

Approved February 13, 2015



STATE of OREGON
BOARD of LICENSED SOCIAL WORKERS
Public Hearing on Proposed
Administrative Rules &
Board Planning Meeting
Saturday, October 25, 2014
3218 Pringle Road S. Salem, OR 97302

Board Members Present: Carol Zancanella, *Chair*
Kathy Outland, *Vice Chair*
Donna Henderson
Rachel Jensen
Ebony Sloan Clarke
Brenda Dennis

Staff Members Present: Randy Harnisch, *Executive Director*
Kim Sommer, *Interim Licensing Manager*

Public Present: Lisa Carr, LMSW

Chair Zancanella called the meeting to order at 9:23 a.m.

Chair Zancanella asked for review of the draft Public Hearing on Proposed Administrative Rules and Planning Meeting agenda.

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

Harnisch, Board Hearings Officer, began the hearing on the proposed adoption of OAR 877-015-0106 and 877-030-0110 and the amendments of OAR 877-001-0006, 877-020-0000, 877-020-0010, 877-020-0012, 877-020-0057, 877-020-0060, 877-030-0040.

Lisa Carr, LMSW, was present for public comment. **Carr** explained to the Board that she is a custody evaluator; however, she does not hold a clinical level certificate or license. Carr would like to apply for her CSWA, but her employment does not meet the Board's definition of Agency. **Zancanella** requested that Carr also send a written statement to the Board for record keeping. **Carr** requested examples of who could be considered a client. **Outland** explained that identification of the client being a requirement of the proposed informed consent rule (877-030-0110(5)(b)) helps reduce the number of complaints and helps document that all parties have been informed. **Carr** informed the Board that she used to hold a CSWA, but let her certification expire because she was unable to accrue the required supervision, direct client and work hours within five years. **Zancanella** pointed out that the Board was proposing an amendment to the 60 consecutive month requirement, allowing extensions to be granted based on Board approval. Board members thanked Carr for her time and participation in the rulemaking process.

Chair Zancanella called the Planning Meeting to order at 9:58 a.m.

Outland reported on the Rules Advisory Committee, stating the main topics of discussion regarding the proposed rule changes: the requirement to notify the Board of being admitted to behavioral or mental health treatment facility and the requirement to hold a clinical level certificate or license to do custody evaluations.

Outland also reported a question she had received from a CSWA regarding “direct client contact” hours. The CSWA would like a more clear definition of what is and isn’t considered direct client contact. **Zancanella** suggested the Licensing and Exam Committee add this information to the Board’s Supervision Guidelines booklet.

Clarke suggested changing the language in OAR 877-015-0106(1) to replace the word “assessment” with “screening” and adding “skills training” to the definition. Harnisch stated that because this language is the national model and is now the Board’s statute, there is not a lot of flexibility in changing the words. The Board can, however, define these words and add further definitions to the rule.

Outland reported that the Rules Advisory Committee suggested using language such as inpatient, residential, intensive out-patient treatment, as defined by 9 hours a week or more for OAR 877-030-0040(2)(a)(D). **Outland** suggested the verbiage, “Becoming an inpatient in a behavioral or mental health treatment facility.” **Clarke** recommended adding “day treatment” to the rule and defining it.

Outland reported that she received positive feedback from the Rules Advisory Committee regarding the proposed rules on Electronic Media Supervision.

Zancanella inquired on the Rules Advisory Committee’s opinion of LMSW’s conducting custody evaluations. **Outland** stated that because of the nature and complexity of the work, the committee felt strongly that it should be clinical. **Henderson** suggested the possibility of a grandfathering for LMSWs who have a certain number of years of custody evaluation experience. **Harnisch** recommended adding a case by case exception within the Board’s discretion. **Outland** would like “clinical” to be added to the definition.

Board members discussed and set meeting dates for 2015.

Harnisch provided an update on current Board member vacancies, discussing **Jensen** moving into a professional position once she receives her LMSW.

Harnisch provided the Board with an overview on Key Performance Measures (KPMs). Harnisch plans to do annual evaluations for Board staff.

Harnisch discussed the legislative concept with Board members. He does not foresee any problems since it solves a problem and does not cost anything.

Jensen discussed integrating Cultural Competency into continuing education requirements. Board members discussed creating framework around how many hours are required and how often it needs to be done.

Henderson reported that the Licensing and Exam Committee would like to move toward developing a more supportive environment for supervisors of CSWAs. The committee plans to update the Board's Supervisor Guidelines booklet as well as the Board's brochure on Regulating the Practice of Clinical Social Work. **Outland** suggested adding information about electronic supervision. **Clarke** recommended creating FAQs for supervisors.

Henderson reported that the Consumer Protection Committee is continuing the goal of keeping the Board updated with progress every month.

Harnisch discussed the Board's current IT contract and goals: new database, online renewals for LMSWs and RBSWs, and online applications.

Outland reported on the Joint Legislative and Rules Committee, stating if the legislative concept goes through, the next step will be coordinating the rulemaking. The committee also discussed redefining the "substantially equivalent" definition regarding out of state licensees.

Henderson and **Jensen** suggested looking into other State Boards' rules regarding video conferencing privacy and confidentiality. **Outland** recommended using ASWB's ACE Program as a resource.

Harnisch stated ASWB has posted dates for upcoming New Board Member trainings.

Outland thanked Board members and adjourned the Board meeting at 1:24 p.m.

Respectfully submitted,



Kim Sommer
Interim Licensing Manager