

APPROVED MINUTES
STATE BOARD OF CLINICAL SOCIAL WORKERS
Tuesday, February 13, 2007 -- 10:00 a.m. to 3:00 p.m.
First Floor Conference Room
3218 Pringle Road SE - Salem, OR 97302

BOARD AND STAFF MEMBERS PRESENT: Mark Oldham (Chair), Simone Brooks, Cheryl Price, Becky Rasmussen, Mark Troseth, Toniya Villalobos, Kyle Martin, (AAG), and Jon Langenwalter (Administrator).

DRAFT AGENDA

The Board begins its regular meeting 10:00 a.m. in a work session. The Impaired Professional Committee meets beginning at 8:00 a.m. in Executive Session (ORS 192.660[1][f][h]) in the Administrator's Office to discuss pending cases, consult with legal counsel, and conduct interviews. The Impaired Professional Committee report to the Board is presented in Executive Session to discuss cases and other legal matters. Final actions regarding recommendations to the Board will take place in the Public Session of the Board meeting. The Consumer Protection Committee meets beginning at 9:00 a.m. in Executive Session (ORS 192.660[1][f][h]) in the Second Floor Conference Room to discuss pending complaints, consult with legal counsel, and conduct interviews. The Consumer Protection Committee report to the Board is presented in Executive Session to discuss complaints and other legal matters. Final actions regarding recommendations to the Board will take place in the Public Session of the Board meeting. Application files are reviewed in the public meeting until the balance of the Board members can join the regular meeting.

CALL TO ORDER - Mark Oldham, Chair.

REVIEW/APPROVAL OF AGENDA

APPROVAL OF MINUTES - Approval of the January 9, 2007 Board Meeting Minutes.

MOVE TO EXECUTIVE SESSION: (Taped record.)

CPC Report

IMP Report

Other items as necessary/Legal counsel.

PUBLIC COMMENT

LUNCH AGENDA - Staff Reports and Open Discussion.

COMMITTEE REPORTS (Not all committees report or are required to report every month.) Budget, Consumer Protection, Impaired Professional, Continuing Education, Exam, Personnel, Public Information, Rules.

OLD BUSINESS:

Practice Act Update: Mark Oldham

Budget Priorities: Mark Oldham

Rules Process Advisory Committee: Mark Oldham

Date and Place for Spring Mini-Planning Meeting: Mark Oldham (today)

Update on Administrator Reclassification Process: Jon Langenwalter (today)

NEW BUSINESS:

Request to Return to Active Status: Robin Hochtritt (mail)

Exam Accommodation/English as 2nd Language : Loan Kim Huynh (mail)

Request for Waiver to 2-year Licensure Rule to Provide Supervision: Rachael Berkeley (today)

Need 1-year Plan for Renewal:

Jennifer H. Brown (today)

Lisa N. O'Neil (today)

Date and Place for Fall Planning Meeting: Mark Oldham

Draft Newsletter: Jon Langenwalter (mail)

Proposed Time-Line/Process for Hiring .5 FTE OS 1 Position: Jon Langenwalter (today)

Use of Revoked Licensee by County Court System: Mark Oldham (mail)

Request for Opinion Concerning Scope of Practice: Mark Oldham (today)

Request for Renewal Decision Review: Rikki E. Schoenthal (today)

BUDGET UPDATE - As of 2/12/07, the current amount in the Board account held in the State Treasury was \$168,441.

CORRESPONDENCE - Jeremy Nguyen; Marieta Westermeyer

REVIEW AND DISCUSSION ON APPLICANT FILES

Consent Calendar

Special Review: J. Harrison Whitcomb; Michael J. Norvell; Jenylyn Baures

ADMINISTRATOR'S REPORT

ANNOUNCEMENTS AND ADJOURNMENT

1. **CALL TO ORDER** - Mark Oldham, Chair, called the meeting to order at 11:45 a.m.
2. **REVIEW/APPROVAL OF AGENDA** - The Board adopted the agenda distributed prior to the meeting.

3. APPROVAL OF MINUTES - Cheryl Price **moved that the Minutes of the January 9, 2007 meeting be approved as distributed.** Mark Troseth **seconded the motion which passed unanimously.**

4. MOVE TO EXECUTIVE SESSION: [Business under authority of ORS 192.660(2)(f)(h)(k)]

Simone Brooks **moved to go into Executive Session.** Becky Rasmussen **seconded the motion, which passed unanimously.** The Consumer Protection Committee report was presented and discussed. The Impaired Professional Committee report was presented and discussed. Toniya Villalobos **moved to return to Public Session.** Becky Rasmussen **seconded the motion, which passed unanimously.** (Note: A taped record of the Executive Session is kept on the Board's main computer.)

5. PUBLIC COMMENT - None.

6. LUNCH AGENDA - Staff Reports and Open Discussion.

7. COMMITTEE REPORTS (Not all committees report or are required to report every month.) Budget, Consumer Protection, Impaired Professional, Continuing Education, Exam, Personnel, Public Information, Rules.

- Consumer Protection - Toniya Villalobos presented the Committee report. She **moved to dismiss 2006-12 due to insufficient evidence to substantiate a violation of law or rule.** Becky Rasmussen **seconded the motion which passed unanimously.** Ms. Villalobos **moved to dismiss 2006-17 based on no violation of law or rule.** Simone Brooks **seconded the motion which passed unanimously.** Ms. Villalobos **moved to dismiss 2006-19 based on no violation of law or rule.** Simone Brooks **seconded the motion which passed unanimously.**
- Impaired Professional - Becky Rasmussen told the Board that there were no cases to present.
- Continuing Education - Cheryl Price presented the Committee report. She told the Board that the Committee reviewed 7 requests. They approved 4, are requesting more information from 2, and denied 1 request. The staff had forwarded a question to the Committee concerning whether a CSWA could be counted as part of a study group for purposes of meeting Board CE requirements. The Board concluded that a CSWA could not count as part of a study group equation since the Rule specifically states the need for "Licensed" mental health professionals. The Committee requested that the Administrator send a letter to Dr. Wendy Newhouse Davis requesting that she not list the Board's approval code 2004-0001 from Jane Meskill's CE request submitted in 2004 since the Board makes decisions about non-credentialed courses on an individual basis. (review basic ltr of approval to make sure it refers to this one request only.)
- Rules - Mark Troseth led the Board in a discussion of three basic areas of the Rules: continuing education; FBI national fingerprint background check; and child custody concerns. His goal is to have a final draft of all proposed rule changes for the April, 2007 board meeting.

8. OLD BUSINESS:

- Practice Act Update: Elizabeth Buys, Coordinator of the Practice Act Task Force, updated the Board on current projects. The Board reviewed drafts of two documents the Task Force is creating. Ms. Buys told the Board that the Task Force plans to have the documents ready for final review at the April Board meeting.
- Budget Priorities: The Board reviewed the latest budget projections created by the staff. The Board decided that in light of the budgeting decisions they made last month, there would be sufficient funds to send two people to the ASWB Spring Educational Meeting in Mobile, Alabama. Becky Rasmussen and Toniya Villalobos will attend the meeting on the Board's behalf.

- Rules Process Advisory Committee: Mark Oldham requested that Board members intentionally think about who could effectively serve on the Rules Advisory Committee for the changes to the rules the Board will be proposing this summer. The Administrator will put an article in the next newsletter inviting people to apply to serve on the Committee. The Administrator will contact several other health-related licensing boards to see if they've developed any kind of application form or process.
- Date and Place for Spring Mini-Planning Meeting: By consensus the Board agreed to meet all day Friday, May 4th, and Saturday morning, May 5th, for the monthly Board meeting and a mini-planning meeting. All meetings will occur at the Board office building.
- Update on Administrator Reclassification Process: Jon Langenwalter informed the Board that during several recent budget hearings and work sessions the Education sub-committee of the Joint Ways and Means Committee had discussed the idea of reclassifying the agency heads out of the Executive Officer classification.

9. NEW BUSINESS:

- Request to Return to Active Status:
 - The Board approved a request from Robin Hochtritt to return to active status. There is no CE requirement since Ms. Hochtritt had been on inactive status for less than two years. [OAR 877-020-0055(1a)]
 - The Board approved a request from Toni Bloom to return to active status. Since Ms. Bloom had been on inactive status for more than 2 but less than 5 years, the staff will issue her an active license once she has provided documentation of having completed 20 hours of CE. [OAR 877-020-0055(1b)]
- Exam Accommodation/English as 2nd Language : The Board approved a request from Loan Kim Huynh for language accommodations and extra time to take the ASWB Clinical Exam.
- Request for Waiver to 2-year Licensure Rule to Provide Supervision: The Board denied a request from Rachael Berkeley to waive the 2-year licensure rule prior to providing supervision to CSWAs. While the Board recognized her previous post-graduate supervisory experience, the rule [OAR 877-020-0012(9)] does not allow the Board any latitude with a person having at least "two years post-LCSW practice experience" prior to providing CSWA supervision.
- Need 1-year Plan for Renewal:
 - The Board approved a letter to be sent to Jennifer H. Brown with her renewal packet. The letter will remind Ms. Brown that her renewal application will be incomplete until the Board has approved a one-year Plan of Supervision. [OAR 877-020-0016(3)]
 - The Board approved a letter to be sent to Lisa N. O'Neil with her renewal packet. The letter will remind Ms. O'Neil that her renewal application will be incomplete until the Board has approved a one-year Plan of Supervision. [OAR 877-020-0016(3)]
- Date and Place for Fall Planning Meeting: The Board decided to hold its fall planning meeting and October Board meeting on Thursday and Friday, October 11-12, 2007 at the Inn at Spanish Head in Lincoln City, OR.
- Draft Newsletter: The Board suggested several changes to the draft newsletter which had been distributed prior to the meeting.

- Proposed Time-Line/Process for Hiring .5 FTE OS 1 Position: The Administrator presented a proposed time-line and process for hiring a person to fill the .5 FTE OS 1 position as of July 1, 2007. The Board consented to the proposal.
- Use of Revoked Licensee by County Court System: The Board was aware that a County Circuit Court had recently used the services of a former LCSW, whose License was revoked in 2000 based on sexual misconduct with a client, as a court-approved child custody evaluator. The Administrator will draft a letter requesting that Courts use mental health professionals whose Licensure is both current and unencumbered to perform official court functions. The Board will review the draft at their March meeting
- Request for Opinion Concerning Scope of Practice: The Board reviewed a letter from Katy Casey of the Yakima Valley Farm Workers Clinic. Ms. Casey requested that the Board review some of the practice and protocols of one or more LCSWs in the organization. In question was to what extent an LCSW could help “manage” a patient’s medication regimen. Ms. Casey outlined 8 practices involving medication management for the Board’s review. The Board could not provide an official opinion based on her request because they would need more specificity regarding each of the 8 practices mentioned in the letter. The Board instructed the Administrator to respond to Ms. Casey to acknowledge the possibility that the LCSW might be outside of the accepted scope of practice depending on the specific ways in which the LCSW was interacting with the patient.
- Request for Renewal Decision Review: The Board denied a request from Rikki E. Schoenthal that her License not Lapse but that instead she be granted Inactive status. Ms. Schoenthal’s License lapsed on January 31, 2007. Her renewal application was received in the Board office on February 8, 2007. OAR 877-020-0030(4) does not allow the Board any flexibility and her License must lapse since she did not timely renew. The Administrator will write Ms. Schoenthal to inform her that she needs to reapply if she wishes to be Licensed by this Board.

10. BUDGET UPDATE - As of 2/12/07, the current amount in the Board account held in the State Treasury was \$168,441.

11. CORRESPONDENCE:

- The Board reviewed a letter from Jeremy Nguyen in which he shared some suggestions about the licensure process based on his recent experience. The Administrator will write Mr. Nguyen and thank him for his input.
- The Board noted a recent letter from Marieta Westermeyer that was highly complementary of how Ms. Johansen and Ms. Alley had provided staff support in her quest to seek licensure in another jurisdiction.

12. REVIEW AND DISCUSSION ON APPLICANT FILES

- New Plans were approved for *12 Associates whose names are on the Consent Agenda (see attached). (12)*
- Plan Changes were approved for *9 people on the Consent Agenda (see attached). (9)*
- No Revised Plans were submitted for review. *(0)*
- Final Reviews were approved for *9 people on the Consent Agenda (see attached). (9)*
- LCSW Applications were approved for *8 people on the Consent Agenda (see attached). (8)*
- Consent Agenda Cheryl Price **moved that the Board approve the Consent Agenda as distributed for the meeting.** Becky Rasmussen **seconded the motion which passed unanimously.** (See attached Consent Agenda.)

- Special Review:
 - The Board accepted an application for licensure from J. Harrison Whitcomb, having previously been licensed in three other jurisdictions.
 - Michael J. Norvell had submitted an application for licensure. The Board had accepted the voluntary surrender of his License on June 13, 2006. The Administrator will write to request that Mr. Norvell withdraw his application since OAR 877-020-0031(3) states that a person must wait for 3 years to reapply after a License has been surrendered to the Board.
 - The Board accepted an application for a Plan of Supervision from Jenylyn Baures.

13. ADMINISTRATOR'S REPORT

14. ANNOUNCEMENTS AND ADJOURNMENT - The meeting adjourned at 3:20 p.m.

The next regularly scheduled Board meeting will be at 10:00 a.m. on Tuesday, March 13, 2007 in the First Floor Conference Room at the Morrow Crane Building, 3218 Pringle Road SE, Salem, OR 97302. At 8:00 a.m. on the same date there will be a meeting of the Impaired Professional Committee (in Executive Session) in the Administrator's Office. At 9:00 a.m. on the same day there will be a meeting of the Consumer Protection Committee (in Executive Session) in the Second Floor Conference Room. At 10:30 a.m. on the same day there will be a meeting of the Practice Act Task Force in the Second Floor Conference Room. At 6:30 p.m. on the previous evening, (Monday, March 12, 2007) there will be a meeting of the Continuing Education Committee at Sancha Alley's home, 1793 Chukar Court, Salem, OR 97304.