

APPROVED MINUTES

STATE BOARD OF CLINICAL SOCIAL WORKERS

Saturday, April 11, 2009

Second Floor Conference Room

3218 Pringle Road SE – Salem, OR 97302

Board Members Present: Mark Oldham, Chair
Becky Rasmussen, Vice Chair
Cheryl Price
Carol Copley Zancanella
Simone Brooks
Sara Dehaan
Mark Troseth

Board Counsel present: Kyle Martin, AAG, Oregon Dept. of Justice

Staff Members Present: Martin Pittioni (Executive Director)

1. CALL TO ORDER

Chair Oldham called the Board Meeting to order at 10:05 a.m.

2. REVIEW/APPROVAL OF AGENDA

Oldham requested the agenda be amended to add new business items to discuss Board publishing of historical discipline summary report, fingerprinting issues in the background check process, and Board policy regarding employment after completion of the CSWA 2 year supervision plan. Troseth moved to so amend the Board's agenda. Rasmussen seconded. The motion passed unanimously.

3. APPROVAL OF MINUTES

Chair Oldham reported that action on minutes would be deferred to the next Board meeting

4. MOVE TO EXECUTIVE SESSION

Rasmussen moved to enter executive session to conduct board business under the authority of ORS 192.660(2)(b)(f)(h)(i)(k). Brooks seconded. The motion passed unanimously. The Board entered executive session at 10:10 a.m.

Brooks moved to exit executive session. Dehaan seconded. The motion passed unanimously. The Board re-entered public session at 11:15 a.m.

5. COMMITTEE REPORTS

Oldham requested that Consumer Protection Committee (CPC) Chair Price present the CPC report.

Price moved to modify the Stipulated Final Order of Probation in case 2007-16 to provide a reduction in the amount of supervision from 2 hours a month to one hour a month, leaving the order otherwise unchanged, conditional upon acceptance by the Respondent. Troseth seconded. Brooks, Dehaan, Oldham, Price, Troseth, and Zancanella voted yes. Rasmussen was absent.

Price moved to adopt the Stipulated Amended Final Order in case 2008-20 in the form presented to the Board. Troseth seconded. The motion passed unanimously.

Consumer Protection Committee Chair Price moved to dismiss case 2008-28 for insufficient evidence. Rasmussen seconded. The motion passed unanimously.

Consumer Protection Committee Chair Price moved to dismiss case 2008-29 for insufficient evidence. Troseth seconded. The motion passed unanimously.

Brooks moved to dismiss case 2008-39 for no violation of rule or law. Rasmussen seconded. Brooks, Dehaan, Oldham, Rasmussen, Troseth, and Zancanella voted yes. Price abstained.

Oldham requested that the release of records requests, received from the Board of Licensed Counselors and Therapists under ORS 676.177, be acted on.

Zancanella moved that the Board release pursuant to ORS 676.177 a copy of the complaint file in case 2008-28 to the Board of Licensed Counselors and Therapists. Brooks seconded. The motion passed unanimously.

Zancanella moved that the Board release pursuant to ORS 676.177 a copy of the complaint file in case 2008-29 to the Board of Licensed Counselors and Therapists. Brooks seconded. The motion passed unanimously.

Zancanella moved that the Board release pursuant to ORS 676.177 a copy of the complaint file in case 2008-30 to the Board of Licensed Counselors and Therapists. Brooks seconded. The motion passed unanimously.

Rasmussen presented the CE committee report. Rasmussen presented a matter involving CE related to environmental toxicity. Rasmussen advised it appeared that due to approval by the Oregon Board of Nursing, a recognized credentialing body of the Board, the Board could not deny this CE, notwithstanding Rasmussen's concerns of how that CE relates to the practice of the licensee. Troseth advised that in his reading of Board OAR 877-025-0006(1)(a) the requirement that the CE has to relate to the work practice of the licensee applies also in cases of CE approved by Board-recognized credentialing bodies. Board members agreed and directed staff to get clarification from licensee.

Rasmussen discussed the matter of the CE presented by Kristina Puttler-Miller, a training for managers and supervisors relative to coaching, without approval by a Board-recognized credentialing body. After careful review of the specific materials presented, Board members determined the matter did not warrant a Board motion for denial of CE, but to limit the approval of the CE to the minimum 2 hours requested by licensee.

Rasmussen discussed the matter of Antoinette Albano's request for 7 CE hours from a United States Postal Service training on coaching, and described to the Board the materials presented by licensee from the training, with a CE Committee recommendation to deny the request. Rasmussen moved to deny the request, Dehaan seconded. The motion passed unanimously.

Rasmussen reviewed with the Board the matter of Mary Robinson's request for partial waiver of the CEU requirement. Ms. Robinson has been unemployed since January 2008, and has provided evidence of completion of 24 hours of CE. Rasmussen moved to waive 16 hours of the CE requirement for licensure renewal of Mary Robinson, pursuant to the Board's authority under OAR 877-025-0011(2)(c)(A). Dehaan seconded. The motion passed unanimously.

6. APPROVAL OF CONSENT AGENDA

Oldham moved to approve the Consent Agenda as amended with the CE Committee related actions and deletion of extension requests for the CPC cases resolved by Board motion at today's meeting. Brooks seconded. The motion passed unanimously.

7. PUBLIC COMMENT

No public comment was received.

8. ADMINISTRATOR'S REPORT AND BUDGET UPDATE

Oldham requested this item be skipped as it had been covered during the prior day's Planning Meeting.

9. OLD BUSINESS

Oldham advised the Board had already discussed an update of the Supervision booklet update during the Planning meeting and would take this up again at a future Board meeting.

Pittioni updated the Board that the Notice of Proposed Rulemaking Hearing for Divisions 1, 35 and 40, and amendments to Division 20 had been published on the Secretary of State's web site on April 1, and that therefore all was set for a 11:30 a.m. Rulemaking Hearing during the Board's May 12, 2009 meeting. Pittioni reported that he was about to send out the mailing notifying legislators and interested parties, to be followed by an e-mail and post card mailing to our licensees, referring them to more detailed information posted on the Board's web site. Troseth and Pittioni discussed the need for passing on to Troseth written comments received prior to the May Board meeting.

Chair Oldham advised that based on the discussion at the previous day's planning meeting on the Board's Senate Bill 177, he requested that the Board take up formal motions regarding development of additional amendments. Price moved to authorize a Board request to develop additional conceptual amendments to SB 177-A to specifically exempt CADCs, QMHPs and QMHAs from the mandatory licensure requirement in the bill. Zancanella seconded. The motion passed unanimously. Pittioni advised he would work closely with Board counsel and the Board Chair on language development and consult with stakeholders.

10. NEW BUSINESS

Chair Oldham requested that the Board formally address taking a position on the legislation discussed during the previous day's Planning Meeting.

Rasmussen moved to oppose the -3 amended SB 274 and to actively oppose the bill if joined by other health regulator boards. Price seconded. The motion passed unanimously.

Rasmussen moved to oppose HB 2345, including -2 amendments, and to convey the Board's opposition to the Governor's Office, and to take the Board's concerns to the Legislature should the Governor's office authorize such a step. Price seconded. The motion passed unanimously.

Chair Oldham then asked Board members to develop a position on the publication of a Discipline Summary Report, based on the previous day's discussion. Board members agreed that publishing five years of most recent Board actions on the web site would be appropriate, with a note that older disciplinary summary information is available by request. Brooks clarified that this would affect web publishing of summary reports only – all individual Final Orders would continue to be published on individual licensee's records, specifically the web-based directory verification system available to the public, with access to downloadable versions of the full text of the Final Orders. Troseth moved to publish on the Board's web site summary disciplinary action information of the Board actions going back 5 years, with a notation that older information is available upon written request. Price seconded. The motion passed unanimously.

Board members then discussed the growing problem of multiple rejections of fingerprints during the background check process. Pittioni reported that six people had unsuccessfully tried to produce fingerprints that were clear enough for the Oregon State Police and FBI to process them. Pittioni reported that at least one applicant had abandoned the application process due to inability to complete the required background check due to this fingerprinting problem. Board members discussed the issue and directed staff to find out from the Oregon State Police what their process is when people are unable to produce fingerprints that are clear enough to run through the relevant databases, and to direct applicants to that process.

Oldham then asked Board members to review policy regarding employment after completion of the 2 year supervision plan. Board members clarified that work also includes volunteer work, and is not limited to paid employment. Board members discussed that this principle also applies to those who need to accumulate hours for their supervision plan, and that as such volunteering in a supervised setting is an option for those currently unemployed and seeking to accumulate hours under their plan.

Chair Oldham requested that given the intensive legislative work and on-going interest in the Legislature in operations of boards and commissions, and the debates around administrative law reform, that the Board consider establishing a legislative committee. Board members discussed the issue and potential membership. Zancanella moved that the Board establish a legislative committee with Chair Oldham, Vice Chair Rasmussen and Troseth serving as members. Brooks seconded. The motion passed unanimously.

11. CORRESPONDENCE

Board members reviewed the correspondence by Allen Ray Brown requesting a non-LCSW supervisor. Pittioni was directed to answer negatively, as the Board has no authority under the rules to grant his request.

Board members reviewed the correspondence by Linda J. Cook. Pittioni was directed to refer her to the insurance commissioner as that entity has jurisdiction over the matter.

12. REVIEW AND DISCUSSION ON APPLICANT FILES AND SPECIAL REVIEWS

Zancanella moved to approve the accommodation request by Patricia Blondo for extra time to take the ASWB test. Troseth seconded. The motion passed unanimously.

In the matter of Jerry Juve, Price moved to waive 11.25 hours of CE pursuant to OAR 877-025-0011(2) and to deny the request for a late fee waiver. Troseth seconded. The motion passed unanimously.

In the matter of Sheryl Elliot's request for a non-Oregon LCSW supervisor, staff was advised to write to Ms. Elliot that Board rules do not provide the Board authority to approve such a request.

In the matter of Anthony Christy's request for a change in supervisor due to her current supervisor's maternity leave, Rasmussen moved to approve the request. Price seconded. The motion passed unanimously.

In the matter of Sandra Coburn-Coffee, Price moved to approve her request for a paper-and-pencil accommodation to take the ASWB Exam. Zancanella seconded. The motion passed unanimously.

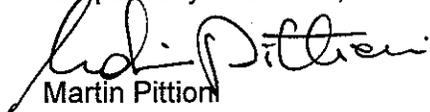
In the matter of Blandina E. Sobotta, Troseth moved to approve her request to sit for the ASWB exam a third time. Dehaan seconded. The motion passed unanimously.

In the matter of Krista Olson, Brooks moved to approve her request to sit for the ASWB exam a third time. Dehaan seconded. The motion passed unanimously.

13. ANNOUNCEMENTS AND ADJOURNMENT

Chair Oldham adjourned the meeting at 1:25 p.m.

Respectfully submitted,


Martin Pittioni
Executive Director

State Board of Clinical Social Workers
Consent Agenda (Amended)
April 11, 2009

LCSW Applications (5)

Kerry E. Drury
Andrew Grabham
Lucas C. King
Kathleen E. Lewis
Colleen F. Schmitt

CSWA Applications (19)

Jessica Anslinger
Roseline Barcellano
Jennifer L. Cary
Melody Sue George
Kathryn Hainley
Allison Hernandez
Steven E. Jones
Lisa Loewenthal
Jason Malcolm
Amy McDonald
Lisa M. Mitchell
Katie Niemeyer
Mindy Nurmela
Sarah Richmond
Nancy Ross
Devin Shea
Laura Sforza
Sarah Jo Tomlin
Mary Jayne Wykowski

Approved Continuing Ed # Hours

Suma Z Elan	5.5
Lisa Johnson	6.5
Dan Rounsavell	10

Reactivation of License (1)

Brandy Steelhammer

CSWA Plan Completions (20)

Jenylyn T. Baures
Robert Brown
Kelly R. Buckman
Shanna E. Bulter
Jose A. Del Hoyo
Denise B. Fellows
Carla Widell Gerber
Cindy J. Hackett
Kimberly R. Hyan
Rayna Lee Jenks
Julie Marie Lemaster
Laurel Mansoor
Pascale Vivyan Meuris
Jamie R. Newell
Shana Kim Peyser
Athena H. Phillips
Pamela S. Skiver
Gina M. Watkins
Brain Jay Wolff
Sheila G. Yates

CSWA Plan Modifications (15)

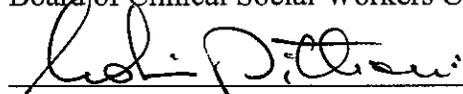
Morgan S. Barber
Nicole Curley
William A. Haden
Angelie R. Healy
Mary G. Hickok
Petya Petkova Ilcheva
Ester J. Kim
Amber McKinnie
Andrea E. Mittleider
Donna M. Naglich
Elizabeth A. Sawyers
Kelly Lee Sullivan
Hermelinda Torres DeGuzman
Charles J. Urwyler
M. Joy Young

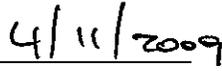
April 11, 2009 Consent Agenda

ORS 676.165(4) Extensions approved for the following Consumer Protection Cases: (16)

2007-33	2007-36	2008-15
2008-16	2008-20	2008-28
2008-29	2008-31	2008-32
2008-37	2008-38	2008-39
2008-46	2009-01	2009-02
2009-03		

All the people listed in the above categories have met the necessary requirements to be approved by the Board of Clinical Social Workers Consent Agenda.


Board Administrator


Date