

MINUTES (Approved)

**STATE BOARD OF LICENSED SOCIAL WORKERS
Friday, April 9, 2010
Blue Mountain Community College, Morrow Hall, Room 208
2411 NW Carden Avenue, Pendleton, Oregon**

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 (attending by videoconference)

Staff Members Present: Martin Pittioni
 Pam Johansen
 Christopher Montenaro (attending by videoconference)

1. CALL TO ORDER

Chair Rasmussen called the Board Meeting to order at 11:50 a.m.

2. REVIEW/APPROVAL OF AGENDA

Dehaan moved to adopt the agenda as presented. Brooks seconded. The motion passed unanimously.

3. APPROVAL OF MINUTES

Chair Rasmussen requested that consideration of minutes for the March 9, 2010 meeting of the Board be delayed to the next Board meeting. Board members concurred.

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 11:58 a.m.

The Board re-entered public session at 1:40 p.m. Chair Rasmussen recessed the Board meeting until 1:50 p.m.

5. COMMITTEE REPORTS

Chair Rasmussen reconvened the Board meeting at 1:53 p.m. and requested reports from the committees.

Consumer Protection Committee (CPC) Chair Price moved to dismiss case 2008-36 for no violation of rule or law. Brooks seconded. The motion passed unanimously.

Price moved to dismiss case 2010-09 for no violation of rule or law. Oldham seconded. The motion passed unanimously.

Price moved to dismiss case 2009-11 for no violation of rule or law. Troseth seconded. The motion passed unanimously.

Price moved to dismiss case 2009-12 for no violation of rule or law. Dehaan seconded. The motion passed unanimously.

Price moved to dismiss case 2009-13. Troseth seconded. The motion passed unanimously.

Oldham reported that the Board's Impaired Professional's Committee had no motions to present.

Oldham reported that the CE committee had approved 7 courses, and was recommending disapproval of one CE request to the Board. Oldham moved that the Board not approve continuing education units from a social justice leadership course proposed for Board approval by Amy Nist, due to lack of clinical course content. Brooks seconded. The motion passed unanimously.

6. APPROVAL OF CONSENT AGENDA

Oldham moved to adopt the Consent Agenda as amended. Dehaan seconded. The motion passed unanimously.

7. PUBLIC COMMENT

No public members were present to comment.

8. EXECUTIVE DIRECTOR REPORT

Pittioni reviewed with the Board the financial status of the agency. Pittioni reported that the Board held

steady at about \$39,000 / month in revenues for the first 8 months of the biennium beginning July 1, 2009, essentially holding steady at exactly the average level of revenues for the prior fiscal year ending June 30, 2009. Pittioni added that expenditures also were level, and for the first 10 months of the biennium expenditures were slightly lower than revenues, with a \$10,000 positive differential. Board members thanked Pittioni for the update.

9. OLD BUSINESS

Chair Rasmussen reported that staff was preparing a mailing to all licensees under her guidance to gain better compliance with the Records Custodian Rule.

10. CORRESPONDENCE

Rasmussen reviewed with the Board correspondence from Frederic Berger, raising questions about a flyer advertising continuing education from the Prescribing Psychologist Register (PPR) claiming that prescriptive privileges for licensed social workers were around the corner due to a pending bill and a Governor-declared "mental health emergency." Pittioni advised that PPR was a Florida-based provider and a California-credentialed CE provider, and as such PPR courses were eligible for CE credit from the Board. Pittioni added that being the case, the flyer itself was full of serious inaccuracies about the state of Oregon law, and had caused disruptions in the Board office due to calls from confused licensees. Board members authorized Pittioni to write to Florida with a copy to California expressing concerns about the misrepresentation of Oregon law in the PPR advertisement.

Board members reviewed the letter of Annik Larsen regarding the Board's option for reduced licensing requirements for retired social workers, advocating for a broader scope in the Board's approach. Board members directed Pittioni to write to Larsen that her input will be considered.

11. NEW BUSINESS

Chair Rasmussen asked Pittioni to discuss a Key Performance Measure Request. Pittioni requested permission to initiate a change in the 2011-13 budget cycle for the KPM dealing with compliant investigations, which measures percent of cases resolved within 6 months from date of compliant receipt. Pittioni reported that many Boards had moved to a measure more reflective of what they could control – production of investigation reports versus case resolution. Pittioni explained that in some cases settlement negotiations seriously delay case resolution, even though the Board's investigation report is long complete. Board members agreed that Pittioni should request a KPM change in the 2011-13 budget cycle accordingly.

Rasmussen reported that the Board was facing several vacancies, with public member Brooks unable to continue serving in her second term after June 30, 2010, two other public members with terms ending at the same time. Rasmussen added it was not certain that Board member Zancanella would be available for candidacy of a second term. Zancanella advised she would know within 2 weeks

whether she could continue service for another term, based on developments on her work place. Oldham and Pittioni reported they were working on recruiting potential applicants for the Governor and Senate to consider.

Pittioni briefly reported on the possibility of a school social worker license being developed by the Teacher Standards and Practices Commission.

Chair Rasmussen then raised the issue of whether or not the Board should reconsider its previous decision to participate in the confidential DHS program for impaired professionals (HPP), once the Board's authority to continue its own confidential monitoring program is eliminated by House Bill 2345 on July 1, 2010. Pittioni presented cost data as provided by DHS in the first week of April regarding cost of participation. Based on the high and continually rising costs of the DHS HPP program, with exact costs remaining uncertain, Pittioni advised that at this time if the Board participated, the Board would likely face minimum estimated and unbudgeted costs of \$60,000 for the first year of participation alone. Pittioni reported this did not include costs for participants for the monitoring program billed by the HPP, which DHS estimates could reach up to \$600 / month.

Board members engaged in a long discussion of pros and cons relative to participation, with concerns voiced both about continually escalating participation costs, now at levels far exceeding estimates provided in the 2009 legislative session, and concern about maintaining a confidential option for monitoring impaired licensees. Board members discussed that with the emerging DHS HPP program cost structure, participation by the Board would necessitate imposing a fee increase. Board members decided to direct staff to poll the Board's licensees on an advisory opinion, and take a final decision on the matter at the May Board meeting.

Board member Troseth briefly reported on the March meeting of the Rules Advisory Committee (RAC) for Senate Bill 177 implementation. Troseth advised that the topics discussed at that meeting would be revisited in future RAC meetings, likely to be scheduled in June, to provide some recommendations to the Board.

Rasmussen discussed with Board members the Board calendar for June and July, and requested that the June Board meeting be moved to June 22, 2010 to allow more time for consultation with the RAC, while maintaining the Board's timeline for proposed rules development, and skipping the July 2010 Board meeting to allow staff more time to focus on completing case investigations and budget development. Board members concurred.

12. SPECIAL REVIEWS

Board members re-reviewed the matter of Marti Reese, Applicant for CSWA, for a rural supervisor exception under OAR 877-020-0012, based on additional information available to the Board. Oldham moved to reconsider the Board's previous decision and approve James Quaid as supervisor under OAR 877-020-0012(1)(a)(A). Zancanella seconded. Chair Rasmussen called the roll. Voting yes: Oldham, Price, Troseth, Zancanella, Chair Rasmussen. Voting no: Brooks, Dehaan. The motion passed.

Zancanella moved to authorize a request for change in supervisor by Lisa Loewenthal. Price seconded. Chair Rasmussen called the roll. Voting yes: None. Voting no: Brooks, Dehaan, Oldham, Price, Troseth, Zancanella, Chair Rasmussen. The motion failed.

Zancanella moved to authorize a request for change in supervisor by Kamala Taylor. Price seconded. Chair Rasmussen called the roll. Voting yes: None. Voting no: Brooks, Dehaan, Oldham, Price, Troseth, Zancanella, Chair Rasmussen. The motion failed.

Zancanella moved to authorize a proposed supervision plan by Brad Waters. Price seconded. Chair Rasmussen called the roll. Voting yes: None. Voting no: Brooks, Dehaan, Oldham, Price, Troseth, Zancanella, Chair Rasmussen. The motion failed.

Oldham moved to approve Ruth Berger's request to return to active status, subject to submission of 20 hours of CE, and passage of the Oregon exam. Dehaan seconded. The motion passed unanimously.

13. ANNOUNCEMENTS AND ADJOURNMENT

Chair Rasmussen adjourned the Board at 4:05 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Martin Pittioni', written in a cursive style.

Martin Pittioni
Executive Director