

## State Board of Clinical Social Workers

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## *Working on a Practice Act*

Do you know that a person with a Master's in Social Work degree really does ***NOT*** have to be Licensed or Certified in order to work in the Social Work profession in Oregon? A person ***does*** have to be under the Board's jurisdiction in order use the title of Licensed Clinical Social Worker or Clinical Social Work Associate. However, there are many MSWs working in agency settings, as well as providing individual therapy to clients, who are not under the Board's jurisdiction at all!

The Board has submitted a "legislative concept" to the Governor for review. The concept, if enacted, would increase the Board's ability to honor their primary mission of public protection. **The proposed legislation would keep the process for receiving and maintaining a Clinical License as it currently exists. If passed, the legislation would add two new levels for Board oversight:**

1. **MSWs that chose not to pursue a Clinical License would be able to receive a non-clinical Master's level License.**
  - To receive this License, new MSW graduates and MSWs moving into the state would need to pass the national Master's Level Exam.
  - MSWs already working in an agency setting would have three years in which to get Licensed without having to take the exam.

2. **BSWs would need to be registered with the Board in order to do Social Work in the State.** They would not need to pass a national exam but would come under the Board's jurisdiction and Code of Ethics.

This legislation would then make it illegal for people with an MSW or BSW degree to engage in social work practice in the State without being under the Board's jurisdiction.

Oregon is one of only 6 states in the country where the entire practice of Social Work is not regulated. Toniya Villalobos, Chair of the Board's Consumer Protection Committee said: "It's high time that Oregon closed this hole in protecting the public."

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# Board Takes Disciplinary Actions, 2005-06

## **Marcia I. Hageman, MSW (CSWA 1238)**

Stipulated Order Assessing Civil Penalty, (June 13, 2006). Violation of OAR 877-030-0070(1) & (3) [2003] related to engaging in a dual relationship with a client. Board imposed a \$500 civil penalty.

## **Alice J. Rothschild, MSW (LCSW 1989)**

Corrected Final Order by Default, License Revocation and Assessment of Costs (April 17, 2006). Violation of OAR 877-035-0015(2)(b) related to refusing to enter a rehabilitation program recognized by the Board; OAR 877-035-0015(2)(d) related to refusing to complete a rehabilitation program recognized by the Board; and OAR 877-030-0090(2) related to failure to cooperate with the Board's investigation.

## **Lynn E. Johnson, MSW (LCSW 2571)**

Stipulated Order of Reprimand (April 11, 2006). Violation of OAR 877-030-0070(13)(b) related to refusal to conduct business with a legally authorized person, and OAR 877-030-0070(14)(c) related to failure to provide client with reasonable access to records.

## **Schailar V. Gionson, MSW (LCSW 3298)**

Stipulation for Voluntary Surrender of Clinical Social Worker License in Lieu of Revocation, Assessment of Costs and Final Order (January 17, 2006). Violation of ORS 675.540(1)(a) related to being convicted of a crime (Class B Felony/sexual contact with a minor) in the State of Washington that would be considered a felony in Oregon.

## **Kathleen L. Prieto, MSW (LCSW #2391)**

Amended Stipulated Final Order, Probation and Assessment of Costs (December 16, 2005). Violation of OAR 877-030-0070(3) related to dual relationships with clients.

## **Craig W. Schreiter, MSW (LCSW #999)**

Stipulation for Voluntary Surrender of Clinical Social Worker License in Lieu of Revocation and Final Order (December 13, 2005). Violation of OAR 877-030-0070(4) related to sexual conduct with a former client, and OAR 877-030-0070(14) related to breach of client confidentiality.

## **Robert A. F. White, MSW (LCSW #1098)**

Stipulation for Voluntary Permanent Surrender of License in Lieu of Revocation and Final Order (July 20, 2005). Violation of ORS 675.510(2) related to submitting false claims for health care payment for mental health services he did not render. White paid the full restitution of \$169,620.59, and permanently surrendered his Clinical Social Worker License.

## **Kathleen R. Boeve, MSW (LCSW #1460)**

Final Stipulated Order, Letter of Reprimand for Additional Continuing Education and Assessment of Costs (April 27, 2005). Violation of OAR 877-030-0070(3) related to dual relationships with clients.

## **Donald L. Mann, MSW (LCSW #943)**

Stipulated Order of Reprimand (February 8, 2005). Violation of OAR 877-030-0070(14)(c) related to failure to provide reasonable access to client files by custodial parent.

## **Stanley J. Marcus, MSW (LCSW #3349)**

Final Order by Default, Letter of Reprimand and Assessment of Costs (January 20, 2005). Violation of OAR 877-030-0070(14) related to disclosure of confidential information (one instance) and OAR 877-030-0070(17) related to soliciting clients from agency for private practice (one instance).

## Additional Disciplinary Information Available

At their meeting in October, 2005, the Board voted to put the publicly available documents related to disciplinary actions on the Board's website. People seeking information about any disciplinary action which Board has ever taken can either contact the Board office, or simply visit the Board's website at [www.oregon.gov/bcsw](http://www.oregon.gov/bcsw). On the home page, select the prompt on the left side for "Consumer Protection" and then the prompt for "Disciplinary Action". A simple click on an individual's name brings up the Stipulated Agreement or Final Order the Board issued to resolve the complaint process.

# Continuing Education Needs & Renewal Process

A major gliche with the move to the birth-month renewal process involves the CE reporting needs. What's been confusing is the number of hours needed to renew a License. **On the front side of the renewal form the computer prints the actual number of NEW CE hours needed for your specific renewal. That number already takes into account all carry-over hours from the previous reporting period.** In order to renew, you need to list on the CE report form all of the CE hours you've taken since your last report. The number on the front of the form is unique for you. It will range anywhere from 10 to 50 hours depending on all sorts of variables.

Whenever you need to report CE credits to renew your License, you will note two things: (1) on the top left portion of the renewal form there will be a line that says: "CONTINUING EDUCATION OWED: ### new CE hours", and (2) there will be a form included in your renewal packet upon which to report your CE hours.

Let's deal with the easy one first. The CE Report form is the same as we've used for several years. The form seeks the name of the CE class/workshop/seminar, the date taken, the credentialing body, and the number of hours spent in the learning environment. Please write very legibly, or print nicely, so the staff can easily understand what you are reporting.

When you get your renewal packet and need to submit CE information, please check the number on the front of the renewal form to see how many **NEW** hours you need to report. If you think there is an error, contact the board office immediately with your concerns. Failure to timely respond will result in a \$50 late fee (if you submit your information in the month following your birth month) or the lapse of your License if you don't complete the renewal process by the end of the month following your birth month.

Please don't hesitate to contact Pam or Sancha if you have any questions about the renewal process or the CE reporting requirements. They can be reached at (503) 378-5735 or at their respective e-mail addresses: [Pam.Johansen@state.or.us](mailto:Pam.Johansen@state.or.us) or [Sancha.Alley@state.or.us](mailto:Sancha.Alley@state.or.us).



# Impaired Professional Program Guidelines

The Impaired Professional Committee has been around for many years. Recently, the Board adopted a set of program guidelines regarding the philosophy and implementation of the Impaired Professional Program. The basic philosophy is:

*The Oregon State Board of Clinical Social Workers finds that because of the growing problem of chemical dependence and other infirmities which may affect the ability of social workers to safely engage in the practice of social work, it is necessary in the interests of the protection of the public health to identify the impaired social worker and to provide rehabilitation opportunities for such impaired individuals on a voluntary or involuntary basis.*

As you can see, the idea behind the program is to protect the public while helping the impaired Social Worker regain their ability to practice safely. This committee has to balance both of those goals, with the scale tipping in favor of public safety. Some of the beliefs regarding the impaired Social Worker, inherent in the IMP program are:

1. Providing structure for our licensees and colleagues is helpful and therapeutic to them. It is hard sometimes to follow through on therapeutic interventions necessary for healing, and some gentle persuasive structure can help the Impaired Social Worker to continue on the recovery path.
2. It can be in the Impaired Social Workers best interest to show the Board and the public they are “doing OK”, e.g. documented clean drug screens, treatment compliancy, if some later problems arise related to that Social Worker.

We obviously need full cooperation from the Social Worker for the rehabilitation process to work. Confidentiality for the Social Worker is also key. No public sanctions should occur if the Social Worker is compliant with the IMP Committee’s recommendations.

The main areas of impairment in the IMP Program include:

- Chemical abuse/dependency
- Psychiatric/behavioral disorder
- Physical /neurological disorder
- Geriatric decline

An example of a chemical abuse/dependency impairment: Oregon Administrative Rule 877-030-0040(3) states that social workers “must report to the Board as soon as possible, but not later than 30 days,…” when they receive a DUI. Once a report has been received the IMP Committee will obtain necessary releases of information and then follow up with the court DUI evaluator to find out results of the evaluation, including diagnosis and level of treatment recommended. The committee will then find out about A & D treatment compliance and aftercare recommendations. The impaired social worker will be monitored for some time after treatment is completed. This monitoring also includes signing an agreement that stipulates specific items necessary in maintaining sobriety. These specifics can include 12 Step attendance, drug screens, quarterly reporting from the Social Worker and possibly treating professionals. These items are specific to each case the IMP Committee handles. The general length of time for monitoring a chemical abuse diagnosis is 2 years and for a dependency diagnosis is 5 years.

Becky Rasmussen, LCSW  
Chair, IMP Committee

## Oregon LCSWs Chosen as Exam Item Writers

The Association of Social Work Board's (who maintains the national exams taken for licensure) recently notified the Board that two LCSWs from Oregon have been selected as item writers for the coming year. Lynn Brady of West Linn and Karen Tamminga of Bend, have been trained by ASWB and will be submitting questions for inclusion on one or more levels of the national licensure exam.

# ASWB Connections

## Oregon LCSWs provide leadership for ASWB

The Association of Social Work Boards could probably continue to function if Oregon slipped into the Pacific, but it would be a real challenge since four Oregonians are providing **key leadership** to the organization.

Roger Kryzanek, LCSW (Bend) is the President of the ASWB Board of Directors. Mr. Kryzanek had been on the Board of Directors for a couple years, having served on various ASWB committees for several years prior to being elected to the Board. Mark Oldham, LCSW (Eugene) is a member of the ASWB Education and Program Committee. That Committee recently provided a two and a half day educational event on Ethics. Members from the 56 jurisdictions which comprise the Board met in Portland for what many attendees said was the "best event ever". Mr. Oldham is also the current Chair of the Oregon State Board of Clinical Social Workers. Kathy Outland, LCSW (Salem) serves on the Accredited Continuing Education (ACE) Committee of ASWB. In that capacity she helps determine which continuing education events will be credentialed by ASWB. At the November, 2005, ASWB business meeting Suzan Turley (Tigard) was elected as the only Public Member of the Board of Directors. Ms. Turley recently completed her term as a public member of the Oregon Board.

## Birth-Month Renewal A Success!

The Board is very pleased with how effectively the licensee base and the office staff have handled the transition to the birth-month renewal process. Even with the confusion around the number of CE hours needed for renewal on the part of some licensee (see article on page #3), "licensees have adapted to the new process very well," Board Administrator Jon Langenwalter stated at a recent Board meeting. He also gave high praise to Pam Johansen and Sancha Alley who "...have done an incredible job of answering questions of people who have contacted the office."

## Board Welcomes Three New Members

Since the last issue of the Newsletter, the Governor has appointed three new public members to the Board. On October 20, 2005, Governor Kulongoski appointed Simone Brooks to a four-year term on the Board. Ms. Brooks is an Environmental Scientist and works with AMEC Earth and Environmental in Portland.

On July 1, 2006, the Governor appointed two people to the Board for four-year terms. Sara Dehaan is recently retired from working for the state Department of Justice. Her most recent assignment with the Department of Justice was serving as an Investigator to ensure that the non-profit gaming and fundraising activities were functioning according to state laws and rules. Mark Troseth was also appointed to a four-year term on the Board. Mr. Troseth is recently retired from state government, having served for many years in the Department of Human Services. His focus the last several years was writing administrative rules.

The unique perspectives these three new public members bring to the Board is invaluable and further allows the Board to honor its mission for public protection.

## Complaint Resolution Figures

Since its inception in 1978, the State Board of Clinical Social Workers has received 462 complaints against licensees. To date, the Board has taken some form of public action in 61 of those cases. The Board dismissed 397 cases because the complaint lacked clear evidence to substantiate a breach of statute or rule. There are 4 complaints that the Board is currently processing.

The Board's primary mission is public protection. The Board has the responsibility to thoroughly investigate and fairly resolve complaints. If the Board's investigation reveals that a breach of statute or rule has occurred, they can impose one or more of the following disciplinary measures: Letter of Reprimand; Assess a Fine; put the Licensee on Probation with various conditions around their continued practice; Suspend their License/Certificate for a period of time; or Revoke their License/Certificate entirely.

The Board tracks complaints according to the complainant's most pressing concern. The Board currently has 10 tracking categories: (1) Billing Problems; (2) Confidentiality; (3) Custodial Issues; (4) Dual Relationships; (5) Incompetence; (6) Misrepresentation; (7) Records Release; (8) Sexual Involvement; (9) Unprofessional Conduct; and (10) Other.

Statistics are kept on a fiscal year basis from July 1 – June 30 of the following year. Thus, the figures in the '06 column cover the period July 1, 2005 – June 30, 2006.

The number of complaints received over the last several years in each of the 10 categories is listed below:

	'03	'04	'05	'06
1.	1	0	2	1
2.	2	4	1	1
3.	11	5	1	5
4.	2	1	5	3
5.	2	1	2	0
6.	1	3	0	1
7.	1	0	1	2
8.	5	3	0	5
9.	6	3	3	4
10.	6	1	5	4
Totals	37	21	20	26
Disc. Actions	1	3	4	7

Of the 16 public actions taken in the past four fiscal years, 4 were Letters of Reprimand, 1 was an Assessment of Civil Penalty, 2 were Probation, and 8 were Revocation or Surrender in Lieu of Revocation.

Please contact the Board Administrator, Jon Langenwaller at the Board office if you have questions. The Board's toll-free number is: 1-866-355-7050. Mr. Langenwaller can also be reached by e-mail at [Jon.Langenwaller@state.or.us](mailto:Jon.Langenwaller@state.or.us).

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## By the ##s

Ever wonder how many LCSWs and CSWAs there are under the Board's jurisdiction? As of the date of this Newsletter we had 2,700 LCSWs on our roster. Of those, 2,445 are Active and 255 are Inactive.

There are 376 CSWAs currently in a Plan of Supervision and an additional 85 CSWAs who have completed their Plan but have yet to pass the Exam.

These numbers change slightly on a weekly basis as people pass the Exam and move from the CSWA ranks to the list of LCSWs. The numbers also change each month at the Board meeting as the Board approves people's original Plan of Supervision and they start their process as a CSWA. Additionally each month the Board approves applicants who are licensed in other jurisdictions and wish to become licensed in Oregon.

# Farewell

Recently the Board said farewell to two public members. Suzan Turley served for almost six years. In her final two years, Ms. Turley served as Vice-Chair of the Board. In honoring Ms. Turley, Board Chair Mark Oldham thanked her for also serving as Chair of the Consumer Protection Committee, and serving as a member of the Personnel, Budget, and Rules Committees.

John Carr served for four years on the Board. Mr. Oldham especially thanked Mr. Carr for serving as Chair of the Rules Committee. In that capacity, Mr. Carr guided the Board through a major re-write of the Board's Rules in 2004 and 2005.

Mr. Oldham presented both outgoing members with beautifully framed, calligraphy "Thank You" documents, signed by Governor Kulongoski, that acknowledged their work on the Board. As he presented the documents, Mr. Oldham thanked both people for their many hours of service to the Board and the State.

## People's Names Appear in Board Minutes

Concern has been raised with the Board about the names of licensees appearing in the minutes of Board meetings. The Oregon State Board of Clinical Social Workers conducts its official business in public and is subject to Oregon laws pertaining to open meetings and record keeping. As a result, minutes of the public session of the Board meetings are kept and placed on our website. With modern technology, if someone "Googles" a name, that name may pop up if that person was mentioned in the Board minutes. The Board's minutes will include the names of social workers who become licensed as an LCSW, who are accepted as a CSWA, as well as people who make comments to the Board, submit written testimony, or make inquiries which the Board discusses as part of the public session.

Mark Oldham, LCSW  
Board Chair

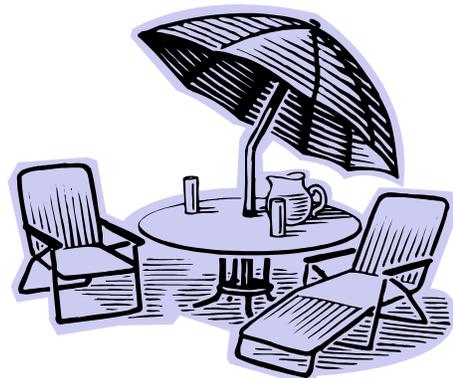
## Inactive Status is Just That

There are currently 255 Licensed Clinical Social Workers who are officially on Inactive Status. What follows is not solely for them, but for all LCSWs who might at any time consider applying for Inactive Status.

Inactive Status is a licensure category for LCSWs who are not going to "practice social work for an extended period of time" but who do not wish to relinquish their License altogether. While on Inactive Status it is a violation of Oregon Administrative Rule to use the title of LCSW.

Inactive Status means that the person does not need to fulfill the requirements for continuing education. However, they are not released from the Board's jurisdiction while on Inactive Status. A person on Inactive Status still must abide by the Code of Ethics, file for annual renewal of their License (at a reduced rate), and in all other ways comply with the provisions of the statutes and rules which govern licensure status.

More detailed information relating to Inactive Status and returning to Active Status is in the Oregon Administrative Rules, 877-020-0046 and 877-020-0055. Please contact the Board office at (503) 378-5735 if you have questions.



*Have a fantastic summer!*

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