

Oklahoma Board of Licensed Alcohol and Drug Counselors

Minutes of the Meeting

Monday, January 23, 2012 at 9:00 a.m.

The Oklahoma Board of Licensed Alcohol and Drug Counselors met on **January 23, 2012**, in accordance with the Administrative Procedures Act and Open Meeting Act. The meeting was held at 101 NE 51st Street, Oklahoma City, Oklahoma.

Advance notice of this regularly scheduled meeting was transmitted to the Oklahoma Secretary of State November 15, 2011, and posted on the OBLADC website on January 20, 2012. The notice and agenda were posted in prominent public view on the front doors of the Oklahoma Medical Board building located at 101 NE 51st St., Oklahoma City, OK on January 20, 2012 at 9:00 am.

Members present were:

Patti Pojezny
Keith Killian
Robert Stevens
Jane Lepak

907 – James Patterson entered the boardroom

Minutes of the September 14, 2011 meeting were reviewed. Ms. Pojezny made a motion to approve the minutes. Dr. Killian seconded the motion. A roll call vote was taken and recorded as follows:

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

Minutes of the December 14, 2011 meeting were reviewed. Ms. Pojezny made a motion to approve the minutes. Mr. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Abstain

Minutes of the December 22, 2011 meeting were reviewed. Ms. Lepak made a motion to approve the minutes. Mr. Pojezny seconded the motion. A roll call vote was taken and recorded as follows:

Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Abstain

Ms. Lepak made a motion to accept Kyle McGraw's resignation from the Board. Dr. Killian seconded the motion. A roll call vote was taken and recorded as follows:

Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Ms. Lepak made a motion to nominate Patty Pojezny as the Vice Chair to replace Kyle McGraw. Mr. Patterson seconded the motion. A roll call vote was taken and recorded as follows:

Dr. Killian - Yes
Patti Pojezny - Abstain
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Mr. Stevens asked the board and everyone present to introduce themselves. Others present were: Richard D. Pierson, Executive Director, Cheryl Waite, Administrative Assistant, Mark Attanasi – ODAPCA, Sandra Balzer, AAG, Irma Ponce, Marvin Brace, Sylvester Atakpo, John Robinson, Donald Mbosowo, Jeanne Fair, Melissa Burns, Kimberly Young, Faith Worley, Robert Wagner, Kim House, Fred Bailey, Jr., Jina Young, James Mefford, Mary Robinson, Ronda Rothell, Brenda Ototivo, Alice Caldwell, Lajoy Flow, Derwin Bolden, Wayne Dallas

920 – Ronda Cochran entered the boardroom.

Jina Young, LADC #407 – Complaint #198-0811 – Medicaid Fraud. Ms. Balzer gave a brief statement, called Mr. Pierson as a witness, and then reviewed several exhibits in the case. Ms. Young gave a statement. Ms. Balzer & Ms. Young made closing statement.

Dr. Killian made a motion for the board to go into executive session. Mr. Patterson seconded the motion. A roll call vote was taken and recorded as follows:

Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes
Rhonda Cochran- Abstain

Ms. Pojezny made a motion to return to regular 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
Jane Lepak - Yes
James Patterson- Yes
Rhonda Cochran- Abstain

Ms. Pojezny made a motion that the state has proven by clear and convincing evidence the allegations set forth in the complaint. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes
Rhonda Cochran- Abstain

Dr. Killian made a motion to revoke Ms. Young's license for five years, and she can reapply for reinstatement at that time. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes
Rhonda Cochran- Abstain

Ms. Balzer presented complaint against Patsy Whitmore, LADC #575 for obtaining prescriptions by false pretenses. Ms. Whitmore has agreed to charges against her and wishes to enter into a consent order with the board. Ms. Whitmore is not eligible for active status until she provides a certified copy of a court order indicating completion of her deferred sentence agreement and dismissal of case. Within six months of application for reinstatement, at her expense, respondent shall provide the results of a comprehensive substance abuse evaluation and demonstrate compliance with recommendations of evaluation. After reinstatement, she will be on probation for one year and remain under supervision at that time. She shall personally appear before the board after 6 months with a written report from her and her current supervisor. Ms. Balzer asked the board to accept the Consent Order offered by Ms. Balzer. Ms. Pojezny made motion to accept the consent order. Dr. Killian seconded the motion. A roll call vote was taken and recorded as follows:

Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes
Rhonda Cochran- Yes

Mr. Brace appeared before the board to discuss compliance of Consent Order with the board. Mr. Patterson made a motion for Mr. Brace to return at the May board meeting. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes
Rhonda Cochran- Yes

Sylvester Atakpo appeared with his Supervisor, Wayne Dallas, to discuss compliance of his consent order with the board. The board questioned Mr. Atakpo. Mr. Patterson made a motion to continue the process with Mr. Atakpo and asked he and Mr. Dallas to return at our next meeting in March. Dr. Killian seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Ms. Ponce appeared before the board to discuss compliance of her consent order. Mr. Wagner gave his supervision report. Ms. Pojezny made a motion to accept Ms. Ponce's past requirements to be applied towards CADC. Ms. Lepak seconded the motion. . A roll call vote was taken and recorded as follows:

Rhonda Cochran- No
Dr. Killian - Absent
Patti Pojezny - Yes
Robert Stevens - Abstain
Jane Lepak - Yes
James Patterson- Yes

1032 – Dr. Killian left the boardroom

1035 – Dr. Killian returned to the boardroom

Mr. Patterson made a motion to continue the requirements of the past complaint & ask the Attorney General's office to research applicant's competency to pass exams. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Abstain
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Mr. John K. Robinson appeared before the board to discuss compliance of consent order. Ms. Cochran made a motion to not give Mr. Robinson a continuance to continue Ethics CEUs. Mr. Patterson seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Yes
Patti Pojezny - No
Robert Stevens - Abstain
Jane Lepak - Yes
James Patterson- Yes

Ms. Cochran made a motion to deny Mr. Robinson's application. No second – motion failed. Mr. Patterson made a motion to suspend Mr. Robinson's application based upon non-compliance and denial of continuance until March Board meeting. Ms. Pojezny seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- No
Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Abstain
Jane Lepak - Yes
James Patterson- Yes

Ronda Rothell completed her degree requirements in December, but cannot take Comprehensive exams until January 21, 2012 and requested the board accept her application for LADC. Mr. Patterson made a motion to table her application until March board meeting to allow her time to provide transcript showing her degree was awarded before 12/31/2011. Ms. Cochran seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Yes
Patti Pojezny - No
Robert Stevens - Abstain
Jane Lepak - Yes
James Patterson- Yes

Fred Bailey, LADC application to re-apply after being voided for one year. Ms. Pojezny made a motion to accept his re-apply and not accept previous supervision. Ms. Cochran seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Donald Mbosowo appeared regarding his application which was voided August 2011 due to 3-year rule and showing employer as Demson counseling of which he is the Executive Director. Mr. Patterson made the motion to table the application until the March meeting so Dr. Mbosowo can find employment outside of Demson. Dr. Killian seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

1200 – Break for lunch
1245 – Return from lunch

Faith Worley appeared before the board to discuss her application for LADC and felony charges that are less than 5 years old. Dr. Killian made a motion to accept Ms. Worley's application. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- No
Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Jeanne Fair appeared before the board to request they accept her application to re-apply for LADC, even though she did not re-apply before 12/31/11. Mr. Patterson made a motion to table the application until Ms. Balzer can do research. Dr. Killian seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Mr. Patterson made a motion to allow Ms. Fair to extend her application until 3/19/12 so she can remain under supervision until that time. Ms. Cochran seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Melissa Burns appeared before the board to discuss her application for LADC and Misdemeanor DUI from November 2009. Ms. Cochran made a motion to deny her application for LADC. Mr. Patterson seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - No
Patti Pojezny - No
Robert Stevens - No
Jane Lepak - Yes
James Patterson- Yes

Motion fails for lack of majority.

Dr. Killian made a motion to accept Ms. Burns's application. Ms. Pojezny seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- No
Dr. Killian - Yes

Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - No
James Patterson- No

Motion fails for lack of majority.

Ms. Cochran made a motion to deny Ms. Burns application for LADC. Mr. Patterson seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Yes
Patti Pojezny - No
Robert Stevens - No
Jane Lepak - Yes
James Patterson- Yes

Application denied, but Ms. Burns may re-apply.

Derwin Bolden, LADC applicant appeared before the board to discuss his deferred sentence until February 2012. Ms. Cochran made a motion to accept Mr. Bolden's application. Ms. Pojezny seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Kimberly Young, LADC applicant with a Misdemeanor DUI from 2008 appeared before the board to request the board accept her application. Mr. Patterson made a motion to table Ms. Young's application to allow her time to get a substance abuse evaluation before we make a decision on her application, and return to our March meeting with that evaluation. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Recuse
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Alice Caldwell appeared before the board to request they accept her application for LADC. Ms. Lepak made a motion to table this motion until the March meeting. Dr. Killian seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - No
Jane Lepak - Yes

James Patterson- Yes

Ms. Waite presented application from Dana Freeman who wants to upgrade to LADC and application was not received until 1/19/12. Ms. Pojezny made a motion to deny her application because she does not meet current requirements. Mr. Patterson seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Dr. Killian - Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - No
James Patterson- Yes

245 Dr. Killian left the boardroom

Ms. Waite presented a request from Yvonne Goetsch to accept her re-application for LADC. Mr. Patterson made a motion to accept her application, but disallow any past requirements. Ms. Pojezny seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Abstain
Dr. Killian - Absent
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Mr. Pierson presented a request from Tami Sue Ellis to accept past supervision from New Mexico supervisor. Mr. Patterson made a motion to deny past supervision hours from NM. Ms. Cochran seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Mr. Pierson presented a request from Patrick McCain for reciprocity. Ms. Pojezny made a motion to allow Mr. McCain to reciprocate as a CADC & only take his oral exam, or reciprocate as a LADC and he would need to take both the Advanced written & oral exams for LADC. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Mr. Pierson presented a request from Micah Perkins, LADC applicant regarding accumulating supervision hours in his private practice. Ms. Lepak made a motion to have Mr. Perkins do supervision outside of his private practice to count towards LADC requirements. Ms. Pojezny seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Absent

The Complaint Review Committee requests the Board finds probable cause in the following :

Complaint: #201-0911 – Plea of Guilty to two misdemeanor counts of failure to report child abuse.

Complaint #214-1011 – Plea of Guilty to one felony count of child abuse, and

Complaint #216-1111 – Alford plea to Medicaid fraud

Ms. Pojezny made a motion to find probable cause on all complaints. Ms. Cochran seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Abstain

Ms. Waite presented a request from Teresa Hall for an extension to complete LADC requirements. Ms. Pojezny made a motion to deny an extension. Ms. Cochran seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Mr. Pierson presented a request from Debra Maxton Miller to request an extension to complete LADC requirements. Ms. Lepak made a motion to deny her request for extension. Ms. Cochran seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes
James Patterson- Yes

Mark Attanasi, Executive Director of ODAPCA gave a report of testing process.

Mr. Pierson presented a request from Florence Onyia regarding denial of her application for LADC. No change.

Mr. Pierson presented a request from Donna Burns to accept her Practicum even though she cannot get her supervisor to sign the Practicum form. Ms. Lepak made a motion to deny. Ms. Pojezny seconded the motion. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Patti Pojezny - Yes
Robert Stevens - No
Jane Lepak - Yes
James Patterson- Yes

330 Mr. Patterson left the board room

Financial reports were tabled until the March meeting.

Mr. Pierson presented a Legislative proposal regarding Domestic Violence Training for mental health professionals. He will continue to get more information on this.

Ms. Pojezny made a motion to accept the following LADCs who have passed oral exams on December 16, 2011.

Donna Seymour	LADC	Broken Arrow
Shawna Saldivar	LADC	Collinsville
Shanti Finney	LADC	Tulsa
Jimmie Kenneth James	LADC	Ponca City

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

Rhonda Cochran- Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes

Ms. Lepak made a motion to accept the following for licensure that passed Advanced Written exam for LADC:

Mike Maddox – CADC – passed ADV Written exam for LADC Yukon

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

Rhonda Cochran- Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes

Ms. Pojezny made a motion to accept the following LADC who have passed Advanced written exam for licensure on December 9, 2011

Callie Hathcoat – CADC – passed ADV Written exam for LADC Park Hill

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

Rhonda Cochran- No
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes

Ms. Pojezny made a motion to accept the following LADC's who passed the Oral Exam on January 13, 2012:

Patricia Adams	LADC	Weatherford
Janice Reid	LADC	Enid
Carolyn Skaggs	LADC	Yukon
Delilah Faz	LADC	Norman
Rachelle Dobey-Harjo	LADC	Edmond
Jeff Smith	LADC	Norman
Robyn Congdon	LADC	Enid

Ms Lepak made a motion. Ms Cochran seconded -. A roll call vote was taken and recorded as follows:

Rhonda Cochran- Yes
Patti Pojezny - Yes
Robert Stevens - Yes
Jane Lepak - Yes

Mr. Pierson presented the Executive Director's report.

Steve Ray III, LADC applicant will be tabled until the March 2012 meeting.

Being no further business to come before the Board, the meeting adjourned at 1544