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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 19, 2010

Chairperson, Ms. Jennifer Riesbeck-Lee, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the regular meeting of the Board at 1:00 P.M. on November 19, 2010.

Members present were Mr. Timothy Brady, Mr. Robert Nelson, Ms. Peggy Volters, Ms. Mary Venrick, Mr. Steven Polovick, Mr. Don McTigue, Mr. Tommie Robertson, Mr. John Cranley, Dr. Otha Gilyard, Dr. Victoria Kress, Ms. Maureen Cooper and Dr. Terri Hamm. Absent: Dr. Deirdre Petrich and Dr. Thomas McGloshen. Staff present: Mr. James Rough, Mr. William Hegarty, Ms. Patricia Miller, Ms. Marcia Holleman, Ms. Tracey Hosom and Ms. Tamara Tingle. Also, present Mr. Henry Lustig, NASW, Ms. Jennie Daniels, OSU Student, Atty. Leah O'Carroll, Asst. Atty. General.

Ms. Riesbeck-Lee welcomed new board members Ms. Cooper and Dr. Hamm and re-appointed board members Mr. Nelson and Dr. Gilyard.

- I.** Discussion and approval of agenda. Mr. Cranley moved to approve the agenda, seconded by Mr. Robertson. Carried.
- II.** Dr. Gilyard moved to accept the September 17, 2010, minutes, with corrections, seconded by Ms. Volters. Carried.
- III. Executive Director Report presented by Mr. Rough:**

Mr. Rough reported:

1. Welcomed new board members and re-appointed board members. Glad to have everyone.
2. The staff is working well, Ms. Kreinbrink was hired by OSU and while we are sad to lose her, this is a good opportunity for her. Twenty-nine applications have been received so far for the position and the window will close Wednesday. It was a great help that Ms. Kreinbrink was

licensed as a social worker so bonus points will be given if an applicant is licensed.

3. Distributed the number of licensees report, showing an increase in number of licensees by over 3,000 in the last six years. FY 2010 budget report was discussed and the budget so far for FY 2011. The cost of the two year audit was budgeted under that title with an estimated amount. Details of the budget were explained for new board members, and the budget is on schedule. Mr. Robertson questioned if the ethics training for board members was reflected on the budget report, Mr. Rough stated there is no expense for the ethics training. Ms. Cooper questioned what the credit card fee was for and Mr. Rough explained the fee covered online applications and renewals for licensees. Ms. Venrick asked where any extra money in the budget goes and was informed it goes back to the state.

IV. Investigative Report presented by Mr. Hegarty:

Mr. Hegarty reported:

1. Thanked the Investigative Liaisons Mr. Brady, Mr. Nelson and Dr. Kress for their hard work and for Ms. Venrick also helping out.
2. Ms. Hosom and Ms. Tingle have both been busy with investigations.
3. Competency has been the main complaint and Cincinnati the area most complaints have been received from.
4. Thirty-five new cases since the last meeting, which is slightly down from this time last year.
5. Counselor denial hearing in January, maybe a second hearing in the afternoon for the social workers. Counselor hearings are booked thru July 2011.
6. The staff has been traveling to many areas including Akron, Athens, Canton, Cincinnati, Cleveland, Columbus, Delaware, Mansfield, Marysville, Moraine, Newark, Rocky River, Tallmadge, West Chester and Xenia.

V. Legal Update presented by Atty. Leah O'Carroll

Atty. O'Carroll reported:

1. A notice of appeal regarding confidentiality of investigation materials is currently at the 8th District Court of Appeals. A discussion with the board on our language in the statute regarding confidentiality proceeded. The judge ordered the Board to provide investigation materials despite the confidentiality in the statute and without stating why the statute should be ignored.

VI. Social Worker Professional Standards Committee Report was presented by Mr. Nelson:

Mr. Nelson reported:

1. Licensed LSW's, LISW's and SWA's.
2. Related degree hearing took place, two consent agreements were approved, and six Goldman hearings were reviewed.
3. Received licensee complaints regarding the boring content of many ethics trainings and discussed a clearer wording of other topics such as cultural diversity that meet the ethics requirement and that the word Ethics does not need to be in the title.
4. Also discussed disclosure statements, fees and continuing education.

VII. Marriage and Family Therapist Professional Standards Committee Report was presented by Mr. Robertson:

Mr. Robertson reported:

1. Licensed one MFT, four IMFT's and reviewed five requests to take the licensing exam.
2. Discussed the draft rules and were okay with them, also discussed fees for programs and providers
3. Hoping to expand the number of MFT/IMFT licensees. Dr. Petrich and Ms. Adorjan will travel to the University of Akron regarding the MFT program.
4. Discussed MFT training status and Medicare agency reimbursement, working on this for when the statute opens in the next couple years.

VIII. Counselor Professional Standards Committee Report was presented by Ms. Venrick:

Ms. Venrick reported:

1. Licensed seventy-five PC's, twenty-nine PCC's, and reviewed continuing education.
2. Closed ten cases, approved one remediation plan, answered ten correspondences, some regarding the fifteen hour limit for online programs, and reviewed five Goldman hearings.
3. Met with Ohio Rehabilitation Association regarding the denial of their provider status.
4. Approved changes to Bowling Green State University program.
5. Nineteen individuals took the NCE and NCMHC exam, ten passed and nine failed.
6. Discussed the language to be used when supervisors are signing off.

IX. Committee Reports

CEU Committee

Mr. Polovick reported that the committee discussed:

- Survey monkey results for Continuing Education programs continues to be excellent.
- Program and provider fees, and the amount needed to support a new staff person.
- The topic of spirituality.
- The continuing issue with the provider INR, they are not responding appropriately to letters and phone calls regarding inappropriate programs offered to counselors. If no appropriate response is received by January 2011, their provider status may be revoked. The NASW approval causes a problem since INR has their approval and if the board revokes their social work provider status their programs would still be accepted through NASW.
- Ms. Riesbeck-Lee stated she felt positive about agencies coming in to discuss denied provider status and program requests.

Investigations Ad Hoc Committee

No Report.

Executive Committee

Ms. Riesbeck-Lee Reported:

- Policy 1.8 combined the Personnel and Executive Committee into only the Executive Committee. Approved the policy as it stands and discussed making the Ad Hoc Investigative Liaison Committee into a standing committee.

X. Old Business:

Provider and Program Fees

- Ms. Volters stated the purpose of the fee is to fund the new position whatever the decided amount.
- Mr. Rough suggested either everyone has a fee or no fee, exceptions become difficult, suggested amounts of \$25.00 per program and \$100.00 per provider request and renewal every two years.
- Dr. Gilyard requested the decision be sensitive to the economy.
- Mr. Cranley stated if no fee for attendees is charged then no fee to approve their program, requesting this exception even if it creates administrative difficulties. Also suggested if an agency is charging a fee below the hourly cost to them then the board would charge no fee.
- Mr. Robertson stated this is a discussion and not a motion but we need to move forward.
- Mr. Cranley calculated the money to be made through this action.
- Dr. Gilyard requested the public be told the justification for charging this fee.
- Mr. Polovick asked how many large providers the board had at this time, Ms. Miller estimated maybe twenty out of six hundred.

-Ms. Riesbeck-Lee stated that quality of the programs is the main focus and not the price.
-Ms. Miller added that since the Board accepts NASW approval if the fee is higher than what they charge it could cause a competitive program approval request.
-Mr. Cranley requested Mr. Rough put the proposal out there.
-Mr. Polovick stated when it came to fines the amount will be different.
-Mr. Rough stated if offering a program after the expiration the fine will be great.
-Ms. Cooper asked where the money from the fines will go and Mr. Rough stated they would be deposited in the Board's fund at the Treasurer's office. Funds in excess of the Board's appropriation may be taken for General Revenue expenses.

XI. New Business:

-None

XII. Adjourned:

Ms. Riesbeck-Lee thanked the Board for having her attend the ASWB conference in New Orleans last week, there was little cost to the Board and the information was very beneficial. The topics included changes to the licensure exam, a new exam vendor, security and palm technology.

Thanked Ms. Kreinbrink for her hard work and dedication and expressed appreciation for her work at the board and wished her well at her new position with Ohio State University and feels Ms. Kreinbrink will represent the board well.

Ms. Riesbeck-Lee wished everyone a Happy Holiday.

Ms. Riesbeck-Lee declared the meeting adjourned at 2:10 p.m.

Board Chair



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Executive Committee Meeting

November 18, 2010

Chairperson, Ms. Jennifer Lee, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the executive committee meeting of the Board at 8:18 a.m. on November 18, 2010.

Members present were Mr. Robert Nelson, Ms. Mary Venrick, Rev. Otha Gilyard and Mr. Tommie Robertson. Staff present: Mr. James Rough

- Approve agenda and minutes - *agenda and minutes were approved*
- We have two new Board Members PCC Maureen Cooper and PCC Terri Hamm. Jenny Kreinbrink has been hired by OSU and tomorrow is her last day.
- Planning Meeting Issues – identify items for follow up as assigned.
 - Items from Prior Year:
 - Process of a statute change in work – *Jim assigned*
 - Review the budget and revenue projections – *Jim assigned*
 - Improve technology use where appropriate – *Jim assigned*
 - Improve the disciplinary process - *task the Investigative Liaison Ad Hoc Committee*
 - Discipline Process issues are as follows:
 - Draft of revised Custody Rule is on agenda for review. *Still need discussion on educating the licensees, judges, attorneys and Guardian Ad Litem.*
 - Draft of rule change for care of records in event of the death or disability of a licensee uses some language and concepts from the Psychology Board rule on that subject. *Draft is ready for review at this meeting.*
 - Many Continuing Education issues are assigned to the CE Committee
 - Executive Committee to review policy 1.8 Establishment of Working Committees of the Board to ensure it meets the Board's needs at next meeting: *Executive Committee approved Policy 1.8 as written.*

- Consumer Education – Jim will ask associations for input on current fact sheet on web site. *Are there other needs to be met? No new items identified.*
- Civil Service exemption – Jim assigned to track House Bill 62: *The House and Senate do not appear to be working on Bills following the election.*
- Statute change – added to Section 4757.36(C)(11) in the proposed statute language the option to discipline a license for discipline in another state. *Added to draft language.*
- Budget issues
 - Working on IT items. *Waiting for DAS input for revised costs.*
 - Budget due November 1, 2010 for FY 2012 & 2013
 - Need decision on Fee for additional Wall Certificates - \$15?
 - Need decision on Fee for CE Programs & Provider status - \$25/\$100? Exempt programs and providers who do not charge a fee for attendance?

Committee discussed the following rules.

- Rules for review at this meeting:
- Rule 4757-5-09 draft to address licensee's absence, emergency or death
- Rule 4757-3-01 (M) change to allow graduates from schools in candidacy status with CSWE to become eligible for licensure.
(M) "Master's degree or Ph.D. degree in social work" means a degree granted from programs accredited [or in candidacy for accreditation](#) by the "Council on Social Work Education."
- 4757-13-07 draft to change rule to revise CACREP references per CACREP memo on the use of CACREP aligned.

Meeting adjourned at 8:45 a.m.

Board Chair
Jennifer Lee



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CEU Committee Meeting Minutes

November 18, 2010

Chairperson, Mr. Steven Polovick, LSW, at the LeVeque Tower, 50 West Broad Street, Columbus, OH, convened the CEU committee meeting of the Board at 11:00 a.m. on September 16, 2010.

Members present were Ms. Maureen Cooper, PCC and Mr. Tommie Robertson, IMFT. Staff present: Mr. James Rough, Executive Director, Ms. Rhonda Franklin, Renewal Coordinator, Ms. Patricia Miller, Continuing Education Coordinator.

1. Approve agenda and minutes from September – minutes approved and agenda approved.
2. Planning Meeting issues – discuss priorities and identify follow-up.
 - a. Voted to approve charging a fee for the CE program approval and for provider status. Committee discussed possible fees from low to very high.
 - b. Will review the use of fines for using provider status or program approval after it has expired. Committee liked the idea of fines for providers who offer programs after expiration of their approval dates. Mr. Rough will draft a paragraph to add to the fine rule.
 - c. Spirituality – Committee would like to review any programs that do not have a clear tie to a therapeutic modality. None identified in last month.
3. INR (Institute for Natural Resources): attorney discussed issues with Mr. Rough on Friday 11/12/10. Mr. Rough is waiting for further response. This issue began in March 2010 and is still not resolved. INR letters have not addressed the counselor provider issues. This is an ongoing issue. If not resolved by the January meeting the Committee will discuss revocation of INRs Provider status. INR – “Brain Injury” program with course list received at the board’s office does not meet the Board’s requirements, but does meet NASWs. This is an ongoing issue. If not resolved by the January meeting the Committee will discuss revocation of INRs Provider status.
4. Program and Provider fees – discussion needed as to amounts and if we want to not charge providers and programs that do not charge to attend.

Dr McGloshen was not present, but sent the following note: What I believe merits attention is the rationale for charging for program and provider status--not from our committee meeting but from the general meeting on Friday afternoon. The rationale John Cranley presented was not, as I heard it, what the MFTPSC considered the rationale for charges. He understood it as getting funds to hire a couple of people to monitor programs. What I understood was that we are entitled to charge a modest sum for the privilege of providing programs. This has, I believe, been discussed as part of our CEU Committee as well. The issue will be discussed further at the Board meeting and the MFTPSC has proposed one possibility with a high fee for providers charging more than \$15 per hour of CE credit offered. The Committee had a spirited discussion of the many options and how to best set the fees. Mr. Rough stated that he would prefer a modest cost for all programs and providers without exceptions. The exceptions make administration of the fees difficult to track and ensure adherence.

5. The Board's online Survey of CE Programs from renewing licensees continues to be overwhelmingly positive.
6. The Committee discussed CE course names that include the terms "ethics" or "supervision", which should only have those terms in the title if the programs are approved for ethics and/or supervision continuing education hours.

Committee adjourned at 12:05 p.m.

Mr. Steven Polovick



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November 10, 2010

Executive Director's Report

Board Meeting Dates and Rooms

Thursday November 18, 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 – 9:00 a.m.

CEU Committee – Executive Director's Office at 11:00 a.m.

Investigative Liaison Committee – Building Conference Room on Mezzanine at 11:00 a.m.

Annual Governor's Ethics Training - Mezzanine Conference Room at 2:00 p.m.

SWPSC - ??? hearing November 18th at 9:15 a.m.

Friday November 19, 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

The minutes for the July 15, 2009 planning meeting will be reviewed by the Executive Committee to identify planning items for the next year and into the future.

Board members appointed through 10/10/2013: Please welcome our new and returning members.

- ❖ PCC-S Terri Hamm
- ❖ PCC-S Maureen Cooper
- ❖ Bob Nelson
- ❖ Otha Gilyard

I have contacted all of the associations concerning proposed statute. OCBHP has provided their input, which includes a request to delete the professional disclosure statements from section 4757.12 of the Revised Code. OAMFT and OCA provided their inputs; NASW Ohio Chapter is working on their input.

The Supreme Court has forwarded our letter concerning the rules of superintendence for the courts of Ohio rule 66 paragraph (A). We are waiting for further information.

The following bills are waiting to see if the senate holds any hearings. Preliminary information is they will have minimum sessions and hearings, if any at all.

- HB 62, which includes the deletion of the civil service exemption
- Mental Health Hold – HB281 has had three hearings.
- The Art Therapy Bill HB208 has had three house hearings.

I filed the budget for FY 2012 & 2013 on November 1, 2010. I am still waiting for input from DAS on some IT costs. We need to discuss fees for CE programs and provider status at this meeting in order to be ready to write the rule if that fee is added to the budget bill.

The Auditor of State's office has completed their audit. The audit covered FY 2009 & 2010. I only know of one verbal issue that is very minor unless they surprise me.

The following rules need to be reviewed.

- Rule 4757-5-09 draft to address licensee's absence, emergency or death
- 4757-13-07 draft to change rule to revise CACREP references per CACREP memo on the use of CACREP aligned.

The following rules are pending filing with JCARR:

- Rule 4757-3-01 (M) change to allow graduates from schools in candidacy status with CSWE to become eligible for licensure.
(M) "Master's degree or Ph.D. degree in social work" means a degree granted from programs accredited [or in candidacy for accreditation](#) by the "Council on Social Work Education."
- Rule 4757-5-02 new paragraph (I) for supervision
- Rule 4757-5-03 & 5-08 change to ban bartering
- Rule 4757-6-01 custody in paragraph (F) on planning meeting change.
- Rule 4757-7-01 new fine rule
- Rule 4757-9-04 change to allow banking of CE hours.
- Rule 4757-9-05 deletion of automatic approval for university programs
- Rule 4757-25-02 MFT rule for expired applicant examination policy

Executive Director Work Plan: review the results of the Planning Meeting and issues for future resolution.

- 2010 Planning Meeting Issues were discussed and assigned as follows:

- Items from Prior Year:
 - Process of a statute change in work – Jim assigned
 - Review the budget and revenue projections – Jim assigned
 - Improve technology use where appropriate – Jim assigned
 - Improve the disciplinary process - task the Investigative Liaison Ad Hoc Committee
- Discipline Process issues are as follows:
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- Executive Committee to review policy 1.8 Establishment of Working Committees of the Board to ensure it meets the Board's needs at next meeting
- Consumer Education – Jim will ask associations for input on current fact sheet on web site. Are there other needs to be met?
- Civil Service exemption – Jim assigned to track House Bill 62
- Statute change – added to Section 4757.36(C)(11) in the proposed statute language the option to discipline a license for discipline in another state. Complete

Sincerely,

James R. Rough
Executive Director