



**STATE of OREGON**  
**BOARD of LICENSED SOCIAL WORKERS**  
**Board Meeting**  
**Friday, July 10, 2015**  
**3218 Pringle Road S. Salem, OR 97302**

**Board Members Present:** Kathy Outland, *Chair*  
Ebony Sloan Clarke, *Vice Chair*  
Donna Hirt  
Rachel Jensen\*  
Brenda Dennis

**Board Counsel Present:** Kyle Martin, *AIC, Oregon Dept. of Justice*

**Staff Members Present:** Randy Harnisch, *Executive Director*  
Kim Sommer, *Interim Licensing Manager*  
Mindy Tucker, *Senior Compliance Specialist*  
Troy Clinton, *Investigator*  
George Finch, *Investigator*

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

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**1. CALL TO ORDER:**

**Chair Outland** called the Board Meeting to order at 9:55 a.m., and provided brief opening remarks.

**2. REVIEW OF AGENDA:**

**Chair Outland** asked for review of the draft agenda.

- i. **Dennis moved to adopt and approve the agenda.**
- ii. **Clarke seconded.**
- iii. **Motion passed unanimously.**

**3. BOARD RESPONSIBILITIES:**

**Chair Outland** reviewed OAR 877-010-0000, ORS 675.590 and ORS 675.595 with Board members.

**4. APPROVAL OF MINUTES:**

**Chair Outland** asked if the Board members had an opportunity to review the minutes for the June 12, 2015 Board meeting:

- i. **Clarke moved to approve the minutes for June 12, 2015 as amended.**
- ii. **Dennis seconded.**
- iii. **Motion passed unanimously.**

**5. MOVE TO EXECUTIVE SESSION:**

**Chair Outland** 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 10:14 a.m.

- **Chair Outland moved the Board out of Executive Session at 12:07 p.m.**

**6. EXECUTIVE DIRECTOR'S REPORT**

**Harnisch** updated Board members on Board appointments. The next opportunity for a Senate confirmation will be in September, with the opportunity after that being in December. Kendall Clawson is no longer working for the Governor's Executive Appointment Office, which will likely create delays in Board appointments.

**Harnisch** provided a legislative update. The legislature adjourned on Monday, July 6<sup>th</sup> without setting a future date. Harnisch will be keeping an eye on the marijuana bill and its potential impact on what the Board does. **Martin** stated the Department of Justice has created an internal workgroup where everything marijuana related is funneled to. In the future the Board may need to address the issue of whether someone using marijuana is impaired. **Harnisch** discussed a bill which revised a set of fingerprinting bills from 2013. This bill would allow someone with a clean fingerprint background check to submit their fingerprints to a DHS clearing house. If another request for a fingerprint background check arises, they could be referred to the clearing house for a period of time. Harnisch will be following various ethics bills for future development.

**Harnisch** reviewed the 2013-2015 budget summary with Board members. With remaining funds, Board iPads and computers were able to be updated. A new database may be included in the 2015-2017 budget. Harnisch reviewed the Board's budget bill. The total budget number was \$1,484,362.00, which was the same as the Agency Request Budget (ARB) number. The Agency Request Budget is submitted to DAS, and then DAS works with the Governor's office and comes up with a Governor's Recommended Budget (GRB), which was about \$71,000 less. The Legislatively Approved Budget (LAB) ended up going back to the original Agency Request Budget amount. The Board's budget passed and the Governor signed it on June 11<sup>th</sup>.

**7. COMMITTEE REPORTS:**

**Clarke** presented the Consumer Protection Committee report.

**In the matter of case 2013-05:**

- i. **Clarke moved to dismiss the case.**
- ii. **Hirt seconded.**
- iii. **Motion passed unanimously.**

**In the matter of case 2013-11:**

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

**Tucker** presented Board members with a 2013, 2014 and 2015 compliance statistics report that showed how many cases have been opened historically, how many were closed within a given period of time, and how many cases have been closed so far to date, including applications that have been presented for review.

**Clarke** provided the Licensing and Exam Committee report. The committee discussed the issue of various state Boards no longer filling out verification forms for out-of-state licensees applying for licensure Oregon. Board members recommended that **Harnisch** contact ASWB to find an alternative solution. Committee members revisited concerns from a supervisor regarding their supervisee and boundary issues. The supervisee is now meeting with a new supervisor, who is aware of the boundary issues and concerns. Their evaluation report will be submitted in November and reviewed at that time. The committee approved a request from CSWA applicant **Evyann Stuart** for previous supervision, direct client and work hours completed in Colorado. Also approved was CSWA **Danielle Buchanan's** request to receive credit for supervision, direct client and work hours completed while her supervisor was ill.

**Dennis** provided the Continuing Education Committee report, and advised that committee had approved two CE requests from LCSWs **Vucovich** and **Kirby**. The committee did not approve **Farrar's** request due to lack of information.

**8. APPROVAL OF THE CONSENT AGENDA:**

- i. **Dennis moved to approve the Consent Agenda as amended.**
- ii. **Clarke seconded.**
- iii. **Motion passed unanimously.**

**9. PUBLIC COMMENT**

[No public comment]

**10. OLD BUSINESS:**

**Chair Outland** provided a Child Custody Guidelines Task Force update. **Outland** reported that with **Martin's** assistance, she sent information, individually, to the task force members regarding the inclusion of the addition of LMSW to the proposed rule, with the provision that they work at their level of competency and not work outside of their scope of practice. The limitation, in particular, to LCSWs was problematic since "Clinical Practice" includes diagnosing and providing treatment, which is not part of custody studies. It is determined that custody studies are within the scope of practice for LMSWs. **Outland** reported that the majority of task force members agreed to adopt the more inclusive language. The Task Force meeting will be set after Labor Day. **Outland** will work with **Harnisch** and **Martin** on the language for that rule revision to be presented at that next task force meeting.

**11. NEW BUSINESS:**

**Chair Outland** discussed committee assignments. For training purposes, **Outland** proposed continuing to have the Consumer Protection Committee meetings during full Board meetings until the October Planning meeting. **Outland** appointed **Clarke**, **Hirt** and herself to the Licensing and Exam Committee. **Jensen**, **Hirt** and **Dennis** were appointed to the Continuing Education Committee. **Dennis**, **Jensen** and **Outland** were appointed to the Joint Legislative & Rules Committee. The Personnel and Budget Committees are traditionally the Board Chair (**Outland**) and Vice Chair (**Clarke**). **Clarke** inquired on the development of a Cultural Competency Committee. It will be on the agenda for the next planning meeting. **Harnisch** added that DHS is getting rules together for cultural competency continuing education requirements.

**Harnisch** reviewed the rulemaking schedule with Board members. Prior to September 15<sup>th</sup>, **Harnisch** would like to file a notice of proposed rule making with the Secretary of State's office on anything that the Board decides to go forward with. **Harnisch** will then work on draft rules and take them to

the Rules Advisory Committee for feedback. He hopes to have an official public hearing in October or early November. The Board would officially adopt the rules at the December Board meeting, and the start date would be January 1, 2016. Harnisch spoke with the Director for the Council on Social Work Education, **Jo Ann Regan**, regarding accepting graduates from programs that are in accreditation candidacy status. Harnisch learned that programs in candidacy are through the majority of the accreditation process. Programs are not approved for candidacy unless it's highly likely that they will be approved and accredited at the end of the process. There is a three year candidacy requirement, and there must be at least two classes of graduates during the candidacy period. Dr. Regan stated candidacy is the last step in a very complicated, long and expensive process. Candidacy is not granted unless a program is ready to open its doors to students. Once accreditation is granted at the end of the candidacy period, the accreditation is backdated to the date that candidacy was awarded. Dr. Regan is willing to join the Board by phone to explain what the process looks like. At least one of the two programs Oregon has in candidacy will have graduating students in 2016. Harnisch pointed out that Board rules allow for baccalaureate degrees from programs in candidacy, but not masters level programs in candidacy. The Board needs to decide whether it wants to accept degrees from masters level programs in candidacy, or use the Board's temporary license authority and issue temporary or provisional licenses that would convert to full licenses once accreditation is awarded, or not allow degrees from masters level programs in candidacy. HB 2473, the Board's temporary license rule, needs to be adopted as permanent at some point. SB 230 will require all licensees to complete the Oregon Health Authority demographic survey as part of their license renewal process. The Board will have to collect a \$5.00 fee for each licensee, which is forwarded to the Oregon Health Authority, effective January 2016. HB 2307 prohibits health board licensees from practicing conversion therapy on clients and says the Board may impose discipline for violation. SB 430 authorizes the Board of Licensed Social Workers, Licensed Professional Counselors & Therapists, and Psychologist Examiners to impose discipline on anyone convicted of a sex crime listed in ORS 181.805. The Board's budget bill requires a 10% fee increase for all renewals, and will need to go through the rulemaking process. **Martin** recommended doing outreach regarding the fee increase to decrease pushback. **Outland** suggesting putting an article in the NASW Oregon Chapter newsletter. **Harnisch** would also like to send out an all-licensee email with a legislative summary, focusing on the fee increase, and information on the public hearing.

- i. **Dennis moved to authorize Randy Harnisch to file a notice of proposed rulemaking.**
- ii. **Hirt seconded.**
- iii. **Motion passed unanimously.**

**12. CORRESPONDENCE:**

[No correspondence]

**13. ANNOUNCEMENTS & ADJOURNMENT:**

The Board will meet for a conference call on October 7, 2015.

**Chair Outland** adjourned the Board meeting at 1:36 p.m.

Respectfully submitted,



Kim Sommer  
Interim Licensing Manager