

BEHAVIORAL HEALTH AND HUMAN SERVICES LICENSING BOARD

August 26, 2024

Minutes

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Mr. Jon Ferguson called the meeting to order at 9:30 a.m. in the Professional Licensing Agency Room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and by Zoom and declared a quorum in accordance with Indiana Code § 25-14-1-12(a).

Board Members Present:

Jon Ferguson, LMFT, LCAC, Vice Chair
Kelley Gardner, LMFT, LMFT Section Chair
Kimble Richardson, MS, LMHC, LCSW, LMFT, LCAC, MHC Section Chair (appeared via zoom from 9:30 to 2:00 p.m.)
C. Martin Justice, LMHC, LCAC, Board Designee
Stephan Viehweg, MSW, LCSW
Peter Karalis, MD, Psychiatry Member (appeared via zoom from 1:00 p.m. to 4:00 p.m.)
Jacqueline Eitel, RN, Consumer Member

Board Members Not Present:

Kathryn Adams, LCAC, LCSW
Dr. Dianna Cooper-Bolinskey, LCAC, LCSW, Board Chair
Social Work - Vacant

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

The video recording can be found on:

<https://www.youtube.com/@INProfessionalLicensingAgency>

II. ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda as amended.

Viehweg/Justice
Motion carried 6-0-0

III. APPROVAL OF MINUTES

A motion was made and seconded to adopt the minutes of September 25, 2023; October 23, 2023; November 13, 2023; December 11, 2023; January 22, 2024; February 26, 2024; March 25, 2024; April 22, 2024; May 17, 2024; June 17, 2024; and July 22, 2024, as amended.

Viehweg/Gardner
Motion carried 6-0-0

IV. ADMINISTRATIVE HEARINGS

A. Christina Thacker, LSW, License No. 33006961A

Cause No. 202408-BHS-0045

Re: Petition For Summary Suspension

Parties Present:

Respondent was present

Sha'Na Terry, Deputy Office of Attorney General

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Jon Ferguson, LMFT, LCAC, (Hearing Officer)

Kelley Gardner, LMFT

Kimble Richardson, LMHC, LCSW, LMFT, LCAC (appeared via zoom)

C. Martin Justice, LMHC, LCAC

Stephan Viehweg, LCSW

Jacqueline Eitel, RN, Consumer Member

State Witness:

Cassidy McDaniel, Office of Attorney General Investigator

Cindy Vaught, Indiana Professional Licensing Agency, Board Director

Case Summary: On or about August 15, 2024, a Petition For Summary Suspension was filed by the state for the board to consider evidence and testimony in the matter of Ms. Thacker's license on the basis that she represents a clear and immediate danger to the public. Ms. Terry stated that the Office of Attorney General's office received two complaints regarding Ms. Thacker providing services without a license to practice, and that she has been arrested with charges in 2023 and 2024. Ms. Thacker stated that the information the Attorney General's office is not current and up to date.

The State submitted Exhibit's A thru D which are copies of the certified arrest records of Ms. Thacker and copies of the Administrative Complaints.

Ms. McDaniel was called and provided information on her investigation of Ms. Thacker's case.

The State called Cindy Vaught who attested that Ms. Thacker did renew her license on April 1, 2024; however, it could not be renewed due to a tax hold placed by the Indiana Department of Revenue.

Ms. Thacker provided the Board with information on her criminal arrests and an update on her license status. She did indicate that she kept practicing after her license expired as she was trying to address the tax hold. She indicated that the 2023 charge was resolved and she is currently on criminal probation for a period of one year. She indicated that her recent charge is still pending, and she has not been charged with anything.

Ms. Thacker provided Respondent Exhibit 1 which is a copy of her psychological evaluation completed in 2023.

Ms. Thacker stated that she is not denying anything or trying to harm her clients. The State indicated that the severity of her charges shows a cause of clear and present danger, and she did not disclose the 2023 arrest on her license renewal.

Board Action: Based upon the evidence and testimony provided, a motion was made and seconded to suspend Ms. Thacker's license on an emergency basis for a period of ninety (90) days.

Richardson/Justice
Motion carried 6-0-0

B. Ciara Burks, LMHCA, License No. 88001626A

Cause No. 2022 BHSB 0006

Re: Petition for Withdraw of Probation

Parties Present:

Respondent was present

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Jon Ferguson, LMFT, LCAC, (Hearing Officer)

Kelley Gardner, LMFT

Kimble Richardson, LMHC, LCSW, LMFT, LCAC (appeared via zoom)

C. Martin Justice, LMHC, LCAC

Stephan Viehweg, LCSW

Jacqueline Eitel, RN, Consumer Member

Case Summary: On or about April 27, 2022, the Board voted to issue Ms. Burks' license on probation. Ms. Burks stated that she has met all terms of her probation, including her substance abuse evaluation. She stated that she submitted proof of the completion of her criminal probation, including her evaluation to the Board. She provided the Board an update on her work.

Board Action: A motion was made and seconded to grant Ms. Burks' petition to withdraw her probation pending receipt of her evaluation by November 1, 2024. If her evaluation is not submitted by November 1st her status will remain on probation.

Justice/Viehweg
Motion carried 6-0-0

C. Neelu Chawla, LMFT, License No. 35001727A

Cause No. 2023 BHSB 0001

Re: Petition for Withdraw of Probation

Parties Present:

Respondent was present

Autumn Murphy, Deputy Office of Attorney General

Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Jon Ferguson, LMFT, LCAC, (Hearing Officer)
Kelley Gardner, LMFT
Kimble Richardson, LMHC, LCSW, LMFT, LCAC (appeared via zoom)
C. Martin Justice, LMHC, LCAC
Stephan Viehweg, LCSW
Jacqueline Eitel, RN, Consumer Member

Respondent Witness:

Anthony McCrovitz
Kimberly King

Case Summary: On or about July 27, 2023, Ms. Chawla agreed to a Settlement Agreement with the Board. Ms. Chawla stated that she has met all the terms of her probation and is requesting to withdraw probation. Ms. Murphy stated that it is not possible for Ms. Chawla to have met all the probation terms based upon when the Settlement was issued. Ms. Murphy stated that they are not disputing that Ms. Chawla has completed the required continuing education and payment of the \$5.00 records fee.

Ms. Kimberly King was called by Ms. Chawla. She discussed with the Board of her supervision and how she reviewed Ms. Chawla's cases and what topics were discussed.

The hearing in this matter was adjourned at noon and reconvened at 1:24 p.m.

Dr. Anthony McCrovitz appeared by Zoom and was called by Ms. Chawla. He discussed the evaluation he completed for Ms. Chawla and the topics that were reviewed with her and with Ms. King.

Ms. Chawla stated that she has submitted all her reports and has discussed her self-care routine. Ms. Murphy stated that Ms. Chawla has only submitted 3 of the required quarterly reports, and she has not submitted a full year of supervised experience to demonstrate that the deficiency has been met.

Board Action: A motion was made and seconded to deny Ms. Chawla's petition for withdraw of probation.

Gardner/Viehweg
Motion carried 6-0-0

D. Teresa Higham

Cause No. 2024 BHSB 0017

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

Parties Present:

Respondent was not present
Respondent counsel Sussanah Overholt
Ryan Elridge, Deputy Office of Attorney General
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Jon Ferguson, LMFT, LCAC, (Hearing Officer)
Kelley Gardner, LMFT
Peter Karalis, Psychiatry Member (appeared via zoom)
C. Martin Justice, LMHC, LCAC

Stephan Viehweg, LCSW
Jacqueline Eitel, RN, Consumer Member

Case Summary: On or about August 22, 2024, a Motion to Dismiss without Prejudice was filed against Ms. Higham. There was a Cease and Desist filed against Ms. Higham with allegations of unlicensed practice. Ms. Higham has now been granted a license to practice and Mr. Eldridge has filed a Motion to Dismiss Without Prejudice.

Board Action: A motion was made and seconded to grant the State's Motion to Dismiss without Prejudice in the matter of Ms. Higham.

Viehweg/Justice
Motion carried 6-0-0

E. Dayna Marie Viehman

Cause No. 202407-BHS-0032
Re: Appeal of Denial of Social Work Licensure

Parties Present:

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

Participating Board Members:

Jon Ferguson, LMFT, LCAC, (Hearing Officer)
Kelley Gardner, LMFT
Peter Karalis, Psychiatry Member (appeared via zoom)
C. Martin Justice, LMHC, LCAC
Stephan Viehweg, LCSW
Jacqueline Eitel, RN, Consumer Member

Case Summary: On or about July 9, 2024 Ms. Viehman's application for Social Work was denied due to failing the ASWB Master examination. She submitted a petition appealing the decision to deny her license application. Ms. Viehman provided testimony regarding her struggles with passing the examination and requested a license be granted stating that the examination is not a good demonstration of her skills as a social worker. She requested that her score should be considered passing. The Board stated that the ASWB sets the passing rate of the examination, not the Board.

Board Action: A motion was made and seconded to grant Ms. Viehman's petition to appeal and uphold the Board's original decision to deny her licensure application.

Viehweg/Justice
Motion carried 6-0-0

A motion was made and seconded to approve Ms. Viehman for a 4th examination attempt once she submits a new application to test.

Viehweg/Justice
Motion carried 6-0-0

F. Carrie Hauck, LMHC, License No. 39003749A

Cause No. 2024 BHSB 0014
Re: Administrative Complaint and Proposed Settlement Agreement

Parties Present:

Respondent was not present
Ryan Elridge, Deputy Office of Attorney General
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Jon Ferguson, LMFT, LCAC, (Hearing Officer)
Kelley Gardner, LMFT
Peter Karalis, Psychiatry Member (appeared via zoom)
Kimble Richardson, LMHC, LCSW, LMFT, LCAC (appeared via zoom)
C. Martin Justice, LMHC, LCAC
Stephan Viehweg, LCSW
Jacqueline Eitel, RN, Consumer Member

Case Summary: On or about August 19, 2024, a Proposed Settlement Agreement was filed addressing the Administrative Complaint. The proposed agreement would place Ms. Hauck's license on indefinite suspension for a period of at least six months. Prior to filed for reinstatement she would be required to complete continuing education and a fitness for duty and psychological examination from an HSPP. The State requested that the Board accept the Proposed Settlement Agreement.

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

Viehweg/Gardner
Motion carried 7-0-0

- G. Michael Hagedorn, LCAC, LMHC, License No. 87001568A, 39003253A**
Cause No. 2023 BHSB 0005
Re: Administrative Complaint

Parties Present:

Respondent was not present
Ryan Elridge, Deputy Office of Attorney General
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Jon Ferguson, LMFT, LCAC, (Hearing Officer)
Kelley Gardner, LMFT
Peter Karalis, Psychiatry Member (appeared via zoom)
Kimble Richardson, LMHC, LCSW, LMFT, LCAC (appeared via zoom)
C. Martin Justice, LMHC, LCAC
Stephan Viehweg, LCSW
Jacqueline Eitel, RN, Consumer Member

Case Summary: On or about July 30, 2024, an Administrative Complaint was filed against Mr. Hagedorn by the State. The State informed the Board that Mr. Hagedorn has plead guilty to dealing methamphetamine and dealing narcotic drugs. He was sentenced on May 30, 2024, to be incarceration until 2035. Since Mr. Hagedorn has failed to appear in person or by counsel the State requested that Notice of Proposed Default be issued.

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

Richardson/Justice
Motion carried 7-0-0

H. Connor Elonich, LSW, LCACA, License No. 33010494A, 87900069A
Cause No. 2023 BHSB 0044
Re: Proposed Settlement Agreement

Parties Present:

Respondent was present
Respondent counsel Laura Iosue was present.
Ryan Elridge, Deputy Office of Attorney General
Margie Addington, Court Reporter, Accurate Court Reporting

Participating Board Members:

Jon Ferguson, LMFT, LCAC, (Hearing Officer)
Kelley Gardner, LMFT
Peter Karalis, Psychiatry Member (appeared via zoom)
Kimble Richardson, LMHC, LCSW, LMFT, LCAC (appeared via zoom)
C. Martin Justice, LMHC, LCAC
Stephan Viehweg, LCSW
Jacqueline Eitel, RN, Consumer Member

Case Summary: On or about August 19, 2024 a Proposed Settlement Agreement was filed by the State to address the Administrative Complaint filed against Mr. Elonich. The proposed agreement would issue a letter of reprimand. The State and Counsel requested that the Board accept the Proposed Settlement Agreement.

Ms. Iosue provided a copy of Respondent Exhibit 1 which is a copy of Mr. Elonich's fitness for duty evaluation. The Board reviewed the evaluation.

Board Action: A motion was made and seconded to accept the agreement.

Viehweg/Gardner
Motion carried 7-0-0

V. PROPOSED SETTLEMENT AGREEMENT

There were no Proposed Settlements for discussion.

VI. NOTICE OF PROPOSED DEFAULT

There were no Proposed Defaults for discussion.

VII. PERSONAL APPEARANCES

A. Application

1. Johnna Badger (LSW)

Ms. Badger appeared as requested to discuss her yes response regarding her background. She provided a statement and supporting documentation for the Board to review.

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

Viehweg/Gardner
Motion carried 6-0-0

2. Tyrone Barnes (LMHCA)

Mr. Barnes appeared as requested to discuss his yes response regarding his background. He provided a statement and supporting documentation for the Board to review.

Board Action: A motion was made and seconded to approve Mr. Barnes mental health counselor associate application and to sit for the NBCC NCE examination.

Justice/Gardner
Motion carried 6-0-0

3. Haley Bohannon (LSW)

Ms. Bohannon appeared as requested to discuss her yes response regarding her background. She provided a statement and supporting documentation for the Board to review.

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

Viehweg/Gardner
Motion carried 6-0-0

4. Quenn Davis (LMHCA)

Ms. Davis appeared as requested to discuss her yes response regarding her background. She provided a statement and supporting documentation for the Board to review.

Board Action: A motion was made and seconded to approve issue Ms. Davis's application for a mental health counselor associate license.

Viehweg/Gardner
Motion carried 6-0-0

5. Katherine Gerren (LSW)

Ms. Gerren appeared as requested via zoom to discuss her yes response regarding her background. She provided a statement and supporting documentation for the Board to review.

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

Viehweg/Gardner
Motion carried 6-0-0

6. Tekona Henry (LCSW)

Ms. Henry appeared as requested via zoom to provide clarification on her experience and supervision documentation. The Board reviewed her submitted documentation and noted the conflicting information provided. Ms. Henry provided clarification on her work and supervision. The Board requested corrected documentation for further review.

Application tabled.

7. Angela Maupin (LMHCA)

Ms. Maupin appeared as requested via zoom to discuss her application. She previously appeared before the Board on April 22, 2024. She provided additional documentation for the Board to review.

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

Justice/Gardner
Motion carried 6-0-0

8. Audrey Schoenbachler (LBSW)

Ms. Schoenbachler appeared as requested via zoom to discuss her yes response regarding her background. She provided a statement and supporting documentation for the Board to review.

Board Action: A motion was made and seconded to approve Ms. Schoenbachler's bachelor of social work application and to sit the ABSW bachelor examination.

Viehweg/Justice
Motion carried 6-0-0

9. Eliot Severeid (LBSW)

Mr. Severeid appeared as requested to discuss his yes response regarding his background. He provided a statement and supporting documentation for the Board to review.

Board Action: A motion was made and seconded to approve Mr. Severeid's bachelor of social work application and to sit for the ASWB bachelor examination.

Viehweg/Gardner
Motion carried 6-0-0

10. Barnosha Walker (LMHCA)

Ms. Walker appeared per her request to discuss her application. She indicated that she has a master's degree in forensic psychology, and her program did not offer a practicum and internship. She requested the Board to approve her to use her current work and supervision in lieu of the practicum and internship requirement. The Board noted that there is no allowance in the law for them to grant that request, and the requirement is a graduate level practicum and internship completed through a university. The Board noted that if placed to a vote they would have to deny her application as her degree does meet any licensure requirements for the Board.

Ms. Walker requested the Board to withdraw her application.

11. Joseph Wheeler (LCAC)

Mr. Wheeler did not appear as requested. He will be rescheduled.

B. Renewal

There were no renewals for discussion.

C. Reinstatement

There were no reinstatements for discussion.

VIII. NOTICE OF PROPOSED DEFAULT

There were no Proposed Defaults for discussion.

IX. DISCUSSION

1. Electronic Meeting Policy

The Board reviewed and accepted the Electronic Meeting policy.

X. APPLICATIONS FOR REVIEW

There were no applications for review.

XI. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL

Ryan Eldridge provided the Report from the Attorney General’s Office.

XII. FORMAL ADOPTION OF APPLICATION REVIEWS

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

Viehweg/Justice
Motion carried 6-0-0

XIII. CONTINUING EDUCATION SPONSOR APPLICATION REVIEW

1. 4C Health
2. BHI Retirement Communities, Inc.
3. Dr. Tamika Zapolski
4. Healing Through Authenticity Counseling and Consulting
5. Lillac Counseling Services LLC
6. Monroe County CASA
7. Obsidian Institute of Integrative Medicine
8. Optimal ACCESS, Inc.
9. Serenidad Counseling LLC
10. Orion Counseling & Consulting LLC

Board Action: A motion was made and seconded to approve the above continuing education sponsor applications.

Gardner/Justice
Motion carried 6-0-0

XIV. OLD/NEW BUSINESS

There was no old/new business to discuss.

XV. ADMINISTRATORS’ REPORT

There was no administrator report.

XVI. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Behavioral Health and Human Services Licensing Board adjourned at 3:54 p.m. by general consensus.