

APPROVED MINUTES

STATE BOARD OF CLINICAL SOCIAL WORKERS
Saturday, October 11, 2008/10:00 - noon.
Second Floor Conference Room
3218 Pringle Road SE – Salem, OR 97302

Board Members Present: Mark Oldham, Chair
Becky Rasmussen, Vice Chair
Cheryl Price
Toniya Villalobos
Simone Brooks
Sara Dehaan
Mark Troseth

Board Counsel present: Kyle Martin, AAG, Oregon Dept. of Justice

Staff Members Present: Mike Lamon (Interim Executive Director)
Martin Pittioni (Executive Director)
Pam Johansen (Assistant, present from 11:05 a.m. on)

Public Members present: Michael Krumper, LCSW (until 10:20 a.m.)

1. CALL TO ORDER

Chair Oldham called the meeting to order at 10:05 a.m. and welcomed Board and staff.

2. REVIEW/APPROVAL OF AGENDA

Board members reviewed the agenda. The Chair requested that review of the CSWA booklet be added to the New Business agenda. The Chair also requested that the approval of the Consent agenda be taken up immediately after Committee Reports to allow for the Consent Agenda to be amended by removing ORS 676.175(4) extensions for CPC cases resolved by the Board at today's meeting. Deehan moved to approve the agenda as amended. Brooks seconded the motion. The motion passed unanimously.

3. APPROVAL OF MINUTES

Board members reviewed the September 9, 2008 Board Meeting Minutes. Price moved

that the minutes be adopted as presented. Villalobos seconded. Troseth requested discussion of whether the minutes should cite statute and rules in the special review section of the minutes to ensure clear documentations as to the rules and laws based on which the Board approves or denies requests in the Special review section. Board members agreed this would be appropriate. Pittioni advised he would amend the minutes accordingly and resubmit them. Counsel advised that there is a motion on the table already. Price withdrew her motion to adopt the minutes as presented. Oldham directed Pittioni to resubmit amended minutes at the November 4, 2008 Board meeting.

4. MOVE TO EXECUTIVE SESSION:

Vice Chair Rasmussen moved that the Board enter executive session for business under the authority of ORS 192.660(2)(b)(f)(h)(i)(k). Deehan seconded. Chair Oldham requested that the meeting room doors be closed and that the public member in attendance leave the room until conclusion of executive session. The Board entered Executive session at 10:20 a.m.

The Board conducts Executive session for 45 minutes.

Vice Chair Rasmussen moved that the Board end executive session and enter public session. Brooks seconded. The motion passed unanimously. Chair Oldham declared the Board to be in public session at 11:05 a.m. and recessed the Board for a brief 5-minute break.

Chair Oldham brought the Public session back to order at 11:10 a.m.

5. COMMITTEE REPORTS

Impaired Professionals Committee Chair Oldham reported that the Impaired Professionals Committee had reviewed its case load of seven active cases with the Executive Director. Oldham added that the IMP would work with the Rules Committee on redrafting the IMP disclosure rule in OAR 877-035-0012. Oldham stated that the Executive Director had been asked to develop a better system of advising IMP and CPC of active cases where licensure renewals are due to occur, and the Director was to ensure that none of those cases would appear on the Board's consent agenda for licensure actions.

Board Chair Oldham requested that CPC Chair Villalobos present the report of the Consumer Protection Committee.

Case 2008-04: Villalobos moved to approve the Final Stipulated Order. Brooks seconded. The Motion passed unanimously.

Case 2008-20: Villalobos moved to approve the Final Stipulated Order. Price seconded. The Motion passed unanimously.

Case 2008-21: Villalobos moved to dismiss the case due to no violation of rule or law. Price seconded. The motion passed unanimously.

Case 2008-22: Villalobos moved to dismiss the case due to no violation of rule or law. Price seconded. The motion passed unanimously.

Case 2008-24: Villalobos moved to close the case. Rasmussen seconded. The motion passed unanimously.

Case 2008-30: Villalobos moved to dismiss the case due to no violation of rule or law. Rasmussen seconded. The motion passed unanimously.

Chair Oldham requested the Continuing Education Committee report. Board Vice Chair and Continuing Education Committee Chair advised that the CE committee reviewed 8 matters, one of which was disapproved.

Troseth requested clarification as to why the disapproval occurred, and raised the question of whether the delegation of authority from the Board to the CE committee was in place to permit approval of CE committee actions by Board consent. Oldham requested counsel advice.

Counsel advised that the Board should look at formally delegating this authority to the CE committee, and until that occurs should proceed with individual motions on each of the CE matters.

Rasmussen moved to approve the CE request by Rebecca Arrendondo. Price seconded. The motion passed unanimously.

Rasmussen moved to approve the CE request by Debra Szobie. Villalobos seconded. The motion passed unanimously.

Rasmussen moved to approve both CE requests by Kathleen Warwick. Villalobos seconded. The motion passed unanimously.

Rasmussen moved to approve the CE request by Maryann Stowell. Villalobos seconded. The motion passed unanimously.

Rasmussen moved to deny the CE request by Denise Turner based on the Board's interpretation of OAR 877-025-0006(2)(A)(a). Villalobos seconded. The motion passed unanimously.

Chair Oldham requested the Examination Committee report.

Troseth reported that he worked together with Price, Deehan and Oldham on the 25-question open book examination, where five questions had been flagged by staff as in need of revision. Troseth advised that all five questions had been reworked and that

these reworked would be forwarded to the Executive Director for submission to the November 4, 2008 Board meeting. Troseth stated that the Board's feedback on these reworked questions would be most helpful. Chair Oldham added that exam approval would be a formal agenda item for the next Board meeting.

Troseth requested that staff tally wrong answers to provide the Board with data in the future as to which questions are causing difficulty on the examination.

6. APPROVAL OF CONSENT AGENDA

Board Members reviewed the Consent Agenda. Chair Oldham requested that cases 2008-04, 2008-20, 2008-21, 2008-22, 2008-24, and 2008-30 be removed from the list of cases presented for approval of extensions under ORS676.165(4). Troseth moved to adopt the consent agenda so amended. Villalobos seconded. The motion passed unanimously.

7. PUBLIC COMMENT - No member of the public was present to comment.

8. ADMINISTRATOR'S REPORT AND BUDGET UPDATE

Pittioni updated the Board on the status of the 09-11 Board Budget. He reported that during his first week in the position, he spent many hours in separate meetings with Lora Carson and Gene Berger of DAS-SCD and Rachel Nolin, the Board's budget analyst assigned by DAS-BAM. Pittioni advised that all policy packages had been denied in whole or part, including the Board's request for permanent funding for the limited –duration Compliance Specialist position. Pittioni handed out materials he submitted to DAS in consultation with the Board Chair to appeal some of the policy package denials, with a focus on the Board's compliance-related requests. Board members reviewed the materials. Pittioni reported that an appeals hearing on the budget appeal he filed is scheduled for Monday October 20, 2008.

Pittioni provided the Board with an updated spreadsheet from Lora Carson (DAS-SCD) with the Board's financial status as of the month ending 08/30/2008. At that time the amount in the State Treasury Board account was \$166,584.94, and the current projected fiscal year ending balance 06/30/2009 for the State Treasury Board account is \$158,718.56. Pittioni advised that he would work with DAS-SCD to provide updated projections reflecting the impact of his hire, and possibly the impact of a confirmed Compliance Specialist hire, at the November 4, 2008 Board meeting. Pittioni also pointed out that the projected 2007-09 ending balance was significantly lower than the beginning balance assumed in the Board's 2009-11 budget proposal, and that he would work with DAS to research this matter further. Pittioni closed by saying that his goal was to develop a four year projected budget through June 30, 2013, based on keeping fees stable and retention of a full-time compliance specialist, in order to provide the Board with a more strategic and sustainable budgetary framework, and to help support the case for a full time compliance specialist.

9. OLD BUSINESS

Board members reviewed the Old Business agenda. Oldham explained that on advice of counsel the matter of Julie Kates would be reconsidered. Board members pointed out that a similar matter involving Robert Thies was considered at the September 9, 2008, meeting. Price moved to add Robert Thies to the old business agenda for purposes of Board reconsideration. Deehan seconded. The motion passed unanimously.

Oldham requested that the matter of Fern Snogren be taken up first. Snogren had requested clarification of the Board's September 9, 2008 decision. Johansen clarified the DHS issue raised by Snogren. Board members agreed that staff could respond to Snogren in the affirmative on that issue. Staff was also directed to answer the second question raised by Snogren in the affirmative.

Chair Oldham moved to reconsider the Board's September 9, 2008 Denial of Application for Renewal of Inactive License of Julie Kates. Brooks seconded the motion. The motion passed unanimously.

Troseth requested clarification. Pittioni advised that the Board could not issue a denial for renewal solely by means of a Board motion without approving a formal order that would advise respondent of rights under the Administrative Procedures Act. Pittioni also reported that Ms. Kates had been contacted as to the Board's policy position and would like to work with the Board to regain full LCSW licensure status. Counsel advised that the Board could renew Ms. Kates inactive license given she has met the requirements for renewal. Counsel added that the Board's concern that her employment activities are inappropriate for inactive status would be addressed by her intended application for licensure. Should that application not come to pass the Board would have the option to revoke Ms. Kates' inactive license through a formal process.

Villalobos moved to renew the inactive license of Julie Kates. Price seconded. The motion passed unanimously.

Brooks moved to reconsider the Board's September 9, 2008 Denial of Application for Renewal of Inactive License of Robert Thies. Price seconded the motion. The motion passed unanimously.

Chair Oldham moved to renew the inactive license of Robert Thies. Price seconded. The motion passed unanimously. Troseth requested clarification. Pittioni advised that he had not had contact with Mr. Thies. Pittioni was directed to follow up with Mr. Thies as to his intentions.

10. NEW BUSINESS

Troseth reported on the positive feedback from the Rules Advisory Committee meeting prior to the Board meeting. Troseth advised that some of the housekeeping changes

eliminating language duplicated in statute or the APA had the appearance that the Board would not be as inclusive in rule making in the future. Troseth stated that this issue was one where clear communication with licensees would be essential. Troseth reported that the major focus of new rule writing, the draft client record rule, received positive feedback from the Rules Advisory Committee. Troseth advised that rules would be taken up at the next meeting of the Board, with the goal of a rule making schedule allowing for final adoption of the house keeping rules updates to divisions 1, 35 and 40, and for final adoption of the client record rule by April 1, 2009.

Pittioni inquired if the Board had to take any action with respect to issues before the ASWB Conference. Chair Oldham advised no, and said that he and Pittioni would attend. Pittioni reported he would leave on November 5 to travel to the conference to ensure his ability to attend the November 6 one-day training and information sessions geared specifically toward Board administrators.

Chair Oldham then requested the Board discuss development of the agency's next newsletter. Rasmussen agreed to develop an article to address the new CE ethics requirement. Oldham volunteered to write an article on the Director position change. Rasmussen discussed an article to address the feedback the Board received in August on the first draft client record rule. Troseth advised that he would write an article discussing the planned rules changes.

In the context of the discussion of rules changes on record keeping, staff was directed to add to the database the information submitted by licensee's as to who has authorized access to client records in case of licensee's death or incapacity. Pittioni advised that renewal application processes and initial application processes would have to be amended to request the record keeping information.

Oldham added that an article explaining the Board's Expanded Title Act legislative concept would also be a good topic for the next newsletter. He advised that all articles would be due by the Board's January 2009 meeting. Pittioni volunteered to write an article with respect to office changes with a focus on addition of a new Compliance Specialist.

Chair Oldham then requested that the Board move to the next new business agenda item, special accommodation requests. The Board reviewed the requests.

Troseth moved to approve the accommodation request by Fay Walcome-Hobensack, MSW. Deehan seconded. The motion passed unanimously.

Brooks moved to approve the special accommodation request by Tamara Poe, MSW. Troseth seconded. The motion passed unanimously.

Troseth moved to add Debra Garcia to the agenda for special accommodation requests. Brooks seconded. The motion passed unanimously.

Price moved to approve the special accommodation request by Debra Garcia. Deehan seconded. Troseth requested clarification as to funding responsibility for the request. Price withdrew the motion. Counsel explained that the law clearly regulates that funding is never the responsibility of the requestor seeking testing accommodations under ADA. Pittioni concurred and added he was unsure how ASWB as test administrator handles this problem. Pittioni was directed to follow up with ASWB. Pittioni clarified that regardless of which entity ends up paying the issue of Board approval of the accommodation request is still before the Board. Troseth moved to approve the special accommodation request by Debra Garcia. Price seconded. The motion passed unanimously.

The Board reviewed the request to go active by Michelle Gordon, MSW. The review determined that Gordon has 40 hours of CE and has worked in Washington State. Price moved to approve the request to go active by Michelle Gordon, MSW. Deehan seconded. The motion passed unanimously.

The Board reviewed the request to go active by Teresa Youngberg, MSW. Troseth moved to approve the request to go active by Teresa Youngberg. Villalobos seconded. The motion passed unanimously.

Chair Oldham then addressed the updating of the CSWA pamphlet. He advised that the pamphlet needs to be updated by February. Pittioni suggested that by that time the CPC policy update with respect to complaints against CSWAs and the implications for CSWA supervisors should be ready and included in the pamphlet.

11. CORRESPONDENCE

Chair Oldham observed that the Board had already dealt with this issue as part of its October 10, 2008 Planning Meeting with the matter of Laura Martin's questions on the issue of Mandatory Reporting of Abuse of Mentally Ill Adults and the definition of mentally ill adult. Oldham directed Pittioni to respond to Martin accordingly.

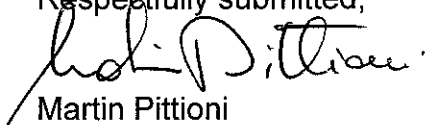
12. REVIEW AND DISCUSSION ON APPLICANT FILES

Chair Oldham advised there were no applicant files to discuss under special review.

13. ANNOUNCEMENTS AND ADJOURNMENT

Chair Oldham thanked the Board for two days of productive work and adjourned the Board meeting at 12:40 p.m.

Respectfully submitted,



Martin Pittioni
Executive Director

**State Board of Clinical Social Workers
Consent Agenda (Approved)
October 11, 2008**

NEW LCSW'S (2)

AMY CIRINCIONE
ASHA GOLDSTEIN

NEW CSWA'S (15)

BARBARA MORGAN
SUSAN CRANE
ANDREW ELMORE
JASON GOADE
BRIDGET HALLMAN
JOULES HAAS
NERISSA HELLER
JOHN DOUGLAS HUSTON
CAMILLA LOPEZ
TALIA MARCUCCI
LAURA NEIMARK-GIZARA
CARRIE NELSON
RENEE REICHERT
SARAH ROSS
MICHELE THOMPSON

PLAN CHANGES (21)

DONNA ANDERSON
SIMON F AUSTIN
JORDAN DOBROVOLNY
ATHENA DORREY
JUSTIN FARRELL
KAREN FISHER
ASA GEMIGNANI
ALYSON GOLD
MEGAN LETKE INGLE
LYNDA KING
MICHAEL NEIMAN
SHAWNA OLIVER
NANCY REYNOLDS
ERYN SALDEN
GILLIAN SCOTT
KELLY SULLIVAN
HERMELINDA TORRES DE
GUZMAN
JASMINE VILLAGRAN
ANNELISE WESTON
EDIE WOOLDRIDGE
JAMIE ZACHARIAS

**LICENSE STATUS CHANGE (2)
RETURN TO ACTIVE LICENSE**

MICHELLE GORDON
TERESA YOUNGBERG

FINALS (17)

ANISSA BAHRENBURG
GAIL BILLS
JEREMY DAVIS
LAURA DEAN
KEITH HAAS
KRISTY HAMMER
CHRISTINE HINES
MICHAEL HINES
HEWA KIM
MINA KIRKOVA
MARK T OWENS
SHERELLE OWENS
LISA ROJAS
CYNTHIA RUSSELL
EMILY SOMERVELLE
BRIANNA THORSON
ROLAND WILSON

**ORS 676.165(4) Extensions
Approved for CPC Cases: (24)**

2007-33	2007-35	2007-36
2008-03	2008-05	2008-09
2008-10	2008-12	2008-14
2008-15	2008-16	2008-19
2008-23	2008-25	2008-27
2008-28	2008-29	2008-30
2008-31		

All the people listed in the above categories have met the necessary requirements to be approved by the Board of Clinical Social Workers Consent Agenda.


Board Executive Director