



Counselor, Social Worker & Marriage and Family Therapist Board

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July 31, 2008

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 2008 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 three new board members: Francine Packard, PCC, on the Counselor Professional Standards Committee; Robert Nelson, LISW on the Social Worker Professional Standards Committee; and Dr. Otha Gilyard, public member, on the Counselor 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 19 & 20, 2007, September 20 & 21, 2007, November 17 & 18, 2007, January 17 & 18, 2008, March 20 & 21, 2008 and May 15 & 16, 2008.

The Board held eight hearings of which three were disciplinary and five were licensure denial; and ten licenses were revoked through the Goldman process. The Board entered into 37 consent agreements to resolve complaints. The board concluded 227 cases in the fiscal year 106 of which began in prior years. The Investigations Unit opened 275 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)	29
▪ A-10 Practice outside of Scope	11
▪ A-11 Misdemeanor in Course of Practice	2
▪ A-12 Sexual Harassment at Work	1
▪ A-13 Impaired Practitioner	11
▪ A-14 Soliciting Agency Clients for Private Practice	1
▪ A-15 Improper Billing	6
▪ A-16 Failure to Report	14
▪ A-17 Competency	54
▪ A-18 Improper Renewal	37
▪ A-2 Boundary Violation (Sexual)	12
▪ A-3 Practicing without a License/Forged Licensure	19
▪ A-4 Practicing on a Lapsed License	10
▪ A-5 Breach of Confidentiality	17
▪ A-6 Custody Dispute Issues	12
▪ A-7 Poor Record Keeping / Falsification of Record	24
▪ A-8 Misrepresentation of Credentials	4
▪ A-9 Felony Conviction	2
• <u>A-99 None</u>	<u>9</u>
• Total	275

The issues that have been resolved are shown below with the 154 that are incomplete marked as “Unknown” as the investigations are not complete.

<u>Found Issues</u>	<u>Number Resolved</u>
▪ A-17 Competency	18
▪ A-18 Improper Renewal	25
▪ A-2 Boundary Violation (Sexual)	1
▪ A-3 Practicing without a License/Forged Licensure	10
▪ A-4 Practicing on a Lapsed License	7
▪ A-5 Breach of Confidentiality	6
▪ A-6 Custody Dispute Issues	1
▪ A-7 Poor Record Keeping / Falsification of Record	17
▪ A-8 Misrepresentation of Credentials	5
▪ A-9 Felony Conviction	1
▪ <u>UNKNOWN</u>	<u>154</u>
▪ Total	275

The Board licensed or registered 7,138 new professional licenses, registrations and designations:

- 125 Social Work Assistants
- 906 Social Workers
- 45 Social Worker Temporaries
- 96 Social Worker Trainees
- 413 Independent Social Workers
- 3,077 Supervising Independent Social Workers
- 461 Professional Counselors
- 255 Professional Counselor – Clinical Residents

- 460 Counselor Trainees
- 374 Professional Counselor Temporaries
- 8 Supervising Professional Counselors
- 265 Professional Clinical Counselors
- 146 Supervising Professional Clinical Counselors
- 16 Marriage and Family Therapists
- 9 Independent Marriage and Family Therapists

The Board's testing vendors offered:

- 964 Basic examinations for licensure as a social worker with a pass rate of 73.8%;
- 84 Advanced examinations for licensure as an independent social worker with a pass rate of 51.2%; and
- 442 Clinical examinations for licensure as an independent social worker with a pass rate of 60.3%.
- 502 National Counselor Examination (NCE) for Professional Counselor with a pass rate of 89.8%.
- 65 National Clinical Mental Health Counselor Examination (NCMHCE) for Professional Clinical Counselor with a pass rate of 75.4%.
- 28 examinations for Marriage and Family Therapist with a pass rate of 67.9%.

(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 \$1,117,171.29 for FY 2008. The Board revenues were \$1,058,368. The Board has a positive balance in the 4K9 fund of \$849,057. The Board's 4K9 balance is reducing due to increases in personnel costs and some operating expenses. The Board plans to ask for new fees in the next budget for late renewals and license verification to other state boards, which should meet future funding needs without other fee increases for several more biennial budget cycles.

Processed 1,628 applications for continuing professional education program approval and reviewed 1,889 requests for post program approval. The Board currently has 654 active continuing professional education provider organizations of which 306 renewed in FY 2008 and 52 new providers were approved.

The Board filed four rules with the Joint Committee on Agency Rule Review (JCARR), which the Board withdrew 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 fix a discrepancy in our statute via the legislature 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 Physicians Association.

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 professional

standards 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. House Bill 427, which corrects the contradictory language, passed the House of Representatives in May of this year. The Board hopes the Senate will schedule hearings in September 2008. Support of the Director of the Ohio Department of Mental Health was critical in getting the bill through the House Health Committee. 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 72% of renewing licensees. This process is quicker, easier and more cost effective for licensees and the Board. In FY 2008, the Board initiated online applications for supervising independent social worker with over 3,000 applications received and processed for this new designation.

Board member attendance at board meetings averages 94% with 86% attendance being the lowest attendance rate. Five board members have perfect attendance.

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
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