



Counselor, Social Worker & Marriage and Family Therapist Board

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July 31, 2013

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

Dear Governor Kasich,

Pursuant to the requirement of ORC 149.01, this annual report for FY 2013 of the State of Ohio Counselor, Social Worker and Marriage and Family Therapist Board is being 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, approving professional education program offerings, and the establishment and enforcement of professional and ethical standards of practice.

Within fiscal year 2013, the Board has welcomed four new board members: Dr. Christin Jungers was appointed to the Counselor Professional Standards Committee; Jennifer Brunner and Erin Michel, LSW were appointed to the Social Worker Professional Standards Committee and Margaret (Charlie) Knerr, IMFT, to the Marriage and Family Therapist Professional Standards Committee; and three reappointed members for second terms: Mary Venrick, PC to the Counselor Professional Standards and Steven Polovick, LSW and Timothy Brady, LISW to the Social Worker Professional Standards Committee. The Board looks forward to future appointments of three additional members to complete all board appointments.

The Board held regular meetings of the Professional Standards Committees (on each of the following first-listed dates) and of the full Board (on the second-listed of the dates for each month): July 19 & 20, 2012, September 20 & 21, 2012, November 15 & 16, 2012, January 17 & 18, 2013, March 21 & 22, 2013 and May 16 & 17, 2013.

The Board held four hearings of which two were disciplinary and two were licensure denials. Four licenses were revoked through the Goldman process. The Board entered into eleven consent agreements to resolve complaints. The Investigations Unit opened 248 investigation cases, which covered the following complaint areas or alleged issues:

<u>Alleged Issues</u>	<u>Number Made</u>
• Boundary Violation (Non-Sexual)	21
• Boundary Violation (Sexual)	12
• Breach of Confidentiality	13
• Competency	49
• Custody Dispute Issues	19
• Failure to Report	5
• Impaired Practitioner	10
• Improper Billing	15
• Improper Renewal	67
• Misdemeanor in Course of Practice	1
• Misrepresentation of Credentials	4
• Poor Record Keeping / Falsification of Record	14
• Practice outside of Scope	3
• Practicing on a Lapsed License	3
• Practicing without a License/Forged Licensure	8
• Sexual Harassment at Work	3
• <u>Not Yet Determined</u>	<u>1</u>
Total	248

The board concluded 233 cases in the fiscal year, 69 of which opened in prior fiscal years.

<u>Found Issues</u>	<u>Number Closed</u>
• Boundary Violation (Non-Sexual)	14
• Boundary Violation (Sexual)	7
• Breach of Confidentiality	7
• Competency	16
• Custody Dispute Issues	7
• Failure to Report	2
• Felony Conviction	1
• Impaired Practitioner	1
• Improper Billing	12
• Improper Renewal	49
• Misrepresentation of Credentials	4
• Poor Record Keeping / Falsification of Record	8
• Practice outside of Scope	1
• Practicing on a Lapsed License	1
• Practicing without a License/Forged Licensure	4
• Sexual Harassment at Work	2
• <u>No Violation Found*</u>	<u>97</u>
Total	233

see * items in next list

The board concluded 233 cases in the fiscal year, 69 of which opened in prior fiscal years. We averaged 86 days to close these cases with a high of 750 days, due to waiting for a court conviction, and a low of 1 day, finding a case unfounded the day of receipt. CA indicated below means the case closed by a consent agreement.

<u>Issue Results</u>	<u>Number Closed from FY 2012</u>
• CSW - CA Reprimand	2
• CSW - CA Supervision	1
• CSW - CA Supervision/Ethics	1
• CSW - CA Supervision/Mental Health Treatment-Evaluation	1
• CSW - CA Surrender	12
• CSW - CA Suspension	5
• CSW - Cannot Substantiate	32
• CSW - Close - Complainant withdrew	3
• CSW - Close - Referred to other agency	4
• CSW - Close No Jurisdiction	5
• CSW - Close No Violation	59
• CSW - Close With Caution	95
• CSW - Notice OTHER	1
• CSW - Notice/Revocation	12
Total	233

The Board licensed or registered 4,536 new professional licenses, registrations and designations:

- 612 Professional Counselors
- 428 Professional Counselor – Clinical Residents
- 612 Counselor Trainees
- 13 Professional Counselor Provisional
- 2 Supervising Professional Counselors
- 317 Professional Clinical Counselors
- 165 Supervising Professional Clinical Counselors
- 84 Social Work Assistants
- 1,239 Social Workers
- 13 Social Worker Temporaries
- 332 Social Worker Trainees
- 384 Independent Social Workers
- 276 Supervising Independent Social Workers
- 44 Marriage and Family Therapists
- 15 Independent Marriage and Family Therapists

The Board's testing vendors in calendar year 2012 offered 2,723 examinations:

- 906 Basic examinations for licensure as a social worker with a pass rate of 77.0%;
- 49 Advanced examinations for licensure as an independent social worker with a pass rate of 46.9%; and
- 694 Clinical examinations for licensure as an independent social worker with a pass rate of 63.0%.
- 582 National Counselor Examination (NCE) for Professional Counselor with a pass rate of 91.3%.

- 436 National Clinical Mental Health Counselor Examination (NCMHCE) for Professional Clinical Counselor with a pass rate of 67.4%.
 - 56 examinations for Marriage and Family Therapist with a pass rate of 86.9%.
- (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 following numbers represent the laws and rules examinations and Ethics CEUs completed in FY 2013.

• Laws & Rules Exam Counselors	965
• Ethics CEUs Counselors	82
• Laws & Rules Exam MFTs	52
• Ethics CEUs MFTs	1
• Laws & Rules Exam Social Workers	1,868
• <u>Ethics CEUs Social Workers</u>	<u>47</u>
Total	3,015

The Board processed 1,366 applications for continuing professional education program approval and reviewed 2,232 requests for post program approval. The Board currently has 606 active continuing professional education provider organizations of which 241 renewed in FY 2013 (two year approvals) and 63 new providers were approved for one year.

Including all of the applications for licenses, registration and other services plus CEU post program approvals and examinations the board processed 30,500 actions, which does not include the many BCI & FBI reports, transcripts, personal statements, exam reports, supervision documents for licensure or myriad activities involved in investigations.

The Board receives all of its funding through licensee fees and does not receive any general revenue funds. The Board disbursed \$215,973.53 for FY 2013 in expenses and \$948,322.21 in payroll for a total of \$1,164,295.74. The Board also expended \$25,736.52 from FY 2012 encumbrances paid in FY 2013. The Board has encumbrances of \$26,684.05 against the remaining FY 2013 appropriation. The Board revenues were \$1,332,595.90.

The board established goals for FY 2013 at a planning meeting held in July 2012.

- Significant progress has been made in the area of our statute's civil service exemption. The board worked with interested associations and state agencies that have licensed counselors, social workers and marriage and family therapists and has reached a general agreement that the civil service exemption is no longer needed. House Bill 567 passed in the House, but not in the Senate in the 129th General Assembly, however Representative Sears has introduced House Bill 232 in the 130th General Assembly, which includes a provision to amend the current exemptions for civil service employees. The bill also includes many other significant changes to improve the administration and efficiency of the board's processes. The bill also amends many sections of the Revised Code to include the board's licensees in the professional associations, professional corporations and limited liability companies, which aides our licenses setting up private businesses.
- The Board is focused on improving its use of technology, which includes refining the use of the eLicensing system. The eLicensing system continues to be effective in the online renewal process, which in FY-2013 was used by 14,919 of 15,107 licensees or 98.75% of renewed licensees. This process is quicker, easier and more cost effective for licensees

and the Board. The Board has online applications for most of its license and registration processes. The social work department has implemented several of the technology options in the eLicensing system not used previously and has greatly improved the process of social worker licensure with 93.67% using the online application. The Board is updating its website regularly based on feedback from users to make it more efficient and effective. The Board implemented the Voice over Internet Protocol system at the end of June 2013 working jointly with the Engineers and Surveyors Board using the same router to simplify costs and installation.

- The Board implemented a Listserv during fiscal year 2012. The Board's newsletter is now promulgated via the Listserv to all licensees for which we have an email. This process eliminated the printing costs and reaches more licensees with updates on laws and rules changes and important information on issues of concern across a broad spectrum of licensees. The Board also initiated a Facebook presence with links to the newsletter articles and other matters of interest. These communication tools have greatly improved FY-2013 notification of legislation and rule making. Use of the Listserv for the Common Sense Initiative rule filings greatly simplified that process.
- The continuing education program review has become a more thorough process resulting in additional requirements needed to uphold the quality and reliability of continuing education for Ohio counselor, social worker and marriage and family therapist licensees. The Board has a committee to review these processes to look for improvements in many areas including the approval process, required documentation, forms, program content, etc. The biennial budget for fiscal years 2012 and 2013 included fees for continuing education approvals by the board, which provided funds to improve our audits of continuing education completion by licensees and a closer review of continuing education providers' compliance with board rules. The continuing education program quality review process continues to expand and is limiting the breadth of our planned implementation to provide the oversight we would like to have. We have a rule change that is in dispute with the Joint Committee on Agency Rule Review (JCARR), which is taking a lot of discussion and effort. We are working on how to provide a quality assessment for continuing education programs.

Board member attendance at board meetings averages 93.5% with 66.7% attendance being the lowest attendance rate. Seven of twelve board members have perfect attendance.

The Board believes that this report provides evidence that the Board has fulfilled its mission in Fiscal Year 2013. Thank you for your interest and support.

Sincerely,

James R. Rough
Executive Director

CC: President of the Senate Keith Faber
Speaker of the House William G. Batchelder
State Library