

Spring
2014
Issue 1

News Link



COUNSELOR, SOCIAL
WORKER & MARRIAGE
AND FAMILY
THERAPIST BOARD

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An inactive status will be available this Autumn that will be renewable and maintainable until you are ready to practice. No CEUs will be required until you want to return to an active status again—stay tuned!

House Bill - 232 changing the Board's Statute

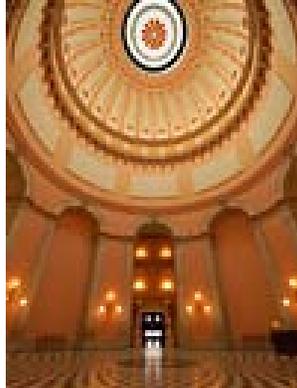


Photo courtesy of the Ohio Statehouse Photo Archive

Representative Barbara Sears of District 47, west of Toledo, introduced House Bill 232, which Governor Kasich signed into law. This bill makes major changes to counselor, social worker and marriage and family therapist licensing laws. Following is a short summary of the most important Sections of the Revised Code with changes.

Sec.s 1701./1705./1785. General corporation law; Limited liability companies; Professional associations; and requires new division 4757.37 and changes to the other professionals Sections of the Revised Code 4723.16, 4725.33, 4729.161, 4731.226, 4731.65, 4732.28, 4734.17, 4734.10, 4755.471 and 4758. *Adds our licensees to these laws, which are for other healthcare boards like Medical, Chiropractic, etc.*

Chapter 4757 is the enabling statute for our licensure and the board.

Sec. 4757.01 – adds definition of “Social functioning”: *this section concerns definitions for the board.*

Sec. 4757.03 - adds “licensed” to professional counselor and professional clinical counselor; and simplifies counselor and MFT language for board members that requires five years of practice; at least preceding two years in Ohio, and a member of each professional standards committee shall have a member who has practiced at a public agency. *Allows outgoing board appointees to serve until replaced.*

Sec. 4757.10 adds rule making authority for counselor, MSW & MFT students to voluntarily apply for trainee status – CT, SWT & MFTT. *This section authorizes the board to draft rules to carry out this Chapter of the ORC and specifies rules on certain subjects including treatment for impaired practitioners, training of MFT supervisors, requires good moral character, criminal records checks and fines.*

Sec. 4757.12 – is deleted on line 14 – *Removes the requirement for a professional disclosure statement.*

Sec. 4757.13 – replaces 4757.12 and requires prominent display of license; private practice licensee must display fee schedule, which shall include board contact information.

Sec. 4757.22 - Professional clinical counselor license. *Change to require a CACREP accredited degree for graduates from Ohio schools*

after 1/1/2018. Requires clinical coursework subjects, but 30 quarter or 20 semester hours removed.

4757.23 Professional counselor license. *Change to require a CACREP accredited degree for graduates from Ohio schools after 1/1/2018. Non-CACREP applicants from out-of-state schools must meet clinical course requirements.*

Sec. 4757.27 Independent social worker license. *Removes doctorate as a qualifying degree and requires CSWE accreditation for the Master's degree and includes program graduates from CSWE Candidacy status.*

Sec. 4757.28 Social worker license. *Removes related degree as a qualifying degree.*

Sec. 4757.30 Marriage and family therapist license; independent therapist license. *Adds clarifying language for supervised practice.*

Sec. 4757.31 Fees; deposit of receipts; vouchers. *Adds a non-discipline fee for late completion of continuing education requirements for renewal.*

Sec. 4757. *to add an inactive status for licensees not currently using their license, but wanting to maintain it for future use without continuing education.*

Sec. 4757.36 Grounds for disciplinary action; reinstatement. *Changes recommended by Attorney General's office. And adds CT, SWT & MFTT and registrants of CE program and provider statuses to discipline section.*



99.0% of Board licensees renew online and save postage, waiting time, and have a receipt!

The board offers an online Laws & Rules CEU program that will meet your 3 hours of ethics. Go to the board's homepage and click on item 1. Online Laws & Rules Exam & CEU.

HB - 232 Continued

Sec. 4757.41 Exceptions from provisions. *Removes the exemption for civil service employees who are licensed and those with less than 2 years of service at the time change goes into effect. Exempts rehabilitation counselors providing services under 3304.17 and in substitute bill adds an exemption for rehabilitation counselors holding a national certification as a certified rehabilitation counselor to enable private practice. Exempts case-workers for unlicensed public children services agency under section 5153.112. – in substitute bill - PCSAO requested addition of division (E) to this section clarifying the child*

welfare agencies cannot be required to hire licensed social workers. Temporary language in Section 3 – Department of Administrative Services has one year to implement the changes in Section 4757.41. Quite a few Sections of the ORC were omitted from this list. Here is a link to the What's New page: <http://cswmft.ohio.gov/new.stm> Here is a link to the Legislative Service Commission documents on the bill: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_232

New Licensing System will bring Big Changes

The Ohio professional licensure boards are getting a new licensing system and our board is one of the first four to go live. We expect that to happen in August or September. With the advent of that system, we will be going to all online applications for renewals, licensure, registration, name changes, address changes, replacement wall certificates, license verifications, CE Programs and CE Providers applications. Applicants will be able to upload any documents needed or use the slower fax,

email or postal service. The direct upload appends the documents to your file so there is no chance of it being lost. You can see the document after upload to ensure it is correct. Licensees, registrants and applicants will be able to setup their own UserIDs and passwords with options for forgotten items. For the testing environment, we setup renewals in a way that you will have to enter data for each of your CEU courses with an option to upload your CEU certificates.

Licensee Address Information & Ohio Public Records Law

The Board Does Not Sell Your Email
 You probably receive emails and mailings from CEU providers as well as communications from professional associations, law offices, prospective employers or licensees looking for a supervisor. The Board is often asked if we sell your contact information. The answer is "No" – we do not sell it. Keep in mind, however, that the contact information you provide to the Board is a public record under the State of Ohio's Open Records Laws. CEU providers and others often make public records requests for your contact information from the Ohio Data Network. Your address and contact information is also available to the public. You may want to consider creating a separate e-mail account that pertains to Board and CEU correspondence and filter any e-mail messages accordingly. Or give the Board your work e-mail as this format should be already conducive to communicating with the

Board, CEU providers, etc. and any current or potential clients. Although the address and other contact information you provide to the Board is a public record, we intentionally do not display it as part of the online license verification record. However, if we receive a request for your information we are required by law to provide the information we have on file for you. If we have only your home address and/or telephone number and email address, that is what we must provide. This is another good reason to use your business address and contact information. In this IT age, we must work together to find solutions that benefit all parties concerned and respect our licensees as well as provide protection to the public. Review the Board's Public Records Policy on our website click on: <http://cswmft.ohio.gov/> then "Publications and Newsletters" in the red left column.

Disciplinary Actions Taken Against Licensees



Social Workers:

Gail Bell (LSW) Improper Renewal/audit. Suspension of license
Danielle Bowman (SWA) Improper renewal/audit. Revoked
Craig Campbell (LISW) Possible impairment. Surrender of license
Robert J. Carson (LISW) Sexual boundaries. License revoked
Amy Cowgill (LSW) Improper Renewal/audit. Revoked
Jane A. Cox (LISW) Improper Renewal/audit. Revoked
Levonne Cummings Burroughs (LSW) Improper Renewal/audit. Revoked
Brian M. Davis (LSW) Improper Renewal/audit. Revoked
Alice Dawson (LISW) Record Keeping. Agreement to retire
Peggy Dodds (LSW) Record Keeping. Surrender of license
Michael Drust (LSW) Improper Renewal/audit. Revoked
Timothy Dycus (LSW) Felony Conviction. Revoked.
Patrick Henry (LISW) Record keeping and boundaries. Surrender of license.
Curtis Jackson (LSW) Non-sexual boundaries. Monitoring and ethics CEUs
John Keister (LSW) Improper renewal/audit. Suspension of license.
George P. Kennedy (LSW) Accusations of sexual harassment. Monitoring of license.
Gale Kistemaker (LSW) Improper Renewal/audit. Revoked
Karen G. Lewis (LISW) Competency. Reprimand, supervision and monitoring
Jill McClellan (LSW) Improper Renewal/ Audit. Surrender of license
William McKenzie (LSW) Improper Renewal/audit. Revoked
Diane A. Merriweather (LSW) Improper Renewal/audit. Revoked
Kathy Neeley (LSW) Non-sexual boundaries. Monitoring and ethics CEUs
Kaitlyn Pecherkiewicz (LSW) Record keeping. Reprimand and CEUs

Jennifer Rizzo (LSW) Improper renewal/audit. Revoked.

James Roman (LSW) Improper renewal/audit. Surrender of license.

Danielle Shuler (LSW) Improper renewal/audit. Two week suspension

Andrea Stuck (LISW) Non-sexual boundaries, Reprimand & Record keeping. Monitoring

Catherine Van Riper (LSW) Improper Renewal/audit. Revoked

Kaleigh Ziegler (LSW) Misappropriation of client funds. Revoked

Aimee Loree (LSW) Sexual relationship w/ client. Suspension, monitoring, counseling.

Counselors:

Richard D. Anderson (LPCC) Pending possible criminal sanctions. Surrender of License.

Raymond Carter (LPC) Record keeping. Surrender of license.

Linda Crawford (LPC) Failure to go to eval. Revoked

Samuel Hancock (LPC) Improper renewal/audit. Revoked.

Amber Harris (LPC) Felony convictions. License Revoked.

Tiffany Hill (LPC) Improper termination. Revoked

L. Evin Kleinman (LPC) Improper Renewal/ Audit. Surrender of license

Elizabeth Kohls (LPC) Improper renewal/audit. Surrender or license.

June Korte (LPCC) Improper renewal/audit. Suspension

Nina Kucyk (LPCC) Improper custodial recommendation. Ethics and monitoring

Jennifer Linnabary (LPC) Improper renewal/audit. Revoked

Shawn Masters (LPCC) Improper Renewal/audit. Revoked

Betty Neuman (LPC) Improper Renewal/ Audit. Surrender of license

John Scudder (LPCC) Boundary violations. Counseling and CEUs

Margery Shupe (LPCC) Failure to comply with a Board Consent Agreement. Extension of Monitoring and screening requirements.

Diane Zieger (LPC) Failure to comply with Board Consent Agreement. Extension of screening requirement.

Deborah Zuercher (LPC) Boundary violation. Suspension and personal counseling

MFTs: Karen G. Lewis (IMFT) Competency. Reprimand, supervision and monitoring



Please make sure you have completed your continuing education requirements before you renew.

For 2013, the audits show a failure rate of 3.1% and non-compliance rate of 17.6%. Non-compliance includes unapproved courses, no ethics, no supervision, hours not within renewal period, renewed with less than 30 CEUs, etc.

Several licenses have been revoked and other disciplinary actions taken! Don't let it be you!



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If you are not sure of the proper ethics in any given situation; talk to your supervisor, a peer licensee or call the Board to discuss the issue. Don't let things get out of hand that might result in a disciplinary situation.

Ethics - Impaired Practice: What It Means

Impaired practice - what could happen if you are found to be impaired. Throughout the Board's 30 year history, impaired practice has resulted in permanent disciplinary action against licenses to practice counseling, social work, and marriage and family therapy in Ohio. The Board is now implementing Diversion to treatment as an option in certain situations. In recent years the Board has received a marked increase in complaints concerning impaired practitioners. The OAC (4757-5-05) addresses this as "the counselors, social workers and marriage and family therapists shall not undertake or continue professional relationships with a client, supervisee, or student when the objectivity or competency of the counselor, social worker, or marriage and family therapist is or could reasonably be expected to be, impaired due to mental, emotional, physiological, pharmacological, or substance abuse conditions." Primarily the increase in impairment complaints concerns substance abuse/addiction conditions. In the past and still today, substance abuse and impaired practice goes hand-in-hand with violations of the code of ethics. An example of some of the impaired practitioner disciplinary cases: sleeping at a client's house, using drugs with clients, falling asleep while treating clients, borrowing money from clients, and entering a sexual relationship with clients. In instances of client harm, and a failure to maintain appropriate standards of care, the Board may take action based on the violation. For the purpose of determining if there is impairment the Board may order the licensee to submit to a mental or physical examination. Discipline for impaired practice

cases includes: revocation, suspension, reprimands, and monitoring. Disciplinary action is permanent and reported to the National Practitioners Data Bank. However, if a licensee has an impairment and hasn't otherwise violated the code of ethics, they may qualify for Diversion. The Board is further developing the impaired practitioner rules and has the ability to enter into a confidential agreement with the licensee allowing the practitioner an opportunity for treatment in lieu of disciplinary action. This may mean the license is placed on "inactive" status, while the licensee meets treatment criteria outlined in the Diversion agreement. Requirements will be case specific, but may include inpatient or outpatient treatment, drug testing, counseling, monitoring and other remedies. Should the licensee fail the terms of Diversion, the matter will be reviewed and may result in formal public disciplinary action. Licensees who successfully complete the terms of Diversion shall return to active status and have no disciplinary action attached to their license. Refer to: 4757-5-05 Standards of ethical practice and professional conduct: impaired practice, and 4757-11-02 Impaired practitioner rules. Questions or comments can be sent to Investigator: Tracey.Hosom@cswb.ohio.gov
How do I file a complaint?
The Board's complaint form can be found under the "ethics/investigations" icon on the home page. Complaints must be received in writing. Download the form, and submit by U.S.P.S mail, by fax (614-728-7791) or attach to an email.

Ethics - Audit Revocations

Recently a caller asked, why are people losing their license just because they haven't completed an audit, when someone else gets a suspension for a sexual boundary violation? The Board has increased the amount of random audits, so the chances that you will be audited have dramatically increased. However, these revocations are primarily a result of unresponsiveness by the licensee. If you ignore the audit, or even fail to respond to an audit because you failed to keep a current address on file with the Board, the

Board may revoke your license. The Board is willing to work with licensees who have misplaced certificates or have other minor issues, but we can't work with licensees who do not respond. Obtaining continuing education is easier than in the past including some free and online options. Make sure that you have obtained the requisite 30 hours and certificates for the hours. Avoid becoming an audit failure statistic that your friends read about in the board's newsletter the Newslink.