



Counselor, Social Worker & Marriage and Family Therapist Board

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July 31, 2007

The Honorable Ted Strickland
Governor's Office
Riffe Center, 30th Floor
77 South High Street
Columbus, OH 43215-6108

Dear Governor Strickland,

Pursuant to the requirement of ORC 149.01, this annual report for FY 2007 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, 2007, the Board has welcomed four new board members: Tommie Robertson, MFT on the Marriage and Family Therapist Professional Standard Committee; Mr. Fred Dailey, public member, on the Counselor Professional Standards Committee; Karen Huey, public member, on the Social Worker Professional Standards Committee, and Timothy Brady, LISW, IMFT 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 20 & 21, 2006, September 21 & 22, 2006, November 16 & 17, 2006, January 20, 21, 2007, March 15 & 16, 2007 and May 17 & 18, 2007. A special Board meeting held on May 16, 2007. Special meetings held of the Counselor Professional Standards Committee on April 19, 2007, and of the Social Worker Professional Standards Committee on April 20, 2007.

The Board held five hearings of which four were disciplinary and one was a licensure denial; and two licenses were revoked through the Goldman process. The Board entered into 31 consent agreements to resolve complaints. The Investigations Unit opened 220 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) | 22 |
| • A-10 Practice outside of Scope | 8 |
| • A-12 Sexual Harassment at Work | 4 |
| • A-13 Impaired Practitioner | 8 |
| • A-14 Soliciting Agency Clients for Private Practice | 1 |
| • A-15 Improper Billing | 8 |
| • A-16 Failure to Report | 3 |
| • A-17 Competency | 55 |
| • A-18 Improper Renewal | 10 |
| • A-2 Boundary Violation (Sexual) | 7 |
| • A-3 Practicing without a License/Forged Licensure | 12 |
| • A-4 Practicing on a Lapsed License | 6 |
| • A-5 Breach of Confidentiality | 19 |
| • A-6 Custody Dispute Issues | 11 |
| • A-7 Poor Record Keeping / Falsification of Record | 17 |
| • A-8 Misrepresentation of Credentials | 17 |
| • A-9 Felony Conviction | 2 |
| • A-99 None | 8 |
| • <u>UNKNOWN</u> | <u>2</u> |
| • Total | 220 |

The issues that have been resolved are shown below with the 134 that are incomplete marked as “Unknown” as the investigations are not complete.

| <u>Found Issues</u> | <u>Number Resolved</u> |
|---|------------------------|
| • A-1 Boundary Violation (Non-Sexual) | 16 |
| • A-10 Practice outside of Scope | 1 |
| • A-11 Misdemeanor in Course of Practice | 1 |
| • A-13 Impaired Practitioner | 1 |
| • A-15 Improper Billing | 1 |
| • A-16 Failure to Report | 1 |
| • A-17 Competency | 23 |
| • A-18 Improper Renewal | 1 |
| • A-3 Practicing without a License/Forged Licensure | 6 |
| • A-4 Practicing on a Lapsed License | 3 |
| • A-5 Breach of Confidentiality | 4 |
| • A-6 Custody Dispute Issues | 4 |
| • A-7 Poor Record Keeping / Falsification of Record | 10 |
| • A-8 Misrepresentation of Credentials | 12 |
| • A-9 Felony Conviction | 2 |
| • UNKNOWN | 134 |
| • Total | 220 |

The Board licensed or registered 1,909 new professionals:

- 189 Social Work Assistants
- 1139 Social Workers
- 357 Independent Social Workers
- 511 Professional Counselors
- 213 Professional Clinical Counselors
- 9 Marriage and Family Therapists
- 9 Independent Marriage and Family Therapists

The Board's testing vendors offered:

- 951 Basic examinations for licensure as a social worker with a pass rate of 77.7%;
- 75 Advanced examinations for licensure as an independent social worker with a pass rate of 41.3%; and
- 522 Clinical examinations for licensure as an independent social worker with a pass rate of 58.0%.
- 579 National Counselor Examination (NCE) for Professional Counselor with a pass rate of 91.7%.
- 5 National Clinical Mental Health Counselor Examination (NCMHCE) for Professional Clinical Counselor with a pass rate of 71.1%.
- 23 examinations for Marriage and Family Therapist with a pass rate of 65.2%.

(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 \$1,008,981 for FY 2006 which does not include \$24,280 in payroll for pay period ending February 17, 2007, that has not been charged to our agency due to an OAKS error. The Board revenues were \$1,057,457. The Board has a positive balance in the 4K9 fund of \$1,079,525. The Board was originally appropriated \$1,057,419 and received additional appropriation authority of \$24,218 through the Controlling Board. The Board requested a transfer of \$24,218 from unexpended Fiscal Year 2006 appropriation to Fiscal Year 2007 which the Controlling Board approved. These additional funds paid for increased rent and IT costs associated with a move in FY 06 from the Vern Riffe State Office Tower to the LeVeque Tower.

Processed 1,718 applications for continuing professional education program approval and reviewed 1,456 requests for post program approval. The Board currently has 602 active continuing professional education provider organizations of which 338 renewed in FY 2006 and 92 new providers were approved.

The Board filed four rules with the Joint Committee on Agency Rule Review (JCARR), which were withdrawn by the Board at the request of JCARR in FY 2006. The four withdrawn rules were scope of practice and supervision rules for marriage and family therapists (MFT). JCARR members requested 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. The Board implemented a supervision rule in FY07 that did not use the term "diagnose and treatment". 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 (AG Opinion 2004-37) that the scope of practice included diagnose and treatment of mental and emotional disorders.

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 continues to refine the eLicensing system. The eLicensing system has allowed us to implement an online renewal process used by over 67% of renewing licensees. This process is quicker, easier and more cost effective for licensees and the Board. In FY 2007, the Board initiated online applications for independent social workers, social worker assistants, social worker trainees, professional clinical counselor supervisors, professional counselor supervisors, counselor trainees and counselor resident licenses.

The Board believes that this report provides evidence that the Board has accomplished its mission in Fiscal Year 2007. 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