



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

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### **STATE OF OHIO**

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

**MARCH 21, 2008**

Chairperson, Mr. Kenneth Trivison, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the regular meeting of the Board at 1:00 P.M. on March 21, 2008.

Members present were Mr. Timothy Brady, Ms. Karen Huey, Mr. Jose Camerino, Dr. Victoria White Kress, Ms. Jennifer Riesbeck-Lee, Ms. Francine Packard, Mr. Jan White, Dr. Susan Norris Huss and Mr. Robert Nelson. Absent: Ms. Molly Tucker, Mr. Tommie Robertson and Ms. Mary Anne Sharkey. Staff present: Mr. James Rough, Mr. William Hegarty, Ms. Jennifer Kreinbrink, Ms. Patricia Miller, Ms. Marcia Holleman, Ms. Tammy Tingle, Ms. Tracey Hosom and Ms. Margaret-Ann Adorjan.

Also, present Atty. Peter R. Casey IV, Assistant Attorney General, Mr. Henry Lustig, NASW and Ms. Jill Altomare, Graduate Student Seton Hall University.

- I.** Mr. Trivison welcomed everyone to the meeting. Discussion and approval of agenda.
- II.** Mr. White moved to accept the January 18, 2008, minutes, seconded by Ms. Huey. Carried.
- III. Executive Director Report presented by Mr. Rough:**

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

1. Busy with the policy and procedures review.
2. New travel restrictions from the Governor's office, but travel regarding compliance education is acceptable and will request that ethics training travel expenses for the Board be approved as it pertains to compliance.
3. Governor's Executive Order 2008-04S: Implementing Common Sense Business Regulation Common Sense Business Rules requires making rules easy to read. Governor Strickland also wants agencies to work on getting customer feedback. There are other items that the executive director will be reviewing for possible policy changes.

4. H.B. 104 goes into effect on March 24, 2008, which requires a criminal records check for applicants for initial licensure/registration except for supervision designation. If a criminal check was completed in the last year, there is a very limited option for applicants to have a second Ohio criminal records check report forwarded to the board at a reduced cost. Instructions will be on the board's web site.
5. H.B. 427 is on the House Health Committee agenda for April 2, 2008. Ms. Teresa Lampl of the Ohio Council of Behavioral Healthcare Providers has told the Board that a member agency's Psychologist will testify in support of H.B. 427.
6. New Public Records Policy was discussed with the Committees.
7. CEU Committee met and the number of offenders is decreasing, Ms. Adorjan's work on audits is appreciated.
8. The social work supervision designation backlog continues to be worked on by Ms. Adorjan, Ms. Kreinbrink, Ms. Broome and Ms. Holleman and should be caught up by May 2008. Over two thousand have been approved and put on the system.
9. Overall Licensee count continues to increase.
10. Discussed the office hours changing to 8:00 am to 5:00 pm with the Personnel Committee, Mr. White will have a report and a motion will be made under new business.
11. Thanked the staff for working well together and getting things done.
12. Discussed the budget report. Replacing the computers will have to wait until next year due to the restriction on the budget but the Board is in good shape.

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

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

1. Thanked Ms. Tingle and Ms. Hosom for their hard work.
2. Since January 16, 2008, thirty-eight new cases have been opened, twenty-one social workers, sixteen counselors and one marriage and family therapist. The breakdown of the types and demographics were distributed to the Board. Complaints received are mostly regarding compliance. The Cincinnati area has the most complaints.
3. The staff has traveled to Akron, Ashland, Beavercreek, Chillicothe, Cincinnati six times, Cleveland, Columbus twice, Cuyahoga Falls, Dayton twice, Delaware, Elyria, Ginghamburg, Kettering, Kent, Lancaster, Liberty, Marysville, Masury, Mentor, Newark and Toledo twice.
4. Thanked the Board for all their work on the hearing that was held Thursday and hope to have two hearing at the next meeting in May.

**V. Legal Update presented by Atty. Casey IV, Esquire:**

**Atty. Casey reported:**

1. A social worker licensure denial hearing was held Thursday, the decision was to license the individual.
2. The case involving the Institute for Natural Resources (INR), a continuing education company that was denied provider status continues. INR did not request a hearing but went to the Court of Common Pleas; they are not subject to a 119 hearing. A motion to dismiss was made and denied. An Assistant Attorney General in another section of the Attorney General's Office wrote the same argument and had his case dismissed so it is still hopeful the Board can win this case. A procedure could be set up if INR is granted a hearing.
3. A meeting is scheduled regarding Mr. Keith Robertson's appeal.

**VI. Marriage and Family Therapists Professional Standards Committee Report was presented by Mr. Camerino:**

**Mr. Camerino reported:**

1. Completed a lot of work with only two members present.
2. Mr. Camerino moved to approve three requests for marriage and family therapist licensure and two requests for independent marriage and family therapist licensure, Dr. Huss seconded. Carried.
3. Three requests to take the exam were approved.
4. One hardship request for supervision was approved.
5. Legislative update was given by Mr. Rough.
6. Reviewed record keeping rule and approved changes in section J.
7. Discussed the work hour's policy.
8. Support the Public Records Policy.

Executive Order-Common Sense Business Practices- Reviewed and discussed how to ensure continuity of Board decisions in the future. Requested Ms. Adorjan to document the way decisions are made so consistency is documented other than in the official minutes.

Discussion- Mr. Trivison commented he did not want roles of the Executive and Personnel Committee to be duplicative. Dr. Norris Huss added that all decisions should be in the minutes to be official and that other issues should be covered by our policy manual.

9. Mr. Trivison thanked Mr. Camerino for filling in for the Committee Chair and for leading the discussion regarding documentation of decisions.

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

**Mr. White reported:**

1. Thanked the Marriage and Family Therapists Committee for bringing up an important issue of keeping track of decisions and the rationale behind the decision.
2. Welcomed Dr. Norris Huss back after being re-appointed to the Board.
3. A busy meeting, closed various cases, went into executive session to discuss consent agreements and a hearing officer report on an impairment issue.
4. Discussed the Governor's Executive Order, Juris Prudence exam, Common Sense Business Practice, out of state endorsement, correspondence.
5. One hundred and forty-eight test packets and three hundred and ninety-three counselor trainee letters were sent out by Mr. Frazier.
6. Ninety-two individuals took the general knowledge exam, eighty-four passed. Nineteen individuals took the clinical exam and thirteen passed.
7. Reviewed and approved two University programs.
8. Licensed sixty two professional counselor applicants and fifty-seven professional clinical counselors.

**VIII. Social Worker Professional Standards Committee Report was presented by Ms. Riesbeck-Lee:**

**Ms. Riesbeck-Lee reported:**

1. Ms. Tucker is a new Mom and will be back for the May meeting.
2. Licensure hearing took place.
3. Closed eighteen cases.
4. Four Goldman Hearings were reviewed and eight consent agreements were approved.
5. One hundred and ninety-four licensure applicants were approved and two denied.
6. Four hundred and ten requests for pre-approval to take the exam were received.
7. Two thousand and two supervision designation requests have been processed.
8. Discussed the exemption rule for civil service employees and a concern for the Board's duty to protect the public. Gave Mr. Rough direction to investigate and research this issue.
9. Ms. Penny Wyman, OACCA, and a NASW representative spoke to the Committee regarding rule 4757-19-02 and the administrative social work issue.

## **IX. Old Business:**

### **1. Personnel Committee**

Mr. White moved to change policy 2.7, 2 (A) (1) work hours from 7:30 am to 4:30 pm to now reflect 8:00 am to 5:00 pm. and the office to close no earlier than 5:00 pm. Seconded by Dr. Norris Huss. Carried.

**MOTION:** Mr. White moved and Dr. Norris Huss seconded that the Board go into executive session to discuss Personnel issues. Voting Aye: Mr. White, Dr. Norris Huss, Mr. Nelson, Dr. White Kress, Mr. Trivison, Ms. Packard, Mr. Camerino, Ms. Riesbeck-Lee, Mr. Brady, Ms. Huey. Voting Nay: None. Motion passes unanimously.

The Board resumed open session followed by a motion from Mr. White to come out of executive session. Voting Aye: Mr. White, Dr. Norris Huss, Mr. Nelson, Dr. White Kress, Mr. Trivison, Ms. Packard, Mr. Camerino, Ms. Riesbeck-Lee, Mr. Brady, Ms. Huey. Voting Nay: None. Motion was approved unanimously.

Mr. White reported the Personnel Committee met with Mr. Rough regarding his evaluation, time was given for Mr. Rough to voice any comments and then both Mr. Rough and the Board signed off on the evaluation.

**E-Therapy** – Dr. White Kress reported several issues were discussed involving what is and is not enforceable in a rule concerning this issue and for developing a solid rule. Hopefully by May these issues will be worked out.

**CEU Committee** – Mr. Camerino reported compliance, audits and defining the definition of provider status were discussed.

**Executive Committee** – Mr. Trivison reported ideas and structure needed prior to the May meeting for the agenda.

## **X. New Business:**

1. Compliance Training – Mr. White moved that it is essential for the Board to provide ethics training to new applicants and travel expenses to be reimbursed, this includes traveling to Universities to speak to students and faculty and ethics training for licensees; seconded by Dr. White Kress. Carried.
2. Mr. White moved to approve the Public Records Policy, seconded by Dr. White Kress. Carried.

3. Ms. Riesbeck-Lee moved that the Executive Director gather information on the duties of counselors, social workers and marriage and family therapists in exempt settings including but not limited to state government and report back to the Board, seconded by Mr. Camerino. Carried.
4. Dr. Norris Huss moved to approve Dr. White Kress to attend the CLEAR conference held in Columbus, seconded by Ms. Huey. Carried. Mr. Rough received approval from Office of Budget Management.
5. Discussion regarding minutes being put on the website before they are official.

**XI. Adjourned:**

Mr. Trivison thanked everyone and declared the meeting over. (3:00 p.m.)

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Board Chair  
Kenneth E. Trivison