

**VIRGINIA BOARD OF COUNSELING
FORMAL HEARING
MINUTES
JANUARY 27, 2017**

CALL TO ORDER: A panel of the Board of Counseling convened on January 27, 2017, at 12:15 p.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Henrico, VA in Board Room 1.

MEMBERS PRESENT: Kevin Doyle, Ed.D., LPC, LSATP, Chairperson
Johnston Brendel, Ed.D., LPC, LMFT
Charles Gressard, Ph.D., LPC, LMFT, LSATP
Bev-Freda Jackson, Ph.D., Citizen Member
Sandra Malawer, LPC, LMFT
Vivian Sanchez-Jones, Citizen Member
Terry Tinsley, Ph.D., LPC, LMFT, CSOTP
Holly Tracy, LPC, LMFT

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

STAFF PRESENT: Christy Evans, Discipline Case Specialist
Jaime Hoyle, Executive Director
Charlotte Lenart, Licensing Manager

COURT REPORTER: Juan Ortega, Court Reporter
Crane-Snead Court Reporting

RESPONDENT: Craig Dupuis, LPC, LMFT, CSAC
License #: 0701-002496
0717-000124
0710-000854
Case #: 157647

PARTIES ON BEHALF OF THE COMMONWEALTH: Julia Bennett, Assistant Attorney General
Emily Tatum, Adjudication Specialist

PRELIMINARY MATTERS: The Chairperson accepted Commonwealth's Exhibit(s) 1-3, an Agreement of Stipulations, and Respondent's Exhibit(s) A into evidence.

DISCUSSION: Mr. Dupuis appeared in person before the Board, without legal counsel, and fully discussed the allegations contained in the Notice of Formal Hearing dated December 15, 2016.

The Board received evidence and sworn testimony regarding the allegations in the Notice.

CLOSED SESSION: Upon a motion by Ms. Tracy, and duly seconded by Dr. Brendel, the Board voted to convene 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. Additionally, she moved that James Rutkowski, Jaime Hoyle, and Christy Evans attend the closed meeting because

their presence was deemed necessary and would aid the Board in its deliberation.

RECONVENE:

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

DECISION:

Dr. Tinsley moved that the Board accept the Findings of Fact and Conclusions of Law and decision in the matter as presented by Ms. Bennett, and further moved that the Board indefinitely suspend Mr. Dupuis' licenses to practice. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 2:04 p.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions and decisions of this formal hearing panel.



Kevin Doyle, Ed.D., LPC, LSATP, Chairperson

2/3/17

Date



Jaime Hoyle, Executive Director

2/7/17

Date

**VIRGINIA BOARD OF COUNSELING
FORMAL HEARING
MINUTES
JANUARY 27, 2017**

CALL TO ORDER: A panel of the Board of Counseling convened on January 27, 2017, at 2:14 p.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Henrico, VA in Board Room 1.

MEMBERS PRESENT: Kevin Doyle, Ed.D., LPC, LSATP, Chairperson
Cinda Caiella, LMFT
Charles Gressard, Ph.D., LPC, LMFT, LSATP
Bev-Freda Jackson, Ph.D., Citizen Member
Sandra Malawer, LPC, LMFT
Vivian Sanchez-Jones, Citizen Member
Terry Tinsley, Ph.D., LPC, LMFT, CSOTP

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

STAFF PRESENT: Jaime Hoyle, Executive Director
Charlotte Lenart, Licensing Manager

COURT REPORTER: Juan Ortega, Court Reporter
Crane-Snead Court Reporting

RESPONDENT: Jerry Kestner, CSAC
License #: 0710-000122
Case #: 154611

**PARTIES ON BEHALF OF THE COMMONWEALTH:
COMMONWEALTH WITNESSES:** Emily Tatum, Adjudication Specialist
Christy Evans, Discipline Case Specialist

PRELIMINARY MATTERS: Dr. Doyle noted that Mr. Kestner did not appear before the Board in accordance with the Board's Notice of Formal Hearing dated December 15, 2016, and was not represented by legal counsel. Ms. Tatum presented an affidavit attesting that the Notice had been mailed to Mr. Kestner's address of record with the Board by certified and first class mail. Dr. Doyle opined that proper notice of the proceeding had been provided and the formal hearing would proceed in Mr. Kestner's absence.

The Chairperson accepted Commonwealth's Exhibit(s) 1-3 into evidence.

DISCUSSION: The Board received evidence and sworn testimony regarding the allegations in the Notice.

CLOSED SESSION: Upon a motion by Ms. Jackson, and duly seconded by Ms. Caiella, the Board voted to convene 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. Additionally, she moved that James Rutkowski, Jaime Hoyle, and Charlotte Lenart attend the closed meeting because their presence was deemed necessary and would aid the Board

in its deliberation.

RECONVENE:

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

DECISION:

Dr. Tinsley moved that the Board accept the Findings of Fact, Conclusions of Law and decision in the matter as presented by Ms. Tatum, and further moved that the Board indefinitely suspend Mr. Kestner's certification to practice substance abuse counseling. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 2:33 p.m.

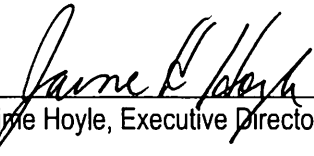
The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions and decisions of this formal hearing panel.



Kevin Doyle, Ed.D., LPC, LSATP, Chairperson

2/3/17

Date



Jaime Hoyle, Executive Director

2/7/17

Date

**VIRGINIA BOARD OF COUNSELING
FORMAL HEARING
MINUTES
JANUARY 27, 2017**

CALL TO ORDER: A panel of the Board of Counseling convened on January 27, 2017, at 2:40 p.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Henrico, VA in Board Room 1.

MEMBERS PRESENT: Kevin Doyle, Ed.D., LPC, LSATP, Chairperson
Charles Gressard, Ph.D., LPC, LMFT, LSATP
Bev-Freda Jackson, Ph.D., Citizen Member
Sandra Malawer, LPC, LMFT
Vivian Sanchez-Jones, Citizen Member
Terry Tinsley, Ph.D., LPC, LMFT, CSOTP

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

STAFF PRESENT: Jaime Hoyle, Executive Director
Charlotte Lenart, Licensing Manager

COURT REPORTER: Juan Ortega, Court Reporter
Crane-Snead Court Reporting

RESPONDENT: Robin Snell, LPC
License #: 0701-003692
Case #: 153690

PARTIES ON BEHALF OF THE COMMONWEALTH: Emily Tatum, Adjudication Specialist

COMMONWEALTH WITNESSES: Christy Evans, Discipline Case Specialist

PRELIMINARY MATTERS: Dr. Doyle noted that Ms. Snell did not appear before the Board in accordance with the Board's Notice of Formal Hearing dated December 15, 2016, and was not represented by legal counsel. Ms. Tatum presented an affidavit attesting that the Notice had been mailed to Ms. Snell's address of record with the Board by certified and first class mail. Dr. Doyle opined that proper notice of the proceeding had been provided and the formal hearing would proceed in Ms. Snell's absence.

The Chairperson accepted Commonwealth's Exhibit(s) 1-3 into evidence.

DISCUSSION: The Board received evidence and sworn testimony regarding the allegations in the Notice.

CLOSED SESSION: Upon a motion by Dr. Jackson, and duly seconded by Dr. Gressard, the Board voted to convene 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. Additionally, she moved that James Rutkowski, Jaime Hoyle and Charlotte Lenart attend the closed meeting because their presence was deemed necessary and would aid the Board

in its deliberation.

RECONVENE:

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

DECISION:

Dr. Tinsley moved that the Board accept the Findings of Fact, Conclusions of Law and decision in the matter as presented by Ms. Tatum, and further moved that the Board indefinitely suspend Ms. Snell's right to renew her license. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 2:57 p.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions and decisions of this formal hearing panel.



Kevin Doyle, Ed.D., LPC, LSATP, Chairperson

2/3/17

Date



Jaime Hoyle, Executive Director

2/7/17

Date