

**BOARD OF CLINICAL SOCIAL WORK, MARRIAGE & FAMILY THERAPY,  
AND MENTAL HEALTH COUNSELING  
GENERAL BUSINESS MEETING MINUTES**

**May 5, 2016 at 8:00 a.m.**

**St. Petersburg Marriott Clearwater  
12600 Roosevelt Blvd.  
St. Petersburg, FL 33716  
(727) 572-7800**

**CALL TO ORDER/ROLL CALL**

The meeting was called to order on Thursday, May 5, 2016 at 8:15 a.m. by Ms. Buller, Chair. Those present for all or part of the meeting included the following:

**Members present:**

Jamie Buller, LCSW, Chair  
Susan Gillespy, LMFT, Vice-Chair  
William Day, PhD, LMHC  
Mary Macomber, Esq.  
Denny Cecil-Van Den Heuvel, PhD, LMFT, LMHC  
Lisa Bolhouse, LCSW  
Fabio Andrade

**Staff present:**

Deborah Loucks, Board Counsel  
Elana Jones, Prosecutor  
Jennifer Wenhold, Executive Director  
Robin McKenzie, Program Administrator  
Ashley Tranquille, Regulatory Supervisor  
Court Reporter: Murray and Associates  
Court Reporting, (813) 229-8225

**Member Absent**

Helen Douglas, R.D.H.

**WELCOME Consumers, Licensees, Students, Others**

Ms. Buller welcomed students from Pinellas Technical College and Rollins College.

**REVIEW AND APPROVAL OF MINUTES**

The minutes of the February 11, 2016 general business meeting were reviewed and following review, the Board took the following action:

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

Second: by Mr. Andrade.

Vote: unanimous.

**DISCIPLINARY PROCEEDINGS**

**Keeley C. Bremer, Registered CSW Intern, Case No. 2014-00483**

Ms. Bremer was not present and was not represented by counsel. A three count administrative complaint filed May 23, 2014 alleged violations of s. 491.009(1)(p), F.S., by being unable to practice the profession with reasonable skill or competence due to alcohol dependence; s. 491.009(1)(c), F.S., by being convicted of or found guilty of, regardless of adjudication, or having entered a plea of nolo contendere to, a crime in any jurisdiction which directly relates to the practice, and s. 491.009(1)(w), F.S., by violating s. 456.072(1)(x), F.S., by failing to report to the Board her felony conviction for DUI, third or subsequent offense, in writing within 30 days after being convicted.

A voluntary relinquishment of license form was presented to the Board. No current members were recused due to participation on the probable cause panel. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to accept the voluntary relinquishment of license.  
Second: by Mr. Andrade.  
Vote: unanimous.

**Charlotte P. Santa, LCSW, Case No. 2015-12029**

Ms. Santa was not present and was not represented by counsel. Probable cause was waived and the alleged violation was s. 491.009(1)(w), F.S., through a violation of s. 456.072(1)(hh), F.S., being terminated from a treatment program for impaired practitioners.

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

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

**Mandee J. Davis, Registered MHC Intern, Case No. 2015-21645**

Ms. Davis was not present and was not represented by counsel. An administrative complaint filed February 1, 2016 alleged violation of s. 491.009(1)(w), F.S., through a violation of s. 456.072(1)(x), F.S., by failing to report to the Board within 30 days in writing after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction.

Dr. Day was recused due to participation on the probable cause panel. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to find that the materials 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 Mr. Andrade.  
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. Gillespy.  
Vote: unanimous.

Motion: by Ms. Macomber to adopt the agenda materials under Tab C and any addendum materials into evidence in this proceeding.  
Second: by Ms. Bolhouse.  
Vote: unanimous.

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

Department recommendation: \$500 fine.

Motion: by Ms. Macomber to accept the Department's recommendation of a \$500 fine payable within 90 days of the final order.  
Second: by Ms. Bolhouse.  
Vote: unanimous.

A motion to assess costs of \$125.72 was presented to the Board. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to grant the Department's motion for costs payable within 90 days.  
Second: by Ms. Gillespy.  
Vote: unanimous.

**Liliana J. Marks, LMHC, Case No. 2013-11390**

Ms. Marks was not present and was represented by Frank A. Prieto, Esq. An administrative complaint filed February 1, 2016 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 fraud. Respondent was found guilty on August 24, 2015 of one count of conspiracy to commit health care fraud.

Dr. Day was recused due to participation on the probable cause panel. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to find that the materials 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 Mr. Andrade.  
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. Gillespy.  
Vote: unanimous.

Motion: by Ms. Macomber to adopt the agenda materials under Tab D and any addendum materials into evidence in this proceeding.  
Second: by Ms. Bolhouse.  
Vote: unanimous.

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

Department recommendation: revocation.

Motion: by Ms. Macomber to accept the Department's recommendation for revocation.  
Second: by Mr. Andrade.  
Vote: motion passed with Dr. Denny and Ms. Bolhouse opposed.

A motion to assess costs of \$194.23 was presented to the Board. Following discussion, the Board took the following action:

Motion: by Ms. Gillespy to waive costs.  
Second: by Ms. Macomber.  
Vote: unanimous.

**Doris A. Crabtree, LMHC, Case No. 2013-11262**

Ms. Crabtree was not present and was not represented by counsel. An administrative complaint filed February 1, 2016 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 fraud. Respondent was found guilty on August 24, 2015 of one count of conspiracy to commit health care fraud.

A voluntary relinquishment license form was presented to the Board. Dr. Day was recused due to participation on the probable cause panel. Following discussion, the Board took the following action:

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

**Kathryn Lee Friedman, LMHC, Case No. 2014-08875**

Continued to the next meeting.

**LICENSURE PROCEEDINGS**

**Kiera Jenifer Cunin-Khan, MHC Licensure Applicant by Examination**

Ms. Cunin-Khan was not present and was not represented by counsel. Applicant previously received a notice of intent to deny her application as she has not met statutory coursework requirements and she requested further review of her educational documents by the Board.

Following review and discussion of course material provided, the Board took the following action:

Motion: by Dr. Denny to uphold the denial.  
Second: by Ms. Macomber.  
Vote: unanimous.

**APPEARANCES**

**Cynthia Osborne, MHC Licensure Applicant**

Ms. Osborne was present and was not represented by counsel. Her appearance was requested due to affirmative responses to history questions on the application. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to approve the application.  
Second: by Dr. Denny.  
Vote: unanimous.

**Christine Tilelli, Registered MHC Intern Applicant**

Ms. Tilelli was not present and was not represented by counsel. Her application was previously approved contingent on her acceptance of a PRN monitoring contract. She requested that the Board reconsider this requirement. Following discussion, the Board took the following action:

Motion: by Ms. Macomber that Ms. Tilelli has two months to comply with the Board's requirements and move forward with her application.  
Second: by Ms. Gillespy.  
Vote: unanimous.

**Jared Ross Jacobs, Registered MHC Intern Applicant**

Mr. Jacobs was not present and was not represented by counsel. His appearance was requested due to affirmative responses to history questions on the application. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to deny based on failure to demonstrate his ability to practice with skill and safety to the public and failure to comply with the Board's order to appear.

Second: by Ms. Gillespy.

Vote: unanimous.

**Jennifer Lynn Husar, Registered MHC Intern Applicant**

Ms. Husar was not present and was not represented by counsel. Her appearance was requested due to affirmative responses to history questions on the application. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to deny based on failure to demonstrate her ability to practice with skill and safety to the public and failure to comply with the Board's order to appear.

Second: by Mr. Andrade.

Vote: unanimous.

**Rachael Jarrell, Registered MHC Intern Applicant**

Ms. Jarrell submitted a request to withdraw her application.

**Deborah Carter-Keyes, MHC Licensure Applicant**

Ms. Carter-Keyes was not able to attend due to her recent move to Florida. Her appearance was tabled to the next meeting.

**Michael Ploof, Registered MHC Intern Applicant**

Mr. Ploof was present and was not represented by counsel. His appearance was requested due to affirmative responses to history questions on the application. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to approve his application with the understanding that he has signed a PRN monitoring contract.

Second: by Ms. Gillespy.

Vote: unanimous.

**Brenda Chappell, Registered MHC Intern Applicant**

Ms. Chappell was not present and was not represented by counsel. Her appearance was requested due to an affirmative response to a history question on the application. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to deny due to failure to demonstrate her ability to practice with skill and safety.

Second: by Ms. Bolhouse.

Vote: unanimous.

Ms. Chappell arrived prior to the end of the meeting. She had been delayed due to an accident on I-4. Following discussion and information provided by Ms. Chappell, the Board reconsidered the original decision and took the following action:

Motion: by Ms. Macomber to reverse the original decision.

Second: by Dr. Day.

Vote: unanimous.

Motion: by Ms. Macomber to approve the application contingent on the applicant obtaining a PRN evaluation and complying with any and all PRN recommendations.

Second: by Dr. Denny.

Vote: passed with Mr. Andrade opposed.

**Crystal Alfonso, Registered MHC Intern Applicant**

Ms. Alfonso was not present and was not represented by counsel. Her appearance was requested due to an affirmative response to a history question on the application. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to deny due to failure to demonstrate ability to practice with skill and safety to the public.

Second: by Ms. Bolhouse.

Vote: unanimous.

**APPLICATION REVIEWS**

**Susanne Jenemann, MFT Licensure Applicant**

Ms. Jenemann was not present and was not represented by counsel. She has requested that her file go before the Board for a second time for review of her coursework to determine if she meets the education requirements for licensure. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to deny based on the lack of two course content areas, psychosocial theory and diagnosis, appraisal, assessment and testing.

Second: by Ms. Bolhouse.

Vote: unanimous.

**Karen Elaine Simmons, Registered MHC Intern Applicant**

Ms. Simmons was present and was not represented by counsel. Her application is being presented to the Board for review due to affirmative responses to history questions on the application. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to approve her application.

Second: by Dr. Denny.

Vote: unanimous.

**Carey Fink, MHC Licensure Applicant**

Mr. Fink was not present and was not represented by counsel. His application is being presented to the Board to determine if he meets the statutory requirements for licensure. Following discussion, the Board took the following action:

Motion: by Dr. Denny to deny based on the lack of 9 course content areas: counseling theories & practice, human growth & development, diagnosis & treatment of psychopathology, human sexuality, group theories & practice, research & program evaluation, social & cultural foundations, counseling in community settings, and legal, ethical and professional standards issues.

Second: by Ms. Macomber.

Vote: unanimous.

**Dennis M. Hydrick, MHC Licensure Applicant**

Mr. Hydrick withdrew his request for the Board to review his education.

**William Halbleib, MHC Licensure Applicant**

Dr. Halbleib was not present and was not represented by counsel. He has requested the Board's acceptance of his documentation showing he completed 1,000 practicum hours and two years of post-master's supervised clinical experience. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to deny due to lack of satisfactory documentation of experience and lack of course content in 3 areas: career & lifestyle assessments, counseling in community settings, and substance abuse.

Second: by Ms. Bolhouse.

Vote: unanimous.

### **Scott Hale, Registered MHC Intern Applicant**

Mr. Hale was present and was not represented by counsel. His application is being presented to the Board for review due to affirmative responses to history questions on the application.

Following discussion, the Board took the following action:

Motion: by Dr. Denny to deny based on his Washington license being suspended for sexual misconduct.

Second: by Ms. Gillespy.

Vote: unanimous.

### **Cristina Hernandez, MHC Licensure Applicant**

Dr. Hernandez was not present and was not represented by counsel. Her application is being presented to the Board to determine if she has satisfactorily documented two years of post-master's supervised clinical experience. Following discussion, the Board took the following action:

Motion: by Ms. Macomber to deny due to lack of practicum hours, satisfactory documentation of experience, and lack of course content in 3 areas: group theories & practice, career & lifestyle assessments, and counseling in community settings.

Second: by Ms. Gillespy.

Vote: unanimous.

## **LEGISLATION**

### **CS/CS/HB 941**

House Bill 941 was the Department of Health package, which had clean-up language and made changes to programs within the Department of Health. It removes the requirement for completion of a two hour medical errors course for initial licensure. The medical errors course is still required for renewal. The bill expands the military license program to include spouses. It allows the department to contract with a third party to provide services regarding medical records in the death of a practitioner or abandonment of medical records. The bill removed a section in 456.0635, F.S., which stated it did not apply to applicants enrolled in an educational/training program on or before July 1, 2009. These changes will require the Board to amend their applications to remove the requirement for completion of a medical errors course for initial licensure and one of the history questions.

### **CS/HB 373**

This bill caps the duration for intern registration to five years. An intern registration issued on or before April 1, 2017 will expire March 31, 2022, and may not be renewed or reissued. An intern registration issued after April 1, 2017 will expire 60 months after the date of issuance. The bill clarified the language regarding the requirement for a licensed mental health professional to be on the premises when clinical services are provided by a registered intern in a private practice setting.

Discussion ensued regarding supervision and private practice setting. The Board emphasized that the statutory requirements did not change as it related to practice setting. The Board also confirmed that there is no connection to the term "private practice setting" and how the

registered intern is reimbursed for services provided. If a licensee requires further information about supervision or private practice setting, a petition for declaratory statement should be submitted to the board office.

### **HB 183**

This bill amends sections in Chapter 120, F.S., relating to administrative procedures and rulemaking. It requires each agency to review their minor violation rules. This Board's minor violation rules will be on the next meeting agenda for discussion.

### **HB 221**

This bill was regarding balanced billing.

### **HB 981**

This bill is relating to administrative procedures and adding additional requirements for the calculation of estimated adverse impacts and regulatory costs. It will change the SERC (statement of estimated regulatory costs) questions.

### **HB 7087**

This bill creates the Telehealth Advisory Council, requiring the council to review certain findings and make recommendations to the Governor and Legislature. It requires the Department of Health to gather information and the department will be surveying those professions that renew this year.

### **HB 373 Communications Plan and Communications Implementation Plan**

These were provided for the Board's information regarding the implementation plan for HB 373. The board staff was commended for their efforts in the development of such thorough communication and implementation plans.

## **TOPIC DISCUSSIONS**

### **English as a Second Language for MFT Exam Candidates**

Dr. Lois Paff Bergen, AMFTRB Executive Director, advised that the approval or denial of any requested accommodation is at the discretion of the Board. The accommodation of additional time due to English as a second language (ESL) does not fall under the ADA. However, some states allow applicants additional time and the use of a translation dictionary as special accommodations for testing. She requested the Board consider accepting accommodation requests from applicants through the use of a draft form provided.

Motion: by Ms. Macomber to approve use of the form for ESL MFT exam candidates.

Second: by Ms. Gillespy.

Vote: unanimous.

### **Criminal History Matrix**

Ms. Wenhold presented a criminal history matrix and clarified that it makes it clear across the board for the Board office when reviewing applications with an affirmative response to the criminal history questions.

Motion: by Ms. Macomber to approve the use of the matrix by board staff.

Second: by Ms. Gillespy.

Vote: unanimous.

### **Endorsement Licensure Requirements**

The Board discussed the endorsement/reciprocity/portability issue, which is being discussed by the national associations. Reciprocity for mental health counselors might be acceptable with the



requirement for a degree from a CACREP accredited program. A statutory change would be required. A clinical social worker license already requires a degree from an accredited program.

### **Master's Program Experience**

The Board stated that issues with the master's program practicum requirements should be addressed with the universities.

### **Private Practice/ Intern Supervision**

This issue was discussed under Legislation: CS/HB 373.

### **AMFTRB Teletherapy Guidelines**

Dr. Lois Paff Bergen, AMFTRB Executive Director, shared the AMFTRB Proposed Teletherapy DRAFT Guidelines. AMFTRB's Teletherapy Committee is gathering and compiling feedback from LMFT state licensing boards, MFT training programs, and LMFT licensed clinical practitioners. During June and July 2016, the committee will focus on incorporating the feedback into a final form of guideline to be presented at AMFTRB's 30<sup>th</sup> Annual Meeting, September 13<sup>th</sup> & 14<sup>th</sup>, 2016.

Board discussion: Board thought all guidelines in place are great. Board requested to be emailed the guidelines.

## **RULES DISCUSSION**

### **64B4-3.001, Application for Licensure**

Motion: by Ms. Macomber to approve.

Second: by Dr. Day.

Vote: unanimous.

The Board determined that the proposed rule amendments would not have an adverse impact on small business; would not be likely to directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one year of implementation of the rule; or one million dollars within 5 years. Legislative ratification is not needed and therefore, a SERC is not required.

### **64B4-3.0085, Intern Registration Application**

Motion: by Ms. Macomber to approve.

Second: by Ms. Gillespy.

Vote: unanimous.

The Board determined that the proposed rule amendments would not have an adverse impact on small business; would not be likely to directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one year of implementation of the rule; or one million dollars within 5 years. Legislative ratification is not needed and therefore, a SERC is not required.

### **6B4-3.009, Limited License Application**

Motion: by Ms. Macomber to approve.

Second: by Mr. Andrade.

Vote: unanimous.

The Board determined that the proposed rule amendments would not have an adverse impact on small business; would not be likely to directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one year of implementation of the rule; or one million dollars within 5 years. Legislative ratification is not needed and therefore, a SERC is not required.

#### **64B4-3.010, MFT Dual Licensure Application**

Motion: by Ms. Macomber to approve.  
Second: by Mr. Andrade.  
Vote: motion passed with Ms. Gillespy opposed.

The Board determined that the proposed rule amendments would not have an adverse impact on small business; would not be likely to directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one year of implementation of the rule; or one million dollars within 5 years. Legislative ratification is not needed and therefore, a SERC is not required.

#### **64B4-5.009, Supervision by Disciplined Practitioner**

Motion: by Dr. Day to initiate rulemaking.  
Second: by Ms. Macomber.  
Vote: unanimous.

#### **64B4-6.001, Renewal of Active License**

Tabled to the next meeting.

#### **64B4-6.0025, Approved CE Course for Supervisory Training**

Tabled to the next meeting.

#### **64B4-11.007, LCSW, or Equivalent Who is a Qualified Supervisor**

No changes made.

#### **64B4-21.007, LMFT or Equivalent Who is a Qualified Supervisor**

No changes made.

#### **64B4-31.007, LMHC or Equivalent Who is a Qualified Supervisor**

No changes made.

### **MISCELLANEOUS**

#### **Request for Appointment of Custodian of Records**

The Department of Health will be contracting with a third party for maintaining medical records.

#### **Caron Collins: Review of CA MFT Exam**

The Board requested the applicant obtain an evaluation of the California examination related to the content to prove it is substantially equivalent to the national exam required for Florida licensure.

#### **Carrie Carlton: Review of Post Master's Experience**

Ms. Carlton's post-master's experience is under review because of the passing of her qualified supervisor, Edward Weber. Following discussion, the Board took the following action:

Motion: by Ms. Gillespy to approve the post-master's experience under the supervision of Edward Weber.  
Second: by Ms. Macomber.  
Vote: unanimous.

## **OTHER BUSINESS**

### **Exemption Applications**

Melva Dorsey

Motion: by Ms. Macomber to ratify.  
Second: by Ms. Gillespy.  
Vote: unanimous.

Dwayne Bonamy

Motion: by Ms. Macomber to ratify.  
Second: by Ms. Bolhouse.  
Vote: unanimous.

### **Ratification of Continuing Education Providers**

Motion: by Ms. Macomber to ratify the list of approved CE providers.  
Second: by Ms. Gillespy.  
Vote: unanimous.

### **Committee of One Actions**

Motion: by Ms. Macomber to ratify the committee of one actions.  
Second: by Ms. Bolhouse.  
Vote: unanimous.

### **Ratification of Applicants**

Motion: by Ms. Macomber to ratify the license numbers presented.  
Second: by Dr. Day.  
Vote: unanimous.

### **Application Denials**

Motion: by Ms. Macomber to deny for reasons stated.  
Second: by Ms. Gillespy.  
Vote: unanimous.

### **Election of Officers**

Motion: by Dr. Day to nominate Susan Gillespy for chair.  
Second: by Ms. Macomber.  
Vote: unanimous.

Motion: by Dr. Day to nominate Dr. Denny for vice-chair.  
Second: by Ms. Macomber.  
Vote: unanimous.

## **REPORTS**

### **Assistant General Counsel**

Ms. Jones reported that as of April 28, 2016 the Prosecution Services Unit had 104 open disciplinary cases.

67 - Cases under legal review  
20 - Cases awaiting probable cause determination  
17 - Cases where probable cause has been found

5 - Cases prepared for Board action and presented at the 5/5/2016 meeting

2009:	1
2010:	1
2011:	1
2012:	3
2013:	8
2014:	17
<u>2015:</u>	<u>12</u>
<b>Total:</b>	<b>43</b>

Motion: by Ms. Macomber to allow the department to continue the prosecution of the year old cases.

Second: by Ms. Gillespy.

Vote: unanimous.

#### **Assistant Attorney General**

Ms. Loucks reviewed the rules report with the board members.

#### **Executive Director Report**

Ms. Wenhold provided budget information for the Board's review.

#### **FOR YOUR INFORMATION**

ASWB 2015 Pass/Fail Rates  
Correspondence from Marina Viola  
Complaint Portal Press Release  
Texas Psychology Licensing Law

#### **ADJOURNMENT**

The meeting adjourned at 2:15 p.m.