

Oklahoma Board of Licensed Alcohol and Drug Counselors

Minutes of the Meeting

Monday, September 10, 2007 at 10:00 a.m.

The Oklahoma Board of Licensed Alcohol and Drug Counselors met on September 10, 2007, 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:

Patty Gail Patten
Robert Stevens
Evelyn Phyffer
Kyle McGraw
Terry Wallace

Rhonda Cochran called the office this morning and reported she is ill and will not be able to attend today's meeting. Jane Lepak had reported previously that she would be out of town today and would be unable to attend.

Patty Gail Patten, Board Chairperson, determined a quorum was present and called the meeting to order at 10:05 A.M. Ms. Patten asked that others present please introduce themselves. Others present included:

Sandra Balzer, Assistant Attorney General;
Ric Pierson , Executive Director
Stori Johnson-Mahan, Executive Director, ODAPCA
Dan R. Stevens
Julie Snow
C. Dennis McBroom
Linda Cooper Lewis
Barbara Underwood
Lisa Wallace

Minutes of August 13, 2007 were reviewed and discussed. Ms. Phyffer moved to approve the minutes as presented. Mr. McGraw seconded the motion. The minutes for the August 13, 2007 meeting were approved unanimously.

Julie Snow appeared before the Board requesting permission to have an active and approved application for CADC. Ms. Snow had a felony conviction in December, 2002, has completed the Drug court program and residential treatment. She received a 10 year suspended sentence. Ms. Snow has completed her Bachelor's Degree. Ms. Phyffer made the motion to reconsider Ms. Snow's application during the November board meeting. Mr. Stevens seconded the motion. The motion passed by roll call vote recorded as follows:

Kyle McGraw: Yes
Evelyn Phyffer: Yes
Patty Gail Patten: Yes
Robert Stevens: Yes
Terry Wallace: Yes.

Mr. Charles Dennis McBroom appeared before the Board as per the request of the Board during the August 13, 2007 meeting. Mr. McBroom had requested he be advised of how he should proceed obtaining his LADC due to being given the wrong test by ODAPCA when he was originally certified by ODAPCA. Mr. McBroom received his Master's Degree in 1975, but was given the exam for CADC instead of the exam for Advanced Alcohol and Other Drug Counselor. Mr. Stevens made the motion to have Mr. McBroom take the Advance Written Exam for LADC, pay the \$140.00 application fee for the licensure upgrade, and the \$100.00 new license fee upon successful completion of the advance written exam. Mr. Wallace seconded the motion. The motion passed with a roll call vote recorded as follows:

Mr. McGraw: Yes
Ms. Phyffer: Yes
Ms. Patten: Yes
Mr. Stevens: Yes
Mr. Wallace: Yes.

Mr. Dan Stevens, no relation to Board member Robert Stevens, appeared before the Board to fulfill probation requirements as set forth by the Board and gave a report to the Board of his continuing recovery activities and self-care. The Board determined that Mr. Stevens has satisfied all requirements of his probation and no further probation is necessary. Mr. Robert Stevens made the motion to suspend any further probation of Mr. Dan Stevens. Ms. Phyffer seconded the motion. The motion was approved by roll call vote as recorded:

Mr. McGraw: Yes
Ms. Phyffer: Yes
Ms. Patten: Yes
Mr. Robert Stevens: Yes
Mr. Wallace: Yes.

Ms. Cheryl Harrah appeared before the Board requesting her past supervision in New Mexico be approved for her 2000 hour requirement in Oklahoma. Ms. Phyffer made the motion to deny Ms. Harrah's past supervision. Mr. McGraw seconded the motion. By roll call vote, Ms. Harrah's request for acceptance of past supervision was denied with a roll call vote recorded as follows:

Mr. McGraw: Yes
Ms. Phyffer: Yes
Ms. Patten: Yes
Mr. Stevens: Yes
Mr. Wallace: Yes.

Ms. Linda Lewis appeared before the Board to request that her Master's Degree of Science in Human Resources be approved by the Board as appropriate for LADC application. After review

of transcript and discussion of appropriate classes, Mr. Stevens made the motion to accept the Master's Degree of Ms. Lewis. Ms. Phyffer seconded the motion. The motion to accept Ms. Lewis' degree was approved by roll call vote recorded as follows:

Mr. McGraw: No
Ms. Phyffer: Yes
Ms. Patten: Yes
Mr. Stevens: Yes
Mr. Wallace: Yes.

Ms. Linda Drake submitted written documentation to the Board to consider reinstatement of her credentials as a drug and alcohol counselor and a clinical supervisor for alcohol and drug counselors. Ms. Drake's credentials had lapsed while still under ODAPCA jurisdiction. Ms. Drake claimed that she had never received notification from ODAPCA that her certification was due and/or lapsed. Following review of the documentation presented, the Board cited Title 38:10-7-8 (e)(3) Failure to renew. Licenses or certifications not renewed within the one (1) year renewal period shall not be reinstated and the license or certification shall be returned to the Board. Ms. Drake never made application with the Board at the time of initial licensure, November, 2006, and the Board had no record or history of Ms. Drake. Ms. Drake may make application with this Board for licensure at her discretion. Mr. Stevens made a motion to decline Ms. Drake's request to reinstate her alcohol and drug counseling credentials. Mr. McGraw seconded the motion and the motion to deny Ms. Drake's request was unanimous by roll call vote recorded as follows:

Mr. McGraw: Yes
Ms. Phyffer: Yes
Ms. Patten: Yes
Mr. Stevens: Yes
Mr. Wallace: Yes.

Ms. Jeanette Anderson requested Board approval of past supervision. Ms. Anderson has been under supervision with Paul West since March 6, 2006. However, Ms. Anderson never submitted her supervision contract to the Board until September 5, 2007. Mr. Stevens made the motion to deny past supervision by Ms. Anderson. Ms. Phyffer seconded the motion. The motion to deny past supervision was approved by roll call vote recorded as follows:

Mr. McGraw: Out of the room at the time of the vote.
Ms. Phyffer: Yes
Ms. Patten: Yes
Mr. Stevens: Yes
Mr. Wallace: Yes.

The Financial and Administrative report was presented by Mr. Reji Varghese and Mr. Lyle Kelsey of the Medical Board. Discussion was held regarding the outstanding balance owed the Medical Board by this Board. The Medical Board had billed for services but never collected for services for the past year due to a series of errors. The Medical Board had presented three proposals for payout of monies owed by this Board to the Medical Board. Mr. Stevens made the motion to accept the 3 year payout with the option to payoff earlier if possible. Ms. Phyffer seconded the motion. By voice vote, the Board voted unanimously to approve the 3 year payout.

Mr. Kelsey discussed the Medical Board's decision to allow this Board to utilize the services of Ms. Vickie Mattingly to serve as part-time assistant to Mr. Pierson through December. The Medical Board will not charge this Board for Ms. Mattingly's services. The Medical Board will work with Mr. Pierson to determine cost estimates for a part-time administrative assistant to the Board.

Mr. Kelsey and Mr. Varghese discussed the Medical Board's reduction of \$800.00 a month in contractual costs due to the decrease in services by the Medical Board as a result of having an Executive Director and Administrative Assistant taking over part of the Medical Board's duties of administration of OBLADC.

Mr. Varghese reported that income from new applications from July 1 through September 7, 2007 amounts to \$9805.00, or 70 new applicants.

Mr. Varghese presented expenses for June and July 2007. A motion to pay June and July expenses was made by Mr. Stevens and seconded by Ms. Phyffer. The motion was approved by voice vote with none opposed.

A motion by Ms. Phyffer was made to approve the Financial and Administrative report as submitted. Mr. Wallace seconded the motion. In a voice vote, the Board approved the Financial and Administrative Report as submitted with none opposed.

Discussion was held regarding how to document and approve supervision conducted by Mr. Robert Rodgers, deceased. Mr. Dan Stevens, whom appeared earlier today but had to leave due to a work commitment, left a copy of his "Bob Rodgers CADC/LADC Staffing Supervision Log" which Mr. Rodgers had completed with Mr. Stevens for the Board to review. Board member, Mr. Robert Stevens, made the motion to (1) accept the supervision log signed by Mr. Rodgers with each supervisee he was supervising, (2) have each supervisee enter into a new supervision contract with a Board approved supervisor and submit a supervision contract to the Board for approval, and submit a supervision evaluation for each person being supervised to get a base-line on each supervisee's skills at this time. The Executive Director is to send a letter to the agency's clinical supervisor at this time, Mr. Ben Brown, asking Mr. Brown to help the Board with the following items: (a) Mr. Brown will ascertain Mr. Rodgers last day to work (supervise) previous to his death, (b) each supervisee of Mr. Rodgers must submit their "Bob Rodgers CADC/LADC Staffing Supervision Log" to the Board office by November 1, 2007 to receive credit for supervision completed by Mr. Rodgers, (c) that Mr. Brown complete a supervision evaluation on each supervisee to determine each supervisee's level of competency at this point in their supervision, and (d) that each supervisee submit a new supervision contract for approval by the Board before beginning supervision with a replacement supervisor. These requirements must be submitted to the Board office on or before November 1, 2007. This motion was seconded by Ms. Phyffer. The motion was approved by voice vote with none opposed.

A request for continuing education credit was brought before the Board for discussion and action. The Board reviewed the book, "The Way of Happiness" submitted by Claire Panelli for

approval for Ethics training for 4 hours. After discussion and review of material submitted, Mr. Stevens made a motion to decline this training for ceu's. Mr. Wallace seconded the motion to decline and the vote was unanimous to decline this training in a roll call vote recorded as follows:

Mr. McGraw: Yes
Ms. Phyffer: Yes
Ms. Patten: Yes
Mr. Stevens: Yes
Mr. Wallace: Yes.

Melissa Turner petitioned the Board for reciprocity from Arkansas. Discussion was held and it was determined that Ms. Turner was never a legal resident of Arkansas but has been a legal resident of Oklahoma for some time. A motion was made by Mr. Stevens for the Executive Director to draft a letter to Ms. Turner and decline her request for reciprocity based on her not meeting rules of reciprocity due to being an Oklahoma resident and never living in Arkansas. Ms. Phyffer seconded the motion to decline Ms. Turner's request. The Board, by roll call vote, unanimously declined Ms. Turner's request as recorded:

Mr. McGraw: Yes
Ms. Phyffer: Yes
Ms. Patten: Yes
Mr. Stevens: Yes
Mr. Wallace: Yes.

Ms. Lenore Arlee, Norman, has completed all requirements for licensure and was presented to the Board for approval as LADC. The Board, by voice vote, unanimously approved Ms. Arlee for LADC upon receipt of initial licensing fee.

Ms. Patten discussed Peer Assistance and talked about the need to define probation and sanctions for counselors that violate ethics and/or relapse. No action was taken at this time.

Ms. Linda Winton entered the Board Meeting at 1:55 P. M.

Ms. Patten and Mr. Pierson reported that the Co-Occurring committee did not meet in August at our request. Ms. Patten and Mr. Pierson will meet with Sandra Balzer, Assistant Attorney General, to discuss language changes needed and report to the committee on September 18, 2007.

Ms. Winton and Mr. Pierson reported for the Complaint Review Committee that we currently have five (5) open complaints filed against two counselors. The nature of the complaints were serious enough that the Complaint Review Committee turned the complaints over to the Medical Board Investigation team for formal investigation. Mr. Pierson will work with the Medical Board to monitor costs involved and keep the Board Chairperson, Ms. Patten, updated on the progress and costs of the investigation.

Mr. Pierson presented the Executive Director's report as follows:

- An Affirmative Action Plan was developed and submitted for the Board as per state and federal laws. Mr. Pierson asked that he go on record to acknowledge and thank Ms. Jan Ewing, administrative assistant to the Medical Board, for her expertise and help in this endeavor. Ms. Ewing had developed a plan for this Board last year and her work was tremendously helpful in developing a plan for us this year.
- Mr. Pierson will be on annual leave Thursday September 27 through Monday, October 1. The office will be closed during this time.
- Mr. Pierson has registered for the IC&RC Conference in San Diego the week of October 22 through 26, 2007. Ms. Patten decided not to participate in this conference this time due to work conflicts.
- Mr. Pierson reported that he ran a query on total number of applications for the fiscal year June 1, 2006 through August 7, 2007. We had 404 applications totaling \$56,560. income.

Under New Business, Ms. Patten, Board Chairwoman, cancelled the October Board meeting. The next Board meeting will be held November 5, 2007.

At 2:25 P. M., Ms. Phyffer made a motion to adjourn. Mr. Stevens seconded the motion and a voice vote was unanimous to adjourn at this time.