



## *Counselor, Social Worker & Marriage and Family Therapist Board*

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### **STATE OF OHIO**

### **COUNSELOR, SOCIAL WORKER AND MARRIAGE AND FAMILY THERAPIST BOARD**

**JULY 21, 2006**

The regular meeting of the Board was convened at 1:30 PM on July 21, 2006, by Chairperson, Dr. Theresa Cluse-Tolar, at the One Columbus Building, 10 West Broad Street, Columbus, OH.

Members present were: Mr. Glenn Abraham, Ms. Linda Barson, Mr. Jose Camerino, Dr. Randi Cohen, Dr. Victoria White Kress, Ms. Jennifer Riesbeck-Lee, Ms. Molly Tucker, Ms. Mary Anne Sharkey Dirck, Mr. Kenneth Trivison, Mr. Jan White and Mr. Joseph Williams. Absent: Dr. Susan Norris Huss and Dr. William Mosier.

Staff present: Mr. James Rough, Mr. William Hegarty, Ms. Marcia Holleman, Ms. Tracey Hosom, Ms. Patricia Miller, Ms. Rena Elliott, Mr. Brian Powrie and Ms. Tamara Tingle.

Also present: Mr. Peter R. Casey IV, Assistant Attorney General

- I.** Discussion and approval of agenda. Mr. White moved to accept the agenda, Ms. Barson seconded. Carried.
- II.** Ms. Tucker moved to accept the April 20, 2006, minutes, Mr. Williams seconded. Carried.

Ms. Tucker moved to accept the May 19, 2006, minutes, Ms. Barson seconded. Carried.

### **III. Executive Director Report presented by Mr. Rough:**

#### **Mr. Rough reported:**

- 1.) The Board's new address will reflect suite 1075 instead of 1425 and the move is scheduled for August 31, 2006.
- 2.) The Personnel Committee reviewed policy 1.6 and 1.7 and the only update will be to have staff wear their ID badge at all times.
- 3.) The Committee Chairs need to be voted on.
- 4.) The five year review of rules was started by the professional standards committees and Mr. Rough hopes to send to copies of proposed

rule changes to associations and others who have an interest after September meeting.

- 5.) The budget was well executed in FY 2006 with all appropriations spent or encumbered.
- 6.) The Personnel Committee reviewed and approved the executive director's work plan.
- 7.) A draft response to the auditors report will be completed in the next weeks.
- 8.) The social work on-line application became active in May.
- 9.) Reviewed the budget report.
- 10.) The licensure count as of June 30 can be found under publication on the web-site.
- 11.) ASWB DARS conference covered disaster preparation, suggestion of criminal records checks via finger printing, social work supervision requirements, limits on retaking exam and record retention. The conference was enjoyable and a learning experience.
- 12.) Thank you to the staff for working well together and the staff is looking forward to the new office, which should be nice.

#### **IV. Investigative Report presented by Mr. Hegarty:**

##### **Mr. Hegarty reported:**

- 1.) Thanked his staff for doing a good job.
- 2.) Complaints are mostly with boundary issues and confidentiality.
- 3.) A social work hearing will take place in September at 12:30, Dr. Cluse-Tolar will be absent from this hearing.
- 4.) Submitted a request for Ms. Hosom and Ms. Tingle to attend an excellent training in Florida in October on the topic of non-verbal communication. The cost estimate is \$1,231.00 per person. Mr. Rough is supportive of this training. Mr. Abraham moved to approve Ms. Hosom and Ms. Tingle to attend the training, Ms. Barson seconded. Carried.
- 5.) Requesting for Atty. Casey to attend the Attorney Certification Training sponsored by FARB. In the past the AAG assigned to the Board has attended this conference. The AG's office will pay for the flight to Seattle, OTPTAT will pay for the cost of meals and the CSWMFTB will pay for the hotel and registration for a cost of \$1,105.00 plus taxes. Dr. Cohen requested that Atty. Casey ask Mr. Dale Atkins, attorney for FARB to respond to her e-mails. Mr. White moved to approve the request for Atty. Casey to attend the FARB conference, Dr. Cohen seconded. Carried.
- 6.) Since May 16, 2006, thirty-five new cases have been opened, twenty six social workers, eight counselors, and one unlicensed. Total cases opened from January 1, 2006, thru July 19, 2006, is One-hundred and twelve. The breakdown of the type and demographics was distributed to the Board.

- 7.) The staff has been busy on the road traveling to Athens twice, Akron four times, Batavia, Bexley, Canton, Centerville, Cincinnati twice, Cleveland, Columbus, Conneaut, Copley twice, Cuyahoga Falls, Dayton four times, Ft. Wayne, IN, Gahanna, Garfield Heights, Kent, Mansfield, Marion, Parma Springfield, Toledo, Urbana, Warren twice and Zanesville.

**V. Legal Update presented by Mr. Peter R. Casey IV, Esquire:**

**Atty. Casey reported:**

- 1.) Thanked the Board for sending him to the FARB conference.
- 2.) An appeal is pending for Dr. Mulhousen, the MFTPSC denied his application for not meeting the requirements to be grandfathered; he appealed to the Court of Common Pleas in Cuyahoga County. Atty. Casey spoke with the judge in Cuyahoga County and submitted a motion to dismiss the case since Dr. Mulhousen did not follow the administrative law in filing his appeal. The motion was denied, a brief is due June 7, 2006. He talked to the judge who is backlogged and hopes to get to the case in a couple weeks.
- 3.) A recent case in the 10<sup>th</sup> Appellate District, Mr. Serednesky versus the Psychology Board has caused concern. A challenge of the wording "should not" in a rule was the cause of the Psychology Board losing due to the vagueness of the wording. There is similar language in the CSWMFTB rule with the use of "shall" instead of "should". Multiple relationship wording in some cases coming up need review to change the language as to not be vague. The rules need to be reviewed for the wording. If the rule is unconstitutionally vague the case stops at that point. Mr. Rough and Mr. Hegarty are working on the rules and Atty. Casey will have the language for the September meeting.

**VI. Counselor Professional Standards Committee Report was presented by Mr. White:**

**Mr. White reported:**

- 1.) Mr. White is acting chair for Dr. Huss who is absent due to surgery.
- 2.) Thanked the staff and Ms. Elliott.
- 3.) Licensed 117 PC's, 46 PCC's, closed several cases and reviewed programs and provider renewals.
- 4.) Discussed two matters in executive session.
- 5.) Reviewed various remediation plans.
- 6.) Dr. Cohen gave a supervisor committee update, discussion on who should teach the practicum and internship and what incentive there is for the supervisor.
- 7.) Responded to correspondence.

- 8.) Dr. Norris Huss was re-appointed for Committee Chair in her absence.
- 9.) Discussed out-of-state licensure, advocacy, dual relationships, continuing education and rule changes.

**VII. Social Work Professional Standards Committee Report was presented by Ms. Tucker:**

**Ms. Tucker reported:**

- 1.) Thanked her colleagues for appointing her chair and was excited to be given the opportunity. Also thanked the staff.
- 2.) The SWPSC has been busy. Licensed 23 SWA's, 273 LSW's, 9 LSW's with a related degree and 80 LISW's for a total of 385 licensed.
- 3.) Approved two notice of opportunity for a hearing, five consent agreements and closed twenty five cases.
- 4.) Discussed the topics of multiple relationships, five year rule review policy, training, pre-exam approval and correspondence.
- 5.) The ASWB conference in Baltimore will be held in November and ASWB will pay for one member and the SWPSC is requesting another Board member attend.
- 6.) Ms. Tucker moved to approve development of a Jurisprudence exam, Ms. Barson seconded. Carried.
- 7.) Ms. Tucker moved for new trainee status in the law and rules 4757-3-01 sub-paragraph as follows: (AA) "Social worker trainee" is an individual who is a graduate student seeking licensure as a social worker or an independent social worker who has filed a training agreement with the board and who is currently enrolled in either a practicum or (internship) in a social work education program accredited by the Council on Social Work Education (CSWE). Ms. Riesbeck-Lee seconded. Carried.
- 8.) Ms. Tucker moved to add 4757-19-08, social work exam policy of pre-approval with modifications, Mr. Riesbeck-Lee seconded. Carried.

**VIII. Marriage and Family Therapist Professional Standards Committee Report was presented by Ms. Barson:**

**Ms. Barson reported:**

- 1.) Ms. Barson moved to file the draft of supervision rule 4757-29-01, Mr. Trivison seconded. Carried. Mr. Rough will go forth with filing the rule.
- 2.) Seven applicants took the exam and 6 passed, 3 applicants for licensure were reviewed. Ms. Barson moved to approve 3 MFT's and 3 IMFT's, Mr. White seconded. Carried.
- 3.) Executive session was held to discuss several issues.
- 4.) Mr. Trivison has been elected as the new Committee Chair.
- 5.) Mr. Camerino was appointed to the Personnel Committee.

- 6.) Tabled the discussion until September on how to track rules for when changes take place.
- 7.) Requested additional information from several applicants.
- 8.) The MFT exam will be computerized.

**IX. Old Business:**

- 1.) Mr. Camerino moved to revise the language for rule 4757-7-01 to read that if an individual has more than one license, thirty continuing education hours can be completed if approved by the Committee for that license, so thirty hours versus sixty or ninety, Ms. Tucker Seconded. Carried. Mr. Abraham opposed.

**X. New Business:**

- 1.) Ms. Barson moved to approve the executive director's proposed changes to Policy 1.6, Safety Security Action Plan, Mr. White seconded. Carried. Dr. Cohen moved to change Policy 1.6 to reflect from the 14<sup>th</sup> floor to the 10<sup>th</sup> floor, Mr. White seconded. Carried.
- 2.) Ms. Barson moved to approve the executive director's proposed changes to Policy 1.7 including the change from the 14<sup>th</sup> floor to the 10<sup>th</sup> floor in Policy 1.7, Disaster Recovery Plan, Ms. Tucker seconded. Carried.
- 3.) Ms. Barson moved to approve Policy 1.8, establishing working committees and for the Executive Committee to have a public member, Mr. Trivison seconded. Carried.
- 4.) Mr. Abraham moved to elect Dr. Cluse-Tolar for another term as the Board Chair, Ms. Barson seconded. Carried. Dr. Cluse-Tolar has been elected as chair. Dr. Cluse-Tolar thanked everyone for their vote.
- 5.) Mr. Rough reported the FY06 Governor Report was given to Dr. Cluse-Tolar, last year Dr. Quinones-DelValle approved the report and copies were given to the Board Members. A copy of the FY06 report will be sent to all Board Members. The report reflects the accomplishments of the Board.
- 6.) Mr. Rough will send out a copy of the draft response to the Auditor's report.

**XI. Adjourned:**

Mr. Williams moved to adjourn, seconded by Dr. Cohen. Motion passes unanimously and the meeting is adjourned. (3:00 pm)

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Dr. Theresa Cluse-Tolar  
Board Chair