



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 19, 2010

Chairperson, Dr. Susan Norris Huss, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the regular meeting of the Board at 1:00 P.M. on March 19, 2010.

Members present were Mr. Timothy Brady, Dr. Otha Gilyard, Mr. Robert Nelson, Dr. Thomas McGloshen, Ms. Francine Packard, Ms. Peggy Volters, Ms. Jennifer Riesbeck-Lee, Ms. Mary Venrick, Mr. Steven Polovick, Dr. Deirdre Petrich, Mr. Don McTigue, Mr. Tommie Robertson and Mr. John Cranley IV. Absent: Dr. Victoria White Kress. Staff present: Mr. James Rough, Mr. William Hegarty, Ms. Patricia Miller, Ms. Marcia Holleman, Ms. Tracey Hosom, Ms. Tamara Tingle, Ms. Jennifer Kreinbrink and Ms. Rena Elliott.

Also, present were Atty. Leah O'Carroll, Assistant Attorney General, Mr. Henry Lustig, NASW, Mr. Glenn Abraham, LISW, and Mr. Mike McGready, Intern UMCH-OSU.

Dr. Norris Huss welcomed everyone.

I. Discussion and approval of agenda. Dr. Gilyard moved to approve the agenda, seconded by Mr. Cranley. Carried.

Welcomed new board member, Mr. Don McTigue to the Board and the SWPSC. Also glad to have Mr. Robertson back.

II. Mr. Cranley moved to accept the January 22, 2010, minutes, seconded by Ms. Riesbeck-Lee. Mr. McTigue and Mr. Robertson abstained. Carried.

III. Executive Director Report presented by Mr. Rough:

Mr. Rough reported:

1. Several reports were distributed. The number of licensees continues to increase, a good response to the laws and rules continuing education on-line exam. The budget report reflects two columns as requested by Mr. Robertson for additional clarification. Not enough money was

allotted for the cost saving days (CSD) we need to adjust the budget and cut back wherever possible to accommodate this. The projected amount due to the CSD's shows the budget in a negative balance. Funds will be transferred from non-payroll accounts. A few discipline hearings are to be scheduled and if needed a request will be submitted to the Controlling Board for additional funds. There should be \$3,000 left in travel. Still hoping to replace the computers. Mr. Robertson asked what the Survey Monkey is and Mr. Rough gave a brief explanation, also hopes to add a survey for CEU program attendee's responses.

2. Thanked staff for their hard work.
3. The BMV rule is effective March 8, 2010 and licensees are eligible to sign off for treatment.
4. Proposed changes to 4757-19-08, 4757-25-07, 4757-09-04 and 4757-9-05 were filed April 5, 2010. New rules 4757-13-08, 4757-31-01, 4757-31-02, 4757-31-03 and 4757-31.04 were also filed April 5, 2010. The public hearing is scheduled for May 11, 2010.
5. Senator Hughes will not address HB 62 until the immigration bill is addressed.

IV. Investigative Report presented by Mr. Hegarty:

Mr. Hegarty reported:

1. Thanked the staff.
2. Twenty-nine new social work cases, fourteen new counselor cases and no marriage and family therapy cases. Toledo and Cincinnati had the most complaints. The majority of investigations were involving competency and renewal audits.
3. Three discipline hearings are scheduled; one social work and two counselor. The counselor hearing is in May and the licensee is from Michigan. One possibly scheduled in July.
4. Thanked the investigative liaisons.

V. Legal Update presented by Leah O'Carroll, Assistant Attorney General:

Ms. O'Carroll reported:

1. Mr. Merle Rhodes appealed his case to the Ohio Supreme Court but the court refused to hear the case so the case is closed.
2. Dr. Smith Evans failed to attend her evaluation and filed an appeal at the Common Pleas court of appeals. The Board requested to dismiss this case as she did not file the appeal in time and the court found for the Board.

VI. Social Work Professional Standards Committee Report was presented by Ms. Riesbeck-Lee:

Ms. Riesbeck Lee reported:

1. Welcomed Mr. McTigue to the Board and it is nice to have a full committee again.
2. Closed nineteen cases, six goldman hearings, approved three consent agreements and approved one-hundred and sixty-one licensure applications.
3. Reviewed continuing education.
4. NASW report was given.
5. Mr. Abraham, former board member attended the meeting.
6. After reviewing the ASWB agenda the committee has decided not to send Mr. Nelson but Mr. Rough will still attend.
7. March is social work month and noted appreciation for all the work of social workers.

VII. Marriage and Family Therapist Professional Standards Committee Report was presented by Mr. Robertson:

Mr. Robertson reported:

1. Approved four MFT and three IMFT licensure applications.
2. Discussed rules on supervision and documentation.
3. Discussed how to increase the number of MFT's and IMFT's and promote a better relationship with Associations.
4. Working with OAMFT and University of Akron to facilitate speaking engagements to further educate current and future licensees. Welcome any suggestions from the Board.
5. Mr. Robertson appreciated the warm welcome back.

VIII. Counselor Professional Standards Committee Report was presented by Ms. Packard:

Ms. Packard reported:

1. A representative from a denied equine therapy program spoke to the committee.
2. Approved remediation plans, three consent agreements, closed cases.
3. Discussed the exam rate, time and data.
4. Removed "protocol" from the ethics rule for assessment and testing instruments as well as reviewed revised rules.
5. Discussed face to face supervision.
6. Developed rule for CEU audit fine.
7. Rejected Mr. Rough's exploration into banking hours.
8. Licensees must take theory/techniques before the practicum and this will be added as a new paragraph to the rule 4757-13-01.

IX. Committee Reports

CEU Committee

Ms. Packard reported:

- Reviewed additional information on spirituality programs.
- Discussed CEU audits.
- Requesting providers to submit resumes for presenters on future programs.
- License renewal/confirmation link for feedback.
- Against exploration of banking ceu's.

Investigations Ad Hoc Committee

No meeting but Dr. White Kress will have a qualitative research of mentors in discipline situations report for the May meeting.

Executive Committee

Dr. Huss Reported:

- Mr. Rough's evaluation will be presented at the May meeting.
- Discussion of the July planning meeting.

X. Old Business:

None addressed

XI. New Business:

1. Fifteen minutes was spent on what topics to discuss at the July meeting and the conference room on the 15th floor of the Leveque Tower is not available so the meeting may take place in the Vern Riffe. The planning committee meeting will begin at 2:00 pm and end at 8:00 pm, dinner and lunch will be ordered.
2. Topics suggested from the Board included; ceu charge, regulating amount charged to professions for continuing education, reciprocity from other states, marketing MFT/IMFT licensure, passing test score, discrepancy between the three committees regarding continuing education such as spirituality and equine therapy, supervision. Dr. Petrich suggested to have ethical questions given to Mr. Hegarty ahead of time and then discuss them at the meeting.
3. Dr. Huss stated that the Thursday evening dinner is for board members to get to know each other and for unifying. Hopes more individuals will attend. Mr. Hegarty mentioned that many of the board members live in town and are not reimbursed for meals so this may be a factor.

Dr. Huss thanked everyone and commented it was nice to have a full board again. There will be two openings on the CPSC in October. Requested everyone quietly

leave the meeting to not interrupt the Petroleum Underground Storage Tank Release Compensation board office. Have a good weekend.

XII. Adjourned:

Dr. Norris Huss declared the meeting adjourned.

Board Chair

Dr. Susan Norris Huss



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Executive Committee Meeting

March 19, 2010

Chairperson, Dr. Susan Huss, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the executive committee meeting of the Board at 8:35 a.m. on March 19, 2010.

Members present were Ms. Jennifer Lee, Tommie Robertson and Dr. Victoria White Kress. Staff present: Mr. James Rough

- Approve agenda and minutes
- Planning Meeting Issues – review progress
 - Assess the many CEU issues raised – task the CEU Committee
 - Start the process of a statute change – Jim assigned; Mr. Rough reported that the associations have all assigned working committees, but none had reported on their efforts to date.
 - Review the budget and revenue projections – Jim assigned
 - Improve technology use where appropriate – Jim assigned
 - Improve the disciplinary process task the Investigative Liaison Ad Hoc Committee
- Budget issues – Travel expense increase for overnight
 - Board members requesting less than full per diem
 - Budget expenses lower than expected in some areas.
 - Need to replace PCs this year, if possible due to age 5 years
 - Mr. Rough attended a meeting with the Office of Budget and Management (OBM) and learned that he had not properly applied the full costs of Cost Savings Days. The majority of Boards and Commissions had not understood extra expenses that OBM had identified. OBM expected a reduction of approximately \$38,000 while Mr. Rough had budgeted \$22,000. The additional expenses were from not paying the benefits on the reduced salary, the non-

payment of step payroll increases for employees and the reduction in percentage charges for some benefits. Mr. Rough will track the specifics for the budget and may have to go to the Controlling Board for additional appropriation authority for FY 2010 and definitely for FY 2011.

- Rule 4757-1-07 Standard fines for discipline actions. The board members appeared to agree to not fine CEU audit failures at this time. The CPSC may want to go forward with fines for CEU audit failures.
- Mr. Rough's annual evaluation is due at this meeting. Dr. Huss will present it to Mr. Rough in May.
- The AGs office is still discussing the applicability of FERPA to the boards. Our AAG has recommended continuing with the policy of not releasing copies of transcripts until the issue is resolved in the AG's office.
- Policy 1.8 needs to be updated to remove the Personnel Committee. Approved by the Executive Committee as drafted by Mr. Rough.

Meeting adjourned at 9:07 a.m.

For, 

Board Chair
Susan Norris Huss



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CEU Committee Meeting Minutes

March 18, 2010

Chairperson, Ms. Francine Packard, PCC, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the CEU committee meeting of the Board at 11:30 a.m. on March 18 2010.

Members present were Ms. Jennifer Lee, LSW and Dr. Thomas McGloshen, IMFT. Staff present: Mr. James Rough, Executive Director, Rhonda Franklin, Renewal Coordinator and Ms. Patricia Miller, Continuing Education Coordinator

Committee approved the agenda and the minutes of the March meeting.

1.) New Business

- Ms. Miller attempted to attend a continuing education program by The Collins Groups only to find that it was not being held the date or at the place that was reported on the application. Ms. Miller contacted Mr. Collins who explained that only a possible start date and location is given on the application. Ms. Miller explained that a possible start date is needed, but if the location is not definite to put TBA for location.
- INR, a continuing education provider for counselors and social workers offered a program titled Swine Flu. Ms. Miller attempted to audit this program but was not allowed to enter without paying the registration fee even after explaining she was with the board. Ms. Miller was able to hear some of the material from outside and the content was not continuing education for counselors and social workers and did not meet the requirements of rules 4757-9-02 and 4757-9-03. Ms. Miller contacted INR for an outline of the content and an explanation as to how this program was appropriate for counselors and social workers. The material was reviewed by the CEU Committee and the committee agreed that the content was not appropriate. Mr. Rough was asked to contact INR and report the results.
- Outlines and references were requested from several spirituality continuing education programs and reviewed by the CEU committee. Dr. McGloshen will review the Redemptive Marital Therapy program and report back at the May meeting.
- Ms. Miller requested the program approval form specifically request all presenters' resumes and an agenda with timeframes and content reflecting breaks and lunch. The committee approved this change.
- Should SWA's be required to have 30 CEUs for renewal? This issue was raised by Mr. Hegarty and referred to the SWPSC for review.

- Other issues – committee agreed to add to rule 4757-9-05 that the board has the right to audit any continuing education offering at its discretion.
- 2.) Old Business Continuing items from January
- SWPSC has proposed change to rule 4757-9-05 for review, which is part of the board mailing under rule changes. The proposed rule change states the “Social work association provider” will be reviewed with each five-year rule review, which includes ASWB’s ACE program (SWPSC approved this part) and national NASW programs Social work association provider (SWPSC will review at this meeting with additional information from NASW). This information is part of the rule change.
 - How can we tie CEU programs and providers with the CE audit program or develop a separate audit for them?
 Discussion from November: *The committee discussed a number of options that may not fit within the staff’s time to perform.*
 - *Will ask for evaluations for programs that receive complaints.*
 - *May consider an audit of a small percentage of programs.*
 - *Not sure what to do with Providers who offer many programs.*
 Do we need additional discussion on this item?
 - How do we improve quality of CEUs: discussed last meeting
 - Modify certificate requirements to include comments to the board
 - Use of Survey Monkey – see draft survey attached
 - Others – committee discussed adding a survey to the renewal as an option for each renewing licensee.
 - What is appropriate use of fines with CEU audit failures?
 The full board discussion indicated no desire to use fines for CEU audit failures. Does the committee agree? Each professional standard committee needs to make a decision so that the rule can move forward with or without CEU audit fines. We could make the fines a “may fine” at the discretion of the professional standards committees, which would allow each committee to decide as cases are brought forward.
 - Rule change for 4757-9-04 includes 30 hours of distance learning for SWPSC and MFTPSC licensees. Rule is drafted and will be filed for a public hearing in May prior to the board meeting.
 - The committee moved to not support the banking of continuing education hours, which was approved unanimously.

Committee adjourned at 12:15 p.m.

Francine Packard, PCC, Chair



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March 10, 2010

Executive Director's Report

Board Meeting Dates and Rooms

Thursday March 18, 2010

Executive Committee – Executive Director's Office at 8:15 a.m.
SWPSC - Conference Room – 9:00 a.m.
MFTPSC - Conference Room – 9:00 a.m.
CPSC - Conference Room – 9:00 a.m.
CEU Committee – Executive Director's Office at 11:00 a.m.
Ad Hoc Committee for Investigative Liaisons – no meeting

Friday March 19, 2010

SWPSC - Conference Room – 9:00 a.m.
MFTPSC - Conference Room – 9:00 a.m.
CPSC - Conference Room – 9:00 a.m.
Board Meeting – LeVeque Tower 15th Floor Petroleum Board – 1:00 p.m.

Issues to Discuss

Board appointments expiring on 10/10/2009: We are still waiting for a public member appointment.

Ohio Ethics Commission filings due 4/15/2010.

Attached is a list of staff proposed statute changes to Chapter 4757 of the Revised Code for the committees to consider and amend, add to or delete. There is an explanation for each proposed change at the beginning of each item. Detail was added to the statute sections brought to our attention by Glenn Karr.

BMV held a public hearing scheduled on February 11, 2010 at 11:00 a.m. for rule 4501:1-1-18 with the change to paragraph (C) as we requested. No testimony was given. The JCARR hearing approved the rule change on March 8, 2010.

Travel claims processing had major changes starting October 1, 2009 – all claims will be entered into OAKS system. We appreciate the board members requesting less than full per diem.

Our budget will require close monitoring throughout the fiscal year, please see reports enclosed. We are within budget and have projected higher savings. One area of additional savings is hearing costs. If the budget progresses as anticipated and we have savings from hearings, I will replace the 14 PCs at a cost of approximately \$8,610 (or part of them for less). The State Auditor lost General Revenue funding (GRF) and we may be charged something like \$10,000, which is not in the budget. The governor's office and Office of Budget and Management are working on this issue. We will probably have to go to the Controlling Board for FY 2011.

Mental Health Hold – HB281 has had three hearings. I will testify as a proponent when the next hearing is scheduled.

The Art Therapy Bill HB208 has had two hearings. I have a meeting scheduled with several associations to discuss the bill.

Rule changes see attached memo with changes. Following this meeting if all changes are approved I will file the rule changes for a public hearing in early May prior to the May board meeting. I am not sure the fine rule will be ready to move by then.

1. Approval of applications between meetings. Each Professional Standards Committee approved its modified rules as requested upon input from our assistant attorney general. Please see rules 4757-13-08, 4757-19-08 and/or 4757-25-07 attached.
2. Rule 4757-1-07 concerning fines needs additional discussion. I have only received one input so far. I have asked OCBHP, OACCA, OAC, NASW and OAMFT for input. Any fine would be a public discipline reportable to National Practitioner Databank. Based on the discussion at January's board meeting the consensus seems to be no fine for continuing education audit failures.
3. SWPSC requested changes to rules 4757-9-04 and 4757-9-05 to allow social workers and MFTs to take all 30 hours of their CEUs via distance learning and to allow ASWB's ACE & NASW CE program approvals to be accepted CE programs without review by the SWPSC. The draft language is included. Paragraph (D)(2) of rule 4757-9-05 was modified to reflect the terminology used by the Veterans Administration as an ASWB approved provider. A copy of their certificate from a course is attached.
4. The investigators have proposed an additional paragraph on supervision be added to rule 4757-5-02. We have had several cases where the trainee alleges that his/her supervisor allows someone else to provide supervision and the original supervisor would sign as the training supervisor. We have had supervisors say they were only providing work supervision when the trainee thought it was training supervision. The proposed language is attached.

Civil service exemption – House Bill 62 passed the House on a 97-0 vote and moves on to the senate. I will notify board members as senate hearings are scheduled.

I have contacted all of the associations concerning proposed statute changes and none were prepared to present their issues in February, but each of them is working on the issue through assigned committees.

Enclosed is a memo on how to implement the banking of continuing education hours for the CEU committee to discuss and forward to the Professional Standards Committees.

The Executive Committee will present me the annual evaluation for March 6, 2009 through March 5, 2010 at this meeting.

Executive Director Work Plan: accomplishments for Fiscal Year 2010.

- Worked closely with ODMH resulting in improved Matrix approval of our licensees/registrants
- Laws and Rules exam live for 3 hours CE and for licensure applicants
- Continue to bring issue to the committees for discussion
- Helped HB62 on the civil service exemption issue pass the House
- Continue communications with all university licensure programs, associations and licensees
- Planning Meeting Issues were discussed and assigned as follows:
 - Assess the many CEU issues raised - task the CEU Committee – process started
 - Start the process of a statute change - task executive director – emailed associations asking for input by end of February 2010.
 - Review the budget and revenue projections - task executive director – see report
 - Improve technology use where appropriate - task executive director – survey monkey, revised web site
 - Improve the licensee disciplinary process - task the Investigative Liaison Ad Hoc Committee – in work

Sincerely,

James R. Rough
Executive Director