spoke with his supervisor about working without a license. She informed him that if he was “DCS eligible”, he would not need a license as long as he was under supervision. The Board inquired if he has been working exclusively DCS cases. Mr. Dietz stated that he was not, only some of his clients were DCS. The Board clarified that his work would then not fall under license exemption.

Board Action: A motion was made and seconded to approve Mr. Dietz’ mental health counselor associate application and place his license on probation with the following terms:

- The Applicant’s license shall be on **INDEFINITE PROBATION**. The Applicant may not petition for withdraw of the probation for at least three (3) months from October 23, 2023.
- The Applicant’s practice shall be governed by the following TERMS AND CONDITIONS:
- The Applicant must keep the Board apprised of the following information in writing and update it as necessary:
 - The Applicant’s current home address, mailing address, e-mail address and residential telephone number.
 - The Applicant’s place of employment, employment telephone number, employment e-mail address and name of supervisor.
 - The Applicant’s title and work schedule, including the number of hours worked per week.
- The Applicant shall take at least ten (10) Continuing Education Units (“CEUs”) in ethics or licensure and submit documentation of those CEUs to the Board.
- The Applicant shall provide copies of this Order signed by any employers within fifteen (15) days of the issuance of the Order. If Applicant starts or secures different employment, Applicant shall provide a copy of the Board Order signed by the new employer within ten (15) days of starting employment.
- The Applicant shall take and pass the jurisprudence examination.
- The Applicant shall comply with all statutes and rules regulating the practice of mental health counseling and report any future arrests, work discipline, or terminations to the Board immediately in writing.
- The failure of the Applicant to comply with the terms of this probation may subject Applicant to a show cause hearing and the possible imposition of further sanctions.

Richardson/Justice

Motion carried 10-0-0

4. Raphilla Dixie (LCAC)

Ms. Dixie appeared as requested to provide clarification on her work history. She graduated in May 2017 and did not earn her clinical addiction counselor associate license until April of 2020. Ms. Dixie provided a summary of employments, and the difficulties she has experienced getting her supervision forms signed. The Board informed her of the different paths she could take in order to verify her supervision. Based upon the documents present Ms. Dixie will need to provide an additional six (6) months of experience and supervision.

Ms. Dixie's application was tabled pending additional documentation.

5. Bridgette Howerton (LMHCA)

Ms. Howerton appeared as requested via phone to provide clarification on her work history, and her yes response regarding her background. She provided a statement and supporting documents for the Board to review. She graduated in November 2022 and indicated that she started working as a therapist in October of 2021. The Board reviewed her education and noted that the content area for contextual dimensions was not met. Ms. Howerton discussed with the Board the circumstances of her arrest and she indicated that all matters have been resolved by the courts. Ms. Howerton indicated that when she completed her practicum, the company hired her as a therapist after she graduated. She was informed by her employer that as long as she was under supervision she was able to practice. The Board discussed the unlicensed practice with her.

Ms. Howerton's application was tabled for submission for further review of the course content, and the Board noted that she may need to appear again.

6. Carmen Kennedy (LAC, LCACA, LSW)

Ms. Kennedy appeared as requested to discuss her applications. The Board noted that she does not qualify for the LSW as she does not hold a Master of Social Work degree.

Ms. Kennedy stated that she needs a license for her business. She is working at a recovery housing facility.

The Board noted that for the LCACA license application she would need to supply her Form C: Graduate Coursework, and Form P: Graduate Practicum. Ms. Kennedy stated that she did not complete a graduate practicum in her program. She only completed a practicum in her associates degree.

The Board noted then that she would only qualify for the LACA license as she needs to have that first in order to obtain post-bachelor hours for the LAC license. If she completed any hours after her bachelor's degree for the LAC license, they would be unlicensed and cannot be accepted. Ms. Kennedy discussed with the Board about if that license would allow her to work in what she wants. The Board stated that they cannot accept any of her clinical work.

Board Action: A motion was made and seconded to switch Ms. Kennedy to the addiction counselor application to the addiction counselor associate and approve her application.

Adams/Viehweg

Motion carried 10-0-0

The Board did discuss if Ms. Kennedy would qualify for the mental health license, but since she has not completed a graduate practicum or internship she would not qualify.

7. Kevin Keske (LMHCA)

Mr. Keske appeared as requested to provide clarification on his work history. He graduated in December 2018 and indicated that he has been working as a behavioral health service provider since July 2018. Mr. Keske provided clarification of his job duties which included providing therapy. He stated that he started as a skills coach. The Board discussed unlicensed practice with him.

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

- The Applicant's license shall be on **INDEFINITE PROBATION**. The Applicant may not petition for withdraw of the probation for at least six (6) months from October 23, 2023.
- The Applicant's practice shall be governed by the following TERMS AND CONDITIONS:
- The Applicant must keep the Board apprised of the following information in writing and update it as necessary:
 - The Applicant's current home address, mailing address, e-mail address and residential telephone number.
 - The Applicant's place of employment, employment telephone number, employment e-mail address and name of supervisor.
 - The Applicant's title and work schedule, including the number of hours worked per week.
- The Applicant shall take at least ten (10) Continuing Education Units ("CEUs") in ethics or licensure and submit documentation of those CEUs to the Board.
- The Applicant shall provide copies of this Order signed by any employers within fifteen (15) days of the issuance of the Order. If Applicant starts or secures different employment, Applicant shall provide a copy of the Board Order signed by the new employer within ten (15) days of starting employment.
- The Applicant shall take and pass the jurisprudence examination.
- The Applicant shall have at least ONE (1) personal appearance before the Board to discuss progress with the terms of this Order.
- Applicant shall cause his employer to submit BI-ANNUAL written employment supervision reports to the Board.
- The Applicant shall comply with all statutes and rules regulating the practice of mental health counseling and report any future arrests, work discipline, or terminations to the Board immediately in writing.
- The failure of the Applicant to comply with the terms of this probation may subject Applicant to a show cause hearing and the possible imposition of further sanctions.

Richardson/Justice

Motion carried 8-0-2 (Gardner abstained. Eitel not present.)

8. Kylie Liddle (LMHC)

Mr. Liddle appeared as requested to discuss his yes response regarding his criminal background. He provided a statement and supporting documentation for the Board to review. He provided the Board with a summary of what occurred and that he has completed all requirements for the courts. He stated that he did a self-report the incident to his home state of Florida where he was licensed, and they did not impose any discipline against his license. Mr. Liddle discussed what he learned from the process.

Board Action: A motion was made and seconded to approve Mr. Liddle’s mental health counselor application by reciprocity.

Richardson/Justice
Motion carried 9-0-1 Eitel not present.

9. Jayme Martinez (LSW)

Mr. Martinez did not appear.

10. Lacey Noon (LAC)

Ms. Noon appeared as requested to provide clarification on her work history. She graduated in October 2021 and provided documentation that she has been accruing post-bachelor’s degree experience and supervision from April 2021 to the present. She provided the Board with a description of her job duties. The Board noted that her application should be an addiction counselor associate, and the Board is unable to accept unlicensed work for the addiction counselor license. The Board discussed unlicensed practice with Ms. Noon.

Board Action: A motion was made and seconded to switch Ms. Noon’s application to addiction counselor associate and sit for the examination. Upon passing the examination her license will be placed on probation with the following terms:

- The Applicant’s license shall be on **INDEFINITE PROBATION**. The Applicant may not petition for withdraw of the probation for at least six (6) months from the date of October 23, 2023.
- The Applicant’s practice shall be governed by the following **TERMS AND CONDITIONS**:
- The Applicant must keep the Board apprised of the following information in writing and update it as necessary:
 - The Applicant’s current home address, mailing address, e-mail address and residential telephone number.
 - The Applicant’s place of employment, employment telephone number, employment e-mail address and name of supervisor.
 - The Applicant’s title and work schedule, including the number of hours worked per week.
- The Applicant shall take at least ten (10) Continuing Education Units (“CEUs”) in ethics or licensure and submit documentation of those CEUs to the Board.
- The Applicant shall provide copies of this Order signed by any employers within ten (10) days of the issuance of the Order. If Applicant starts or secures different employment, Applicant shall provide a copy of the Board Order signed by the new employer within ten (10) days of starting employment.

- The Applicant shall take and pass the Indiana Jurisprudence examination.
- The Applicant shall personally appear before the Board at least ONE (1) time prior to petitioning for removal of probation to discuss the progress with her probation.
- The Applicant shall cause her employment supervisor to submit bi-annual supervision reports to the Board regarding Applicant's employment performance. If Applicant is not employed, Applicant shall submit a written self-report.
- The Applicant shall comply with all statutes and rules regulating the practice of addictions counseling associate and report any future arrests, work discipline, or terminations to the Board immediately in writing.
- The failure of the Applicant to comply with the terms of his probation may subject Applicant to a show cause hearing and the possible imposition of further sanctions.

Adams/Harner

Motion carried 9-0-1 Eitel not present.

11. Jamie Rodriquez (LMHCA)

Ms. Rodriquez appeared as requested to provide clarification on her work history. She graduated in April of 2023 and indicated on her application that she has been working as a therapist since May of 2023. She stated that she has been working as a clinician as a board certified behavior analyst. She stated that she was hired with the understanding that since she was license eligible, she could practice. The Board discussed unlicensed practice, and when she can start accruing her post-degree experience and supervision hours.

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

The Applicant's license shall be on **INDEFINITE PROBATION**. The Applicant may not petition for withdraw of the probation for at least six (6) months from the date of October 23, 2023.

The Applicant's practice shall be governed by the following **TERMS AND CONDITIONS**:

The Applicant must keep the Board apprised of the following information in writing and update it as necessary:

The Applicant's current home address, mailing address, e-mail address and residential telephone number.

The Applicant's place of employment, employment telephone number, employment e-mail address and name of supervisor.

- i. The Applicant's title and work schedule, including the number of hours worked per week.

The Applicant shall take at least ten (10) Continuing Education Units ("CEUs") in ethics or licensure and submit documentation of those CEUs to the Board.

The Applicant shall provide copies of this Order signed by any employers within ten (10) days of the issuance of the Order. If Applicant starts or secures different employment, Applicant shall provide a copy of the Board Order signed by the new employer within ten (10) days of starting employment.

The Applicant shall take and pass the Indiana Jurisprudence examination.

Prior to petitioning for withdraw of probation, The Applicant shall have at least ONE (1) Personal Appearance before the Board to discuss the progress with her probation.

The Applicant shall cause her employment supervisor to submit Bi-Annual supervision reports to the Board regarding Applicant's employment performance. If Applicant is not employed, Applicant shall submit a written self-report.

The Applicant shall comply with all statutes and rules regulating the practice of licensed mental health counseling associate and report any future arrests, work discipline, or terminations to the Board immediately in writing.

The failure of the Applicant to comply with the terms of this probation may subject Applicant to a show cause hearing and the possible imposition of further sanctions.

Richardson/Justice
Motion carried 9-0-1 (Eitel not present.)

12. Sarah Rose (LMHCA)

Ms. Rose appeared as requested to provide clarification on her work history. She graduated in April of 2023, and indicated that she has been working as a counselor since 2021. Ms. Rose stated that she has been working under her addiction consultant in training credential. The Board noted that credential is not a license to practice. The Board discussed licensure and unlicensed practice with Ms. Rose.

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

- The Applicant's license shall be on **INDEFINITE PROBATION**. The Applicant may not petition for withdraw of the probation for at least six (6) months from October 23, 2023.
- The Applicant's practice shall be governed by the following TERMS AND CONDITIONS:
- The Applicant must keep the Board apprised of the following information in writing and update it as necessary:
 - The Applicant's current home address, mailing address, e-mail address and residential telephone number.
 - The Applicant's place of employment, employment telephone number, employment e-mail address and name of supervisor.
 - The Applicant's title and work schedule, including the number of hours worked per week.
- The Applicant shall take at least ten (10) Continuing Education Units ("CEUs") in ethics or licensure and submit documentation of those CEUs to the Board.
- The Applicant shall provide copies of this Order signed by any employers within fifteen (15) days of the issuance of the Order. If Applicant starts or secures different employment, Applicant shall provide a copy of the Board Order signed by the new employer within ten (15) days of starting employment.
- The Applicant shall take and pass the jurisprudence examination.
- The Applicant shall have at least ONE (1) personal appearance before the Board to discuss progress with the terms of this Order.
- Applicant shall cause his employer to submit BI-ANNUAL written employment supervision reports to the Board.
- The Applicant shall comply with all statutes and rules regulating the practice of mental health counseling and report any future arrests, work discipline, or terminations to the Board immediately in writing.

- The failure of the Applicant to comply with the terms of this probation may subject Applicant to a show cause hearing and the possible imposition of further sanctions.

Richardson/Justice

Motion carried 7-0-3 (Harner abstain. Karalis and Eitel not present.)

13. Heather Schafstall (LMHC)

Ms. Schafstall appeared per her request to discuss her post-degree experience and supervision hours. Ms. Schafstall stated that due to delays in obtaining her LMHCA, she should be able to count hours after she graduated. The Board noted that she graduated in August 2021, applied for her LMHCA license at the end of August 2021, was granted approval to test for the NCE in September 2022, passed the NCE in January 2023, and was issued her LMHCA license in February 2023. She expressed to the Board her frustration with the licensing process, and that she had been using her school email which became discontinued mid-licensure process.

Board Action: A motion was made and seconded to approve 50% of Ms. Schafstall's experience and supervision prior to the issuance of her mental health counselor associate license.

Richardson/Justice

Motion carried 8-0-2 Karalis and Eitel abstain.

14. Taylor Wheeler (LMHCA)

Ms. Wheeler appeared as requested to discuss her yes response regarding her criminal background. She provided a statement and supporting documentation for the Board to review. She discussed with the Board how her arrests impacted her, and that she has resolved all matters with the courts.

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

Richardson/Justice

Motion carried 10-0-0

15. Megan Willis (LAC)

Ms. Willis appeared as requested to provide clarification of her employment and supervision hours. She was issued her addiction counselor associate license in May of 2022, and she has provided documentation of her experience and supervision that began in May of 2021. In order to be approved for the addiction counselor license she will need to submit corrected forms once she has obtained additional supervision and employment hours under her addiction counselor associate license.

Ms. Willis' application was tabled pending additional documentation.

V. NOTICE OF PROPOSED DEFAULT

There were no Notices of Proposed Default.

VI. PROPOSED SETTLEMENT AGREEMENT

There were no Proposed Settlement Agreements.

VII. ADMINISTRATIVE HEARINGS

A. Dee Allen Cotner, LMFT, License No. 35000566A

Cause No. 2022 BHSB 0004

Re: Petition for Modification of Probation

Parties Present:

Respondent was present

Laura Iosue, Counsel for Respondent

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

Kelley Gardner, LMFT

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

Martin Justice, LMHC, LCAC

Katy Adams, LCAC, LCSW

Andrew Harner, MSW, LCSW

Stephan Viehweg, MSW, LCSW

Jacqueline Eitel, RN, Consumer Member

Peter Karalis, M.D., Psychiatric Physician Member

Case Summary: On or about July 13, 2023 Ms. Allen Cotner agreed to a Proposed Settlement Agreement with the Board. She agreed to the following terms:

- Indefinite probation for no less than one (1) year
- Must keep the Board up to date with her contact information
- Must keep the Board up to date with her employment information and their contact information
- Must enter into a supervisory agreement with an LMFT licensed by the Board
- Quarterly supervision reports from supervisor
- Quarterly self-reports if Ms. Allen Cotner is not employed as an LMFT.
- Personal appearances before the Board every 6 months while on probation
- 24 hours of CE. 12 hours in professionalism and ethics, and 12 hours in communication and effective treatment of clients.
- Not violate any statute and rules of the profession.
- Pay a FEE of FIVE DOLLARS (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund.

Ms. Iosue stated that that Ms. Allen Cotner is having trouble obtaining a practice monitor. She submitted Exhibit 1 which is a copy of all the CEs that have been completed. Ms. Allen Cotner

provided the Board with her difficulties of getting a practice monitor. She indicated that she is currently working independently without a monitor. The Board clarified the differences between a supervisor and practice monitor. The State noted that they would not object if the Board wished to change the terms to other types of supervisors for Ms. Allen Cotner as she, according to her order, should not be practicing independently unless she is under supervision.

Board Action: A motion was made and seconded to modify Ms. Allen Cotner's probation order:

Respondent's probation is **MODIFIED** in the following manner:

- a. Respondent's probationary period shall last for a minimum of one (1) year of supervised practice. Respondent shall not practice until she submits a supervisory agreement to the Board.
- b. Respondent shall appear before the Board for personal appearances every two (2) months.

Gardner/Ferguson
Motion carried 9-1-0 (Richardson opposed.)

Mr. Ferguson left the meeting.

B. Jason T. Moore, LSW, License No. 33004591A

Cause No. 2023 BHSB 0026

Re: Petition for Withdraw of Probation

Parties Present:

Respondent was present

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

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

Kelley Gardner, LMFT

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

Martin Justice, LMHC, LCAC

Katy Adams, LCAC, LCSW

Andrew Harner, MSW, LCSW

Stephan Viehweg, MSW, LCSW

Jacqueline Eitel, RN, Consumer Member

Peter Karalis, M.D., Psychiatric Physician Member

Respondent Witness:

Cindy Vaught, Board Director of Indiana Professional Licensing Agency

Case Summary: On or about July 7, 2023 the Board voted to reinstate Mr. Moore's license on the following probation terms:

- Indefinite probation for no less than two (2) months
- Must keep the Board up to date with her contact information
- Must keep the Board up to date with her employment information and their contact information
- Keep the Board updated on his job title and work schedule

- Take and pass the Indiana jurisprudence exam.
- Signed Board Order by employer
- Follow all statute and rules of the profession

Mr. Moore stated that he has met all the terms of his probation and requested that the status be removed. Ms Vaught was brought as witness of Mr. Moore's file. She attested he met all the requirements.

Board Action: A motion was made and seconded to grant Mr. Moore's Petition to Withdraw Probation.

Harner/Viehweg
Motion carried 9-0-0

C. Christopher Fisher

Cause No. 2023 BHSB 0038

Re: Order to Show Cause – Motion to Cease and Desist and Motion to Dismiss Without Prejudice

Parties Present:

Respondent was not present

Carah Rochester, 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)

Kelley Gardner, LMFT

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

Martin Justice, LMHC, LCAC

Katy Adams, LCAC, LCSW

Andrew Harner, MSW, LCSW

Stephan Viehweg, MSW, LCSW

Jacqueline Eitel, RN, Consumer Member

Peter Karalis, M.D., Psychiatric Physician Member

Case Summary: On or about September 7, 2023 a Motion to Cease and Desist against Mr. Fisher for unlicensed practice. On or about October 16, 2023 a Motion to Dismiss without Prejudice was issued as Mr. Fisher has resigned from his position and applied for a license to practice. He provided the State a statement that he will cease practice until he has received his license.

Board Action: A motion was made and seconded to grant the state's Motion to Dismiss in the matter of Mr. Fisher.

Harner/Richardson
Motion carried 9-0-0

D. Takia Arrington, LSW, Temporary Permit No. 99115199A

Cause No. 2021 BHSB 0025

Re: Petition for Withdraw of Probation

Parties Present:

Respondent was present
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)
Kelley Gardner, LMFT
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC
Martin Justice, LMHC, LCAC
Katy Adams, LCAC, LCSW
Andrew Harner, MSW, LCSW
Stephan Viehweg, MSW, LCSW
Jacqueline Eitel, RN, Consumer Member
Peter Karalis, M.D., Psychiatric Physician Member

Case Summary: On or about November 2, 2022 Ms. Arrington's application approved, and her Temporary Permit was issued on the following probation terms:

- Indefinite probation for the duration of her criminal probation.
- Keep the Board up to date on her contact information
- Keep the Board up to date on her employment and their contact information
- Keep the Board up to date on her work title and work schedule
- Bi-Annual supervision reports while on probation, and self-reports if not employed
- Bi-Annual reports on the progress of her criminal probation
- Signed Board Order by Employer
- Follow all statute and rules of the profession

Ms. Arrington stated that she has met all the probation terms.

Cindy Vaught, Board Director, confirmed that all reports have been received and submitted.

Ms. Arrington discussed what she learned from the incident with the Board.

Board Action: A motion was made and seconded to grant Ms. Arrington's Petition to Withdraw Probation.

Harner/Viehweg
Motion carried 9-0-0

E. Jacob Mauck, LMHCA, License No. 88001354A

Cause No. 2020 BHSB 0028
Re: Petition for Withdraw of Probation

Parties Present:

Respondent was present
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)
Kelley Gardner, LMFT
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC
Martin Justice, LMHC, LCAC

Katy Adams, LCAC, LCSW
Andrew Harner, MSW, LCSW
Stephan Viehweg, MSW, LCSW
Jacqueline Eitel, RN, Consumer Member
Peter Karalis, M.D., Psychiatric Physician Member

Case Summary: On or about December 23, 2020 Mr. Mauck's application was approved on probation with the following terms:

- Indefinite Probation for the duration of his criminal charges
- Keep the Board up to date on her contact information
- Keep the Board up to date on her employment and their contact information
- Complete a substance abuse evaluation and submit a copy to the Board
- Appear before the Board after criminal sentencing is complete to determine if further license probation terms are warranted.
- Shall notify the Board of any arrest.
- Follow all state and rules of the profession.

Mr. Mauck requested that his probation status be removed as he has met all the terms of his probation status. He discussed his recovery with the Board including his support system and self-care plan. He discussed his current supervision with the Board.

Ms. Vaught confirmed that we have received all his required reports.

Board Action: A motion was made and seconded to grant Mr. Mauck's Petition to Withdraw Probation.

Richardson/Justice
Motion carried 9-0-0

F. John DeMarsilis, LMHC, License No. 39003327A

Cause No. 2021 BHSB 0017

Re: Order to Show Cause

Parties Present:

Respondent not present

Gavin Hunter, 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)

Kelley Gardner, LMFT

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

Martin Justice, LMHC, LCAC

Katy Adams, LCAC, LCSW

Andrew Harner, MSW, LCSW

Stephan Viehweg, MSW, LCSW

Jacqueline Eitel, RN, Consumer Member

Peter Karalis, M.D., Psychiatric Physician Member

Case Summary: On or about September 12, 2023 an Order to Show Cause was filed against Mr. DeMarsilis with concerns that he is being non-compliant with his probationary terms. Mr. Hunter stated that Mr. DeMarsilis and the State did reach a Settlement for him to surrender his license; however, Mr. DeMarsilis has not signed that agreement as he stated that he wished to obtain legal counsel. The State has not received notice that he has obtained counsel, and he is not present to provide information regarding his case. The State requested that since he was not present or provided documentation regarding this matter that the Board issue a Notice of Proposed Default.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default in the matter of Mr. DeMarsilis.

Justice/Harner
Motion carried 9-0-0

G. Kaitlyn Carlson, LCSW, License No. 34009130A
Cause No. 2022 BHSB 0017
Re: Petition for Withdraw of Probation

Parties Present:

Respondent present
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)
Kelley Gardner, LMFT
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC
Martin Justice, LMHC, LCAC
Katy Adams, LCAC, LCSW
Andrew Harner, MSW, LCSW
Stephan Viehweg, MSW, LCSW
Peter Karalis, M.D., Psychiatric Physician Member

Case Summary: On or about August 12, 2022 Ms. Carlson's license was renewed on probation with the following terms:

- Indefinite probation for the duration of her criminal charges
- Shall participate in a recovery program and submit documentation of attendance
- Meet with her supervisor weekly, and have bi-annual supervision reports submitted for review
- Appear before the Board on a Bi-annual basis while on probation
- Keep the Board up to date on her contact information
- Keep the Board up to date on her employment, their contact information, and supervisor name.
- Follow all statute and rules of the profession.

Ms. Carlson stated that she has met all terms of her license probation. She submitted Exhibit A which are logs of her AA attendance and letters of her annual supervisor reports. She discussed the impact of the incident with the Board and how she has improved.

Cindy Vaught, Board Director, confirmed that all reports have been submitted.

Board Action: A motion was made and seconded to grant Ms. Carlson’s Petition for Withdraw of Probation.

Harner/Viehweg
Motion carried 8-0-0

H. Josette Serrano

11:30 a.m.

Cause No. 2023 BHSB 0039

Re: Petition for Review of the Board’s Denial of Licensure

Parties Present:

Respondent present

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

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

Kelley Gardner, LMFT

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

Martin Justice, LMHC, LCAC

Katy Adams, LCAC, LCSW

Andrew Harner, MSW, LCSW

Stephan Viehweg, MSW, LCSW

Peter Karalis, M.D., Psychiatric Physician Member

Case Summary: On or about August 1, 2023 Ms. Serrano’s license was denied due to failing the ASWB Clinical examination. She submitted a petition appealing the Board’s decision on or about August 9, 2023. Ms. Serrano informed the Board of her attempts to pass the ASWB clinical examination since 2007 and had just missed passing the examination by two points. She requested that the Board review her examination scores as she has attempted multiple methods to pass. The Board noted that they only receive the results, and to review the examination questions she will need to reach out to ASWB. The Board discussed the examination with her.

Board Action: A motion was made and seconded to grant Ms. Serrano’s appeal and uphold the Board’s decision to deny her application.

Harner/Viehweg
Motion carried 8-0-0

VIII DISCUSSION

A. Pre-Graduation Licensure Requirements

The Board reviewed the email from Purdue Northwest Community Counseling Center which inquired into the bounds of practice for pre-graduate interns. The Mental Health Section of the Board noted that they will provide a response to the email.

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 19 new complaints opened with 92 current open complaints and they have closed 144 since the beginning of the year. Primarily the complaints have been from Marion County followed by Hamilton County. The content of the complaints are unprofessional conduct, professional incompetence, and unlicensed practice. The average age of the open complaints is 6.3 months and primarily against Mental Health Counselors and Clinical Social Workers.

There are currently 20 open litigation cases with only 30 closed this year. The average duration of the litigation cases are 11.1 months. The litigation has occurred mostly in Marion and Hamilton counties. The current litigation charges are for unprofessional conduct followed by unlicensed practice, lewd/immoral conduct, and criminal conviction. Primarily the charges have been filed against Mental Health Counselors and Clinical Social Workers.

Mr. Eldridge discussed with the Board of the increase in complaints of unlicensed practice, and how information is communicated on the correct understanding of licensure and practice.

XI. FORMAL ADOPTION OF APPLICATION REVIEWS

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

Harner/Gardner
Motion carried 8-0-0

XII. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW

There were no CE Sponsor applications for review.

XIII. OLD/NEW BUSINESS

There was no old/new business to discuss.

XIV. ADMINISTRATORS’ REPORT

There was no administrator’s report to discuss.

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 4:30 p.m. by general consensus.