



## *Counselor, Social Worker & Marriage and Family Therapist Board*

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### **STATE OF OHIO**

### **COUNSELOR, SOCIAL WORKER AND MARRIAGE AND FAMILY THERAPIST BOARD**

**NOVEMBER 20, 2009**

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 November 20, 2009.

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 and Mr. John Cranley IV. Absent: Mr. Tommie Robertson, Mr. Steve Polovick and Ms. Deirdre Petrich. Staff present: Mr. James Rough, Mr. William Hegarty, Ms. Patricia Miller, Ms. Marcia Holleman, Ms. Tracey Hosom, and Ms. Margaret-Ann Adorjan.

Also, present were Atty. Leah O'Carroll, Assistant Attorney General, Mr. Henry Lustig, NASW, Mr. Pete Packard, Ms. Aleyse Swilling and Ms. Allie Riley both from Westly Family Services.

- I.** Discussion and approval of agenda. Mr. Cranley moved to approve the agenda, seconded by Mr. Brady. Carried.
- II.** Dr. White Kress moved to accept the September 18, 2009, minutes, seconded by Dr. McGloshen. Carried.

Dr. Huss welcomed new Board Member Ms. Mary Venrick who fit right in with the Counselor Professional Standards Committee.

### **III. Executive Director Report presented by Mr. Rough:**

#### **Mr. Rough reported:**

1. Discussed the budget report. Late fees and verification fees will be on the next budget report. The next Board State Auditor's audit will be paid directly from the Board's budget and this might be an issue depending on the amount.

2. Explained the budget and licensee count report for the new board member.
3. Ms. Venrick, PC, stopped at the Board about two weeks ago for an overview of being a Board Member. Glad to have her, she has practiced for nineteen years and brings a good perspective. Two new Board Members, Mr. Polovick, LSW, previously an investigator for the Board and Ms. Petrich, IMFT, PCC, LSW, were both unable to attend due to the short notice of the meeting date but will be here at the January meeting. No new appointment for a public member for the Social Work Professional Standards Committee.
4. Mr. Rough will send a draft of the statute changes to associations for their input.
5. Made the Board aware of HB1 regarding mental health facilities sharing information. ODMH rules will be effective December 1, 2009. Renewed memo of understanding of referring information with ODJFS.
6. The laws and rules review requirement starts January 1, 2010. Hope to call it something besides an exam.
7. BMV language was accepted and should move forward.
8. New travel changes are effective and in process.
9. Mental Health Hold Bill HB 281, copies were sent out.
10. No hearing for the Art Therapy Bill.
11. A rule was proposed for approval of counseling licensure applications between the board meetings.
12. January thru June 2010 renewals were sent out.
13. Civil Service Exemption is going well, everyone is in agreement.
14. Attended the ASWB conference in October, knowledge and thoughts were shared with the different committees. Will be working with OSU on a pilot project, some interest expressed by OCA.
15. July long-term plan: CEU Committee issues are being worked, statute changes sent out and hope to have agreement by end of 2010, continue to work on technology and budget issues.
16. Staff continues to work well together. There are fewer graduates at this time of year, which allows staff to catch up.
17. Some motions will be needed for policy issues under new business.

#### **IV. Investigative Report presented by Mr. Hegarty:**

##### **Mr. Hegarty reported:**

1. Discussion with Dr. Norris Huss regarding the disciplinary process and requiring the juris prudence exam but using caution as the exam could be considered a funding mechanism if applied to all.
2. Fifty-nine new cases since the last meeting, thirty-eight social work, sixteen counselors, and five unlicensed.
3. The most complaints have been from improper renewal and custody disputes.
4. A counselor or social work hearing will be held in January 2010.

**V. Legal Update presented by Atty. O'Carroll:**

**Atty. O'Carroll reported:**

1. The Merle Rhodes appeal was won by the Board, appealed again and again won by the Board. An appeal to the Ohio Supreme Court can be made but otherwise the suspension is in place.
2. Dr. Smith Evans did not file her brief in November so motion to dismiss is pending. Waiting on court staff attorney.
3. Dr. Gilyard asked why so many social work cases versus counselor cases, Mr. Hegarty stated there are more social workers than counselors.

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

**Dr. White Kress reported:**

1. Licensed sixty three PC's, forty-two PCC's.
2. Discussed correspondences, agreed to keep allowed home study hours to fifteen per renewal.
3. Reviewing a Counselor Program Approval application.
4. Discussed sending board members to the ASWB new board member training and possibly not be paid, as the information is valuable.
5. Have not had time to review staff suggestions for the statute changes.

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

**Ms. Riesbeck-Lee reported:**

1. Closed fifteen cases, approved four consent agreements, three Goldman Hearings, one licensure denial. Approved two hundred and twenty-five licensure requests and approved two-hundred and eighty-eight exam requests.
2. Reviewed a hardship request.
3. Passed a motion to allow thirty hours of home study per renewal.
4. Regarding staff statute suggestions requested the reasoning be included.

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

**Dr. McGloshen reported:**

1. Filling in for Mr. Robertson who is ill.

2. Approved two exam requests, three MFT licensure requests, tabled a Goldman Hearing till January.
3. Licensure Denial Hearing took place, the individual was denied to sit for the exam.
4. Discussed continuing education.
5. The Committee does not want a pay change from rate per day to per hour, as it could become a permanent fix for a temporary problem.

Dr. Norris Huss stated Mr. Robertson is ill and to send your support by email or letters, but to send your wishes his way. Mr. Rough reported Mr. Robertson will have surgery in the next few weeks. Dr. McGloshen also stated he does not always open his e-mail so if possible to mail him a note.

## **IX. Committee Reports**

### **E-therapy Committee**

No report was given, committee work is complete.

### **CEU Committee**

Mr. Rough reported:

- Banking hours was reviewed.
- Will look into tracking CEU hours and how to have the system accommodate this.
- Will work with Ms. Riesbeck-Lee on how to allow ACE automatic social work approval.
- How to have consistency within the committees when reviewing programs.
- Discussed quality of CEU's and letting licensees know about free continuing education.
- The topic of spirituality and religion was discussed and the ethics involved. Ms. Miller will request evaluation forms from programs and looking for possibly feedback from survey monkey.
- Dr. McGloshen suggested board members give their input from programs they have attended. Dr. Norris Huss suggested the evaluations give the Board as a contact for comments. Mr. Nelson suggested registering for CEU's and evaluations in the future.

### **Investigations Ad Hoc Committee**

No report given.

### **Executive Committee**

No report given.

## **X. Old Business:**

None addressed

**XI. New Business:**

1. Dr. White Kress moved to approve the revised policy procedures for the office, seconded by Ms. Riesbeck-Lee. Carried. Dr. Huss commended Mr. Rough for updating the manual.

Dr. Norris Huss suggested in the process of many discussions to try to get to the actual change and not just a continual discussion.

Dr. Norris Huss wished everyone a Happy Holiday and Go Bucks!

**XII. Adjourned:**

Dr. Norris Huss declared the meeting adjourned.

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Board Chair  
Dr. Susan Norris Huss



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#### **Executive Committee Meeting**

**November 19, 2009**

Chairperson, Dr. Susan Huss, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the executive committee meeting of the Board at 8:34 a.m. on November 19, 2009.

Members present were Ms. Jennifer Lee, Ms. Karen Huey 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
  - Start the process of a statute change – Mr. Rough
  - Review the budget and revenue projections – Mr. Rough
  - Improve technology use where appropriate – Mr. Rough
  - Improve the disciplinary process task the Investigative Liaison Ad Hoc Committee
- Budget issues – Travel expense increase for overnight
  - Per diem is \$56 per day or \$14 per quartile, which is a significant increase for eight board members with overnight travel. We could ask internally for receipts and request reimbursement for money spent versus the full per diem. Board members have a right to these reimbursements per the state travel rules. Mr. Rough will discuss at professional standards committee during his report.
  - Proposed statute change to board member pay per hour versus per day.
- Rule 4757-1-07 Standard fines for discipline actions. The AAG's input on fines being considered administrative action versus disciplinary is that the

statute requires the option of a Chapter 119. of the Revised Code hearing, which would make it public discipline.

- Policies: several need re-writes and are ready for review at November Board meeting. All policies not listed are current as of November 2009.
  - Policy 1.2 Organizational Chart – new appointments added except one
  - Policy 1.11 -Disaster Recovery Plan- updated server backup data and other incidentals
  - Policy 1.11 Appendix A to Disaster recovery plan changed log review from monthly to regular.
  - Policy 2.2 includes New board member training – ASWB
  - Policy 2.6 Corrective Action – modified to comply with new union contract
  - Policy 2.7 Work rules – waiting for DAS re-write of their rules
  - Policy 3.2 Travel needs update with new OBM travel rule
  - Policy 3.3 Agendas
  - Policy 4.1 & 4.3 need to be updated to reflect OAKS change
  - Policy 5.1 Payroll needs to be updated for OAKS
  - Policy 5.2 Revenue deposits needs revision due to closing Lock Box
  - Policy 7.2 Link to OIT policy page changed

Executive Committee approved the policy changes and will make a motion to approve them at the full board meeting.

- Mr. Rough's annual evaluation forms were emailed to board members for input. Dr. Huss asked Mr. Rough to look at a means of gathering staff input.
- FERPA does not apply to the transcripts sent to the board per AGs office. Mr. Rough will review with the board's assistant attorney general adding language to the application, which would notify applicants of this fact.
- Chemical Dependency Professionals Board – proposed statute changes, which they shared with Mr. Rough. These changes would make it easier for this board's licensees to obtain a Chemical Dependency Board license.

Meeting adjourned at 9:07 a.m.

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Board Chair  
Susan Norris Huss



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### **CEU Committee Meeting**

**November 19, 2009**

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 November 19, 2009.

Members present were Dr. Victoria Kress, PCC and Dr. Thomas McGloshen, IMFT. Staff present: Mr. James Rough, Executive Director and Ms. Patricia Miller, Continuing Education Coordinator

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

The following issues are from the July planning meeting as enumerated by the committee at the September meeting. The following statute section pertains: 4757.33..."The professional standards committees of the counselor, social worker, and marriage and family therapist board shall adopt rules in accordance with Chapter 119. of the Revised Code establishing standards and procedures to be followed by the committees in conducting the continuing education approval process."

- **Super CEU 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 wants to do this and has proposed rule change for review. The MFTPSC and CPSC are not interested in making this change at present. The SWPSC needs to figure out how to modify the rules to make provision for ACE and potentially NASW. An additional issue is how to address other national social work associations that may want similar authority. We need a discussion regarding what process is needed to apply for this approval and how to monitor and have the "super" provider renew or check in with the Board.*
- How do we improve consistency of decisions within the committees by the professional standards committees in approval/denial decision making? Discussion: *The committees have changed processes to help with consistency. The SWPSC is using the rubric from Louisiana, which helps with consistency. Additionally, all three professional standards committees use the following parameters. If one reviewer says "no" to a program then at least one more member reviews for agreement or discussion to accept. If one person approves, but thinks another member might not, she/he asks for a consultation to determine the appropriate approval or denial.*
- How can we tie CEU programs and providers with the CE audit program or develop a separate audit for them? Discussion: *The committee discussed a number of options that may not fit within the staff's time to perform.*
  - *Will ask for evaluations for programs that receive complaints.*
  - *May consider an audit of a small percentage of programs.*
  - *Not sure what to do with Providers who offer many programs.*

- Banking of CEUs for licensees  
Discussion: *This program would be difficult to process without additional staff or system changes to allow easy processing. Jim will ask the eLicensing group to consider in the next update or major system revision.*
- Quality of CEUS: how do we let licensees know about excellent free CEUs outside of Ohio, like Trauma Focus from University of South Carolina and Grief CVT?  
Discussion: *A number of issues with this item were discussed including if it is appropriate for the board to recommend any program. Once any program is listed then all others may ask so compiling a list is probably not appropriate for the board. Many licensees would like a better way to find local CEU opportunities for themselves.*
- Spirituality & Religion
  - How does having the same theological view as the client affect therapy?
  - These are a big part of many lives; how do we treat clients with respect and incorporate these issues into therapy?
  - Where can someone learn to incorporate these issues appropriately?
 Discussion: *The religion aspect is difficult for the board to get into. The ethics rules do speak to any form of discrimination and sensitivity to a client's cultural milieu. 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."*  
Evaluations from programs with spirituality in the title will be requested by Ms. Miller for the next CEU meeting in January 2010.
- Require pre-filing of each CEU program taken as lawyers do.  
Discussion: *This program would be difficult to process without additional staff or system changes to allow easy processing. Jim will ask the eLicensing group to consider in the next update or major system revision.*
- How do we improve quality of CEUs:
  - Capture comment sheet data
  - Use of Survey Monkey
  - Others?
 Discussion: *Require submission of evaluations for any program for which a complaint is received. Ask for more input 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. Mr. Rough to provide possible means of achieving these at the next meeting.*
- 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.