

*Spring  
2009*



*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!*

# News Link

## 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 is asking 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 will go 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.

### Five Year Rule Review - 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 exception is the new ethics rule on Electronic Service Delivery. Please see the rule on page 2 of the newsletter.

### House Bill 427 Effective 4/7/2009

HB 427 signed into law on 1/7/2009 is legislation that allows Marriage and Family Therapists (MFTs) to use their education and training for the benefit of Ohio families.

HB 427 clarifies that diagnosing and treating mental and emotional disorders is within the scope of practice of MFTs by amending the definition of the practice (see Sec. 4757.01 (G) and (H)). Now that HB 427 is law, MFTs will no longer have to leave the state to practice. Instead, many provider agencies, such as non-profits funded by federal, state and county funds, will have the option of employing MFTs to provide services to children and families in Ohio and bill Medicaid for their

services. The final legal actions required for MFTs to bill Medicare and Medicaid are: 1) changing Ohio Department of Mental Health rules, which are filed and expected to be approved for July 1, 2009 and 2) approval by the Centers for Medicare and Medicaid Services, which is anticipated for July 1, 2009.

The board would like to thank the co-sponsors of this legislation Representative Shawn Webster Republican from Cincinnati (now out of the legislature due to term limits) and Representative Tom Letson Democrat from Warren. The bill would never have passed without their help

### 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:*

*"Quicker, simpler,  
easier than the  
standard paper  
renewal. . . arrang-  
ing to have the  
form notarized,  
securing a money  
order, bank check,  
or business check,  
and the time it  
takes to do all of  
that. . . Thank-  
you."*

## 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 4757-9-05 (B)(5)(h). Only the board may authorize a CEU program when an entity with provider status has not been directly involved as a co-sponsor.

3. Providers are not independent authorizing entities for CEU programs offered by other entities. CEU offerings that include outside presenters that are not co-sponsorships shall be submitted, *separately and independently*, to the board for approval. If approved, that program will use the individual program number of the applying entity.
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:

**Elizz Rainspirit** (LSW) Practiced on a lapsed license and poor record keeping. Supervision and additional CEUs

**Mary Jane DeHanes** (LSW) Improper Renewal. Indefinite suspension until CEUs completed.

**Carol Watkins** (LSW) Inaccurate records. Mandated supervision

**Shelley Ahleman** (LISW) Non-sexual boundary issues. Mandated supervision, reprimand, and additional CEUs in ethics.

**Rosamaria Sanchez** (LSW) Felony convictions. Indefinite suspension for a minimum of 2 years.

**Linda Hanley** (LSW) Use of improper language with client. Additional CEUs in ethics.  
**Byron Swift** (LSW) Felony conviction. Reprimand on license.

**Amy McDaniel** (LISW) Improper Renewal. Revoked.

**Michelle Grant** (LSW) Improper Renewal. Suspended until audit compliance.

**Michelle Leffel-Rakich** (LSW) Inaccurate records. Mandated supervision

**Lisa Padgett** (LSW) Non-sexual boundaries. Supervision and ethics.

**Charles Startup** (LISW) felony and misdemeanor convictions. Suspension, reprimand, supervision, and continuing education

**Lenora Dotson** (LSW) Misrepresentation of credentials. Reprimand and additional continuing education.

**Pamela R. Thomas** (LSW) Failure to complete audit. Revoked.

**Edward Haskins** (LSW) Improper Renewal. Indefinite suspended until compliance.

### Counselors:

**Nancy W. Adams** (PC) Non-sexual boundary issues. Mandated supervision and additional CEUs.

**Amy Ahrens** (PC) Improper renewal. Surrendered in lieu of other disciplinary action.

**Robin Formick** (PCC) Criminal Conviction. Surrendered License.

**Renee Golowesnki** (PCC). Failure to obtain mandated mental health evaluation. Indefinite suspension.

**Roberta Hammond** (PCC) Non-sexual boundary issues. Mandated supervision and additional CEUs in ethics.

**Steve Karnehm** (PC) Best professional practice standards. Mandated supervision

**Jennifer A. Jones** (PCC) Non-compliance with Board approved Consent Agreement. Suspended.

**Genevieve Lapolla** (PCC) Improper renewal. Indefinite suspension.

**Kelli Jo Marquette** (PCC) Non-sexual boundaries. Counseling and supervision.

**Ann Randal** (PCC) Improper Renewal. Surrendered license in lieu of discipline

**Merle J. Rhodes** (PCC) Failure to maintain appropriate standards of care. One year suspension., supervision



*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 DeHanes, McDaniel, Grant, Thomas, Haskins, Ahrens, Lapolla and Randal 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 two (2) hours presently, but we are adding material to try to get it up to a three (3) hour CEU, so that it will meet the ethics requirements for licensees.

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

Later this year the board will require applicants for licensure to complete the Laws and Rules exam as part of the examination process. 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.



## *News Link*

*Spring  
2008*

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

50 W. Broad St., Ste 1075  
Columbus, Ohio  
43215-5919

PHONE:  
614-466-0912

FAX:  
614-728-7790

E-MAIL:  
[cswmft.info@cswb.state.oh.us](mailto: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 Jennifer Lee, Chair SWPSC

Jennifer Riesbeck Lee resides in Heath, Ohio and was recently reappointed for a second term on the board through October 10, 2011 by Governor Strickland. She presently serves as the chair of the Social Worker Professional Standards Committee (SWPSC).

Ms. Lee is a licensed social worker and has over fifteen years experience working in various settings including Catholic Charities, Devonshire Academy and Licking County Department of Job and Family Services.

People tease Jennifer that with her four children she has her own Children Services at her house! She volunteers at St. Francis

Elementary in the Kindergarten and fourth grade classroom each week. Her primary interest and scope of practice has always been child protection, welfare, and case management. She cannot see practicing anywhere else except in Child Welfare, which is where her heart lies. Jennifer's children are ages thirteen, nine, seven, and four years old.

Ms. Lee is very grateful and pleased to be able to serve on the board and believes she has grown in the knowledge of social work and personally from the many issues that come before the board and the professional standards committee.

### Ethics Issues – Termination with clients

When a counselor, social worker, or marriage and family therapist leaves an agency, many times they question how to make an appropriate referral for the clients they are leaving. A therapist shall make multiple referrals to their clients, which can include their new agency or place of employment, as long as they also include other therapists at the agency they are leaving, and at least one other possible referral. Ensure all of your case notes and records are up to date and complete prior to termination with the clients in order to ensure continuity of care. If you find yourself in a position of being terminated from an agency, DO NOT contact the clients to refer them to your new place of employment. Please refer to the following rule for guidance on termination: O.A.C. 4757-5-02 (E) Responsibility to clients/consumers of services as to termination:

(1) 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.

(2) Counselors, social workers, and marriage and family therapists employed by an agency or practice, may not solicit or refer a current client of the agency or practice, to the licensee's private practice. Licensees and registrants when leaving the employment of an agency or practice may offer referrals to the client. 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, the licensee's private practice may be one of the multiple options.

(3) In the event that a licensee or registrant is terminated for cause from a position as a volunteer or paid licensee, it is not the responsibility of the licensee or registrant to provide continuation of services or appropriate referrals. Licensees who are terminated for cause shall not contact their ex-clients.

Questions you would like to see addressed under the "Ethics Issues" column can be sent to: [Tracey.Hosom@cswb.state.oh.us](mailto:Tracey.Hosom@cswb.state.oh.us)

### Board Budget, Late Fees & Fines

Licensure and renewal fees are the same since start up in 1984. In an effort to continue that amazing record of financial stability, the board is requesting several new fees as part of the current budget bill. If the bill passes as currently written, 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 if approved by the board will be:

◇ CEUs offered by the board at \$5 per hour of CEU

◇ 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.