



Counselor, Social Worker & Marriage and Family Therapist Board

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July 28, 2006

The Honorable Bob Taft
Governor
Vern Riffe Center for Government and the Arts
77 South High Street, 30th Floor
Columbus, Ohio 43215

Dear Governor Taft,

Pursuant to the requirement of ORC 149.01, this annual report for FY 2006 of the State of Ohio Counselor, Social Worker and Marriage and Family Therapist Board is submitted. I am pleased to highlight the Board's accomplishments.

The mission of the Counselor, Social Worker, and Marriage and Family Therapist Board is to protect the citizens of the state of Ohio through the effective and efficient regulation of the practices of counseling, social work and marriage and family therapy as identified in Ohio Revised Code and Ohio Administrative Code Chapters 4757. This mission is accomplished by the review of applicants' credentials, the administration of licensure examinations, and the establishment and enforcement of professional and ethical standards of practice.

Since July 1, 2006, the Board has welcomed three new board members: Jose Camerino, IMFT on the Marriage and Family Therapist Professional Standard Committee; Dr. Victoria White Kress, PCC, PhD on the Counselor Professional Standards Committee; and Jennifer Riesbeck Lee, LSW on the Social Worker Professional Standards Committee.

The Board held regular meetings of the Professional Standards Committees on each of the following dates and of the full Board on the second of the dates in the months following; on July 15, 16, 2004, September 16, 17, 2004, November 18, 19, 2004, January 20, 21, 2005, March 17, 18, 2005 and May 19, 20, 2005. Special Board meetings were held on November 18, 2004 and February 18, 2005.

The Board held 11 hearings of which 6 were disciplinary and 5 were licensure denials and 5 licenses were revoked through the Goldman process. The Board entered into 21 consent agreements to resolve complaints. The Investigations Unit opened 183 investigation cases, which covered the following complaint areas or alleged issues:

<u>Alleged Issues</u>	<u>Number Made</u>
• A-1 Boundary Violation (Non-Sexual)	21
• A-10 Practice outside of Scope	4
• A-11 Misdemeanor in Course of Practice	1
• A-12 Sexual Harassment at Work	1
• A-13 Impaired Practitioner	10
• A-14 Soliciting Agency Clients for Private Practice	2
• A-15 Improper Billing	1
• A-16 Failure to Report	6
• A-17 Competency	48
• A-18 Improper Renewal	4
• A-2 Boundary Violation (Sexual)	9
• A-3 Practicing without a License/Forged Licensure	22
• A-4 Practicing on a Lapsed License	3
• A-5 Breach of Confidentiality	12
• A-6 Custody Dispute Issues	10
• A-7 Poor Record Keeping / Falsification of Record	22
• A-8 Misrepresentation of Credentials	1
• A-9 Felony Conviction	2
• <u>Unclassified to date</u>	<u>4</u>
• Total	183

The issues that have been resolved are shown below with the 61 that are incomplete marked as “Unknown” as the investigations are not complete as yet.

<u>Found Issues</u>	<u>Number Resolved</u>
• A-1 Boundary Violation (Non-Sexual)	11
• A-12 Sexual Harassment at Work	1
• A-13 Impaired Practitioner	1
• A-16 Failure to Report	1
• A-17 Competency	10
• A-18 Improper Renewal	3
• A-2 Boundary Violation (Sexual)	4
• A-3 Practicing without a License/Forged Licensure	10
• A-4 Practicing on a Lapsed License	3
• A-5 Breach of Confidentiality	3
• A-6 Custody Dispute Issues	3
• A-7 Poor Record Keeping / Falsification of Record	10
• A-8 Misrepresentation of Credentials	1
• A-9 Felony Conviction	2
• A-99 None	59
• <u>UNKNOWN</u>	<u>61</u>
• Total	183

The Board licensed or registered 1,909 new professionals:

- 112 Social Work Assistants
- 886 Social Workers
- 293 Independent Social Workers
- 393 Professional Counselors
- 191 Professional Clinical Counselors
- 9 Marriage and Family Therapists
- 15 Independent Marriage and Family Therapists

The Board's testing vendors offered:

- 899 Basic examinations for licensure as a social worker with a pass rate of 74%;
- 11 Advanced examinations for licensure as an independent social worker with a pass rate of 55%; and
- 472 Clinical examinations for licensure as an independent social worker with a pass rate of 55%.
- 378 PCLE examinations for Professional Counselor and Professional Clinical Counselor with a pass rate of 62%.
- 214 NCE examinations for Professional Counselor with a pass rate of 95%.
- 5 NCMHCE examinations for Professional Clinical Counselor with a pass rate of 40%.
- 14 examinations for Marriage and Family Therapist with a pass rate of 71%.

(These pass rates reflect the total number of candidates who have taken the examination, including results from candidates who may have experienced multiple failures.)

The Board disbursed \$1,224,210 for FY 2006 which as of June 30, 2006, was 100% spent, encumbered or transferred. The Board revenues were \$1,074,168. The Board has a positive balance in the 4K9 fund of \$1,055,330 so the negative balance of spending verses revenues is not of immediate concern. The Office of Budget and Management recommends that Boards maintain a half to a full year of expenditure balance, which our Board currently does. The Board plans to address the issue of fee increases during the next biennial budget cycle. The Board was originally appropriated \$1,058,344 and received additional appropriation authority of \$188,216 through the Controlling Board. \$91,499 in additional funds were approved to cover the cost of a move from the Riffe Center to the LeVeque Tower including furniture, actual move and IT infrastructure and monthly maintenance costs. The additional \$96,727 was approved to convert approximately 50,000 paper licensee files from paper to digital images. The Board accomplished the conversion at a lower cost and was able to transfer \$24,218 from unexpended Fiscal Year 2006 appropriation to Fiscal Year 2007 with Controlling Board approval.

Processed 1,793 applications for continuing professional education program approval and reviewed 1,519 requests for post program approval. The Board currently has 560 active continuing professional education provider organizations of which 260 were renewed in FY 2006 and 68 new providers were approved.

The Board filed thirty four rules with the Joint Committee on Agency Rule Review (JCARR) of which thirty were approved and four were withdrawn by the Board at the request of JCARR. The four withdrawn rules were scope of practice and supervision rules for marriage and family therapist (MFT). JCARR members told the Board to go back to the legislature to fix a

discrepancy in our statute before re-filing the rules as written. That discrepancy is that the definition of the practice of marriage and family therapy in section 4757.01(H) of the Revised Code does not include “diagnose” while the practice under section 4757.30 does. This issue continues to be a major concern to the Board as licensing MFTs without the supervision rules required by 4757.30 is problematic. The primary objection to “diagnose” in the proposed rules arose from the Ohio Psychiatric and Psychological associations.

Due to the abrupt ending of the final legislative session in 2002, the language in the bill creating the MFT licensure board was not worked out between the House and Senate versions.

Contradictory language was left in the version signed by the Governor. The MFT committee asked for and received a favorable opinion from Ohio Attorney General James Petro that the scope of practice included diagnose and treat.

Our effort continues as we attempt to resolve the contradictory language in the final version of the bill. At this time, licensed MFTs and IMFTs rely on the Ohio Attorney General's opinion. Several legislators have discussed this issue with members of our board and we will continue in our effort to educate them. Our goal is to resolve this issue as soon as possible so that recently-licensed MFTs and IMFTs can serve the people of Ohio.

Per the 2001 Report of Ohio’s Mental Health Commission: “A major reason that local mental health systems are not able to meet the needs of their communities is a shortage of adequately trained clinical staff.” Growing the licensed MFT population will help meet this need.

The Board has implemented the CAVU licensing system and also implemented a paperless office system. The CAVU system has allowed us to implement an online renewal process that is currently being used by over 65% of renewing licensees. This process is quicker, easier and more cost effective for licensees and the Board. In May 2006, the Board initiated online applications for social worker and temporary social worker licenses. The Board is looking forward to expanding the online applications to all licensees in Fiscal Year 2007.

The document management system with digitized files has made answering questions from licensees and the public a much easier process. Files are available readily on the computer screen and specific files can be emailed in response to public records request with appropriate redactions of items like social security numbers.

The Board believes that this report provides evidence that the Board has accomplished its mission in Fiscal Year 2006. Thank you for your interest and support.

Sincerely,

James R. Rough
Executive Director

CC: President of the Senate Bill Harris
Speaker of the House Jon Husted
State Library