

Oklahoma Board of Licensed Alcohol and Drug Counselors

Minutes of the Board Meeting

Monday, September 16, 2013 at 9:00 a.m.

The Oklahoma Board of Licensed Alcohol and Drug Counselors met for a Board Meeting on September 16, 2013, 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 5, 2012, and posted on the OBLADC website on September 13, 2013. 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 51st St., Oklahoma City, OK on September 13, 2013 at 9:00 am.

Members present were:

Cathy Christensen
Dr. Judith Adams
Holli Witherington
Dr. Keith Killian
Dr. Bill Sharp
Robert Stevens

Dr. Killian called the meeting to order and asked the board and audience to introduce themselves. Others present were: Sandra Balzer, AAG; Kim Heaton, AAG; Cheryl Waite, Administrative Assistant to the Board, Ric Pierson, Executive Director, Sherry Goins-Loving, Mark Attanasi, Rebecca Hammerschmidt, Randy Kidder, Kellie King, Patsy Whitmore, Ashley Spears, Kevin Rett, Lynnette Spradling, Annette Crowder, Terry Vandergrift, Cindy Sherbon, Rachelle Harjo, Penny Britton, Cassie Worthington.

Cathy Christensen made a motion to approve the minutes from the meeting on July 15, 2013. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

| | |
|----------------------|---------|
| Holli Witherington - | Abstain |
| Robert Stevens - | Yes |
| Dr. Adams - | Yes |
| Dr. Killian - | Yes |
| Cathy Christensen - | Yes |
| Dr. Sharp - | Yes |

Randy Kidder, CADC #368 was present with his Supervisor Penny Britton for review of compliance with his consent order. Mr. Kidder's attorney was not present, and waived his right to have his attorney present today. Ms. Balzer presented the facts in this case, and requested the board to find Mr. Kidder in partial compliance and assess a \$25.00 fine for non-compliance. Mr. Stevens made a motion to find Mr. Kidder in partial compliance, and assess a \$25.00 late fee and to continue supervision and return at the November board meeting. Dr. Adams seconded the motion. A roll call vote was taken and recorded as follows:

| | |
|----------------------|-----|
| Holli Witherington - | Yes |
|----------------------|-----|

Robert Stevens - Yes
Dr. Adams - Yes
Dr. Killian - Yes
Cathy Christensen - Yes
Dr. Sharp - Yes

Patsy Whitmore appeared before the board without her attorney. She waived her right to have her attorney present today. Ms. Whitmore submitted a packet of information to the board. Ms. Balzer presented the facts in this case, and stated that the documents provided were not Certified Copy of Court Order indicating dismissal of the case. The board questioned Ms. Whitmore. Ms. Christensen made a motion to deny Ms. Whitmore's request for reinstatement because it does not meet the terms of the consent order. Dr. Adams seconded the motion. A roll call vote was taken and recorded as follows:

Holli Witherington - Yes
Robert Stevens - Yes
Dr. Adams - Yes
Dr. Killian - Yes
Cathy Christensen - Yes
Dr. Sharp - Yes

Rachelle Harjo, LADC #948 was present to discuss the terms of her consent order along with her supervisor, Cindy Sherbon. Ms. Harjo's attorney was not present, and she waived her right to having her attorney present today. Ms. Witherington made a motion that Ms. Harjo is in compliance with her consent order and she will complete 3.0 Ethics CEUS, and continue under probation until 4/17/2015. Mr. Stevens seconded the motion. A roll call vote was taken and recorded as follows:

Holli Witherington - Yes
Robert Stevens - Yes
Dr. Adams - Yes
Dr. Killian - Yes
Cathy Christensen - Yes
Dr. Sharp - Yes

Mr. Stevens made a motion to amend the original consent order to not require Ms. Harjo's supervisor to be present at her final appearance to the board. Ms. Christensen seconded the motion. . A roll call vote was taken and recorded as follows:

Holli Witherington - Yes
Robert Stevens - Yes
Dr. Adams - Yes
Dr. Killian - Yes
Cathy Christensen - Yes
Dr. Sharp - Yes

Ms. Heaton left the board room.

Lynette Spradling was present to discuss her request for the board to accept her past requirements to test for CADC. Ms. Witherington made a motion to accept Ms. Spradling's requirements and allow her to test for CADC. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Holli Witherington - Yes
Robert Stevens - Yes
Dr. Adams - Yes
Dr. Killian - Yes
Cathy Christensen - Yes
Dr. Sharp - Yes

Rebecca Hammerschmidt was present to discuss her request for the board to accept her past requirements to test for CADC. Mr. Stevens made a motion to accept Ms. Hammerschmidt's requirements and allow her to test for CADC. Ms. Witherington seconded the motion. A roll call vote was taken and recorded as follows:

Holli Witherington - Yes
Robert Stevens - Yes
Dr. Adams - Yes
Dr. Killian - Yes
Cathy Christensen - Yes
Dr. Sharp - Yes

Tina Lawrence was not present. The Board reviewed Tina Lawrence's request for the board to reinstate her application as LADC, since she failed to test in one year. Ms. Witherington made a motion to deny Ms. Lawrence's application for LADC. Dr. Sharp seconded the motion. A roll call vote was taken and recorded as follows:

Holli Witherington - Yes
Robert Stevens - Yes
Dr. Adams - Yes
Dr. Killian - Yes
Cathy Christensen - Yes
Dr. Sharp - Yes

Claudeen McCormick was not present to discuss her request to reinstate her application for LADC. Ms. Witherington made a motion to not reinstate her application for LADC as she does not meet current requirements. Dr. Adams seconded the motion. A roll call vote was taken and recorded as follows:

Holli Witherington - Yes
Robert Stevens - Yes
Dr. Adams - Yes
Dr. Killian - Yes
Cathy Christensen - Yes
Dr. Sharp - Yes

Sherry Goines-Loving was present to discuss her application for CADC where she did not report a felony from 2007 on her application. Ms. Christensen made a motion to continue this until our next meeting, and ask Ms. Goines-Loving to produce further information. Mr. Stevens seconded the motion. A roll call vote was taken and recorded as follows:

Holli Witherington - Recuse
Robert Stevens - Yes
Dr. Adams - Yes

Dr. Killian - Yes
Cathy Christensen - Yes
Dr. Sharp - Yes

Terry Vandergrift was present to discuss his application for CADC. Mr. Vandergrift had a felony and misdemeanor conviction in 2007/2008. Mr. Stevens made a motion to accept Mr. Vandergrift's application for CADC with a report quarterly of compliance of court fees. Ms. Christensen seconded the motion. A roll call vote was taken and recorded as follows:

Holli Witherington - Abstain
Robert Stevens - Yes
Dr. Adams - Yes
Dr. Killian - Abstain
Cathy Christensen - Yes
Dr. Sharp - Yes

1015 – Mr. Pierson received a text from Mr. Patterson that he was at the Dr. and would hopefully be here soon.

Ms. Balzer presented Complaint #253-0812 – Practicing without supervision and employed as an independent contractor. Mr. Stevens made a motion to find probable cause on this complaint. Dr. Adams seconded the motion. A roll call vote was taken and recorded as follows:

Holli Witherington - Yes
Robert Stevens - Yes
Dr. Adams - Yes
Dr. Killian - Yes
Cathy Christensen - Yes
Dr. Sharp - Yes

Mr. Pierson gave the executive director's report.

Mr. Stevens made a motion to accept the following for LADC who passed their oral exam on 8/2/13:

| | | |
|------------------|------|----------|
| Olaitan Oyetunbi | LADC | Lawton |
| Stacy Chaney | LADC | Yukon |
| Ronda Weaver | LADC | Tulsa |
| Cyd Oakes | LADC | Yukon |
| Tamara Defranc | LADC | Edmond |
| Natasha Rheume | LADC | Elk City |

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

Holli Witherington - Yes
Robert Stevens - Yes
Dr. Adams - Yes
Dr. Killian - Yes
Cathy Christensen - Yes
Dr. Sharp - Yes

Dr. Adams made a motion to accept the following CADC who Passed the Advanced Written exam for LADC on 8/17/13:

Deborah Brown

LADC

Bartlesville

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

| | |
|----------------------|-----|
| Holli Witherington - | Yes |
| Robert Stevens - | Yes |
| Dr. Adams - | Yes |
| Dr. Killian - | Yes |
| Cathy Christensen - | Yes |
| Dr. Sharp - | Yes |

Ms. Witherington made a motion to accept the following who passed their oral exam for LADC on 8/23/13:

| | | |
|------------------|------|---------------|
| Jan Miller | LADC | Oklahoma City |
| Robert Mathews | LADC | Ramona |
| Stephen Delozier | LADC | Miami |
| Leslie Crow | LADC | Henryetta |

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

| | |
|----------------------|-----|
| Holli Witherington - | Yes |
| Robert Stevens - | Yes |
| Dr. Adams - | Yes |
| Dr. Killian - | Yes |
| Cathy Christensen - | Yes |
| Dr. Sharp - | Yes |

Mr. Stevens made a motion to accept the following candidates who passed their oral exam on 9/6/13:

| | | |
|----------------------|------|---------------|
| Patricia Topp | LADC | Oklahoma City |
| Crystal Seaton | LADC | Oklahoma City |
| Hattie Hendrix | CADC | Tulsa |
| Michael York | LADC | Tulsa |
| Leona Tanner | LADC | Claremore |
| Maryam Khodaeikalaki | LADC | Tulsa |
| Phoenix Rokni | LADC | Broken Arrow |
| Brandi Parker Nunley | LADC | Marlow |

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

| | |
|----------------------|-----|
| Holli Witherington - | Yes |
| Robert Stevens - | Yes |
| Dr. Adams - | Yes |
| Dr. Killian - | Yes |
| Cathy Christensen - | Yes |
| Dr. Sharp - | Yes |

Dr. Sharp made a motion to accept the following who have applied for and qualified for LADC/MH:

| | | | |
|---------------------|---------------|-------------------|---------------|
| Armisha L. Harrison | Oklahoma City | Mary Maple | Antlers |
| Yuvawnda Adkins | Lindsay | Derek Talkington | Oklahoma City |
| Carlene Drach | Yukon | Wayne Dallas | Edmond |
| James Alan Stone | Pryor | Annette J. Holcer | Oklahoma City |
| Patrick McCain | Madill | | |

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

| | |
|----------------------|-----|
| Holli Witherington - | Yes |
| Robert Stevens - | Yes |
| Dr. Adams - | Yes |
| Dr. Killian - | Yes |
| Cathy Christensen - | Yes |
| Dr. Sharp - | Yes |

Mr. Pierson presented forms which have been updated recently. Mr. Stevens made a motion to accept the forms with changing the word sight to site. Dr. Adams seconded the motion. A roll call vote was taken and recorded as follows:

| | |
|----------------------|-----|
| Holli Witherington - | Yes |
| Robert Stevens - | Yes |
| Dr. Adams - | Yes |
| Dr. Killian - | Yes |
| Cathy Christensen - | Yes |
| Dr. Sharp - | Yes |

Mr. Pierson presented information regarding Agency Director Salary Review he received from Office of Management and Enterprise Services. Ms. Balzer shared additional information regarding the law associated with this review.

1040 – took a brief recess
1058 – return from recess

Reji Varghese and Dela Kwetey presented the financial reports. Ms. Witherington made a motion to accept financial reports. Ms. Christensen seconded the motion. A roll call vote was taken and recorded as follows:

| | |
|----------------------|-----|
| Holli Witherington - | Yes |
| Robert Stevens - | Yes |
| Dr. Adams - | Yes |
| Dr. Killian - | Yes |
| Cathy Christensen - | Yes |
| Dr. Sharp - | Yes |

Dr. Adams made a motion to approve invoices for July and August 2013, but hold for payment. Ms. Christensen seconded the motion. A roll call vote was taken and recorded as follows:

| | |
|----------------------|-----|
| Holli Witherington - | Yes |
| Robert Stevens - | Yes |
| Dr. Adams - | Yes |
| Dr. Killian - | Yes |
| Cathy Christensen - | Yes |
| Dr. Sharp - | Yes |

1200 – break for lunch
1230 – return from lunch
Mr. Patterson entered the board room

Dr. Killian did not return after lunch

Ms. Balzer presented a summary of 2014 Proposed Rules changes:

38:1-1-5(c) – Changed the number to four additional persons (from 3)

38:10-3-2. Code of Ethics (**capitalize Disorders in section (o)**)

38:10-3-3- - Client welfare.

38:10-3-4 Professional Standards

38:10-3-5- - Relations with the public and other professions– (**b) Remove “or imply” from first sentence, then add quotation marks around the credential for each type. Ie: (LADC Candidate)**)

38:10-7-2 – Requirements for licensure or certification (**A) remove possessed**)

(E)(b) Change fee to \$140. Then in 3. Change don’t to do not.

38:10-7-3. Private or independent practice

38:10-7-5. Issuance of License or Certification

38:10-7-6. Application. **Change wording in (n) to: completed within 2 years prior to the application becoming void, may carry over...Applicants may be required to retake the oral and written examinations.**

38:10-7-7. Examinations

113 – Ms. Witherington left the board room

38:10-7-8. Renewal of license or certification

38:10-7-9. Reciprocity

38: 10-7-10. Co-Occurring Disorders Credential Rules

38:10-9-2 (c) Add the sentence at the end: **300 Practicum hours must be documented before a supervision contract will be approved**

(g) including sv logs and evaluation forms, and may include other supporting documents

38:10-9-4. Supervisee Responsibilities

38:10-9-5. Requirements for Supervision Status – **need a period at the end of (d)**

(7) A supervisor for an applicant who provides community or home-based services shall, in addition to other supervision requirements, conduct at least six (6) direct...Both the supervisor and supervisee are responsible....add language on confidentiality. (9) CADC’s who are engaging

38:10-13-2. Continuing Education Standard **eliminate ½ and spell out half**

Dr. Adams made a motion to accept the rules changes listed above, and initiate the rulemaking process. Mr. Stevens seconded the motion. A roll call vote was taken and recorded as follows:

Robert Stevens - Yes

Dr. Adams - Yes

James Patterson - Yes

Cathy Christensen - Yes

Dr. Sharp - Yes

Dr. Sharp made motion to adjourn at 213. Ms. Christensen seconded the motion. A roll call vote was taken and recorded as follows:

Robert Stevens - Yes

Dr. Adams - Yes

James Patterson - Yes

Cathy Christensen - Yes

Dr. Sharp - Yes