

# *Oklahoma Board of Licensed Alcohol and Drug Counselors*

## Minutes of the Meeting

Monday, July 18, 2011 at 9:00 a.m.

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The Oklahoma Board of Licensed Alcohol and Drug Counselors met on July 18, 2011, in accordance with the Administrative Procedures Act and Open Meeting Act. The meeting was held at 101 NE 51<sup>st</sup> Street, Oklahoma City, Oklahoma.

Advance notice of this regularly scheduled meeting was transmitted to the Oklahoma Secretary of State and posted on the OBLADC website on November 16, 2010. The notice and agenda were posted in prominent public view on the front doors of the Oklahoma Medical Board building located at 101 NE 51<sup>st</sup> St., Oklahoma City, OK on July 15, 2011 at 9:00 am. The agenda was posted on the OBLADC website on July 15, 2011 at 9:00 am.

Members present were:

Patti Pojezny  
Kyle McGraw  
Keith Killian  
Robert Stevens  
Jane Lepak

James Patterson notified the board office he was running late.

Mr. Stevens asked others to introduce themselves. Others present were: Richard D. Pierson, Executive Director, Cheryl Waite, Administrative Assistant, Mark Attanasi – ODAPCA, Kristi Graham, Larry Cassil, Jana Lane, David Marchant, Holli Witherington, Irma Ponce, Marvin Brace, Tyler Brace, Richard Mildren, Michael Cornwell, Ronald Wahkinney, Gary Smith, Janay Smith, Vickie E. Donahue, Natasha Rheame, Sylvester Atakpo, Julia Selby, Janice Moore, Irvin Profit & James Hall.

Minutes of the June 23, 2011 meeting were reviewed. Dr. Killian made a motion to approve the minutes. Mr. McGraw seconded the motion. A roll call vote was taken and recorded as follows:

Dr. Killian - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes

920 Ms. Cochran entered the board room  
940 Mr. Patterson entered the board room

Marvin Ray Brace, Jr., CADC #161 Complaint #130-1009 appeared before the Board to discuss his failure to comply with consent order with the Board. Sandra Balzer, AAG to the board presented exhibits and witnesses. Mr. McGraw made a motion to go into executive session. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Dr. Killian - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes

Kyle McGraw - Yes  
Jane Lepak - Yes

Ms. Lepak made a motion to return to regular session. Mr. Killian seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Dr. Killian - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Ms. Pojezny made motion that Mr. Brace is out of compliance with the consent order. Mr. McGraw seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Abstain  
Dr. Killian - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Abstain

Mr. McGraw made a motion to fine Mr. Brace \$1000.00 to be paid by 1/31/2012, Supervision of 6 months, to send an "Out of Compliance" letter to Payne county court regarding Mr. Brace, and Mr. Brace is to report to the board at each board meeting and also to send medical documentation of the medical issues he spoke about. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Abstain  
Dr. Killian - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Abstain

Ms. Balzer asked to continue Ms. Ponce case to the next board meeting because her supervisor, Mr. Smalley could not be here today. Mr. McGraw made a motion to continue at the next meeting. Ms. Pojezny seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Dr. Killian - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Complaint #108-0609 – William Robinson, CADC #244. Ms. Balzer presented a request from Mr. Robinson's attorney to continue until the next board meeting. Ms. Pojezny made a motion

to continue to the next meeting. Mr. Patterson seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Dr. Killian - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Mr. Pierson presented complaint #144-0310 – Sylvester Atakpo, LADC candidate. Mr. Atakpo and his attorney answered questions from the board. Dr. Killian made a motion to deny Mr. Atakpo’s application. Mr. Patterson seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Dr. Killian - Yes  
Patti Pojezny - No  
Robert Stevens - Yes  
Kyle McGraw - No  
Jane Lepak - Yes  
James Patterson - Yes

Ms. Scott left the board room.

Gary Smith, LADC applicant appeared before the board to report his progress on his consent order with the board. McGraw made a motion that when we receive notice of completion of DUI school, that Mr. Smith has successfully complied with terms of agreement. Ms. Pojezny seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Dr. Killian - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Kristi Graham, LADC #626 was present to give progress on her consent order with the board. Ms. Pojezny made a motion to accept her report and return in September. Dr. Killian seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Dr. Killian - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

1040 – board took a brief recess  
1045 – board reconvened.

Janice Moore and Julia Selby appeared before the board to discuss Supervisor/Supervisee issues and reporting concerns. The board asked both to keep better logs and notify the board of any changes.

Irvin Profit, LADC candidate appeared regarding failure to pass written exam in required time. Ms. Pojezny made a motion to allow Mr. Profit to take the exam again through March 2011. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Dr. Killian - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Mr. Pierson presented application from Natasha Jones Rheaume for consideration for LADC. She had a deferred sentence on a felony charge from 2007. Dr. Killian made a motion to accept Ms. Rheaume's application after September 4, 2011, if there are no further felony charges. Dr. Killian withdrew his motion. Ms. Pojezny made a motion for Ms. Rheaume to wait until September to make application and be sure to include paperwork showing no further charges. Mr. McGraw seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Dr. Killian - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Mr. Pierson presented a "Content Equivalent" Master's degree program from East Central University for the board's review. Holli Witherington was present to answer questions. Mr. McGraw made a motion to accept the requirements. Ms. Pojezny seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Dr. Killian - Abstain  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Mr. Pierson presented a request from applicants whose degree will not post until after January 1, 2012 deadline because exams will not be given until January 2012. Dr. Killian made a motion to accept a letter from the university stating all requirements have been met but degree won't be posted until a later date. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Dr. Killian - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes

Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

James L. Hall has a Doctor of Osteopathic Medicine and wants to know if we will accept his application for LADC. The board suggested Mr. Hall complete 5 more hours in Counseling courses before he be permitted to make application for LADC.

1155 break for lunch  
1225 return from lunch

Mr. Pierson presented a request from the board to accept a Psychiatry degree from Cuba for LADC. Ms. Pojezny made a motion to accept this degree to make application for LADC. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Mr. Pierson presented a request from Regan Housley Gray to accept her supervision completed in Vermont. Ms. Cochran made a motion to accept her supervision hours. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Patti Pojezny - Yes  
Robert Stevens - No  
Kyle McGraw - Abstain  
Jane Lepak - Yes  
James Patterson - No

Mr. Pierson presented an application for reciprocity from Christopher Flanagan. Ms. Pojezny made a motion to accept reciprocity. Mr. Patterson seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Mr. Pierson presented a request from Karen Gray to approve a certificate for persons unable to complete degree requirements prior to January 1, 2012. Mr. Patterson made a motion to deny request. Mr. McGraw seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Mr. Pierson asked for permission to attend the IC&RC Conference in October. Ms. Lepak made a motion to allow Mr. Pierson to attend IC&RC conference in the fall. Ms. Pojezny seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Mr. Pierson asked the board for clarification on the language in Title 59, Section 1876 regarding degree requirements for January 1, 2012 and “specific training”. The board decided to form a committee to work on clarifying the language in these areas. Mr. Patterson, Mr. Stevens and Mr. Pierson will be on the committee and ask Dr. Killian to serve as well.

Ms. Balzer shared concerns regarding the process for resolution of complaints. Ms. Balzer asked the board to consider a committee to review specific complaints. Ms. Balzer will get additional information on potential models and present to the board at a later date.

Mr. McGraw made a motion to accept the following candidates for CADC/LADC:

**CADC’S WHO PASSED ADVANCED WRITTEN 6/10/11**

Gaye Wheeler	LADC	Tulsa
Melissa Pickel	LADC	Wagoner
Michael Moore	LADC	Oklahoma City (Reciprocate)

**CADC/LADC’S WHO PASSED ORAL EXAM 7/8/11**

Joan Candy-Fire	CADC	Nowata
Patty Ann Cook	LADC	Burlington
Elizabeth Hooks	LADC	Oklahoma City
Brandi Alton	LADC	Garfield
Dan Buckley	LADC	Springfield

Ms. Pojezny seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Mr. Pierson presented the Executive Director’s report.

Mr. Kelsey and Mr. Varghese entered the boardroom to present the financial reports. Ms. Pojezny made a motion to approve the June 2011 invoice from the Medical Board for \$2,810.57. Mr. McGraw seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Patti Pojezny - Yes

Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Mr. McGraw made a motion to accept the financial report as presented. Mr. Patterson seconded the motion. A roll call vote was taken and recorded as follows:

Ms. Cochran - Yes  
Patti Pojezny - Yes  
Robert Stevens - Yes  
Kyle McGraw - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Being no further business to come before the Board, the meeting adjourned at 1355.