

APPROVED MINUTES
STATE BOARD OF CLINICAL SOCIAL WORKERS
Tuesday, June 17, 2008 / 11:00 a.m. – 3:00 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, Kyle Martin, (AAG), and Jon Langenwalter (Administrator).

DRAFT AGENDA

The Board begins its regular meeting 11:00 a.m. in a work session. The Consumer Protection Committee meets beginning at 8:30 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 beginning 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. 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 May 13, 2008 Board Meeting Minutes and the Minutes from the May 30, 2008 Special Board Meeting.

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

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/Jon Langenwalter
Review of Current Draft
Conversations with Stakeholders
Phone Conversation with Erin Kelley-Seil and Claudia Black: Mark Oldham
Next Steps in Process/Legislative Concept
Adoption of Proposed Rule, 877-020-0020: Mark Troseth
Compliance Specialist 2 Position/E-Board Testimony June 26, 2008: Mark Oldham
Future Rules Changes: Mark Troseth

NEW BUSINESS:

Presentation from Ethics Commission on Recent Changes: Tammy Hedrick
Request Exception for Taking the Clinical Test: Jan Falk
Plan Supervision via Phone: Gary Loomis
Administrator Position:
Accept Administrator Resignation
Interim Administrator
Hiring Process: To receive public comment and adopt the hiring standards, criteria, and policy directive to be used in the selection of the next Executive Director for the Oregon Board of Clinical Social Workers.
Update Exam on Laws and Rules: Mark Oldham
Proposal for LCSW "Emeritus" Status: Don Manghelli
Possible Move of July Meeting Date: Mark Oldham
Date for Fall Planning Meeting: Mark Oldham
Election of Board Officers: Mark Oldham

BUDGET UPDATE

As of 6/13/08, the current amount in the Board account held in the State Treasury was \$144,402.
Review of '09-'11 Budget Policy Packages

CORRESPONDENCE - Julia Terry, LCSW

REVIEW AND DISCUSSION ON APPLICANT FILES

Consent Calendar
Special Review: Richard Staniford

ADMINISTRATOR'S REPORT

ANNOUNCEMENTS AND ADJOURNMENT

1. CALL TO ORDER - Mark Oldham, Chair, called the meeting to order at 11:10.
2. REVIEW/APPROVAL OF AGENDA - Cleaning up Rules Change Prior to Filing was added to Old Business. Three items were added to New Business: SFLAC Workgroup; Dissemination of IMP and CPC Information; and Request for Exam Accommodation.
3. APPROVAL OF MINUTES - Becky Rasmussen **moved that the minutes of the May 13, 2008 Board meeting be approved as distributed prior to the meeting.** Cheryl Price **seconded the motion which passed unanimously.** Becky Rasmussen **moved that the minutes of the May 30, 2008 special board meeting be approved as distributed prior to the meeting.** Cheryl Price **seconded the motion which passed unanimously.**
4. MOVE TO EXECUTIVE SESSION: [Business under authority of ORS 192.660(2)(b)(f)(h)(i)(k)]

Becky Rasmussen **moved to go into Executive Session pursuant to ORS 192.660(2)(b)(f)(h)(i)(k).** Cheryl Price **seconded the motion, which passed unanimously.** The Consumer Protection Committee report was presented and discussed. The Impaired Professional Committee report was presented and discussed. Personnel issues were discussed. Becky Rasmussen **moved to return to Public Session.** Cheryl Price **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.
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 - Becky Rasmussen presented the Committee Report. She **moved to dismiss case #2007-32 based on no violation of law or rule.** Sara Dehaan **seconded the motion which passed unanimously.** She **moved to dismiss case #2008-08 based on no violation of law or rule.** Simone Brooks **seconded the motion which passed unanimously.** Ms. Rasmussen **moved to dismiss case #2008-11 based on no violation of law or rule.** Mark Troseth **seconded the motion which passed unanimously.** She **moved to dismiss case #2008-14 based on no violation of law or rule.** Mark Troseth **seconded the motion which passed unanimously.** Ms. Rasmussen **moved to dismiss case #2008-25 because the conduct does not rise to a level that warrants formal discipline.** Simone Brooks **seconded the motion which passed unanimously.**

Ms. Rasmussen reported that the system to triage complaints based on assessed harm to the public was working well. This enables the Committee to focus their limited time and energy on the more serious cases. Currently there are 8 cases pending in the Triage A category, those cases of greatest potential for harm, 13 cases in Triage B, and 7 cases in Triage C.

She stated that the Committee had opened a discussion related to how to handle situations where a licensee clearly knows of unethical conduct by a colleague and fails to report the situation to the Board. She indicated that they would continue to reflect on this issue and bring it to the Board for fuller discussion at a later date.

Ms. Rasmussen informed the Rules Committee that OAR 877-030-0040(4) needs to include wording that encompasses all of the various mandatory reporting categories for which licensees and Associates are responsible.

- Impaired Professional - Mark Oldham presented the Committee report. He **moved to dismiss case #2003-03 because the person had completed the process requested by the Committee.** Mark Troseth **seconded the motion which passed unanimously.**

- Continuing Education - Cheryl Price presented the Committee Report. She stated that the Committee had approved three requests to accept non-credentialed workshops, they disapproved one request, and are seeking additional information on two others. The Committee approved the OHSU/Department of Psychology as a credentialing body for continuing education units. They also reviewed a letter from NASW/OR concerning the contests needed for a workshop to fulfill the new requirement for 6 hours of ethics in each reporting period.

8. OLD BUSINESS:

- Practice Act Update: Mark Oldham/Jon Langenwalter
 - Board members reviewed the updated draft of the proposal which was distributed for the meeting. They noted that the exemption language for state employees referred only to the LMSW and RBSW categories. The draft needs to specify that LCSWs employed by the state are also exempt. They also requested that the language be changed to ensure that only people under the board's jurisdiction could use the title covered in the act no matter where they worked.
 - Jon Langenwalter told the board that he and Elizabeth Buys had met with a few people from the Society of Clinical Social Workers. They have an appointment later in the week to meet with the lobbyist from the Oregon Psychological Association. They are still trying to get a meeting time with people from the SEIU and need to make contact with people from the Nursing Home Association and the Hospital Association.
 - Phone Conversation with Erinn Kelley-Seil and Claudia Black: Mark Oldham reported on a 45 minute phone conference he had with Ms. Kelley-Seil and Ms. Black, policy advisors from the Governor's office. He informed the Board that Ms. Black is our primary contact for the practice act process. She has requested a meeting with several board members in the next couple of weeks. She still has some questions about how an expansion of the Board's regulatory authority over new categories of licensure connects to the Board's mission of public protection. The Governor's office will be making final decisions about which bills to pre-file for session early in November. Mr. Oldham told board members that they would have primary responsibility for promoting the act to the legislature even if the proposal is part of the Governor's package.
 - On a related topic, Becky Rasmussen reported that the recent meeting with Erinn Kelley-Seil and three mental health providers under contract with DHS went very well. All three practitioners shared specific examples of their dealings with DHS. One provider, who moved here from doing similar work in Ohio, was quite surprised that Oregon doesn't require all state employees providing direct services to clients through the children's services division to be licensed by the Board. That was the requirement in Ohio.
- Adoption of Proposed Rule Change: Mark Troseth **moved that the Board approve the proposed change to rule 877-020-0020 as distributed prior to the meeting and that the rule become effective July 1, 2008.** Cheryl Price **seconded the motion which passed unanimously.**

Mr. Troseth **moved that the Board approve the following changes to the rules they adopted at their April 8, 2008 meeting:**

- **OAR 877-020-0008, change the rule citation in the preamble from 0017 to 0016;**
- **OAR 877-020-0008(5)(b), the rule cited was corrected to read 0012(2)(e)(A);**
- **OAR 877-020-0015(2), insert after the word "institution" the phrase "or other written verification";**
- **OAR 877-020-0031(3)(a), change the word from "worker" to "work" for "clinical social work associate";**
- **OAR 877-020-0036(1)(b), change "licensee" to "license";**

- OAR 877-020-0055(4), change “take the exam described in OAR 877-020-0008(5)” to “pass the examination on Oregon statutes and rules described in OAR 877-020-0008(6)”;
- OAR 877-022-0005(2)(a) and (b), change “May 1” to “July 1”;
- OAR 877-022-0005(2)(a) and (c), change the word from “worker” to “work” for “clinical social work associate”;
- OAR 877-022-0005(2)(c), add the word “a” after the phrase “The holder of”;
- OAR 877-022-0005(6)(c), remove “[other]”;
- OAR 877-022-0005(2)(a) to (c), change caps to lower case in the three terms: “Licensed Clinical Social Worker,” “Clinical Social Work Associate,” and “Board”; and
- OAR 877-025-0011(1)(a), change citation from section “(4)” to section “(2)”.

Sara Dehaan **seconded the motion which passed unanimously.**

- Upcoming E-Board Testimony: Erica Kleiner from the Legislative Fiscal Office told the board that their proposal for a Compliance Specialist 2 Position was on the agenda for the Emergency Board meeting on Thursday, June 26, 2008. She indicated that the proposal would be heard by the Human Services Sub-Committee in Hearing Room F and that we were next to last on the agenda. She shared that LFO recommended adoption of the proposal with the only change being that the Compliance Specialist 2 position be granted as a Limited Duration position instead of a permanent position. This kind of recommendation is LFO’s standard policy for interim personnel requests. She indicated that the rest of the proposal was fine. Mark Oldham, Board Chair, and Becky Rasmussen, Board Vice-Chair will make the main presentation of the proposal on the Board’s behalf. They requested that staff provide the following information: (1) Where people received their MSW degree among the current list of complaints; (2) The number of complaints against Associates, those licensed less than 5 years, and those licensed more than 5 years from among the current complaints; and (3) A matrix showing renewal fees from other health-related licensing boards as well as from the social work boards in Washington and California. The Administrator will contact the members of the Human Services Sub-Committee prior to the meeting to see if they have questions or need additional information.
- Future Rules Changes: Mark Troseth requested that the Board convene a rules advisory committee in the near future to review the house-keeping changes he and the staff have identified. He is hopeful to have that rewrite of the rules completed by late summer or early fall. Mr. Troseth stated that he would develop a list of bullet points to outline the main ideas that we want included in a rule on what information is needed for client files for practitioners in private practice. Mark Oldham suggested that the Board convene a rules advisory committee for this specific topic once the list is developed and invite the advisory committee to draft the basic concepts for the proposed rule.

9. NEW BUSINESS:

- Presentation from Ethics Commission on Recent Changes: Tammy Hedrick, Trainer with the Oregon Ethics Commission described the recent changes to the ethics laws that relate to public officials serving on Boards or Commissions. She indicated that the basic law that has been in effect since 1974 is still the standard: public officials cannot use their public position for personal financial gain. There are some new, tighter restriction on accepting food or beverage while functioning as a public official. Food and beverage are now defined as a “gift” and there are limits to what a Board member can receive. The amount that a public official can receive in the form of a gift has also been reduced from \$100 to \$50.
- Request Exception for Taking the Clinical Test: Mark Troseth **moved that the Board deny a request from Jan Falk that she be granted an Oregon License without having to pass the ASWB Clinical Exam, since our laws and rules require that the Exam be passed.** Becky Rasmussen **seconded the motion which passed unanimously.**

- Plan Supervision via Phone: Becky Rasmussen **moved that the Board accept a request from Gary Loomis that he be allowed to provide telephone supervision to two Associates under their current Plan of Supervision for up to two months following his upcoming hip surgery. Simone Brooks seconded the motion which passed unanimously.**
- Administrator Position:
 - Simone Brooks **moved that the Board accept the letter of resignation submitted by the Administrator effective June 29, 2008, and that the Board rescind their previous decision from the May 30, 2008 meeting concerning this position. Sara Dehaan seconded the motion which passed unanimously.**
 - Rachel Nolin, DAS/BAM told the Board that a manager from DHS will serve as Interim Board Administrator. This person will be “on loan” to the Board from DHS for up to three months and the cost will be divided between DAS and DHS.
 - Mark Oldham told the Board that their process today was to receive public comment and adopt the hiring standards, criteria, and policy directive to be used in the selection of the next Executive Director for the Oregon Board of Clinical Social Workers. The Board accepted the proposal from DAS/HR to post the position on the Oregon.gov job site in the next few days. They agreed that the posting would be open for three weeks. Mr. Oldham stated that an application screening sub-committee would be appointed at the July Board meeting. That group will review all applications and determine the top 3-5 candidates who would be invited to interview with the Board at the August Board meeting. The goal is to have the new Administrator in place by the first of September.
- Update Exam on Laws and Rules: The Board instructed the staff to delete questions from the current statutes and rules test that will be incorrect on July 1, 2008 when the recently adopted rule changes take effect. They will then create a new test and answer sheet keeping only the questions that are still valid. “Update Exam on Laws and Rules” will be on the agenda for the Board’s fall mini-planning meeting at which time the Board will develop some new questions that incorporate some of the recent rules changes.
- Proposal for LCSW “Emeritus” Status: The Board reviewed a request from Don Manghelli, LCSW, that an “LCSW Emeritus” license be granted for those who retire but still wish to volunteer their time in various mental health settings. The Board noted Mr. Manghelli’s concern and will discuss this idea at a later date.
- Possible Move of July Meeting Date: Mark Oldham explained that if the Board left the July meeting on the 8th as scheduled, there would only be three weeks between the June and July meetings and then five weeks between the July and August meetings. The Board decided to leave the July meeting on the 8th based on scheduling conflicts if they moved it to the 15th.
- Date for Fall Planning Meeting: Mark Oldham proposed that the Board hold the fall mini-planning meeting on Friday and Saturday, October 10-11, 2008, at Board office in Salem. He requested that Board members check their schedules and make a final decision regarding this date at the July 8th meeting.
- Election of Board Officers: Cheryl Price **moved that Mark Oldham serve as Chair of the Board and Becky Rasmussen serve as Vice-Chair for the fiscal year July 1, 2008 through June 30, 2009. Mark Troseth seconded the motion which passed unanimously.**
- Process IMP and CPC Information: The Board instructed the staff to share information with the appropriate committee if a person under the jurisdiction of either CPC or IMP is going to be on the consent calendar for any reason. This notification needs to happen with the Board mailout package if possible. Additionally, the staff needs to advise the proper committee if a concern comes to either committee on a person who is currently providing plan supervision to one or more Associates, or is even an approved supervisor in the system.

- SFLAC Process: Mark Troseth indicated that he is willing to represent the Board at the upcoming State Family Law Advocacy Committee meetings as they discuss the Board's proposal to request the courts only use appropriately licensed mental health professional to provide mental health services under court order.
- Accommodation for Taking the Clinical Exam: Becky Rasmussen **moved that the Board grant Mary Jane Sardone her request for additional time to take the ASWB Clinical Exam based on the documents she had provided.** Simone Brooks **seconded the motion which passed unanimously.**

10. BUDGET UPDATE

- As of 6/13/08, the current amount in the Board account held in the State Treasury was \$144,402.
- The Administrator led the Board through a review of the policy packages to propose as part of the '09-'11 budget process. Three packages would simply ratify programs that were instituted in the current biennium but need approval from the next legislative session to become permanent. Nine additional proposals were discussed that would enhance the Board's ability to protect the public from unethical or impaired treatment, and allow the staff to provide quality service to the public and licensees. Included in the proposals were several fee increases. The Board requested the staff develop new proposals for review at the July meeting. One proposal would include no fee increases of any kind. The second proposal would include fee increases only for clinical social work associates and licensed clinical social workers on inactive status.

11. CORRESPONDENCE - The Board reviewed a letter from Julia Terry, LCSW. The Administrator will write Ms. Terry to explain that the Board only has jurisdiction over the individuals they license. Any concerns about workplace dynamics need to be addressed using that agency's protocols. There is also a method of taking agency concerns to DHS if the agency is licensed as a mental health provider by the State.

12. REVIEW AND DISCUSSION ON APPLICANT FILES

- Consent Agenda: Cheryl Price **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 *11 Associates whose names are on the Consent Agenda (see attached).* (11)
 - Plan Changes were approved for *15 people on the Consent Agenda.* (15)
 - No Revised Plans were submitted for approval. (0)
 - Final Reviews were approved for *11 people on the Consent Agenda.* (11)
 - LCSW Applications were approved for *13 people on the Consent Agenda.* (13)
 - Return to Active Status was approved for *1 person on the Consent Agenda.* (1)
 - CSWA Candidate Applications were approved for *3 people on the Consent Agenda.* (3)
 - There were no requests to Go on Inactive Status submitted to the Board this month. (0)
 - 30-Day Extensions to Investigatory Process were granted for *15 CPC Cases on the Consent Agenda.* (15)
- Special Review: The Board reviewed information they had received related to Richard Staniford's recently submitted Plan of Supervision. The Administrator will write to the proposed supervisor and request additional information.

13. ADMINISTRATOR'S REPORT

14. ANNOUNCEMENTS AND ADJOURNMENT - The meeting adjourned at 4:10 p.m.

The next regularly scheduled Board meeting will be at 11:00 a.m. on Tuesday, July 8, 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 9:30 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, July 7, 2008) there will be a meeting of the Continuing Education Committee at Sancha Alley's home, 1793 Chukar Court, Salem, OR 97304.

**State Board of Clinical Social Workers
Consent Agenda - June 17, 2008**

NEW LCSW'S (13)

KATHLEEN CLARKE
SUSAN GIORDANO
EMANUELLE GOMEZ
CHRISTIAN GREENE
SHELLI HAYNES
RANDI JACOBS
CHRISTINE KELLER
TOBY OSTAR
GAIL QUENNEVILLE
KATIE RICHLEY
KIM RYCHETSKY
CORY SHIPP
KARIN STARK-BREDEWIG

FINALS (11)

BRADLEY ADAMS
SARAH ALEXANDER
KRISTAL FOSKEY
NATALIE JACOBS
JEANNA JACOBSEN
SARAH LOVELAND
PATRICK MC CULLOGH
ERIN O'REILLY
NEILDRA SIMMONS
REBECCA STOCKS
CHRISTINA WINTERS

PLAN CHANGES (15)

KERI AULT
EION BASTABLE
REBECCA BURKART
SHANNA BUTLER
SARA GROWNELL
REBECCA CHRISTANSEN
COLANDRE COLLETTE
JOSE DEL HOYO
GISELA GLASSMAN
JANET MARTIN
MARK OWENS
JENNIFER SHAY
SARA TRAWICK
DAVID WATSON
BRENDA WIERSCHIN

ORS 676.165(4) Extensions

**Approved for the following CPC
Cases: (15)**

2007-27	2008-06
2007-33	2008-07
2007-35	2008-09
2007-36	2008-10
2008-02	2008-12
2008-03	2008-13
2008-04	2008-15
2008-05	

NEW CSWA'S (11)

ANTHONY CHRISTY
TODD HARMS
JENNIFER HINTON
KEREN SCHAFFER MC CORD
VICKIE MC GUIRE
JENNIFER MILLER
DONNA NAGLICH
AMANDA PARULSKI
ELIZABETH PUGSLEY
TODD SCHOOLER
OLGA STRAIGHT

REACTIVATE LICENSE (1)

STEPHANIE SARNOFF

CSWA CANDIDATES (3)

JUANITA TUCKER
FAY WALCOME-HOBENSACK
BRENDA WILKES

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

Signature on File in Board Office June 17, 2008