

Fall
2009

News Link



You can view the Laws and Rules on the Board's website; they have changed 8 times since September 2007 and will likely change again within the next year. If you do not have a computer at home, you can print the Laws and Rules from a computer at your local library.

Copies of revised professional disclosure statements are available on the board's website. Please make sure your PDS is up-to-date!

Renew online ~ save time & a stamp!



Due to the current fiscal constraints of the state and in an effort to be environmentally responsible, the Board asks all licensees to renew online using a credit card. Anyone not having an email, credit card or a computer usually has a family member or friend who can help them complete this process. This policy went into effect with the July through December 2009 renewals. Many other Boards are also using this policy. Our goal is to have over 99% of renewals completed online due to the increased efficiencies and cost effectiveness of that process. If you are unable or do not want to renew your license online, you must contact the Board in writing (emails okay) to request a printed renewal application. You should receive your printed application approximately two weeks from the date of your request.

4757-5-13 - Electronic Service Delivery Rule

Ohio statute section 119.03 requires that each agency promulgating rules review them every five years and rescind, amend, or 'no change file' those particular rules under review. The board has twenty-one rules that are currently under review. There are few substantial

changes and mostly only technical changes needed to comply with the rule writing manual or simply to read better.

The one major exception is the new ethics rule on Electronic Service Delivery. Please see the rule on page 2 of the newsletter.

News From the Renewal Coordinator

My name is Rhonda Franklin, I am the License Renewal Coordinator for the board. I handle the license renewal process for all three disciplines; including post program approval requests, extension/waiver requests, processing renewal fees, and issuing licensure cards. I have spoken with many of you over the past twenty years that I have been with the board.

The renewal process has become much more streamlined and technical and we hope much easier for all of you. There are a few simple things that you can do to help keep this process moving efficiently:

- ◇ Keep a current mailing and email address on file with the board.
- ◇ Use the letter associated with your license number on all correspondence.

- ◇ Read and keep track of all information mailed to you regarding license renewal.
 - ◇ When calling the board for information, please have your license number available.
 - ◇ When leaving a message for a return call, please leave a daytime contact number, your license number, and if you have an uncommon surname leave the correct spelling of your name. Social Security numbers and birthdays are not used to track your renewals.
 - ◇ Include all information, such as return address and license number on your post program approval and extension/waiver request.
- Reminder:** Late fees have been instituted and take effect after October 18, 2009. Renew your license before your expiration date and avoid the additional fee.

Name Change - use only a Legal Name

If you have had a change of name, you are required by law to update that information with the Board. There is a form located on the website to print and either fax or mail to the Board along with the requisite documentation. Keeping your legal name(s) current with the Board is required for the public to locate and verify you as a licensee. Please do not include a name change with your renewal information; this delays the response as multiple departments are involved. The Board kindly requests that you send name change information separately.



Renew online and save postage, waiting time and have an immediate receipt showing you have renewed your license!

Following is one of the many comments the board has received:

“This was not so bad... Actually easy :) Just sent an email to the board saying I could not do computer stuff.... Anticipating hard to navigate, etc. Happy to say... not what I thought and easier then paper form... Am not a 'dinosaur' after all.”

Continuing Education Issues

The board’s CEU Committee has been reviewing issues pertaining to renewals and CE courses and noted the following:

1. We occasionally receive complaints about content or presenters at CE classes. We ask that licensees speak up and note on the feedback forms when programs are poor for any reason and write the Board. There are thousands of CE programs given every year. Please take some personal responsibility to speak out.
2. "Co-sponsorship" means an approved provider works jointly with another entity to develop and offer a joint program by both entities. The continuing education program developed may use the approved provider's CEU provider number and the approved provider must keep all records as listed in paragraph (B)(5)(h) of rule 4757-9-05 of the

administrative code. Only the board may authorize a CEU program when an entity with provider status has not been directly involved as a co-sponsor.

3. "Provider Status" means an individual or entity granted approval to develop continuing education program offerings without prior approval from the board for each program offered. All continuing education offerings shall utilize the same provider authorization number assigned by the board. A licensed individual shall review each CEU program as noted on the provider application or most recent renewal application on file with the board.

4. CE audit compliance is very low at 14.7% failure rate for 2008. Don't lose your license; complete your CEUs then renew!

New Ethics Rule 4757-5-13 Proposed - Electronic Service Delivery

Please read and comment on the following proposed new ethics rule of the board.

4757-5-13 Standards of ethical practice and professional conduct: Electronic Service Delivery (Internet, email, teleconference, etc.)

Electronic service delivery is defined in paragraph (EE) of rule 4757-3-01 of the Administrative Code. Licensees are reminded that standards of ethical practice and professional conduct rules 4757-5-01 through 4757-5-12 of the Administrative Code apply to electronic service delivery.

(A) These standards govern the practice of electronic service delivery and address practices that are unique to electronic service delivery and electronic service delivery practitioners.

- (1) All practitioners providing counseling, social work or marriage and family therapy via electronic service delivery to Ohio citizens shall be licensed in Ohio.
- (2) All licensees of this board providing services to clients outside the state of Ohio shall comply with the laws and rules of that jurisdiction.
- (3) Electronic service delivery shall require an initial face-to-face meeting, which may be via video/audio electronically, to verify the identity of the electronic service delivery client. At that meeting steps shall be taken to address impostor concerns, such as by using passwords to identify the client in future electronic contacts;

(4) Informed consent shall include information defining electronic service delivery as practiced by the licensee and the potential risks and ethical considerations per paragraph (B) of rule 4757-5-02 of the Administrative Code.

- (a) Licensees shall obtain written informed consent;
- (b) Licensees shall not provide services without client signed informed consent.

(5) Licensees shall provide links to websites for all of their certification bodies and licensure boards to facilitate consumer protection.

(6) Licensees shall identify an appropriately trained professional who can provide local assistance, including crisis intervention, if needed. Licensees shall provide electronic service delivery clients the local crisis hotline telephone number and the local emergency mental health telephone number;

(7) Licensees shall provide a link to the board’s online license verification site on their web page. They shall also have a copy of the professional disclosure statement available on their web site per rule 4757-5-12 of the Administrative Code.

(B) Confidentiality in electronic service delivery shall be maintained by the licensee:

- (1) Licensees shall use encryption methods for electronic service delivery; and
- (2) Shall inform electronic service delivery clients details of data record storage.

Disciplinary Action Taken Against Licensees

Social Workers:

Sue Jean Meine (LISW) Poor record keeping. Reprimand and reimbursement.

Danielle Feezle (LSW) Record keeping, billing irregularities, and conviction. License Surrender.

Robert Carson (LISW) Non-sexual boundary issues. Monitoring and additional CEUs in ethics.

Elisha Jones (LSW) Non-sexual boundary issues. Revoked.

Gerald Paulus (LSW) Improper Renewal. Revoked

Valerie White (LSW) Non-sexual boundary issue. Additional CEUs

Robin A. Bell (LSW) Improper Renewal. Indefinite suspension.

Gregory Lee Doss (LSW) Improper Renewal. Indefinite suspension.

James R. Polzner (LISW) Improper renewal. Reprimand.

Diane Kidd (LSW) Boundary issues. Community service, monitoring, additional CEUs
Patricia Sharp (SWA) Criminal Convictions. Revoked.

Alan Jefferis (LPC and LSW) Inaccurate records. Reprimand and additional CEUs

Counselors:

Patricia L. Murphy (PCC) Improper Renewal. Indefinite suspension until completion of hours – completed.

Pamela Goss (PC) Improper renewal. Indefinite suspension until completion of hours.

Lisa A. Walters (PC) Non-sexual boundary issues. Personal counseling and additional CEU's.

Teresa Puglisi (PC) Improper renewal. Indefinite suspension.



Please make sure you have completed your continuing education requirements before you renew.

For 2008 the audits show a non-compliance rate of 14.7%!

Several licenses have been revoked and other disciplinary actions taken! Don't let it be you!

See Paulus, Bell, Doss, Polzner, Murphy, Goss and Puglisi on the discipline list on the top left of this page.

New Board CEU offering and Applicant Law and Rule Exam

The board has developed an online CEU for ethics that reviews the laws and rules of the board. The CEU section is for three (3) hours presently that it will meet the ethics requirements for licensees.

Please check the web site for instructions if you are interested in using this option.

Applicants after 1/1/2010 will be required to complete the Laws and Rules exam as part of the examination process for licensure.

The online program is designed in a way that any questions that you miss are re-presented until you get them all correct.

There is a link to the section of the laws and/or rules that apply to each question.

The instructions for the exam follow:

- In order to take the Laws & Rules exam or the exam for Continuing Education credits, you need to register by selecting the hot link

called "register".

- In the registration, you will setup a user name and a password for the exam.
- Once you register, you will have the option of taking the exam for licensure OR taking it for continuing education - select the one of your choice.
- Then you will pay for the exam, which will result in a return email that will provide a link for you to start your exam.
- Should you sign-out prior to completing the exam, you can complete it later by using the email link.

The students and licensees that have taken the exam and CEUs have found it very easy to use and very informative. The biggest surprise was the wordiness of questions and answers that directly quote the laws and rules.

Board Web Site Updates

There have been many changes since our last newsletter. Our goal is to lower our cost, make the website more user-friendly and ease the process for applicants.

License Verification: a charge of \$25 dollars for license verification. The Request for License Verification form will need to accompany any verification request or form from another state.

Wallet cards: are mailed only once to the address we have on file. If you never receive

them or lose them, the Board cannot re-print and re-mail them due to budget cuts. Instead, we ask that you utilize the Board's online license verification, which now prints with a date and provides the issue date, effective date, expiration date, and discipline, if any.

Counselor Trainees and Social Worker

Trainees have a new set of instructions that clearly explain the licensing process. Read over this information to refresh your knowledge of who may supervise them.



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COUNSELOR, SOCIAL WORKER & MARRIAGE AND FAMILY THERAPIST BOARD

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cswmft.info@cswb.state.oh.us

WEB SITE:
<http://cswmft.ohio.gov>

*The Board
regulates the
practice of
counseling, social
work and marriage
and family
therapy for the
State of Ohio.*

Meet Susan Norris Huss, PhD, PC, Board Chair

Dr. Huss, an associate professor, has taught in the Mental Health and School Counseling program at Bowling Green State University for 10 years. She was a practicing professional school counselor for 23 years prior to that. Dr. Huss has served in numerous leadership positions in professional counselor associations:

- ◇ President Ohio Personnel and Guidance Association (now Ohio Counseling Association (1984))
- ◇ President Ohio Association for Counselor Education and Supervision (2001-2002)
- ◇ Ethics Committee Chair for OSCA and OCA for numerous years.
- ◇ American School Counselor Association

Ethics Committee (1996-1999)

- ◇ Treasurer of North Central Association for Counselor Education and Supervision (current)

Dr Huss is published and has given over 200 workshop presentations in the area of Ethics. She developed and teaches the Legal and Ethical Issues in Counseling Course at BGSU. Most recently she provided professional development for the school counselors in Washington, D.C. Dr. Huss serves as chair of the Ohio Counselor, Social Worker, and Marriage and Family Therapist Licensure Board and she served as Chair of the Counselor Professional Standards Committee of that Board from 2004-2006.

Ethics Issues – Duty to Report- or violation of confidentiality?

Let's imagine that you are working at an agency and treat Wilma Flintstone, and a co-worker treats Fred Flintstone. You suspect Wilma may be in danger of harm, as she is describing the escalating aggressive behaviors of Fred in sessions with you lately. You talk with Fred's counselor and ask her to provide a risk of harm assessment. Is this a violation of confidentiality, or is this appropriate based on client safety?

Clients have a basic right to feel as though what they share in counseling is confidential; especially to the counselor of their spouse! Instead of talking to another counselor and worrying about other clients, you should focus on establishing a detailed safety plan with your client, Wilma. Fred is not your worry, and to speak with another counselor without a release, is a violation of confidentiality. In light of the fact that Fred may demonstrate some characteristics of a person who engages in domestic violence, you could potentially put Wilma's life in jeopardy by having the other

counselor get involved.

Review Section 4757-5-02 (D) (1) "Counselors, social workers, and marriage and family therapists shall have a primary obligation to protect the client's right to confidentiality as established by law and the professional standards of practice. Confidential information shall only be revealed to others when the clients or other persons legally authorized to give consent on behalf of the clients, have given their informed consent, except in those circumstances in which failure to do so would violate other laws or result in clear and present danger to the client or others. Unless specifically contraindicated by such situations, clients shall be informed and written consent shall be obtained before the confidential information is revealed."

Thank you to Dr. Victoria White-Kress, PCC, for contributing information on this subject. Questions you would like to see addressed under the "Ethics Issues" column can be sent to: Tracey.Hosom@cswb.state.oh.us

Board Budget Includes Late Fees & Fines

Licensure and renewal fees have been the same since our inception in 1985. In an effort to continue that amazing record of financial stability, the board requested several new fees as part of the budget bill. The bill passed and the new fees will be:

- * A late renewal fee of \$40 for all licenses except SWA, which will be \$20 – a late renewal is any renewal after the expiration date of the license.
- * A \$25 fee for written license verification to another state or entity licensure board.

- * A fee for board provided continuing education programs and/or laws and rules exam for new applicants. The fees for this as approved by the board:
 - ◇ CEUs offered by the board at \$10 per hour
 - ◇ Laws and rules exam \$10
- * Fine authority of up to \$500 per violation of the statutes and rules that govern the board, actual amounts and instances of imposing a fine is open. The board will be discussing this issue at future meetings.