

CSWMFT News

Fall
2015
Issue 4

Observations from my first 3 Months as Chairperson -
Margaret “Charlie” Knerr, IMFT-S



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

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*Next Meeting of the
CSWMFT Board:*

*Thursday November
19th and Friday
November 20th.*

I have now been the Chairperson of the Ohio Counselor, Social Worker, & Marriage and Family Therapist Board for three months. Those three months have flown by. I would like to share a few of my observations:

Observation #1 - “Your audit has been closed with the status of ‘completed and accepted.’” On October 1, I received an email and later I received a postcard informing me that I was to be audited by the board and that I had 30 days to complete the audit form found on the board’s website. I had never been audited before, so I took my time filling out the form and submitting it with all of the required documentation to Paula Broome, Audit Coordinator. The next day, I received this email from Paula, “Your audit has been closed with the status of ‘completed and accepted.’” That was great news.

Nobody likes to be audited. However, in the end, it actually felt good to know that our board not only investigates and disciplines those who do not uphold our professional standards, but our board also affirms those of us who work hard to follow the laws and rules. Thanks for your work Paula!

Observation #2 - Professionals practicing unethically. In the past 3 months, I have heard about professionals who have committed possible violations of our codes of ethics. I am so impressed with our investigations department -Bill Hegarty, Tammy Tingle, and Tracey Hosom! They handle each investigation individually, giving it the attention it deserves. Some complaints, of course are unfounded, while others do involve violations.. In those cases where the laws and rules have been violated, this department does what is necessary to protect the citizens of Ohio. These citizens are our clients, our neighbors, our families, and our friends. Remember, the investigations team can also be a resource for you when you have questions about the laws and rules governing our three professions.

Observation #3 – Seeing the three professions stand together! Each profession brings unique contributions to the field of mental health, but this past three months I have been struck by the core values shared by Counselors, Social Workers, & Marriage and Family Therapists. I have had the privilege of hearing about our licensees taking stands together against discrimination in all of its forms - racism, sexism, classism, to name a few. I have watched our licensees work together to reduce the stigma of mental illness. Your commitment to helping all Ohioans is much appreciated.

Observation #4 – I get forwarded many thank you notes! When someone emails a thank you to a staff member about the ways they were helpful, Brian Carnahan, forwards those emails to the chairpersons of the respective professional standards committee. So for the past year, as the chairperson of the MFTPSC, I have seen plenty of thank you emails about Margaret Ann Adorjan, the MFT licensure coordinator. She is so helpful and the MFT professionals in Ohio all love her!

As Chairperson, I also get copied on all of the thank you notes to any staff member. I am pleased to report there are a lot of thank you notes going around. I can’t keep up with them! The staff appreciates the time you take to thank them for their work.

As you do your work, and interact with the Board and its staff, please feel free to share any of your observations with me or another Board member. It helps us to hear the positive stories, but, we also need to know where we could do better. As always, thanks for the work you do every day!

Executive Director's Update—Brian Carnahan

Change is a constant. CSWMFT is experiencing some of its own. Doug Warne, whom many of you have encountered as you applied for an LSW or LISW license, is returning to clinical practice. We will miss Doug's dedication to and passion for Social Work. We wish him the best of luck. The Board will be hiring another license examiner. Simeon Frazier, who currently works with Counseling Trainee and Supervision applications, will be moving over to the Social Work team to work on LSW and LISW applications. My thanks to Andy Miller, Margaret-Ann Adorjan, Ray Lund, Simeon Frazier, and other CSWMFT team members for working hard to ensure the Social Work licensing process worked as smoothly as possible while we were shorthanded.



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At the September Board meeting, Steve Polovick, LSW, and Mary Venrick, LSW, LPC, were honored for their service on the Board. Both served as the chair of their Professional Standards Committee, in addition to serving as Board Chairperson. Unfortunately, neither is eligible for reappointment. The Board and staff appreciate their dedicated and passionate service.

During the September 2015 CSWMFT Board meeting, the MFT Professional Standards Committee voted to discontinue the Continuing Education post-approval exception for in-state programs. Starting in 2004, this exception to rule 4757-9-05(G)(4), was created because there were not sufficient providers of CE for MFTs. Ohio now has over 60 MFT approved providers and over 600 individual programs approved for Ohio MFTs; more information can be found on our website. As of Oct 1, 2016, in-state, in-person programs not Board approved for MFTs (Board approval numbers for MFTs must contain the letter "T" in the approval number, e.g. RSCT000000 or MSCT000000) will no longer be eligible for post program approval. Please remember, programs that are approved by NBCC, APA, NASW, or ASWB are not accepted by this Board for MFT renewal.

Over 3600 Social Workers responded to the Board's Continuing Education survey. We are in the midst of reviewing the responses now. I appreciate those who took time to respond. A majority of respondents provided additional comments in addition to answering the questions. The results of the survey should help us improve many aspects of the Continuing Education requirements and processes.

During its September meeting, the Board had an opportunity to hear from music therapists. The music therapists have a bill pending in the Ohio House regarding licensure. In addition to discussing music therapy, the Board discussed many draft rule changes, including adding gender expression and identity to Rule 4757-5-02 "Standards of ethical practice and professional conduct: clients/consumers of services". The Board expects to file rules by the end of the year. A copy of many of the proposed changes is on the CSWMFT web site. Once final drafts of the rules are approved, an official public comment period will be established. The Board also approved a reciprocity agreement with the Kentucky Board of Licensed Professional Counselors. This agreement, while specific to Counselors, will give the Board an opportunity to work with a reciprocity process and give us important insights as we work with national partners on reciprocity for Social Workers and Marriage and Family Therapists.





Executive Director's Update Continued

The Counselors took time during the September meeting to consider correspondence regarding the elimination of the Clinical Resident (CR) status. During the July meeting, the Counselor Professional Standards Committee reviewed a proposal from staff to eliminate the Clinical Resident status. The recommendation was made to reduce the administrative burden on licensees and Board staff, as well as to reconcile the fact that an LPCC could be earned without being registered as a CR. The Committee concluded that the elimination of the CR should be supported with a formal rule change. Existing CRs can continue to use the status until it expires, if they wish. For additional information, navigate to <http://cswmft.ohio.gov/Portals/0/pdf/CR%20removal%20FAQ.pdf>. As a result of this change, those with an LPCC-S will not be limited as to the number of supervisees.

The Board is planning to record its first podcast soon. In the first podcast we will discuss supervision requirements for obtaining a LISW. Other topics we are planning to cover in the coming months include continuing education audits, application tips, and the renewal process. We hope you will find this new resource helpful.

Congratulations to CSWMFT Board member and Youngstown State University faculty member Matthew Paylo, Ph.D. on being the Ohio Counseling Association's 2015 Research and Writing Award winner.

I welcome the opportunity to speak with licensees or applicants. Please feel free to contact me with any concerns or accolades I can share with members of the CSWMFT Board team. I can be reached by e-mail at brian.carnahan@cswb.ohio.gov or phone at 614.752.5161. Licensees and other interested parties are also welcome to attend any of the Professional Standards Committee (PSC) meeting or the full Board meeting. Check out the CSWMFT web site for dates and times. Generally the PSC meet on the third Thursday of the month in which the Board meeting takes place. Meetings are on the 24th floor of the Riffe State Office Tower. The Board meets at 1:00 on the Friday following the third Thursday. The Board meets in the public meeting space on the 31st floor of the Riffe State Office Tower.





What is an Ohio Public Record?

Melissa L. Wilburn

Senior Assistant Attorney General

Health & Human Services

Office of Ohio Attorney General Mike DeWine

An Ohio public record is, “any document, device, or item, regardless of physical form... including an electronic record ... created or received by ... any public office ... which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.” R.C. 149.011(G). Anyone, regardless of residency, may make a request to receive public records, regardless of the reason, provided the record requested does not fall within one of the many exceptions to disclosure. Through review of public records, the public scrutinizes government activity and keeps American democracy transparent.

Just what is a public record and what does it mean to you? To start, it’s a record an Ohio public office makes or receives. Your licensing board, the Ohio Counselor Social Worker Marriage and Family Therapist Board, is a public office, so records it makes and receives are likely public records. While some public offices are easy to spot, for instance, state agencies like the Ohio Department of Aging, others are indirectly operated by a governmental entity and are harder to identify as public. For example, some public hospitals, community action agencies, non-profit PASSPORT administrative agencies, and county emergency medical services organizations are considered public offices. If you work for one of these indirectly operated governmental entities, then you create and receive public records all the time.



So what is a record? It’s a document, device or item regardless of physical form. It may be electronic, as defined in R.C. 1306.01. The definition of record is so broad it may best be described as something that contains information in fixed form, like a paper document, e-mail, video, photograph, spreadsheet, blueprint, or voicemail message. But this next part is important, the fixed form must be created by or received by the public office and it must serve to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office. Without all three parts, a record is not a public record. That means junk e-mail is not a public record, because it does not serve to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

Have I lost you? An Ohio public record = document + created/received by public office+ functions/ policies/activities of the office. Other states have similar public records statutes, but each state is unique. The federal government has the Freedom of Information Act that controls access to federal documents.

Let’s look at some specific documents with which you are familiar. Your license and renewal applications to the Board are public records, because they document the functions of the Board. Your Social Security Number on your application is not a public record per the federal, Privacy Act, 5 USC 552a. Neither is your credit/debit card number, your driver’s license number, or your state identification card number. These records are confidential personal information per R.C. 1347.12. Medical records are not public records, either.



What is an Ohio Public Record ?

Continued from Page 4

If you send an e-mail to the Board it likely will be a public record. Disciplinary complaints and investigatory materials are an exception under R. C. 4757.38, and are not public records. If you participate in a disciplinary hearing, however, the hearing will be open to the public and the transcript and evidence are public record, as is the Order from the Board for discipline against any licensee. By now you may be noticing that exceptions play a key role in public records law.

The board offers an online Laws & Rules CEU program that will meet your 3 hours of ethics.

While there are many more exceptions to discuss, it might be more interesting to know how public records and open government concepts are beginning to hit health care. In a federal effort to make physician-drug/device industry relationships and possible conflicts of interest more transparent, the Centers for Medicare and Medicaid Services (CMS) unveiled the Open Payments website. The site disclosed for September, 2014 industry financial transactions with an estimated 546,000 doctors and other health care professionals and teaching hospitals totaling about \$3.7 billion. Did any of those billions buy a biased outcome of a drug or device effectiveness study? Now that this information is public, this question is open for you to consider.

Open Payments grants the public access to financial ties that may reveal bias in a physician's decision making. Open payments may prevent bias from happening due to the transparency of the financial relationship. With the transparency of Open Payments, the public polices physician-drug/device industry relationships. With Ohio public records, the public polices how government decisions are made. Citizens' ability to evaluate government's effectiveness, as well as the conduct of their leaders, is a hallmark of democracy. It's safe to say that Ohio public records statutes and open government concepts are here to stay.





Renewal Update—Rhonda Franklin

We are preparing to mail Renewal Notice Letters to all licensees due for renewal January 2016 – March 2016. This notice includes your license number, renewal date, renewal fee and user id and password for online renewal. Your license is eligible for renewal once you receive this letter however you are not required to renew until your renewal date. It is not necessary to renew upon receipt of this notice. You should renew on or before your renewal date and only when you are sure you have completed the required continuing education. Completion of continuing education is mandatory for renewing your license into an active status.

To renew into an in-active status contact the board office after receipt of your Renewal Notice Letter. We will reset your license to enable you to renew inactive. This is a two year renewal it is not an extension to allow you to complete the required continuing education. Continuing education is not required to renew inactive. Completion of continuing education is required to re-activate your license within five years.

Please remember it is your responsibility to keep a current mailing and email address on record with the board at all times.

MFTs please note after October 1, 2016 in-state trainings will no longer be eligible for post program approval. The Board has added numerous CE providers and pre-approved programs for MFT's over the last ten years which should make it easier to find pre-approved trainings. Post program approval may be used for: out of state trainings, distance learning, publications you've authored, and presenting or teaching.

Just a reminder, as noted in the article below, we no longer send out license renewal cards, licensees must complete the online license verification on the board's website for proof of licensure.

Wallet Cards No Longer Issued—Ray Lund

It has been nearly a year since the Board voted to discontinue wallet cards, but the Board continues to receive a great many calls and email inquiries from licensees and registrants asking why they did not receive a wallet card following renewal.

The cards represented a renewed and active license to many licensees, so it is no surprise that many of you feel as if something is missing. Nonetheless, once your initial license is issued or you renew online, your license is active without the issuance of a wallet card.

To recap: The Board voted on Friday, January 16, 2015 to discontinue issuing a wallet card to licensees and registrants upon their renewal. This change was effective immediately and was retroactive to renewals beginning in November 2014. The wallet card was eliminated due to the expense of printing and mailing and, more importantly, the fact that more current information is available directly from our licensure system online. By eliminating an expense, the Board is helping to ensure fee increases in the future can be more limited and reasonable. The Board's online license verification system is a constantly updated primary source of licensure information. The majority of employers, insurance companies and others requiring license verification use the online verification system because it is updated within seconds of any change in status, and as we award licenses, post renewals and perform other licensing activities. This system is available 24 x 7 and is much more accurate and current than a wallet card printed any time prior, because the wallet card was accurate and reliable only as of the date it was printed.

Licensees and registrants should use the Board's online license verification system (instructions attached) to confirm and validate their licensure/registration status and expiration date. A memo regarding this decision and Instructions for using the online verification system can be found at: <http://cswmft.ohio.gov/Portals/0/pdf/wallet%20card.pdf>





Disciplinary Actions Taken Against Licensees



Social Workers:

Thomas A. Burkhardt (LISW) Record Keeping. Revoked

Jennifer Calhoun (LSW) Non-sexual boundaries. Supervision and training

Marc Cunningham, Jr. (LSW) Improper Renewal/Audit. Revoked

Teona Graves (LSW) Record Keeping. Reprimand

Curtis Halsell (LSW) Sexual harassment. Suspension and training

Michelle Holt (LSW) Boundaries. 4 year suspension.

Robin Karim (LSW) Improper Renewal/Audit. Surrender of license

Christine McGraw (SWA) Improper Renewal/Audit. Revoked

Julie Nagy (LISW) Records. Reprimand

Michelle C. Thompson (LSW) Improper Renewal/Audit. Revoked

Counselors:

Abbey M. Barwick (LPC) Records/competency. Revoked

Nancy Bubbenzer (LPC) Improper Renewal/Audit. Revoked

Richard S. Johnson (LPCC) Sexual harassment. Monitoring

Irene Piwtorak (LPC) Records. Reprimand and CEUs.

Marriage and Family Therapists

David Kelner (IMFT) Failure to comply with consent agreement. Suspension

We've Moved!

The Board moved in June to the Riffe State Office Tower (77 South High Street, 24th Floor, Columbus, OH, 43215).

Upcoming Events

- CSWMFT Board Meeting — November 19-20
- All Ohio Counselors Conference—November 4-6
- NASW Ohio Chapter Annual Conference—November 12 and 13

Ethics—Tracey Hosom



If you are not sure of the proper ethics in any given situation, talk to your supervisor, a peer licensee or call the Board to discuss the issue. Don't let things get out of hand that might result in a disciplinary situation.

Question: I am leaving my agency. How much notification am I required to give my employer?

Answer: The Board rule addressing termination is 4757-5-02 (E) 1-3. When licensees call to ask how much time is appropriate to give to an employer we refer them to their employment contract. Sometimes they have agreed to a specific time frame such as 3 weeks or 30 days in a contract or other employment agreement. If the time frame is not specified then the amount of time is up to you. In section (A) (1) the rule states,

Counselors, social workers, and marriage and family therapists shall terminate services only after giving careful consideration to factors affecting the relationship and making effort to minimize possible adverse effects. If an interruption or termination of services is anticipated, reasonable notification and appropriate referral for continued services shall be provided to the client/ consumer of services.

The Board rule does not list a set time period, it is up to you, and your employer, to determine what a reasonable time frame is. When notifying your clients that you are leaving an agency, you will include referrals for the client to ensure continuity of services. Section (2) indicates ““The referral shall include multiple options for the client to choose from, and the agency where the client is currently being seen shall be included as an option...”

Questions or comments can be sent to Investigator by e-mail at

MFT CE Post-Approval Change Effective 10/1/2016

During the September 2015 CSWMFT Board meeting, the MFT Professional Standards Committee voted to discontinue the Continuing Education post-approval exception for in-state programs. Starting in 2004, this exception to rule 4757-9-05(G)(4), was created because there were not sufficient providers of CE for MFTs. Ohio now has over 60 MFT approved providers and over 600 individual programs approved for Ohio MFTs; more information can be found on our website. As of Oct 1, 2016, in-state, in-person programs not Board approved for MFTs (Board approval numbers for MFTs must contain the letter “T” in the approval number, e.g. RSCT000000 or MSCT000000) will no longer be eligible for post program approval.

Note: Programs that are approved by NBCC, APA, NASW, or ASWB are not accepted by this Board for MFT renewal.





CE Audit Update - Paula Broome

The day you renew your license is the same day your license is updated to the next renewal period. The audit does not hold up the renewal of your license. As for the 'wallet card' the Board voted to discontinue the wallet card in favor of online license verification (please see the article below). Follow these steps to verify your license.

Go to the board's web site <http://cswmft.ohio.gov/>

Click on: "Online License Verification" under the 'How do I find' links

At the Ohio License Center fill in only two areas Select a Board and "Name (Last, First)"

Select a Board: should say: "Counselor, Social Worker, and Marriage & Family Therapist Board"; then

Scroll down to "Name (Last, First)" in the first box type your "last name" in the next box type your "first name" click the search button.

Once the page re-loads click on your name. The page that comes up next will be the page you print for license verification.

During an audit, the Board is checking to see if the hours listed were completed prior to renewal of your license. You may have renewed early, and to do so is fine. Just be sure all 30 hours have been completed before you renew your license. CE hours completed after you renew will indicate that you renewed with less than 30 hours, which is in violation of the rule 4757-7-01(a).

If you cannot complete your audit within the 30 day timeframe you may take an additional 14 business days to submit your audit. Be sure to include a personal statement when you send in your audit, explaining why your audit is late. You do not need to contact the Board.

If an audit shows you renewed with less than 30 hours or you failed to complete your ethics or supervision requirements until after you renewed your license, you may be required to pay the failed audit fee.

Failed audit fee: Beginning March 1, 2015 the CSWMFT Board began to enforce the failed audit fee that went into effect 11/3/2014. If an audit shows you renewed with less than 30 hours (or without the required ethics or supervision hours if applicable) you will be asked to pay a \$50 to \$100 dollar fee. Your license status will be changed to 'Active in Renewal-Failed Audit Fee' which will allow you to practice according to the dates on your license but will not allow you to renew until the fee is paid. After payment of the fee has been received in the Board's office, the Board will remove the status 'Failed Audit Fee' and allow you to renew according to your renewal dates.

If you do not currently receive a copy of the CSWMFT News or get other updates from CSWMFT, sign up for one of the Boards e-mail lists on the Board's web site. You'll find subscription information on each

