



Counselor, Social Worker & Marriage and Family Therapist Board

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Social Worker Professional Standards Committee (SWPSC) Minutes

Thursday, May 20, 2010

Members Present: Mr. Tim Brady, Mr. Don McTigue, Mr. Bob Nelson,
Mr. Steve Polovick, Ms. Jennifer Riesbeck-Lee

Staff Present: Ms. Paula Broome, Mr. Bill Hegarty,
Ms. Marcia Holleman, Ms. Tracey Hosom,
Ms. Jenny Kreinbrink, Ms. Patty Miller,
Mr. Jim Rough, Ms. Tammy Tingle

Guests Present: Mr. Matthew Grafton, BGSU student,
Ms. Rhonda Krouse, CareStar representative,
Ms. Daryl Shrider, CareStar representative
Ms. Mary Venrick, CPSC member

1. **Meeting Called to Order**

Ms. Riesbeck-Lee called the meeting to order at 9:08 a.m.

2. **Discussion/Approval of the May 20th & 21st, 2010 Agenda**

Ms. Riesbeck-Lee asked if there were any changes or discussion of the May 20th and 21st, 2010 agenda. The committee asked that the following items be added to the agenda: LISW-S hardship request and the related degree issue. Mr. Brady made a motion to approve the agenda with the changes. Seconded by Mr. Nelson. Motion carried.

3. **Approval of the March 18th & 19th, 2010 Minutes**

Ms. Riesbeck-Lee asked if there were any changes or discussion of the March 18th and 19th, 2010 minutes. No changes or discussion were made. Mr. Nelson made a motion to approve the minutes. Seconded by Mr. Brady. Motion carried.

4. **Correspondence**

CareStar - The SWPSC reviewed and discussed the letter from the LSW CareStar employee concerning CEUs offered by their employer and CareStar's appeal of the denial

of their provider status. Ms. Riesbeck-Lee said she will only give Ms. Krouse 20-30 minutes to speak.

Late Renewal Fee Comment – Ms. Pamela Sweeney submitted a comment through the online renewal system concerning the \$40 late fee for renewals. She is disappointed that the Board is charging a late renewal fee and suggested the Board have an escrow status for those not practicing. The SWPSC reviewed and discussed her concerns. However, the Board does not have the capability, at this time, to institute an escrow status.

Teaching as the Practice of Social Work to Obtain a LISW – The committee reviewed and discussed the letters from Ms. Johanna Silvinske, Dr. Joseph Mosca, and others concerning whether Ms. Silvinske’s teaching counts as the practice of social work to obtain the LISW. The SWPSC requested that Mr. Hegarty review the information submitted and discuss his views in the afternoon.

5. Executive Ad Hoc Committee

Ms. Riesbeck-Lee said Mr. Rough wants ideas about what type of food to cater in for the July retreat and how much they want to spend. The SWPSC will discuss it further on Friday, May 21, 2010.

6. Investigations

(A) Closed Cases

Mr. Brady made a motion that the following cases be closed as he had determined no actionable offenses had been found. Mr. Polovick seconded the motion. Motion carried.

2009-228 2010-30 2010-40 2010-41 2010-55

Mr. Nelson made a motion that the following cases be closed as he had determined no actionable offenses had been found. Mr. Brady seconded the motion. Motion carried.

2009-223 2010-22 2010-24 2010-27 2010-33 2010-37
2010-38 2010-44 2010-59 2010-43

(B) Executive Session

Ms. Riesbeck-Lee requested that the SWPSC meeting go into Executive Session at 9:45 a.m. to discuss Consent Agreements, Goldman Reviews (Licensure and Discipline), Request to Discontinue Consent Agreement, and Impairment Order. Accepted by a Roll Call Vote – Mr. Brady – yes, Mr. McTigue – yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee - yes.

Ms. Riesbeck-Lee moved that the SWPSC come out of Executive Session at 10:04 a.m. Accepted by a Roll Call Vote – Mr. Brady – yes, Mr. McTigue – yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee – yes.

(C) **Consent Agreements**

Melissa K. Humbert, LSW - A motion was made by Mr. Brady to approve the Consent Agreement between the Board and Ms. Humbert based on the information contained in the Consent Agreement. Seconded by Mr. Polovick. Motion carried.

Matthew McClelland, LISW - A motion was made by Mr. Brady to approve the Consent Agreement between the Board and Mr. McClelland based on the information contained in the Consent Agreement. Seconded by Mr. McTigue. Motion carried.

Jamie Page, LISW-S - A motion was made by Mr. Polovick to approve the Consent Agreement between the Board and Ms. Page based on the information contained in the Consent Agreement. Seconded by Mr. Brady. Motion carried.

(D) **Goldman Review (Disciplinary)**

April Kirkwood, LSW – A motion was made by Mr. Brady to revoke Ms. Kirkwood’s social worker license based on the Board’s proposal to discipline her because she failed the continuing education audit. She did not request a hearing. Seconded by Mr. Polovick. Motion carried.

(E) **Goldman Review (Licensure)**

Brittany Carlisle – A motion was made by Mr. Brady to deny Ms. Carlisle’s licensure application for not possessing a qualifying degree in social work based on the accompanying affidavit. She did not request a hearing. Seconded by Mr. Polovick. Mr. Nelson recused himself. Motion carried.

Alfreda Josey – A motion was made by Mr. Brady to deny Ms. Josey’s licensure application for not possessing a qualifying degree in social work based on the accompanying affidavit. She did not request a hearing. Seconded by Mr. Polovick. Mr. Nelson recused himself. Motion carried.

Rozlynn Kellis – A motion was made by Mr. Brady to deny Ms. Kellis’ licensure application for not possessing a qualifying degree in social work based on the accompanying affidavit. She did not request a hearing. Seconded by Mr. Polovick. Mr. Nelson recused himself. Motion carried.

(F) **Request to Discontinue Consent Agreement**

Charles Startup, LISW - A motion was made by Mr. McTigue to deny Mr. Startup's request to discontinue the Consent Agreement because we have a written agreement and good cause has not been shown. Seconded by Mr. Brady. Motion carried.

(G) Impairment Order

A motion was made by Mr. McTigue to order an impairment evaluation for 2010-28 based on the liaison's determination. Seconded by Mr. Brady. Motion carried.

(H) Bartering and Child Custody Rules

Ms. Hosom discussed the rules of bartering and child custody with the committee. She referred the SWPSC to the bartering sections in 4757-5-03(A)(1)(b) and (A)(4)(d) and 4757-5-08(B). Ms. Hosom said she had received a letter from a lawyer representing a licensee regarding this issue and he pointed out that the bartering rules are confusing and vague. The SWPSC discussed this issue. She said the Board needs to decide if they do or do not want bartering. Ms. Hosom then referred the committee to the child custody rule 4757-6-01(F) and said that this rule is too vague. The committee determined that these two issues could be potential July planning retreat topics. The AAG will draft language concerning these issues.

7. 10:30 a.m. - Meeting with Matthew Grafton

Ms. Riesbeck-Lee and Ms. Kreinbrink met with Mr. Grafton regarding his felony conviction. At the March Board meeting, Mr. Grafton had submitted information regarding his felony conviction and he wanted Ms. Riesbeck-Lee to determine if he would be eligible for licensure once he graduated from BGSU in at least 2 years. Mr. Grafton stated that the felony conviction was a blessing in disguise and he discussed the things he has done since receiving the conviction. Ms. Riesbeck-Lee stated that she does not want him to feel that he has no hope of becoming a social worker. She also mentioned that she would not be able to give a definite "yes" or "no" as to whether he would be issued the LSW. She encouraged Mr. Grafton to speak with Dr. Mason, BGSU's social work director, about what was discussed at the meeting and that Dr. Mason is more than welcome to call Ms. Kreinbrink if he has questions.

8. 11:30 a.m. - CareStar Appeal

Ms. Krouse and Ms. Shrider met with the SWPSC to appeal the denial of CareStar's provider status. They referred the committee to the cover letter and documentation they submitted. Ms. Riesbeck-Lee made reference to the CareStar employee's letter and that the employee had the same issues that the committee had with their provider status. Ms. Krouse addressed the fact that CareStar does have policies on file. In addition, Ms. Krouse and Ms. Shrider discussed several of the programs that the committee had concerns about that were included on their appeal of denial for provider renewal. Ms. Krouse stated that most of their attendees are internal and are social workers. Ms. Riesbeck-Lee asked how CareStar handles negative reviews on programs and Ms. Krouse

said they compile the evaluation results and a panel reviews them. Ms. Krouse stated she will put a focus statement on each program for the committee's review because it will assist them in determining if a program is appropriate. Mr. McTigue made a motion to approve CareStar's provider status. Seconded by Mr. Nelson. Roll Call Vote – Mr. Brady – no, Mr. McTigue – yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee – yes. Motion carried.

9. Working Meeting

The SWPSC proceeded with a working meeting to Review Pending Applications for Licensure, Files to be Audited, CEU Programs and Providers, and Licensure Renewal Issues.

10. Approval of Applications for Licensure

A motion was made by Mr. Brady to approve the following applications for licensure. Seconded by Mr. Nelson. Motion carried.

SWA -	2 Applications Approved
LSW -	1 Application Approved

3 Applicants were approved for registration and licensure by the SWPSC at the May 2010 meeting.

166 Applicants were licensed by staff prior to the May 2010 meeting. A motion was made by Mr. Nelson to approve applicants licensed by staff from March 22, 2010 to May 19, 2010. Seconded by Mr. Brady. Motion carried.

A motion was made by Mr. Brady in regards to the two applications and two remediation plans. Seconded by Mr. Nelson. Motion carried.

LSW (Related Degree) -	2 Applicants with a related degree issued intent to deny exam pre-approval
Remediation Plan -	2 Applicants remediation plans approved

11. Professional Disclosure Statement

The committee discussed whether or not social workers should be required to have a disclosure statement and what their scope of practice should be on it. Mr. Polovick suggested that this could be a topic of discussion for the July retreat.

12. CEUs

Mr. McTigue suggested changing the information about CEUs on the website and to re-vamp the CEU form. Mr. Polovick will take these suggestions to the CEU Ad Hoc Committee.

13. Correspondence

Teaching as the Practice of Social Work to Obtain a LISW – Mr. Hegarty shared his thoughts about this correspondence with the committee. The SWPSC discussed it in further detail. Ms. Holleman will send Ms. Silvinske a letter requesting additional information.

LISW Supervision Hardship Request – Ms. Bonnie K. Thomas submitted a hardship request letter. She would like some of her supervision by a psychologist to count towards her LISW. The committee reviewed and discussed the documentation that was submitted. Mr. Brady made a motion to deny the LISW supervision hardship request of Ms. Thomas based on her letter and attachments. Seconded by Mr. Nelson. Motion carried.

14. CEU Ad Hoc Committee Report

Mr. Polovick passed around the Board's Survey Monkey responses and one of those responses was a complaint. He said Ms. Miller will be attending a workshop put on by the presenter who received the complaint.

The SWPSC discussed that NASW sometimes approves programs that the Board would deny for continuing education. The committee will stick with their decision that if the program is approved by NASW but not by the Board, then it is fine for CEUs because it is approved by NASW.

15. Meeting Adjourned

Ms. Riesbeck-Lee declared the meeting adjourned at 4:45 p.m.

Social Worker Professional Standards Committee (SWPSC) Minutes

Friday, May 21, 2010

Members Present: Mr. Tim Brady, Mr. Don McTigue, Mr. Bob Nelson,
Mr. Steve Polovick, Ms. Jennifer Riesbeck-Lee
Staff Present: Mr. Bill Hegarty, Ms. Marcia Holleman,
Ms. Jenny Kreinbrink, Mr. Jim Rough
Guests Present: Mr. Henry Lustig, NASW Liaison,
Ms. Mary Venrick, CPSC member

1. Meeting Called to Order

Ms. Riesbeck-Lee called the meeting to order at 9:07 a.m.

2. Old Business

Ms. Riesbeck-Lee wants some ideas on what to eat at the July retreat and if anyone has food preferences. Mr. Nelson said that he does not eat anything that had a mother. The committee agreed that they do not want to spend more than \$15 per person.

3. New Business

SWA Issue – Mr. Hegarty brought two SWA issues to the attention of the committee for discussion and clarification: scope of practice for a SWA and if SWAs need to have 30 CEUs to renew their license. The committee reviewed and discussed the idea of requiring less CEUs for SWAs. They also reviewed a hardship request letter from Dr. Charles Hull, a physician, who would like to supervise a SWA. The current SWA scope of practice does not list a physician as someone who can supervise a SWA. They discussed how the scope of a SWA vs. the scope of a LSW has, at times, become interchangeable. Ms. Holleman will send Dr. Hull a letter stating that he can not request a hardship and someone else will need to supervise the SWA.

Mr. Brady wants to discuss the scope of a SWA vs. the scope/job duties of a QMHS at the next meeting. Mr. Rough will request that community college representatives come and speak to the committee about the SWA at the September meeting.

Candidacy of Xavier University's MSW Program – Xavier University's MSW program is in candidacy and they would like feedback on whether or not the Board will issue a student the LSW prior to the school obtaining accreditation. The committee reviewed laws and rules concerning degree requirements. Mr. McTigue said there is no provision in the laws and rules to grandfather these students into licensure and their licensure will be retroactive once the school is accredited. Mr. Rough will draft a rule that states CSWE accredited or CSWE candidacy will be accepted.

Rules Under Review – The committee looked at the rules under review and the letter from Ms. Teresa Lampl who commented on several rule changes proposed by the Board. The Board discussed 4757-9-05(D) and the changes that better clarify the new paragraph.

4. Executive Director's Report

Mr. Rough sent the 2009 Association of Social Work Boards (ASWB) examination pass rates to the schools.

He said ASWB completed the practice analysis and they will now have four areas on the exams. In addition, they are going to release the knowledge, skills, and abilities (KSAs) to the exam candidates.

The following Board member appointments expire on 10/10/2010: Ms. Susan Huss, Ms. Francine Packard, Mr. Nelson, and Dr. Otha Gilyard.

Mr. Rough sent the members 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 Mr. Glenn Karr.

He read a comment to the committee concerning HB 8 - Autism.

Mr. Rough recently received a call from a LISW concerning Guardianships initial report, which by rules of superintendence for the courts of Ohio rule 66 paragraph (A) can only be provided by a physician or clinical psychologist. The follow-up reports can be done under division (A)(1)(i) of section 2011.49 of the Revised Code, which includes LISWs and PCCs. The rules are under the Commission on the Rules of Superintendence for Ohio Courts and members can write them requesting a change to rule 66.

The Civil Service Exemption – HB 62 had a hearing in the senate on May 11, 2010 for sponsor testimony.

The Mental Health Hold Bill – HB 281 has had three hearings. Mr. Rough will testify as a proponent when the next hearing is scheduled.

The Art Therapy Bill – HB 208 has had three hearings. The bill has had significant input, but we have not received a new copy of the draft bill.

HB 495 – Sunset Review Recommendations to eliminate or consolidate boards and commissions under the Sunset review process does not apply to professional licensure boards including ours.

A legislative proposal/draft bill from the office of Rep. Barbara Boyd would amend the Ohio counselor law by allowing a masters degree in clinical or counseling psychology to

serve as a sufficient degree toward the educational requirements for the PC and PCC license. NASW, OCA, and others oppose this action.

The budget will require close monitoring through the final days of the fiscal year and Mr. Rough enclosed reports. He filed for a Controlling Board approval of an increase in budget authority for FY 2010 and FY 2011, which he sent by email to all board members. The increased funds are primarily related to payroll costs for Cost Savings Days, increased health insurance, and the biennial audit in FY 2011.

In order to comply with Revised Code section 1347.15, Mr. Rough filed new rules 4757-31-01 through 04 and modified board policy 1.10 for review by the Executive Committee for approval at the May meeting.

Mr. Rough contacted all of the associations concerning proposed statute changes and most are still in work. OCBHP has provided their input, which includes a request to delete the professional disclosure statements from section 4757.12 of the Revised Code.

He enclosed 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. He has received input from a number of associations, which are almost all in support of banking.

Rhonda Franklin, renewal coordinator, suggested modifying the semi-annual January to June and the July to December renewal mailings to a quarterly mailing. The Board would like to start this in the Fall with a November mailing to the January to March 2011 renewals and a February mailing to the April to June 2011 renewals.

DAS HR approved the office to close the Friday after Thanksgiving. The Board will notify the public of this closure via website posting, emails, and a notice on the front door.

The Executive Committee will present Mr. Rough his evaluation at the July meeting.

Mr. Rough asked the committee if they had any other July retreat topics to add, but they did not list any.

5. National Association of Social Workers (NASW)

Mr. Lustig said that NASW supports the banking of CEUs.

6. Executive Ad Hoc Committee Report

Ms. Riesbeck-Lee said she had nothing new to add because Mr. Rough covered everything in his report.

7. CEU Ad Hoc Committee Report

Mr. Polovick said they discussed CareStar's provider status. In addition, they discussed INR and if a program they provide is approved by NASW but not the Board, then it is still an approved program. Mr. Polovick said the committee reviewed and wants to clarify 4757-9-05(C)(6) which allows schools to automatically receive provider status. The SWPSC discussed this rule. Mr. Rough will draft a rule that requires academic institutions to renew like every other provider, except ASWB and NASW. He will submit this drafted rule to the Board at the July retreat. Mr. Polovick said that Mr. Jim Heisel received horrible reviews on a workshop he gave and Ms. Miller will attend one of his upcoming workshops. Finally, the committee reviewed the Collins Group complaint regarding an ethics program they provided. Ms. Riesbeck-Lee suggested that the Collins Group should not be a provider, but should submit programs on an individual basis.

8. New Business

LSW-Related Degree Issue – The committee discussed the issue of expired LSW-Related Degree applicants who do not have the current 400 hour practicum requirement and if they would be allowed to obtain a new license. They discussed if previous work experience can count in lieu of the 400 practicum for these formerly licensed individuals. The general consensus was not to make this change.

9. Meeting Adjourned

Ms. Riesbeck-Lee declared the meeting adjourned at 11:58 a.m.

Mr. Robert Nelson, Chairperson