

# *Oklahoma Board of Licensed Alcohol and Drug Counselors*

## **Minutes of the Special Board Meeting**

**Monday, December 8, 2014 at 9:00 a.m.**

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The Oklahoma Board of Licensed Alcohol and Drug Counselors met for a Special Board Meeting on December 8, 2014, since the November 3, 2014 meeting was cancelled for lack of a quorum present, 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 special scheduled meeting was transmitted to the Oklahoma Secretary of State November 13, 2014, and posted on the OBLADC website. The notice and agenda were posted in prominent public view on the front doors of the Oklahoma Board of Medical Licensure and Supervision building located at 101 NE 51<sup>st</sup> St., Oklahoma City, OK on December 5, 2014 at 9:00 am.

Members present were:

Holli Witherington  
Judith Adams  
Bill Sharp  
Maureen Guerrero  
Jane Lepak

Ms. Christensen notified the board she was not able to attend today's meeting. Mr. Patterson notified the board he was running about 30 minutes late.

Ms. Witherington called the meeting to order and asked the board and audience to introduce themselves. Others present were: Sandra Balzer, AAG; Tiffany Wythe, AAG; Cheryl Waite, Administrative Assistant to the Board, Ric Pierson, Executive Director, Mark Attanasi – ODAPCA, Franklin Marlin, Dee Rentie, Rusty Gillette, Kimberlee Thomas, Jacinta Dike, Julia Selby, Lorena Hall, Femi Somade, Gina Redwine, and Clifton D. Thomas, Ronald Snoddy, and Meredith McGrath. Linda Clark and Benard Manyibe entered the board room at a later time.

Dr. Sharp made a motion to approve the minutes from the meeting on September 15, 2014. Dr. Adams seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes

Femi Somade was present for semi-annual review of compliance with Consent Order of November 2010. Ms. Lepak made a motion that Mr. Somade is in compliant with Consent order, and we will see him again May 2015. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes

Ms. Balzer notified the board that Ms. Hathcoat was not present today. She handed out a copy of the proposed consent order with Ms. Hathcoat. Dr. Adams made a motion to accept the consent order presented. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes

Dandra Rentie was present to clarify language of her Consent order of July 2012, and compliance review. Ms. Rentie is no longer being represented by council – she is representing herself today. Dr. Adams made a motion to clarify that the consent order includes assessments as well as counseling of minors. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes

Dr. Adams made a motion that if Ms. Rentie has any late submission of documentations in the future, she will be fined. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes

Ms. Guerrero made a motion to find Ms. Rentie in partial compliance. She will need to return in May 2015. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes

Tiffany Wythe left the board room, and Ms. Balzer returned as AAG to the board.

Joseph Barchue notified the board he would not be present today because his wife has been hospitalized. He requested a continuance to the January meeting. Dr. Sharp made a motion to

allow continuance. Dr. Adams seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes

Jennifer Floyd, LADC candidate was not present. She sent a request on 12/5/14 requesting a continuance because she has not been able retain counsel yet. Dr. Sharp made a motion to allow continuance to next meeting. Ms. Guerrero seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes

930 - James Patterson entered the board room.

LaTosha Hickman, CADC candidate was not present to discuss complaint #148-0610 – Improper dual relationship. Ms. Lepak made a motion to deny Ms. Hickman’s application. Ms. Guerrero seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Abstain

Rebecca Hammerschmidt, CADC candidate was not present to discuss her application being voided for a second time for failure to test in one year. She notified the board she was ill and would not be present. Mr. Patterson made a motion to deny her request to reinstate Ms. Hammerschmidt’s application. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Recuse
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Benard Manyibe, LADC candidate was present regarding extension that was tabled in September meeting. No action at this time

Kimberlee Thomas was present to discuss her application being voided for failure to test in one year. Ms. Thomas gave a brief statement. Ms. Thomas’ supervisor Rusty Gillette addressed the board. Dr. Adams made a motion to find registration for the test was timely and her application is

not void at this time and she needs to complete her oral exam in January 2015. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Meredith McGrath was present to discuss her application being voided for failure to test in one year. Mr. Patterson made a motion to find registration for the exam was timely and her application is not void at this time and she must test in January 2015. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Shelly McCarty-Noyes was not present to request an extension due to personal health and family issues. Mr. Patterson made a motion to deny Ms. McCarty-Noyes application for failure to complete requirements within 3 years because of time being exceeded, and for violation of supervision and non-contact with Board office. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Jacinta Dike was present to discuss an extension, she petitioned the board in July 2014 and it was tabled until November 2014. Dr. Adams made a motion to allow Ms. Dike to continue and if she doesn't pass by March 2015, that she return to the board in March 2015. Mr. Patterson seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Julia Selby was present to request the board accept "Drug of Hate" CEUs as Drug/Alcohol specific. Dr. Adams made a motion that this course is not approved as Drug/Alcohol specific. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
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Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Clifton D. Thomas, Ph.D., LPC, LMFT was present to request the board approve him to supervise LADC/MH candidates. Dr. Adams made a motion to accept Clifton Thomas to supervise for LADC/MH. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Recuse
James Patterson	-	Yes

Mr. Pierson presented a request from Kandis Griffin, LADC candidate who was been inactive since 6/2009 and wants to go back under supervision for LADC. Mr. Patterson made a motion to deny Ms. Griffin's motion to reactivate her application because she has not demonstrated she is qualified because she has been inactive and would need to meet current academic requirements to re-apply. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Gina Redwine, LADC candidate was present to discuss her application. She has been inactive since 3/7/11, and wants to go back under supervision. Dr. Adams made a motion to deny her application for failing to diligently trying to complete requirements. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Lorena Alvarez Hull was present to request the board allow her to resume supervision. She has been inactive since 2012. Dr. Sharp made a motion to deny Ms. Alvarez-Hull's application for not actively completing requirements. Ms. Guerrero seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes

James Patterson - Yes

Ronald Snoddy, LADC #213 was present to request to supervise more than 20 supervisees. He currently has 30 candidates. Mr. Patterson made a motion to request Mr. Snoddy to comply with the requirements on the Criteria to Petition to Retain or Add Additional Supervisees before our January 2015 meeting. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero - Yes  
Bill Sharp - Yes  
Judith Adams - Yes  
Holli Witherington - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Mr. Patterson left the board room.

Franklin Marlin, LADC #534 was present to request to supervise more than 20 supervisees. He currently has 25 supervisees. Ms. Witherington made a motion to ask Mr. Marlin to return at the January meeting to provide a more detailed report of when/who he is supervising and whether they are meeting individual or group. Dr. Adams seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero - Yes  
Bill Sharp - Yes  
Judith Adams - Yes  
Holli Witherington - Yes  
Jane Lepak - Yes

Break for lunch at 1210  
Return from lunch 1250

Mr. Pierson presented a request from Deborah Fallis, LADC candidate who is requesting the board accept previous requirements. Ms. Witherington recused herself. Dr. Sharp made a motion that our rule 38:10-7(n) states the board will only accept requirements completed within the last two years. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero - Yes  
Bill Sharp - Yes  
Judith Adams - Yes  
Holli Witherington - Recuse  
Jane Lepak - Yes

Mr. Pierson presented a request from Elizabeth Norton, CADC candidate who is requesting she be allowed to practice as a LADC while she completes Masters course work. Dr. Adams made a motion that Ms. Norton does not qualify to be LADC candidate. Ms. Guerrero seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero - Yes  
Bill Sharp - Yes  
Judith Adams - Yes  
Holli Witherington - Yes

Jane Lepak - Yes

Mr. Pierson presented a request from Lindy Kroenert, LADC #81 who chose to surrender her license following non-compliance with CEU audit. Ms. Guerrero made a motion to accept her surrender of license in lieu of disciplinary action. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero - Yes  
Bill Sharp - Yes  
Judith Adams - Yes  
Holli Witherington - Yes  
Jane Lepak - Yes

Mr. Patterson returned at 112

Mr. Pierson presented materials for consideration for proposed new supervision training. Dr. Sharp made a motion to begin using the IC&RC supervision exam in the future and give Mr. Pierson the authority to begin building another exam. Dr. Adams seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero - Yes  
Bill Sharp - Yes  
Judith Adams - Yes  
Holli Witherington - Yes  
Jane Lepak - Yes  
James Patterson - Abstain

Dr. Adams made a motion to change the training cost to \$165 with a separate fee of IC&RC exam of \$125.00. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero - Yes  
Bill Sharp - Yes  
Judith Adams - Yes  
Holli Witherington - Yes  
Jane Lepak - Yes  
James Patterson - Abstain

Mr. Pierson presented Oklahoma Ethics Commission rule regarding lobbying activities. Mr. Patterson made a motion to authorize payment for Mr. Pierson to be our legislative liaison to the Ethics Commission. Ms. Lepak seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero - Yes  
Bill Sharp - Yes  
Judith Adams - Yes  
Holli Witherington - Yes  
Jane Lepak - Yes  
James Patterson - Yes

Mr. Pierson presented the idea of getting an "Attestation of Sobriety" form at time of application. No action was taken on this item.

Ms. Balzer presented a Memo of Understanding with AG's office: Unit of Civil Rights Enforcement concerning Discrimination Investigations. Dr. Sharp made a motion to table this motion. Ms. Guerrero seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Ms. Balzer presented possible action on joint letter with ODMHSAS regarding LADC scope of practice and billing issues. Mr. Patterson made a motion to move forward on creating a joint letter to send out to agencies. Dr. Adams seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Mr. Pierson presented possible Board meeting dates for 2015. Dr. Adams made a motion to accept the following meeting dates for 2015:

- January 26, 2015**
- March 9, 2015**
- May 18, 2015**
- July 20, 2015**
- September 21, 2015**
- November 2, 2015**

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

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Complaint #380-1014 – Non-compliant with CEU Audit. Dr. Sharp made a motion to find probable cause in Complaint #380-1014. Dr. Adams seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes



Complaint #381-1014 – Non-compliant with CEU Audit. Dr. Sharp made a motion to find probable cause in Complaint #381-1014. Dr. Adams seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Complaint #328-1113 – Falsifying record. Dr. Sharp made a motion to find NO probable cause in Complaint #328-1113. Ms. Guerrero seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Complaint #375-0814 – Operating outside of scope of practice. Dr. Adams made a motion to find NO probable cause in Complaint #387-0814. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Dr. Adams made a motion to find NO Probable Cause in the following complaints:

Complaint #384-1114 – Operating outside of scope of practice.  
Complaint #387-1114 – Operating outside of scope of practice.  
Complaint #388-1114 – Operating outside of scope of practice.  
Complaint #389-1114 – Operating outside of scope of practice.  
Complaint #395-1114 – Operating outside of scope of practice.  
Complaint #399-1114 – Operating outside of scope of practice.  
Complaint #401-1114 – Operating outside of scope of practice.  
Complaint #409-1114 – Operating outside of scope of practice.  
Complaint #411-1114 – Operating outside of scope of practice.  
Complaint #412-1114 – Operating outside of scope of practice.  
Complaint #416-1114 – Operating outside of scope of practice.

Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes



Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Absent

Ms. Guerrero made a motion to approve candidate who PASSED WRITTEN EXAM FOR CO-OCCURRING on 10/1/14.

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

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Dr. Adams made a motion to approve candidate who passed Written Exam for co-occurring on 10/16/14:

Cynthia Hedges	Guthrie
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Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Dr. Adams made a motion to approve candidates who passed oral exam on 9/19/14:

Jennifer Chwalisz-Mobley	LADC	Lawton
Robin Hicks	LADC	Tulsa
Dana Fitzgerald	LADC	Owasso
Amy Cox	LADC	Tulsa
Shelly Oliver	LADC	Warr Acres
Ashley Owens	CADC	Woodward

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

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Dr. Sharp made a motion to approve candidates who passed oral exam on 10/17/14:

Hannah Tyler	LADC	Norman
Lisa McWhirter	LADC	Del City
June Simmons	LADC	Broken Arrow
Taneesha Torres	LADC	Oklahoma City
Travis Cephus	LADC	Oklahoma City

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

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Dr. Adams made a motion to approve candidates who passed oral exam 11/14/14:

Tami Ellis	LADC	Tulsa
Todd Palmer	LADC	Edmond
Joseph Capra	LADC	Enid
Sasha Rogers	LADC	Oklahoma City
Micah Perkins	LADC	Edmond
Kayla McClain	LADC	Alva

Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Dr. Adams made a motion to accept the following as LADC/MH.

Mark A. Smalley	Tulsa	Donald W. Miller, Jr.	Sand Springs
Cathy L. Owen	Henryetta	Tina Newberry	Keota
Natasha Webb	Edmond	Alicia Davis	Sapulpa
J. DeLainna Percifield	Fort Gibson		

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

Maureen Guerrero	-	Yes
Bill Sharp	-	Yes
Judith Adams	-	Yes
Holli Witherington	-	Yes
Jane Lepak	-	Yes
James Patterson	-	Yes

Meeting adjourned at 231 pm.