

**APPROVED MINUTES OF MINI-PLANNING MEETING PROCESS**  
**STATE BOARD OF CLINICAL SOCIAL WORKERS**  
**February Mini-Planning Process**  
**Friday February 15, 2008 / 8:30 a.m. – 5:00 p.m.**  
Second 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).

**Friday - February 15, 2008**

Mark Oldham, Chair, called the meeting to order at 8:35 a.m. The Board briefly discussed meeting goals and process.

The Impaired Professional Committee started their Executive Session meeting at 9:00 a.m. to discuss cases and consult with legal counsel. They completed their process at 10:00 a.m. They joined Mark Troseth to review the concepts and details of the proposed practice act.

The Consumer Protection Committee started their Executive Session meeting at 9:00 a.m. to discuss cases and consult with legal counsel. They completed their process at 11:30 a.m. They joined the rest of the Board to review the concepts and details of the proposed practice act.

The Board reviewed the proposed practice act and discussed the following:

- The primary focus of the act needs to be on people doing clinical social work in private practice. The Board is committed to tightening up the definition of clinical social work so that when they revoke a person's license for unethical practice, that person will not be able to continue to practice as a clinician, no matter what they call themselves.
- The definition of clinical social work contained on pages 5-6 in the "Social Work in Hawaii: An Examination of Some Regulatory Issues" report, dated November 6, 2000, could serve as a good starting point for developing a definition of clinical practice for Oregon's practice act. The Board also looked at the definition contained on page 6 in the Association of Social Work Boards' Model Social Work Practice Act. Toniya Villalobos and Mark Troseth agreed to meet the following week to work on the definition.

**Lunch:** The Board reviewed agency statistics and heard other reports from the staff.

The Continuing Education Committee started their meeting at 1:00 p.m. to prepare for the Board's business meeting to be held the next day. They completed their process at 1:30 p.m. when they joined the rest of the Board to review the concepts and details of the proposed practice act.

The Board continued to review the proposed practice act and discussed the following:

- The people who are involved in clinical social work according to the new definition in the act would have to be licensed with the Board. The act would also open up the additional regulatory levels of Licensed Master Social Worker and Registered Bachelor Social Worker. Those categories would be voluntary for now, but maybe become required at some time in the future. This would take into account suggestions from several stakeholders:
  - ✓ Provide a realistic time line for state and local governments and large non- or for-profit mental health agencies to plan for getting all social workers licensed.
  - ✓ Would not “grandfather” in as social workers people who are currently doing social work but do not have a degree in social work.
- The proposal would immediately protect the title of Licensed Master Social Worker and Registered Bachelor Social Worker, even though licensure at those levels would be a voluntary for the time being.
- Refine the definitions for what is included at the Licensed Master Social Worker and the Registered Bachelor Social Worker levels of practice.
- There is a need for continuing education at all levels of licensure. The practice act might simply contain language that all levels need continuing education and leave it to the Board to establish the specific amounts and types for each level through the promulgation of rule.
- People will need to pass the appropriate national exam for their level of licensure. They will also need to pass the local exam on the Board’s rules and laws.
- The Administrator will find out if the Board can submit a legislative concept by the April 2, 2008 deadline without having a draft from Legal Counsel by that time.

The Board reviewed the proposed rules for the public rulemaking hearing scheduled for the next day:

- We need to clarify that the rules related to record keeping are focused on people in private practice who are providing clinical mental health therapy to clients.
- The Administrator will send a brief letter of thanks to all of the people who provided feedback on the proposed rule changes.
- The staff will prepare a list that identifies all those who submitted responses to the proposed rule changes as well as a list of those who attended the public hearing.
- Mr. Troseth volunteered to develop an historical record detailing the reasons why the Board has adopted changes to the rule at the various times that has occurred.

The meeting adjourned at 4:55 p.m.

**APPROVED MINUTES**  
**STATE BOARD OF CLINICAL SOCIAL WORKERS**  
**Saturday, February 16, 2008 -- 8:30 a.m. to Noon**  
Second 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 8:30 a.m. The Consumer Protection Committee meets the previous day at 9:00 a.m. in Executive Session [ORS 192.660(2)(f)(h)(k)] 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. The Impaired Professional Committee meets the previous day at 9:00 a.m. in Executive Session [ORS 192.660(2)(f)(h)(k)] 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.

CALL TO ORDER - Mark Oldham, Chair

REVIEW/APPROVAL OF AGENDA

APPROVAL OF MINUTES - Approval of the January 8, 2008 Board Meeting Minutes.

MOVE TO EXECUTIVE SESSION: (Digital recording.)

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:

Meeting with Stakeholders

Next Steps in Process

Staffing Increase Request Update: Jon Langenwalter

Future Rules Change/Division 35 and 40: Mark Troseth

NASW/OR Social Work Reinvestment Initiative: Jon Langenwalter

Meeting with SFLAC, 3/7/08: Jon Langenwalter

NEW BUSINESS:

Request for Exam Accommodations: Kerry Nelson

NASW/OR Spring Educational Event: Jon Langenwalter

NASW/OR Legislative Advocacy Day Hosted at the University of Portland: Jon Langenwalter

HB 3616 - LPCT Board Going for Insurance Reimbursement: Jon Langenwalter

ASWB Spring Educational Meeting in Montana: Mark Oldham

Request for Waiver of Late Fee: Emmylou Boyle

Rules Hearing, 10:00 a.m.: Mark Oldham, LCSW, Hearing Officer

BUDGET UPDATE - As of 2/15/08, the current amount in the Board account held in the State Treasury was \$150,459.

CORRESPONDENCE - None

REVIEW AND DISCUSSION ON APPLICANT FILES

Consent Calendar

Special Review: Roberta Hirshon, James Stone

ADMINISTRATOR'S REPORT

ANNOUNCEMENTS AND ADJOURNMENT

1. CALL TO ORDER - Mark Oldham, Chair, called the meeting to order at 8:35 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 8, 2008 Board meeting be approved as distributed for the meeting.** Simone Brooks **seconded the motion which passed unanimously.**
4. MOVE TO EXECUTIVE SESSION: [Business under authority of ORS 192.660(2)(f)(h)(k)]

Cheryl Price **moved to go into Executive Session pursuant to ORS 192.660(2)(f)(h)(k).** 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.** Toniya Villalobos **seconded the motion, which passed unanimously.** (Note: A digital record of the Executive Session is kept on the Board's main computer.)

5. PUBLIC COMMENT - None at this time.
6. 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 case #2007-07 based on no violation of rule or law.** Cheryl Price **seconded the motion which passed unanimously.** Ms. Villalobos **moved to dismiss case #2007-23 based on no violation of rule or law.** Cheryl Price **seconded the motion which passed by a vote of 5-0-1.** Simone Brooks abstained and the Board Chair did not vote. Ms. Villalobos **moved to dismiss case #2007-25 based on no violation of rule or law.** Cheryl Price **seconded the motion which passed unanimously.** Ms. Villalobos **moved to dismiss case #2007-29 based on no violation of law or rule.** Cheryl Price **seconded the motion which passed unanimously.** Ms. Villalobos **moved to accept the Stipulated Final Order Assessing Civil Penalty on case #2007-30.** Cheryl Price **seconded the motion which passed unanimously.**
  - Impaired Professional - Mark Oldham stated there was no report.
  - Continuing Education - Cheryl Price presented the Committee report. She informed the Board that the Committee had approved 1 request for a new study group.
7. OLD BUSINESS:

- Practice Act Update:
  - Based on the Board's discussion from the previous day, the Administrator will talk to stakeholders about the Board's need to strengthen the definition of clinical social work and make licensure at that level mandatory for those providing clinical services. Licensure as a Master Social Worker and Registration as a Bachelor Social Worker will be voluntary for now and will be available only to those who have social work degrees from accredited programs. Applicants for both levels will need to pass the appropriate national exam as well as the Oregon exam on laws and rules.
  - The Board requested the Administrator to check with DAS and the Governor's Office about submitting the Legislative Concept related to the practice act in time for consideration without having a draft of the proposed legislation from Legislative Counsel.
  - Mark Troseth and Toniya Villalobos volunteered to jointly work on strengthening the definition for clinical social work.

- **Staffing Increase Request Update:** Jon Langenwaller informed the Board that he would be meeting with the Joint Committee on Ways and Means the following Monday, February 18, 2008. He had been invited to share information about the need for additional staff. The Committee will not take any action but simply receive the report.
- **Future Rules Change/Division 35 and 40:** Mark Troseth requested that Board members look at their handouts on these two divisions in preparation for the March meeting. The Board concluded that we will convene another Rules Advisory Committee to go through the next rulemaking process.
- **NASW/OR Social Work Reinvestment Initiative:** The Board received some handouts about what the NASW/OR Chapter was doing both locally and nationally concerning the Social Work Reinvestment Initiative.
- **Meeting with SFLAC, 3/7/08:** The Administrator told the Board that he would be meeting with the State Family Law Committee on March 7, 2008 to discuss the proposed practice act and to encourage them to implement a policy for courts to use only currently licensed people to do court-ordered family evaluations and studies.

#### 8. NEW BUSINESS:

- **Request for Exam Accommodations:** Mark Troseth **moved that the Board approve a request from Kerry Nelson for extra time to take the ASWB Clinical Exam, based on the information contained in his disability request.** Simone Brooks **seconded the motion which passed unanimously.**
- **NASW/OR Spring Educational Event:** Jon Langenwaller informed the Board that he would be present at an informational table on the Board's behalf at the NASW/OR Spring Education Event in Portland, on March 7, 2008.
- **NASW/OR Legislative Advocacy Day Hosted at the University of Portland:** The Administrator will attend the NASW/OR Legislative Advocacy Day which will be hosted at the University of Portland on Saturday, March 1, 2008. He will have a 45-minute time frame to visit with attendees about the proposed practice act.
- **HB 3616 - LPCT Board Going for Insurance Reimbursement:** Jon Langenwaller told the Board that HB 3616 had passed the State House of Representatives and was currently awaiting hearing in the Senate. This bill would require insurance companies who currently reimburse Psychologists and Licensed Clinical Social Worker for mental health services to also reimburse Licensed Professional Counselor and Licensed Marriage and Family Therapists.
- **ASWB Spring Educational Meeting in Montana:** Mark Oldham, Becky Rasmussen, and Jon Langenwaller, told the Board that they will be attending the ASWB Spring Education Meeting which will be held May 15-18, 2008 in Whitefish, Montana. Toniya Villalobos and Cheryl Price indicated a strong interest in attending but still needed to check their schedules.
- **Request for Waiver of Late Fee:** Simone Brooks **moved that the Board approve a request from Emmylou Boyle to waive the late fee for the renewal of her Certificate based on the information she had submitted with her request.** Becky Rasmussen **seconded the motion which passed with a vote of 4-1-1.** Mark Troseth abstained from voting, Sara Dehaan opposed the motion, and the Chair did not vote.

- Rules Hearing, 10:00 a.m.: Mark Oldham, LCSW, Hearing Officer for the publicized Rulemaking Hearing opened the Hearing at 10:10 a.m. Mr. Oldham read an introductory statement which is attached to the Minutes. Five people were present for the hearing in addition to the Board members, the AAG, and the Board Administrator. Two people had signed up to testify concerning the proposed rule changes. (Note: A digital record of the Rulemaking Hearing is kept on the Board's main computer.)
  - Douglas Johns, LCSW, had sent a letter to the Board prior to the meeting. A copy of his letter was distributed to the Board at the start of the meeting. Mr. Johns testified that the criteria for what constitutes a "clinical note" for someone in private practice is not clear. He requested that the Board refine that definition. He further stated that some of the requested items in the clinical chart simply would not make sense for certain clinical settings and work with some categories of clients. He was especially concerned about some of the suggested time parameters for having information in the clinical record. He suggested the Board review the rules and standards for chart notes developed by the American Psychological Association (APA).
  - Bernard McDowell, LCSW, had sent a letter with attached material to the Board prior to the meeting. A copy of his letter was distributed to the Board at the start of the meeting. Mr. McDowell testified about his concerns regarding some of the wording in the proposed rule change about record keeping and chart notes. He stated that the APA guidelines do a good job of separating out the medical record from psychotherapy notes. He told the Board that keeping medical records and therapy notes separate is very important. Mr. McDowell contended that the current wording in the proposed rule pushes too much of the clinical record into what HIPPA considers the medical record, and thus a matter of disclosure under certain circumstances.

9. BUDGET UPDATE - As of 2/15/08, the current amount in the Board account held in the State Treasury was \$150,459. The Administrator informed the Board that it's going to be a very tight biennium financially and that we would probably need to request a limitation increase before the end of biennium to cover extra expenses that had not been anticipated.

10. CORRESPONDENCE - None

11. REVIEW AND DISCUSSION ON APPLICANT FILES

- Consent Agenda: Simone Brooks **moved that the Board approve the Consent Agenda as distributed for the meeting.** Sara Dehaan **seconded the motion which passed unanimously.** (See attached Consent Agenda.)
  - New Plans were approved for *24 Associates whose names are on the Consent Agenda (see attached).* (24)
  - Plan Changes were approved for *14 people on the Consent Agenda (see attached).* (14)
  - One Revised Plan was approved by the Board this month *on the Consent Agenda (see attached).* (1)
  - Final Reviews were approved for *11 people on the Consent Agenda (see attached).* (11)
  - LCSW Applications were approved for *14 people on the Consent Agenda (see attached).* (14)

- Return to Active Status was approved for *4 people on the Consent Agenda (see attached)*. (4)

Consent Agenda (continued):

- No requests to Go on Inactive Status were submitted to the Board this month. (0)
- Special Review:
  - Becky Rasmussen **moved that the Board accept the application from Roberta Hirshon based on the additional information she had provided with her application.** Simone Brooks **seconded the motion which passed unanimously.**
  - Mark Troseth **moved that the Board accept the application from James Stone based on the additional information he had provided with his application.** Cheryl Price **seconded the motion which passed unanimously.**

12. ADMINISTRATOR'S REPORT

13. ANNOUNCEMENTS AND ADJOURNMENT - Mark Oldham, Chair, adjourned the meeting at 11:20 a.m. The Rulemaking Hearing stayed open until noon when it was closed by Mark Oldham, Hearing Officer.

The next regularly scheduled Board meeting will be at 11:00 a.m. on Tuesday, March 11, 2008 in the Second Floor Conference Room at the Morrow Crane Building, 3218 Pringle Road SE, Salem, OR 97302. At 8:30 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 9:00 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 6:30 p.m. on the previous evening, (Monday, March 10, 2008) there will be a meeting of the Continuing Education Committee at Sancha Alley's home, 1793 Chukar Court, Salem, OR 97304.

**Consent Agenda - February 16, 2008**

**NEW CSWA'S (24)**

JANIENE BEAUCHENE  
CAROLYN BUSHEY  
PHU DAO  
ANDREW DAVIS  
KIMBERLY DENT  
KAREN FISHER  
JULIE HARGRAVES  
CYNTHIA HUNG  
CIGDEM HYDER  
CARMEL IRVING  
JANNA JOHNSON  
MICHELLE JOHNSON  
ESTHER KIM  
MATTHEW LAUZON  
ERIN OIEN  
SHELLEY POLLARD-WELLS  
KATELYN RUBERT  
ANNETTE SENNEBOGEN  
ELIZABETH SCHWARZ  
DAVID WATSON  
STACIE WESTBROOK  
ANNELISE WESTON  
EDIE WOOLDRIDGE  
JAMIE ZACHARIAS

**FINALS (11)**

GAIA ARTEMESIA  
SALLY CROWE  
ERIC DAVIS  
MICK FREDRICKSON  
ANDREA GERAHTY  
ALAN KING  
AMY MC CORMICK  
JILL LEFFINGWELL  
JENNIFER SHAW  
JENNIFER STEYER  
HANS WOICKE

**NEW LCSW'S (14)**

ANNE ACHTEN  
JEFFREY ASPROCOLAS  
CAROLYN BYRD  
ANNETTE GILBERTSON  
ROBERTA HIRSHON  
CAROL HOPWOOD  
CLAYBOURNE KING

CATHERINE MELO  
TERENCE O'BRIEN  
TERESA SAVARD  
TARA SENIEUR  
JAMES STONE  
CHRISTOPHER TIMMINS  
GWEN WELCH

**PLAN CHANGES (14)**

CHERI ARMSTRONG  
TRACI BOYLE  
CAROLINE BULLARD  
JEREMY DAVIS  
KATRINA FAIRCHILD  
DENISE FELLOWS  
GISELA GLASSMAN  
JENNIFER HOBBS  
MEGAN KIDD  
SARA MIGLIAZZO  
ROSE ANN RHODES  
JESSICA STAPLES  
HOLLY THOMPSON  
KALI WAHL

**REVISED PLAN**

DENIS SAUNDERS

**REACTIVATE LICENSE (4)**

JUVEEN BUCKNER  
MARILYN COOPER  
LYNNE SPRAGUE IVERSON  
BARBARA SUSSEX

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

Signature on File in the Board Office February 16, 2008

**Presiding Officer's Opening Statement for  
Rulemaking Hearing to Amend Sections of OAR, Chapter 877  
February 16, 2008, from 10:00a.m. to noon  
at the Second Floor Conference Room, 3218 Pringle Road SE, Salem**

This hearing is now in session and is being digitally recorded to maintain a record of this proceeding. My name is Mark Oldham and I am the hearing officer for purposes of this hearing. Today's date is February 16, 2008, and the time is \_\_\_\_\_.

The purpose of this hearing is to provide the public an opportunity to comment on the proposed rulemaking to amend the parts of Oregon Administrative Rule, Chapter 877, pursuant to the Notice dated January 10, 2008.

In brief, the proposed changes impact the following divisions:

- (1) **Division 20.** Proposed changes: clarify the process for certification and licensing; change the period for passing tests for licensure; establishes the same fee for initial certificate or license with the renewal for each; and clarifies continuing education requirements
- (2) **Division 22.** This is a totally new division to Chapter 877 and allows the Board to implement legislation to require national FBI fingerprint background check for all applicants and other specific categories.
- (3) **Division 25.** Proposed change will reduce the lead-time needed for submission of non-credentialed CE.
- (4) **Division 30.** Proposed changes: require licensees to timely report in-patient psychiatric hospitalization or psychiatric day treatment; and requires private practice licensees to create and maintain specific client records.

The Board invites comments about whether other options should be considered for achieving the rule's goals while reducing the negative economic impact on business. You must sign in if you want to make verbal comments here today.

In addition to presenting oral comments at this hearing, anyone may submit written comments until noon today, which is the close of the comment period. Send comments to:

Jon Langenwalter, Rules Coordinator  
Board of Clinical Social Workers  
3218 Pringle Road SE, Suite #240  
Salem, OR 97302

Comments received after noon today will not be reviewed or considered by the Board unless the Board decides to extend the public comment period for everyone.

The Board will not respond to questions during this hearing. The purpose of this public hearing is to allow people to provide testimony to the Board concerning the proposed rule changes.

Before I start taking comments, is there anyone else who wants to sign up to make a comment. I'll start taking comments now.....

I've called everyone who signed up to provide oral comments. Is there anyone else who wishes to comment? Thank you for coming and providing us with your comments. The hearing is adjourned.