



Counselor, Social Worker & Marriage and Family Therapist Board

50 West Broad Street, Suite 1075
Columbus, Ohio 43215-5919
614-466-0912 & Fax 614-728-7790
<http://cswmft.ohio.gov> & cswmft.info@cswb.state.oh.us

STATE OF OHIO

COUNSELOR, SOCIAL WORKER AND MARRIAGE AND FAMILY THERAPIST BOARD

JANUARY 22, 2010

Chairperson, Dr. Susan Norris Huss, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the regular meeting of the Board at 1:00 P.M. on January 22, 2010.

Members present were Mr. Timothy Brady, Dr. Otha Gilyard, Mr. Robert Nelson, Dr. Victoria White Kress, Dr. Thomas McGloshen, Ms. Francine Packard, Ms. Peggy Volters, Ms. Jennifer Riesbeck-Lee, Ms. Mary Venrick, Mr. Steven Polovick, Dr. Deirdre Petrich and Mr. John Cranley IV. Absent: Mr. Tommie Robertson. Staff present: Mr. James Rough, Mr. William Hegarty, Ms. Patricia Miller, Ms. Marcia Holleman, Ms. Tracey Hosom, Ms. Tamara Tingle and Ms. Rena Elliott.

Also, present were Atty. Leah O'Carroll, Assistant Attorney General, and Mr. Henry Lustig, NASW.

- I.** Discussion and approval of agenda. Ms. Riesbeck-Lee moved to approve the agenda, seconded by Mr. Brady. Carried.

Welcomed two new board members, Mr. Polovick to the SWPSC and Dr. Petrich, to the MFTPSC.

- II.** Dr. Gilyard moved to accept the November 20, 2009, minutes, seconded by Dr. White Kress. Carried.

III. Executive Director Report presented by Mr. Rough:

Mr. Rough reported:

1. Financial disclosure statements are due April 18, 2010, or late fees will be charged to the Board, any questions please contact Mr. Rough.
2. An update on the Art Therapy bill and Mr. Rough will e-mail his testimony to the board members.

3. Requested an opinion from the board's Assistant Attorney General concerning release of licensee's transcripts under FERPA.
4. Discussed the budget report and reviewed the details for new board members.
5. Thanked the staff.
6. Mr. Robertson is still ill and Mr. Rough asked that everyone keep him in their prayers.
7. If a board member falls below sixty percent in attendance they will be removed from the Board.
8. Written report presented to professional standards committees is attached.

IV. Investigative Report presented by Mr. Hegarty:

Mr. Hegarty reported:

1. Distributed statistics report.
2. Total number of cases for 2008 was high but 2009 was more in the normal range.
3. No hearings in March so no hearing officer reports.

V. Legal Update presented by Mr. Hegarty:

Mr. Hegarty reported:

1. Mr. Merle Rhodes will appeal his case to the Ohio Supreme Court.
2. Ms. Jessica Evans, impairment case, would not have an evaluation done and filed an appeal. Motion to dismiss was filed by the Board.

VI. Marriage and Family Therapist Professional Standards Committee Report was presented by Dr. McGloshen:

Dr. McGloshen reported:

1. Welcomed new board member Dr. Petrich who comes with a great deal of experience. Dr. Petrich stated she was excited to be a part of the Board.
2. Licensed three MFT's and one IMFT.
3. Discussed and agreed to accept thirty hours of online or distance learning continuing education.
4. Discussed charging for program and provider approval, and charging an administrative fee on disciplinary actions.
5. Discussed the issue of competency and the MFT licensing exam. Several policy options considered.
6. Discussed the low number of MFT/IMFT's in Ohio and ways to promote the license through education, speaking engagements at the Universities and also the responsibility of the University.

VII. Counselor Professional Standards Committee Report was presented by Dr. White Kress:

Dr. White Kress reported:

1. Discussed allowing staff to process request for licensure applications.
2. Approved the statute changes requested by the staff.
3. Discussed supervision issues and working with Atty. Glenn Karr on the language.
4. Two mediation plans were approved.
5. Discussed the state licensure exam passing rate and statute changes.

VIII. Social Work Professional Standards Committee Report was presented by Ms. Riesbeck-Lee:

Ms. Riesbeck-Lee reported:

1. Welcomed Mr. Polovick to the Board and the SWPSC.
2. Approved one-hundred and ninety-four applications, eight new LSW supervision requests, three Goldman Hearings, one notice of opportunity for a hearing and one consent agreement.
3. Discussed correspondence.
4. Apologized for the interruption of professional standards committee meetings yesterday.
5. NASW Report
6. ASWB Exam Report
7. 4757-19-08 change approved for staff to approve licensure applications.
8. Reviewing continuing education after the meeting.
9. Requesting Mr. Nelson to attend the ASWB conference spring education conference.

IX. Committee Reports

E-therapy Committee

No report was given, committee work is complete.

CEU Committee

Ms. Packard reported:

- Received evaluations from several spirituality programs.
- Clarified presenters are allowed to offer a program several times for an approved provider.
- Discussed social work distance learning issues.
- Discussed ASWB/ACE and NASW approval.
- Auditing a small percentage of continuing education programs.
- Survey of continuing education available on the board website.
- Charging for program and provider approval, if no registration fee then no charge for board approval.

-Adding on the evaluation forms the board web-site for comments regarding continuing education programs that were attended.

Investigations Ad Hoc Committee

No meeting. Scheduled to meet in March 2010.

Executive Committee

Dr. Huss Reported:

Mr. Rough's evaluation is in March, requested input from board members.

X. Old Business:

None addressed

XI. New Business:

Mr. Cranley addressed the issue of banking continuing education hours and asked for board members to sign a motion, and what is needed for the staff to accommodate banking the hours.

Mr. Nelson suggested this issue should have been brought to the CEU Committee. Ms. Packard asked if the law would allow this change.

Mr. Rough stated the system will be looked at to allow the banking of hours and if possible it would be done with the new system in 2012.

Ms. Packard stated this is an issue the CEU Committee needs to discuss. Mr. Cranley reported he tried to talk to the CEU Committee. Mr. Nelson stated the CEU Committee was not approached by Mr. Cranley and a motion should not have been brought before the full board meeting. Mr. Polovick stated the banking of hours was brought up in an inappropriate manner. Discussion took place.

Mr. Rough stated in the future the process is to be followed. Also will request Ms. Franklin to keep a log of who would bank continuing education hours. Ms. Packard suggested asking the Associations for input. Mr. Cranley reported he already went to some of the Associations. Ms. Packard stated it was the Director's role to speak for the Board not individuals to go out on their own.

Mr. Cranley requested a draft in six months of how the process would work.

Mr. Polovick stated that it was the Board's role to protect the Public and it appeared with approving thirty hours online and banking of hours that the Board was moving further away from protecting the public and going around the challenge to make things easier.

The Board moved that the Executive Director of the CSWMFTB propose to the Board at the July meeting a rough draft of a Banking Policy that will allow for the banking of CEU credits in the maximum carryover amount of fifteen hours per biennium. Ms. Riebeck-Lee, Mr. Nelson, Dr. Gilyard, Mr. Polovick voted no, Dr. Huss, Dr. White Kress, Ms. Packard, Ms. Venrick, Mr. Cranley, Dr. Petrich, Ms. Volters and Dr. McGloshen voted yes. Motion carried.

Ms. Riesbeck-Lee moved to send Mr. Nelson to the Spring ASWB education meeting for an estimated \$1,500.00 with approval from the Governor's office, seconded by Dr. White Kress. Motion carried.

Ms. Riesbeck-Lee moved to approve Mr. Rough to attend the Spring ASWB meeting and noted all expenses are paid by ASWB, seconded by Dr. McGloshen. Motion carried.

Dr. Norris Huss extended a ten minute discussion on fines.

Discussion regarding whether a fine should become a part of a licensee's disciplinary record and other issues took place, the committees each had a slightly different opinion.

Dr. Norris Huss thanked everyone.

XII. Adjourned:

Dr. Norris Huss declared the meeting adjourned.

Board Chair
Dr. Susan Norris Huss



Counselor, Social Worker & Marriage and Family Therapist Board

50 West Broad Street, Suite 1075
Columbus, Ohio 43215-5919
614-466-0912 & Fax 614-728-7790
<http://cswmft.ohio.gov> & cswmft.info@cswb.state.oh.us

January 11, 2010

Executive Director's Report

Board Meeting Dates and Rooms

Thursday January 21, 2010

Executive Committee – Executive Director's Office at 8:15 a.m.
SWPSC - Conference Room – 9:00 a.m.
MFTPSC - Conference Room – 9:00 a.m.
CPSC - Conference Room – 8:00 a.m.
CEU Committee – Executive Director's Office at 11:00 a.m.
Ad Hoc Committee for Investigative Liaisons – no meeting

9:00: William Jenkins, PC licensure denial hearing, in the SWPSC room
1:30: Pamela Gintonio, LSW licensure denial hearing, in the Mezzanine Conference Room
2:30: Sheila Oldaker, LSW licensure denial hearing, in the Mezzanine Conference Room

Friday January 22, 2010

SWPSC - Conference Room – 9:00 a.m.
MFTPSC - Conference Room – 9:00 a.m.
CPSC - Conference Room – 9:00 a.m.
Board Meeting – LeVeque Tower 15th Floor Petroleum Board – 1:00 p.m.

Issues to Discuss

Board appointments expiring on 10/10/2009: Please welcome new members Steven Polovick and Deirdre Petrich who will be attending their first board meetings as board members. PSC chairs please appoint mentors. We are still waiting for a public member appointment.

Attached is a list of staff proposed statute changes to Chapter 4757 of the Revised Code for the committees to consider and amend, add to or delete. There is an explanation for each proposed change at the beginning of each item.

1/1/2010 is the start date to require the laws and rules exam online for all LSW, LISW, PC, PCC, MFT & IMFT applications received after that date, which costs \$10. All schools and associations have been notified. The newsletter highlighted the availability of the CEUs. The scenarios have been added to make the CEU a 3-hour ethics and the charge is \$30.

I received this comment from a recent L&R examinee: "As to the online exam, I must admit I was skeptical (or cynical) at first, but changed my mind after taking it. I found it informative, and quite frankly, reviewing ethics is a pretty good thing. Personally, I'm glad it's there. Hope that helps."

BMV filed the rule change with a public hearing scheduled for February 11th at 11:00 a.m. for rule 4501:1-1-18 with the change to paragraph (C) as we requested.

Travel claims processing had major changes starting October 1, 2009 – all claims will be entered into OAKS system. We appreciate the board members requesting less than full per diem.

Our budget will require close monitoring throughout the fiscal year, please see reports enclosed. We are within budget and have projected higher savings. One area of additional savings is hearing costs. If the budget progresses as anticipated and we have savings from hearings, I will replace the 14 PCs at a cost of approximately \$10,000 (or part of them for less). The State Auditor lost General Revenue funding (GRF) and we may be charged something like \$10,000, which is not in the budget. The governor's office and Office of Budget and Management are working on this issue. We will probably have to go to the Controlling Board for FY 2011.

Mental Health Hold – HB281 has had two hearings. I will testify as a proponent when the next hearing is scheduled.

The Art Therapy Bill HB208 has had two hearings. I have a meeting scheduled with several associations to discuss the bill.

Approval of applications between meetings. Please see the rules attached as modified with input from our assistant attorney general. Social workers and MFTs agree to use this process, but our AAG has proposed a change to the existing process. The CPSC needs to discuss the issue and decide to go forward or not. Please see rules 4757-13-08, 4757-19-08 and/or 4757-25-07 with draft changes our AAG approved.

Rule 4757-1-07 concerning fines needs additional discussion. I have only received one input so far. I have asked OCBHP, OACCA, OAC, NASW and OAMFT for input. Any fine would be a public discipline reportable to National Practitioner Databank.

SWPSC requested changes to rules 4757-9-04 and 4757-9-05 to allow social workers to take all 30 hours of their CEUs via distance learning and to allow ASWB's ACE & NASW CE program approvals to be accepted CE programs without review by the SWPSC. The draft language is included.

Civil service exemption –House Bill 62 passed the House on a 97-0 vote and moves on to the senate. I will notify board members as senate hearings are scheduled.

Board members please complete the evaluation form for Jim's annual review due in March and give to the chair of your professional standards committee. Enclosed is a form, which was emailed to all in November.

Executive Director Work Plan: accomplishments for last year.

- Implemented MFT statute change from HB427
- Worked closely with ODMH resulting in improved Matrix approval of our licensees/registrants
- Law and Rule exam live for 3 hours CE and for licensure applicants
- Continue to bring issue to the committees for discussion
- Helped HB62 on the civil service exemption issue pass the House
- Continue communications with all university licensure programs, associations and licensees
- Planning Meeting Issues were discussed and assigned as follows:
 - Assess the many CEU issues raised - task the CEU Committee – process started
 - Start the process of a statute change - task executive director – emailed associations asking for input by end of February 2010.
 - Review the budget and revenue projections - task executive director – see report
 - Improve technology use where appropriate - task executive director – survey monkey, revised web site
 - Improve the licensee disciplinary process - task the Investigative Liaison Ad Hoc Committee – in work

Sincerely,

James R. Rough
Executive Director



Counselor, Social Worker & Marriage and Family Therapist Board

50 West Broad Street, Suite 1075
Columbus, Ohio 43215-5919
614-466-0912 & Fax 614-728-7790
<http://cswmft.ohio.gov> & cswmft.info@cswb.state.oh.us

STATE OF OHIO

COUNSELOR, SOCIAL WORKER AND MARRIAGE AND FAMILY THERAPIST BOARD

Executive Committee Meeting

January 21, 2010

Chairperson, Dr. Susan Huss, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the executive committee meeting of the Board at 8:18 a.m. on January 21, 2010.

Members present were Ms. Jennifer Lee, Dr. Thomas McGloshen and Dr. Victoria White Kress. Staff present: Mr. James Rough

- Members approved the agenda and minutes
- Planning Meeting Issues – reviewed the status of the following planning meeting tasks.
 - Assess the many CEU issues raised – task the CEU Committee: committee agreed with adding religion to the non-discrimination list in the ethics rule 4757-5-02(G).
 - Start the process of a statute change – Mr. Rough
 - Review the budget and revenue projections – Mr. Rough
 - Improve technology use where appropriate – Mr. Rough: working to improve IT connectivity
 - Improve the disciplinary process task the Investigative Liaison Ad Hoc Committee; Dr. Kress received approval for her study of supervisors of past disciplined licensees.
- Budget issues – Travel expense increase for overnight
 - Board members requesting less than full per diem in many cases
 - Budget expenses lower than expected in some areas
 - Need to replace PCs this year, if possible due to age 5 years
- Rule 4757-1-07 Standard fines for discipline actions. Each PSC needs to determine how to handle CE audit failures. Professional Standards Committees need to discuss.

- Jim's annual evaluation blanks emailed to board members for input: Dr. Huss reported most inputs received and she will follow up with former members Mr. White and Ms. Tucker.
- FERPA does not apply to the transcripts sent to the board per AGs office. Mr. Rough followed up with the board's Assistant Attorney General for a response on the following issue. Most of the transcripts have a statement saying: this transcript is provided with the understanding that it will not be provided to others without the express permission of the individual.
- New Business
 - Mr. Rough reported receiving an article from former member Mr. Dailey on bartering.
 - Dr. Huss asked Mr. Rough to condense the executive Director's report at the full meeting and adding the written report to the minutes. The extra time will be used to address an issue of importance among all board members. She proposed discussing the fine rule at tomorrow's full board meeting for 10 minutes.
 - INR offered an inappropriate CEU program under their provider number. Mr. Rough was asked to make sure an appropriate letter is sent to them.

Meeting adjourned at 8:57 a.m.

Board Chair
Susan Norris Huss



Counselor, Social Worker & Marriage and Family Therapist Board

50 West Broad Street, Suite 1075
Columbus, Ohio 43215-5919
614-466-0912 & Fax 614-728-7790
<http://cswmft.ohio.gov> & cswmft.info@cswb.state.oh.us

CEU Committee Meeting Minutes

January 21, 2010

Chairperson, Mr. Robert Nelson, LISW, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the CEU committee meeting of the Board at 11:12 a.m. on January 21, 2010.

Members present were Francine Packard, PCC and Dr. Thomas McGloshen, IMFT. Staff present: Mr. James Rough, Executive Director, Rhonda Franklin, Renewal Coordinator and Ms. Patricia Miller, Continuing Education Coordinator

Committee approved the agenda and the minutes of the November meeting.

- 1.) The committee reviewed evaluations for spirituality and faith based programs. The committee asked that for future reviews that we request a copy of all class materials and bibliography. Ms. Franklin will make copies of post program approval requests received for spirituality through early March, 2010. Mr. Rough was asked to review the program and provider rule to look at the requirements for keeping records for programs and providers including individual evaluation forms.
- 2.) OCWTP trainers provide the same workshop for different providers. This practice is accepted as long as each provider reviews and approves the program and the individual presents for the organization that is the approved provider.
- 3.) Continuing items from November
 - (a) Social Work Association Provider – a new classification of provider who may authorize CEU programs or providers within their procedures. The ASWB ACE program is one candidate. Discussion: *SWPSC has proposed rule change for review, which is part of the board mailing under rule changes.* The proposed rule change states the “Social work association provider” will be reviewed with each five-year rule review as part of that process, which includes ASWB’s ACE program and national NASW programs Social work association provider. The SWPSC will decide on the process and how the five year rule review will effect the continued approval.
 - (b) How can we tie CEU programs and providers with the CE audit program or develop a separate audit for them? Discussion from November: *The committee discussed a number of issues including how do we set standards and reach such a large number of programs being offered. Can we really effectively audit or should it be buyer beware?*
 - *Will ask for evaluations for programs that receive complaints.*

- *May consider a staff audit of a small percentage of programs.*
- *Not sure what to do with Providers who offer many programs.*

Do we need additional discussion on this item?

(c) Spirituality & Religion

Discussion from January: *The education programs all have courses on these issues as well. We may want to add 'religion' to paragraph (G) of rule 4757-5-02 as a listed area of non-discrimination. That rule currently lists "...any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, veteran status, or mental or physical challenge."* Mr. Rough to add this to rule change proposed.

(d) How do we improve quality of CEUs:

- Capture comment sheet data
- Use of Survey Monkey
- Others?

Discussion from January: *Require submission of evaluations and/or handouts for any program for which a complaint is received. Ask for more input from licensees by requiring a statement on certificates of attendance of how to notify the board of issues in CE programs. Use survey monkey as a capture point for a licensee audit of CE programs they attend. Mr. Rough to provide draft survey at March meeting.*

(e) What is appropriate use of fines with CEU audit failures?

Discussion: *Professional standards committees are still discussing the issue and need to come to consensus within each committee.*

(f) Discuss allowing all 30 CEUs from distance learning. SWPSC voted in November to make this change and a draft rule change is part of the board mailing in the rule memo. *Social workers and MFTs support this change, counselors do not.*

Addition to agenda: Charge for provider and program approvals: *What are the issues for charging for provider and program approval? The board does not want to negatively impact small non-profits. Committee proposed charging only those providers and programs who charge for attendance at their CE program offerings. Proposed for draft purposes fees of \$25 per program and \$100 per provider.*

▪ What is appropriate use of fines with CEU audit failures?

Discussion: *Professional standards committees are still discussing the issue and need to come to consensus within each committee.*

▪ Discuss allowing all 30 CEUs from distance learning. SWPSC voted in September to make this change and a draft rule change was discussed. Mr. Nelson tabled this discussion.

Committee adjourned at 12:15 p.m.

Thomas McGloshen, IMFT, PCC, Chair