



OREGON BOARD OF LICENSED SOCIAL WORKERS  
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# NEWSLETTER

FEBRUARY 2013

## A BOARD IN TRANSFORMATION

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The Board has completed four years of a significant transformation since passage of social work regulatory reforms by the Legislature in May 2009, three months after the last time the Board has published a formal newsletter. While the Board has been very busy communicating its transformation and related changes in statutory and rules framework through its web site, e-mails, community meetings, classroom outreach and direct work with the organized stakeholder community, the Board is very pleased to now also resume communication with social workers and other stakeholders through this newsletter.

This lead article is devoted to acknowledging the civic leaders on the Board who gave (and give) a tremendous amount of energy and time to a wholesale transformation of the Board, driven by the social work regulatory reforms passed in 2009 with overwhelming bipartisan support. Former (and now current again) Board Chair Mark Oldham guided the Board through the tremendously successful legislative session of 2009, which saw the Board receive approval to move to mandatory licensure for clinical social work, issue non-clinical licenses at the Bachelor and Masters level for the first time, receive authority to protect the title "social worker" – and increases in the Board's authority to issue civil penalties at higher amounts. Without question, these were - and are - the most significant changes to the Board's regulatory authority since its creation in 1979. Coincidentally, in this 2013 session at least one proposal (Senate Bill 302) is on the legislative table that would largely end most decision-making powers of the Board (see legislative update on page 4) to administer and apply social work statutes and rules.

In July 2009 Vice-Chair Becky Rasmussen took over the Chair position, and, together with new Vice Chair Cheryl Price, guided the Board for two years through the difficult work to prepare for these changes to take effect (in most cases) in January 2011. This also included getting the 2011 Legislature to approve, a budget for 2011-13 that, critically, included funds to implement the social work regulatory reforms passed in 2009, and that for the first time funded, on a permanent basis, a professional staff compliance position – a key Board goal since 2008.

Our public members also work extremely hard. Special mention goes to former public member Mark Troseth, who brought decades worth of rule writing experience to the Board. Without his incredible organization, eye for detail, and endless patience in writing new rules to cover the details of the 2009 reforms, Chair Rasmussen would have had a much tougher lift.

In July 2011, Becky Rasmussen left the Board after 8 years and turned the reigns over to Cheryl Price as Chair and Carol Copley Zancanella as Vice Chair. During Price's time as Chair, the Board was able to finish a critical transition of its investigation function to a now permanently funded compliance staff person, Mindy Tucker. This new Board leadership team also wrote the next legislative proposal of the Board to fill in gaps left in the 2009 reforms. The current leadership team of Chair Mark Oldham and Vice Chair Carol Copley Zancanella, in place since April 2012, is continuing this critical work (see articles on the Board's proposed bill for 2013, now House Bill 2082 in the 2013 session, in the Legislative Update on page 4).



## A BOARD IN TRANSFORMATION ~ A Director's Perspective

By Martin Pittioni  
*Interim Executive Director*

The Board office has changed substantially with the adoption of far-reaching social work regulatory reforms by the Legislature in 2009 (SB 177). The purpose here is not to review those regulatory changes in detail (*anyone wanting that review please use the following link to the Board's web presentation on that topic*).

<http://www.oregon.gov/blsw/AnalyticsReports/Licensing%20Overview%20%28PowerPoint%29.pdf>

Instead, I will mention only briefly here the three main pillars:

1. *Move toward mandatory licensure for clinical social work with very limited exceptions,*
2. *Creation of new non-clinical licensing options at the Bachelor (RBSW) and Masters' level (LMSW) level, and*
3. *The adoption of stringent title protection for use of the title "social worker" (requires degree and licensure by the Board, without exceptions).*

The story here is really about how well these reforms have been accepted by the stakeholder community, helped in part, by extensive outreach in statewide community forums in 2010, and how that acceptance has driven major growth of the Board. When I was hired by the Board in September 2008, we had two part-time staff and one-full-time staff person for licensing, and yours truly. There were no compliance (Investigations) staff, as the Board was in the process of hiring for the first professional investigator. We were serving about 3,200 licensees (only CSWAs and LCSWs at that point).

Four and a half years later, we have six total staff serving almost 5,000 licensees, which also reflects the critical accomplishment of having built a solid 2-staff person compliance unit to handle case-load and support Board decision-making in that arena. (*The second compliance position is subject to legislative approval in this 2013 session – the Board's only but critical position authorization request*). The following numbers tell the more specific story of the Board's growth, including the outstanding acceptance of voluntary licensing options at the RBSW and LMSW level:

<b>Board of Licensed Social Workers License Summary Table for July 1, 2009 to January 31, 2013</b>					
<b>TYPE:</b>	<b>LCSW:</b>	<b>CSWA:</b>	<b>LMSW:</b>	<b>RBSW:</b>	<b>TOTAL:</b>
<i>BASELINE ISSUED 07/01/2009</i>	<b>3,056</b>	<b>473</b>	<b>0</b>	<b>0</b>	<b>3,529</b>
<i>Issued as of 01/31/2013</i>	<b>3,509</b>	<b>822</b>	<b>463</b>	<b>55</b>	<b>4,849</b>
<i>Pending as of 01/31/2013</i>	<b>19</b>	<b>10</b>	<b>23</b>	<b>8</b>	<b>60</b>
<i>Total as of 01/31/2013</i>	<b>3,528</b>	<b>832</b>	<b>486</b>	<b>63</b>	<b>4,909</b>
<i>Growth</i>	<b>472</b>	<b>359</b>	<b>486</b>	<b>63</b>	<b>1,380</b>
<i>Growth in %</i>	<b>15%</b>	<b>76%</b>	<b>100%</b>	<b>100%</b>	<b>39%</b>
<i>Additional Applicants in pipeline</i>	<b>24</b>	<b>62</b>	<b>64</b>	<b>24</b>	<b>174</b>



(Continued on Page 3)



*(Continued from Page 2)*

These accomplishments were not simply addressed through staff growth - in fact, much of that growth was not certain during implementation. Key to the Board's ability to handle this level of change, was significant streamlining of processes and use of technology. This included as a first step moving toward an attestation process for CE with certificates required only of those subject to audit, heavy use of the Board's web site to push out information especially to applicants, and then of course the "big kahuna" - transition to on-line payment processing for licensure renewals.

The Board office internally also is conserving resources by having completely eliminated any need for applicants or licensees to send any payments or applications first to US Bank (faster processing and far less cost to the Board). U.S. Bank has been a much appreciated partner in working with the Board, the Department of Administrative Services Shared Financial Services Unit, the Oregon Treasury Department to streamline our payment processes and reduce costs in the process.

Key also of course was Grant Moyle of Confuzer, Inc, who made all of this possible. Grant also helped the Board deploy last summer a far more efficient, and extremely secure, iPad-based solution for electronic Board communications, to ensure the most secure handling possible of highly confidential case and medical data in internal Board communications, and eliminating paper in the process.

Enabling the Board achieve these transformations is without question the highlight of my professional career to date. I am also confident that these new administrative structures will continue to serve the Board and the profession well, long after I have completed my Interim Director role and transition exclusively to my new role as Director for the Oregon Board of Accountancy (a position I accepted as of November 1, 2012).

## MARK YOUR CALENDARS 2013 SCHEDULED BOARD MEETINGS

✦ **Friday, February 15th, 2013**

*~Meeting by Telephone Conference Call*

✦ **Friday, March 15th, 2013**

*~Meeting in-person*

✦ **Friday & Saturday, April 12th & 13th, 2013**

*~Meeting in-person (Planning Session)*

✦ **Friday, May 10th, 2013**

*~Meeting by Telephone Conference Call*

✦ **Friday, June 7th, 2013**

*~Meeting in-person*

✦ **Friday, July 19th, 2013 (\*\*Tentative\*\*)**

*~Meeting by Telephone Conference Call*

✦ **Friday, August 16th, 2013**

*~Meeting in-person*



✦ **Friday, September 13th, 2013**

*~Meeting by Telephone Conference Call*

✦ **Friday & Saturday, Oct. 25th & 26th, 2013**

*~Meeting in-person*

✦ **Saturday, December 7th, 2013**

*~Meeting in-person*



# 2013 LEGISLATIVE SESSION & HB 2082 UPDATE

By Mark Oldham, LCSW  
Board Chair

The Board has two priorities for the 2013 Legislative Session, namely approval for permanent authority to add a second compliance position to the Board staff, and passage of House Bill 2082, a successor bill to the major social work regulatory reforms passed in 2009. HB 2082 leaves those reforms intact, including no changes in who does, or does not, have to become licensed with the Board on a mandatory basis (the licensure requirement remains limited to clinical social work and leaves the exemptions negotiated in 2009 untouched). What HB 2082 does do is fill in one important area not addressed in 2009 – the lack of language in statute, often referred to as a scope of practice, for those licensed in one of two new non-clinical license types (RBSW and LMSW).

The Board with HB 2082 is proposing to adopt the national model law language for scope of practice for the different levels of social work as recommended by the Association of Social Work Boards (ASWB), which represents many years of hard work by social work regulators including detail social work practice analysis. This is the same approach the Board originally proposed in 2009. The Board has now resolved the original resistance by some stakeholders to provide definitions for non-clinical social work practice.

HB 2082 would as part of adopting the national model law language also update the Board's definition for clinical social work, an outdated definition from 1979. The new proposed definition is clearer and shorter and does not result in any reduction or expansion in the scope of what a clinical social worker would be permitted to do. The main purpose of HB 2082 is to provide a basic framework of distinguishing between Bachelor-level, Master's level generalist, and Master's level clinical social work practice, something that should have been part of the 2009 bill but at that point lacked consensus. Another provision in the bill also allows a pathway for the first time for CSWAs, LMSWs and RBSWs to be eligible for appointment by the Governor to one existing professional seat on the Board. The Board appreciates the support received from the Governor's Office to allow this bill to be printed and introduced as an executive branch agency bill. For detailed materials on HB 2082, including a PowerPoint overview, and the full language of the bill, including the proposed definitions, please visit the front page of the Board's web site at [www.oregon.gov/blsw](http://www.oregon.gov/blsw)

Beyond HB 2082, the Board is also watching other proposals that could impact it, including Senate Bill 302. SB 302 proposes to move a number of health boards under the administration of the Oregon Health Licensing Agency (OHLA). The significance of this bill, as drafted, would go beyond administrative consolidation, because the OHLA model vests decision making power with the agency, not the boards it administers. This means the Board, and the representatives of the profession and the public on it, would lose the decision making power they have had since 1979 to adjudicate investigations, issue final orders, and apply licensing standards in the form of approving or denying licensure or certification. Instead these powers would shift to OHLA staff not controlled or overseen by the Board. As a state agency, the Board maintains neutrality on all legislation introduced, and intends to contribute ideas on how to achieve administrative cost savings without a significant policy shift in authority away from the Board and the profession.

## A LOOK TO THE FUTURE LCSW CONVERSION TO 2-YEAR LICENSURE & BOARD FEE INCREASES PLANNED FOR 2015

In January 2013, the Board started the 2-year process of converting LCSW licenses from a one-year license to a two-year license, another key efficiency move that will help the Board manage the strong growth in its licensee base (see table on page 2) with existing licensing staff resources. In essence, this will align LCSWs with the two-year structure chosen from the get-go for the new non-clinical license types of RBSWs and LMSWs; there are no plans to change the one-year CSWA certification due to the transitional character of that certification and concomitant turnover.

In 2013, the odd-numbered LCSWs are due to report CE on their two-year CE cycle, and will be renewed with a two year license (the legislatively approved \$130 annual renewal fee will be prorated to \$260 to reflect the two-year term). (Continued on Page 5)



*(Continued from Page 4).....*

Even-numbered LCSWs do not report CE during their 2013 renewal and will be renewed, one last time, with a one-year license; that group will convert to two-year licensure in 2014. After 2014, the renewal cycle and CE cycle for all LCSWs will be one and the same, and remain birth-month based.

After completion of the LCSW conversion, the Board is planning on the need to raise fees in 2015. The growth of the Board's licensee base, the implemented efficiencies of on-line renewals and conversion to two-year licensure, are not enough to hold off fee increases forever. In addition, The Board needs a second investigator to stay on top of its still rapidly growing caseload generated by now nearly 5,000 licensees. The last fee increase of the Board on July 1, 2008 (raising the LCSW renewal fee to \$130 annually) was taken to fund a single, new compliance position with the Board.

The Board will also need to assess if any 2013 or 2014 legislative actions may also bring additional need to raise fees, and bring that into a discussion with its stakeholders in the first half of 2014. The results will flow into the budget development for the Board for 2015-17, and likely a rulemaking process in the second half of 2014 for a new fee structure for 2015. The Board will then need to seek final approval for fees in the 2015 legislative session.

## BOARD CHAIR RECEIVES INTERNATIONAL AWARD

News Release  
Association of Social Work Boards - January 3, 2013

Mark Oldham, a member of the Oregon Board of Licensed Social Workers over parts of the last three decades, has received the Sunny Andrews Award for outstanding commitment to social work regulatory board service from the Association of Social Work Boards (ASWB). The recognition is given annually by the association for work with individual jurisdictions.

The international award was announced at ASWB's Annual Meeting of the Delegate Assembly, held in November in Springfield, Ill.

The Association of Social Work Boards is the nonprofit association of social work regulatory boards in the United States and Canada. Members include 49 states and Washington, D.C., the U.S. Virgin Islands, and all ten Canadian provinces. The association owns and maintains the licensing examinations used in most member jurisdictions and is a central resource for information on the legal regulation of social work. ASWB's mission is to strengthen protection of the public by providing support and services to the social work regulatory community in order to advance competent and ethical practices. Visit [www.aswb.org](http://www.aswb.org) for more information.



Oldham was nominated for the competitive award because of his commitment to board work. He was instrumental in the passage and implementation of the social work practice act, but although his involvement dates back long enough for him to have been a pioneer in regulation, he has worked very hard as chair in recent years. Among the efforts credited to him in his nomination, he was credited with spearheading the hiring process for a new administrator, appearing before legislative committees, and meeting with social workers to provide information. Holder of an MSSW from the University of Louisville, he is a mental health therapist for the schools in Eugene, Ore.



# RESOURCES: RULE CHANGES BY THE BOARD ARE UPDATED ONLINE



Please visit the Board's website at: [www.oregon.gov/blsw](http://www.oregon.gov/blsw) for a link to all current rules of the Board, as well as a special presentation providing an overview of mandatory reporting obligations by regulated social workers (an area where there have been many substantial changes in the past few years by the Legislature & the Board).

**LINKS TO RULES CHANGES, ETC.**

**Board of Licensed Social Workers**

**Board of Licensed Social Workers**  
The mission of the Board of Licensed Social Workers is to protect the citizens of Oregon through the licensing and regulation of Social Workers.  
[Read more...](#)

**Important Information**  
Next Board Meeting: 2/15/2013  
- [Rule Changes](#)  
[Rule Changes Effective 1/1/2013 \(with tracked edits\)](#)  
[Rule Changes Effective 1/1/2013 \(without tracked edits\)](#)  
[OAR Governing Regulated Social Workers in Effect 1/1/2013](#)  
[Statutes Governing Regulated Social Workers in Effect 1/1/2011](#)  
[What is Licensure - Basic Licensing Concepts Licensing Overview \(2013 Web Presentation\)](#)  
[Proposed Board Legislation: 2013 House Bill 2082](#)  
[2013 HB 2082 Overview \(PowerPoint\)](#)  
[2013 HB 2082 Fact Sheet](#)  
[2013 HB 2082 Full Text \(as Introduced\)](#)  
**What's New**  
[2 Year Licensure for LCSWs](#)  
[Board Updates at the 2012 NASW Conference](#)

**Did You Know?**  
**Reporting Requirements for Oregon Social Workers**  
**Online Renewals Now Available!**  
License renewals for LCSWs and CSWAs are now online! Please sign into our renewal system by selecting your license type, entering your last name, the last four digits of your license/certificate number, and the last four digits of your social security number.  
[If you are unsure of your license number, you may find it on our licensee look-up page.](#)  
**[CLICK HERE TO RENEW](#)**  
**Mandatory Licensure or Certification for Clinical Social Workers**  
As of January 1, 2011, individuals may not represent themselves as clinical social workers or use the title "Social Worker", unless the person is licensed or certified by the Board, with few exceptions.  
**National Exam Requirements take effect January 1, 2013**  
Individuals applying for the **LMSW and RBSW** will be required to pass the appropriate National exam beginning January 1, 2013. Applications must be postmarked no later than December 31, 2012 to take advantage of the exam waiver.  
It is the Policy of the Board to have all applicants pass the Jurisprudence Exam prior to issuance of any certificate or license.  
**Office Closure**  
The next furlough day for the Board of Licensed Social Workers is April 19, 2013.  
To view the full list of dates and agencies closed for furlough days [click here](#).  
The Board office will be closed on February 18, 2013 in recognition of a state holiday.

**Popular Links**  
License Renewal  
Consumer Protection Information  
Disciplinary Action Report  
Licensee Verification/Disciplinary Reports  
Mandatory Reporting Requirements  
Custodian of Record Designation  
ASWB National Exam Information  
Key Performance Measure Report 2012  
Oregon Healthy Kids  
Oregon Transparency Website



## OVERVIEW GUIDE TO MAJOR RULE CHANGES SINCE PUBLICATION OF THE LAST NEWSLETTER IN 2009

The following is a high-level overview guide of rule changes adopted by the Board since publication of its last newsletter. Please keep in mind that

this is in no way comprehensive or a substitute for review of adopted Board rules; especially since the Board's regulatory framework changed so substantially in 2009. It is intended only to highlight the topics & key changes in the Board's rules. ***It is every licensee's responsibility to stay current with Board rules.***

### ▷ MAJOR CHANGES IN MANDATORY REPORTING, EFFECTIVE 01/01/2013

Please refer to the Board's website for a comprehensive reporting obligation overview, including new administrative reporting requirements in effect, outlined on page 8 of this newsletter

### ▷ Semi-retired LCSW fee & CE reduction option

### ▷ Elimination of CE paperwork requirement for renewal; move to an attestation process with certificates due only by those subject to an audit

### ▷ Increase in late fees for renewal to \$200 for LCSW's NEW as of January 1st, 2013 (Refer to detailed text on front page of the Board's website)

### ▷ Changes in C.E. Requirements:

1. Broader definition of what type of health professionals qualify to participate in a study group (CADC's, QMHA/P's)
2. Up to (10 ) hours of CE credit per cycle for language classes if submitted with proof that classes are related to better the ability of the regulated social worker to serve clients

*NOTE: The Board did not adopt the limits it initially proposed on CE's obtained online, based on feedback from licensees.*

### ▷ Records requirement update for licensees in private practice

### ▷ Transition LCSW's to a two-year licensure during 2013 & 2014



## NEW ADMINISTRATIVE REPORTING RULE IN EFFECT 01/01/2013

REQUIRES CURRENT CONTACT INFORMATION TO THE BOARD:  
OAR 877-001-0009 & OAR 877-030-0040(3)

**NOTE:  
IMPORTANT  
CHANGES**

### OAR 877-001-0009 NAME, ADDRESS & EMPLOYER OF RECORD

#### (1) Name of Record:

- (a) A regulated social worker and applicant for licensure or certification as a regulated social worker shall establish and keep his/her current legal name on file with the board at all times.
- (b) The name currently on file with the board shall be considered the name of record.
- (c) At the time of a name change, the regulated social worker shall send a signed, written notification of change of name to the board, accompanied by legal proof of that name change. Legal proof shall be in the form of official records such as a birth certificate, marriage certificate or a court order/decreed.
- (d) Upon receipt of written notification and legal proof of name change, the board will change its records to reflect the regulated social worker's name change.
- (e) The regulated social worker **must report any name change to the board within 30 days of the effective date of the name change.**
- (f) The name of record shall be the same name used for the regulated practice of social work.

#### (2) Address of Record:

- (a) The regulated social worker and applicant for licensure or certification as a regulated social worker shall designate and provide an address of record to the board and keep it current with the board at all times.
- (b) The regulated social worker and applicant for licensure or certification as a regulated social worker may designate, at his or her discretion, a current employment address, or home address, or P.O. Box address as an address of record with the board.
- (c) Upon receipt of notification from the regulated social worker of a change of address of record, the board will change its records to reflect the regulated social worker's current address of record.
- (d) The board will send all official documents including license or certification renewal notices and Notices of Proposed Disciplinary Action to the regulated social worker's address of record with the board. The board may elect to use electronic means of communication for all other forms of communication, including but not limited to rulemaking notices and distribution of news from the board.
- (e) A Notice of Proposed Disciplinary Action sent to the regulated social worker or applicant for licensure or certification as a regulated social worker at the address of record by certified mail or registered mail, is sufficient notice even if the regulated social worker or applicant for licensure or certification as a regulated social worker fails to or refuses to respond to the postal service "return receipt" and never receives the Notice. Such mailing permits the board to proceed with disciplinary action in the absence of a request for a hearing.
- (f) **A regulated social worker and applicant for licensure or certification as a regulated social worker must report a change in his/her address of record to the board within 30 days of the effective date of the change.**

#### (3) Employer of Record:

Any regulated social worker actively practicing social work shall report his/her current place of employment to the board. Each change in employer and employer's mailing address must be submitted to the board no later than 30 days after the change.

⇒ **CORRESPONDING ADDITION TO ETHICS CODE IN RULE:**

### OAR 877-030-0040(3) ADMINISTRATIVE REPORTING REQUIREMENTS

#### 3) Administrative Reporting Requirements

Regulated Social Workers must notify the Board as soon as practicable, but no later than 30 days after changes in the regulated social workers name of record, address of record, and employer of record, including changes in the mailing address of the employer of record, as defined in OAR 877-001-0009.



## FINAL DISCIPLINARY ACTIONS TAKEN BY THE BOARD SINCE 2009:

Since publication of the Board's last newsletter in February 2009, the Board issued **(23)** new final public disciplinary sanctions. A summary of each action is listed below. Please note that anyone can check on the disciplinary actions at any time, by visiting the Board's website [www.oregon.gov/BLSW](http://www.oregon.gov/BLSW)

*The Directory/Verifications link allows review of the disciplinary status of any licensee, and access to the full text of the public Final Order. The Board also publishes on its web site, a summary of the final disciplinary actions taken by the Board over the past five years. The report can be accessed from the website's main page by clicking the "Disciplinary Action Report" link on the right side.*

# 2012:

## COMPLIANCE CASES ADJUDICATED BY DISCIPLINE

**YATES, Sheila G., MSW (LCSW #4539)**

**CASE #2012-39**

**Settlement Agreement & Stipulated Final Order ~ (Civil Penalties)**

*(December 14<sup>th</sup>, 2012)*

In Board case #2012-39, Board finds and Respondent admits to failing to provide appropriate notification to the Board, subsequent to Respondent's 07/05/2012 arrest for Theft in the First Degree, a felony, within ten (10) days of said arrest. Respondent's conduct violates OAR 877-030-0040(2)(a)(B) [2011]. Respondent was assessed a \$1,500.00 civil penalty.

**VAIL, Tricia A., LCSW (LCSW #4533)**

**CASE #2012-42**

**Stipulated Final Order for Voluntary Surrender of Clinical Social Worker License in Lieu of Revocation**

*(December 14<sup>th</sup>, 2012)*

In Board case #2012-42, Board finds and the Respondent admits to entering into a dual and sexual relationship with client A within three (3) years after providing clinical social work services within the meaning of ORS 675.510, in violation of OAR 877-030-0070(1)(a),(1)(b),(1)(c), and (1)(g) [2011].

Respondent surrenders her license as a clinical social worker and is prohibited from applying for nor requesting reissuance or reinstatement of any license, registration, or certification issued by the Board for five (5) years, pursuant to OAR 877-020-0031(3)(b) and other applicable authority.

The Order further provides for specific conditions to be met in the event of a future application to the Board. The Order further provides that any future approval of the Board of an application for licensure or certification will include Respondent being placed on Probation for two (2) years with specific conditions.

**WHEELER, Lesa S., CSWA (CSWA #2699)**

**CASE #2012-55**

**Settlement Agreement & Stipulated Final Order of Reprimand**

*(December 14<sup>th</sup>, 2012)*

In Board case #2012-55, Board finds and the Respondent admits to posting to an on-line examination study group, an example study question with answer choices. The posting was a close match to an actual ASWB clinical exam question on Respondent's exam. Respondent's actions subverted the integrity of the ASWB exam and resulted in complete removal of the test question from use in the exam. Respondent's conduct violated the ASWB Clinical Examination Confidentiality Statement and OAR 877-030-0040(1)(b). Respondent voluntarily agrees to and accepts a Letter of Reprimand for her conduct.

**JOHNSON, Lynn MSW (LCSW #2571)**

**CASE #2011-26**

**Settlement Agreement & Stipulated Final Order License Surrender in Lieu of Discipline**

*(June 8<sup>th</sup>, 2012)*

In Board case #2011-26, Board finds and the Respondent admits to entering into a dual relationship with client (AA), in violation of OAR 877-030-0070(1)(f). Respondent is prohibited from applying for licensure or certification from the Board for three years. The Order further provides for specific conditions to be met in the event of a future application to the Board, including but not limited to Probation for a period of (1) one year, or until further order of the Board.

**MALSCH, Margaret A., MA (LCSW #0228)****CASE #2011-11****Settlement Agreement & Stipulated Final Order License Surrender in Lieu of Discipline****(April 13<sup>th</sup>, 2012)**

In Board case #2011-11, Board finds and Respondent admits to violations, including (1) violation of OAR 877-030-0080(1) and (1) violation of OAR 877-030-0080(5). Respondent voluntarily surrenders her clinical social work license and is in lieu of discipline. Respondent must fully and completely cooperate with the Board's investigation and any action in case #2011-07. Respondent was assessed civil penalties of \$1,500.00, which were suspended by the Board conditional upon full compliance with the terms of the Order. Respondent is prohibited from applying for licensure or certification from the Board for three years. The Order further provides for specific conditions to be met in the event of a future application to the Board, to include Probation for 12 months with specific conditions.

REPORTED TO ASWB ON 02.01.2013

**O'BRIEN, Vana, MSW (LCSW #1551)****CASE #2011-06****Settlement Agreement & Stipulated Final Order ~ Civil Penalties & Additional C.E's****(February 10<sup>th</sup>, 2012)**

In Board case #2011-06, Respondent admits and Board finds that Respondent failed to provide client (AA) reasonable access to records, in violation of OAR 877-030-0070(16)(a). Respondent was assessed \$300.00 civil penalty and required to obtain six (6) additional hours of continuing education on topics of confidentiality and records release.

**RICE, Yvonne, MSW (LCSW #2437)****CASE #2011-31****Settlement Agreement & Stipulated Final Order License Surrender in Lieu of Revocation & Assessment of Civil Penalties with Conditions****(February 10<sup>th</sup>, 2012)**

In Board case #2011-31, Board finds and Respondent admits to reporting violations including five (5) violations of OAR 877-030-0040(2)(a)(c) [07/2008] or [07/2009], and two (2) violations of OAR 877-030-0040(2)(a)(D) [2011], and four (4) instances of providing false information on licensure renewal applications, in violation of OAR 877-030-0040(1)(b)(D) [2008 - 2010] and OAR 877-030-0040(2) [2005]. Respondent was assessed civil penalties of \$5,500.00, which were suspended by the Board conditional upon full compliance with the terms of the Order.

Respondent is prohibited from applying for licensure or certification from the Board for three years. The Order further provides for specific conditions to be met in the event of a future application to the Board, including but not limited to completion of a mental health evaluation by a Board approved evaluator. The Order further provides that any future approval of the Board of an application for licensure or certification will include Respondent being placed on Probation for 12 months with specific conditions.

**GARCIA, Debra, MSW (CSWA #1634)****CASE #2011-65****Settlement Agreement & Stipulated Final Order ~ Civil Penalties****(February 10<sup>th</sup>, 2012)**

In Board case #2011-65, Board finds and Respondent admits failure to report a conviction of Theft 2, a misdemeanor, within ten (10) days of said conviction, as required by OAR 877-030-0040(2)(a)(A). Respondent was assessed a \$500.00 civil penalty. Board suspended payment of the civil penalty for two (2) years based on the undue financial hardship it would cause Respondent at present and for the anticipated next two years.

**2011:****COMPLIANCE CASES ADJUDICATED BY DISCIPLINE****KING, Alan L., MSW (LCSW #4409)****CASE #2009-51****Stipulated Agreement & Final Order Assessing Civil Penalties****(September 16<sup>th</sup>, 2011)**

In Board case #2009-51, Respondent violated OAR 877-030-0040(1)(b) [2009]. Respondent admits and the Board finds Respondent engaged in dishonesty, fraud, deceit or misrepresentation when Respondent knowingly answered falsely, a question on a Board application. Respondent was assessed a \$500.00 civil penalty.

**DAVIS, Andrew Jon, MSW (CSWA #2611)****CASE #2010-32****Final Stipulated Order (SFO) of Probation & Assessing Civil Penalties****(April 9<sup>th</sup>, 2011)**

In Board case #2010-32, Respondent violated OAR 877-030-0040(1)(b) [2010] by violating in five (5) specific incidents the terms of Respondent's Impaired Professional (IMP) Monitoring Agreement in Board Case 2009-23. Specifically, Respondent failed to report to the Board Respondent's end of employment with Sequoia Mental Health start of employment with the Oregon State Hospital (OSH), termination from trial service at OSH related to conduct with a female co-worker, and to report the return to employment at Sequoia Mental Health.

Respondent is placed on Probation for two (2) years and assessed in \$2,500 civil penalties with \$2,000 suspended provided Respondent fully complies with the terms of the SFO. Respondent is required to comply with Disciplinary Supervision by a Board approved supervisor twice each month for at least one (1) hour with quarterly reports provided to the Board and complete six (6) hours of Continuing Education in Ethics. Respondent must continue monitoring for compliance with Respondent's relapse prevention plan.

**STEVENSON, Laura J., MSW (LCSW #0782)****CASE #2010-18****Stipulated Final Order****(March 5<sup>th</sup>, 2011)**

In Board case #2010-18, Respondent committed (1) violation of OAR 877-030-0040(2)(a)(C) [2009] and (1) violation of OAR 877-030-0040(2)(a)(C) [2010] due to failure to report as required. Respondent was assessed civil penalties in the amount of \$500 for each of the (2) violations for a total of \$1,000.00 in civil penalties with \$500.00 stayed, provided that Respondent fully complies with all terms of the Order and Respondent does not hereafter engage in any conduct, act, or practice that violates Board Rules and Statutes.

**OHLY, Cindy, MSW (CSWA #2361)****CASE #2010-17****Stipulated Final Order****(February 8<sup>th</sup>, 2011)**

In Board case #2010-17, Respondent violated OAR 877-030-0040(2)(a)(B) [2009] by failing to report a DUII arrest to the Board within (30) days. Respondent was assessed a civil penalty of \$500.00.

**REKAS, Jane, MSW (LCSW #2544)****CASE #2010-38  
& #2010-45****Stipulated Final Order****(February 8<sup>th</sup>, 2011)**

In Board case #2010-38, Respondent violated on four occasions each OAR 877-030-0070 (5) [2010], OAR 877-030-0070 (6) [2010], by assisting client VG in the violation of a no-contact order, failing to report the known whereabouts of VG who was listed as a runaway to the Department of Human Services (DHS) or law enforcement, providing VG with transportation services and delivering VG to a location near a home without verification of the home's location or the safety of the home for VG.

In Board case #2010-45, Respondent violated OAR 877-030-0070 (7) [2009] and OAR 877-030-0070 (15) [2009] by continuing to provide clinical social work services to minor ON after consent was withdrawn by the mother of ON, and by continuing to provide clinical social services to ON in Respondent's private practice without knowledge or consent of Respondent's employer, where ON had sought and received treatment from Respondent.

Respondent was assessed a civil penalty of \$1000.00 per violation for a total assessed civil penalty of \$10,000.00, with \$9,000 suspended provided Respondent fully complies with the terms of the Stipulated Final Order and no future violations of Board statutes or rules occur. Respondent is placed on probation for a period of 2 years, and is required to receive supervision twice a month for one hour each during that period. Respondent is further required to obtain an additional six (6) hours of continuing education in ethics.

**KOVAC, Julie E., MSW (LCSW #4123)****CASE #2010-28****Stipulated Final Order****(January 11<sup>th</sup>, 2011)**

In Board case #2010-28, Respondent violated OAR 877-030-0070(1)(a) [2009] and OAR 877-030-0070(11)[2009] in connection with Respondent entering into a dual relationship with client KM by assisting KM with a move, storing some of KM's property at Respondent's home, & facilitating purchase of a freezer including exchange of money between a friend of Respondent & KM. This conduct also involved disclosure of KM's confidential client information. Respondent was placed on probation for a period of six months, & is required to obtain supervision twice a month for 2 hours per month within 30 days of engaging in clinical social work practice or returning to the practice of clinical social work. Respondent must further obtain six (6) hours of continuing education in ethics focusing on dual relationships & boundaries with clients.



# 2010: COMPLIANCE CASES ADJUDICATED BY DISCIPLINE

**CALDERON, Cheryl A., MSW (LCSW #2914)**

**CASE #2010-14**

**Stipulated Final Order Assessing Civil Penalties**

**(August 31<sup>st</sup>, 2010)**

In Board case #2010-14, Respondent violated OAR 877-030-0040(2)[2005] in connection with failing to disclose information on her 2007 licensure renewal, and violated OAR 877-030-0040(2)(D)(2010) due to a failure to report in January 2010. Respondent was assessed a \$500 civil penalty for each violation for a total of \$1,000 in assessed civil penalties.

**KNIPLER, James J., MSW (LCSW #3325)**

**CASE #2010-02**

**Stipulated Final Order (SFO) License Surrender in Lieu of Revocation & Assessing Civil Penalties**

**(July 13<sup>th</sup>, 2010)**

For a period of three years, Respondent cannot apply for any license issued by the Board, and is prohibited from engaging in the practice of clinical social work. Respondent while a workplace supervisor at ProtoCall Services Inc. did solicit and obtained marijuana and controlled substance narcotics that were unlawful from one or more employees he supervised.

In engaging in the above conduct Respondent entered into a dual relationship with a supervisee that: (i) impaired the Respondent's professional judgment in violation of OAR 877-030-0070(1)(c) as applied to supervisors under OAR 877-030-0080(1); (ii) increased the risk of exploitation of the supervisee for the advantage of Respondent, in violation of OAR 877-030-0070(1)(d) as applied to supervisors under OAR 877-030-0080(1); and (iii) had the potential for exercising undue influence on the supervisee, in violation of OAR 877-030-0070(1)(f) as applied to supervisor's under OAR 877-030-0080(1).

SFO imposed a civil penalty of \$12,000.00 with \$8,500.00 of that amount suspended providing the respondent fully complies with the SFO and does not engage in any conduct that violates Board statutes and rules in the future. The respondent is prohibited from using the title of, or purporting to be, a Licensed Clinical Social Worker.

**ADAMS, Bradley D., MSW (LCSW #4348)**

**CASE #2009-28**

**Stipulated Final Order (SFO) of Revocation & Assessing Civil Penalties**

**(March 09<sup>th</sup>, 2010)**

For a period of three years, Respondent cannot apply for any license issued by the Board, and is prohibited from engaging in the practice of clinical social work. Respondent admitted to a dual relationship with a client in violation of 877-0300-0070(1)(a),(1)(b) and (1)(c), and to providing housing and personal loans to a client in violation of 877-030-0070 (1)(a), (1)(b), (1)(c),(1)(d) and (1)(f).

Respondent entered into a dual role of Mental Health Care Representative for a client during or within one year of providing clinical social worker services for the client, in violation of OAR 877-030-0070(1)(b) and (1)(c). Respondent misrepresented his conduct to his employer and the family members of the client in violation of OAR 877-030-0040(1)(b). Respondent was dishonest with board staff investigating this matter in violation of 877-030-0040 (1)(b) and OAR 877-030-0090(2).

SFO imposed a civil penalty of \$42,000.00, with \$28,000.00 of that amount suspended providing the respondent fully complies with the SFO and does not engage in any conduct that violates Board statutes and rules in the future. The respondent is prohibited from using the title of, or purporting to be, a Licensed Clinical Social Worker.

**NOONAN, Richard A., MSW (LCSW #4081)**

**CASE #2009-16**

**Stipulated Final Order Assessing Civil Penalty**

**(January 12<sup>th</sup>, 2010)**

Violation of OAR 877-030-0040(2)(D)[2008] related to failure to notify the Board within 30 days of the initiation of a regulatory action related to the Licensed Clinical Social Workers professional conduct. Board imposed a \$500.00 civil penalty.

# 2009: COMPLIANCE CASES ADJUDICATED BY DISCIPLINE

**DOWNIE, Robert, MSW (LCSW #0819)**

**CASE #2009-33**

**Stipulated Final Order Assessing Civil Penalty**

**(December 8<sup>th</sup>, 2009)**

Violation of OAR 877-030-0040(2)(a)(A)[2008] related to failure to notify the Board within 30 days of receiving notice of any civil lawsuit. Board imposed a \$500 civil penalty.

**2009:****COMPLIANCE CASES ADJUDICATED BY DISCIPLINE****DOWNIE, Robert, MSW (LCSW #0819)****CASE #2009-33****Stipulated Final Order Assessing Civil Penalty****(December 8<sup>th</sup>, 2009)**

Violation of OAR 877-030-0040(2)(a)(A)[2008] related to failure to notify the Board within 30 days of receiving notice of any civil lawsuit. Board imposed a \$500 civil penalty.

**BERESON, Jo R., MSW (LCSW #3406)****CASE #2009-32****Stipulated Final Order Assessing Civil Penalty****(November 10<sup>th</sup>, 2009)**

Violation of OAR 877-030-0040(2)(a)(B)[2008] related to failure to notify the Board within 30 days of a DUII Arrest. Board imposed a \$500 civil penalty.

**POWELL, Charlene M., MSW (LCSW #3803)****CASE #2009-05****Stipulation for Voluntary Surrender of Clinical Social Worker License In Lieu of Revocation & Final Order****(November 10<sup>th</sup>, 2009)**

Violations of: OAR 877-030-0070(1)(a), (1)(c), and (1)(d) [2005] and OAR 877-030-0070(1)(a), (1)(c), and (1)(d) [2008]; and OAR 877-030-0040(2) [2005] and OAR 877-030-0040(2) [2008] related to Circuit Court conviction of one count of Theft in the First Degree, a Class C Felony and one Count of Theft in the Second Degree, a Class A Misdemeanor, regarding Respondent's handling of the affairs of an elderly dependent person. Respondent is prohibited from using the title of, or purporting to be, a Licensed Clinical Social Worker, or using any other title that includes those words. Respondent may not apply for a Board license or certification for three years.

**TOMBAUGH, Linda J., MSW (LCSW #1395)****CASE #2009-29****Stipulated Final Order****(October 10<sup>th</sup>, 2009)**

Respondent entered into a dual relationship by having an inappropriate personal relationship with client A during and after treatment, in violation of OAR 877-030-0070(1)(a),(1)(b),(1)(c), (1)(f) [2005] and OAR 877-030-0070(1)(a),(1)(b),(1)(c),(1)(f) [2008]. Respondent surrendered license and agreed to never apply for any license or certification issued by the Board. Respondent is prohibited from engaging in the practice of clinical social work in the State of Oregon.

**McCULLOUGH, Patrick J., MSW (CSWA #1866)****CASE #2008-33****Stipulated Final Order of Probation****(March 13<sup>th</sup>, 2009)**

Violation of OAR 877-030-0040(1) [2005], boundary violation by allowing his personal conduct to compromise the fulfillment of his professional responsibilities. Respondent was placed on probation for one year with additional disciplinary supervision requirements.

**COMPLIANCE INVESTIGATION INFORMATION**

Here are some statistics of Compliance Investigations Since 2009

**2009:**

(57) Cases Opened  
(30) Cases Closed

**2011:**

(69) Cases Opened  
(59) Cases Closed

**2010:**

(55) Cases Opened  
(69) Cases Closed

**2012:**

(73) Cases Opened  
(64) Cases Closed



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