

APPROVED MINUTES
STATE BOARD OF CLINICAL SOCIAL WORKERS
Tuesday, March 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, Sara Dehaan, 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 February 13, 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

Rules Process Advisory Committee: Mark Oldham

Proposed Letter to Circuit Court Judges: Mark Oldham

NEW BUSINESS:

Request to Go on Inactive Status: Ronald Kittleson

Request to Return to Active Status: Donna Olson; Julie Siepmann

Request for Exam Accommodations (Language and Time): Jeremy Nguyen; Maria Schaad

Request for Waiver to 2-year Licensure Rule to Provide Supervision: Rochelle Mollen; Keith Nelson

Review of OAR 877-020-0016: Jon Langenwalter

Review of SB 754: Mark Oldham Langenwalter

Review of HB 2009: Jon Langenwalter

Topics for May, '07 Mini-planning Meeting: Mark Oldham

Board Members as CSWA Supervisors: Mark Oldham

Board Meeting Process Review: Mark Oldham

BUDGET UPDATE - As of 3/12/07, the current amount in the Board account held in the State Treasury was \$168,162.

CORRESPONDENCE

REVIEW AND DISCUSSION ON APPLICANT FILES

Consent Calendar

Special Review: Jennifer Bucholtz; Sara Eberly; Heidi Garza; M. Diane Wade

ADMINISTRATOR'S REPORT

ANNOUNCEMENTS AND ADJOURNMENT

1. CALL TO ORDER - Mark Oldham, Chair, called the meeting to order at 11:10 a.m.
2. REVIEW/APPROVAL OF AGENDA - The Board adopted the agenda distributed prior to the meeting.

3. APPROVAL OF MINUTES - Mark Troseth **moved that the minutes of the February 13, 2007 meeting be approved as distributed.** Cheryl Price **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. Sara Dehaan **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 2006-15 due to insufficient evidence to substantiate a violation of law or rule.** Mark Troseth **seconded the motion which passed unanimously.** Ms. Villalobos **moved to dismiss 2006-18 based on no violation of law or rule.** Mark Troseth **seconded the motion which passed unanimously.** Ms. Villalobos **moved to dismiss 2007-01 based on no violation of law or rule.** Simone Brooks **seconded the motion which passed unanimously.** Ms. Villalobos **moved to dismiss 2007-03 due to insufficient evidence to substantiate a violation of law or rule.** Mark Troseth **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 6 requests. They approved 2, are requesting more information from 2, and denied 2 requests. They responded to a letter in which a licensee requested clarification on the rule requiring that non-credentialed CE coursework be submitted to the Board for approval at least 90 days prior to a person's renewal. The Committee also reviewed the form letter used by the staff to request additional CE information from people after they have submitted their CE report. They concluded that the current letter sufficiently met the Board's needs at this time.
- Rules - Mark Troseth requested feedback from the Board regarding what they needed from him in preparation for the mini-planning meeting set for May 4-5, 2007. The consensus of the group was to finalize work on the draft of the two sections that they have already reviewed. They also requested that he prepare a draft of all the "minor" changes that need to occur throughout the entire set of rules. Mr. Troseth stated that he would have this material ready for review at the April 10, 2007 Board meeting.

8. OLD BUSINESS:

- Practice Act Update: The Board acknowledged the need to move forward with the information and educational phase of the project, stressing the need for the public to be assured that all people engaged in social work practice have the education, expertise, and ethics required by the State.

- Rules Process Advisory Committee: The Board reviewed the rules advisory committee process used by two other licensing boards. They instructed the Administrator to contact NASW/OR to see if they have a couple people who would be willing to serve on the Committee. He will also contact the MSW programs at Portland State University, Walla Walla College, and Eastern Washington State University/Vancouver campus and request they provide the names of one or more graduate students who would be willing to participate on the committee. Mark Troseth agreed to chair the committee. The Board suggested that the committee's first meeting occur in the last two weeks of June. The committee will meet in the Board office for approximately four hours on a Friday afternoon or Saturday morning. The committee will provide input on all rule changes being proposed by the Board. They will also be invited to suggest changes to the Rules that the Board is not currently exploring. The Board will reimburse committee members for mileage to attend the meeting and one hour of CE credit for each hour they spend in meeting.
- Proposed Letter to Circuit Court Judges: The Board reviewed a draft of a letter to be sent to Circuit Court Judges in Oregon. Mr. Martin suggested that the letter be modified and only sent to the Presiding Judge of each Circuit Court. The Administrator and Mr. Martin will collaborate on the wording of the letter and return it to the Board for consideration.

9. NEW BUSINESS:

- Request to Go on Inactive Status: The Board tabled a request from Ronald Kittleson to go on inactive status. The Administrator will write Mr. Kittleson and request a job description, a brief synopsis of his client base, the details of his scope of practice, and a description of the focus and the end goal of his work with clients.
- Request to Return to Active Status:
 - The Board approved a request from Donna Olson to return to active status. There is no CE requirement since Ms. Olson had been on inactive status for less than two years. [OAR 877-020-0055(1a)]
 - The Board reviewed a request from Julia Siepmann to return to active status. Sara Dehaan **moved that Ms. Siepmann receive an active License once she has completed 40 hours of new, credentialed CE, since she has been on inactive status for over 5 years.** [OAR 877-020-0055 (1c)] Mark Troseth **seconded the motion, which failed by a vote of 3-4.** Cheryl Price, Mark Troseth, and Toniya Villalobos voted in favor of the motion. Simone Brooks, Sara Dehaan, Mark Oldham, Becky Rasmussen, and Toniya Villalobos opposed the motion. Becky Rasmussen **moved that Ms. Siepmann receive an active License with no CE requirement since she had documented 65 hours of CE during her time on inactive status.** [OAR 877-020-0055(1a)] Cheryl Price **seconded the motion which failed by a vote of 3-4.** Sara Dehaan, Cheryl Price and Mark Troseth voted in favor of the motion. Simone Brooks, Mark Oldham, Becky Rasmussen, and Toniya Villalobos opposed the motion. Becky Rasmussen **moved that Ms. Siepmann receive an active License once she has completed 26 hours of new, credentialed CE, since she had reported 14 hours of credentialed CE two years ago, which can be applied to the 40 hour requirement.** [OAR 877-020-0055 (1c)]. Simone Brooks **seconded the motion which passed by a vote of 5-2.** Simone Brooks, Sara Dehaan, Cheryl Price, Mark Troseth, and Toniya Villalobos voted in favor of the motion. Mark Oldham and Becky Rasmussen opposed the motion.
- Request for Exam Accommodations (Language and Time):
 - Mark Troseth **moved that the Board approve a request from Maria Schaad for language accommodations and extra time to take the ASWB Clinical Exam.** Sarah Dehaan **seconded the motion which passed unanimously.**

- Mark Troseth **moved that the Board approve a request from Jeremy Nguyen for language accommodations and extra time to take the ASWB Clinical Exam.** Sarah Dehaan **seconded the motion which passed unanimously.**
- Request for Waiver to 2-year Licensure Rule to Provide Supervision:
 - Mark Troseth **moved that the Board approve a request from Rochelle Mollen to waive the rule requiring two years of licensure in Oregon prior to providing supervision to Clinical Social Work Associates.** Becky Rasmussen **seconded the motion which passed unanimously.** The Board's decision was based on Ms. Mollen's post-licensure experience in New York prior to moving to Oregon.
 - Mark Troseth **moved that the Board approve a request from Keith Nelson to waive the rule requiring two years of licensure in Oregon prior to providing supervision to Clinical Social Work Associates.** Becky Rasmussen **seconded the motion which passed unanimously.** The Board's decision was based on Mr. Nelson's post-licensure experience in California prior to moving to Oregon.
- Review of OAR 877-020-0016: The Board reviewed some issues the staff had experienced while trying to implement OAR 877-020-0016. There were some questions specifically about how this rule applies to people coming in from another jurisdiction but who still need to pass the ASWB Clinical Exam. The Board affirmed its stance of treating people under similar situations in a similar manner. They requested that the Rules Committee draft a proposed new paragraph or section in the Rules that specifically addresses the issue of reciprocity with other jurisdictions. The Board also affirmed the basic principle that candidates who have not successfully passed the ASWB Clinical Exam within one year of being authorized need to be in a Plan of Supervision as a matter of public protection.
- Review of SB 754: The Board briefly reviewed SB 754 which seeks to offset a portion of an MSW student loan if the graduate is working in a "rural" part of the state. The Board affirmed its primary responsibility in licensing and regulation and chose not to take an official position on the bill.
- Review of HB 2009: The Board briefly reviewed HB 2009 which seeks to make the Board of Psychological Examiners a semi-independent state agency. The Board reviewed documents from both the '03 and '05 Boards who were in favor of semi-independent status. The Board affirmed that the same dynamics existed now as before in that the savings in Board and staff time, material, and fiscal resources easily more than offsets any potential downside to this agency moving to semi-independent status if that option ever becomes available.
- Topics for May, '07 Mini-planning Meeting: The mini-planning meeting will go from 9-5:00 on Friday, May 4, 2007 and from 9-noon on Saturday, May 5, 2007. The meetings will occur at the Board office. Mark Oldham told the Board that he would have a draft agenda/process ready to review at the April Board meeting.
- Board Members as CSWA Supervisors: The Board discussed the general concept of Board members serving as Supervisors for a CSWA Plan of Supervision. The general consensus is that this is not intrinsically a conflict of interest. Several Board members suggested it would be easy for the public to perceive that there's a potential for a dual relationship to occur. In the more rural areas of the State there might not be other options for supervision than utilizing a Board member. It might be best if Board members declined opportunities to supervise CSWAs in the more populated areas of the State.

- Board Meeting Process Review: Mark Oldham solicited feedback from Board members concerning how they felt the Board meetings were going. There was immediate consensus that the meetings were productive and well-facilitated. Becky Rasmussen suggested that it would be helpful to take a break in the meeting more frequently and maybe for more than 5 minutes. Several members indicated that a decrease in side conversations would increase meeting effectiveness. Board members committed themselves to self-monitoring of this dynamic.

10. BUDGET UPDATE - As of 3/12/07, the current amount in the Board account held in the State Treasury was \$168,162.

11. CORRESPONDENCE - None.

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 *10 people on the Consent Agenda (see attached)*. (10)
- Revised Plans were approved for *2 people on the Consent Agenda (see attached)*. (2)
- Final Reviews were approved for *7 people on the Consent Agenda (see attached)*. (7)
- LCSW Applications were approved for *11 people on the Consent Agenda (see attached)*. (11)
- Consent Agenda Sara Dehaan **moved that the Board approve the Consent Agenda as distributed for the meeting.** Mark Troseth **seconded the motion which passed unanimously.** (See attached Consent Agenda.)
- Special Review:
 - The Board denied a request from Jennifer Bucholtz that she be allowed to use the supervision hours she accrued the last six months prior to submitting a plan change for the new supervisor. The Board has accepted the plan change but the previous six months of work will not count. [See OAR 877-020-0013(3)]
 - The Board reviewed a Six-Month Supervision Evaluation Report recently submitted by Sara Eberly and her Group Supervisor, Phil Niemeyer. The Board noted that Ms. Eberly had not received the minimum amount of supervision required by her Plan and Board Rules. [OAR 877-020-0012(6)(b)] Mark Oldham instructed the Administrator to write Ms. Eberly and request that she and Mr. Niemeyer meet the minimum amount of required supervision in the current six-month reporting period. If the next report doesn't show an acceptable amount of supervision, the Board might consider taking public disciplinary action against Mr. Eberly's Certificate.
 - The Board reviewed a Six-Month Supervision Evaluation Report recently submitted by Heidi Garza and her Supervisor, Mary Bolton. The Board noted that Ms. Garza had not received the minimum amount of supervision required by her Plan and Board Rules. [OAR 877-020-0012(6)(b)] Mark Oldham instructed the Administrator to write Ms. Garza and request that she and Ms. Bolton meet the minimum amount of required supervision in the current six-month reporting period. If the next report doesn't show an acceptable amount of supervision, the Board might consider taking public disciplinary action against Mr. Garza's Certificate.

- The Board approved an application from M. Diane Wade to reinstate her License. The Board accepted the voluntary surrender of Ms. Wade's License in lieu of revocation through a stipulation and final order, dated November 6, 2004. The Administrator will write Ms. Wade and inform her that under the Stipulation, she will be on Probation for one year and will need to follow the other specific requirements of the Final Order.

13. ADMINISTRATOR'S REPORT

14. ANNOUNCEMENTS AND ADJOURNMENT - The meeting adjourned at 3:15 p.m.

The next regularly scheduled Board meeting will be at 10:00 a.m. on Tuesday, April 10, 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, April 9, 2007) there will be a meeting of the Continuing Education Committee at Sancha Alley's home, 1793 Chukar Court, Salem, OR 97304.