



STATE BOARD of LICENSED SOCIAL WORKERS

Rules Advisory Committee Meeting

Saturday, October 22nd, 2011

Second Floor Conference Room

3218 Pringle Road SE, Salem, OR 97302

Members Present:

Mark Oldham, *Chair*

Paul Deutschlander

Chuck Haas (Dept. of Corrections)*

Kathy Outland

Simon Paquette*

Mary White*

Staff Members Present:

Martin Pittioni, *Executive Director*

Pam Johansen, *Licensing Manager*

(* = attendance by phone)

1. Review of the Role of the Rules Advisory Committee

Chair Oldham opened the meeting at 10:02 a.m. and asked all those present in person and by phone to introduce themselves. Oldham briefly reviewed the role of the Board's Rules Advisory Committee (RAC) under ORS 183.333(1), including review of the fiscal impact of the Board's proposed rules. Pittioni added that the fiscal impact statement was due to be published on November 1, 2011, and that the text of the Board's proposed rules would be published around the same time on the Board's web site. Oldham explained that the RAC may make recommendations to the Board from its work, and that the Board would review those at the Board's next meeting on October 28 and 29, 2011.

2. Review of the Draft Proposed Rules

Oldham asked if anyone present had any issues they wanted to bring up for discussion, in lieu of going over the proposed rules point by point. Paquette indicated no, and no other member of the RAC raised any issues. Oldham proceeded to review the Narrative Summary of the Proposed Rules (attached hereto and incorporated herein by reference) issue by issue.

Deutschlander raised concerns about the proposed rules affecting out of state licensees, indicating he would prefer a conservative approach and not issue a license at all to unknown individuals. Pittioni explained that the rules provide a temporary and Board-vetted means for out-of-state licensees to gain certification as a CSWA, including meeting all the standards and criminal background checks, disciplinary checks from other states, that apply to CSWA certification, for those out-of-state LCSWs that do not complete Oregon LCSW licensure prior to entering the state to practice clinical social work.

RAC members discussed the CSWA requirements, and the possibility of a reciprocal approach to LCSW licensure. Paquette advocated for Board consideration to issue a temporary license to out-of-state LCSWs to practice while completing Oregon LCSW licensure requirements. Outland clarified that the issue really is limited to only those out-of-state LCSWs who cannot complete Oregon licensure requirements quickly - usually because they do not have an ASWB clinical examination on their existing out-of-state licensure records. Pittioni clarified that creating a temporary license is not first and foremost an issue for rulemaking but would require statutory changes. RAC members briefly discussed whether the Board should look at considering such a statutory change. Paquette expressed concerns about having independently practicing out-of-state LCSW go back under supervision before they complete Oregon LCSW licensure requirements.

Oldham then moved the discussion on to the proposed clarification for CE requirements for the new RBSW and LMSW level licensure. White expressed concerns about lack of control over content and quality of in-service agency delivered training, which the Board proposes as an option to meet up to half the required CE for renewal for LMSW and RBSW levels of licensure. Paquette observed that the proposed rules seemed like a flexible and appropriate construct. Other RAC members agreed.

3. Review of Process / Other RAC feedback

Oldham reviewed the remainder of process, and the Board's review of any RAC recommendations at its Board meeting on October 29, 2011.

Oldham observed that overall the rules appear to lessen fiscal impact on licensees and applicants. RAC members agreed.

Oldham requested feedback from the RAC about other rulemaking undertakings for the Board in the future, beyond the issue of the Board looking at creating an option for temporary licensure for out-of-state LCSWs.

Outland requested that the Board review the rules language in OAR 877-020-0010 update the list for clinical exam content, which may be outdated due to the revisions in the ASWB national clinical exam.

Oldham thanked her for the suggestion. Pittioni added this could be taken up as a technical edit in the current rulemaking process as the Board is already proposing edits to the same OAR.

Oldham raised the question of whether the Board should consider developing a set of custody evaluation guidelines for regulated social workers. Deutschlander reacted favorably to this idea.

Outland and Paquette indicated that in their opinion the Board had done a nice job with the proposed rules.

Oldham thanked the committee members for their feedback and adjourned the committee meeting at 11:10 a.m.