



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

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### **Social Worker Professional Standards Committee (SWPSC) Minutes** **Thursday, July 18, 2013**

**Members Present:** Mr. Tim Brady, Ms. Jennifer Brunner, Mr. Steve Polovick

**Staff Present:** Mr. Andy Miller, Mr. Jim Rough, Mr. Doug Warne

**Guests Present:** Mr. Brandon Courtney, NASW Intern; Ms. Courtney Diener,  
NASW Intern; Ms. Danielle Smith, NASW-OH Executive Director

#### **1) Meeting Called to Order**

Mr. Polovick called the meeting to order at 2:50 p.m.

Ms. Brunner made a motion to nominate Mr. Polovick for SWPSC Chair. Mr. Brady seconded, then motioned to close nominations. Ms. Brunner seconded. The Committee voted unanimously to keep Mr. Polovick in his position as Committee Chairperson.

#### **2) Discussion/Approval of the July 18 & 19 Agenda**

Mr. Polovick asked if any changes or discussion were needed for the July 18 & 19 Agenda. Mr. Polovick motioned to approve the agenda. Ms. Brunner seconded the motion. Motion carried.

#### **3) NASW Report**

Ms. Smith reported on the state of medical social work. Medical social workers are frequently being replaced in their positions by nurses, and are having difficulty defining their role and clarifying their scope of practice in that setting. Ms. Smith proposed to bring together a group of social workers to share their concerns. Mr. Brady agreed, and suggested that educators also needed to be brought in, as schools need to be able to instruct students on medical social work practice. Ms. Smith stated that Wright State University is beginning a joint care program between their social work and medical schools to address this issue. Mr. Rough also suggested looking at CSWE competencies to see how they define medical work. Ms. Diener stated that in her Bachelor-level courses they had received no training on hospital work, though MSW programs may cover this subject. Ms. Smith clarified that social workers often act as an advocate between doctors and patients, and training specific to this

role is needed.

The Ohio Legislature recently passed SB6, defining who is and is not a “navigator” in the health exchanges set up by the Affordable Care Act. The bill determines that navigators must be health insurance brokers, and the Department of Insurance drafted rules in response which seemed to prohibit social workers from discussing health insurance needs with their clients. The NASW was working to get an exemption made for nonprofits and licensed mental health professionals. Mr. Rough stated he would follow up with the DOI.

Regarding CEU approval, NASW-OH has been working with NASW National on a way to ensure that programs denied by the CSWMFT Board cannot seek NASW approval in Ohio. NASW National has an agreement with CEU providers not to give out program information to third parties, so cannot provide a list of programs they have denied. Patty Miller will speak to the CEU Committee about providing a list of programs denied in Ohio from the CSWMFT Board to NASW.

Mr. Warne presented an email correspondence between himself, a licensee, Mr. Rough, and Ms. Smith. The licensee had questions on recent changes to laws about the presence of social workers in nursing homes, and Ms. Smith clarified to the licensee that skilled nursing facilities with more than 120 beds must employ a minimum of one full-time social worker. Mr. Warne stated that one issue is that nursing homes are able to employ non-licensed individuals to practice social work and hold that job title in that setting. Mr. Brady asked if it was possible to know whether the Board has received complaints about social workers in nursing homes? Mr. Miller answered that this information would be difficult to obtain, since workers practicing in exempt settings are not currently under the Board’s jurisdiction. Ms. Smith stated that nursing homes are required to meet the psychosocial needs of their residents, and it would be hard to argue that they are doing so under these laws. Mr. Brady suggested gathering information on complaints to help make the Board’s case, and Mr. Warne volunteered to request this information. Ms. Smith stressed again the importance of oversight, and Mr. Warne stated that it has been suggested the Board provide certifications to non-licensed individuals for oversight.

#### **4) Approval of the May 16 & 17 Minutes**

Mr. Polovick asked if any changes or discussion were needed for the May 16 & 17 minutes. Mr. Brady asked for clarification about an item mentioned in the previous meeting: what is an Alford plea? Ms. Brunner answered that this is a plea where the defendant maintains their innocence but waives their right to a trial because they expect the trial to go against them. Mr. Brady made a motion to approve the minutes. Mr. Polovick seconded the motion. Motion carried. Mr. Polovick asked Mr. Brady to provide the Committee’s report to the full Board on Friday, as he needed to leave early.

#### **5) Executive Director’s Report**

Mr. Rough reported that the Board’s statute change bill was successfully introduced as HB232. It included a new provision that all licensed individuals working in an exempt civil

service setting will be subject to Board rules and oversight. The rule change for 4757-9-04 is still being debated; CEU providers want the Board to focus on quality of content versus quantity of words. Mr. Rough came up with a proposal, and asked social work professor to help complete a quality review of some CEU programs. It was very time consuming, and Mr. Rough can now push back with a report of how much time and money it takes to complete a thorough review.

The Board requested input from the Attorney General on wording for the application question asking if an applicant has ever been arrested. The Committee reviewed the new wording for this question. Ms. Brunner noted that there have been some recent changes to expungement policies in Ohio, and questioned whether the Board has the ability to even ask about expungement. Mr. Rough clarified that the Board does have the right to ask about it, since it's for public protection, but he would investigate to be sure and follow up. Mr. Rough reported on changes to the ACA Code of Ethics and the planned implementation of the Minimum Data Set survey, and reported on the status of the new VoIP phone system, which was working well by that point.

**6) Correspondence**

Mr. Warne briefly introduced the supervision log items in the Correspondence section of the agenda, and asked that they be discussed on Friday.

**7) Meeting Adjourned**

Mr. Polovick adjourned the meeting at 3:03 p.m.

**Social Worker Professional Standards Committee (SWPSC) Minutes**  
**Friday, July 19, 2013**

**Members Present:** Mr. Tim Brady, Ms. Jennifer Brunner, Mr. Steve Polovick

**Staff Present:** Mr. William Hegarty, Ms. Tracey Hosom, Mr. Andy Miller, Mr. Jim Rough, Ms. Tamara Tingle, Mr. Doug Warne

**Guests Present:** Mr. Glenn Karr, Esq.; Ms. Danielle Smith, NASW-OH Executive Director; Ms. Courtney Diener, NASW Intern

**1) Meeting Called to Order**

Mr. Polovick called the meeting to order at 9:56 a.m.

**2) Investigations**

**a) Closed cases**

Mr. Brady made a motion to close the following cases, as he had determined that no actionable offenses had been found. Ms. Brunner seconded the motion. Motion carried.

2013-1	Competency. Close with no violation.
2013-22	Custody issues. No violation found.
2013-32	Non-sexual boundaries. Close with caution.
2013-34	Scope of practice. No violation found.
2013-38	Scope of practice. Close with caution.
2013-44	Falsification of record. Close with caution.
2013-56	Record keeping. Close with no violation.
2013-63	Competency. Close with caution.
2013-79	Record keeping. Close with caution.
2013-87	Mandated reporting. Close with no violation.
2013-108	Competency. Close with no violation.
2013-109	Harassment. Cannot substantiate.
2013-122	Competency. Close with no violation.
2013-135	Custody. Close with no violation.

**b) Impairment Order**

For case #2013-15, Mr. Brady made a motion to order the licensee into an impairment evaluation. Ms. Brunner seconded the motion. Motion carried.

**c) Notices of Opportunity for hearing.**

1) For case #2013-140, Ms. Brunner made a motion to issue a Notice of Opportunity for Hearing based on the evidence provided. Mr. Polovick seconded the motion. Motion

carried.

- 2) For case #2013-225, Ms. Brunner made a motion to issue a Notice of Opportunity for Hearing based on the evidence provided. Mr. Polovick seconded the motion. Motion carried.

**d) Consent Agreements**

- a) **Ms. Sharon J. Cretsinger:** Ms. Cretsinger is a licensed independent social worker. On May 15, 2013, Ms. Cretsinger submitted an email, in response to a letter sent from the board requesting an informal interview regarding an allegation received, and in the email she stated that she would not cooperate with an investigation concerning her license. This conduct constitutes a violation of ORC 4757.36(C) and OAC 4757-11-01(C)(18). Ms. Cretsinger admits to these allegations. The Board will allow Ms. Cretsinger to permanently surrender her license, and she will not be able to reapply for any license with this Board in the future. Ms. Brunner made a motion to accept the consent agreement between the Board and Ms. Cretsinger based on the evidence in the document. Mr. Polovick seconded the motion. Motion carried.
- b) **Mr. Ronald C. Ploetz:** Mr. Ploetz is a licensed social worker. In September 2012, he was audited for compliance with continuing education requirements. He was unable to provide proof of the 30 hours needed to renew his license. On June 10, 2013, Mr. Ploetz emailed the Board and offered to forfeit his license. Failure to comply with an audit constitutes a violation of ORC 4757.36(C)(1) and OAC 4757-11-01(C)(20)(b). Mr. Ploetz admits these allegations. The Board will allow him to surrender his social work license in lieu of other potential discipline. Ms. Brunner made a motion to accept the consent agreement between the Board and Mr. Ploetz based on the evidence in the document. Mr. Brady seconded the motion. Motion carried.
- c) **Ms. Virginia M. Young:** Ms. Young is a licensed social worker. In October 2012, she was audited for compliance with continuing education requirements. On April 26, 2013, Ms. Young communicated with a Board employee and stated that she would prefer to surrender her license rather than complete audit requirements. Failure to comply with an audit constitutes a violation of ORC 4757.36(C)(1) and OAC 4757-11-01(C)(20)(b). Ms. Young admits these allegations. The Board will allow her to surrender her social work license in lieu of other potential discipline. Ms. Brunner made a motion to accept the consent agreement between the Board and Ms. Young based on the evidence in the document. Mr. Polovick seconded the motion. Motion carried.
- d) **Mr. David M. Sturdivant:** Mr. Sturdivant is a licensed social worker. In July 2012, he was audited for compliance with continuing education requirements. On April 18, 2013, Mr. Sturdivant communicated with a Board employee and stated he had moved out of state and never received the audit notifications, and also that he would prefer to surrender his license rather than complete audit requirements. Failure to comply with

an audit constitutes a violation of ORC 4757.36(C)(1) and OAC 4757-11-01(C)(20)(b). Mr. Sturdivant admits these allegations. The Board will allow him to surrender his license in lieu of other potential discipline. Ms. Brunner made a motion to accept the consent agreement between the Board and Mr. Sturdivant based on the evidence in the document. Mr. Brady seconded the motion. Motion carried.

- e) **Ms. Pat Russell-Campbell:** Ms. Russell-Campbell is a registered social work assistant. In October 2012, she was audited for compliance with continuing education requirements. On May 6, 2013, Ms. Russell-Campbell communicated with a Board employee and stated that she is no longer practicing and does not need the registration. Failure to comply with an audit constitutes a violation of ORC 4757.36(C)(1) and OAC 4757-11-01(C)(20)(b). Ms. Russell-Campbell admits these allegations. The Board will allow her to surrender her social work license in lieu of other potential discipline. Ms. Brunner made a motion to accept the consent agreement between the Board and Ms. Russell-Campbell based on the evidence in the document. Mr. Brady seconded the motion. Motion carried.
- f) **Ms. Carol A. Allegretti:** Ms. Allegretti is a licensed social worker. In September 2012, she was audited for compliance with continuing education requirements. On May 2, 2013, Ms. Allegretti submitted a written statement that she no longer resides in Ohio and would prefer to surrender her license rather than complete audit requirements. Failure to comply with an audit constitutes a violation of ORC 4757.36(C)(1) and OAC 4757-11-01(C)(20)(b). Ms. Allegretti admits these allegations. The Board will allow her to surrender her social work license in lieu of other potential discipline. Mr. Polovick made a motion to accept the consent agreement between the Board and Ms. Allegretti based on the evidence in the document. Ms. Brunner seconded the motion. Motion carried.
- g) **Ms. Cheryl McRae:** Ms. McRae is a licensed social worker. In April 2013, she was audited for compliance with continuing education requirements. On May 6, 2013, the Board received a letter from Ms. McRae stating that she was willing to surrender her license. Failure to comply with an audit constitutes a violation of ORC 4757.36(C)(1) and OAC 4757-11-01(C)(20)(b). Ms. McRae admits these allegations. The Board will allow her to surrender her social work license in lieu of other potential discipline. Ms. Brunner made a motion to accept the consent agreement between the Board and Ms. McRae based on the evidence in the document. Mr. Brady seconded the motion. Motion carried.
- h) **Mr. Randy L. Harrington:** Mr. Harrington is a licensed social worker. In October 2012, he was audited for compliance with continuing education requirements. On May 6, 2013, the Board received a letter from Mr. Harrington where he states he is no longer practicing and wishes to forfeit his license. Failure to comply with an audit constitutes a violation of ORC 4757.36(C)(1) and OAC 4757-11-01(C)(20)(b). Mr. Harrington admits these allegations. The Board will allow him to surrender his social work license in lieu of other potential discipline. Ms. Brunner made a motion to accept the consent agreement between the Board and Mr. Harrington based on the

evidence in the document. Mr. Brady seconded the motion. Motion carried.

**e) Goldman Reviews**

Before starting on the Goldman Reviews, Mr. Hegarty explained why licensees have their licenses revoked for failure to comply with an audit. The issue is not that an audit is more serious than other investigations, the issue is that the licensees are refusing to cooperate and giving absolutely no reply to investigators; if a licensee is unwilling to comply with a simple audit case and the Board is completely unable to reach them, then the Board is in a position where they cannot regulate that licensee's conduct, and the license needs to be revoked. The issue is not the audit, the issue is noncompliance. Mr. Polovick asked that this issue be explained in a newsletter article for licensees, and Ms. Hosom volunteered to do so.

- a) **Ms. Kathleen H. Jones:** Mr. Polovick moved to revoke Ms. Jones's social work license because Ms. Jones did not comply with a Board audit for continuing education as required by Ohio Revised Code 4757.36(C)(1) and Ohio Administrative Code 4757-11-01(C)(20)(b). Ms. Brunner seconded the motion. Motion carried.
- b) **Ms. Miko L. Moorman:** Ms. Brunner moved to revoke Ms. Moorman's social work assistant registration because Ms. Moorman did not comply with a Board audit for continuing education as required by Ohio Revised Code 4757.36(C)(1) and Ohio Administrative Code 4757-11-01(C)(20)(b). Mr. Brady seconded the motion. Motion carried.
- c) **Ms. Jennifer L. Hosek:** Ms. Brunner moved to revoke Ms. Hosek's social work license because Ms. Hosek did not comply with a Board audit for continuing education as required by Ohio Revised Code 4757.36(C)(1) and Ohio Administrative Code 4757-11-01(C)(20)(b). Mr. Brady seconded the motion. Motion carried.
- d) **Mr. Keith R. Cherry:** Ms. Brunner moved to revoke Mr. Cherry's independent social work license because Mr. Cherry did not comply with a Board audit for continuing education as required by Ohio Revised Code 4757.36(C)(1) and Ohio Administrative Code 4757-11-01(C)(20)(b). Mr. Polovick seconded the motion. Motion carried.
- e) **Ms. E. Bobette Arnold:** Ms. Brunner moved to revoke Ms. Arnold's social work license because Ms. Arnold did not comply with a Board audit for continuing education as required by Ohio Revised Code 4757.36(C)(1) and Ohio Administrative Code 4757-11-01(C)(20)(b). Mr. Polovick seconded the motion. Motion carried.
- f) **Ms. Tia R. Toner:** Mr. Polovick moved to revoke Ms. Toner's social work assistant registration because Ms. Toner did not comply with a Board audit for continuing education as required by Ohio Revised Code 4757.36(C)(1) and Ohio Administrative Code 4757-11-01(C)(20)(b). Ms. Brunner seconded the motion. Motion carried.

- g) **Ms. Dawn R. Hartson:** Mr. Brady moved to revoke Ms. Hartson's social work assistant registration because Ms. Hartson did not comply with a Board audit for continuing education as required by Ohio Revised Code 4757.36(C)(1) and Ohio Administrative Code 4757-11-01(C)(20)(b). Mr. Polovick seconded the motion. Motion carried.
- h) **Mr. Maurice Winston:** Mr. Polovick moved to revoke Mr. Winston's social work license because Mr. Winston did not comply with a Board audit for continuing education as required by Ohio Revised Code 4757.36(C)(1) and Ohio Administrative Code 4757-11-01(C)(20)(b). Mr. Brady seconded the motion. Motion carried.
- i) **Ms. Michele Herman:** Ms. Brunner moved to revoke Ms. Herman's independent social work license because Ms. Herman did not comply with a Board audit for continuing education as required by Ohio Revised Code 4757.36(C)(1) and Ohio Administrative Code 4757-11-01(C)(20)(b). Mr. Polovick seconded the motion. Motion carried.
- j) **Ms. Stacy D. Scott:** Mr. Polovick moved to revoke Ms. Scott's social work license because Ms. Scott did not comply with a Board audit for continuing education as required by Ohio Revised Code 4757.36(C)(1) and Ohio Administrative Code 4757-11-01(C)(20)(b). Mr. Brady seconded the motion. Motion carried.

### 3) Approval of Applications for Licensure

The SWPSC reviewed the 410 LSW applicants and 148 LISW applicants approved by the staff, and the 21 SWA applicants registered by the staff, from May 15, 2013 through July 17, 2013. Mr. Brady made a motion to approve the applicants. Ms. Brunner seconded the motion. Motion carried.

### 4) Correspondence

- a) At the previous meeting, the SWPSC had asked that the AIDS Resource Center provide copies of completed supervision logs to demonstrate that their Advanced Clinical Case Management position would be an acceptable position for an LSW working to complete their LISW training supervision. The logs were received, and the committee reviewed them. The committee determined that the work experience would be acceptable to meet training supervision requirements, based on the logs.

Mr. Warne asked that the rest of the items in the Correspondence section of the agenda be pushed back to September, as this meeting had been shortened by the Planning Meetings, and the committee needed time for its working meeting.

### 5) Executive Committee Report

Mr. Polovick stated that Mr. Rough had covered most of the Executive Committee's discussion in his Executive Director's report. He also wanted to raise the issue that JCARR

is now suggesting the Board do extensive quality research on CEUs, rather than add a rule regarding word count. The Board asked an educator to perform some quality analysis as an example of what the process would entail. It was discovered that the process would take a great deal of time and money. She also found some irregularities in the number of credit hours offered by the providers, which is an issue the Board may not need to act on immediately but will need to eventually. Ms. Brunner suggested that the Board review post-tests from the CEU providers as a way to qualitatively evaluate whether the licensees were really learning anything from the course.

**6) Working Meeting**

The SWPSC began its working meeting to review pending applications for licensure, files to be audited, CEU Programs & Providers, Related Degree course worksheets, and Licensure Renewal Issues.

**7) Meeting Adjourned**

The meeting was adjourned at 11:55 a.m.

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Mr. Steve Polovick, Chairperson

## ACTION ITEMS

### January 2013 meeting

1. Medicaid officially opened up tobacco counseling services to LISWs on 10/19/12, and LISWs in Ohio can now bill for that service. Mr. Polovick asked that Mr. Miller and Mr. Warne include this item in a future Listserv.

### March 2013 meeting

1. During supervision log audits, keep a log of what is and isn't acceptable supervision, and why.

### July 2013 meeting

1. Follow up with Department of Insurance regarding exemptions for licensed mental health professionals in new health insurance navigator laws. (I believe this has been resolved)
2. Check with Bill to see if we have any complaints on file about social workers working in nursing homes (NASW report).
3. Tracey will write a newsletter article explaining why licensees are having their licenses revoked for audit cases (Investigations).
4. Remember to add Correspondence items from July agenda to the Sept. agenda, since we were short on time and didn't cover them all.

### Tabled for now

1. Discussion of LCSW
2. Discuss counseling definition in May 2014
3. Standardized sup logs, online reporting, mandating LISW-S view webinar