

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

February 7, 2019 at 8:00 a.m.

**Crowne Plaza Jacksonville Airport
14670 Duval Road
Jacksonville, FL 32218
(904) 741-4404**

Participants in this public meeting should be aware that these proceedings are being recorded and that an audio file of the meeting will be posted to the board's website.

I. CALL TO ORDER/ROLL CALL

The meeting was called to order on Thursday, February 9, 2019 at 8:01 a.m. by Lisa Bolhouse, Chair.

A. ROLL CALL

Roll call was conducted by Jennifer Wenhold, Executive Director. Those present for all or part of the meeting included the following:

MEMBERS PRESENT

Lisa Bolhouse, LCSW, Chair
Jamie Buller, LCSW, Vice-Chair
Denny Cecil-Van Den Heuvel, LMFT, LMHC
Susan Gillespy, LMFT

STAFF PRESENT

Jennifer Wenhold, Executive Director
Ashleigh Irving, Program Administrator
Breanne Ereckson, Regulatory Supervisor

MEMBERS ABSENT

Helen Douglas, RDH (excused)
William Day, LMHC (excused)

BOARD COUNSEL

Timothy Frizzell, Esq.
Assistant Attorney General

COURT REPORTER

Lalonda B. Jackson-Williams
Precision Court Reporting

B. MISSION, VISION AND VALUES

Dr. Cecil-Van Den Heuvel read the Department of Health's mission, vision and values.

Mission: To protect, promote & improve the health of all people in Florida through integrated state, county, & community efforts.

Vision: To be the *Healthiest State* in the Nation.

Values (ICARE):

Innovation: We search for creative solutions and manage resources wisely.

Collaboration: We use teamwork to achieve common goals & solve problems.

Accountability: We perform with integrity & respect.

Responsiveness: We achieve our mission by serving our customers & engaging our partners.

Excellence: We promote quality outcomes through learning & continuous performance improvement.

C. WELCOME

Ms. Bolhouse welcomed everyone to the meeting. She reminded the audience that the proceedings were being recorded and would later be posted on the Board's website. Ms. Bolhouse asked everyone to turn off all electronic devices and introduced students from University of Florida and Boston University. She also recognized Dr. Cecil-Van Den Heuvel for being named Mental Health Counselor of the Year.

II. REVIEW OF MINUTES

A. November 7, 2018 General Business Meeting Minutes

The minutes of the November 7, 2018 general business meeting were reviewed and the following action was taken by the Board:

Motion: by Ms. Buller to approve the minutes of the November 7, 2018 meeting.
Second: by Dr. Cecil-Van Den Heuvel
Vote: unanimous.

III. DISCIPLINARY PROCEEDINGS

A. Recommended Order

- i. Gabriel L. Tito, Registered Marriage and Family Therapy Intern, Case No. 2016-08678
(PCP: Buller, Day, and Roberts)
Represented by Counsel

Tabled until May 9, 2019 meeting.

B. Determination of Waiver

- i. Juli Ann Arnold, LMHC, Case No. 2013-01936
(PCP: Shyers, Cecil-Van Den Heuvel, Sherrard)
Pro Se

Tabled until May 9, 2019 meeting.

C. Informal Hearing

- i. Joseph L. Hall, Registered Mental Health Intern, Case No. 2017-18634

(PCP: Barlow and Bolhouse)
Pro Se

Tabled until May 9, 2019 meeting.

D. Voluntary Relinquishment

i. Eric Gordon, Case No. 2018-07204

(PCP: Barlow and Bolhouse)
Pro Se

Tabled until May 9, 2019 meeting.

ii. Gerardo J. De Jesus, Registered Mental Health Counselor Intern, Case No. 2018-00230

(PCP: Barlow and Buller)
Represented by Counsel

Tabled until May 9, 2019 meeting.

iii. Keith Herbert, LCSW, Case No. 2017-19397

(PCP: Barlow and Bolhouse)
Pro Se

Tabled until May 9, 2019 meeting.

iv. Dan Engle, LMFT, Case No. 2018-02336

(PCP: Otis and Buller)
Pro Se

Tabled until May 9, 2019 meeting.

v. Robin Nicole Malone, Registered Mental Health Counselor Intern, Case No. 2018-21119

(PCP: N/A)
Pro Se

Ms. Malone was not present nor represented by counsel. Prosecution Services prepared documents which include possible violation of s. 456.072(1)(k)(dd), Florida Statutes and s. 491.0045 (1)2.(c)(3), Florida Statutes.

Probable cause was waived so no board members were recused. A voluntary relinquishment of license was presented to the board. After review, the board took the following action:

Motion: by Ms. Buller to accept the voluntary relinquishment.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

IV. PROSECUTION REPORT

The following report was presented to the Board:

Inventory of Cases as of January 1, 2019	
Cases in hold status (48 Status)	1
Cases under legal review (Status 60-68)	109
Cases awaiting probable cause determination (70 Status)	13
Total cases where PC has been found (80 Status)	5
Cases for formal hearing request (Status 85-88):	8
Cases Submitted for Board Review (100 Status)	10
Cases at DOAH (Status 110)	0
Cases on Appeal (Status 140)	2
+	
Total Cases open/active in PSU	148

Total Number of Cases Older Than One Year:	
2009	1
2010	0
2011	1
2012	0
2013	2
2014	1
2015	7
2016	12
2017	17
2018	1
+	
Total	42

Motion: by Ms. Buller to continue prosecution of cases one year and older.
 Second: by Ms. Gillespy
 Vote: unanimous.

V. APPEARANCES

A. Application for Licensed Mental Health Counselor

- i. Lisa Marie Reo

Ms. Reo was not present or represented by counsel. She has asked the Board to review her application for exam equivalency. Ms. Reo passed the NCE January 14, 2016 for LCPC licensure in Maryland.

After discussion, the following action was taken:

Motion: by Ms. Buller to deny application for Licensed Mental Health Counselor.

Second: by Ms. Gillespy.
Vote: unanimous.

ii. Edward H. Rico

Mr. Rico was not present nor represented by counsel. Mr. Rico's application came before the board due to an affirmative answer to criminal history. After discussion, the following action was taken:

Motion: by Ms. Buller to require appearance at one of the next two regularly scheduled board meetings.
Second: by Ms. Gillespy.
Vote: unanimous.

iii. Monica Tsai

Ms. Tsai was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board because of an affirmative answer to the health history questions.

After discussion, the following action was taken:

Motion: by Ms. Gillespy to approve application for Licensed Mental Health Counselor.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

iv. Tammy Anderson

Ms. Anderson was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board because of an affirmative answer to the criminal history questions.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve application for Licensed Mental Health Counselor.
Second: by Dr. Cecil Van-Den Heuvel.
Vote: unanimous.

v. Bobby Lloyd Coates

Mr. Coates was present and sworn in by the court reporter. He was not represented by counsel. His application was brought before the Board because of an affirmative answer to a professional history question.

After discussion, the following action was taken:

Motion: by Ms. Gillespy to approve application for Licensed Mental Health Counselor.
Second: by Ms. Buller.
Vote: unanimous.

B. Application for Registered Mental Health Counselor Intern

i. Michael O'Brien

Mr. O'Brien was not present nor represented by counsel. His application was brought before the Board because his supervisor says he did not meet the minimum standards of performance in professional activities as measured against generally prevailing peer performance, pursuant to Section 491.009(1)(r), Florida Statutes.

After discussion, the following action was taken:

Motion: by Dr. Cecil-Van Den Heuvel to deny the hours.
Second: by Ms. Gillespy.
Vote: unanimous.

ii. Ethan Charles Schaffer

Mr. Schaffer was present and sworn in by the court reporter. He was not represented by counsel. His application was brought before the Board because of an affirmative answer to the criminal history questions and health history questions.

After discussion, the following action was taken:

Motion: by Dr. Cecil-Van Den Heuvel to approve the application for Registered Mental Health Counselor Intern.
Second: by Ms. Buller.
Vote: unanimous.

iii. Michael Johnathan Chesek

Mr. Chesek was present and sworn in by the court reporter. He was not represented by counsel. His application was brought before the Board because of an affirmative answer to the criminal history questions.

After discussion, the following action was taken:

Motion: by Dr. Cecil-Van Den Heuvel to approve the application for Registered Mental Health Counselor Intern.
Second: by Ms. Gillespy.
Vote: unanimous.

iv. Marshae Francis

Ms. Francis was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board because of an affirmative answer to the discipline history questions.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve application contingent on verification of qualified supervisor. Ms. Francis is also required to appear before the full board when she applies for Licensed Mental Health Counselor.
Second: by Ms. Bolhouse.
Vote: unanimous.

v. Erin Todd

Ms. Todd was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board because of an affirmative answer to the criminal history questions.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve application.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

vi. Amy Shoosmith

Ms. Shoosmith was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board because of an affirmative answer to the criminal history and health history questions.

After discussion, the following action was taken:

Motion: by Ms. Buller to table action until PRN evaluation has been received attesting to ability to practice with reasonable skill and safety to be reviewed by Dr. Cecil-Van Den Heuvel.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

vii. Yandy Hernandez

Ms. Hernandez was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board because of an affirmative answer to the health history questions.

After discussion, the following action was taken:

Motion: by Ms. Buller to have and evaluation by PRN to be reviewed by Dr. Cecil-Van Den Heuvel.
Second: by Ms. Gillespy.
Vote: unanimous.

viii. Laura Rouser

Ms. Rouser was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board because of an affirmative answer to the health history questions.

After discussion, the following action was taken:

Motion: by Dr. Cecil Van-Den Heuvel to approve application for Registered Mental Health Counselor.
Second: by Ms. Gillespy.
Vote: unanimous.

ix. Keyunda Washington

Ms. Washington was not present nor represented by counsel. Her application was brought before the Board because of an affirmative answer to the health history questions.

After discussion, the following action was taken:

Motion: by Ms. Buller to require appearance at one of the next two regularly scheduled meetings with a PRN evaluation.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

x. Harlan Wallner

Mr. Wallner was present and sworn in by the court reporter. He was not represented by counsel. His application was brought before the Board because of an affirmative answer to the health history questions.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve application contingent on health history reports submitted bimonthly from current therapist stating Mr. Wallner is compliant with his treatment and remains safe to practice with reasonable skill and safety to be reviewed by Ms. Bolhouse.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

xi. Michele Crandell

Ms. Crandell was not present nor represented by counsel. Her application was brought before the Board because of an affirmative answer to the health history questions.

After discussion, the following action was taken:

Motion: by Ms. Buller to require appearance at one of the next two regularly scheduled meetings with an evaluation from PRN.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

x. Mark Robertson

Mr. Robertson was present and sworn in by the court reporter. He was not represented by counsel. His application was added to the agenda for show of good cause pursuant to section 120.525 (2), F.S. Mr. Robertson was required to appear because of an affirmative answer to health history questions.

After discussion, the following action was taken:

Motion: by Ms. Bolhouse to approve application contingent on receipt of official transcript, current qualified supervisor letter, and quarterly reports. Mr. Robertson's appearance is required before the Board prior to full licensure.
Second: Ms. Buller.
Vote: unanimous.

C. Application for Licensed Clinical Social Worker

i. Carolyn Grawi

Ms. Grawi was not present nor represented by counsel. Her application was brought before the Board for review of exam equivalency. Ms. Grawi passed the ACSW exam November 15, 1993 for Michigan licensure.

After discussion, the following action was taken:

Motion: by Ms. Bolhouse to approve application for licensure contingent on completion of required continuing education courses.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

ii. Tana Hacken

Ms. Hacken was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board for review of exam equivalency. Ms. Hacken passed the ACSW exam for New York licensure.

After discussion, the following action was taken:

Motion: by Dr. Cecil-Van Den Heuvel to approve application for Licensed Clinical Social Worker.
Second: by Ms. Gillespy
Vote: unanimous.

iii. Laura Tuck

Ms. Tuck was not present nor represented by counsel. Her application was brought before the Board for review of exam equivalency. Ms. Tuck passed the Virginia state licensure exam January 22, 1994.

After discussion, the following action was taken:

Motion: by Ms. Bolhouse to approve the application for Licensed Clinical Social Worker.
Second: by Ms. Gillespy.
Vote: unanimous.

iv. Arleen Fitzgerald

Ms. Fitzgerald was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board for review of exam equivalency.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve the application for Licensed Clinical Social Worker.
Second: by Ms. Cecil-Van Den Heuvel.
Vote: unanimous.

v. Kari Renee Greer

Ms. Greer was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board because of an affirmative answer to the health history questions.

After discussion, the following action was taken:

Motion: by Dr. Cecil-Van Den Heuvel to approve application for Licensed Clinical Social Worker.
Second: by Ms. Gillespy.
Vote: unanimous.

vi. Annette Roldan

Ms. Roldan was not present nor represented by counsel. Her application was brought before the Board because of an affirmative answer to the health history and criminal history questions.

After discussion, the following action was taken:

Motion: by Ms. Buller to require appearance at one of the next two regularly scheduled meetings.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

vii. Polly Loeber

Ms. Loeber was present and sworn in by the court reporter. She was represented by Lisa Ausperger, Esq. Ms. Loeber submitted a request to terminate her PRN contract. Dr. Alexis Polles of PRN provided an update of current agreement.

After discussion, the following action was taken:

Motion: by Ms. Buller to table until May 9, 2019 meeting.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

ii. Rosa Rios-Garcia

Ms. Rios-Garcia was present. She was not represented by counsel. Ms. Rios Garcia has asked the board to review her alternative verification of experience.

After discussion, the following action was taken:

Motion: by Ms. Buller to accept documentation of supervision as alternative experience.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

D. Application for Registered Clinical Social Work Intern
i. Candace Porter

Ms. Porter was present and sworn in by the court reporter. She was not represented by counsel. Ms. Porter has asked the board to review her supervision plan pursuant to s. 491.0045(2)(b)(2), F.S. Her master's program did not include a practicum/internship with direct patient or client services.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve her supervision plan.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

ii. Alison Sharp

Ms. Sharp was not present. She was not represented by counsel. Ms. Sharp has asked the board to review her supervision plan pursuant to s. 491.0045(2)(b)(2), F.S. Her master's program did not include a practicum/internship with direct patient or client services.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve her supervision plan.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

iii. Laura Sorte

Ms. Sorte was not present nor represented by counsel. Her application was brought before the Board because of affirmative answers to the health history and criminal history questions.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve application for Registered Clinical Social Worker Intern.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

iv. Christopher Andrew Wells

Mr. Wells was present and sworn in by the court reporter. He was not represented by counsel. His application was brought before the Board because of affirmative answers to the criminal history questions.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve application for Registered Clinical Social Worker Intern.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

v. Christopher O'Connor

Mr. O'Connor was present and sworn in by the court reporter. He was not represented by counsel. His application was brought before the Board because of an affirmative answer to the health history and criminal history questions.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve application for Registered Clinical Social Worker Intern.
Second: by Ms. Gillespy.
Vote: unanimous.

VI. TOPIC DISCUSSION

A. Legal Issue of the Month

There was no legal issue discussed this month.

B. 2020 General Board Meeting Dates

The board discussed the following proposed meeting dates for 2020:

February 20, 2020
May 7, 2020
August 6, 2020
November 5, 2020

After discussion, the following action was taken:

Motion: by Ms. Buller to approve meeting dates.
Second: by Ms. Gillespy.
Vote: unanimous.

VII. OTHER BUSINESS

A. ASWB Exam Use

The board reviewed the response to the ASWB Exception Letter and decided to table the discussion until a later date.

B. Ratification Lists

i. License Numbers Issued

Motion: by Ms. Buller to ratify license numbers issued.
Second: by Ms. Gillespy.
Vote: unanimous.

ii. Approved Continuing Education Providers

Motion: by Ms. Buller to ratify license numbers issued.
Second: by Ms. Gillespy.
Vote: unanimous.

iii. Committee of One Actions

Motion: by Ms. Buller to ratify license numbers issued.
Second: by Ms. Gillespy.
Vote: unanimous.

iv. Exemption Applications

Motion: by Ms. Buller to ratify license numbers issued.
Second: by Ms. Gillespy.
Vote: unanimous.

IIX. REPORTS

A. Board Counsel

i. Rules Report

Mr. Frizell provided monthly rules reports for November 2018, December 2018 and January 2019 for Board review.

B. Executive Director

i. 2019 Legislation

- a. SB 84**
- b. HB 109**
- c. HB 369**
- d. HB 509**
- e. SB 188**

Ms. Wenhold presented an overview of the legislative efforts effecting those professions licensed under Chapter 491.

ii. Expenditures by Function

Ms. Wenhold presented the annual budget reports to the Board which included expenditures of the Board, adequacy of renewal fees, as well as projected and historical cash balances.

C. Chair

No reports from Board Chair.

D. Board Members

No reports from Board Members.

IX. RULES DISCUSSION

A. 64B4-3.009, Limited Licenses

Ms. Wenhold presented a rule draft with proposed amended language for the Board's consideration and provided an overview of the amendments to the Board.

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

Motion: by Ms. Buller to approve the proposed language.
Second: by Dr. Cecil-Van Dan Heuvel
Vote: unanimous.

Motion: by Ms. Buller that a Statement of Estimated Regulatory Costs is not required as the proposed rule amendment has no impact on small businesses regarding regulatory costs and no impact over \$200,000 in the aggregate in Florida within one year of this rule being filed.
Second: by Ms. Gillespy.
Vote: unanimous

Motion: by Ms. Buller that the proposed rule amendments would not cause a net increase in regulatory costs in excess of one-million dollars (\$1,000,000.00) within five years after implementation of the final Rule.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

Motion: by Ms. Buller that no part of this rule or a violation of this rule should be designated as a minor violation.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

B. 64B4-3.003, Examination for Licensure

Ms. Wenhold presented a rule draft with proposed amended language for the Board's consideration. The amendments will allow endorsement applicants for Licensed Mental Health Counselor to use the National Counselors Examination for Licensure and Certification (NCE) as a substantially equivalent exam if taken prior to the year 2000.

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

Motion: by Ms. Bolhouse to approve the proposed language.
Second: by Ms. Buller.
Vote: 3/1. Dr. Cecil-Van Den Heuvel opposed.

Motion: by Ms. Buller that a Statement of Estimated Regulatory Costs is not required as the proposed rule amendment has no impact on small businesses regarding regulatory costs and no impact over \$200,000 in the aggregate in Florida within one year of this rule being filed.
Second: by Ms. Gillespy.
Vote: unanimous

Motion: by Ms. Buller that the proposed rule amendments would not cause a net increase in regulatory costs in excess of one-million dollars (\$1,000,000.00) within five years after implementation of the final Rule.
Second: by Ms. Gillespy.
Vote: unanimous.

Motion: by Ms. Buller that no part of this rule or a violation of this rule should be designated as a minor violation.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

C. 64B4-2.002, Definition of “Supervision” for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

Ms. Wenhold presented research requested by the Board to open the rule for development. The Board would like to limit the number of Registered Interns a Qualified Supervisor can supervise to twenty (20).

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

Motion: Dr. Cecil-Van Den Heuvel to open the rule for development.
Second: Ms. Gillespy.
Vote: unanimous.

D. 64B4-6.001, Renewal of Active License

Ms. Wenhold presented a rule draft for the Board’s consideration to require ethics and boundaries and teletherapy as an alternating continuing education requirement for renewal of licensure. After discussion of the language, Mr. Frizzell suggested amendments to be presented at the May 9, 2019 meeting.

E. 64B4-3.0085, Intern Registration

Ms. Wenhold presented a rule draft and form for the Board’s consideration. The amendments include completion of a Supervision Plan Form for Registered Clinical Social Work Interns who

did not complete a clinical practicum, internship, or field work in his or her graduate program. After discussion, the board decided to amend the language to include the total number of hours required. Board Counsel will provide a draft at the May 9, 2019 meeting.

X. FOR YOUR INFORMATION

- A. MFT Exam Report**
- B. ASWB Exam Report**
- C. NCMHCE Exam Report**
- D. California License Portability Language**
- E. NBCC Leadership Announcement**
- F. Spotlight on Unlicensed Activity**

XI. ADJOURNMENT

After no further discussion, the meeting adjourned at 3:13 p.m.