

Oklahoma Board of Licensed Alcohol and Drug Counselors

Minutes of the Meeting

Monday, January 25, 2010 at 9:00 a.m.

The Oklahoma Board of Licensed Alcohol and Drug Counselors met on January 25, 2010, in accordance with the Administrative Procedures Act and Open Meeting Act. The meeting was held at 101 NE 51st Street, Oklahoma City, Oklahoma. Members present were:

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

Ms. Cochran called the meeting to order and asked the Board and visitors to introduce themselves. Other present were: Sandra Balzer, Richard D. Pierson, Executive Director, Cheryl Waite, Administrative Assistant, Ed Whitson, Eileen Whitson, Carina Forest, Sallie McLaughlin, Nancy Turner, Cindy Satterfield, Debra Schwartz, Susan Stallings, Frank Washington, Tim Waite, and Randall Green.

Minutes of the November 25, 2009 meeting were reviewed. Dr. Killian made a motion to approve the minutes. Ms. Pojezny seconded the motion. The minutes for the November 25, 2009 meeting were approved.

911 – Ebony Portis entered the boardroom.

913 – Jeannette Mefford entered the boardroom

Complaint # 126-1009 was presented. Eileen Whitson a LADC candidate pled guilty to Medicaid fraud. Ms. Balzer, AAG gave an overview of the case. Ms. Whitson made a statement to the board.

915 – Kyle McGraw entered the boardroom.

The board heard statements from Sallie McLaughlin, Executive Director of Gateway; Carina Forrest, Corp. Compliance officer for Gateway; Cindy Satterfield, Clinical Director of Gateway; Susan Stallings, AAG Medicaid Fraud; Debra Schwartz, AAG. Mr. McGraw made a motion to deny Ms. Whitson's application for LADC. Mr. Stevens seconded the motion. A roll call vote was called and recorded as follows:

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

Complaint #97-0309 was presented. Randall Green, LADC candidate admitted using marijuana several times a week for over a year.

Robert Duvall, Medical investigator entered the boardroom to explain his report. Dr. Killian made a motion to allow Mr. Green to continue his LADC with terms and conditions. Ms. Pojezny seconded the motion. A roll call vote was called and recorded as follows:

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

Motion did not pass. Mr. McGraw made a motion to deny Mr. Green's application for LADC. Ms. Lepak seconded the motion. A roll call vote was called and recorded as follows:

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

1035 Libby Scott entered the boardroom

Complaint #108-0609 was presented. William Robinson, CADC #244 is charged with falsifying a supervisor's signature on a supervision contract. Mr. Robinson was not present. Ms. Balzer presented various exhibits. Mr. Stevens made a motion to go into Executive Session pursuant to 25 O.S. 307 (B) (8). 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:	Yes
Bob Stevens:	Yes
James Patterson	Yes

Mr. Patterson made a motion to return to open session. 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:	Yes
Bob Stevens:	Yes
James Patterson	Yes

Mr. Stevens made a motion that the Board has found clear and convincing evidence to act on all four counts of Complaint #108-0609 against Mr. Robinson. 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. Stevens made a motion that based on any and all allegations of Complaint #108-0609 that the board will impose a fine of \$1000.00, revoke Mr. Robinson's CADC #244, and notify all other State Agencies of this decision. 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: Yes
Bob Stevens: Yes
James Patterson Yes

Complaint #133-0110 was presented. Ebony Lashae Tyler Portis pled guilty to two counts of extortion, two counts of embezzlement and two counts of forgery. The board heard from Ms. Tyler-Portis and a co-worker, Florence Alexander. Mr. Stevens made a motion that based on Ms. Tyler-Portis 10 year suspended sentence, to deny her application for LADC. 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: Yes
Bob Stevens: Yes
James Patterson Yes

Jeanette Mefford appeared to present her quarterly report to the board. Ms. Pojezny made a motion to release Ms. Mefford from probation as she has completed requirements of the board. 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: No
Jane Lepak: Yes
Bob Stevens: Yes
James Patterson Yes

Nancy Turner appeared and presented her quarterly report to the board. Ms. Turner does not currently have a supervisor, and it was pointed out that she has been out of compliance with her Board agreement since 12/16/09. Ms. Turner stated that she sent a new Supervision contract that

the board has not yet received. Mr. Stevens made a motion for Mr. Pierson to send a letter to Ms. Turner's previous supervisor requesting a General Supervision Evaluation on Ms. Turner, and he wants to see Ms. Turner and her supervisor at our next board meeting. Mr. Patterson 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

Frank Washington, LADC applicant appeared and discussed his felony charges of Medicaid fraud. Mr. Washington addressed the board. Mr. McGraw made a motion to deny Mr. Washington's 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

1256 – The board adjourned for lunch

1335 – The board returned to session.

Mr. Pierson presented a request from Bryan McMillan, an LADC applicant who has had a misdemeanor DUI charge, and is currently on probation. Mr. McGraw made a motion to deny Mr. McMillan's application for LADC. 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 Michelle Kelly Shuler, LPC, who is requesting LADC in Oklahoma. Ms. Shuler has passed IC&RC exams in Texas, but is not a member of IC&RC, therefore cannot reciprocate through IC&RC. Ms. Pojezny made a motion that Ms. Shuler needs to make application, pay the application fee, and we will grant 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 Mark McDonald to reconsider his application for LADC. Mr. McDonald's degree is from a University whose accreditation is not recognized by the US Dept. of Education. Mr. Patterson made a motion to deny Mr. McDonald's request to reconsider his application. 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: Yes
Bob Stevens: Yes
James Patterson Yes

1400 – Mr. Stevens left the boardroom.

Ms. Waite asked the board for guidance on how to handle individuals who were not in compliance with our annual CEU audit. Mr. Patterson made a motion to send a letter conveying the importance of turning in accurate CEUs and be sure to include in next year's audit. 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

Ms. Waite asked the board for guidance regarding applicants who are nearing the 5-year deadline.

Mr. Pierson asked for the board's guidance and possibility of raising fees for individuals on probation. He explained how the Medical Licensing Board charges \$150.00/month probation fee. Mr. Patterson suggested when placing an individual on probation, that we include the appropriate language so that individual incurs all costs.

The board reviewed and accepted Lynne Gelhaus quarterly report.

Complaint #128-1109 was presented. Ms. Pojezny made a motion to find probable cause and further investigate this complaint. Mr. McGraw seconded the motion. A voice vote was taken and passed.

Complaint #130-1009 was presented. Ms. Pojezny made a motion to find probable cause and further investigate this complaint. Mr. McGraw seconded the motion. A voice vote was taken and passed.

1500 – Mr. McGraw left the boardroom.

Complaint #131-1209 was presented. Ms. Pojezny made a motion to find probable cause and further investigate this complaint. Dr. Killian seconded the motion. A voice vote was taken and passed.

Mr. Pierson explained that we usually approve candidates who have passed their oral exams, but have not yet received those results. The board suggests we add a Special Board Meeting in February to approve those individuals, and to discuss board finances. Mr. Pierson will check the boardroom calendar and notify the board of possible dates available.

1530 – Mr. Patterson left the boardroom

Reji Varghese and Dela Kweety of the Medical Board presented financial reports. Ms. Pojezny made a motion to approve invoices from July thru October 2009 for payment. Dr. Killian seconded the motion. A voice vote was taken, motion passed.

Dr. Killian made a motion to approve the financial report as presented. Ms. Lepak seconded the motion. A voice vote was taken, motion passed.

Mr. Pierson presented his Director's report.

Mr. Pierson presented new business and asked the board to look into HJR 1073.

Ms. Pojezny made a motion to adjourn the meeting. Dr. Killian seconded the motion. The motion was passed with a voice vote, and none opposed. The meeting was adjourned at 1548.