

**BOARD OF CLINICAL SOCIAL WORK, MARRIAGE & FAMILY THERAPY,  
AND MENTAL HEALTH COUNSELING**

**GENERAL BUSINESS MEETING MINUTES**

**July 31, 2014 at 2:00 p.m.  
August 1, 2014 at 8:30 a.m.**

**Renaissance at Seaworld  
6677 Sea Harbor Drive  
Orlando, FL 32821  
(407) 351-5555**

**CALL TO ORDER/ROLL CALL**

The meeting was called to order on Thursday, July 31, 2014 at 2:00 p.m. by Dr. Barlow, Chair and recessed at 7:30 p.m. The meeting resumed on Friday, August 1, 2014 at 8:30 a.m. and adjourned at 12:00 p.m. Those present for all or part of the meeting included the following:

**Members present:**

Sandra Barlow, Ph.D., LCSW, Chair  
Jamie Buller, LCSW, Vice-Chair  
Mary Bridgman, Esq.  
William Day, Ph.D., LMHC  
Susan Gillespy, LMFT  
Mary Macomber, Esq.  
William Cavitt, Ed.D. LMHC  
Helen Douglas, R.D.H.  
Denny Cecil-Van Den Heuvel, Ph.D., LMFT, LMHC

**Staff present:**

Deborah Loucks, Board Counsel  
Elana Jones, Prosecutor  
Sue Foster, Executive Director  
Robin McKenzie, Program Administrator  
Dee Ramer, Regulatory Supervisor  
Court Reporter: American Court Reporting  
(407) 896-1813

Dr. Barlow welcomed students from Rollins College, Argosy University, and South University.

**REVIEW AND APPROVAL OF MINUTES**

The minutes of the April 24-25, 2014 general business meeting were reviewed and following review, the following action was taken by the Board:

Motion: by Ms. Macomber to approve the minutes as presented.  
Second: by Ms. Douglas.  
Vote: Unanimous.

The minutes from the July 23, 2014 Laws and Rules Committee Meeting were reviewed and following review, the following action was taken by the Board:

Motion: by Ms. Macomber to approve the minutes as presented.  
Second: by Ms. Buller.  
Vote: Unanimous.

**DISCIPLINARY PROCEEDINGS**

**Arthur H. Mencher, LMHC, Case No. 2009-16602**

Mr. Mencher requested a continuance because his attorney was not able to attend the meeting.

Motion: by Ms. Macomber to grant a continuance.  
Second: by Dr. Denny.  
Vote: Unanimous.

**David L. Taylor, LMHC, Case No. 2013-08008**

Mr. Taylor was present and was represented by Catherine Hollis, Esq. and Christopher Brown, Esq. A second amended administrative complaint filed March 28, 2014 alleged violation of s. 491.009(1)(r), F.S., regarding failure to meet minimum standards by engaging in an inappropriate relationship with patient.

A settlement agreement was presented to the Board with the following terms: appearance; reprimand; fine of \$250 payable within one year; costs not to exceed \$2,500 payable within one year; and laws and rules affidavit. Actual costs in this case are \$1,801.92.

Ms. Macomber and Dr. Day were recused due to service on the probable cause panel. Following discussion, the following action was taken by the Board:

Motion: by Ms. Buller to accept the settlement agreement as presented.

Second: by Ms. Douglas.

Vote: Unanimous.

**Jonathan Alvarez, Registered MFT Intern, Case No. 2013-08841533**

Mr. Alvarez was not present and was not represented by counsel. An administrative complaint filed January 28, 2014 alleged violation of s. 491.009(1)(p), F.S., of being unable to practice with reasonable skill and safety to patients due to sexual disorder. Respondent was arrested after indictment by Federal Grand Jury on charges of child pornography, possessing and distributing obscene images on computer. These charges stem from a 2012 FBI investigation. The Department issued an order compelling an examination and following results of the exam, the State Surgeon General issued an Emergency Restriction Order on January 14, 2014.

A settlement agreement was presented to the Board with the following terms: appearance; fine of \$1,000 payable within 90 days; administrative costs payable within 90 days; suspension of license until demonstration of safety to practice through PRN; two years of probation with supervision subject to terms and conditions; and laws and rules affidavit.

Ms. Macomber was recused due to service on the probable cause panel. Following discussion, the following action was taken by the Board:

Motion: by Ms. Douglas to waive his appearance.

Second: by Ms. Gillespy.

Vote: Unanimous.

Motion: by Ms. Buller to reject the settlement agreement and to offer him a voluntary relinquishment of his license.

Second: by Ms. Douglas.

Vote: Unanimous.

**Janie Vittini, Registered MHC Intern, Case No. 2013-05172**

Ms. Vittini was not present and was not represented by counsel. An amended administrative complaint filed December 10, 2013 alleged violation of s. 491.009(1)(w), F.S., through violation of s. 456.072(1)(II), F.S., of conviction of health care fraud. Respondent pled guilty to one count of racketeering by aiding and abetting false statements in claims submitted to the Agency for Health Care Administration for services not rendered to Medicaid patients. According to news release, respondent billed Medicaid office for more than \$3 million for services never provided, charged with racketeering and identity theft. She was sentenced to 37.2 months in prison, followed by 8 years of probation, and \$86,000 in restitution.

Dr. Barlow was recused due to service on the probable cause panel. Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to accept the agenda materials under Tab D and any addendum materials into evidence for purposes of imposing penalty.

Second: by Ms. Douglas.

Vote: Unanimous.

Motion: by Ms. Macomber to find that respondent was properly served and requested an informal hearing.

Second: by Ms. Douglas.

Vote: Unanimous.

Motion: by Ms. Macomber to find that the material facts as alleged in the administrative complaint are not in dispute and to adopt the findings of fact set forth in the administrative complaint as the Board's findings of fact in this proceeding.

Second: by Dr. Day.

Vote: Unanimous.

Motion: by Ms. Macomber to adopt the allegations of law set forth in the administrative complaint as the Board's conclusions of law.

Second: by Ms. Douglas.

Vote: Unanimous.

Motion: by Ms. Macomber to find respondent in violation of Florida Statutes as charged in the administrative complaint.

Second: by Ms. Douglas.

Vote: Unanimous.

Department's recommendation: revocation.

Motion: by Ms. Macomber to accept the department's recommendation of revocation.

Second: by Ms. Douglas.

Vote: Unanimous.

A Motion to Assess Costs of \$166.37 was presented to the Board.

Motion: by Ms. Macomber to deny the motion for costs.

Second: by Ms. Douglas.

Vote: Unanimous.

**Thomas Hamer, LMFT, Case No. 2013-05941**

Mr. Hamer was present and his attorney, Eugene Steele was unable to attend. Mr. Hamer agreed to proceed with this case without counsel present. An administrative complaint filed December 19, 2013 alleged violation of s. 491.009(1)(w), F.S., through a violation of s. 456.072 (1)(II), F.S., of being convicted of a crime related to health care fraud. Respondent pled guilty to one count of conspiracy to commit health care fraud on May 14, 2012. He was sentenced to 24 months in prison, with 3 years of supervised probation and ordered to pay \$6,298,549 in restitution.

Ms. Macomber and Dr. Day were recused due to service on the probable cause panel. Following discussion, the following action was taken by the Board:

Motion: by Ms. Buller that there are no material facts in dispute.  
Second: by Ms. Douglas.  
Vote: Unanimous.

Motion: by Ms. Buller to find that respondent was properly served.  
Second: by Ms. Douglas.  
Vote: Unanimous.

Motion: by Ms. Buller to find that the material facts as alleged in the administrative complaint are not in dispute and to adopt the findings of fact set forth in the administrative complaint as the Board's findings of fact in this proceeding.  
Second: by Ms. Douglas.  
Vote: Unanimous.

Motion: by Ms. Buller to adopt the allegations of law set forth in the administrative complaint as the Board's conclusions of law.  
Second: by Ms. Bridgman.  
Vote: Unanimous.

Motion: by Ms. Buller to adopt the agenda materials under Tab E and any addendum materials into evidence for purposes of imposing penalty.  
Second: by Ms. Douglas.  
Vote: Unanimous.

Motion: by Ms. Buller to find respondent in violation of Florida Statutes as charged in the administrative complaint.  
Second: by Ms. Douglas.  
Vote: Unanimous.

Department's recommendation: revocation.

Motion: by Ms. Buller to accept the department's recommendation of revocation.  
Second: by Ms. Douglas.  
Vote: Unanimous.

A Motion to Assess Costs of \$607.90 was presented to the Board.

Motion: by Ms. Buller to reject the motion to assess costs.  
Second: by Ms. Douglas.  
Vote: Unanimous.

**Debora De Jesus, LMHC, Case No. 2011-14978**

Ms. DeJesus requested a continuance to the next meeting. Following discussion, the following action was taken by the Board:

Motion: by Ms. Douglas to grant the continuance to the October meeting.  
Second: by Ms. Gillespy.  
Vote: Unanimous.

**Jordan Seth Needell, LMHC, Case No. 2012-13438**

Mr. Needell was not present nor represented by counsel. An administrative complaint filed February 21,

2013 alleged violation of s. 491.009(1)(n), F.S., by failing to make available to patient upon written request, copies of records.

Ms. Buller and Ms. Douglas were recused due to service on the probable cause panel. Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to find that respondent was properly served and has waived his right to a formal hearing.

Second: by Dr. Day.

Vote: Unanimous.

Motion: by Ms. Macomber to find that the material facts as alleged in the administrative complaint are not in dispute and to adopt the findings of fact set forth in the administrative complaint as the Board's findings of fact in this proceeding.

Second: by Ms. Bridgman.

Vote: Unanimous.

Motion: by Ms. Macomber to adopt the allegations of law set forth in the administrative complaint as the Board's conclusions of law.

Second: by Ms. Bridgman.

Vote: Unanimous.

Motion: by Ms. Macomber to adopt the agenda materials under Tab G and any addendum materials into evidence in this proceeding.

Second: by Ms. Bridgman.

Vote: Unanimous.

Motion: by Ms. Macomber to find respondent in violation of Florida Statutes as charged in the administrative complaint.

Second: by Dr. Denny.

Vote: Unanimous.

Department's recommendation: reprimand, \$500 fine, proof of successful completion of 8 hour laws and rules course within 1 year.

Motion: by Ms. Macomber to accept the Department's recommendation as presented.

Second: by Ms. Douglas.

Vote: Unanimous.

A Motion to Assess Costs of \$1,299.26 to be paid within 90 days.

Motion: by Ms. Macomber to approve the costs as presented.

Second: by Ms. Douglas.

Vote: Unanimous.

**Gema Pampin, LMFT, Case No. 2013-07341**

Ms. Pampin was not present nor represented by counsel. An administrative complaint filed August 27, 2013 alleges violation of s. 491.009 (1)(w), F.S., through a violation of s. 456. 072(1)(II), F.S., of entering a plea of guilty to health care fraud. Respondent sentenced to Coleman Federal Correctional prison for falsification and fabrication of medical records including initial treatment plans, biographical information, and group therapy notes to support claims for services that were medically unnecessary and never provided.

Ms. Gillespy was recused due to service on the probable cause panel. Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to find that respondent was properly served and has waived her right to a formal hearing.

Second: by Ms. Bridgman.

Vote: Unanimous.

Motion: by Ms. Macomber to find that the material facts as alleged in the administrative complaint are not in dispute and to adopt the findings of fact set forth in the administrative complaint as the Board's findings of fact in this proceeding.

Second: by Ms. Douglas.

Vote: Unanimous.

Motion: by Ms. Macomber to adopt the allegations of law set forth in the administrative complaint as the Board's conclusions of law.

Second: by Ms. Douglas.

Vote: Unanimous.

Motion: by Ms. Macomber to adopt the agenda materials under Tab H along with any addendum materials into evidence in this proceeding.

Second: by Ms. Bridgman.

Vote: Unanimous.

Motion: by Ms. Macomber to find respondent is in violation of Florida Statutes as charged in the administrative complaint.

Second: by Dr. Day.

Vote: Unanimous.

Department's recommendation: revocation.

Motion: by Ms. Macomber to accept the department's recommendation for revocation.

Second: by Ms. Douglas.

Vote: Unanimous.

A Motion to Assess Costs of \$852.44 was presented to the Board.

Motion: by Ms. Macomber to deny the motion for costs.

Second: by Ms. Douglas.

Vote: Unanimous.

**Ruben Antonio Busquets, LMHC, Case No. 2013-11275(PCP: Roberts, Otis)**

Mr. Busquets was not present nor represented by counsel. An administrative complaint filed February 20, 2014 alleged violation of s. 491.009(1)(w), F.S., through a violation of s. 456.072(1)(II), F.S., by being convicted of a crime related to health care. On December 12, 2013 respondent pled guilty to one count of knowingly and willfully combining, conspiring, and agreeing with others to execute a scheme to defraud the health care benefit program. Respondent was part of a \$63 million Medicare fraud scam.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to find that respondent was properly served and has waived his right to a formal hearing.

Second: by Dr. Day.  
Vote: Unanimous.

Motion: by Ms. Macomber to find that the material facts as alleged in the administrative complaint are not in dispute and to adopt the allegations of fact set forth in the administrative complaint as the Board findings of fact in this proceeding.

Second: by Ms. Douglas.  
Vote: Unanimous.

Motion: by Ms. Macomber to adopt the allegations of law set forth in the administrative complaint as the Board's conclusions of law.

Second: by Ms. Bridgman.  
Vote: Unanimous.

Motion: by Ms. Macomber to adopt the agenda materials under Tab I and any addendum materials into evidence in this proceeding.

Second: by Ms. Gillespy.  
Vote: Unanimous.

Motion: by Ms. Macomber to find that the respondent is in violation of Florida Statutes as charged in the administrative complaint.

Second: by Ms. Douglas.  
Vote: Unanimous.

Department's recommendation: revocation.

Motion: by Ms. Macomber to accept the department's recommendation for revocation.

Second: by Ms. Douglas.  
Vote: Unanimous.

A Motion to Assess Costs of \$218.86 was presented to the Board.

Motion: by Dr. Denny to deny the motion to assess costs.

Second: by Ms. Douglas.  
Vote: Unanimous.

**Jose R. Rojo, LMHC, Case No. 2013-17602 (PCP: Roberts, Otis)**

Mr. Rojo was not present nor represented by counsel. An administrative complaint filed February 20, 2014 alleged violation of s. 491.009(1)(c), F.S., of being convicted or found guilty of a crime related to health care fraud. Respondent was terminated from the Medicare/Medicaid programs due to his participation of a Medicare fraud scheme of \$55 million. He was sentenced to 120 months in prison, 3 years supervised release, \$11 million in restitution.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to find that respondent was properly served and has waived his right to a formal hearing.

Second: by Ms. Douglas.  
Vote: Unanimous.

Motion: by Ms. Macomber to find that the material facts as alleged in the administrative complaint are not in dispute and to adopt the allegations of fact set forth in the administrative complaint as the Board's findings of fact in this proceeding.

Second: by Ms. Bridgman.  
Vote: Unanimous.

Motion: by Ms. Macomber to adopt the allegations of law set forth in the administrative complaint as the Board's conclusions of law.

Second: by Ms. Bridgman.  
Vote: Unanimous.

Motion: by Ms. Macomber to adopt the agenda materials under Tab J and any addendum materials into evidence in this proceeding.

Second: by Ms. Bridgman.  
Vote: Unanimous.

Motion: by Ms. Macomber to find that respondent is in violation of Florida Statutes as charged in the administrative complaint.

Second: by Ms. Bridgman.  
Vote: Unanimous.

Department's recommendation: revocation.

Motion: by Ms. Macomber to accept the department's recommendation for revocation.

Second: by Dr. Day.  
Vote: Unanimous.

A Motion to Assess Costs of \$230.60 was presented to the Board.

Motion: by Ms. Macomber to deny the motion to assess costs.

Second: by Ms. Gillespy.  
Vote: Unanimous.

**Richard W. Fedora, LMHC, Case No.: 2014-02358**

Mr. Fedora was not present nor represented by counsel. Respondent allegedly had a sexual relationship with a patient and was terminated from the Behavioral Health Center, St. Petersburg. He was arrested by Largo Police on 2-12-14 and charged with one count of grand theft and one count of sexual misconduct by a psychotherapist.

A voluntary relinquishment of license was presented to the Board. Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to accept the voluntary relinquishment of license.

Second: by Dr. Cavitt.  
Vote: Unanimous.

**Lucia Ochoa, LMHC, Case No. 2014-03534**

Ms. Ochoa was not present nor represented by counsel. Notification from the Office of Inspector General, Washington, D.C. alleging that respondent has been excluded from participation in Medicaid, Medicare, and all Federal health care programs. She was ordered to serve 5 years of probation, cannot be employed in any health care business that submits claims to any private or government insurance company without approval from courts, electronic home detention for 12 months, must pay \$11 million restitution with co-defendants.

Following discussion, the following action was taken by the Board:



Motion: by Ms. Macomber to accept the voluntary relinquishment of license.  
Second: by Ms. Gillespy.  
Vote: Unanimous.

**Joan Kalfus, LMHC, Case No. 2014-05132**

Ms. Kalfus was not present nor represented by counsel. Notification from the Office of Inspector General, Washington, D.C. alleging that respondent has been excluded from participation in Medicaid, Medicare and all federal health care systems. She was ordered to serve 5 years of probation, cannot be employed in any health care business that submits claims to any private or government insurance company without approval from courts, electronic home detention for 12 months, and must pay \$11 million restitution with co-defendants.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to accept the voluntary relinquishment of license.  
Second: by Ms. Gillespy.  
Vote: Unanimous.

**RECOMMENDED ORDER HEARING**

**Marion Gwizdala, DOAH Case No. 13-4668**

Mr. Gwizdala has requested that his application for registered mental health counselor intern be withdrawn.

Following discussion, the Board took the following action:

Motion: by Ms. Bridgman to allow the withdrawal of his application.  
Second: by Dr. Day.  
Vote: Motion carries with Ms. Macomber opposed.

**APPEARANCES**

**Jennifer Lagrotte, LMFT, LMHC, End of First Year of Probation**

As requested by the Board, Ms. Lagrotte was present with her supervisor, Katherine Lemieux, LMFT and answered questions the Board had regarding Ms. Lagrotte's probation.

**Polly Loeber, LCSW, Reinstatement of License**

Ms. Loeber was present and was represented by Lisa Augspurger, Esq. She is requesting that the suspension of the license be lifted. If the Board places Ms. Loeber on probation, she is requesting that Ms. Kimberly Walker be approved to serve as her probation supervisor. PRN's July 25, 2014 letter states that she continues to be compliant with her contract and make progress in treatment. The letter also states that PRN supports the reinstatement of Ms. Loeber's license at this time and will continue to monitor her.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Buller to lift the suspension of Ms. Loeber's license with no added restriction. She is to notify the Board when her PRN contract terminates. If PRN determines that her contract can be shortened, she is to appear before the Board.  
Second: by Ms. Macomber.  
Vote: Unanimous.

Motion: by Ms. Macomber to extend the time period for the payment of fine and costs to November 13, 2015.

Second: by Dr. Day.  
Vote: Unanimous.

**Anthony Jerrido, Registered MHC Intern Applicant**

Mr. Jerrido has asked the Board to allow him to appear at the October 2014 board meeting due to inability to obtain a PRN evaluation prior to that date.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to accept Mr. Jerrido's request to appear at the October meeting.  
Second: by Ms. Douglas.  
Vote: Unanimous.

**Kimberly Hennessee, Registered MHC Intern Applicant**

Ms. Hennessee was present and was not represented by counsel. She is appearing due to an affirmative response on the applicant history section of the application. Jean D'Aprix, Chief Operating Officer from PRN spoke to the Board about the matter.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to approve her application for registered mental health counseling intern.  
Second: by Dr. Denny.  
Vote: Unanimous.

**Stephanie Fishbaugh, Registered MHC Intern Applicant**

Ms. Fishbaugh was present and was not represented by counsel. Her supervisor, John Tardonis, appeared with Ms. Fishbaugh. She is appearing due to an affirmative response on the applicant history section of the application.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Buller to approve her application without a PRN contract.  
Second: by Ms. Gillespy.  
Vote: Unanimous.

**Karen Simmons, Registered MHC Intern Applicant**

Ms. Simmons has requested to appear in October.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to grant her appearance at the October 23, 2014 board meeting.  
Second: by Ms. Gillespy.  
Vote: Unanimous.

**Motion to Vacate Final Order: Roseann Albertario**

Ms. Albertario was present and was represented by Stacy L. Sherman, Esq. She is requesting that the Board vacate the order dated May 21, 2012, dismiss the administrative complaint and refund the \$250 fine and \$1.00 costs.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Buller to deny the motion to vacate the final order.

Second: by Dr. Denny.  
Vote: Unanimous.

## **APPLICATION REVIEWS**

### **Laura Miller, CSW Licensure Applicant**

Ms. Miller was present and was not represented by counsel. She is appearing due to an affirmative response on the applicant history section of the application. Ms. Buller recused herself.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Douglas to approve her application for licensure.  
Second: by Ms. Macomber.  
Vote: Unanimous.

### **Jay F. Charboneau, Registered MHC Intern**

Mr. Charboneau was not present and not represented by counsel. He is requesting the Board permit him to use documentation submitted as alternative verification of his experience under his now deceased qualified supervisor, Diona Moody.

Following review and discussion, the following action was taken by the Board.

Motion: by Ms. Buller to accept hours and face to face documentation from August 28, 2012 to November 2, 2013 for experience supervised by Diona Moody.  
Second: by Ms. Gillespy.  
Vote: Unanimous.

### **Ronald Wood, Registered MHC Intern**

Mr. Wood was present and was not represented by counsel. He is requesting the Board allow him to use the documentation of his experience from Georgia as alternative verification of his supervised experience for Florida licensure.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Buller to accept documentation of his Georgia experience, as the Georgia form provides information required by Florida, from October 12, 2012 through September 2013 and allow Ms. McKenzie to figure the number of supervision hours, face-to-face hours and weeks toward the post-master's experience requirement.  
Second: by Ms. Gillespy.  
Vote: Unanimous.

### **Twyla Pumroy, Registered CSW Intern Applicant**

Ms. Pumroy was present and was not represented by counsel. She is appearing due to an affirmative response on the applicant history section of the application.

Following discussion, the following action was taken by the Board:

Motion: by Dr. Denny to accept Ms. Pumroy's waiver of the 90 day requirement while she obtains a PRN evaluation. Ms. Buller will review the PRN mental health status report and contract (if one is required) prior to Ms. Pumroy receiving a registered clinical social work intern number.  
Second: by Dr. Day.  
Vote: Unanimous.

**Cynthia G. Holifield, Registered CSW Intern Applicant**

Ms. Holifield was present and was not represented by counsel. She is appearing due to an affirmative response on the applicant history section of the application.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Buller to accept Ms. Holifield's waiver of the 90 day requirement while she obtains a PRN evaluation. Ms. Buller will review the PRN mental health status report and contract (if one is required) prior to Ms. Holifield receiving a registered clinical social work intern number.

Second: by Ms. Macomber.

Vote: Unanimous.

**Tom A. Edwards, Registered MHC Intern Applicant**

Mr. Edwards was present and was not represented by counsel. He is appearing due to an affirmative response on the applicant history section of the application.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Bridgman to accept the withdrawal of his application.

Second: by Ms. Douglas.

Vote: Unanimous.

**Lisa Dominguez, Registered MHC Intern Applicant**

Ms. Dominguez was not present and was not represented by counsel. Her application is before the Board due to an affirmative response on the applicant history section of the application.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Buller to request Ms. Dominguez' appearance at one of the next two board meetings. The Board recommended Ms. Dominguez obtain a PRN evaluation prior to her attendance at the meeting.

Second: by Ms. Macomber.

Vote: Unanimous.

**Terrilynn Neipert, Registered MFT Intern Applicant**

Ms. Neipert was not present and was not represented by counsel. She has waived the 90 day requirement and has asked to be placed on the October 23, 2014 board meeting agenda.

**Christine Angela Chin-Sim, Registered MFT Intern Applicant**

Ms. Chin-Sim was not present and was not represented by counsel. Her application is before the Board for review regarding a closely related field for this registration. Her master's degree is in business administration. Applicant completed the MFT course work in a doctoral program, but has not received the doctoral degree.

Motion: by Ms. Buller to deny her application as she does not have a degree in a closely related field.

Second: by Ms. Gillespy.

Vote: Unanimous.

**Mathew G. Fontes, MHC Licensure Applicant**

Mr. Fontes was not present. He was represented at the meeting by Branden Vicari, Esq. His application was before the Board due to an affirmative response on the applicant history section of the application.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to approve his license as a mental health counselor.  
Second: by Ms. Douglas.  
Vote: Unanimous.

**Katherine A. Staley, MHC Licensure Applicant**

Ms. Staley was not present and was not represented by counsel. She has requested the Board accept her Georgia forms for alternative verification of her supervised experience for Florida.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Buller to accept the supervision documentation on the Georgia supervision forms as the Georgia form provides information required by Florida.  
Second: by Ms. Macomber.  
Vote: Unanimous.

**Petition for Variance or Waiver of Rule: Jennifer Baptie**

Ms. Baptie was present and was not represented by counsel. She is appearing for a variance to Rule 64B4-3.0085. She had never received notification from the board office to commence supervision under new supervisors, however she and the new supervisors had corresponded via e-mail with a Department of Health employee with a similar name and had received no feedback that she was corresponding with the incorrect person.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Bridgman to accept the supervised experience due to her extenuating circumstances.  
Second: by Ms. Macomber.  
Vote: Unanimous.

**Petition for Variance or Waiver of Rule: Diana Mitwalli**

Ms. Mitwalli was present and was not represented by counsel. She is appearing to request a variance to the minimum passing score on the national AMFTRB exam.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to deny her petition for variance or waiver.  
Second: by Ms. Douglas.  
Vote: Unanimous.

**Petition for Variance or Waiver of Rule: Linda Streeter**

Ms. Streeter was present and was not represented by counsel. She is appearing to request a variance to the minimum passing score on the national AMFTRB exam.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to deny her petition for variance or waiver.  
Second: by Dr. Denny.  
Vote: Unanimous.

## **VACATE NOTICE OF INTENT TO APPROVE LICENSURE WITH CONDITION AND WITHDRAWAL OF APPLICATION**

### **Jessica R. Magazine, Registered CSW Intern Applicant**

Ms. Magazine was not present nor represented by counsel. She is requesting a withdrawal of her application because she is relocating out of the country and will be working for an internet company. She was issued a conditional order for licensure, dependent on a mental status exam, and she has not obtained the evaluation, therefore she is not yet licensed. The conditional order was reported to the National Practitioner Data Bank. Since she wishes to withdraw, she requests that the order be vacated.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to grant vacating the order and allow the withdrawal of the application.

Second: by Ms. Gillespy.

Vote: Unanimous.

## **REQUEST TO MODIFY FINAL ORDER**

### **Cheryl Alessi Young, Case No. 2013-03892**

Ms. Young was not present and not represented by counsel. She is requesting additional time to pay her fine and costs and has questions regarding complying with the order when she is not employed.

Motion: by Ms Buller to consider her request and move the costs to the same due date as the fine; which is 5/13/2016.

Second: by Dr. Day.

Vote: Unanimous.

## **TOPIC DISCUSSIONS**

### **Required 8 Hour Laws and Rules Course: 64B4-3.003, F.A.C.**

Donna Ross, LCSW, A.A. Ross Counseling; Richard Kaplan, Esq., and Kathleen McCarthy, Esq., Ace-Classes.com; and Leesa Robertson, Bayside Continuing Education spoke to the Board about the issue. The Board reviewed the draft rule and asked that the passing score be changed to 80% and remove the requirement to have a Florida attorney available during the course. Board counsel will return to the October 23, 2014 board meeting with the revised language for the Board to review.

The Board wants to also have discussion at their October 23, 2014 board meeting about whether or not they have statutory authority to establish a time frame for which registered interns must complete the 8 hour laws and rules course.

### **F.A.C.C.T. Licensing as Christian Counselor**

This item was briefly discussed at the board meeting on April 24-25. This Association is causing confusion regarding state sanctioned licensure vs. licensure by this association. Section 491.012, F.S., requires that one may not hold himself/herself out as a licensee unless licensed under Chapter 491, F.S.

Individuals holding themselves out as licensed by this association should be reported to the unlicensed activity office.

Ms. Foster provided information regarding citations that had been issued, fines paid. Several of those issued cease and desist citations have requested a hearing. Board discussed the religious exemption that needs to be re-written as a church must be legally cognizable, with 501(3)c, tax ID.

Department will continue to investigate those practicing the mental health professions without state sanctioned licensure.

### **Face-to-Face Supervision and Experience**

The Board discussed face to face supervision and experience based on a request from Lola Brognano, registered clinical social work intern. She is requesting that supervision be accessible and affordable by using Skype, video conferencing, etc.

Ms. Ramer queried several other states to see if they are permitting supervision to be conducted by electronic means. Seventeen states responded with 10 allowing if it is interactive in real-time, some allowing a percentage through video conferencing.

Richard Chapman from the Florida Mental Health Counselors Association provided their position regarding online supervision for registered interns: FMHCA supports the use of online supervision for registered interns. They recommend that the following be considered: (1) online supervision should be no more than 50% of the time; (2) every effort should be made to ensure privacy and confidentiality of clients; (3) compliance with HIPAA; and (4) supervisor and intern meet face-to-face before beginning online supervision. The Board responded favorably to the recommendations and will contact board counsel individually with any suggestions they have about the issue. Board counsel will then develop language about the matter to bring before the Board for discussion at the October 23, 2014 board meeting.

### **Medical Errors Courses between 490 and 491**

The Florida Psychological Association has requested that the 491 Board discuss reciprocity between the 491 medical errors course providers and the Board of Psychology's medical errors course providers.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Macomber to deny the request.

Second: by Dr. Denny.

Vote: Unanimous.

### **RULES DISCUSSION**

#### **64B4-6.004, F.A.C., Approval of Continuing Education Providers**

A rule draft was provided by Deborah Loucks, Board Counsel. Following discussion, the Board took the following action:

Motion: by Ms. Buller to approve the draft language as presented to include an outline and a copy of a PowerPoint or similar presentation material or a copy of materials.

Second: by Ms. Douglas.

Vote: Unanimous.

Motion: by Ms. Buller that this will have no impact on small business.

Second: by Ms. Macomber.

Vote: Unanimous

### **OTHER BUSINESS**

#### **2015 Board Meeting Dates**

Proposed meeting dates for next year: security will now be a standard – start at 12:00 p.m. on Thursday.

January 29 -30

April 23 -24

July 30 – 31

October 22 – 23

**Ratification of Continuing Education Providers**

Motion: by Ms. Macomber to ratify the CE Providers listed.

Second: by Ms. Buller.

Vote: Unanimous.

**Committee of One Actions**

Motion: by Ms. Macomber to ratify the committee of one actions.

Second: by Ms. Buller.

Vote: Unanimous.

**Ratification of Licenses**

Motion: by Ms. Macomber to ratify the approval of the license numbers listed.

Second: by Ms. Buller.

Vote: Unanimous.

**Exemption Applications**

Caridad Hernandez was not present and was not represented by counsel. She is a registered marriage and family therapy intern and recently submitted an AHCA application for exemption.

Following review, the following action was taken by the Board:

Motion: by Ms. Macomber to deny the exemption application.

Second: by Ms. Gillespy.

Vote: Unanimous.

**Application Denials**

Motion: by Ms. Buller to deny the list of applicants for the grounds listed.

Second: by Ms. Macomber.

Vote: Unanimous.

**Annual Renewal of Delegations**

Motion: by Ms. Macomber to approve the Annual Renewal of Delegations.

Second: by Ms. Buller.

Vote: Unanimous.

**REPORTS**

**Assistant General Counsel**

Ms. Jones reported that as of July 29, 2014, the Prosecution Services Unit had 80 open disciplinary cases.

23 - under legal review

24 - cases awaiting probable cause determination

33 - cases where probable cause has been found

Cases prepared for board action 3

Ms. Jones asked that the Board grant permission to continue working on the 15 cases that are over a year old.

2009: 2

2010: 3

2011: 2

2012: 7

2013: 1

TOTAL:15



Motion: by Ms. Macomber to grant permission for the Department to continue working on cases older than one year.

Second: by Ms. Buller.

Vote: Unanimous.

### **Assistant Attorney General**

Ms. Loucks discussed current rules and presented the annual regulatory plan for next year. The regulatory plan was approved by Dr. Barlow and Ms. Loucks requested that the Board ratify the OFARR regulatory plan for the next fiscal year.

Motion: by Ms. Macomber to ratify the regulatory plan.

Second: by Ms. Buller.

Vote: Unanimous.

### **Executive Director**

Ms. Foster provided budget information for the Board's review. She discussed the increase in the number of applications the board office is receiving for the 491 professions.

Profession	Applications Received			Licenses Issued		
	FY 11-12	FY 12-13	FY 13-14	FY 11-12	FY 12-13	FY 13-14
CSW	589	678	759	484	565	612
MFT	150	162	165	103	110	112
MHC	630	829	952	479	590	785
CSW Intern	778	771	897	634	733	807
MFT Intern	207	200	223	174	174	195
MHC Intern	1224	1257	1234	1050	1115	1133
Prov. CSW	39	30	30	38	30	27
Prov. MFT	8	7	7	8	4	10
Prov. MHC	50	60	102	51	61	99
TOTALS	3675	3994	4369	3021	3382	3780

### **Board Members**

#### **FOR YOUR INFORMATION**

ASWB Pass/Fail Rates: The Board requested this information be sent to the Deans of all Florida Schools of Social Work.

ASWB Examination Security Revision

Article: The Florida CACREP and Grandfathering Trap

May 2014 Website Statistics

June 2014 Website Statistics

#### **ADJOURNMENT**

The meeting recessed at 7:30 p.m. on Thursday and adjourned at 12:00 p.m. on Friday.