

**BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD**  
**Minutes**  
**July 24, 2023**

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

Dr. Dianna Cooper-Bolinskey 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 § 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  
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  
Katy Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member

**Board Members Not Present:**

Jacqueline Eitel, RN, Consumer Member  
Kelley Gardner, LMFT, LMFT Section Chair (left at 11:30 a.m.)

**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/Richardson  
Motion carried 9-0-0

**III. APPROVAL OF MINUTES**

The Minutes of April 2022 were tabled for additional review.

**IV. ADMINISTRATIVE RULE HEARING**

**A. LSA #23-53 Convictions of Concern**

Adds 839 IAC 1-7. This rule implements the provisions of IC 25-1-1.1-6 requiring every board, commission, or committee under IC 25 to revise its licensing or certification requirements to explicitly list the convictions of concern that may disqualify an individual from receiving a license; to establish criteria to determine whether an applicant should be denied a license if the applicant has a conviction of concern; and to establish a procedure for an individual to receive a pre-application determination as to whether their criminal history would preclude them from obtaining a license.

**Parties Present:**

Margie Addington, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

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

Jon Ferguson, LMFT, LCAC

Kelley Gardner, LMFT

C. Martin Justice, LMHC, LCAC

Kimble Richardson, LMHC, LCSW, LMFT, LCAC

Andrew Harner, LCSW

Stephan Viehweg, LCSW

Katy Adams, LCAC, LCSW

Jackie Eitel, RN, Consumer Member

**Comments from the Public:**

Mr. David LeVine as a member of the American Association of Nudity stated that he has a comment on the conviction of concerns. He stated that for those individuals charged with indecent exposure or public nudity should list more exceptions in the rule. He provided examples of common university traditions. He clarified he understands that sometimes those charged with this offense could be more serious concerns, and just would like the Board to drop that section or put in an exception for incidents like skinny dipping.

Board members did not have any further comment.

**Board Action:** A motion was made and seconded to adopt the convictions of concern as written.

Richardson/Harner

Motion carried 9-0-0

**V. READOPTION OF RULES**

**A. LSA Document #23-39**

[839 IAC 1-4-3.1](#) Educational requirements for marriage and family therapists and marriage and family therapist associates

[839 IAC 1-4-3.2](#) Experience requirements for marriage and family therapists

[839 IAC 1-4-3.3](#) Examination requirements for marriage and family therapist and marriage and family therapist associate

[839 IAC 1-4-5](#) Supervision for marriage and family therapist licensure applicants

**Board Action:** A motion was made and seconded to re-adopt the rules as outlined in LSA Document #23-39.

Gardner/Furgeson  
Motion carried 9-0-0

## **VI. PERSONAL APPEARANCES**

### **A. Probation**

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

Mr. Demarsilis did not appear as requested. He emailed the staff on July 21, 2023 that he is unable to appear due to a scheduling conflict and requested to reschedule.

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

Ms. Holbert appeared as requested to discuss her ongoing probation. She stated that she is expected to complete her intake assessment with IPRP tomorrow, and her recovery is going well. She stated that there have been no changes with her current status or employment.

- 3. Misty Lee, LSW, License No. 33009674A**  
Cause No. 2022 BHSB 0018

Ms. Lee appeared as requested to discuss her ongoing probation. She stated that she has been on short term disability since March. She stated that she had struggled to find an LCSW supervisor, and prior to going on disability only met with her supervisor twice. Ms. Lee stated that she is still in personal counseling and her counselor, Cory Tang, provided a report for the Board to review. Ms. Lee stated that she also has an LCSW to provide her with more faith-based counseling. She stated that she has completed six of the required ten continuing education courses and discussed what she learned with the Board. She stated that she has just updated her mailing address with IPLA today.

The Board expressed concerns that part of the probation requirements is that the Board needs to see how she performs at the clinical level. They stated that they understand her situation, but in order to meet the requirements of her probation she will need to assure the Board that she is addressing this. They also noted that if she is being counseled by more than one therapist, that they are aware of each other to prevent a conflict of information.

- 4. Cara Juarez, LBSW, License No. 33900293A**  
Cause No. 2022 BHSB 0023

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

- 5. Jacob Mauck, LMHCA, License No. 88001354A**

Cause No. 2020 BHSB 0028

Mr. Mauck appeared as requested to discuss his ongoing probation. He stated that his employment and personal counseling has not changed, and he has completed a thirteen-week treatment session. Mr. Mauck stated that he is attending AA meetings and is working on obtaining insurance in order to attend his personal counseling. The Board advised him to make sure he reviews his order and is following each item outlined. Mr. Mauck stated that he has completed part of the continuing education courses, and he discussed what he learned with the Board.

**6. Dennis Dutcher, LMHCA, License No. 88001988A**

Mr. Dutcher appeared to discuss his ongoing probation. He stated that there are no changes with his address or employment. He stated that he is currently working at a private practice, not one he owns, and is under supervision. Mr. Dutcher stated that he has completed ten hours of continuing education and discussed with the Board what he learned.

**B. Reinstatement**

**1. Arlene Gardner, LMHC, License No. 39001593AA**

Ms. Gardner did not appear as requested to discuss the reinstatement of her license that expired in 2014. The Board reviewed her reinstatement information without an appearance and noted that she has submitted all requirements.

**Board Action:** A motion was made and seconded to approve Ms. Gardner's reinstatement pending the passing of the jurisprudence examination.

Richardson/Justice  
Motion carried 9-0-0

**2. Ariel Nosofsky, LSW, License No. 33007490A**

Ms. Nosofsky appeared as requested to discuss the reinstatement of her license that expired in 2018. She provided 38 CEUs that can be accepted, and she needs to provide at least 40. She noted that her intention is to work part time in a private practice and her role will be similar to those who are new graduates.

**Board Action:** A motion was made and seconded to approve Ms. Nosofsky's application for reinstatement pending the receipt of 2 hours of continuing education and passing the jurisprudence examination.

Harner/Viehweg  
Motion carried 9-0-0

**3. Denise Polen, LMHC, License No. 39001239A**

Ms. Polen did not appear as requested to discuss the reinstatement of her license that expired in 2016. Board staff have attempted to notify her twice to appear to discuss her reinstatement. She provided information that she has been working as a school counselor and provided continuing

education certificates for the Board to review. The Board discussed if they could accept 38 continuing education hours that she completed for her school counseling license. The Board noted that she was grandfathered into the license. The Board noted that they will have to vote on her application without her appearance.

**Board Action:** A motion was made and seconded to approve Ms. Polen's application for reinstatement pending the passing of the NCMHCE examination and jurisprudence examination.

Richardson/Justice  
Motion failed 4-5-0

Adams- nay, Viehweg- nay, Harner- nay, Cooper-Bolinsky- nay, Justice- yes, Gardner- yes, Furgeson- nay, Karalis- yes, Richardson- yes

Motion did not pass.

A motion was made and seconded to deny Ms. Polen's application for reinstatement.

Harner/Furgeson  
Motion carried 5-4-0

Adams- yes, Viehweg- yes, Harner- yes, Cooper-Bolinsky- yes, Justice- nay, Gardner- nay, Furgeson- yes, Karalis- nay, Richardson- nay

#### 4. **Hannah Smith-Quirey, LCSW, License No. 34005574A**

Ms. Smith-Quirey appeared as requested to discuss the reinstatement of her license that was retired in 2010. Ms. Smith-Quirey submitted 60 hours of continuing education for the Board to review and stated that she left the profession due to personal reasons. She had previously worked as a program assistant and would now like to come back into the field.

**Board Action:** A motion was made and seconded to approve Ms. Smith-Quirey's application for reinstatement pending the passing of the jurisprudence examination.

Harner/Viehweg  
Motion carried 9-0-0

### **C. Application**

#### 1. **Linda Adeniyi (LMHC)**

Ms. Adeniyi appeared as requested to discuss her application. The Board noted that her application is complicated, and that she has been in the process for some time. She graduated from Indiana University with a Master of Art Therapy in 2014. The Board stated that they have been in correspondence with her program director and after consultation with them the criteria of Knowledge and Skills does not appear to be met. Ms. Adeniyi stated that she had another classmate who took the same courses and was approved to test. The Board inquired into the name of that individual in order to compare applications to ensure consistency. The Board noted that her information regarding her background, and post-degree experience and supervision are approved.

**Board Action:** A motion was made and seconded to approve Ms. Adeniyi for the NBCC NCMHCE examination pending the resolution of the Knowledge and Skills content area.

Richardson/Justice  
Motion carried 9-0-0

2. **Karen Cabrera (LSW)**

Ms. Cabrera appeared as requested to discuss her yes response regarding past arrests. She provided a statement and supporting documents for the Board to review. She stated that she entered personal counseling after the 2021 arrest, which she has now terminated since she has a good support system. She stated that she only drinks socially with her family.

**Board Action:** A motion was made and seconded to approve Ms. Cabrera to sit for the ASWB master's examination.

Harner/Viehweg  
Motion carried 9-0-0

3. **Leah Doughty (LMHC)**

Ms. Doughty appeared at her request to discuss her application. The Board previously reviewed Ms. Doughty's application on May 4<sup>th</sup> and May 16<sup>th</sup> and noted that she has not submitted 100 hours of post-degree supervision hours. The Board noted that the post-degree experience hours have been met, but she had to show documentation that she was supervised during that time. Ms. Doughty stated that she uploaded additional supervision documentation to her application on July 23<sup>rd</sup>, which stated that she is unable to locate her supervisor in Texas. The Board noted that her information needs to be verified either by her supervisor, or by another supervisor who can attest that the supervision occurred. Ms. Doughty stated that she can see if another supervisor can verify it and provide a copy of her Texas application for the Board to review also.

The Board tabled Ms. Doughty's application for her additional supervision documentation.

4. **Teresa Durstine (LMHC)**

Ms. Durstine appeared as requested to discuss her application. The Board noted confusion on her application has documented that she accrued hours in Pennsylvania, but only holds a North Carolina license. The Board inquired if she needed to hold a license in Pennsylvania to obtain her hours. Ms. Durstine stated that she did not. She stated that she was working as a master's degree therapist under an LPC, and a license was not required. She stated that she is not working in Indiana, nor doing telehealth for Indiana residents. The Board discussed whether they could accept her hours with no proof that a license was not required. The Board informed Ms. Durstine that she must provide information from the state of Pennsylvania that a license was not required in order to obtain hours. The Board stated that she could be approved for the associate license if she wanted to accrue new hours in Indiana. Ms. Durstine stated that she would reach out to Pennsylvania and will keep pursuing the mental health counselor license.

Application tabled for additional information.

5. **Jessica Geier Fredericks (LSW)**

Ms. Geier Fredericks appeared as requested to discuss why she did not disclose her background. She provided a statement and supporting documentation for the Board to review. She stated that the 2002 incident had never come back in previous background checks and was not aware that it was there. Ms. Geier Fredericks stated that it was not her intention to mislead the Board.

**Board Action:** A motion was made and seconded to approve Ms. Geier Fredericks to sit for the ASWB master's examination.

Harner/Viehweg  
Motion carried 9-0-0

#### 6. **Kimberly Hart (LMFT)**

Ms. Hart appeared at her request to discuss her application. Ms. Hart's application was previously reviewed by the Board staff where they informed her that she must hold her LMFTA license for a period of two years. Ms. Hart stated that she has completed all her hours, and that each time she calls the IPLA office she gets told something different. She stated that she is finding the application process difficult and has been trying to find accurate information for months. The Board informed her that she must hold her LMFTA license for two years and submit forms that she was employed and supervised during that two-year time period.

Application tabled for additional information.

#### 7. **Rachelle Kennedy (LCSW, LCAC)**

Ms. Kennedy appeared as requested to discuss her applications. She submitted applications for LCSW and LCAC by exam. She graduated from Walden University with her Master of Science Degree in 2013 and does not hold a license in another State. The Board informed Ms. Kennedy that in order to obtain the LCSW license she must first hold a Master of Social Work degree, and then obtain the LSW license to start accruing post-degree experience and supervision. They stated that she would not qualify for a social work license as she does not hold the correct educational degree. The Board also noted that based upon the documentation submitted, they do not see that she completed a master level practicum for the clinical addiction counseling license. Ms. Kennedy stated that she did fieldwork under an LCAC doing evaluations to meet the practicum hour requirements. She provided the Board with the types of clinical work she completed including evaluations, clinical testing, and clinical interviewing. She stated that she is currently working on obtaining her CADAC certification. The Board stated that CADAC is a credential of training, and not a license to practice. They clarified that from what she has stated, she is working without a license. The Board talked with Ms. Kennedy regarding their concerns and discussed hypotheticals with her.

**Board Action:** A motion was made and seconded to deny Ms. Kennedy's applications for LCSW and LCAC based upon not meeting the educational requirements, and to file a complaint with the Office of Attorney General regarding the unlicensed practice.

Harner/Viehweg  
Motion carried 8-0-0

**8. Alicia Lucas (LCSW, LCAC)**

Ms. Lucas appeared as requested to discuss why she did not disclose her background. She provided a statement and supporting documentation for the Board to review. She stated that the incidents did not come back when she completed a background check in Louisiana. She also stated that she did not realize that the incident was on her record because of how long ago it occurred. She stated that the incidents have been resolved by the courts, and they occurred due to alcohol. Ms. Lucas informed the Board that she completed a treatment program in 2016 and has remained sober since that time. She stated that the information was reported to the Louisiana Board since she obtained her initial license through them. She stated that her intention was to move to Indiana to be closer to family.

**Board Action:** A motion was made and seconded to approve Ms. Lucas for the ASWB clinical examination and the addictions examination she chooses pending the passing of the jurisprudence examination.

Harner/Viehweg  
Motion carried 8-0-0

**9. Tia Magee (LSW)**

Ms. Magee appeared as requested to discuss her yes response regarding past arrests. She provided a statement and supporting documentation for the Board to review. She stated that she completed the impact panel as required by the courts, and they did not recommend she undergo any personal counseling. She stated that she currently has a position lined up once she obtains her license. She provided information on her self-care plan.

**Board Action:** A motion was made and seconded to approve Ms. Magee to sit for the ASWB master's examination.

Harner/Viehweg  
Motion carried 8-0-0

**10. Jill McCollough (LSW)**

Ms. McCollough appeared as requested to discuss why she did not disclose her background. She provided a statement and supporting documents for the Board to review. She stated that the incident occurred in 2007 and Wisconsin informed her that what occurred would be gone from her record. She stated that she misunderstood the difference between dismissed and expunged. She informed the Board that she no longer drinks to prevent a repeat of what occurred.

**Board Action:** A motion was made and seconded to approve Ms. McCollough to sit for the ASWB master's examination.



Harner/Viehweg  
Motion carried 8-0-0

#### 11. Tina Miller (LCSW)

Ms. Miller appeared as requested to discuss her application. The Board previously reviewed her application without her appearance and determined that they could not vote on her application without an appearance. She graduated from Indiana University South Bend with her Master of Social Work in 2003 and she does not currently hold an LSW license. The Board requested clarification on how she obtained her hours. Ms. Miller stated that when she graduated, the LSW license was not required to work under an LCSW. She had then left the profession to raise her family. She stated that once her children were grown, she worked in the school system as a school social worker. She stated that she is pursuing the license at this time as the work she is doing is more clinically focused. The Board explained that the laws have changed since she graduated, and the window where a license was not required is no longer open. The Board stated that she needs to obtain the LSW license first and obtain two years of experience and supervision under that license. Once she has completed that, she can pursue the clinical level of licensure. Ms. Miller stated that she understands and is ok with the change.

**Board Action:** A motion was made and seconded to switch Ms. Miller's application to the social work license and approve her to take the ASWB master's examination.

Harner/Viehweg  
Motion carried 8-0-0

#### 12. Raven Money (LSW)

Ms. Money appeared as requested to discuss her yes response regarding past arrests. She provided a statement and supporting documentation of her arrest that occurred in March 2023. The Board inquired if her case is still pending with the courts. She stated that she has submitted a plea of guilty to the courts, and she is currently on criminal probation until October 2023. She stated that the courts also required her to complete an alcohol assessment and training courses. She stated that the assessment did not recommend any counseling.

**Board Action:** A motion was made and seconded to approve Ms. Money to sit for ASWB master's examination, and upon passing the examination, place her license on probation with the following terms:

- Indefinite probation and may not request to come off license probation until her criminal probation has been resolved.
- Must have her employer provide a signed copy of the final order within 10 days of her employment or receipt of the order.

Harner/Viehweg  
Motion carried 8-0-0

#### 13. Ray Morales (LBSW)

Mr. Morales appeared as requested to discuss his yes response regarding past arrests. He provided a statement and supporting documentation for the Board to review. He admitted to past behaviors

that were unflattering, but a social worker helped him turn his life around. He informed the Board that he had remained sober for 18 years. He provided the Board with information on his self-care routine that included church and community service.

**Board Action:** A motion was made and seconded to approve Mr. Morales to sit for the ASWB bachelor examination.

Harner/Viehweg  
Motion carried 8-0-0

#### 14. **Alicia Quash (LSW)**

Ms. Quash appeared as requested to discuss her yes response regarding past arrests. She provided a statement and supporting documentation for the Board to review. The Board stated that her statement was unclear and requested she provide more information on what occurred. She stated that the incident occurred in 2007, and she thought it was dismissed. She stated that her second incident occurred in 2013 where she was placed on criminal probation that she has completed. She provided the Board with her personal circumstances and how the incidents impacted on her. She provided the Board with her self-care plan and stated that she only consumes alcohol on a very limited basis.

**Board Action:** A motion was made and seconded to approve Ms. Quash to sit for the ASWB master's examination.

Harner/Viehweg  
Motion carried 8-0-0

#### 15. **Anne Todd (LSW)**

Ms. Todd appeared as requested to discuss her yes response regarding termination from a previous employer in a health care facility setting. She provided a statement regarding her termination from Centerstone during her internship, which was due to a breach of confidentiality. She also discussed receiving a DUI (which she reports wasn't true and was a rumor started by a member of her family. She described feeling overwhelmed being assigned multiple tasks at work. The board discussed the importance of maintaining health work/life boundaries. The board questioned her about the length of time it took her to complete her application. She admitted the reason was due to her own procrastination.

**Board Action:** A motion was made and seconded to approve Ms. Todd to sit for the ASWB master's examination.

Harner/Viehweg  
Motion carried 8-0-0

#### 16. **William Wassner (LCACA)**

Mr. Wassner appeared as requested to discuss his application. Mr. Wassner last appeared before the Board to discuss his application in February. He provided a copy of his transcripts and a letter

verifying his CADAC credential for the Board to review. He stated that he has passed his AADC exam and is currently working with an addiction counseling group. The Board stated that the requirement for licensure, however, requires a master level practicum which does not appear to be completed. Mr. Wassner inquired into the field experience, and the Board stated that they are unable to complete field experience for the clinical addiction counselor associate level. They noted that if he applies for the addiction counselor bachelor level, he might qualify for that using field experience. The Board inquired regarding his role and job duties. He provided a summary and stated that he is not doing any diagnosis or assessments as those are turned over to the clinician to complete. The Board stated that based upon the description of his employment he would need a license, and if he wished to apply for the addiction counselor license, he would have to submit that application.

Mr. Wassner's application was tabled.

#### 17. **Jeremy Wirtz (LMHCA)**

Mr. Wirtz did not appear as requested.

### **VII. ADMINISTRATIVE HEARINGS**

#### **A. Christy Garau, LCSW, License No. 34007249A**

Cause No. 2022 BHSB 0010

Re: Administrative Complaint and Proposed Settlement Agreement

##### **Parties Present:**

Respondent was present with counsel Carroll Dillon  
Autumn Murphy, Deputy Attorney General, Office of the Attorney General  
Heather Orbaugh, Court Reporter, Accurate Court Reporting

##### **Participating Board Members:**

Dr. Dianna Cooper-Bolinskey, LCAC, LCSW, (Hearing Officer)  
Jon Ferguson, LMFT, LCAC, Vice Chair  
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  
Katy Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member

**Case Summary:** On or about May 20, 2022 an Administrative Complaint was filed against Ms. Garau with allegations of three counts of sexual contact with a patient, one count of knowingly violating a statute and rules, and three counts of failing to keep abreast of current professional theory or practice. On or about June 15, 2023 a Proposed Settlement Agreement was reached with the following terms:

- Both parties execute this Agreement voluntarily.

- The Parties voluntarily waive their rights to a public hearing on the Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial review.
- The Parties agree the terms of this Agreement will resolve any and all pending claims or allegations relating to the Complaint filed in the above-referenced cause against Respondent's Indiana L.C.S.W. license.
- Respondent's L.C.S.W. license shall be placed on INDEFINITE SUSPENSION for a period of NOT LESS THAN TWO (2) YEARS, beginning the date of the Final Order Accepting Proposed Settlement Agreement in this cause.
- Prior to petitioning the Board for reinstatement, as minimum requirements for reinstatement, Respondent shall complete and provide the Board with documentation of the following:
  - Respondent shall complete TWENTY (20) continuing education units in the topic of ethics and boundaries.
  - Respondent shall complete TWO (2) YEARS of documented visits with an individual therapist. Visits shall be at a minimum frequency of once a month.
  - Within SIXTY (60) DAYS prior to petitioning for reinstatement, Respondent shall complete a Fitness for Duty evaluation by a Health Service Provider in Psychology ("HSPP") with the following terms:
    - The HSPP shall have NO discipline on their license.
    - The HSPP shall NOT be an acquaintance of the Respondent.
    - Respondent shall provide a copy of the PSA and Final Order to the HSPP.
    - The HSPP shall submit to the Board a signed copy of the PSA and Final Order; and,
    - The HSPP shall submit to the Board a copy of the evaluation and any recommendations made as a result.
  - Within NINETY (90) DAYS of issuance of the Final Order in this cause, pursuant to Ind. Code § 4-6-14-1 0(b), Respondent shall pay a FEE of FIVE DOLLARS (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund.
- Respondent has carefully read and examined this Agreement and fully understands its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters in this cause and not subject to further review.
- Respondent understands that becoming eligible to petition for reinstatement from the suspension of her license under the terms and conditions set forth in this agreement, DOES NOT guarantee that the Board will withdraw the suspension following a hearing.
- Respondent further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of behavioral health, any therapeutic practice while on suspended status, or any violation of this Agreement may result in Petitioner requesting an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

Ms. Dillion stated that Ms. Garau had co-parenting client sessions where she developed romantic feelings toward client A. Ms. Garau then terminated counseling sessions. The State

had concerns that during these client sessions, Ms. Garau did not remain impartial between client A, client B, and their minor child. The State indicated that Ms. Garau had submitted a custody assessment that might have benefited client A. Ms. Garau had admitted to sexual contact between her and client A. Both the State and Ms. Dillon reached the above Settlement after a pre-settlement conference with the Board Liaison, Andrew Harner.

Ms. Dillon stated that there are mitigating factors as there are many layers of personal relationships in this matter. Ms. Garau self-reported the incident and has voluntarily withdrawn from practice to attend personal counseling.

**Board Action:** A motion was made and seconded to accept the Proposed Settlement Agreement in the matter of Ms. Garau.

Richardson/Viehweg  
Motion carried 8-0-0

Ms. Garau asked for clarification on practice limitations and rules. The Board discussed hypotheticals with her regarding ensuring that she is not crossing the clinical practice line.

**B. Alona V. Voitko, LCSW, License No. 34009088A**

Cause No. 2023 BHSB 0006

Re: Administrative Complaint and Proposed Settlement Agreement

**Parties Present:**

Respondent was present with counsel Larry Whitham  
Autumn Murphy, Deputy Attorney General, Office of the Attorney General  
Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)  
Jon Ferguson, LMFT, LCAC, Vice Chair  
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  
Katy Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member

**Case Summary:** On or about February 23, 2023 an Administrative Complaint was filed against Ms. Voitko with allegations of violation of a conviction that is harmful to the public and that she committed renewal fraud. On or about June 19, 2023 a Proposed Settlement Agreement was filed with the following terms:

- Both parties execute this Agreement voluntarily.
- The Parties voluntarily waive their rights to a public hearing on the Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial review.

- The Parties agree the terms of this Agreement will resolve any and all pending claims or allegations relating to the Complaint filed in the above-referenced cause against Respondent's Indiana L.C.S.W. license.
- Respondent's license shall be issued a LETTER OF REPRIMAND by the Board
- Within NINETY (90) DAYS of issuance of the Final Order in this cause, pursuant to Ind. Code § 4-6-14-1 0(b), Respondent shall pay a FEE of FIVE DOLLARS (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund.
- Respondent has carefully read and examined this Agreement and fully understands its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters in this cause and not subject to further review.
- Respondent further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of behavioral health, or any violation of this Settlement Agreement may result in Petitioner requesting a summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

Ms. Murphy stated that Ms. Voitko was charged and pleaded guilty to two invasions of privacy and one count of harassment on or about December 2022. These charges are determined to be harmful to the public; however, there were mitigating factors. Ms. Voitko has completed a mental health assessment and completed her one year of criminal probation with the courts.

**Board Action:** A motion was made and seconded to accept the Proposed Settlement Agreement.

Richardson/Viehweg  
Motion carried 8-0-0

C. **Kimberly Renee O'Leary, LSW, License No. 34006311A**  
Cause No. 2022 BHSB 0011  
Re: Administrative Complaint and Proposed Settlement Agreement

**Parties Present:**

Respondent was not present  
Jeremy Weddle, Deputy Attorney General, Office of the Attorney General  
Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinskey, LCAC, LCSW, (Hearing Officer)  
Jon Ferguson, LMFT, LCAC, Vice Chair  
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  
Katy Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member

**Case Summary:** On or about June 2, 2022 an Administrative Complaint was filed against Ms. O’Leary with allegations that she exploited a client for personal gain, and violated the trust and dependency a client has for their therapist by committing an act that was detrimental to the client. On or about July 10, 2023 a Proposed Settlement was reached with the following terms:

- Both parties execute this Agreement voluntarily.
- The Parties voluntarily waive their rights to a public hearing on the Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial review.
- The Parties agree the terms of this Agreement will resolve any and all pending claims or allegations relating to the Complaint filed in the above-referenced cause against Respondent's Indiana L.S.W. license.
- Respondent does not intend to request reactivation of her license, however, should Respondent decide at some point to do so, Respondent's social work license shall upon reactivation be placed on INDEFINITE PROBATION for a minimum of ONE (1) YEAR, commencing from the date of issuance of the Final Order in this matter, or from the date her license becomes active, whichever is later.
- Respondent shall, within sixty (60) days of the issuance of the final order in this matter, 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 Person Identifying Information Protection Trust Fund.
- Should Respondent's license be reactivated the following terms must be met:
  - Prior to petitioning for probation withdrawal, Respondent shall complete TWENTY (20) hours of continuing education in the area of professional boundaries, and an additional FIVE (5) hours in HIPAA. Respondent shall submit proof of completion of the courses to IPLA.
  - Upon respondent’s license re-activation, her license probation terms are the following:
    - Respondent shall provide the Board with her current home address, mailing address, email address, and direct or residential telephone number and notify the Board of any change thereto within seven (7) days.
    - Respondent must notify the Board of her place of employment, employment telephone number, employment e-mail address and name of supervisor and notify the Board within seven (7) days of any change. Notifying the Board of any change includes notifying the Board of any termination or suspension.
    - Respondent shall provide a copy of all Board orders imposing discipline or limiting practice to any social work employer. The social work employer shall sign and return a copy of such orders to the Board with employer letterhead, and/or business card attached within seven (7) days of employment or receipt of this order. Should Respondent's employment change, she shall submit a copy of the Board order signed by her new employer within (7) days of commencing employment with\_ the new employer.
    - Respondent shall submit to the Board quarterly supervisory reports from all social work employers that address the Respondent's work performance, her attendance, documentation, communication skills, disciplinary actions, and/or any complaints made against Respondent. If Respondent is not employed as a social worker, Respondent shall submit quarterly personal reports to the Board stating why she is not

employed as a social worker and the nature of her current employment. All reports must be submitted individually at the end of every quarter, while Respondent's license remains on probation, Probationary supervision of Respondent and quarterly supervisory reports shall be completed by a licensed clinical social worker.

- While on probation, Respondent shall appear twice per year (biannually) before the Board for probationary appearances, to be scheduled by the Board. Respondent must appear 90 days prior to petitioning for withdrawal from probation.
- Respondent has carefully read and examined this agreement and fully understand its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.
- Respondent further understands that a violation of the Final Order, any noncompliance with the statutes or regulations regarding the practice of clinical social work, clinical addiction counseling, or any violation of this Settlement Agreement may result in Petitioner requesting a summary suspension of Respondent's licenses, an Order to Show Cause may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions up to and including revocation of Respondent's licenses.

Mr. Weddle stated that Ms. O'Leary was licensed in 2011 and working at Purdue University in their "Family Health Clinic", and in 2018 started seeing client R.L. In 2019, Ms. O'Leary began communicating with client R.L. via social media and volunteered to clean their home. Ms. O'Leary was given money for this service and started a personal relationship with her client. Mr. Weddle stated that this is a violation of exploitation of her client and crossed professional boundaries. Her client then transferred counseling services to another counselor in 2020 when Ms. O'Leary's license expired. It is unknown if she will return to practice, but she has agreed to the above Settlement terms.

**Board Action:** Motion was made and seconded to accept the Proposed Settlement Agreement in the matter of Ms. O'Leary.

Richardson/Viehweg  
Motion carried 8-0-0

**D. Neelu Chawla, LMFT, License No. 35001727A**

Cause No. 2023 BHSB 0001

Re: Administrative Complaint and Proposed Settlement Agreement

**Parties Present:**

Respondent was not present

Autumn Murphy, Deputy Attorney General, Office of the Attorney General

Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

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

Jon Ferguson, LMFT, LCAC, Vice Chair

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  
Katy Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member

**Case Summary:** On or about February 7, 2023 an Administrative Complaint was filed against Ms. Chawla with violations of client abandonment and failure to maintain adequate mental health records. On or about July 19, 2023 a Proposed Settlement was reached with the following terms:

- Both parties execute this Agreement voluntarily.
- The Parties voluntarily waive their rights to a public hearing on the Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial review.
- The Parties agree the terms of this Agreement will resolve any and all pending claims or allegations relating to the Complaint filed in the above-referenced cause against Respondent's Indiana behavioral health license.
- Respondent's Indiana Licensed Marriage & Family Therapist license (35001727A) shall be placed on INDEFINITE PROBATION for a period of NOT LESS THAN ONE (1) YEAR, beginning the date of the Final Order Accepting Proposed Settlement Agreement.
- While on probation, Respondent's license shall be governed by the following TERMS AND CONDITIONS:
  - Respondent shall keep the Board informed of her contact details.
  - Respondent shall REFRAIN FROM OPERATING A SOLO PRIVATE PRACTICE IN AN OUTPATIENT OFFICE SETTING during her probationary period.
  - If Respondent is employed as an independent contractor, Respondent shall retain the services of a PRACTICE SUPERVISOR. The practice supervisor shall audit Respondent's cases on a quarterly basis, discuss with Respondent the results of said audit on a quarterly basis, and submit quarterly reports to the Board of the audit and discussion with Respondent.
    - Within NINETY (90) DAYS of the date of the final order, the Respondent shall submit a letter to the Indiana Professional Licensing Agency (IPLA) with the name and contact information of her practice supervisor.
      - The practice supervisor shall be a practitioner licensed by the Board and not have had any disciplinary sanctions levied against their license by the Board.
      - The practice supervisor shall not be someone with whom Respondent has a prior professional and/or personal relationship with of any kind.
  - If Respondent is employed by a Behavioral Health employer, Respondent shall:
    - Keep the Board informed of each of her Behavioral Health employer's names, addresses, e-mail addresses, and telephone numbers. Respondent shall do this by emailing this information to pla8@pla.IN.gov within ten (10) days of a material change;
    - Have each of her Behavioral Health employers submit a signed copy of any and all final orders within ten (10) days of receipt of any order. If she changes employers, have new employer submit a signed copy of any and all final orders within ten (10) days of beginning such employment; and
    - Have each of her Behavioral Health employers submit quarterly reports to the Board regarding her job performance and fitness to practice. Her employers shall do this by emailing quarterly reports to pla8@pla.IN.gov within ten (10) days of the end of each quarter.

- Respondent shall not violate any statutes or rules regulating the practice of behavioral health.
- Prior to petitioning for withdrawal from probation, Respondent shall:
  - Have completed at least four (4) audits and discussion meetings with her 2 clinical supervisor;
  - Have caused her clinical supervisor to submit to the Board at least four (4) quarterly reports detailing each audit and discussion meeting; and
  - Complete a total of twelve (12) Continuing Education Units (CEUs) in the category of Professionalism/Ethics.
- Respondent shall, within ninety (90) days of the issuance of the final order in this matter, 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 Person Identifying Information Protection Trust Fund.
- Respondent has carefully read and examined this agreement and fully understand its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.
- Respondent further understands that a violation of the Final Order, any noncompliance with the statutes or regulations regarding the practice of clinical social work, clinical addiction counseling, or any violation of this Settlement Agreement may result in Petitioner requesting a summary suspension of Respondent's licenses, an Order to Show Cause may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions up to and including revocation of Respondent's licenses.

Ms. Murphy stated that Ms. Chawla obtained her LMFT license in 2011 and saw her client in 2017. She was seeing her client for two to three weeks, and unexpectedly stopped services. The Client reached out to Ms. Chawla for three different occasions and could not get a hold of Ms. Chawla. Ms. Chawla had responded to the complaint filed against her by stating that she no longer had access to the electronic record service she was utilizing, and she did not keep paper records. She stated that she did not receive the email notices the client used to try to contact her, as the email address was invalid.

The Board asked for clarification on the supervision restrictions. Ms. Murphy stated that Ms. Chawla has agreed to no solo practice, and if she does, she must have a supervisor who will submit reports.

**Board Action:** A motion was made and seconded to accept the Proposed Settlement Agreement in the matter of Ms. Chawla.

Furgeson/Justice  
Motion carried 8-0-0

**E. Nathan K. McGuire**

Cause No. 2023 BHSB 0024

Re: Order to Show Cause – Cease and Desist

**Parties Present:**

Respondent was not present

Carah Rochester, Deputy Attorney General, Office of the Attorney General

Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinskey, LCAC, LCSW, (Hearing Officer)  
Jon Ferguson, LMFT, LCAC, Vice Chair  
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  
Katy Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member

**Case Summary:** On or about June 1, 2023 a Motion to Cease and Desist was filed against Mr. McGuire as it had been alleged he is practicing without a license. On or about June 8, 2023 an Order to Show Cause was issued to have Mr. McGuire address why he should not cease and desist his alleged unlicensed practice. The State submitted Exhibit A, which is a copy of the Consumer Complaint and Exhibit B, which are screenshots of Mr. McGuire's website. They were accepted by the Board. Mr. McGuire had responded to the Office of Attorney General that he understood the title protection as a marriage and family therapist. A Proposed Settlement Agreement was reached between the State and Mr. McGuire as of this week. The Proposed Settlement states that he is ceasing practice. The Board inquired how they would know if Mr. McGuire does cease practice, and why he has not pursued a license. The State informed the Board that if another Consumer Complaint is filed against Mr. McGuire, then that will be an indication that he has continued to practice without a license. The State also said they do not have information on why he has not obtained a license, they can only tell by the free license lookup. The State indicated that if the Board has concerns about accepting the Settlement, they could deny it and the Board will move to a full hearing in the matter. The Board inquired if they could forward the information to the county prosecutor's office. The State indicated as there is nothing in the Settlement to prohibit that action, it could.

**Board Action:** A motion was made and seconded to accept the Proposed Settlement Agreement in the matter of Mr. McGuire.

Richardson/Harner  
Motion carried 7-0-1 Ferguson nay.

**F. Jessica Lyn Lala, LCSW, License No. 34006551A**  
Cause No. 2023 BHSB 0022  
Re: Administrative Complaint

**Parties Present:**

Respondent was not present  
Carah Rochester, Deputy Attorney General, Office of the Attorney General  
Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

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

Jon Ferguson, LMFT, LCAC, Vice Chair  
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  
Katy Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member

**Case Summary:** On or about May 31, 2023 an Administrative Complaint was filed against Ms. Lala with allegations that she engaged in fraud or material deception to the amount of \$11,423.33 and that she engaged in immoral conduct in connection with the delivery of services to the public by misappropriating fund for personal use. Ms. Rochester stated that a Proposed Settlement was reached with Ms. Lala this morning for the following terms:

- Both parties execute this Agreement voluntarily.
- The Parties voluntarily waive their rights to a public hearing on the Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial review.
- The Parties agree the terms of this Agreement will resolve any and all pending claims or allegations relating to the Complaint filed in the above-referenced cause against Respondent's Indiana behavioral health license.
- Respondent's license shall be placed on Indefinite Probation for no less than one (1) year. Respondent may petition for the withdrawal of probation following one (1) year of active practice from the date of the Final Order accepting this Agreement.
- Prior to petitioning for withdrawal of the probation status from her license, Respondent shall repay in full the \$30,000 to MCG.
- The following terms and conditions shall govern Respondent's practice while on probation:
  - Respondent shall provide Copies of the Final Order in this case to each and every behavioral health employer during the course of Respondent's probation, to be signed and returned to the Board within ten (10) days of either the issuance of the Final Order or upon commencement of any new employment;
  - Respondent shall cause any behavioral health employer to provide quarterly written reports to the Board;
  - If Respondent is self-employed, she shall provide quarterly personal written reports to the Board;
  - If Respondent is self-employed, Respondent shall have a PRACTICE MONITOR audit Respondent's cases on a QUARTERLY basis, with a focus on billing, and submit quarterly reports of their audit to the Board. The practice monitor shall hold a behavioral health license in Indiana, be approved by the Board, and not have had any disciplinary sanctions levied against their license by the Board.
  - Respondent shall complete eight (8) Continuing Education Units in ethics and professionalism;
  - Respondent shall make quarterly personal appearances before the Board, as scheduled by the Board;

- Respondent shall not violate any laws regulating the practice of behavioral health and human services;
- Respondent shall immediately report in writing any future arrests, instances of substance abuse, work discipline or terminations to the Board; and
- Respondent shall keep the Board apprised of the following information in writing:
  - Respondent's current home address, mailing address, e-mail address and residential telephone number.
  - Respondent's place of employment, employment telephone number, employment e-mail address and name of supervisor.
- Respondent shall, within ninety (90) days of the issuance of the final order in this matter, 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 Person Identifying Information Protection Trust Fund.
- Respondent further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of behavioral health, or any violation of this Settlement Agreement may result in Petitioner requesting a summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

The State requested that the Board accept the Proposed Settlement Agreement to address the violations against Ms. Lala.

**Board Action:** A motion was made and seconded to accept the Proposed Settlement Agreement in the matter of Ms. Lala.

Richardson/Viehweg  
Motion carried 8-0-0

**G. Kevin Pollert, LCSW, License No. 34006077A**

Cause No. 2023 BHSB 0012

Re: Administrative Complaint

**Parties Present:**

Respondent was not present  
Carah Rochester, Deputy Attorney General, Office of the Attorney General  
Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinskey, LCAC, LCSW, (Hearing Officer)  
Jon Ferguson, LMFT, LCAC, Vice Chair  
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  
Katy Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member

**Case Summary:** On or about March 29, 2023 an Administrative Complaint was filed against Mr. Pollert with allegations that he violated the position of trust created with his client and that he engaged in lewd or immoral conduct with a client. Ms. Rochester stated that a Proposed Settlement was reached this morning with the following terms:

- Both parties execute this Agreement voluntarily.
- The Parties voluntarily waive their rights to a public hearing on the Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial review.
- The Parties agree the terms of this Agreement will resolve any and all pending claims or allegations relating to the Complaint filed in the above-referenced cause against Respondent's Indiana behavioral health license.
- Respondent's license shall be placed on INDEFINITE PROBATION for a period of NO LESS THAN TWO (2) YEARS. Respondent may petition the Board for the withdrawal of probation following two (2) years of ACTIVE PRACTICE.
- The following TERMS AND CONDITIONS shall govern Respondent's practice while on probation:
  - Prior to starting a position as a behavioral health provider, Respondent shall undergo a fitness for duty evaluation by a Health Service Provider in Psychology. Respondent shall provide a copy of this agreement and the Final Order to the evaluator. Respondent shall submit any report or recommendations made as a result of the evaluation to the Board within forty-eight (48) hours of receiving such;
  - Respondent shall provide Copies of the Final Order in this case to each and every behavioral health employer during the course of Respondent's probation, to be signed and returned to the Board within ten (10) days of either the issuance of the Final Order or upon commencement of any new employment;
  - Respondent shall cause any behavioral health employer to provide quarterly written reports to the Board;
  - If Respondent is self-employed, he shall provide quarterly personal written reports to the Board;
  - If Respondent is self-employed, Respondent shall have a PRACTICE MONITOR audit Respondent's cases on a QUARTERLY basis and provide a report of their findings to the Board. The practice monitor shall hold a behavioral health license in Indiana, be approved by the Board, and not have had any disciplinary sanctions levied against their license by the Board.
  - All quarterly reports are due at the end of each quarter.
  - Respondent shall complete eight (8) continuing education hours EACH in the topics of 1) ethics; 2) professionalism; and 3) boundaries. Prior to petitioning for the withdrawal of probation, Respondent shall provide proof of the completion of the continuing education hours to the Board.
  - Respondent shall make quarterly personal appearances before the Board, as scheduled by the Board;
  - Respondent shall not violate any laws regulating the practice of behavioral health and human services
  - Respondent shall immediately report in writing any future arrests, instances of substance abuse, work discipline or terminations to the Board; and
  - Respondent shall keep the Board apprised of the following information in writing:

- Respondent's current home address, mailing address, e-mail address and residential telephone number.
- Respondent's place of employment, employment telephone number, employment e-mail address and name of supervisor.
- Respondent shall, within ninety (90) days of the issuance of the final order in this matter, 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 Person Identifying Information Protection Trust Fund.
- Respondent further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of behavioral health, or any violation of this Settlement Agreement may result in Petitioner requesting a summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

Ms. Rochester stated that the Settlement Agreement was reached after a pre-Settlement Conference with Board Liaison, Andrew Harner. Mr. Pollert was previously on probation with the Board in 2018 and has had his probation status withdrawn. He has informed the Office of Attorney General that before he resumes practice, he will complete a fitness for duty evaluation of his own volition.

**Board Action:** A motion was made and seconded to accept the Proposed Settlement Agreement in the matter of Mr. Pollert.

Richardson/Viehweg  
Motion carried 8-0-0

#### **H. Mari LaJoi Love**

Cause No. 2023 BHSB 0023

Re: Order to Show Cause – Cease and Desist and Voluntary Cease and Desist Agreement

**Parties Present:**

Respondent was not present  
Carah Rochester, Deputy Attorney General, Office of the Attorney General  
Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)  
Jon Ferguson, LMFT, LCAC, Vice Chair  
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  
Katy Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member

**Case Summary:** On or about June 1, 2023 a Motion to Cease and Desist was filed against Ms. Love as it has been reported that she has engaged in activities for which a license is required by law. On or about June 8, 2023 an Order to Show Cause was filed to Ms. Love to address why she should not cease and desist her alleged unlicensed practice. On or about July 12, 2023 Ms. Love signed a Voluntary Cease and Desist Agreement to stop her current practice until she either obtains a license to practice or

falls under an exemption to licensure. Ms. Rochester stated that Ms. Love is currently in the process of obtaining her license.

**Board Action:** A motion was made and seconded to accept the Voluntary Cease and Desist Agreement in the matter of Ms. Love.

Furgeson/Harner  
Motion carried 8-0-0

**I. Alexandria Louise Burton**

Cause No. 2023 BHSB 0025

Re: Appeal of the Board's Denial of Social Work License

**Parties Present:**

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

**Participating Board Members:**

Dr. Dianna Cooper-Bolinsky, LCAC, LCSW, (Hearing Officer)  
Jon Ferguson, LMFT, LCAC, Vice Chair  
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  
Katy Adams, LCAC, LCSW  
Peter Karalis, M.D., Psychiatric Physician Member

**Case Summary:** On or about May 18, 2023 Ms. Burton's application for Social Work was denied due to not passing the ASWB Master level examination. Ms. Burton has requested an appeal of her ASWB masters examination stating that she has taken the examination twice since her graduation in 2018. She informed the Board that she is not a good test taker and missed passing the examination by two (2) points on her last attempt. She informed the Board that she does have a learning disability and she did have accommodations in school for her examination attempts. She provided the Board with three letters of recommendation for their consideration. The Board accepted her three exhibits. She stated that she was given bad advice by her program, as they informed her that she would not have to take an examination for her license. She is requesting that the Board grant her a license without the examination. The Board inquired if she reached out the ASWB to obtain accommodations for her examination attempts. Ms. Burton stated that she did not. She stated that sometimes accommodations do not work for her. She stated that she is currently in treatment and is on medication. She provided the Board with information on her medications and that she is stable as she sees her doctor on a regular basis. She informed the Board she is working at a non-profit currently. She stated that since her temporary permit expired, she has not seen any clients. The Board provided her with resources on study guides and accommodation recommendations.

**Board Action:** A motion was made and seconded to uphold the initial decision to deny her application due to failing the examination in the matter of Ms. Burton.

Harner/Viehweg  
Motion carried 8-0-0



The Board expressed concerns that her employer might be hiring practitioners without a license. Their website lists a number of people that provide services and do not currently hold a license. They advised the IPLA staff to file complaints on those individuals.

**J. Michael Hagedorn, LMHC, LCAC, License No. 87001568A, 39003253A**

Cause No. 2023 BHSB 0005

Re: Extension of Summary Suspension

**Parties Present:**

Respondent was not present

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

Heather Orbaugh, Court Reporter, Accurate Court Reporting

**Participating Board Members:**

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

Jon Ferguson, LMFT, LCAC, Vice Chair

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

Katy Adams, LCAC, LCSW

Peter Karalis, M.D., Psychiatric Physician Member

**Case Summary:** On or about June 16, 2023 a request to extend Mr. Hagedorn's license suspension was submitted. He is still reported to be incarcerated, and the Office of Attorney General has provided him with adequate notice of the hearing. His trial is expected to occur January 5, 2024, and he is a clear and immediate danger to the public.

**Board Action:** A motion was made and seconded to grant the summary suspension extension in the matter of Mr. Hagedorn.

Viehweg/Harner

Motion carried 7-1-0 Adams abstained.

## **VIII DISCUSSION**

### **A. Statute Changes**

IPLA informed the Board that they can support any statute changes the Board would like to propose if they have suggestions on updates. IPLA stated that any changes that the Board would like to see have to be submitted within the next month to allow time for them to submit it to legislation.

## **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 14 new complaints opened with 77 current open complaints and they have closed 113 since the beginning of the year. Primarily the complaints have been from Marion County followed by Lake County. The content of the complaints are unprofessional conduct, unlicensed practice, and professional incompetence. The average age of the open complaints is 7.8 months and primarily against Mental Health Counselors and Clinical Social Workers.

There are currently 20 open litigation cases with only 20 closed this year. The average duration of the litigation cases are 11.3 months. The litigation has occurred mostly in Marion County followed by Hamilton. The current litigation charges are for unprofessional conduct followed by lewd/immoral conduct and unlicensed practice. Primarily the charges have been filed against Clinical Social Workers followed by Mental Health Counselors.

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

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

Viehweg/Harner  
Motion carried 8-0-0

## **XII. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW**

### **A. Pillars of Wellness**

The Board reviewed the application for Pillars of Wellness and stated it appears to be a good program.

**Board Action:** A motion was made and seconded to approve Pillars of Wellness application as a continuing education sponsor.

Harner/Viehweg  
Motion carried 8-0-0

## **XIII. OLD/NEW BUSINESS**

### **A. Introduction of New Board members**

Kathryn Adams, LCAC, LCSW: Addictions Board Member- Ms. Adams is CEO of Southwestern Behavioral Health in Evansville.

Peter Karalis, M.D., Psychiatric Physician Member- Dr. Karalis currently works at Community Health Network.

### **B. Hearing Reminders**

Cindy Vaught, Board Director of Indiana Professional Licensing Agency, reminded the Board members that with the ease of internet search engines it is easy to look up websites and credentials during a hearing, but this would be considered additional information that is not

presented by either party. The Board should only consider information that is presented by either party as we want to keep cases clear.

**XIV. ADMINISTRATORS' REPORT**

There was no administrator's report.

**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 4:49 p.m. by general consensus.

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Dr. Dianna Cooper-Bolinsky, LCAC, LCSW  
Board Chair

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Date