

MINUTES - APPROVED

STATE BOARD OF CLINICAL SOCIAL WORKERS
PLANNING MEETING
Friday, October 9, 2009
Second Floor Conference Room
3218 Pringle Road SE – Salem, OR 97302

Board Members Present: Becky Rasmussen, Chair
Cheryl Price, Vice-Chair
Mark Oldham
Carol Copley Zancanella
Simone Brooks
Sara Dehaan
Mark Troseth

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

Staff Members Present: Sancha Alley (from 10:00 a.m. until 2:00 p.m.)
Pam Johansen
Martin Pittioni

1. CALL TO ORDER

Chair Rasmussen called the Board Planning Meeting to order at 8:35 a.m., and thanked all Board members for their service and donating their time for two days of Board work.

2. REVIEW/APPROVAL OF AGENDA

Rasmussen reviewed the draft Planning Meeting Agenda with the Board. Rasmussen advised that Impaired Professional's Committee (IMP) Chair Oldham had notified her that IMP needed additional time at 4:00 p.m. to reconvene to conduct an IMP interview. Rasmussen added this meant the full Board discussions needed to conclude by 4:00 p.m. Rasmussen recessed the full Board at 8:50 a.m. so that Board members could start conducting committee work.

3. WORKING LUNCH

Chair Rasmussen reconvened the Board at 12:15 p.m. for a working lunch. Board and staff provided updates on the committee progress from the morning work.

4. FULL BOARD DISCUSSION

Chair Rasmussen requested that the Board now move to the main planning item, the issue of definition of social work for purposes of Senate Bill 177 and writing of Board rules. Rasmussen requested that Rules Committee Chair Troseth lead the discussion. Troseth explained that in his view the Board would have to provide a definition of the term social work already in 2010 based on the language in Section 12 of Senate Bill 177. Troseth added that in his view Section 12's seemingly small language changes in ORS

675.540, edits by Legislative Counsel that eliminated the word "clinical" twice in this statute providing the Board's disciplinary authority, effectively mean that the Board cannot wait until 2011 to tackle the question of whether or not additional definitions would have to be written into rule to implement Senate Bill 177. Troseth further explained that at minimum the definition issue would have to be tackled for purposes of ORS 675.540, which effective January 1, 2010 already uses the undefined term "practice of social work." Board members agreed that this issue needed to be addressed, especially since the prospect of unclear disciplinary authority come January 2010 endangered the Board's public protection mission and was thus unacceptable.

Troseth proposed that Board members review the statutory definition of clinical social work maintained by Senate Bill 177, and compare that definition to the model social work practice definition used by ASWB. Troseth explained that because Senate Bill 177 maintains the existing statutory definition of clinical social work, that great care would have to be taken to ensure that any social work practice definition that would be proposed by the Board also captures everything the statutory definition of clinical social already has written into law.

Board members then engaged in a lengthy review process with counsel, comparing the statutory definition of clinical social work piece by piece to the ASWB definition of social work practice, and suggested several amendments to the model language to avoid any potential conflicts.

Chair Rasmussen then requested that Troseth discuss with the Board what other pieces of rulemaking would be necessary to be completed in January 2010. Troseth reviewed the necessary additional elements triggered by Senate Bill 177 with the Board, including the need to specifically recognize US and Canadian accrediting organizations, removal of the active practice requirement for licensure renewal, and the Board's name change.

Troseth added that House Bill 2059 changed mandatory reporting requirements for all health professional boards, and that likely it would be necessary to define "reasonable cause" as part of bill implementation, and to eliminate any conflicts between the bill and Board ethics rules in Division 30 of OAR Chapter 877 addressing mandatory reporting. Troseth advised that this would also entail a general review of current mandatory reporting rules by the Board, as well as close consultation with Board counsel, and consultation with the Board's Rules Advisory Committee (RAC).

Board members discussed rule making process and time line with Troseth and Pittioni, and outlined ideas for scheduling the Board's RAC.

Chair Rasmussen thanked Board members for the productive discussion and adjourned the Planning Meeting at 3:58 p.m.

Respectfully submitted,


Martin Pittioni
Executive Director