



STATE BOARD of LICENSED SOCIAL WORKERS

Saturday, April 9th, 2011

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
Tania Rain
Martha Lopez

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

Staff Members Present: Pam Johansen, *Licensing Manager*
Aaron Bales, *Board Investigator*
Mindy Tucker, *Temporary Board Investigator*

1. **CALL TO ORDER:**

Chair Rasmussen called the Board Meeting to order at 8:56 a.m.

Chair Rasmussen introduced new public member, Martha Lopez to the Board, and gave a brief biography introduction. In turn, the Board and staff presented their own personal biography introductions.

2. **REVIEW OF AGENDA:**

Since the minutes were unavailable for review due to the unexpected illness of Director **Pittioni**, **Chair Rasmussen** moved to amend the April 2011, Board Meeting Agenda to reflect that change.

- *Chair Rasmussen moved to adopt and approve the agenda so amended.*
- *Zancanella seconded.*
- *Motion passed unanimously.*

3. **APPROVAL OF MINUTES:**

No minutes were reviewed or approved.

4. **MOVE TO EXECUTIVE SESSION:**

Chair Rasmussen announced that the Board would now enter into Executive Session to conduct Board business, pursuant to ORS 162.660(2)(b)(f)(h)(i)(k). The Board entered into Executive Session at 9:33 a.m.

- *Chair Rasmussen moved the Board out of Executive Session at 11:50 a.m.*

5. **COMMITTEE REPORTS:**

1. Consumer Protection Committee Report (Motions):

In the matter of case #2010-32:

- i. *Price moved to approve and adopt the Stipulated Final Order of Probation and Assessing Civil Penalties signed by the Respondent.*
- ii. *Oldham seconded.*
- iii. *Board members Oldham, Lopez, Rasmussen, Zancanella, Vice Chair Price and Chair Rasmussen voted aye. Rain was absent.*
- iv. *The motion passed.*

In the matter of case #2008-46:

- v. *Price moved to issue a Notice of Proposed Disciplinary Action to Suspend the Respondent's license to practice Clinical Social Work until the Respondent fully cooperates with all requests from the Board, pursuant to OAR 877-030-0070(2), and to assess costs.*
- vi. *Oldham seconded.*
- vii. *Board members Oldham, Lopez, Rasmussen, Zancanella, Vice Chair Price and Chair Rasmussen voted aye. Rain was absent.*
- viii. *The motion passed.*

2. Continuing Education Committee Report:

Oldham reported that three continuing education requests were approved, and one request was denied, based on lack of clinical content of the CE material submitted.

3. Legislative Committee Report (Possible Motions including on issue of semi-independence): **Chair Rasmussen** discussed with the Board finalizing the budget and the issue of the LCSW late renewal fee approved by the Board. Rasmussen advised that fee bills in general are having a tough time in the budget process and that it may be necessary, in order to get legislative approval of the Board's fee bill establishing legislative approval for the fees for LMSW and RBSW licensure, to drop the late fee renewal from the bill. **Chair Rasmussen** reported that **Pittioni** was seeking direction from the Board consensus to approve removing the late fee increase in order for the Budget to be passed if this became necessary to gain approval for the Board's fee bill (HB 5009). **Chair Rasmussen** advised the Board she had given **Pittioni** a verbal approval on behalf of the Board in order for **Pittioni** to negotiate that piece with intent of resolving the pending budget. **Chair Rasmussen** asked the Board members, if they approved of Pittioni negotiating on the LCSW late fee increase as necessary and asked for a vote on that specific issue.

- *Zancanella moved to give Pittioni latitude if needed, to agree to no LCSW late fee increase in order to resolve the fee bill connected to the Board's 2011-13 budget.*
- *Price seconded.*
- *Motion unanimously passed.*

In addition, **Chair Rasmussen** updated the Board with regard to the semi-independence concept and reported she was soliciting Board opinion on whether the Board should move forward with the semi-independence status if other boards considering the same status did not move forward with that in the current legislative session. **Rain** asked if there had been past discussion at the Board level relating to the updates with the status of those boards seeking semi-independence. **Oldham** stated his recollection was we would continue to pursue semi-independence status contingent upon having the Governor's office support said move; and if the Board was also seeking semi-independence in conjunction with other boards moving forward.

Oldham stated if other boards were not continuing, then he would prefer to wait. **Zancanella** asked if there are other boards moving forward with the semi-independence status. **Chair Rasmussen** said there were (5) other boards considering but was unsure if those boards are continuing to pursue the matter.

Zancanella asked if the Board should take a position now to support semi-independence even if it isn't moved forward until next session. **Chair Rasmussen** said the current Governor's office is more supportive of semi-independence now, compared to the previous governor. **Chair Rasmussen** asked if the Board desired to wait until next year and **Zancanella** asked that the Board have a position in preparation of any movement where semi-independence would move forward.

Oldham stated he didn't want the Board to be on our own based on the current resources until there is a mass movement toward seeking semi-independence with other boards. **Chair Rasmussen** asked if the Board desired to vote now; **Lopez** suggested the Board wait for **Pittioni's** return to present legislative issues surrounding semi-independence status and updates. No motion was made with regard to the issue of semi-independence.

Martin updated the Board with regard to HB 2314 that would provide a specific limited exemption from the Board's title protection provisions for school social workers licensed through TSPC working in schools.

Chair Rasmussen discussed SB47 with regard to record keeping and transparency issues for public meetings.

Impaired Professionals Bill - Chair Rasmussen stated Pittioni met with Rep. Greenlick to discuss the bill. **Chair Rasmussen** reported there was no support from Rep. Greenlick for any changes to the legislative construct in HB 2345 (2009) and the consensus was this was not the legislative session to address impairment concerns. The Nursing and Medical Board(s) will reportedly wait for next session to address that matter.

6. **APPROVAL OF CONSENT AGENDA:**

Oldham stated #2010-32 needed to be removed from the list since the case has been handled. He also stated #2008-46 will stay on the list.

- *Oldham moved to adopt the Consent Agenda as amended.*
- *Price seconded.*
- *Board members Oldham, Lopez, Zancanella, and Vice Chair Price voted aye. Rain was absent. Board Chair Rasmussen abstained.*
- *The Motion passed.*

7. **PUBLIC COMMENT:**

No member of the public was present to comment.

8. **ADMINISTRATOR'S REPORT / BUDGET UPDATE / WORKING LUNCH:**

1. **Johansen** stated as of 04/08/2011, E-Commerce was working and has been tested. She stated Grant Moyle will be at the Board office next week and applications will also be online.

2. **Johansen** presented a handout to the Board that gave current statistical data with regard to licensees. She stated there are 4,022 licensees which does not include the current applicants being approved at the 04/09/2011, meeting. **Johansen** said there are 3,282 LCSW's, 659 CSWA's and 76 LMSW's. **Johansen** also said the LCSW applications received by the Board have not decreased as previously anticipated. She reports **Pittioni** has presented to approximately 150-200 upcoming graduates in Portland. **Johansen** reported RBSW's applicant numbers are increasing and stated the Consent Agenda has (7) applicants on that list. **Johansen** said once the word is out to colleges, it is anticipated those numbers will also increase.
3. With regard to the Financial and 2011-13 Budget Update, a copy of the financials were included in the packet to the Board.

9. **OLD BUSINESS:**

1. Board member recruitment update - **Lopez** joined the Board and this is her first meeting. **Chair Rasmussen** reports there are 2 LCSW applicants interested to join the Board. She stated she and **Pittioni** are scheduled to meet with one of the applicants on 04/19/2011. **Chair Rasmussen** said one of the applicants is Sue Newell, a Professor from George Fox University who has filed an application with the Governor's office and **Chair Rasmussen** has had a telephone conversation with her. **Rasmussen** stated she and **Pittioni** are attempting to schedule a meeting with her.

Chair Rasmussen said that a further applicant is someone who showed interest in volunteering with the Board, but further discussion is needed and she directed the Board to conduct that discussion in #11 (Correspondence).

2. **Chair Rasmussen** discussed the ASWB Spring meeting, which is scheduled for the first weekend in May 2011. She advised the ASWB is a national organization representing the social workers profession. **Chair Rasmussen** said at the March 2011 Board Meeting, there was a discussion that even though the financial costs of board members attending the ASWB Spring meeting was budgeted, the Board voted not to attend with Board funds due to the current difficult financial/economic status of the State. She said if board members desired to go own their own, there may be scholarships available to encourage attendance.

10. **NEW BUSINESS:**

1. Temporary rule development to cover HB2314 (2011), along with other topics. **Chair Rasmussen** asked if the Board needed to adopt rules if the HB gets passed. **Johansen** confirmed that the Board would need to adopt rules to implement that bill, and presented a handout that outlined Chapter 877 Revisions based on the approval of HB2314, accordingly. **Johansen** said #2 on the handout lists the verbiage change needed to fix the language presented. She stated a lot of applicants are applying for both LMSW and LCSW licenses and estimated 3 out of 10 applicants indicate both licensures. **Chair Rasmussen** inquired about a timeline for the rules to be ratified and **Johansen** said there is an emergency clause effective immediately due to the school issue and social workers. The revisions **Johansen** presented in handout would be included the temp rule updates as part of "clean up." **Martin** said following the temporary rule adoption(s), a Notice of Rulemaking would follow accordingly, for procedural purposes.

With regard to #1 on the Chapter 877 Revision handout, **Martin** explained the discrepancy of the number of year(s) listed between rule and statute and said the Board didn't need to

change to have the rule consistent with statute, but the Board could if they desired. **Johansen** reported to the Board that numerous applicants miss that question on the exam and inquired if the Board could accept applicant answers if they listed either answer on the exam; however it was discussed the question would be rewritten to articulate asking the question for either the rule or statute specifically; therefore there would be one correct answer in accordance with the exam asking the number of years a licensee or certificate holder can reapply after revocation or surrender of licensure.

With regard to #3 on the Chapter 877 Revision handout, **Martin** read OAR 877-020-0010(3)(b)(B) out loud and pointed to the section where “must meet” should be added so the sentence is complete.

With regard to #4 on the Chapter 877 Revision handout, **Johansen** said the rules only list NASW and one other national organization; she said the Oregon Society of Clinical Social Workers (OSCSW) should be added as well.

With regard to #5 on the Chapter 877 Revision handout, **Johansen** suggested cleaning up the word change from “clinical” to “regulated” to present consistency.

With regard to #6 on the Chapter 877 Revision handout, **Johansen** said the rule/statute conflict had already been addressed.

Chair Rasmussen inquired if the Rules Committee should address the discussion surrounding specific language of contempt in compliance case investigations to reflect in rule specific Board authority to seek contempt in cases where the Board seeks compliance with issued subpoenas. **Martin** suggested at some point, there should be a legislative fix to add contempt in statute as well.

11. CORRESPONDENCE:

1. Thomas Shrewsbury ~ **Chair Rasmussen** said Mr. Shrewsbury wants to volunteer with the Board but can't be considered to be an applicant until he submits an application with the Governor's office, which it appears he has yet to complete.
2. Rose Jade ~ **Chair Rasmussen** said she also holds a license to practice massage therapy and may be a practicing attorney as well. There was an email presented where Ms. Jade asked some specific questions. **Chair Rasmussen** read an email from **Pittioni** in response to Ms. Jade's inquiry. **Martin** raised the question to the Board if it were their interpretation to the questions Ms. Jade presented, if it were a public records request. Following **Chair Rasmussen** audibly disseminating the content of **Pittioni's** email response, there were no comments in its content regarding a public records request or interpreting the questions as a public records request.
3. There was a handout for the Board members from **Pittioni** to review and complete a direct deposit form for processing payments to the Board members, should they so choose to participate.

12. REVIEW AND DISCUSSION OF APPLICANT FILES (Special reviews):

1. **Chair Rasmussen** addressed and discussed a testing accommodation request from **Shannon McBride Sell**, applicant, who had specific requirements in order to accommodate her late pregnancy related issues that were supported by a nurse practitioner.

Chair Rasmussen said **Pittioni** had conferred with her via email correspondence and added she authorized the requested accommodations for Applicant Sell by authorizing Pittioni to sign the ASWB paperwork for this matter with the notation this request and authorization would be reviewed at the April 2011, Board meeting, accordingly.

Martin said the Board needs to ratify **Chair Rasmussen's** approval of said accommodations.

- *Oldham moved to ratify the action taken by the Board's Chair to approve accommodations as requested by Applicant Shannon McBride Sell.*
 - *Price seconded.*
 - *Motion unanimously approved.*
2. **Chair Rasmussen** suggested rule making amendments to add specific language giving authority to the Board Chair to approve these types of requests where it would be efficient to facilitate the Board Chair the ability to review and approve these types of "emergency" items, such as testing accommodations. Otherwise, a quorum is needed to ratify any requests.
3. **Chair Rasmussen** discussed an additional accommodation request from **Patricia Blondo**, CSWA, petitioning the Board for special accommodations for the ASWB Clinical exam.

Oldham said he feels the Board should approve her request. The Board discussed the issues surrounding the applicant's limitations and **Zancanella** asked if the testing center even had the capability to meet the accommodations requested, should they be approved. **Johansen** advised the Board the test center would make accommodations if the Board approves of said accommodations, as long as they were able to do so.

- *Oldham moved to approve testing accommodations as requested by Applicant Patricia Blondo.*
- *Price seconded.*
- *Motion unanimously approved.*

13. ANNOUNCEMENT AND ADJOURNMENT:

1. **Chair Rasmussen** said since **Pittioni** was unable to attend today's meeting, there will probably be things that will need to be addressed at a later date/time.
2. **Chair Rasmussen** reminded those present that the next Board meeting is scheduled for May 24th, 2011. **Lopez** stated she will be unable to attend that meeting due to her son's graduation.

Chair Rasmussen thanked everyone for their attendance and participation. She adjourned the meeting at 1:12 p.m.

Respectfully submitted,


Mindy Tucker

**State Board of Licensed Social Workers
Consent Agenda - AMENDED
April 9, 2011**

**NEW LCSW
APPLICATIONS (11)**

SEAN BARNETT
CINDIE KLANIECKI
THEODORE LAYMAN
CAROLYN LEAVITT
RAMOND MAC DONALD
ERIS PURSLEY
MARCIA REYNOLDS
LORINDA SANDERS
EDIE STONE
RUSSELL WEATHERSBY
MARK WHITNEY

**NEW CSWA
APPLICATIONS (19)**

NICOLE ANDERSON
CAYLE CHRISTIANSON
SARA CORREA-HEPBURN
JESSICA GIBSON
IVEN HALL
MEGAN KIDD
PHOEBE MAE
MIRANDA SHAPIRO
ANDELA SMITH
CHRISTINE SMITH
STEPHANIE SMITH
KERRI SUNDERLAND-SMITH
LISA STEWART
MELISSA TELL
ALICIA VIANI
REBECCA WILLIAMS
JESSICA WOOD
ANNIE ZANDER
JASON ZUCHOWSKI

CSWA PLAN CHANGES (9)

JENNIFER ATKINS
MICHELLE CAMPBELL
ANDREW DELGADO
VERDA DEW
ANNE HARRIS
ESTHER KIM
KRISTI KETCHUM
CHRISTINA KUCERA
RYANN MOORE

**NEW LMSW
APPLICATIONS (18)**

JILL ARCHER
GERI BERG
DIANE BUNN
BETTY HILDEBRAND COLBURN
SUSAN DOIG
ANGELA HOUSE
LAUREL JOHNSON
BRIGID KOEPPER
TIMOTHY MARKWELL
DELIAH MEDINA
SHARYLL MESSINGER
SHEREE MUTCH
JULIE O'CONNOR
ANN RADOSSEVICH
KATHRYN SANCHEZ
HOLLY SKELTON
LISA SUTKUS
KERRI TRAPP

REACTIVATION OF LICENSE (2)

HELEN VISARRAGA-MILLS
NIKKI ALKIRE

**CSWA PLAN
COMPLETIONS (5)**

KYLA CADIEUX
JENNIFER JOHNSON
KATHLEEN SANGSTER
PARINI TOLAT
REBECCA WITHEROW

**NEW RBSW
APPLICATIONS (7)**

MINDY AVDEN
DONNA BECKER
DANA DENNIS
LISA SIN
DUNCAN SMITH
MAJA LEDGERWOOD
MARY WIKLE

**CONSUMER PROTECTION
CASES: (7)**

**ORS 676.165(4) Extension
approval for the following**

2008-46	2009-07
2009-31	2009-34
2009-47	2009-51
2010-39	

**APPROVED
CONTINUING ED (3)**

PAUL LEE	8 HOURS
RICHARD LEWIS	10 HOURS
COLIN WOOD	2 HOURS

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


Board Executive Director

4/18/2011
Date