

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

**AUGUST 6, 2020
8:00 A.M. EST**

**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, August 6, 2020 at 8:01 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
Christina Shideler, 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.

Dr. Martha Brown, Medical Director for PRN was present and available for questions.

II. REVIEW OF MINUTES

A. May 7, 2020 General Board Meeting

The minutes of the May 7, 2020 general board meeting was reviewed, and the following action was taken by the Board:

- Motion: by Ms. Buller to approve the meeting minutes.
- Second: by Dr. Day.
- Vote: unanimous.

A. June 11, 2020 Rule Making Meeting

The minutes of the June 11, 2020 rule making meeting was reviewed, and the following action was taken by the Board:

- Motion: by Ms. Buller to approve the meeting minutes.
- Second: by Dr. Day.
- 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. **Joanne Jacobs, Licensed Clinical Social Worker, Case Number 2019-30606**
PCP: Bolhouse and Otis



Pro Se

Ms. Jacobs was present and sworn in by the court reporter. She was not represented by counsel. Ms. Bolhouse was recused due to participation on the Probable Cause Panel.

Mr. Sandy presented the case to the Board. The administrative complaint charges Ms. Jacobs with the following violation: Section 456.072(1)(x), Florida Statutes for failing to report to the Board within 30 days of being convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction.

Ms. Jacobs told the Board she thought she would be able to report on the renewal application.

Motion: by Dr. Day to accept the Investigative Report into evidence, find that the respondent was properly served and has requested an informal hearing. Also, to adopt material facts as set forth in the administrative complaint as the findings of the fact of the Board.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

Motion: by Dr. Day to adopt the allegations of law in the administrative complaint as the Board's conclusions of law and the conclusions of law as a violation of the practice act.

Second: by Ms. Buller.

Vote: unanimous.

The Department recommends the following:

- Reprimand
- Administrative fine of \$750

Motion: by Dr. Day to accept the Department's recommendation to be paid within a 6-month period.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

The Department recommends costs of \$128.16 to be paid within 6 months.

Motion: by Dr. Day to approve costs.

Second: Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

ii. **Uberto L. Mondolfi, Licensed Mental Health Counselor, Case Number 2017-23586**

PCP: Bolhouse and Otis

Pro Se

(TS – 17:31 Minutes)

Mr. Uberto was not present and was not represented by counsel. Ms. Bolhouse was recused due to participation in the Probable Cause Panel.



Mr. Sandy presented the case to the Board. The administrative complaint charges Ms. Jacobs with the following violation: Section 456.072(1)(m), Florida Statutes for misleading, deceptive, or fraudulent representation in or related to the practice of the licensee's profession.

Motion: by Dr. Day to accept the material into evidence, find that the respondent was properly served and has requested an informal hearing. Also, to adopt material facts as set forth in the administrative complaint as the findings of the fact of the Board.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

Motion: by Dr. Day adopt conclusions of law as set forth in the administrative complaint and find that the they constitute violations of the practice act.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

The Department recommends the following:

- Reprimand
- Fines of \$500 to be paid within 1 year

The Department's recommendation was not accepted. Board counsel advised the Board on ways to determine fraud. After discussion, the Board took the following action:

Motion: by Ms. Buller to increase the fine to \$10,000 to be paid within 1 year. Also, to include a reprimand, and completion of a 3-hour ethics continuing education course to be completed within 6 months.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

The Department recommends costs in the amount of \$2,510.50 to be paid within 6 months.

Motion: by Dr. Cecil-Van Den Heuvel to approve costs.

Second: by Ms. Buller.

Vote: unanimous.

iii. Nathan Bell, Licensed Mental Health Counselor, Case Number 2018-27412
PCP: Barlow, Shyers, and Day
Represented by Counsel
(TS – 55:12 Minutes)

Mr. Bell was present and represented by Lance Leider, Esq. with the Health Law Firm. He was sworn in by the court reporter. Dr. Day was recused due to participation on the Probable Cause Panel.



Ms. Wessling presented the case to the Board. The administrative complaint charges Ms. Jacobs with the following violations: **Count I-** 491.005(1)(k), Florida Statutes; **Count II-** Section 491.0111, Florida Statutes and or Rule 64B4-10.002(1), F.A.C. for sexual misconduct.

Motion: by Ms. Buller to accept the material into evidence, find that the respondent was properly served and has requested an informal hearing. Also, to adopt material facts as set forth in the administrative complaint as the findings of the fact of the Board.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

Motion: by Ms. Buller to accept the conclusions of law as set forth in the administrative complaint and find that they constitute violations of the practice act.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

The Department recommends the following:

- Revocation
- Fine of \$1,000 to be paid within 1 year

Motion: by Ms. Buller to accept the Department's recommendation for revocation and waive the fine of \$1,000.

Second: by Ms. Bolhouse.

Vote: unanimous.

The Department recommends costs in the amount of \$7,833.07 to be paid within 2 years.

Motion: by Ms. Buller to waive costs.

Second: by Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

iv. Jill M. Hingardner, Licensed Mental Health Counselor, Case Number 2016-19551

PCP: Bolhouse and Otis

Pro Se

(TS – 1:25:50 Minutes)

Ms. Hingardner was present and sworn in by the court reporter. She was not represented by counsel. Ms. Bolhouse was recused due to participation on the Probable Cause Panel.

Ms. Wessling presented the case to the Board. The administrative complaint charges Ms. Jacobs with the following violation: Section 491.009(1)(w), Florida Statutes through a violation of Section 491.0111, Florida Statutes for sexual misconduct.

Motion: by Dr. Cecil-Van Den Heuvel to accept the material into evidence, find that the respondent was properly served and has requested an informal hearing. Also, to adopt material facts as set forth in the administrative complaint as the findings of the fact of the Board.



Second: by Dr. Day.
Vote: unanimous.

Motion: by Dr. Day 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. Cecil-Van Den Heuvel.
Vote: unanimous.

The Department recommends the following:

- Revocation
- Costs of \$5,774.11

Motion: by Dr. Cecil-Van Den Heuvel to accept Department's recommendation of revocation.

Second: by Dr. Day.
Vote: unanimous.

Motion: by Dr. Cecil-Van Den Heuvel to accept costs of \$4,106.12 to be paid within 1 year.

Second: by Dr. Day.
Vote: unanimous

C. Settlement Agreement

- Maureen Bond, Licensed Marriage and Family Therapist, Case Number 2016-14260**
PCP: Buller, Day, and Roberts
Represented by Counsel
(TS – 1:46:39 Minutes)

Case continued due to quorum.

D. Determination of Waiver

- Victoria C. Hernandez, Licensed Mental Health Counselor, Case Number 2017-17570**
PCP: Day and Buller
Pro Se
(TS – 1:47:01 Minutes)

Case continued due to quorum.

- Gabriel L. Tito, Registered Marriage and Family Therapy Intern, Case Number 2016-08678**
PCP: Buller, Day, and Roberts
Pro Se
(TS – 1:47:21 Minutes)

Case continued due to quorum.



iii. **Gerri L. Busold, Registered Marriage and Family Therapy Intern, Case Number 2018-21168**
PCP: Bolhouse and Otis
Pro Se
(TS – 1:47:37 Minutes)

Ms. Busold was present and sworn in by the court reporter. She was not represented by counsel. Ms. Bolhouse was recused due to participation on the Probable Cause Panel.

Ms. Shideler presented the case to the Board which charged Ms. Busold with the following violations: **Count I-** Section 491.009(1)(w), F.S. through a violation of Section 491.0045(2)(c) and/or (3), F.s. for failure to maintain a qualified supervisor while practicing.

Motion: by Dr. Day to accept the material into evidence, find that the respondent was properly served and has not requested an informal hearing. Also, to adopt material facts as set forth in the administrative complaint as the findings of the fact of the Board.

Second: by Ms. Buller.
Vote: unanimous.

Motion: by Dr. Day to adopt conclusions of law as set forth in the administrative complaint and find that the they constitute violations of the practice act.

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

The Department recommends the following:

- Reprimand
- Suspension of licensure until in compliance with supervisory requirements
- Fine of \$750 to be paid within 1 year
- Laws and rules continuing education course to be completed within 6 months
- Costs of \$1,282.66 to be paid within 1 year

Motion: by Dr. Day to accept the Department's recommendation and to amend the completion of the continuing education course to 3 months.

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

Motion: by Dr. Day to waive costs of \$1,282.66.

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

iv. **Leticia C. Minger, Licensed Mental Health Counselor, Case Number 2019-12526**
PCP: Barlow and Cecil-Van Den Heuvel
Pro Se
(TS – 2:04:45 Minutes)



Ms. Minger was not present and was not represented by counsel. Dr. Cecil-Van Den Heuvel was recused due to participation in the Probable Cause Panel.

Ms. Shideler presented the case to the Board which charged Ms. Minger with the following violations: **Count I-** Section 456.072(1)(c), F.S. for being convicted of or found guilty of, entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which related to the practice of a licensee's profession ; **Count II-** Section 456.072(1)(x), F.S. for failing to report such conviction, or crime to the Board within 30 days of conviction; **Count III-** Section 456.072 (1)(kk), F.S. for being terminated from a Medicaid program; **Count IV-** Section 456.072(1)ll, F.S. for health care fraud.

Motion: by Ms. Buller to accept the material into evidence, find that the respondent was properly served, waived their right to an informal hearing, and adopt material facts as set forth in the administrative complaint as the findings of the fact of the Board.
Second: by Dr. Day.
Vote: unanimous.

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

The Department recommends the following:

- Revocation
- Fine of \$10,000 payable within one year
- Costs of \$134.27 payable within one year

Motion: by Ms. Buller to accept Department's recommendation.
Second: by Dr. Day.
Vote: unanimous.

Motion: By Dr. Day to accept Department's recommendation of costs of \$134.27 to be paid within 1 year.
Second: by Ms. Buller.
Vote: unanimous.

- v. Ana Marie Quinby, Registered Clinical Social Worker Intern, Case Number 2018-21082**
PCP: Barlow and Cecil-Van Den Heuvel
Pro Se
(TS – 2:10:00 Minutes)

Ms. Quinby was present and sworn in by the court reporter. She was not represented by counsel. Dr. Cecil-Van Den Heuvel was recused due to participation in the Probable Cause Panel.



Ms. Shideler presented the case to the Board which charged Ms. Quinby with the following violation: Section 491.009(1)(w), F.S. through a violation of Section 491.0045(3), F.S. for failure to maintain a qualified supervisor while practicing.

The Department recommends the dismissal of the case to allow voluntary relinquishment of license without discipline due to the fact that Ms. Quinby worked in a federal agency and has an active license in another state.

Motion: by Ms. Buller to accept the Department's recommendation to dismiss the case.
Second: by Dr. Day.
Vote: unanimous.

**vi. Lillian Marie Gonzalez, Registered Marriage and Family Therapy Intern,
Case Number 2019-17982**
PCP: Bolhouse and Otis
Pro Se
(TS – 2:35:52 Minutes)

Ms. Gonzalez was present and sworn in by the court reporter. She was not represented by counsel. Her qualified supervisor, Dale Ziglear, was present. Ms. Bolhouse was recused due to participation on the probable cause panel.

Ms. Shideler presented the case to the Board which charged Ms. Gonzalez the following violations: **Count I-** Section 491.009(1)(i), F.S. for willfully making or filing a false report or record; **Count II-** Section 456.072(1)(m) F.S. for making deceptive, untrue, or fraudulent representations in or related to practice.

Motion: by Dr. Day to accept the material into evidence, find that the respondent was properly served, and waived their right to an informal hearing. Also, to adopt material facts as set forth in the administrative complaint as the findings of the fact of the Board.

Second: by Ms. Buller.
Vote: unanimous.

Motion: by Dr. Day 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. Cecil-Van Den Heuvel.
Vote: unanimous.

The Department recommends the following actions be taken:

- Reprimand
- Fine of \$2,000 to be paid within 1 year
- 6-month suspension of license
- Costs of \$1,362.42

Motion: by Dr. Cecil-Van Den Heuvel to accept the Department's recommendation and add the requirement of completing a laws and rules continuing education course within 3 months.



Second: by Dr. Day.
Vote: unanimous.

Motion: by Dr. Day to reduce costs to \$500 payable within 6 months.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

E. Voluntary Relinquishment

- i. **Dianne A. Young, Licensed Clinical Social Worker, Case Number 2016-27319**
PCP: Bolhouse and Otis
Represented by Counsel
(TS – 3:29:13 Minutes)

Ms. Young was not present nor represented by counsel. Ms. Bolhouse was recused due to participation on the Probable Cause Panel.

Ms. Wessling presented the case to the Board which charged Ms. Young the following violations: Section 491.009(1)(r), F.S. for failing to meet the minimum standards of practice.

Following discussion, the following action was taken:

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

IV. PROSECUTION REPORT (TS – 3:43:11 Minutes)

Ms. Wessling announced that this would be her last meeting with this Board and she has been reassigned to the Board of Massage. Ms. Shideler will take over for this Board. She then presented the following report to the Board and thanked the Board members for the progress being made.

Inventory of Cases as of July 15, 2020	
Cases in Hold Status (Status 48)	0
Cases under legal review (Status 60-68)	70
Cases awaiting probable cause determination (70 Status)	16
Total Cases where PC has been found (80 Status)	6
Cases for Formal Hearing Request (Status 85-88)	11
Cases Submitted for Board Review (118 Status)	13
Cases at DOAH (Status 110)	1
Cases on Appeal (Status 140)	0
=	
Total Cases open/active in PSU:	119

Total Number of Cases Older Than One Year	
2014	1
2016	5



2017	6
2018	31
2019	20
=	
Total	63

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

V. APPEARANCES

A. Applications for Registered Mental Health Counselor Intern

i. Drew Breznitsky (TS – 3:45:30 Minutes)

Mr. Breznitsky was present and sworn in by the court reporter. He was represented by Blake Stewart, Esq. He also brought his two supervisors and a colleague.

His application was brought before the board for an affirmative answer to criminal history and discipline history from his university.

After discussion, the Board took the following action:

Motion: by Dr. Day to appear before the Board at one of the next two regularly scheduled Board meetings to provide an evaluation from the Professional Resources Network (PRN) that he is able to practice as a Registered Mental Health Counselor Intern with reasonable skill and safety.
 Second: by Ms. Buller.
 Vote: unanimous.

It is requested by Dr. Day that he is evaluated by an expert forensic specialist.

B. Applications for Licensed Mental Health Counselor

i. Doris Murray (TS – 4:10:45 Minutes)

Ms. Murray was not present nor represented by counsel. Her application is before the Board for an affirmative answer to discipline history.

Ms. Murray was previous disciplined in Ohio. At the February 20, 2020 meeting, the Board voted to require her appearance at one of the next two meetings to answer questions regarding her application, including her discipline history.

After discussion, the Board took the following action:

Motion: by Ms. Buller to deny the application pursuant to s. 456.013(3)(c), Florida Statutes.
 Second: by Dr. Day.



Vote: unanimous.

ii. Claudia Garcia Ribbi (TS – 4:13:00 Minutes)

Ms. Ribbi was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board due to three of her six supervisors stating she 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. She has since attained new supervisors and completed additional hours.

After discussion, the Board took the following action:

Motion: by Ms. Buller to approve the application.
Second: by Ms. Bolhouse.
Vote: unanimous.

iii. Andrea Hamilton (TS – 4:37:49 Minutes)

Ms. Hamilton was not present and was not represented by counsel. Her application was brought before the Board for alternative verification of clinical experience. The application file reveals that she could not provide verification of her out of state clinical experience.

After discussion, the Board took the following action:

Motion: by Ms. Bolhouse to require her to appear before the Board to provide additional testimony regarding the clinical experience pursuant to s. 456.013(3)(c), F.S.
Second: by Dr. Day.
Vote: unanimous.

iv. Lynn Hendsbee (TS – 4:47:54 Minutes)

Ms. Hendsbee was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board for discipline on her Florida Nursing license.

After discussion, the Board took the following action:

Motion: by Dr. Day to require her to appear before the Board at one of the next two meetings with an evaluation by PRN pursuant to s. 456.013(3)(c), F.S.
Second: by Dr. Cecil-Van Den Heuvel.
Vote: unanimous.

C. Applications for Registered Clinical Social Worker Intern

i. Gary Smith (TS – 5:05:53 Minutes)



Mr. Smith 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 regarding a Medicaid violation.

After discussion, the Board took the following action:

Motion: by Ms. Buller to accept the withdrawal of his application.
Second: by Dr. Day.
Vote: unanimous.

D. Applications for Licensed Clinical Social Worker

i. Jessica Megan Singh (TS – 5:12:53 Minutes)

Ms. Singh was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board due to an affirmative answer to the general criminal history and a qualified supervisor stating she 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), F. S.

After discussion, the Board took the following action:

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

ii. Diane Clukey-Chenard (TS – 5:41:19 Minutes)

Ms. Clukey-Chenard was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board for alternative verification of clinical experience.

After discussion, the Board took the following action:

Motion: by Ms. Buller to accept the alternative verification of experience and approve the application.

Second: by Dr. Day.
Vote: unanimous.

iii. Vickie M. Neapolitan (TS – 5:54:20 Minutes)

Ms. Neapolitan was present and sworn in by the court reporter. She was not represented by counsel. Her application was brought before the Board for alternative verification of clinical experience.

After discussion, the Board took the following action:



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

VI. RULES DISCUSSION (TS – 6:10:18 Minutes)

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

The Board discussed modifying this rule to clarify the number of hours of supervision required each week. After discussion, Mr. Frizzell will bring an amended draft to present at the November meeting.

B. 64B4-22.110 MFT Course Content

Ms. Irving presented an analysis of COAMFTE and CACREP education requirements as compared to previous requirements. She also provided an overview of current Florida schools that are COAMFTE or CACREP accredited. The Board reviewed the information and asked Mr. Frizzell to bring draft language to the November meeting.

C. 64B4-3.0085 Intern Registration

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

64B4-3.0085 Intern Registration.

(1) An individual who intends to practice in Florida to satisfy the post-master’s experience must register as an intern by submitting a completed application to the Board on Form DH-MQA 1175, Intern Registration Application Application for Licensure as a Registered Intern for Clinical Social Work, Marriage & Family Therapy or Mental Health Counseling (Revised 07/2014/18), hereby adopted and incorporated by reference, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-10293>, or the web at www.floridasmantalhealthprofessions.gov/resources. The application shall be accompanied by the application fee specified in rule 64B4-4.015, F.A.C., which is non-refundable.

(2) An intern is required to identify a qualified supervisor by requesting that the supervisor submit a letter to the Board with the applicant’s name, supervisor’s name, supervisor’s license number, and a statement that he or she has agreed to provide supervision while the applicant is a registered intern.

(3) Prior to changing or adding another qualified supervisor, the registered intern must:

(a) Request that the new supervisor submit a letter to the Board with the registered intern’s name, the intern’s license number, the supervisor’s name, the supervisor’s license number, and a statement that he or she has agreed to provide supervision to the registered intern; and,

(b) Receive a communication from the Board indicating its approval of the new supervisor.

(4) Experience obtained under the supervision of ~~the new~~ a qualified supervisor will not count toward completion of the experience requirement until the registered intern has received board approval of ~~their new~~ the qualified supervisor.

(5) A registered intern must complete all hours associated with their clinical practicum, either through their graduate program or under the supervision of a qualified supervisor after approval of a supervision plan, before any hours completed toward the registered intern’s experience requirement may be counted.



(6) Form HD5044-MQA, Supervision Plan Form for Registered Clinical Social Work Interns (Revised 02/20), hereby adopted and incorporated by reference, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref->, or on the web at www.floridasmantalhealthprofessions.gov/resources, may be submitted by a qualified supervisor as an acceptable supervision plan for meeting the clinical practicum hours required for licensure if not otherwise satisfied by the individuals' graduate program.

(7) Form HD5046-MQA, Graduate-Level Practicum, Internship, or Field Experience Verification Form – Clinical Social Work (Revised 02/20), hereby adopted and incorporated by reference, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref->, or on the web at www.floridasmantalhealthprofessions.gov/resources, must be submitted by a qualified supervisor on behalf of the Clinical Social Work registered intern upon completion of the practicum, internship, or field work required for licensure when not satisfied by the individuals' graduate program.

(8) Form HD5045-MQA, Graduate-Level Practicum, Internship, or Field Experience Verification Form – Marriage and Family Therapy (Revised 02/20), hereby adopted and incorporated by reference, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref->, or on the web at www.floridasmantalhealthprofessions.gov/resources, must be submitted by a qualified supervisor on behalf of the Marriage and Family Therapist registered intern upon completion of the practicum, internship, or field work required for licensure when not satisfied by the individuals' graduate program.

(9) Form HD5047-MQA, Graduate-Level Practicum, Internship, or Field Experience Verification Form – Mental Health Counseling (Revised 02/20), hereby adopted and incorporated by reference, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref->, or on the web at www.floridasmantalhealthprofessions.gov/resources, must be submitted by a qualified supervisor on behalf of the Mental Health Counseling registered intern upon completion of the practicum, internship, or field work required for licensure when not satisfied by the individual's graduate program.

(10) An "emergency or hardship case" pursuant to s. 491.0045(6), F.S., means that a circumstance or circumstances exist or existed that substantially relate to the ability to complete the internship requirements. The circumstance or circumstances must be beyond the registered intern's control and be of such duration to have eliminated the ability of the Registered Intern to complete their internship requirements within the timeframe established pursuant to s. 491.0045(6), F.S. Failure to pass the exam does not meet the requirements of an emergency or hardship case.

(11) No later than 90 days prior to the expiration of the internship registration, the Registered Intern shall submit, in writing, a request to the Board for an exception to the requirements of s. 491.0045(6), F.S., with all documents necessary to demonstrate the emergency or hardship case experienced by the Registered Intern. Upon establishment of an emergency or hardship case, as determined by the Board, the Board shall issue the Registered Intern a one-time exception by granting an extension of the Registered Intern's registration status for up to 24 months from the date of the initial registration expiration. The Board shall determine the length of the extension and no further exceptions or extensions are authorized by s. 491.0045, F.S.

Rulemaking Authority 491.004(5) FS. Law Implemented 456.013, 456.0635, 491.0045, 491.005 FS. History—New 6-8-09, Amended 2-24-10, 10-17-10, 4-4-13, 2-9-16, 6-7-16, 9-1-16, 2-27-19,_____.

After discussion, the following action was taken:

Motion: by Ms. Buller to approve proposed language.
Second: by Dr. 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. Day.

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

Second: by Dr. Day.

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. Buller.

Vote: unanimous.

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

Mr. Frizzell provided the following rule draft with proposed amended language for the Board's consideration and provided an overview of the amendments to the Board. Dr. Jill S. Levenson of Florida Association for the Treatment of Sexual Abusers (FATSA) spoke to the Board about the updates and changes to address their concerns.

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

(1) Licensees employed or contracted as Behavioral Specialists for the Florida Department of Corrections (DOC) and credentialed to conduct screenings and counseling for sexual ~~offenses disorders~~; or approved by the United States Probation Office to complete risk assessments and treat sexual offenders; or who were a clinical member of the Association for the Treatment of Sexual Abusers (ATSA) or the Florida Association for the Treatment of Sexual Abusers (FATSA), on or before June 30, 2010, shall be deemed to be qualified practitioners.

(2) For the purposes of this section:

(a) "DSM" means the Diagnostic and Statistical Manual of Mental Disorders.

(b) "Persons who have committed sex offenses" means persons who have been ordered or referred to a qualified practitioner for assessment or treatment due to an allegation of or a conviction for a sexually based criminal or delinquent act.



(32) In order to be a qualified practitioner for completing risk assessments and/or providing treatment for persons who have committed sex offenses ~~sexual offenders~~, one must hold an active license as a clinical social worker, marriage and family therapist, or mental health counselor under Chapter 491, F.S.

(43) A qualified practitioner under this rule shall possess ~~4060~~ hours of ~~post degree~~ graduate coursework and/or post degree continuing education in all of the following core areas with a minimum of three (3) hours per area, documented with certificates of completion:

(a) Etiological Etiology theories of sexual deviance, criminality, and aggression;

(b) Evidence-based risk assessment instruments specifically designed for persons who have committed sex offenses, which utilize static and dynamic risk factors associated with recidivism, as well as measures of treatment progress (6 hours required) Evaluation/risk assessment and treatment of adult and adolescent sexual offenders that have established scientific bases;

(c) Evaluation, risk assessment, and treatment of specialized populations of persons who have sexually offended sexual offenders;

(d) Empirically informed psycho-physiological testing and interventions specific to persons who have sexually offended, such as plethysmograph, polygraphy, pupillometry, eye tracking, measures of sexual interest, pharmacological treatments and/or other validated practices; Physiological measures of sexual arousal;

(e) DSM differential diagnoses for paraphilic disorders, personality disorders, and co-morbid disorders Sexual offender and current DSM diagnosis;

(f) Safety planning for use of the Internet, and/or other new technologies which allow access to sexual material or simulation of sexual activities, and Family Safety planning related to contact with children;

(g) Report writing of psychosexual assessments and treatment plans, risk assessments, safety plans, treatment progress assessments, and/or other clinical documentation;

(h) Legal and ethical issues in the evaluation and treatment of persons who have sexually offended sexual offenders;

(i) Understanding the role of early trauma, the intergenerational cycle of abuse, other environmental, social, and neurobiological factors that contribute to the development of sexually abusive behaviors, and trauma-informed practices Co-morbidity and substance abuse issues; and,

(j) Evidence-informed treatments designed for use with persons who have sexually offended; and Relapse prevention.

(k) Impact of sexually abusive behaviors on victims.

(54) Have documented 2,000 hours of post degree experience in the evaluation and treatment of sexual offenders.

(a) The post degree experience must be obtained after Chapter 491, F.S., intern registration or licensure by working under the supervision of a qualified practitioner as defined in this rule who is also a Board qualified supervisor.

(b) The initial fifty (50) of the 2,000 supervised experience hours must be obtained with the qualified practitioner/supervisor being physically present with the supervisee during the evaluation/risk assessment or treatment.

(65) Effective April 1, 2021, a A qualified practitioner under this rule must complete 20 hours of board approved biennial-continuing education each reporting period in any of the areas listed in subsection (4) above the assessment, evaluation and treatment of sexual offenders; relapse prevention; experience and training in working with victims; and related legal and ethical issues.

Rulemaking Authority 491.004(5), 947.005(10), (11), 948.001(10) FS Law Implemented 947.1405(7)(a)5., 948.001(10), (11), 948.30(1)(e) FS. History--New 4-18-12, Amended 7-19-17, _____.

After discussion, the following action was taken:



Motion: by Dr. Day to approve proposed language changes.
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 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 Dr. Day 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 Ms. Bolhouse.
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. Buller.
Vote: unanimous.

VII. OTHER BUSINESS (TS – 6:45:10 Minutes)

A. Ratification Lists

i. License Numbers Issued

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

ii. Approved Continuing Education Providers

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

B. Delegation of Authority

Motion: by Ms. Buller to approve the Delegation of Authority with the exception of number 18.
Second: by Dr. Day.
Vote: unanimous.

II. REPORTS (TS – 6:51:28 Minutes)

A. Board Counsel

i. Rules Report

Mr. Frizzell provided monthly rules report for May, June, and July for Board review.

ii. Joint Administrative Procedures Committee

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

64B4-31.008 Definition of "Research."

A course in "Research" as used in Sections 491.005(1)(b)2.b., (3)(b)1.a., (4)(b)1.a., and (4)(b)1.b., F.S., is defined as a course or courses which prepare the student to read, interpret and apply current research in mental health counseling their respective profession, including presentation of statistical research design and methods, ethical considerations of research on human subjects, hypothesis testing, and interpretation of research results.
Rulemaking Authority 491.004(5) FS. Law Implemented 491.005 FS. History--New 8-6-89, Amended 1-3-91, Formerly 21CC-31.008, 61F4-31.008, 59P-31.008, _____.

After discussion, the following action was taken:

Motion: by Dr. Day to approve proposed language changes.
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 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. Buller.

Vote: unanimous.

Motion: by Dr. Day 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 Ms. Buller.

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 Dr. Cecil-Van Den Heuvel.

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 Dr. Cecil-Van Den Heuvel.

Vote: unanimous.

iii. Rule 64B4-2.0025, F.A.C. Duties of a Qualified Supervisor

Mr. Frizzell provided draft language after hearing concerns or the Board members with wanting to hold qualified supervisors accountable.

After discussion, it was determined that Mr. Frizzell will work with Board members on draft language to present at the next meeting.

B. Executive Director

i. Legislative Updates

Ms. Hartman discussed the implementation plan for House Bill 713 and the progress in rule changes related to this bill.

ii. Financial Report

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



iii. AMHCA Portability Task Force

Ms. Hartman discussed that the Board had been invited to participate in meetings with the American Mental Health Counselors Association (AMHCA) to discuss national licensure portability. Ms. Hartman emailed the meeting dates to Board members and opened discussion of an interstate compact.

C. Board Chair

No report.

D. Board Members

No report.

IX. PUBLIC COMMENT (TS – 7:16:43 Minutes)

Jim Aiken from the Florida Chapter of NASW asked if Registered Interns could remain licensed if they are unable to pass the licensure exam within the 5 years of Florida licensure designated in statute. Mr. Frizzell explained that the Board recently voted on the hardship rule implemented in House Bill 713 allowing an additional 24 months if there is a hardship identified.

Rebecca Galardo, a student from Rollins College, asked if someone from the Board could sign documentation proving that she was present at the meeting. Ms. Hartman provided her direct email address and advised the students to submit the documentation to her at janet.hartman@flhealth.gov.

Michelle Keaton emailed mqa.491@flhealth.gov and asked if the Board would clarify in rule the requirement for interns to remain under supervision when they are not practicing. Mr. Frizzell address her concerns.

X. FOR YOUR INFORMATION

- A. AMFTRB Exam Report
- B. ASWB Exam Report
- C. NCMHCE Exam Report

XI. ADJOURNMENT

After no further discussion, Ms. Bolhouse adjourned the meeting at 3:32 p.m.

