



STATE BOARD of LICENSED SOCIAL WORKERS
Board Meeting
Friday, June 21st, 2013
3218 Pringle Road SE, Salem, OR 97302

- Board Members Present:** Carol Copley Zancanella, *Chair*
Donna Henderson, *Vice Chair*
Kathy Outland
Ebony Sloan Clarke
Kittee Custer*
Rachel Jensen
Martha Lopez
- Board Counsel Present:** Kyle Martin, *AIC, Oregon Dept. of Justice*
- Staff Members Present:** Martin Pittioni, *Interim Executive Director*
Mindy Tucker, *Senior Compliance Specialist*
Jesse Milich, *Investigator*
Kimberly Sommer, *Licensing Specialist*
- Guests Present:** Twyla Lawson, *Recruitment Specialist,*
Department of Administrative Services
Delmar Stone, *Executive Director, National*
Association of Social Workers, Oregon Chapter

* = participation by phone, all others present at the Board Office

1. CALL TO ORDER:

Chair Zancanella called the Board Meeting to order at 1:13 p.m., and determined that all Board members were present, with **Custer** present by phone.

2. REVIEW OF AGENDA:

Chair Zancanella asked for review of the draft agenda. **Pittioni** requested that consideration of minutes be deferred to the Board's July conference call meeting..

- i. Outland moved to adopt and approve the agenda so amended.*
- ii. Henderson seconded.*
- iii. Motion passed unanimously.*

Chair Zancanella asked the New Business item related to NASW be moved up in consideration of Stone's presence.

3. NEW BUSINESS

Pittioni reported that NASW was conducting a survey through July 15 of social work force demographics, following up to a similar survey NASW had conducted four years ago. **Pittioni** reminded the data to be analyzed by NASW has always served both advocacy as well as regulatory purposes and thus was useful to both the Board and NASW. **Pittioni** requested that the Board consent consistent with past practice to assist distribution of the NASW survey by means of a blast e-mail to the e-mail addresses in the Board's database reserved by licensees

for Board communications. Board members agreed to this approach. **Pittioni** advised that due to the time sensitivity this issue would be taken care of likely the weekend immediately following the Board meeting.

4. PUBLIC COMMENT ON AND POSSIBLE ACTION ON EMPLOYMENT OF A PUBLIC OFFICER
Chair Zancanella asked for a motion.

- i. *Outland moved to open public comment on the employment of Nancy Artmann as Executive Director.*
- ii. *Jensen seconded.*
- iii. *Motion passed unanimously.*

Chair Zancanella asked for any public comment. No public comment was received. **Custer** requested a return to executive session for the purposes of further discussion of employment of a public officer. **Zancanella** advised that option was no longer possible at this stage in the process.

- i. *Outland moved to direct Chair Zancanella to enter into negotiations for employment with Nancy Artmann for the Executive Director position.*
- ii. *Lopez seconded.*
- iii. *Motion passed with 6 aye votes and one abstention (Custer).*

Chair Zancanella advised guests that the Board would next go into executive session and that the guests were welcome to wait for the public session to follow. **Lawson** and **Stone** left the meeting at 1:30 p.m.

5. MOVE TO EXECUTIVE SESSION:

Chair Zancanella announced that the Board would now enter into Executive Session to conduct Board business, pursuant to ORS 162.660(2)(b)(f)(h)(i)(k). The Board entered into Executive Session at 1:31 p.m.

- *Chair Zancanella moved the Board out of Executive Session at 2:36 p.m.*

6. COMMITTEE REPORTS

Chair Zancanella asked **Henderson** presented the Consumer Protection Committee report.

In the matter of case 2013-09:

- i. *Outland moved to dismiss the case.*
- ii. *Lopez seconded.*
- iii. *Motion passed with 6 aye votes and one abstention (Henderson).*

In the matter of case 2013-30:

- i. *Henderson moved to dismiss the case.*
- ii. *Outland seconded.*
- iii. *Motion passed unanimously.*

In the matter of case 2012-49:

- i. *Henderson moved to dismiss the case.*
- ii. *Lopez seconded.*
- iii. *Motion passed unanimously.*

In the matter of case 2012-64:

- i. Henderson moved to dismiss the case.*
- ii. Jensen seconded.*
- iii. Motion passed unanimously.*

In the matter of case 2013-28:

- i. Henderson moved to close the case. .*
- ii. Clarke seconded.*
- iii. Motion passed unanimously.*

In the matter of case 2013-01:

- i. Henderson moved to close the case. .*
- ii. Outland seconded.*
- iii. Motion passed unanimously.*

In the matter of the Board's previously approved Stipulated Final Order in case 2012-58, Respondent Anthony Weinberg:

- i. Henderson moved to approve and the proposed disciplinary supervisor Sandy Anderson, LCSW.*
- ii. Jensen seconded.*
- iii. Motion passed unanimously.*

In the matter of the Board's previously approved Stipulated Final Order in case 2013-02, Respondent Polly Green:

- i. Henderson moved to approve and the proposed disciplinary supervisors Fuller and McKitrick.*
- ii. Jensen seconded.*
Board members discussed the motion and directed staff to ensure that the proposed supervisors are aware that at this time Respondent Green is not licensed to engage in the practice of clinical level social work, and that therefore the Board's proposed motion is only for approval of supervision of non-clinical social work practice consistent with the current licensure of Respondent as a LMSW on probation. Chair Zancanella thanked Board members for that important clarification and called for a vote on the motion.
- iii. Motion passed unanimously.*

In the matter of Board Case 2012-35:

- i. Henderson moved to approve and adopt the Stipulated Final Order.*
- ii. Clarke seconded.*
- iii. Motion passed unanimously.*

Chair Zancanella directed staff that with respect to the now adopted Stipulated Final Order in case 2012-35 with Respondent **Brandt Rigby**, the Board and staff would not approve any requests for Rigby to serve as supervisor for licensure.

Jensen provided the Continuing Education Committee report, and advised that committee had approved six CE requests from LCSWs **Hale-Stewart, Alexander, Cowan, Wikander, Stevens-Krogh, and Schneider**.

7. APPROVAL OF CONSENT AGENDA

- i. Henderson moved to approve the Consent Agenda as presented.*

- ii. Jensen seconded.*
- iii. Motion passed unanimously.*

8. PUBLIC COMMENT

No member of the public was present to comment.

9. EXECUTIVE DIRECTOR REPORT

Pittioni reported that with data available for 23 of 24 months of the 2011-13 biennium, specifically July 1, 2011 through May 31, 2013, the Board experienced a net growth of 726 licensees in its licensee base, to 4,999 total, with an additional 163 applicants in the pipeline. **Pittioni** advised that based on those actual numbers, the Board was on track to grow by about 18% by the end of the 2011-13 biennium (June 30, 2013), on top of the 21% growth experienced the previous biennium.

Pittioni advised the Board that the Board's 2013-15 budget bill, SB 5510, had passed both chambers of the Legislature with no opposition, and had been signed into law by the Governor. **Pittioni** provided Board members with the summary report of the approved budget provided by the Legislative Fiscal Office, and pointed out that the Board had now achieved its long standing goal of creating a stable and permanently funded compliance unit with two positions. **Pittioni** added that there were no issues on the horizon that would suggest a trip to the Legislative Emergency Board would be necessary. **Pittioni** reminded the Board it would need to work with stakeholders in 2014 on a fee increase and related rulemaking, with an effective date of January 1, 2015, to support the Board's programs from 2015-17 forward while maintaining sufficient reserves.

Pittioni reviewed with the Board its fiscal position, with actual data through May 31, 2013, one month short of completion of the biennium 2011-13 that started July 1, 2011. **Pittioni** reported that he was confident the Board would stay within its approved expenditure limitation for 2011-13. **Pittioni** advised that in the 2011-13 biennium the Board had spent \$1,172,654 through May 31, 2013 against \$1,206,256 in revenue. **Pittioni** reported that at this point the Board is projected to end the biennium with an ending balance of \$204,932.

Pittioni then provided a summary report for the 2013 Legislative session, beginning with House Bill 2611, which will provide the Board an opportunity to work on the issue of cultural competency continuing education on a voluntary basis. **Pittioni** briefly touched on Senate Bill 604, where he advised that this would be something to be watched from an administrative and budgetary standpoint during implementation. **Pittioni** added that the Board would be highly dependent on the goodwill of the Oregon Health Authority (OHA) and especially the contractor that OHA would need to select to keep the implementation transaction costs reasonable. **Pittioni** advised that in his opinion with passage of HB 2074 moving the Oregon Health Licensing Agency to OHA, the future of the discussion about health board consolidation is now much more likely to become a discussion of which additional boards should be administered via OHA and which ones should remain stand-alone, or consolidated in other ways. **Pittioni** added for the Board the key accomplishment of the session is passage of its bill rewriting social work scope of practice definitions, and passage of its passage permanently adding a second investigator position. **Pittioni** reminded the Board that the bill through an emergency clause provided authority to the Board now, including rule writing authority, to prepare for the effective date of the new scope of practice definitions on January 1, 2015.

10. OLD BUSINESS

Outland updated the Board on her attendance at the Spring Education Conference of the Association of Social Work Boards (ASWB). **Outland** advised that conference focused on continued competence, and that she found the presentations, including from the Council on Social Work Education (CSWE), very informative, especially with respect to on-line social work degrees. **Outland** described briefly the relevant presentations, with a focus on how on-line

learning – if structured appropriately – can provide far greater accountability of learning outcomes and levels of participation than traditional class room settings. **Outland** added that ASWB would post the key presentations of the conference on-line.

Pittioni advised that the Governor’s Office had approved the 2013-15 Affirmative Action Plan of the Board.

11. NEW BUSINESS

Chair Zancanella requested that the Board consider an update to its approved delegated authority document. **Pittioni** explained that even though the Board had just approved minor updates in April, the last meeting of the Consumer Protection Committee (CPC) produced a realization that the CPC did not have delegated authority to approve disciplinary supervisors on behalf of the Board. **Pittioni** added that thus the CPC was effectively requesting an additional update to the language of item 7 of delegated power to the CPC.

- i. Henderson moved to amend the Board’s Delegated Authority Document in item 7 of delegated authority to the Consumer Protection Committee (CPC), to add delegated authority for the CPV to approve disciplinary supervisors.*
- ii. Custer seconded.*
- iii. Motion passed unanimously.*

Chair Zancanella requested that the Board now review new iPad user agreements. Tucker passed out individualized versions for each Board member to sign. **Pittioni** advised that the updated language was adapted from a document in use by the Department of Justice, and thanked **Martin** for his assistance in that regard. Board members present signed the updated user agreements.

Chair Zancanella advised she would like to work as a Board on the issue of agency definition for the purpose of the CSWA program as part of a larger look at the Board’s CSWA program. **Clarke** and **Outland** will join **Chair Zancanella** in a work group on this issue to be run by **Zancanella** initially. **Zancanella** added that this was the right time to take a broad look at the Board’s CSWA program.

Chair Zancanella reported that Board rules required another election for Board leadership at this time, notwithstanding that the Board had just held leadership elections in April.

- i. Henderson nominated Zancanella to continue as Chair of the Board.*
- ii. Custer seconded.*
- iii. Motion passed unanimously.*

- i. Outland nominated Henderson to continue to serve as Vice Chair of the Board.*
- ii. Jensen seconded.*
- iii. Motion passed unanimously.*

12. CORRESPONDENCE

Pittioni reported briefly on the correspondence from ASWB soliciting any proposals for changes to ASWB bylaws. Board members determined that they had no proposal to submit.

13. **APPLICATION FILES (Special Reviews)**

Pittioni reviewed with the Board the matter of **Eric Bowling**'s request for a CSWA plan change, proposing to keep his Oregon LCSW supervisor, John Sickler, when he moves to South Carolina. Board members discussed the request and noted that neither the CSWA's certification nor Sickler's Oregon license authorized any practice in South Carolina, and that therefore they would be unlikely to approve such a request if submitted.

Pittioni reviewed with the Board the matter of **Rawland Glass**' request to return back to active status. Board members discussed the matter.

- i. Outland moved to approve Glass' application to return to active status, subject to evidence he has completed 10 hours of continuing education requirements within the past two years, and passage of the Oregon laws and rules exam.*
- ii. Henderson seconded.*
- iii. Motion passed unanimously.*

Pittioni reviewed the matter of **Shannon Turner**'s request to keep **Del Quest** LCSW as her licensure supervisor notwithstanding **Quest** is moving to South Dakota. Board members discussed the matter and noted the long-standing policy and rule in favor of a local supervisor.

- i. Henderson moved to deny the request of Turner to keep Quest as an out-of-state supervisor toward licensure.*
- ii. Outland seconded.*
- iii. Motion passed unanimously.*

Zancanella reviewed the matter of **Lana Finley**'s request to work with LCSW **Kathy McNulty** toward licensure, and reviewed the history of communication with both around the issue of the private practice setting that **McNulty** is working to adapt so that the Board may be in a position to approve supervision plans on an individual, case-by-case basis for CSWAs working with **McNulty**.

- i. Henderson moved to approve Finley's proposed CSWA supervision plan with McNulty.*
- ii. Lopez seconded.*
- iii. Motion passed unanimously.*

14. **ANNOUNCEMENT AND ADJOURNMENT:**

Chair Zancanella advised that the Board conference call on July 12th would likely start at 4:15 p.m., with a brief CPC Conference call at 4:00 p.m. immediately preceding the Board call. **Zancanella** adjourned the Board meeting at 4:59 p.m.

Respectfully submitted,

SIGNATURE ON FILE

Martin Pittioni
Interim Executive Director