

**MEETING MINUTES
TENNESSEE BOARD FOR LICENSED PROFESSIONAL COUNSELORS,
MARITAL AND FAMILY THERAPISTS, AND
CLINICAL PASTORAL THERAPISTS MINUTES**

DATE: June 5, 2020

TIME: 9:00 a.m.

LOCATION: Health Related Boards Conference Center
Poplar Room, 665 Mainstream Drive
Nashville, TN 37243

**BOARD MEMBERS
PRESENT:** Susan Hammonds-White, Ed.D. LPC/MHSP, Chair
Kimberly Speakman, LPC/MHSP
Howard Nelson, CPT
Jennifer Little, Citizen Member

**BOARD MEMBERS
ABSENT:** Shelly Steel, MFT

STAFF PRESENT: Teddy Wilkins, Unit Director
Semara Watkins, Board Administrator
Doris VanOvermeiren, Board Administrator 1
Nathaniel Flinchbaugh, Advisory Attorney

Due to gathering restrictions imposed by the Covid – 19 virus, it was necessary to conduct this meeting telephonically. Ms. Wilkins read the required script into the record, noting all votes must be conducted by roll call. Ms. Wilkins called the roll to establish a quorum. All members were present with the exception of Ms. Steel. Another preliminary vote was taken to establish all members were able to hear each other and also that they had received meeting documents prior to the meeting. A motion was made by Ms. Little, seconded by Dr. Nelson to proceed with the meeting telephonically. A roll call vote was taken all voted in favor; the motion carried. The meeting was turned over to Dr. Hammonds-White, Chair.

Dr. Hammonds-White called the meeting to order at 9:15.

Minutes

The minutes from December 6, 2019 were reviewed and a motion to approve was made by Dr. Nelson, seconded by Ms. Little. A roll call vote was taken and all voted to approve the minutes with corrections as noted. Motion passed.

The minutes from January 3, 2020 were reviewed and a motion to approve was made by Ms. Little, seconded by Ms. Speakman. A roll call vote was taken and all voted to approve the minutes with corrections as noted. Motion passed.

Report from Matt Yancy

A report was given by Matt Yancey, Deputy Commissioner for the Department of Mental Health and Substance Abuse Services concerning emotional support needed due to Covid – 19. Practitioners have been affected due to this pandemic and emotional help is sometimes needed. The Tennessee Psychological Association had reached out to the Department of Mental Health and Substance Abuse Services requesting help with resources for assistance. Mr. Yancy presented two fliers for emotional assistance for clinicians dealing with disasters and other issues. Dr. Hammonds-White spoke about this being a great help for the associations when they are asked for assistance and resources.

Office of General Counsel Report

Mr. Flinchbaugh stated that currently, the Office of General Counsel has six (6) open cases. The rules are being drafted and will proceed to internal review and will be extensive.

Consent Order for Sheaba C. Cherian, LPC/MHSP license number 3752

Mr. Flinchbaugh presented a Consent Order for Ms. Cherian. Ms. Cherian was involved in a romantic relationship with a client less than five (5) years after the client reached “goal completion.” On December 13, 2019 Ms. Cherian completed a lice CE course on legal and ethical issues in behavioral health. Ms. Cherian’s license was placed on probation for one (1) year and during that year Ms. Cherian must be supervised by a practice monitor. During that year the practice monitor must submit a monthly report by the 5th of each month to the disciplinary coordinator. At the completion of the probationary year, Ms. Cherian must petition the board for an order of compliance to have the probation lifted. Ms. Cherian must also pay actual and reasonable costs of the prosecution of this matter not to exceed five hundred dollars (\$500.00.)

A motion was made by Ms. Speakman, seconded by Dr. Nelson to accept the consent order. A roll call vote was taken and all voted in favor to approve the consent order. Motion carried. Dr. Hammonds-White authorized Ms. Wilkins to sign the consent order on her behalf.

Executive Order

Dr. Hammonds-White asked about the status of the Executive Order application which allows out of state practitioners to practice telehealth in Tennessee due to Covid and is due to expire on June 30, 2020. Mr. Flinchbaugh responded he has no information on whether the Executive Order would be extended past June 30, 2020.

Justin Mickles File Review

Justin Mickles appeared before the board seeking approval for a license as a Professional Counselor with a mental health service provider designation. Mr. Mickles was previously licensed in Nebraska and had disciplinary action on this license because he billed Medicaid for the services of an unlicensed practitioner under his supervision. His license was revoked, however; he applied for reinstatement which was granted and Mr. Mickles license was placed on probation with the conditions he not engage in solo practice; he had to obtain a practice monitor; he was required to complete a six (6) hour ethics course; and notify potential employers of the status of his license.

This license was then placed on probation and when he moved to Tennessee Nebraska stopped monitoring Mr. Mickles, as he no longer lived in the state. He was ordered to pay restitution in the amount of \$131,976.86, plus \$10,000 civil penalty and \$11,825 in attorney fees. The board discussed other aspects of his Nebraska discipline and Dr. Hammonds-White asked Mr. Flinchbaugh what options the board had with respect to Mr. Mickles. At this time, Ms. Speakman asked if she could ask a question regarding the continuing education certificates submitted by Mr. Mickles and how he was able to acquire so many hours in one day. Mr. Mickles responded the courses were ones that had a test at the end thus making it possible to accrue many hours in one day. He stated he studied prior to enrolling in the CE course, thus allowing him to take several tests in one day.

Dr. Hammonds-White asked Dr. Nelson for his opinion and Dr. Nelson stated Mr. Mickles still owes money in Nebraska and he feels Mr. Mickles should be paying this back on a contingency basis even though Mr. Mickles no longer lives in Nebraska. Ms. Little opined it is hard to pay back money without employment and a means to do so, however she feels some type of repayment should be done. Dr. Hammonds-White stated it was unfortunate Mr. Mickles had no documentation of telephone approval to bill Medicaid for his supervisee's hours and this was the beginning of the problems. Dr. Hammonds-White asked Mr. Flinchbaugh how the board could issue Mr. Mickles a license. Mr. Flinchbaugh reminded the board the conviction was a civil conviction and not a criminal conviction. Mr. Flinchbaugh stated Mr. Mickles could be issued a contingency license with certain conditions. He suggested Mr. Mickles work out a payment plan with Nebraska to repay the outstanding debt. Once the board received the plan from Nebraska, Mr. Mickles contingent license could be issued on suspension, stay the suspension, and immediately place the license on probation with a practice monitor. If he becomes non-compliant with the payment plan, the license would immediately be suspended. Ms. Speakman stated she would like a one-year practice monitor.

Dr. Hammonds-White called for a motion on Mr. Flinchbaugh's statements. A motion was made by Dr. Nelson, seconded by Ms. Speakman. A roll call vote was taken and all voted in favor. The motion carried.

Mr. Mickles thanked the board for their consideration of his situation. Mr. Flinchbaugh instructed Mr. Mickles to watch for correspondence from his office.

Office of Investigations Report

Ms. Lori Leonard, Disciplinary Coordinator, stated she is monitoring three (3) licenses which are on probation. She further stated there are currently a total of twenty-three (23) new complaints for LPCs, three (3) open complaints for MFTs, and five (5) complaints year to date for CPTs.

Financial Report

The financial report was presented by Maria McCormick. For FY2019 the board had total direct expenditures of \$234,468.54. Revenue collected totaled \$299,500.00 with a Net of \$65,031.46 leaving a cumulative carryover of \$882,017.08. LARS improvements totaled \$5,764.33 and were taken from the carryover.

Ms. Wilkins stated to the board that the increase in salaries is partially due to the fact that she is

spending much more time working with this board due to personnel issues since June 1, 2019.

Administrative Report

Ms. Wilkins presented the Administrative Report stating there are two thousand seven-hundred and forty-six (2746) active Licensed Professional Counselors, of those, two thousand three-hundred and seventy nine (2379) have the Mental Health Service Provider designation and four hundred sixty-five (465) are approved supervisors. There are currently two hundred ninety-four (294) temporary LPC/MHSP licenses. There are seven hundred forty-four (744) active Licensed Marital and Family Therapists and one hundred seventy-six (176) temporary MFT licensees. There are twenty-three (23) Licensed Clinical Pastoral Therapists. Ms. Wilkins stated this was a short licensing period.

The next board meetings for 2020 are September 4, 2020 and December 4, 2020.

Newly Licensed

Ms. Speakman made a motion, seconded by Ms. Little, to approve the following newly Licensed Professional Counselors with MSHP designation. A roll call vote was taken and all voted to ratify the new licensees. The motion carried.

New LPC/MHSP

Adelman Erin	MHSP
Ashley Jessica Lea	MHSP
Boyer Andre'a	MHSP
Dunaway Paul Michael Dr.	MHSP
Farnen Emily Ann	MHSP
Hale George Gregory Mr	MHSP
Henderson Scherri	MHSP
Harms Erica L. Ms	MHSP
Ladage Savannah Ms.	MHSP
Patel Ravi Ashokkumar	MHSP
Rafaely Molly Tzila Ms	MHSP
Samudre Carly Michelle Mrs.	MHSP
Seay Keri	MHSP
Shawley Grace Christine Ms.	MHSP
Simpson Marli Diane	MHSP
Smith Danyelle Charlotte	MHSP
Smith William David	MHSP
Stringer Vickie Billiesue	MHSP
Thacker Janet C	MHSP
Vinson Kathryn	MHSP
White Brianna	MHSP
Wakeman Julie Anne	MHSP

White Brianna Nicole Ms. MHSP

New LPC without MHSP

Ms. Speakman made a motion, seconded by Dr. Nelson, to approve the following newly Licensed Professional Counselors without MHSP designation. The motion carried.

Cochran Candis
Czajkowski Shannon
Kyburz Beth A Ms.
Mann Rachel Elisabeth Ms.
Thomas Denis Ann
Welwood Elizabeth Kidd
Word Tamatha Leann

New Marital and Family Therapists

Ms. Speakman made a motion, seconded by Dr. Nelson, to approve the following newly Licensed Marital and Family Therapists. The motion carried.

Marcantel Kristen Nicole
Pryor Drea Ms
Walden Alyssa Anne

Temporary Licenses

Ms. Speakman made a motion, seconded by Dr. Nelson, to approve the following Temporarily Licensed Professional Counselors. The motion carried.

Alfred Shelly Mcclintock
Bonham Griffin Mr.
Bryant-Likens Mary Katherine Ms.
Byrum Patrick Timothy
Campbell Sarah Gabrielle
French Jenny Lucille
Gladu Katherine Ms.
Harden Hannah Dawn Ms
Hatzilias Xenia Ms
Jackson Lauren Randall
Lawrence Dakota
Maeda Kacie
Miller Alexandra Lasell Ms.
Nagy Michelle Ms
Nicholas Desiree P
Ouellette Haley Marie Ms.
Wade Patricia
Wood Kathryn Rose

Ms. Steel made a motion, seconded by Dr. Nelson, to approve the following Temporarily Licensed Marital and Family Therapists. The motion carried.

Castelow Kayla Mrs.
Gibson Brenda Mrs.
Graves Katelyn Nicole
Hussey-Riggs Dawn
Lemus De Gatica Alma Beatriz
Milan Jeannie Hankins
Smith Patrick

Reinstatement Applications

Ms. Speakman made a motion, seconded by Ms. Little to approve the following reinstated Licensed Professional Counselors with MHSP. The motion carried.

Jessica Lavender
Mahan Thomas
Schill Sara
Speight Dallas

Task Force Report on Jurisprudence Exam

Dr. Peter Wilson and Dr. Robin Lee reported they have been in contact with NBCC and NBCC is receptive to creating a new computer based jurisprudence examination. The board needs to approve the format so a new contract can be drafted. Dr. Wilson stated the cost to take the examination will remain the same as now which is one hundred dollars (\$100.00). There was uncertainty as to whether or not there would be an upfront cost from NBCC to draft the questions. Dr. Hammonds-White stated she felt the board should go forward with the proposal. Ms. Speakman stated she would like to see the examination cost be reduced. Dr. Lee stated the examination is administered by Pearson-Vue but they are not involved in test development. Dr. Hammonds-White called for a motion on proceeding with the proposal as given. Ms. Speakman made the suggested motion seconded by Ms. Little. A roll call vote was taken and all voted in favor to proceed with the proposal. The motion carried.

Ms. Wilkins presented a letter from Ms. Tammi Lee of CCE regarding the current examination and how Covid has impacted applicant's ability to take the current examination. The examination is given on college campuses, which are now shut down due to Covid. Ms. Speakman asked if the examination could be privately monitored. Ms. Wilkins attempted to contact Ms. Lee, however she was unable to be reached. Dr. Wilson questioned whether the jurisprudence examination could be administered at Pearson-Vue. Dr. Lee stated this would be very complicated due to limited access due to Covid. Dr. Hammonds-White stated this was very complicated. Ms. Speakman stated she felt the examination was not complicated but was unsure how this process could be handled outside the NBCC. Dr. Hammonds-White asked Ms. Wilkins to talk to Tammi Lee. Ms. Wilkins introduced Carla Archuletta who has a platform that might be able to be used for the examination. Ms. Archuletta presented her program to the board. Dr. Hammonds-White stated she felt Ms.

Archuletta's course was very thorough, but asked Mr. Flinchbaugh if the board could use this as a temporary examination. Dr. Wilson stated he thought Ms. Lee should be contacted and asked to contact each university where the examination is given to determine when examinations could resume. Mr. Flinchbaugh stated Administration should reach out to NBCC concerning alternatives for the jurisprudence examination. Ms. Wilkins suggested to the board that the paper and pencil examination be given at the administrative office as other board's examinations are given in this manner. Dr. Hammonds-White stated this appeared to be an acceptable alternative. Mr. Flinchbaugh suggested the examination could be proctored by an approved supervisor. Dr. Hammonds-White agreed with this suggestion, however Ms. Archuletta stated the examinations probably would need to be sent to NBCC for scoring. It was again discussed having the proctor score the examination and send the results to the board. Mr. Flinchbaugh suggested this be approved until October as an alternative measure. A motion was by Ms. Speakman, seconded by Ms. Little made to allow approved supervisors to administer the jurisprudence exam, score it, and return to the administrative office. A roll call vote was taken and all voted in favor. The motion carried.

Correspondence

Ms. **Cheryl Downing** wrote the board requesting that her past supervision be allowed from 2008-2010 in Alabama be allowed. Dr. Hammonds-White and Mr. Flinchbaugh questioned Ms. Downing about what caused her to have a lapse in her supervision. Ms. Downing explained to the board that her father was diagnosed with cancer which presented a hardship to her being able to work. Ms. Downing explained most of these hours were obtained in a school setting. Dr. Hammonds-White stated due to the clinical hours taking place in a school setting these hours would not fulfill the clinical supervision requirement. Clinical hours must be obtained in a setting which provides the opportunity to diagnose and perform treatment planning.

Correspondence was received from **Norma Balint** asking permission to earn her clinical hours at Miriam's Promise. Ms. Balint's sister is on the board of directors at the facility and Ms. Balint questioned whether or not this would be permitted. After much discussion, and a telephone call to Ms. Balint, where Ms. Balint clarified the role her sister played would not be a conflict of interest with her work, and would not have any part in her supervision, the board called for a motion. Ms. Speakman made a motion, seconded by Dr. Nelson, to approve Miriam's Promise as a suitable site for Ms. Balint to acquire her clinical hours. A roll call vote was taken and all voted in favor. The motion carried.

Ms. Carla Archuletta requested a change in her website name. A motion to accept the name change was made by Dr. Nelson, seconded by Ms. Speakman. A roll call vote was taken and all voted in favor. The motion carried.

Mr. James Davidson wrote to administrative staff inquiring if one would be permitted to have a temp license for MFT and a second temp license as a LPC. Mr. Flinchbaugh opined there was no barrier to being licensed as a temp in both professions. Ms. Speakman stated each profession had different clinical and supervision hour requirements and each set of requirements must be fulfilled independently of each other; they cannot overlap. Dr. Hammonds-White stated Mr. Davidson should be made aware of the three year limit on each temp license.

Correspondence was received from **Ms. Yakina Dickerson** requesting an extension of time for her to complete her experimental hours. A motion was made by Ms. Speakman seconded by Ms. Little

to grant Ms. Dickerson an additional year to complete her experiential hours and pass the licensing exam. A roll call vote was taken and all voted in favor. The motion carried.

Ms. Carol Donalson wrote to the board requesting approval for her supervisees to use telehealth for their supervision. The board stated this was acceptable until the Governor's Executive Order expired.

Ms. Cynthia Thompson requested that she be allowed to use her home as a clinical setting for equine therapy. Ms. Speakman felt that could be seen as a private practice setting. After much discussion of the setting and whether proper supervision could be had at Ms. Thompson's home, the board agreed that hours earned at her home would not be acceptable, however hours earned at the Mt. Juliet location were acceptable. This motion was made by Ms. Speakman seconded by Ms. Little. A roll call vote was taken and all voted in favor. The motion carried.

Ms. Ashley McGowan wrote to the board requesting that hours previously earned under Francis Martin in 2014 be allowed to be counted towards her experiential hours. A motion was made by Ms. Speakman seconded by Ms. Little that the hours completed under Francis Martin are disallowed. A roll call vote was taken and all voted in favor. The motion carried.

Discuss Other Board Business

Dr. Robin Lee asked whether Executive Order 30, which allows telehealth to be practiced, would be extended past the expiration date of June 30, 2020. Dr. Lee also asked about telehealth supervision. Mr. Flinchbaugh stated the board is unable to do anything at point since no one knows at this point whether or not the Executive Order will be extended. Mr. Flinchbaugh further spoke to the board about taking action at this meeting allowing telehealth supervision, due to the pandemic, until the next meeting on September 4, in the event the Executive Order is not extended. Ms. Speakman made the motion, seconded by Ms. Little, to allow all supervision hours conducted by telehealth supervision to be counted as legitimate supervision hours. A roll call vote was taken and all voted in favor. The motion carried.

Adjourn

With no other Board business to conduct Ms. Little made a motion to adjourn, seconded by Ms. Speakman. A roll call vote was taken and all voted in favor. The motion carried. Meeting adjourned.

Ratified by the Board on September 4, 2020.