



Counselor, Social Worker & Marriage and Family Therapist Board

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STATE OF OHIO

COUNSELOR, SOCIAL WORKER AND MARRIAGE AND FAMILY THERAPIST BOARD

MAY 18, 2007

The regular meeting of the Board was convened at 1:30 P.M. on May 18, 2007, by Chairperson, Dr. Theresa Cluse-Tolar, at the One Columbus Building, 10 West Broad Street, Columbus, OH.

Members present were: Mr. Jose Camerino, Ms. Randi Cohen, Mr. Fred Dailey, Ms. Karen Huey, Dr. Susan Norris Huss, Dr. Victoria White Kress, Ms. Jennifer Riesbeck-Lee, Ms. Molly Tucker, Ms. Mary Anne Sharkey Dirck, Mr. Kenneth Trivison and Mr. Jan White. Absent: Dr. William Mosier. Staff present: Mr. James Rough, Mr. William Hegarty, Ms. Jennifer Kreinbrink, Ms. Patricia Miller, Ms. Tamara Tingle, Ms. Marcia Holleman and Ms. Margaret-Ann Adorjan. Also present: Atty. Peter R. Casey IV, Assistant Attorney General, Mr. Henry Lustig, NASW, Ms. Shonda Craft, OAMFT and Mr. Nate Cluse-Tolar.

- I.** Discussion and approval of agenda. Ms. Huey moved to accept the agenda, Ms. Tucker seconded. Carried.
- II.** Ms. Tucker moved to accept the March 16, 2007, minutes, Ms. Riesbeck-Lee seconded. Carried.
- III. Executive Director Report presented by Mr. Rough:**

Mr. Rough reported:

1. The CEU update will be reported in the individual committee reports.
2. The MFT and LISW vacancies on the board will hopefully be filled soon.
3. The meeting with Rep. Webster and the governor's office legislative section regarding MFT legislation did not take place but we are still working for support from the Governor.
4. Progress with the five-year rule review is going well a lot was accomplished at the April meetings. The SWPSC reviewed some

changes and made some modifications. The background check bill is moving through the House, Mr. Rough anticipates it will pass soon.

5. Revised budget reports were provided.
6. Licensed numbers are staying fairly consistent.
7. The staff is working well, investigators are working hard on various issues. Mr. Rough thanked Mr. Hegarty handling legal issues, he is very good at it. The new employees are doing a good job.
8. A large number of social work applicants are making a lot of hard work for Ms. Holleman and Ms. Kreinbrink, but they have formed a good team and are doing a great job.

IV. Investigative Report presented by Mr. Hegarty:

Mr. Hegarty reported:

1. Thanked his staff for their hard work.
2. Since March 15, 2007, forty-two new cases have been opened, thirty social workers, ten counselors and two unlicensed. Total cases opened from January 1, 2007, thru May 14, 2007, is ninety-nine. The breakdown of the types and demographics were distributed to the Board. The complaints are about a month and a half behind before investigators are assigned. Complaints received are mostly regarding competency and confidentiality. The Columbus area has the most complaints.
3. Mr. Hegarty is requesting to attend the Attorney Certification Seminar in Professional Regulatory Law offered through the Federation of Associations of Regulatory Boards (FARB) in Charleston, SC, from October 5-7, 2007. Mr. Rough recommends Mr. Hegarty attend this conference to keep current with these issues. Ms. Tucker moved to approve Mr. Hegarty to attend the FARB conference, Ms. Cohen seconded. Carried.
4. Mr. Casey will be late so Mr. Hegarty reported on the legal update. A dismissal of the Eldercare case was requested and the case was dismissed. Mr. Keith Roberts, counselor license was revoked and the case is currently in the Mahoning County Common Pleas Court, no changes. There is also no update on the continuing INR case and Dr. Mulhousen's case.

V. Legal Update presented by Atty. Casey IV, Esquire:

Atty. Casey reported:

1. Since Mr. Hegarty reported on the legal issues, Mr. Casey reported on the dismissal of the Eldercare case and oral argument is set to take place in Cleveland for the Dr. Mulhousen case.

VI. Marriage and Family Therapist Professional Standards Committee Report was presented by Mr. Trivison:

Mr. Trivison reported:

1. Thanked Ms. Adorjan for keeping the committee organized and for her hard work.
2. Acknowledged Ms. Shonda Craft from OAMFT and that it was nice to have her attend the meetings.
3. The committee completed the following: licensed one applicant for IMFT, reviewed eight exam requests, approved three, denied four and requested additional information for one; denied one request for hardship and approved one request for hardship for supervision; and denied two Goldman cases.
4. Mr. Camerino was appointed as the new member of the CEU Committee, the main concern is non-compliance with more than just the audited group of licensees.

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

Mr. White reported:

1. Thanked the staff for doing an exceptional job.
2. The committee worked hard during their meeting but will start at 9:00 a.m. versus 8:00 a.m. on Thursday mornings in the future.
3. Approved April and May minutes.
4. Approved sixty-seven PC's and thirty-four PCC's; finalized rule changes; reviewed many continuing education programs and providers; closed many cases; and one-hundred and fifty exam packets were mailed out.
5. Dr. Norris Huss reported to the committee about the CEU committee.

VIII. Social Work Professional Standards Committee Report was presented by Ms. Tucker:

Ms. Tucker reported:

1. Thanked the staff for doing a wonderful job, only ten percent of the applicants had to be reviewed.
2. One hundred and fifty-one applicants were licensed, twenty-two social workers assistants were registered, ninety-two social workers and thirty-seven independent social workers were licensed.
3. Over one thousand requests for pre-approval for the exam were received since last November.
4. Twenty cases were closed.
5. Investigative reports reviewed.
6. Mr. Lustig from NASW discussed the new DYS standards.
7. Reviewed the rule changes.

IX. Old Business:

1. Ms. Tucker moved to approve publishing press releases for licensees in disciplinary cases, seconded by Mr. Dailey. Discussion took place on whether to add the city or county of the licensee and if just suspensions or revocations should be published. Ms. Huey felt cautioned licensees did not need to be published. Mr. Dailey agrees to just publish the suspension or revocation not the lesser issues with licensees such as continuing education or treatment facility. Mr. Dailey moved to amend the motion that press releases reflect suspension, revocation and surrender of license, seconded by Ms. Riesbeck-Lee. Carried.
2. Mr. Trivison moved that when seeing more than one treatment provider, a disclosure statement and consent be handled by the first treatment provider, seconded by Ms. Tucker. Carried. Discussion on who provides the disclosure statement. Dr. Norris Huss moved to table the decision for now, seconded by Ms. Sharkey Dirck. Motion to table carried.
3. Mr. Trivison moved to eliminate the bartering language, seconded by Ms. Sharkey Dirck. Dr. Norris Huss suggested to amend the motion by eliminating the first sentence "pre-approval" in 4757-05-08 (C). Ms. Tucker moved to table the motion, seconded by Ms. Huey. Motion to table carried. This issue will be discussed in the separate committees and one person from each committee along with Mr. Casey will discuss the issues. Dr. Cluse-Tolar asked for volunteers to head up this committee and Ms. Tucker, Dr. White-Kress and Mr. Camerino volunteered.
4. Mr. Trivison asked Mr. Casey if grandparenting can be taken out of the rules, Mr. Casey stated yes it can be removed. Mr. Trivison made a motion to modify three rules that were discussed with his committee and Mr. Rough. He moved to delete the expired grandparenting provisions from rules 4757-25-03 and 04 of the Administrative Code; and to modify paragraph (C)(6) of rule 4757-29-01 of the Administrative Code. The change to paragraph (C)(6) will clarify that out-of-state supervision may be approved, but must be requested by the applicant similar to the language in paragraph (A)(3)(d) of rule 4757-13-03 of the Administrative Code. Ms. Tucker seconded and the motion passed.
5. Discussion took place regarding the seven years of record retention required in the proposed ethics rule, which should have cited Medicaid not HIPPA and was incorrectly reflected in the minutes.

X. New Business:

1. Mr. Rough reported that itemized receipts are needed with meal reimbursement.

2. The CEU Committee report was given by Dr. Norris Huss. The Committee met to discuss concern about licensees who state thirty hours were completed for renewal but do not actually have their hours complete. Mr. Rough will put out a blitz to Associations to include on their website that possible discipline will take place if this continues to happen.
3. Dr. Cluse-Tolar reported that the Executive Committee discussed that Dr. Cluse-Tolar will complete her allowed two years in July as Board Chair and how to pass procedures to the new chair of the Board. She also noted Wednesday's meeting was productive as was Thursday morning for her committees.
4. Discussed possibly scheduling time after the full Board meeting in July to continue to talk about any issues.
5. Dr. Cluse-Tolar reported the Personnel Committee met and request the Board go into Executive Committee. **MOTION:** Mr. White moved and Ms. Huey seconded that the Board go into executive session to discuss Personnel issues. Voting Aye: Mr. White, Dr. Norris Huss, Ms. Cohen, Dr. Kress White, Mr. Trivison, Ms. Sharkey Dirck, Mr. Camerino, Dr. Cluse-Tolar, Ms. Tucker, Ms. Riesbeck-Lee, Mr. Dailey, Ms. Huey. Voting Nay: None. Motion passes unanimously. (2:15 p.m.)

Dr. Cluse-Tolar declared the meeting out of executive session. (2:45 p.m.)

Dr. Cluse-Tolar requested the following information; a copy of the Board's policies and procedures be sent to the board members which will be reviewed as it relates to the Directors evaluation and make sure it is accurate. Also make sure the Board is on target with the Inspector General's recommendations. A list of staff and their salary. Requested Mr. Rough to accept the nomination for the treasurer for ASWB, but monitor how much time he may be away from the job of Director of the Board. The board noted that ASWB will cover his expenses.

Dr. Norris Huss stated Mr. Trivison did a great job leading the meeting on Wednesday and keeping everyone on track.

Dr. Cluse-Tolar thanked Mr. Trivison for filling in on Wednesday and requested since a lot of the work in the SWPSC has been shifted to the staff she requests to start the Board meeting at 1:00 and Mr. Rough to add this time change to the web-site.

Mr. Rough reminded the Board that a new board chair is needed and will be the first issue on the agenda in July and the new chair will then run the meeting.

1. **XI. Adjourned:**

Mr. Dailey moved to adjourn, seconded by Ms. Tucker. Motion passed unanimously and the meeting is adjourned. (3:20 p.m.)

Dr. Theresa Cluse-Tolar
Board Chair