

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

PROBABLE CAUSE PANEL MEETING MINUTES

**TELECONFERENCE CALL
MEET ME NUMBER: 1 (888) 585-9008
PARTICIPATION CODE: 744469610**

SEPTEMBER 4, 2019

9:00 A.M. EST

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

The meeting was called to order on Wednesday, September 4, 2019 at approximately 9:08 a.m. by Sandra Barlow, Chairperson.

a. ROLL CALL

Roll call was conducted by Ashleigh Irving, Program Operations Administrator. Those present for all or part of the meeting included the following:

PANEL MEMBERS PRESENT

Sandra Barlow, PhD, LCSW, Chairperson
Larry Shyers, PhD, LMHC
William Day, PhD, LMHC

STAFF PRESENT

Ashleigh Irving, Program Operations Administrator
Rebecca Lawrence, Regulatory Supervisor/Consultant

BOARD COUNSEL

Timothy Frizzell, Esq- Assistant Attorney General & Board Counsel

PROSECUTION SERVICES

Mary Iglehart, Esq- Assistant General Counsel
Chad Dunn, Esq- Section Manager

COURT REPORTER

For the Record
Phone: (850) 222-5491
Fax: (850) 224-5316

II. OPENING REMARKS BY THE CHAIRPERSON

Dr. Barlow had no opening remarks

III. OPENING REMARKS BY BOARD COUNSEL

Mr. Frizzell introduced himself and asked that all questions concerning procedures, authority, Florida Statutes, and Practice Act Rules be directed to him and questions concerning the facts of the case, the matter in which it was investigated and the reasons for the Department's recommendation be directed to the Department's attorney. Mr. Frizzell asked the panel the following questions:

Did you receive all materials for today's meeting in advance of the meeting?

Dr. Barlow: Yes.
Dr. Shyers: Yes.
Dr. Day: Yes.

Did you have enough time to thoroughly review the materials and familiarize yourself with the information presented within?

Dr. Barlow: Yes.
Dr. Shyers: Yes.
Dr. Day: Yes.

Were there any problems with the materials received such as missing pages, illegible copies or any other issues should be taken up at this time?

Dr. Barlow: No.
Dr. Shyers: No.
Dr. Day: No.

Are you aware of any reason that would disqualify you from making a decision on the case?

Dr. Barlow: Requests to recuse herself from case RN-04 as she knows the Subject.
Dr. Shyers: No.
Dr. Day: No.

Mr. Frizzell reminded the panel that they were not there to determine the guilt or innocence of the person who is the subject of each case, but to decide if the facts of the record disclosed constitute probable cause for the Department to proceed formal charges probable cause exists.

He asked the Department's attorney to list all materials provided for the meeting today.

IV. OPENING REMARKS BY THE AGENCY'S ATTORNEY

Ms. Iglehart introduced herself and stated that all members have been provided with a memo from the Department attorney addressing the requested action, a draft closing order regarding the Administrative Complaint, a copy of the original Administrative Complaint, and any other materials from the file deemed appropriate by the attorneys that supports the requested action. Additionally, Ms. Iglehart stated any materials received submitted by the licensee or counsel in reply to the proposed department action were enclosed.

V. RECONSIDERATIONS

**a. RN-01 Pierre St. Raymond Saal, L.M.H.C.
Case Number 2016-08145**

Mary Iglehart present the case to the panel. The Department previously filed an Administrative Complaint against Mr. Saal for failure to comply with the disciplinary requirements of the final order issued in DOH case 2009-23074. The Administrative Complaint alleged violations of section 491.009(1)(t), Florida Statutes, for violating a lawful order of the Board of the Department. However, Mr. Saal's license has since gone null and void, and is no longer eligible to practice.

While grounds to find probable cause existed at the time the Administrative Complaint was filed, there is no public purpose being served through the continued prosecution of this case as Mr. Saal no longer holds a valid license in the state of Florida. Accordingly, the Department recommended that the Complaint be dismissed with no further prosecution for reasons of judicial efficiency.

After discussion, the panel made the following action:

Motion: by Dr. Day to accept the Department's recommendation.

Second: by Dr. Shyers.

Vote: unanimous.

**b. RN-02 Yolanda Pujula, L.M.F.T.
Case Number 2017-16890**

Mary Iglehart present the case to the panel. The Panel previously found probable cause against Ms. Pujula for defaulting on her student loans. However, the Florida Department

of Education provided a memo on February 11, 2019, indicating Ms. Pujula has since come into compliance with her outstanding student loans. The Administrative Complaint alleged violations of section 490.046(1)(p), Florida Statutes (2017), for violating any provision of this chapter or chapter 456, through a violation of Section 456.072(1)(k), Florida Statutes (2107), by failing to repay a student loan issued or guaranteed by the State or Federal Government.

While grounds to find probable cause existed, there is no public purpose being served through the continued prosecution of this case as Ms. Pujula has come into compliance with her student loans. Accordingly, the Department recommends that this Complaint be dismissed with no further prosecution for reasons of judicial efficiency.

After discussion, the panel made the following action:

Motion: by Dr. Day to accept the Department's recommendation.

Second: by Dr. Shyers.

Vote: unanimous.

**c. RN-03 Inga E. Anderson, L.C.S.W.
Case Number 2017-18782**

Mary Iglehart present the case to the panel. On June 16, 2017, the Department was notified by the Florida Department of Education (FDOE) that Ms. Anderson was not making her required monthly student loan payments. However, since the filing of this administrative complaint, Ms. Anderson's license has gone in the status of null and void. The Administrative Complaint alleged violations of section 491.009(1)(w), Florida Statutes, provides that violating any provision of this chapter or chapter 456, or any rules adopted pursuant thereto shall be grounds for discipline. Section 456.072(1)(k), Florida Statutes, provides in relevant part that failing to perform any statutory or legal obligation placed upon a licensee by failing to repay student loan obligations shall be grounds for discipline.

While grounds to find probable cause existed, there is no public purpose being served through the continued prosecution of this case as Ms. Anderson no longer holds a valid license in the State of Florida. Accordingly, the Department recommends that this Complaint be dismissed with no further prosecution for reasons of judicial efficiency.

After discussion, the panel made the following action:

Motion: by Dr. Day to accept the Department's recommendation.

Second: by Dr. Shyers.

Vote: unanimous.

**d. RN-04 Shelly K. Mincy, L.C.S.W.
Case Number 2018-05708**

Dr. Barlow recused herself from this case

Mary Iglehart present the case to the panel. On June 16, 2017, the Department was notified by the Florida Department of Education (FDOE) that Ms. Mincy was not making her required monthly student loan payments. However, on May 31, 2019, the FDOE notified the Department that Ms. Mincy was now making her required monthly student loan payments. The Administrative Complaint alleged violations of section 491.009(1)(w), Florida Statutes, provides that violating any provision of this chapter or chapter 456, or any rules adopted pursuant thereto shall be grounds for discipline. Section 456.072(1)(k), Florida Statutes, provides in relevant part that failing to perform any statutory or legal obligation placed upon a license by failing to repay student loan obligations shall be grounds for discipline.

Ms. Mincy is no longer non-compliant with her required monthly student loan payments. Therefore, no further prosecution by the Department is needed. Based on the foregoing, the Department recommends that this complaint be dismissed with no finding of probable cause for discipline.

After discussion, the panel made the following action:

Motion: by Dr. Day to accept the Department's recommendation.

Second: by Dr. Shyers.

Vote: unanimous.

**e. RN-05 Genevieve L. Daniel, L.M.H.C.
Case Number 2017-16556**

Mary Iglehart present the case to the panel. The Department previously filed an Administrative Complaint against Ms. Daniel for her failure to repay a student loan issued or guaranteed by the State or the Federal Government. However, since the filing of this Administrative Complaint, Ms. Daniel's license to practice as a Mental Health Counselor has become null and void. The Administrative Complaint alleged violations of section 456.072(1)(k), Florida Statutes (2017), for failing to perform any statutory or legal obligation placed upon a licensee. For purposes of this section, failing to repay a student loan issued or guaranteed by the State or Federal Government in accordance with the terms of the loan or failing to comply with service scholarship obligations shall be considered a failure to perform a statutory or legal obligation.

While grounds to find probable cause existed, there is no public purpose being served through the continued prosecution of this case as Ms. Daniel no longer holds a valid

license in the State of Florida. Based on the foregoing, the Department recommends that this complain be dismissed with no finding of probable cause for discipline, due to judicial efficiency.

After discussion, the panel made the following action:

Motion: by Dr. Day to accept the Department's recommendation.

Second: by Dr. Shyers.

Vote: unanimous.

**f. RN-06 Angela N. Salafia, L.M.F.T.
Case Number 2013-11389**

Mary Iglehart present the case to the panel. The Department previously filed an Administrative Complaint against Ms. Salafia for being convicted of a crime that relates to health care fraud. However, since the filing of this Administrative Complaint, Ms. Salafia's license to practice as a licensed marriage and family therapist has become null and void. The Administrative Complaint alleged violations of section 456.072(1)(II), Florida Statutes (2013), by being convicted of, or entering a plea of guilty or nolo contentre to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud.

While grounds to find probable cause existed at the time this Administrative Complaint was filed, there is no public purpose being served through the continued prosecution of this case, as Ms. Salafia no longer holds a valid license in the State of Florida. Based on the foregoing, the Department recommends that this complaint be dismissed with no finding of probable cause for discipline, due to judicial efficiency.

After discussion, the panel made the following action:

Motion: by Dr. Day to accept the Department's recommendation.

Second: by Dr. Shyers.

Vote: unanimous.

VI. ADJOURNMENT

The meeting adjourned at 9:24 am.