

# *Oklahoma Board of Licensed Alcohol and Drug Counselors*

## **Minutes of the Meeting**

**Monday, September 21, 2009 at 9:00 a.m.**

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The Oklahoma Board of Licensed Alcohol and Drug Counselors met on September 21, 2009, in accordance with the Administrative Procedures Act and Open Meeting Act. The meeting was held at 5104 North Francis Avenue, Suite C, and Oklahoma City, Oklahoma. Members present were:

Robert Stevens  
Rhonda Cochran  
Jane Lepak  
Patti Pojezny

Board chair, Rhonda Cochran asked all present to identify themselves. Others present were Debra Schwartz, Assistant Attorney General, Sandra Balzer Assistant Attorney General to the Board, Ric Pierson, Executive Director to the Board, Cheryl Waite, Administrative Assistant to the Board office, Steve Novick, Lynne Gelhaus, Carol Criner, Mark McDonald, Patrice Staley, Dee Hall, James Mefford, Jan Mefford, Kathleen McKinney and J.F. Kalesnik.

Minutes of the July 27, 2009 meeting were reviewed. Mr. Stevens made a motion to approve the minutes. Ms. Pojezny seconded the motion. The minutes for the July 27, 2009 meeting were approved.

Mr. Patterson and Mr. McGraw entered the board room at 902.

Minutes of the August 25, 2009 Special Board meeting were reviewed. Ms. Pojezny made a motion to approve the minutes. Ms. Lepak seconded the motion. The minutes for the August 25, 2009 Special Board meeting were approved.

Complaint #990309 was presented. The Chair asks if any board members need to recuse themselves. All answer in the negative. Ms. Balzer presented a consent order to: 1) place Ms. Gelhaus on probation for 6 months; 2) that she enter into a contract with a Board Approved supervisor; 3) that she report on her progress and submit self-assessments at 3 and 6 month intervals; 4) she increase Ethics to 6 hours. Mr. Stevens made a motion to move to executive session. Mr. McGraw seconded the motion. A voice vote was called and the motion passed with none opposed. EXECUTIVE SESSION. Mr. Stevens made a motion to return to open session. Mr. McGraw seconded the motion. A voice vote was called and the motion passed with none opposed. Ms. Pojezny proposed the board would accept the consent order with the following additions: 1) they would like her supervisor to not be employed by/ or contracting with her employer and 2) they would impose a \$100.00 fine to be paid within her 6-month probation. Mr. McGraw seconded motion to accept consent order with modifications proposed by the board. A roll call vote was called and recorded as follows:

Kyle McGraw:	Yes
Patti Pojezny:	Yes
Rhonda Cochran:	Yes
Jane Lepak:	Yes
Bob Stevens:	Yes
James Patterson	Yes

Dr. Killian entered the board room at 949.

Complaint #801202 was presented. Mr. Lee was not present. Ms. Balzer notified the board that Mr. Lee was properly served, and asked the board to proceed in his absence. Ms. Balzer presented various exhibits into evidence and asked the board to find Mr. Lee guilty and deem appropriate sentence. Mr. McGraw made a motion to move to executive session. Ms. Pojezny seconded the motion. A voice vote was called and the motion passed with none opposed. EXECUTIVE SESSION. Mr. Stevens made a motion to return to open session. Mr. McGraw seconded the motion. A voice vote was called and the motion passed with none opposed. Mr. Stevens made a motion that the board made a finding by clear convincing evidence that rendered Mr. Lee be guilty and to revoke his license. Dr. Killian seconded the motion. A roll call vote was called and recorded as follows:

Kyle McGraw:	Yes
Dr. Keith Killian	Yes
Patti Pojezny:	Yes
Rhonda Cochran:	Yes
Jane Lepak:	Yes
Bob Stevens:	Yes
James Patterson	Yes

Complaint #890209. The Chair asks if any board members need to recuse themselves. All answer in the negative. Ms. Balzer made an opening statement. Mr. Mefford made a brief statement. Witnesses and exhibits were presented to the board.

1110 – The board took a break  
1125 – The board returned to session.

Closing statements were presented. Ms. Balzer asks the board to find Mr. Mefford in violation of complaint filed. Dr. Killian made a motion to move to executive session. Mr. McGraw seconded the motion. A voice vote was called and the motion passed with none opposed. EXECUTIVE SESSION. Mr. Stevens made a motion to return to open session. Ms. Pojezny seconded the motion. A voice vote was called and the motion passed with none opposed. Mr. Stevens stated that the board’s findings of fact show that Mr. Mefford directed Mrs. Mefford to invoice for services not provided, they did not find intent to fraud, but did find unethical and negligent behavior. Mr. Stevens made a motion to 1) place Mr. Mefford on probation as a supervisor for 6 months; 2) enter into a supervision contract with a board approved supervisor for 6 months to focus on ethics; 3) double the number of ethics CEUs required to 6 for the year; 4) \$100.00 fine to be paid within the next 6 months; 5) supervisor evaluation reports at 3 and 6 months. A roll call vote was called and recorded as follows:

Kyle McGraw:	Yes
Dr. Keith Killian	Yes
Patti Pojezny:	Yes
Rhonda Cochran:	Yes
Jane Lepak:	Yes
Bob Stevens:	Yes
James Patterson	Yes

1305 – The Board went into recess for lunch. The Board was called back at 1332

Complaint #900209 was presented. Ms. Balzer handed out documents pertaining to the complaint. After much discussion, Mr. Stevens made a motion to allow Ms. Mefford to continue in the LADC process if she would agree to 1) get a new supervisor who is not employed by/or contracting with her current employer; 2) and focus on ethics, reports, and documentation of records; 3) provide the board with progress reports from her and her supervisor thereafter until she completes all requirements for LADC. Ms. Lepak seconded the motion. . A roll call vote was called and recorded as follows:

Kyle McGraw:	Yes
Dr. Keith Killian	Yes
Patti Pojezny:	Yes
Rhonda Cochran:	Yes
Jane Lepak:	Yes
Bob Stevens:	Yes
James Patterson	Yes

Mark McDonald appeared before the board to request they accept his transcript for reciprocity from a university whose accreditation is not recognized by the U.S. Department of Education. Mr. Stevens made a motion to deny his application for reciprocity. Mr. McGraw seconded the motion. . A roll call vote was called and recorded as follows:

Kyle McGraw:	Yes
Dr. Keith Killian	Yes
Patti Pojezny:	Yes
Rhonda Cochran:	Yes
Jane Lepak:	No
Bob Stevens:	Yes
James Patterson	No

Kathleen McKinney appeared before the board to request they accept her Certified Addiction Specialist credential granted through the American Academy of Health Care Providers in Addictive Disorders. Ms. Lepak made a motion to accept her supervision hours from CAS and allow her to sit for the LADC written/oral tests after she has made application. Dr. Killian seconded the motion. . A roll call vote was called and recorded as follows:

Kyle McGraw:	Yes
Dr. Keith Killian	Yes
Patti Pojezny:	Yes
Rhonda Cochran:	Yes
Jane Lepak:	Yes
Bob Stevens:	Yes
James Patterson	Yes

Patrice Staley appeared before the board to explain that she completed her application incorrectly and she was not convicted of a felony, but the sentence was deferred and request the board accept her application for CADC. Mr. Stevens made a motion to approve acceptance of her application for CADC. Ms. Lepak seconded the motion. . A roll call vote was called and recorded as follows:

Kyle McGraw:	Yes
Dr. Keith Killian	Yes
Patti Pojezny:	Yes
Rhonda Cochran:	Yes
Jane Lepak:	Yes

Bob Stevens: Yes  
James Patterson Yes

1450 – Mr. McGraw left the board room.

Mr. Pierson presented a request from Lillian Miller to review her transcript and accept her degree to allow her to make application for LADC. Mr. Stevens made a motion to deny her request and inform Ms. Miller that she needs to obtain 11 more hours at the master's level in counseling/psychology type courses to make application for LADC. Ms. Lepak seconded the motion. . A roll call vote was called and recorded as follows:

Kyle McGraw: Yes  
Dr. Keith Killian Yes  
Patti Pojezny: Yes  
Rhonda Cochran: Yes  
Jane Lepak: Yes  
Bob Stevens: Yes  
James Patterson Yes

Mr. Pierson presented a request from Tim McMurphy to allow a reduction in his supervision hours because of his experience as a counselor in Nevada. Mr. Patterson made a motion to deny Mr. McMurphy's request. Mr. Stevens seconded the motion. . A roll call vote was called and recorded as follows:

Kyle McGraw: Yes  
Dr. Keith Killian Yes  
Patti Pojezny: Yes  
Rhonda Cochran: Yes  
Jane Lepak: Yes  
Bob Stevens: Yes  
James Patterson Yes

Mr. Pierson presented a request from Sondra Hatcher to refund the \$140.00 reinstatement fee she paid for failure to take her test within a one-year period. Mr. Stevens made a motion to deny her request. Dr. Killian seconded the motion. . A roll call vote was called and recorded as follows:

Kyle McGraw: Yes  
Dr. Keith Killian Yes  
Patti Pojezny: Yes  
Rhonda Cochran: Yes  
Jane Lepak: Yes  
Bob Stevens: Yes  
James Patterson Yes

Mr. Pierson presented a request from Johnnie Cox requesting an extension to take her written exam for LADC. Ms. Pojezny made a motion to deny her request. Mr. Stevens seconded the motion. . A roll call vote was called and recorded as follows:

Kyle McGraw: Yes  
Dr. Keith Killian Yes  
Patti Pojezny: Yes  
Rhonda Cochran: Yes  
Jane Lepak: Yes

Bob Stevens: Yes  
James Patterson Yes

Mr. Pierson presented complaint #114-0709, an individual charged with collecting unused prescriptions from clients and re-distributing. Mr. Stevens made a motion to find probable cause in this complaint. Ms. Pojezny seconded the motion. . A roll call vote was called and recorded as follows:

Kyle McGraw: Yes  
Dr. Keith Killian Yes  
Patti Pojezny: Yes  
Rhonda Cochran: Yes  
Jane Lepak: Yes  
Bob Stevens: Yes  
James Patterson Yes

Mr. Pierson asked for the board's direction on cost of supervision training for the individuals who have been working on the supervision committee. Ms. Pojezny made a motion to charge committee members \$65.00 to attend the supervision training. Mr. Stevens seconded the motion. A voice vote was called and the motion passed with none opposed, but Ms. Lepak abstained.

Ms. Lepak made a motion that Mr. Pierson does not need to pay for the supervision training since he is teaching the class. Mr. Stevens seconded the motion. A voice vote was called and the motion passed with none opposed.

Mr. Pierson notified the board that he was going to update our conference display.

Mr. Pierson presented Executive Director's report.

Lyle Kelsey and Reji Varghese of the Medical Board presented the financial reports. Mr. Stevens made a motion to accept the financial report as presented. Ms. Lepak seconded the motion. The motion was passed with a voice vote, and none opposed.

Lyle Kelsey presented the 2009/2010 contract with the Medical Board for the board to review.

Mr. Stevens made a motion to adjourn the meeting. Ms. Pojezny seconded the motion. The motion was passed with a voice vote, and none opposed. The meeting was adjourned at 1557.