VIRGINIA BOARD OF
SPECIAL CONFERENCE COMMITTEE
April 8, 2016
MINUTES

CALL TO ORDER: A Special Conference Committee ("Committee") of the Board of Counseling ("Board") convened on April 8, 2016 at 9:41 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Richmond, Virginia, Training Room 2.

MEMBERS PRESENT: Johnston Brendel, Ed.D., LPC, LMFT, Chairperson
Danielle Hunt, LPC

STAFF PRESENT: Jennifer Lang, Deputy Executive Director
Emily Tatum, Adjudication Specialist

RESPONDENT: Ronald Smith, CSAC Reinstatement Applicnt
License No.: 0710-101714
Case No.: 155821
Witness(es): None

DISCUSSION: Mr. Smith appeared before the Committee, in person, in accordance with the Notice of the Board dated March 10, 2016, after having waived his right to reasonable notice prior to the convening of this proceeding . represented by legal counsel.

The Committee fully discussed the allegations in the Notice with Mr. Smith.

CLOSED MEETING: Upon a motion by Ms. Hunt, and duly seconded by Dr. Brendel, the Committee voted to convene in a closed meeting pursuant to § 2.2-3711(A)(27) of the *Code of Virginia* for the purpose of deliberation to reach a decision in the matter of Ronald Smith, CSAC Reinstatement Applicnt. Additionally, she moved that Jennifer Lang and Emily Tatum attend the closed meeting because their presence would aid the Committee in its deliberations.

RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of § 2.2-3712 of the *Code of Virginia*, the Committee reconvened in open session and announced its decision.

DECISION: Upon a motion by Ms. Hunt, and duly seconded by Dr. Brendel, the Committee made certain findings of facts and conclusions of law and voted to reinstate Mr. Smith's certification contingent upon payment of a monetary penalty. The motion carried.

ADJOURN: With all business concluded, the Committee adjourned at 10:15 a.m..

As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on the respondent, unless the respondent makes a written request to the Board within such time for a formal hearing on the allegations made. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of the Special Conference Committee shall be vacated.

Johnston Brendel, Ed.D., LPC, LMFT, Chairperson — Date: 04-08-2016

Jennifer Lang, Deputy Executive Director
Virginia Board of Counseling — Date: 4/8/16

VIRGINIA BOARD OF
SPECIAL CONFERENCE COMMITTEE
April 8, 2016
MINUTES

CALL TO ORDER: A Special Conference Committee ("Committee") of the Board of Counseling ("Board") convened on April 8, 2016 at 10:23 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Richmond, Virginia, Training Room 2.

MEMBERS PRESENT: Johnston Brendel, Ed.D., LPC, LMFT, Chairperson
Danielle Hunt, LPC

STAFF PRESENT: Jennifer Lang, Deputy Executive Director
Emily Tatum, Adjudication Specialist

RESPONDENT: John Lancaster, LPC
License No.: 0701-002063
Case No.: 162418
Witness(es): None

DISCUSSION: Mr. Lancaster appeared before the Committee, in person, in accordance with the Notice of the Board dated March 10, 2016. represented by legal counsel. The Committee fully discussed the allegations in the Notice with Mr. Lancaster.

CLOSED MEETING: Upon a motion by Ms. Hunt, and duly seconded by Dr. Brendel, the Committee voted to convene in a closed meeting pursuant to § 2.2-3711(A)(27) of the *Code of Virginia* for the purpose of deliberation to reach a decision in the matter of John Lancaster, LPC. Additionally, she moved that Jennifer Lang and Emily Tatum attend the closed meeting because their presence would aid the Committee in its deliberations.

RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of § 2.2-3712 of the *Code of Virginia*, the Committee reconvened in open session and announced its decision.

DECISION: Upon a motion by Ms. Hunt, and duly seconded by Dr. Brendel, the Committee made certain findings of facts and conclusions of law and voted to offer Mr. Lancaster a Consent Order for indefinite suspension of his license. The motion carried.

ADJOURN: With all business concluded, the Committee adjourned at 11:32 a.m..

As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on the respondent, unless the respondent makes a written request to the Board within such time for a formal hearing on the allegations made. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of the Special Conference Committee shall be vacated.

Johnston Brendel, Ed.D., LPC, LMFT, Chairperson — Date: 04/08/2016

Jennifer Lang, Deputy Executive Director
Virginia Board of Counseling — Date: 4/8/16

VIRGINIA BOARD OF
SPECIAL CONFERENCE COMMITTEE
April 8, 2016
MINUTES

CALL TO ORDER: A Special Conference Committee ("Committee") of the Board of Counseling ("Board") convened on April 8, 2016 at 11:34 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Richmond, Virginia, Training Room 2.

MEMBERS PRESENT: Johnston Brendel, Ed.D., LPC, LMFT, Chairperson
Danielle Hunt, LPC

STAFF PRESENT: Jennifer Lang, Deputy Executive Director
Emily Tatum, Adjudication Specialist

RESPONDENT: Jerry Kestner, CSAC
License No.: 0710-000122
Case No.: 154611
Witness(es): None

PRELIMINARY MATTER: The Chairperson noted that the time was 11:35 a.m. and Mr. Kestner was noticed to appear before the Committee at 10:00 a.m.. Ms. Tatum advised the Committee that the Notice was mailed to the Respondent's address of record with the Board of Counseling and that neither the certified Notice nor the regular mail had been returned. The Chairperson determined that Mr. Kestner had been properly noticed and the informal conference would proceed in the Respondent's absence.

DISCUSSION: Mr. Kestner did not appear before the Committee in accordance with the Notice of the Board dated March 10, 2016, and was not represented by counsel. The Committee considered the information contained in the informal conference package.

CLOSED MEETING: Upon a motion by Ms. Hunt, and duly seconded by Dr. Brendel, the Committee voted to convene in a closed meeting pursuant to § 2.2-3711(A)(27) of the *Code of Virginia* for the purpose of deliberation to reach a decision in the matter of Jerry Kestner, CSAC. Additionally, she moved that Jennifer Lang and Emily Tatum attend the closed meeting because their presence would aid the Committee in its deliberations.

RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of § 2.2-3712 of the *Code of Virginia*, the Committee reconvened in open session and announced its decision.

DECISION: Upon a motion by Ms. Hunt, and duly seconded by Dr. Brendel, the Committee made certain findings of facts and conclusions of law and voted to offer Mr. Kestner a Consent Order in lieu of a formal hearing. The motion carried.

ADJOURN: With all business concluded, the Committee adjourned at 11:43 a.m..

As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on the respondent, unless the respondent makes a written request to the Board within such time for a formal hearing on the allegations made. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of the Special Conference Committee shall be vacated.

Johnston Brendel, Ed.D., LPC, LMFT, Chairperson — Date: 04/08/2016

Jennifer Lang, Deputy Executive Director — Date: 4/8/16