

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

**MAY 7, 2020  
8:00 A.M. ET**

**MEET – ME NUMBER  
Toll Free Number – 1-888-585-9008  
Public Code: 744-469-610#**

**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 Thursday, May 7, 2020 at 8:03 a.m. by Lisa Bolhouse, Chair.

**A. Roll Call**

Roll call was conducted by Janet Hartman, 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, PhD, LMFT, LMHC  
William Day, PhD, LMHC

**STAFF PRESENT**

Janet Hartman, Executive Director  
Ashleigh Irving, Program Administrator  
Rebecca Lawrence, Regulatory Supervisor

**PROSECUTING ATTORNEY**

Chad Dunn, Esq., Chief Legal Counsel  
Mary Wessling, Esq., Assistant General Counsel  
Ryan Sandy, Esq., Assistant General Counsel

**BOARD COUNSEL**

Timothy Frizzell, Esq.  
Assistant Attorney General

**COURT REPORTER**

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

**B. Mission, Vision and Values**

Ms. Bolhouse waived the reading of 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 keep their phones on mute to reduce audio interference. She instructed participants to unmute their phones by pressing \*2. She also introduced Dr. William S. Jacobs, Associate Medical Director at Professional Resources Network (PRN).

**II. REVIEW OF MINUTES**

**A. February 20, 2020, General Business Meeting**

**B. March 19, 2020, Emergency Board Meeting**

**C. April 3, 2020, Emergency Board Meeting**

The minutes of the previous three board meetings were reviewed, and the following action was taken by the Board:

Motion: by Dr. Day to approve meeting minutes.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

**III. DISCIPLINARY PROCEEDINGS**

**A. Recommended Order**

- i. **Gerard Kruse, Licensed Clinical Social Worker, Case Number 2017-13017**  
(PCP: Buller, Day, and Roberts)  
Represented by Counsel



Case continued due to quorum.

**B. Informal Hearing**

- i. **Caitlin N. Carroll, Registered Clinical Social Work Intern, Case Number 2019-28921**  
(PCP: Barlow and Cecil-Van Den Heuvel)  
Represented by Counsel

Ms. Carroll was present and represented by counsel Laura Sterling, Esq. Dr. Cecil-Van Den Heuvel was recused due to participation in the Probable Cause Panel.

Mr. Sandy presented the case to the Board. The administrative complaint charges Ms. Carroll with the following violations: **Count I-** Section 456.072(1)(x), F.S. for failing to report conviction for a crime; **Count II-** Section 456.072(1)(c), F.S. for being convicted of a crime of child neglect while licensed.

Motion: by Dr. Day to accept the findings of the Investigative Report into evidence and find that the Respondent was properly served.  
Second: by Ms. Buller.  
Vote: unanimous.

Motion: by Ms. Buller to adopt conclusions of law as set forth in the Administrative Complaint and find that they constitute violations of the Practice Act.  
Second: by Dr. Day.  
Vote: unanimous.

The Department recommends the following:

- Revocation
- Costs of \$ 79.34

Motion: by Ms. Bolhouse to accept recommendation to revoke license based on guilty plea to charges.  
Second: by Dr. Day.  
Vote: unanimous.

Motion: by Dr. Day to waive costs of \$79.34.  
Second: by Ms. Buller.  
Vote: unanimous.

- ii. **Nathan C. Bell, Licensed Mental Health Counselor, Case Number 2018-27412**  
(PCP: Barlow, Shyers and Day)



Represented by Counsel

Mr. Bell was present and represented by Lance O. Leider, Esq. Mr. Day was recused due to participation on the Probable Cause Panel.

Mr. Leider requested a continuance of the case to the next in person Board meeting due to insufficient noticing, the inability to appear in person and bring witnesses, and the impact to deliver testimonies over the phone due to the COVID-19 pandemic.

After discussion, the following action was taken:

Motion: by Ms. Buller to accept motion for continuance to the August meeting based on insufficient notification.  
Second: by Dr. Cecil-Van Den Heuvel.  
Vote: unanimous.

### **C. Settlement Agreement**

- i. **Arthur Mencher, Licensed Mental Health Counselor, Case Number 2009-16602**  
(PCP: Shyers, Bridgman, and Gillespy)  
Pro Se

Mr. Mencher was not present nor represented by counsel.

Mr. Dunn presented the case before the board which charged Mr. Mencher with the following violations: **Count I**-Section 491.009(1)(w) through a violation of Rule 64B4-9.002(2), F.A.C. for failure to maintain records of a patient; **Count II**-Section 491.009(1)(r), Florida Statutes for failing to maintain minimum standards of performance.

A Settlement Agreement was presented to the Board with the following terms:

- Permanently place license in retired status within 10 days from date of filing of Final Order and never reactivated.

After discussion, the following action was taken:

Motion: by Ms. Buller to accept recommendation to place license in retired status with the condition that he never reactivates or reapplies for a license.  
Second: by Dr. Cecil-Van Den Heuvel.  
Vote: unanimous.

- ii. **Maureen Bond, Licensed Marriage and Family Therapist, Case Number 2016-14260**  
(PCP: Buller, Day, and Roberts)



Represented by Counsel

Case continued due to quorum.

**D. Determination of Waiver**

- i. **Brian C. Murphy, Registered Clinical Social Work intern, Case Number 2019-36832**  
(PCP: Roberts and Day)  
Pro Se

Mr. Murphy was not present nor represented by counsel. Dr. Day was recused due to participation on the Probable Cause Panel.

Ms. Wessling presented the case before the board. The administrative complaint charges Mr. Murphy with the following violations: Section 491.009(1)(k), F.S. by committing an act of sexual misconduct pursuant to Section 491.0111, F.S, and Rule 64B4-10.002(1) F.A.C.

Mr. Murphy filed a request for voluntary relinquishment of license.

The Department's recommendation is:

- Accept voluntary relinquishment

Larry McFarland spoke on behalf of the complainant.

After discussion, the following action was taken:

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

- ii. **Tina M. Barbuto, Licensed Mental Health Counselor, Case Number 2018-15884**  
(PCP: Barlow and Cecil-Van Den Heuvel)  
Pro Se

Ms. Barbuto was not present nor represented by counsel. Dr. Cecil-Van Den Heuvel was recused due to participation in Probable Cause Panel.

Mr. Sandy presented the case before the board. The administrative complaint charges Ms. Barbuto with the following violations: **Count I-** Section 456.072(1)(c), F.S. by pleading guilty to Conspiracy to Commit Healthcare Fraud; **Count II-** Section



456.072(1)(II), F.S. by being convicted of Conspiracy to Commit Healthcare Fraud. Ms. Barbuto filed a request for voluntary relinquishment of license.

The Department's recommendation is:

- Accept voluntary relinquishment.

After discussion, the following action was taken:

Motion: by Dr. Day to accept voluntary relinquishment of license.  
Second: by Ms. Buller.  
Vote: unanimous.

- iii. **Victoria C. Hernandez, Licensed Mental Health Counselor, Case Number 2017-17570**  
(PCP: Day and Buller)  
Pro Se

Case continued due to quorum.

- iv. **Gabriel L. Tito, Registered Marriage and Family Therapy Intern, Case Number 2016-08678**  
(PCP: Buller, Day, and Roberts)  
Pro Se

Case continued due to quorum.

#### **E. Voluntary Relinquishment**

- i. **Cheryl Eastlund Gowin, Registered Mental Health Counselor Intern, Case Number 2019-17537**  
(PCP: Barlow and Cecil-Van Den Heuvel)  
Pro Se

Ms. Gowin was not present nor represented by counsel. Dr. Denny was recused due to participation in the Probable Cause Panel.

Mr. Sandy presented the case before the board which includes violations of the following: **Count I-** Section 456.072(1)(c), F.S. by pleading guilty to Wrongful Disclosure of Individually Identifiable Health Care Information; **Count II-** Section 456.072 (1)(ii), F.S. by pleading guilty to a crime under 18 U.S.C. Section 1035(a)(2); **Count III-** Section 456.072 (1)(kk), F.S. by being terminated from the federal Medicaid program; **Count IV-** Section 456.072 (1) (II), F.S. by making false statements related to healthcare matters.

Following discussion, the following action was taken:



Motion: by Ms. Buller to accept voluntary relinquishment.  
 Second: by Dr. Day.  
 Vote: unanimous.

**ii. Nancy E. Delong, Licensed Mental Health Counselor, Case Number 2011-09274**  
 (PCP I: Roberts, Gillespy and Szuch; PCP II: Gillespy, Shyers and Macomber)  
 Represented by Counsel

Ms. Delong was not present nor represented by counsel.

Ms. Wessling presented the case before the board which includes violations of the following: Section 491.009(1)(r), F.S. for failing to meet minimum standards of performance during practice.

Following discussion, the following action was taken:

Motion: by Ms. Buller to accept voluntary relinquishment.  
 Second: by Dr. Day.  
 Vote: unanimous.

**IV. PROSECUTION REPORT**  
**A. Chad Dunn, Chief Legal Counsel**

Mr. Dunn presented the following report to the Board:

Inventory of Cases as of April 7, 2020

Cases in hold status (48 Status)	0
Cases under legal review (60-68 Status)	78
Cases awaiting probable cause determination (70 Status)	32
Total cases where PC has been found (80 Status)	13
Cases for formal hearing request (85-88 Status)	11
Cases submitted for Board review (118 Status)	8
Cases at DOAH (110 Status)	1
Cases on appeal (140 Status)	0
+	
Total Cases open/active in PSU	146

Total Number of Cases Older Than One Year:
--



2009	1
2010	0
2011	1
2012	0
2013	0
2014	1
2015	1
2016	7
2017	16
2018	53
2019	9
+	
Total	89

Motion: by Ms. Buller to continue prosecution of cases one year and older.  
 Second: by Dr. Cecil-Van Den Heuvel.  
 Vote: unanimous.

**V. PETITION FOR VARIANCE OR WAIVER**

**A. Alexandra Geiger, Registered Clinical Social Work Intern**

Ms. Geiger was present and not represented by counsel. She has filed a petition seeking a variance or waiver of the ASWB clinical level exam.

After discussion, the following action was taken:

Motion: by Ms. Buller to deny petition for variance or waiver.  
 Second: by Dr. Day.  
 Vote: unanimous.

Motion: by Ms. Buller to approve temporary full license to expire  
 Second: Ms. Bolhouse.  
 Vote: unanimous.

**B. Shane Johns, Registered Marriage & Family Therapy Intern**

Mr. Johns was present and was not represented by counsel. He has filed a petition seeking a variance or waiver regarding 64B4.2002 to comply with the “on premises” requirement in 491.005(3)(c) F.S.

Mr. Frizzell informed the Board that they do not have the authority to change or amend the statute to remove or redefine the meaning of premises as written in statute.





After discussion, the following action was taken:

Motion: by Ms. Buller to deny the petition for variance of waiver due to inability to waive a statutory requirement.  
Second: by Dr. Day.  
Vote: unanimous.

## **VI. APPEARANCES**

### **A. Applications for Registered Mental Health Counselor Intern**

#### **i. Michele Evans**

Ms. Evans was present and was not represented by counsel. Her application was brought before the board for an affirmative answer to criminal history.

After discussion, the following action was taken:

Motion: by Ms. Bolhouse to approve intern application and to require 102 practicum hours to be completed with a qualified supervisor prior to beginning clinical supervision hours.  
Second: by Ms. Buller.  
Vote: unanimous.

### **B. Applications for Licensed Mental Health Counselor**

#### **i. Bianca Alonso**

Ms. Alonso was present and not represented by counsel. Her application was brought before the board for alternative verification of clinical experience.

After discussion, the following action was taken:

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

#### **ii. Craig Hartmann**

Mr. Hartmann was present and not represented by counsel. His application was brought before the board for alternative verification of clinical experience.

After discussion, the following action was taken:



Motion: by Dr. Day to accept experience from Ohio and Pennsylvania and approve application.  
Second: by Dr. Cecil-Van Den Heuvel.  
Vote: unanimous.

**iii. Doris Murray**

Ms. Murray was not present nor represented by counsel. Her application was brought before the board at the February 20, 2020 meeting for an affirmative answer on disciplinary history. Ms. Murray was required to appear at one of the next two board meetings.

**C. Applications for Licensed Clinical Social Worker**

**i. Leigh-Anne Husted**

Ms. Husted was present and not represented by counsel. Her application was brought before the board for review of alternative clinical experience.

After discussion, the following action was taken:

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

**ii. Carole Louise Trupe**

Ms. Trupe was present and not represented by counsel. Her application was brought before the board for review of alternative clinical experience.

After discussion, the following action was taken:

Motion: by Ms. Buller to accept alternate experience and approve application.  
Second: by Dr. Day.  
Vote: unanimous.

**iii. Eva Schildhause**

Ms. Schildhause was present and represented by Steve Ballinger, Esq. Her application was brought before the board for alternative verification of clinical experience.

After discussion, the following action was taken:

Motion: by Ms. Buller to accept experience and approve application.



Second: by Dr. Day.  
Vote: unanimous.

**iv. Shaina Feingold**

Ms. Feingold was present and not represented by counsel. Her application was brought before the board for alternative verification of clinical experience.

After discussion, the following action was taken:

Motion: by Ms. Buller to accept alternative experience forms and approve application.  
Second: by Dr. Day  
Vote: unanimous.

**D. Applications for Telehealth Provider Registration**

**i. Lynn M. Hendsbee**

Ms. Hendsbee was present on the line and was not represented by counsel. Her application was brought before the board for discipline issued on Florida Registered Nursing license.

After discussion, the following action was taken:

Motion: by Dr. Day to approve telehealth provider registration application.  
Second: by Dr. Cecil-Van Den Heuvel.  
Vote: 2 Yes, 2 No

Motion Fails. Applicant requests to withdraw telehealth application.

After further discussion, the following action was taken:

Motion: by Ms. Bolhouse to accept withdrawal of telehealth application.  
Second: by Dr. Day.  
Vote: unanimous.

**E. Continuing Education Courses**

- i. ISFTA, LLC, Provider 50-11293
  1. Enriching Alternative Medicine with Essential Oils, Course 20-512589
  2. Enriching Alternative Medicine with Essential Oils, Course 20-568171
  3. Essential Oil Basics for Healthcare Professionals, Course 20-734646
  4. Holistic Health Practices, Course 20-307427



Nicole Almeida, CEO of ISTFA, LLC was not present nor represented by counsel. Her continuing education course was brought before the Board because of a complaint filed with the Board office. The complaint went before the Board at a previous meeting and the Board sent an Order to Show Cause to the provider. Ms. Al

After discussion, the following action was taken:

Motion: by Dr. Day to withdraw approval for the courses listed.  
Second: by Ms. Buller.  
Vote: unanimous.

## VII. RULES DISCUSSION

### A. 64B4-3.003, Examination for Licensure

Mr. Frizzell provided 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:

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

The Board considered the economic impact and determined that a Statement of Estimated Regulatory Costs (SERC) for the above listed rules was not necessary and the rules will not need legislative ratification. The board determined that no part of these rules or a violation of these rule should be designated a minor violation and took the following action:

Motion: by Ms. Bolhouse that a Statement of Estimated Regulatory Costs is not required as the proposed rule amendment has no impact on small business.

Second: by Dr. Cecil-Van Den Heuvel.  
Vote: unanimous.

Motion: by Ms. Bolhouse that the proposed rule amendments would cause no impact over \$200,000 in the aggregate in Florida within one year of these rules being filed.

Second: by Dr. Cecil-Van Den Heuvel.  
Vote: unanimous.

Motion: by Ms. Bolhouse that no part of these rules or a violation of these rules should be designated as a minor violation.

Second: by Dr. Cecil-Van Den Heuvel.



Vote: unanimous.

Motion: by Ms. Bolhouse that it is not appropriate to sunset or provide a given time for any of these rules.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous

### **A. 64B4-5.001, Disciplinary Guidelines**

Mr. Frizzell provided 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:

Motion: by Ms. Buller to approve proposed language.

Second: by Dr. Day.

Vote: unanimous.

The Board considered the economic impact and determined that a Statement of Estimated Regulatory Costs (SERC) for the above listed rules was not necessary and the rules will not need legislative ratification. The board determined that no part of these rules or a violation of these rule should be designated a minor violation and took the following action:

Motion: by Ms. Buller that a Statement of Estimated Regulatory Costs is not required as the proposed rule amendment has no impact on small business.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

Motion: by Ms. Bolhouse that the proposed rule amendments would cause no impact over \$200,000 in the aggregate in Florida within one year of these rules being filed.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

Motion: by Ms. Bolhouse that no part of these rules or a violation of these rules should be designated as a minor violation.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

Motion: by Ms. Day that it is not appropriate to sunset or provide a given time for any of these rules.

Second: by Dr. Cecil-Van Den Heuvel.



Vote: unanimous.

**B. 64B4-6.001, Renewal of Active Licensure**

Mr. Frizzell provided 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:

Motion: by Ms. Buller to approve proposed language.

Second: by Dr. Day.

Vote: unanimous.

The Board considered the economic impact and determined that a Statement of Estimated Regulatory Costs (SERC) for the above listed rules was not necessary and the rules will not need legislative ratification. The board determined that no part of these rules or a violation of these rule should be designated a minor violation and took the following action:

Motion: by Dr. Day that a Statement of Estimated Regulatory Costs is not required as the proposed rule amendment has no impact on small business.

Second: by Ms. Bolhouse.

Vote: unanimous.

Motion: by Ms. Bolhouse that the proposed rule amendments would cause no impact over \$200,000 in the aggregate in Florida within one year of these rules being filed.

Second: by Dr. Day.

Vote: unanimous.

Motion: by Dr. Day that no part of these rules or a violation of these rules should be designated as a minor violation.

Second: by Ms. Bolhouse.

Vote: unanimous.

Motion: by Dr. Day that it is not appropriate to sunset or provide a given time for any of these rules.

Second: by Ms. Bolhouse.

Vote: unanimous

**C. 64B4-7.0081 Requirements to be a Qualified Practitioner for Completing Risk Assessments and Treatment of Sexual Offenders**



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

Dr. Jill Levenson from the Florida Association for the Treatment of Sexual Abusers (FATSA) proposal to modify F.A.C. Rule 64B4-7.0081 "Requirements to be a Qualified Practitioner for Completing Risk Assessments and Treatment of Sexual Offenders." Specifically modifying language in sections (3) and (5) to bring the training and education requirements up to date with current research and best practices.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve for rule development.  
Second: by Dr. Day.  
Vote: unanimous.

#### **D. 64B4-6.0025 Approved Continuing Education Course for Supervisory Training**

Mr. Frizzell presented the rule to the board for information and discussion regarding the requirement for in person didactic training for Qualified Supervisors.

After discussion, the Board decided to table to the next Board meeting.

### **IIX. OTHER BUSINESS**

#### **A. Ratification Lists**

##### **i. License Numbers Issued**

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

##### **ii. Approved Continuing Education Providers**

Motion: by Ms. Buller to ratify continuing education providers approved.  
Second: by Dr. Day.  
Vote: unanimous.

##### **iii. Committee of One Actions**

Motion: by Ms. Buller to ratify Committee of One Actions.  
Second: by Dr. Day.  
Vote: unanimous.



#### **iv. Exemption Applications**

Motion: by Dr. Day to ratify exemption applications approved.  
Second: by Dr. Cecil-Van Den Heuvel.  
Vote: unanimous.

### **IX. REPORTS**

#### **A. Board Counsel**

##### **i. Rules Report**

Mr. Frizzell provided monthly rules report for February, March, and April for Board review.

#### **B. Executive Director**

##### **i. Legislative Updates**

Ms. Hartman discussed House Bill 713. This bill allows the Board to develop rules for an exemption for emergency or hardships for all registered interns. It also modified education requirements for MFT and MHC exam applicants as well as removed all education requirements for endorsement applicants.

Ms. Hartman also discussed updates to the application that will require changes to the Health History questions and criminal history questions pursuant to House Bill 113.

##### **ii. Annual Financial Report**

Ms. Hartman provided the financial report for the Board to review.

Ms. Hartman briefed the Board on a webinar that she and Dr. Cecil-Van Den Heuvel participated in with the Florida Mental Health Counselors Association (FMHCA).

#### **C. Board Chair**

Ms. Bolhouse had no reports but expressed appreciation for everyone participating in the teleconference and adjusting to changes due to COVID-19.

#### **D. Board Members**





Dr. Denny reported that she has begun seeing clients again with precautionary items in the office. She stated that COVID-19 has been a real challenge.

**X. FOR YOUR INFORMATION**

- A. AMFTRB Exam Report**
- B. ASWB Exam Report**
- C. NCMHCE Exam Report**
- D. Spotlight on Unlicensed Activity**

**XI. ADJOURNMENT**

After no further discussion, Ms. Bolhouse adjourned the meeting at 2:01 pm

