

DRAFT MINUTES

STATE BOARD OF LICENSED SOCIAL WORKERS

Tuesday, July 13, 2010

Second Floor Conference Room

3218 Pringle Road SE, Salem, OR 97302

Board Members Present: Becky Rasmussen, Chair
Cheryl Price, Vice-Chair
Mark Oldham
Sara Dehaan
Mark Troseth

Board members Absent: Carol Copley Zancanella (excused)

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

Staff Members Present: Martin Pittioni
Christopher Montenaro (until 12:35 p.m.)

Guests: Angelique Bowers (1:00 p.m. – 2:00 p.m.)

1. CALL TO ORDER

Chair Rasmussen called the Board Meeting to order at 9:50 a.m.

2. REVIEW/APPROVAL OF AGENDA

Rasmussen requested to add consideration of Special Reviews. Price moved to adopt the agenda so amended. Dehaan seconded. The motion passed unanimously.

3. APPROVAL OF MINUTES

Board members reviewed Planning and Board meeting minutes drafts from the April 2010 meeting.

Price moved to adopt the Planning Meeting Minutes of April 9 and 10, 2010, as presented. Dehaan seconded. The motion passed unanimously.

Oldham moved to adopt the Board Meeting Minutes of April 9, 2010, as amended. Dehaan seconded. The motion passed unanimously.

4. MOVE TO EXECUTIVE SESSION

Chair Rasmussen announced that the Board would now enter executive session to conduct board business under the authority of ORS 192.660(2)(b)(f)(h)(i)(k). The Board entered executive session at

10:04 a.m.

The Board re-entered public session at 10:22 a.m.

5. CONSUMER PROTECTION COMMITTEE REPORT

Consumer Protection Committee (CPC) Chair Price moved to approve and adopt the Final Stipulated Order in case 2010-02. Troseth seconded. The motion passed unanimously.

6. APPROVAL OF CONSENT AGENDA

Brooks moved to adopt the Consent Agenda as amended by removing case 2010-02. Price seconded. The motion passed unanimously.

7. PUBLIC COMMENT

No member of the public was present to comment.

8. OLD BUSINESS

Chair Rasmussen requested that Troseth lead the discussion of possible additional amendments to the text of the proposed rules of the Board.

Troseth reviewed the changes in the proposed rules text based on the actions of the Board on June 22, 2010. Troseth reviewed the proposed text for the graduate student exemption with the Board. Board members agreed to the draft text. Troseth discussed with the Board draft text regarding the definition of the term "professional practice." Troseth discussed with the Board additional language to interpret ORS675.510(2)(f). Board members agreed to the proposed definition. Troseth discussed with the Board the issue of CSWAs maintaining supervision plans while in candidacy status, and specifically the ability to renew these plans. Board members agreed that such plans could be renewed while the CSWA maintains candidacy status. Troseth reviewed with the Board the issue of whether or not to include language for a possible expedited return to licensure for those who let their license lapse. Board members agreed not to proceed with the expedited option in the interest of public protection.

Troseth and Pittioni reviewed the fee schedule as proposed and discussed with Rules Advisory Committee. Pittioni discussed the information he had received that even though the Board had received a note in its 2009 main budget bill, Senate Bill 5508, to return to the Legislature for limitation needs and fee approval to implement Senate Bill 177, that the fees proposed by the Board for rulemaking and effective on January 1, 2010, would also be subject to the Senate Bill 333 process. Pittioni explained this meant the Board also has to go through a Department of Administrative Services review and approval process with respect to the proposed fees, and requested that the fee rule be taken out of the proposed rules of the Board with authority granted to him to file the fee rule at a later time, as soon as the SB 333 process had been initiated.

Oldham moved to approve the presented rules as amended and issue a Notice of Proposed

Rulemaking Hearing to be filed by July 15, 2010, and approve the fee rule with a separate Notice of Rulemaking Hearing to be filed by August 13, 2010, subject to the SB 333 process. Price seconded. The motion passed unanimously.

Troseth and Pittioni reviewed with the Board its rulemaking schedule options. The Board agreed to schedule a Rulemaking Hearing at 8:00 a.m. on September 21, 2010, for both the proposed main rules and the proposed fee rule, with the Board meeting to commence immediately upon conclusion of the Rulemaking Hearing. Pittioni received direction to end the comment period at 10:00 a.m. on the day of the rulemaking hearing, so the Board could be certain to have received all written feedback by the time the Board would consider the rulemaking oral and written record during its Board meeting on September 21, 2010.

Chair Rasmussen emphasized to Board members the expectation that the full Board attend the Rulemaking Hearing on September 21st, given the importance of the proposed rules. Rasmussen also advised that the Board would need to begin meeting its September meeting on Monday, September 20th, 2010, at 4:00 p.m. in order to schedule executive session time on the 20th and ensure that the Board could accomplish all its business by the end of its all-day meeting on September 21, 2010.

Rasmussen recessed the Board meeting at 12:35 p.m. Rasmussen called the Board back to order at 12:50 p.m.

9. NEW BUSINESS

Rasmussen reviewed Committee assignments with the Board. Rasmussen discussed with the Board the idea of having the full Board serve as the Consumer Protection Committee (CPC), given the transition in Board membership. Rasmussen added that other than the CPC Committee, she is proposing to keep membership of the other Board committees unchanged. Board members agreed to the proposal.

Chair Rasmussen requested that Pittioni review the proposed 2011-13 Agency Request Budget (ARB) with the Board, and introduced Angelique Bowers, Budget Accountant for the Board from the Department of Administrative Services. Pittioni reviewed the proposed budget in detail with the Board, with emphasis on the proposed policy packages for final approval of the Board's only Compliance Position (Policy Package 100), budgetary authority to pay Oregon State Police for the criminal background checks conducted by the Board (Policy Package 101), and budgetary authority, including fee approval, related to implementation of Senate Bill 177 (Policy Package 102).

Oldham moved to approve for submission into the budget process the Board's ARB for 2011-13, including policy packages 100, 101 and 102, as presented to the Board. Troseth seconded. The motion passed unanimously. Board members thanked Pittioni and Bowers for the presentation.

Pittioni reviewed with the Board the issue of expansion of the office space to accommodate Board growth related to Senate Bill 177, and related financial data. Pittioni reported on adding space vacated by the Oregon Advocacy Commission, vacated right next to existing Board space, and collaboration

with the Board of Licensed Counselors and Therapists to take over the Board's current investigative office. Oldham moved to approve the Board amending its lease to pick up the space vacated by the Oregon Advocacy Commission and release of the current investigator office to the Board of Licensed Counselors and Therapists. Dehaan seconded. The motion passed unanimously.

10. CORRESPONDENCE

Board members reviewed and discussed correspondence from medical social workers at Sacred Heart Hospital with respect to Senate Bill 177. Oldham observed that the law does not allow the Board to write a rule exempting medical social workers from the title protection statute for the term social worker.

11. SPECIAL REVIEWS

Pittioni presented the matter of Camila Lopez, who requested an ESL extension of time of up to 2 hours for the ASWB exam. Oldham moved to approve Ms. Lopez' ESL time extension request. Troseth seconded. The motion was approved unanimously.

Pittioni advised that more applicants are coming in with disabilities and related requests.

Pittioni described the case of DeAnne Warner, a blind applicant for CSWA, who orally requested due to transportation hardships decreasing the in-person supervision requirement to once a month, from twice a month. Pittioni reported that Ms. Warner's written request deviated from the oral request, and requested approval by the Board for in-person supervision to take place once every two months. Board members indicated that in this case they would approve decreasing the in-person requirement to once a month.

Pittioni reviewed the matter of another applicant with a disability who requested a psychologist supervisor for her supervision plan. Board members requested clarifying information on the link between the disability and the request for a non-LCSW supervisor.

13. ANNOUNCEMENTS AND ADJOURNMENT

Chair Rasmussen adjourned the Board at 2:10 p.m.

Respectfully submitted,

[signature on file]

Martin Pittioni
Executive Director