

MINUTES (APPROVED AS CORRECTED)

STATE BOARD OF LICENSED SOCIAL WORKERS

Tuesday, February 9, 2010

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
Simone Brooks
Sara Dehaan
Mark Troseth

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

Staff Members Present: Sancha Alley
Pam Johansen
Christopher Montenaro
Martin Pittioni

1. CALL TO ORDER

Chair Rasmussen called the Board Meeting to order at 9:10 a.m.

2. REVIEW/APPROVAL OF AGENDA

Oldham moved to adopt the agenda as amended with the addition of special reviews. Price seconded. The motion passed unanimously.

3. APPROVAL OF MINUTES

Chair Rasmussen announced that the minutes for the January 12, 2010 meeting would be considered at the March 2010 meeting of the Board. Oldham moved to approve the December 8, 2009 minutes as amended. Brooks 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 9:12 a.m.

The Board re-entered public session at 9:38 a.m. Chair Rasmussen recessed the Board meeting for five minutes.

5. COMMITTEE REPORTS

Chair Rasmussen reconvened the Board meeting at 9:42 a.m. and requested reports from the committees.

Consumer Protection Committee (CPC) Chair Price moved to dismiss case 2009-10 for no violation of rule or law. Dehaan seconded. The motion passed unanimously.

Price moved to dismiss case 2009-43 for no violation of rule or law. Oldham seconded. The motion passed unanimously.

Price moved to close case 2009-37. Brooks seconded. The motion passed unanimously.

Oldham advised he had no reports to present to the Board on behalf of the Impaired Professionals Committee.

6. SPECIAL REVIEWS

Board members reviewed the request to sit for the ASWB examination by Ami Hsu. Oldham moved to approve Hsu's request for 2 hours of extra time and a Chinese language dictionary. Troseth seconded. The motion passed unanimously.

Oldham moved to approve Jamie Carlson's request to waive the 90-day waiting period to re-take the ASWB exam. Dehaan seconded. The motion passed unanimously.

7. APPROVAL OF CONSENT AGENDA

Oldham moved to approve the Consent Agenda as amended. Brooks seconded. The motion passed unanimously.

8. PUBLIC COMMENT

No members of the public were present to comment.

9. NEW BUSINESS

Chair Rasmussen advised that the Board would spend the remainder of its time for the day in a planning discussion related to Senate Bill 177 implementation. Pittioni reviewed the handouts for the Board.

Board members discussed whether it would make sense as part of the program design for the new non-clinical licenses to formally join the CSWA and LMSW tracks – and in essence require CSWAs to first seek licensure as an LMSW before entering a clinical licensure/certification track. Board members ultimately concluded that formally joining the programs has some drawbacks, while keeping the two tracks entirely separate does as well. Board members discussed a third option, which would stop short of requiring LMSW licensure for CSWAs but add a requirement that CSWA applicants pass the Masters-level ASWB exam to the CSWA program requirements, and then adding multiple incentives, including financial incentives, for CSWAs to also obtain LMSW licensure at any point along their CSWA program. Board members observed that given the length of time for CSWA program completion, and the CSWAs not finishing the program requirements at all, it would be helpful for CSWAs to have the option of an incentivized conduit to LMSW licensure.

Board members discussed waiving the LMSW application fee entirely for CSWAs who want to opt for licensure as an LMSW, on top of the streamlined LMSW program entry requirements for all that could eliminate the initial license fee entirely for that program, and set a lower application fee of \$100, and providing for two-year licensure at the same time. Board members discussed with Pittioni the potential fiscal impact of reducing the entry requirements. Pittioni observed that the fiscal impact may be sustainable for the Board and may make sense in the medium and long term by encouraging large segments of the social worker population to seek voluntary licensure, which ultimately would create a larger licensee base with a recurring revenue stream of licensure renewals. Pittioni added that the initial phase of application and licensure is always the most expensive for any Board and no Board fully recoups its costs from applicants during that phase. Pittioni observed that the upcoming discussions regarding CE and grandfathering are an important additional component of the overall impact and incentive picture for the potential licensees, and that a more thorough financial review and analysis of the options available to the Board regarding fee structures would need to follow in the months to come and take into account stakeholder feedback as well.

Chair Rasmussen requested the Board take up a discussion of the grandfathering issue, and especially for what length of time. Board members discussed an outline proposal to allow a 24-month time period during which the ASWB Masters-level exam requirement would be waived for LMSW applicants. Oldham observed that 24 months would give staff and licensees more time to educate and bring in currently unlicensed MSW graduates into the non-clinical licensure program of the Board. Rasmussen asked Board members to discuss possible CE requirements for the LMSW licensure program. Board members discussed a CE requirement of 30 CE units for a 2-year cycle, and allowing CSWAs who are simultaneously licensed as LMSWs to count the supervision hours documented on their CSWA plans toward their LMSW CE requirements. Oldham observed that for those CSWAs who make steady progress in the CSWA program, and appropriately document this on their 6-month reports as they are supposed to, this approach would in essence eliminate any need to complete continuing education for continued LMSW licensure, while presenting automatic safeguards when CSWAs slow down or stop their CSWA program, because LMSW CE requirements would begin to kick in.

Chair Rasmussen thanked Board members for the productive discussion and emphasized that all of the policy options being developed would be subject to social work community feedback and stakeholder feedback prior to being formulated into a draft set of rules implementing Senate Bill 177. Rasmussen

recessed the Board meeting for five minutes so that Board members could bring lunch into the room for a working lunch.

Pittioni briefed Board members informally over a working lunch on developments in the Legislature and the Health Regulatory Board Director's Meeting with the Governor's Office on February 8, 2010.

Chair Rasmussen thanked Pittioni for the informal report and requested that the Board members move on in their planning discussion to the RBSW program requirements. Board members agreed that the basic outline structure of the LMSW program could be replicated at the RBSW program level, requiring the bachelor-level ASWB exam, a 2-year registration for one low application fee of \$100, and a CE requirement of 20 CE units. Rasmussen advised that the issue of what type of CE is acceptable for what types of licensure/registration is another detail issue that will need to be tackled at the Board's April planning meeting. Board members generally agreed, and signaled that one item the Board would likely propose is a consistent 6-hour ethics requirement for all licensure and registration levels, and a consistent application of the Ethics Code to all levels of licensure and registration programs.

Board members discussed the issue of ASWB exams in the LMSW and CSWA programs, initially with respect to the point of application. Staff was requested to research if ASWB would allow for MSW students to sit for the Masters-level non-clinical exam without a Board application / approval process. Pittioni reminded the Board that with respect to the CSWA program, a discussion had begun as well about allowing CSWAs to sit for the ASWB clinical exam before completion of the 2-year supervision requirement, for example allowing CSWAs to sit after completion of 18 months (or equivalent) of full-time supervised work as a CSWA.

Chair Rasmussen requested the Board move on to discussing other open issues in its licensure program and design. Pittioni requested permission to begin discussing with licensees and stakeholders moving not just the new licensing program but all of the Boards licensing programs to a more efficient 2 year renewal cycle, synchronizing the CE and licensing cycles into a one-time renewal event every two years. Board members agreed that to have Pittioni move forward with discussions and planning for this efficiency and consistency measure.

Pittioni asked if the Board saw a need given the practice act to provide for creating a temporary licensure option for out-of-state licensees awaiting criminal background check results. Board members responded that at this time they saw no need for that step.

Pittioni requested Board feedback with respect to the issue of late fees and 30-day grace periods, and a possible extension thereof. Pittioni explained that in a clinical work practice act context a licensure lapse is a far more significant problematic event for LCSWs and CSWAs, and may thus need further Board discussion regarding extending the lapse period and significantly increasing penalties for renewal during the grace period to incentivize licensees to renew timely and avoid the far greater expense and hassle of re-licensure after lapse while any clinical practice is prohibited. Board members discussed increasing the late fees to the equivalent of the cost of re-application. Pittioni advised he would engage in further study on the statutory constrictions in the matter of grace periods, and report back to the Board or the SB 177 Planning Committee in the matter.

Board members discussed outreach to stakeholders. Pittioni was directed to schedule a Rules Advisory Committee Meeting on March 27th, and invite representatives of the stakeholders that worked on Senate Bill 177 to join the membership of the RAC.

Rasmussen requested the Board move to discussing plans for the April Board planning meeting in Pendleton. Price requested that Pittioni join her in a classroom presentation in Walla Walla on the Board's plans for the new licensing programs. Price announced preliminary plans for a community forum in Pendleton on the same day.

Pittioni requested that at the April Planning meeting the Board's Consumer Protection Committee begin the discussion of the compliance portions of Senate Bill 177, including dealing with the new title protection aspects of the bill, planning the outreach related thereto, and plan for the creation of a new unlicensed clinical practice compliance program.

Pittioni announced his schedule for classroom presentations in Bend, Eugene and Portland as part of outreach directly into MSW programs to discuss the upcoming changes in social work regulation. Oldham added that he was working on early plans with another NASW ex-president, Tom Hogan, on community forums in Eugene and Portland with tentative dates on May 5th and May 6th, respectively. Oldham added that once finalized NASW would help publicize the forums, and that the Board should also provide public notice in local newspapers. Pittioni added that Bend and Pendleton are also under consideration for outreach to the social work community.

Pittioni advised that he also planned to reach out to PSU to obtain a mailing list of MSW program alumni, and would begin reaching out to BSW programs as well. Board members suggested that DHS and Corrections, as well as the Community Mental Health Programs, could also assist in spreading words about the regulatory changes and upcoming public forums.

Chair Rasmussen thanked Board members again for the good planning discussion and reminded the Board that all of the policy options being developed are for the purpose of a preliminary baseline to be discussed with the social work community and stakeholders.

10. ANNOUNCEMENTS AND ADJOURNMENT

Chair Rasmussen announced that at the March 2010 Board meeting, committees would meet until noon, at which time the full Board meeting would begin. Rasmussen adjourned the Board at 3:55 p.m.

Respectfully submitted,



Martin Pittioni
Executive Director