

## Get To Know The License Renewal Process

All renewal applications are preprinted with your name and address as well as with your license number and individual bar code. Applications are mailed out in two groups each year. This mailing includes all individuals whose licenses are due for renewal between January and July 2005.

Your application is not due back to the Board until your license's expiration date. However, if you wish to have a current renewal card prior to your expiration date, you will need to mail in the application at least four to six weeks prior to your expiration date. **Do not submit your renewal application until**

**your continuing education hours are complete. Signing and notarizing a renewal application prior to the completion of your continuing education hours could be considered falsification of a renewal application. There are no provisions in the Law to allow a license to be put in a hold status or retirement status. You must maintain the license even if you are not now practicing.**

## New Ethics Requirement Began in 2004

The State of Ohio Counselor, Social Worker and Marriage and Family Therapist Board promulgated rules in 2002 that require all licensees to complete three continuing professional education hours in Social Work, Counseling, and Marriage and Family Therapy ethics as part of their 30 hours of continuing professional education. This new requirement began with renewals in January 2004.

This ethics training may cover any topic which is contained in Ohio Administrative Code 4757-5-01, the Code of Ethical Practice and Professional Conduct. The course

may be taken as a three-hour seminar or in shorter segments of at least one hour in duration on different topics. Topics may include responsibility to clients, informed consent, confidentiality, multiple relationships, boundary issues, impairment issues, ethics of supervision, documentation or record keeping.

The training does not necessarily have to be taught by a social worker, counselor, or MFT. The presenter must be familiar with the Ohio Code of Conduct and the Code of Ethics of the Counselor, Social Worker and MFT professions. •

Renewal applications should be mailed in the pink and white envelopes provided. Since the applications are not sent to the Board office, Board staff cannot verify receipt of renewal applications for at least three to four weeks after receipt. **If you hold more than one license, please check the application carefully to ensure that you are renewing the correct license.** The renewal fees are nonrefundable, therefore if a licensee renews the wrong license, it will be necessary for them to submit another fee to renew the correct license. Please verify the correct license type and number on the renewal application.

## Marriage and Family Licensing Bill Becomes Law

H.B. 374 passed at the end of last session and was signed by the Governor on January 6, 2003. This law allows for the licensing of Marriage and Family Therapists in the State of Ohio.

Four new members were appointed in July 2003 to the Counselor, Social Worker and Marriage and Family Therapist Board. These new Board members have drafted rules to carry out the licensing provisions of the bill. The Board will license two levels of Marriage and Family Therapists similar to the levels for Professional Counselors - a masters level Marriage and Family Therapist and an Independent Marriage and Family Therapist who would have two years of post-masters supervised experience.

The law establishes a two-year grandparenting period, but under the current law only individuals who are members of AAMFT, with five years of MFT experience may grandparent without taking the examination. The first MFT examinations were offered in September 2004.

Only individuals licensed as Marriage and Family Therapists or Independent Marriage and Family Therapists are able to use those titles. However, individuals licensed in Ohio as counselors or social workers may continue to provide marriage and family counseling and therapy if they are competent to do so. Contact the Board office for more information. •

The P.O. Box address on the return envelope that you receive with your license renewal application should only be used for submitting your renewal application and fee. It is a Bank One lock box. All other correspondence should be mailed to the Board office at 77 South High Street, 16th Floor, Columbus, Ohio 43215.

Remember, it is your responsibility to notify the Board of any address and or name changes. •

## Is Your Disclosure Statement Current?

Ohio Revised Code 4757.12 requires that all licensees have a professional disclosure statement that must include your name, title, business address and telephone number. It also should list your formal education, areas of competence, services that you provide, and in cases of individuals engaged in private practice, your fees.

At the bottom of your disclosure statement you must provide the Board's name and address. A recent review of disclosure statements showed that many people do not have the Board's new name and/or correct address, which is, *Counselor, Social Worker and Marriage and Family Therapist Board, 77 South High St., 16th Floor, Columbus, Ohio, 43215.*

## Extensions and Waiver Requests

Under Ohio Revised Code Section 4757.33 (B), the Board may waive the continuing education requirements for persons who are unable to fulfill them due to military service, illness or residence abroad or other reasons acceptable to the Board. Waivers and extensions are granted only in very limited circumstances.

To request a waiver or extension, you must submit a letter to the Board prior to your renewal date which states the specific reason for the extension or waiver and the date by which the con-

tinuing education will be completed. If illness is cited as the reason for the extension request, a letter from a physician must accompany the request. Include your license number and current address on your request. Financial hardship, lack of time or planning on the part of licensees are not acceptable reasons for extensions or waivers. Responses to extension requests will be mailed within 30 days of receipt. **Please do not mail your renewal application with your extension request.** •

# Board Disciplinary Cases and Dispositions

## COUNSELORS

**Tambrey Delbert** Non-sexual boundary violations. Disposition: one month suspension, required supervision, and eight additional hours of continuing education.

**Ronald Fox** Inadequate record keeping. Disposition: Supervision and mandated ethics course.

**Robert Finnerty** Felony conviction. Disposition: Permanent surrender of license.

**John Frankenburg** Boundary violation allegations. Disposition: Three-year suspension, mental health evaluation, supervision, mandated ethics course.

**Larry Kridler** Unprofessional conduct. Disposition: Reprimand and additional continuing education required

**Brad Mason** Boundary violation. Permanent surrender of license.

**Joseph Marzanno** Non-timely records completion. Disposition: Mandated supervision and ethics course.

**Evelyn Sobczak** Practice on lapsed license. Disposition: Additional Continuing education hours required.

**Sharon Reed** Non-sexual boundary violation. Disposition: Restricted practice, required supervision and a mandated ethics course.

## SOCIAL WORKERS

**Toni Aspacher** Non-sexual boundary violation. Disposition: Two-year suspension and mandated ethics course.

**Andrea Banton** Non-sexual boundary violation. Disposition: Three-month suspension and completion of an ethics course.

**Donald Clark** Boundary violation. Disposition: Surrendered license in lieu of disciplinary action.

**Ava Frazee** Non-sexual boundary violation. SWA revoked.

**Amy Gabriel** Forged client signatures. Disposition: One-month suspension, mandated ethics course, and required supervision.

**Teresa Gatton** Non-sexual boundary violation. Disposition: Required supervision.

**Howard L. Gordon** Unprofessional behavior. Disposition: Restricted practice.

**Terry Hill** Incorrect record keeping. Disposition: One-month suspension.

**Barry Jennings** Scope of practice issue. Disposition: Mandated supervision.

**Deborah King** Falsification of records. Disposition: Four-month suspension, and ethics course.

**Diane Leggett** Non-sexual boundary violations. Disposition: LSW revoked.

**Amy McDaniel** Felony conviction. Disposition: Two year license suspension and evaluation.

**Jean Miller** Practice on lapsed license. Disposition: Additional continuing education hours required.

**Michael Miller** Felony convictions. Disposition: Permanent surrender of license.

**Lisa Peabody** Professional conduct. Disposition: Mandated supervision and an ethics course.

**Pamala Robinson Phillips** Falsification of records. Disposition: Four-month suspension and additional continuing education hours required.

**Jill Spearman** Falsification of records. Disposition: One-year suspension and mandated ethics class.

**Penny Stacey** Falsification of records. Disposition: SWA revoked.

**Terry Wines** Non-sexual boundary violations. Disposition: Three-month suspension and mandated ethics course.

**Sharon Wood** Non-sexual boundary violation. Disposition: One-month suspension and mandated ethics course.

**Cindi Wright** Practicing without a license. Disposition: One-year suspension.

## 2004 Rule Changes

There have been several revisions in the Code of Ethical Practice and Professional conduct, many of which involve changes in the area of informed consent. When dealing with a case that the court has been involved, best professional practice dictates that a licensee should adhere to the court documents. If the licensee does not understand the court document, they should contact the court for clarification before proceeding with treatment. If a licensee sees clients for individual or group treatment, there may be a reason for a third party to join the session for a limited purpose. The client or legal guardian must provide a release document so the third party can join the session and the licensee must make it clear that the third party is not a client and there is no confidentiality between the third party and the licensee. The licensee must also make it clear to the third party that he/she will not have rights to access the client's file but would have the rights to the individual session notes in which he/she participated. A licensee shall not make recommendations to courts, attorneys or other professionals concerning non-clients. When a court or other judicial body orders an evaluation, assessment of other official report, the licensee must inform the client of the parameters of the court order. The licensee shall not go beyond the parameters of the court order without obtaining written permission from the court or other judicial body.

In the area of termination with clients, licensees who leave the employment of an agency or practice may offer referrals to the client. The referral must include multiple options for the client to choose from and the agency where the client is currently being seen must be included as an option. The licensee's private practice may be one of the multiple options. In the event that a licensee is terminated, it is not the responsibility of the licensee to provide continuation of services or appropriate referrals. Licensees who are terminated should not contact their ex-clients.

With regard to proper record keeping, the dates reflected in the case notes must be accurate with respect to dates of service and

when the case note was written. Clinical records should include but not limited to appropriate diagnosis, if any; individual service plans, in-take assessments, informed consent documents; and releases of information documents. A licensee shall not condone, partake or assist in billing irregularities or fraud with respect to insurance companies or direct billing.

The mandatory reporting rule now requires a licensee to report in writing and bearing the name of the reporting licensee and his/her license number when they report having knowledge or reason to suspect that a colleague of other licensee is incompetent, impaired or unethical.

The largest area of change is in the area of reports to courts. This is also the area where the Board has seen the greatest increase in the number of complaints. The role of the licensee is that of a professional expert who strives to maintain an objective, impartial stance. A licensee does not act as a judge or advocating attorney. Rather the licensee in a balanced, impartial manner informs and advises the court and the prospective parties of the relevant mental health facts pertaining to the issue. A licensee contemplating performing court reports, including child custody reports must be aware that special competencies and knowledge for the undertaking of such evaluations is required. Competence in performing psychological assessments for children, adults and families is necessary but not sufficient. Education, training, experience and supervision in the areas to be evaluated are essential in preparing a report. A licensee generally avoids conducting a court evaluation in a case in which the licensee served in a therapeutic role for the client or his or her immediate family or has had other involvement that may compromise the licensee's objectivity. A licensee does not give a professional opinion regarding the mental health functioning of any individual who has not been personally evaluated other than in addressing theoretical issues or hypothetical questions as long as the limited basis of the information is notes.