



## *Counselor, Social Worker & Marriage and Family Therapist Board*

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### **Social Worker Professional Standards Committee (SWPSC) Minutes**

**Thursday, January 21, 2010**

**Members Present:** Mr. Tim Brady, Mr. Bob Nelson, Mr. Steve Polovick,  
Ms. Jennifer Riesbeck-Lee

**Staff Present:** Ms. Margaret-Ann Adorjan, Ms. Rena Elliott,  
Ms. Rhonda Franklin, Mr. Bill Hegarty,  
Ms. Marcia Holleman, Ms. Tracey Hosom,  
Ms. Jenny Kreinbrink, Ms. Patty Miller,  
Mr. Jim Rough, Ms. Tammy Tingle

**Guests Present:** Dr.. Thomas McGloshen, MFTPSC member,  
Ms. Jennifer Weber Swingle, LISW

1. **Meeting Called to Order**

Ms. Riesbeck-Lee called the meeting to order at 8:55 a.m.

2. **Executive Session**

Ms. Riesbeck-Lee requested that the SWPSC meeting go into Executive Session at 9:00 a.m. to discuss the guest that may come to speak during the investigations time on the agenda. Accepted by a Roll Call Vote – Mr. Brady –yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee - yes.

Ms. Riesbeck-Lee moved that the SWPSC come out of Executive Session at 9:10 a.m. Accepted by a Roll Call Vote – Mr. Brady –yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee – yes.

3. **Discussion/Approval of the January 21<sup>st</sup> & 22<sup>nd</sup>, 2010 Agenda**

Ms. Riesbeck-Lee asked if there were any changes or discussion of the January 21<sup>st</sup> and 22<sup>nd</sup>, 2010 agenda. The committee asked that the following items be added to the agenda: the letter about the 30 CEUs online, fines for CEUs, the mental health hold bill, and the ASWB spring education meeting. Mr. Brady made a motion to approve the agenda with the changes. Seconded by Mr. Nelson. Motion carried.

**4. Approval of the November 19<sup>th</sup> & 20<sup>th</sup>, 2009 Minutes**

Ms. Riesbeck-Lee asked if there were any changes or discussion of the November 19<sup>th</sup> and 20<sup>th</sup>, 2009 minutes. No changes or discussion were made. Mr. Brady made the motion to approve the minutes. Seconded by Mr. Nelson. Motion carried.

**5. Discussion of Volunteer Social Work Counting as Work Experience toward Obtaining the LISW**

Ms. Annetta Davis submitted a letter to the SWPSC requesting that they consider approving the volunteer social work hours she completed at NASW-Ohio for the hours required towards the LISW. In the letter, Ms. Davis referred to 4757-21-02 and the term “or other consideration” and that volunteer social work could potentially count. Mr. Nelson and Mr. Polovick both feel that volunteer hours should count towards the LISW supervision. Mr. Polovick mentioned that in this economy, this issue may become more prevalent and the Board has the standards in place to ensure quality of LISW supervision. Mr. Nelson said that work and volunteering should be equal when it comes to this supervision.

Mr. Nelson made a motion to approve Ms. Davis’ request to approve the LISW supervision hours she completed as a volunteer because under 4757-21-02, the SWPSC considers “or other consideration” to include volunteerism and she is practicing social work. Seconded by Mr. Polovick. Mr. Brady is a “nay” vote. Motion carried.

**6. Investigations**

**(A) Closed Cases**

Mr. Brady made a motion that the following cases be closed as he had determined no actionable offenses had been found. Mr. Nelson seconded the motion. Motion carried.

2009-185      2009-193      2009-231      2009-232

Mr. Nelson made a motion that the following cases be closed as he had determined no actionable offenses had been found. Mr. Brady seconded the motion. Motion carried.

2009-197      2009-201      2009-227      2009-262      2009-264

**(B) Executive Session**

Ms. Riesbeck-Lee requested that the SWPSC meeting go into Executive Session at 9:50 a.m. to discuss the Notice of Opportunity for Hearing, Consent Agreements, and Goldman Reviews (Licensure and Discipline). Accepted by a Roll Call Vote – Mr. Brady –yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee - yes.

Ms. Riesbeck-Lee moved that the SWPSC come out of Executive Session at 10:07 a.m. Accepted by a Roll Call Vote – Mr. Brady –yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee – yes.

(C) **Notice of Opportunity for Hearing**

**Rodney Stinson, LSW** – Mr. Brady made a motion to approve the information contained in the Notice of Opportunity for Hearing for Mr. Stinson. Seconded by Mr. Nelson. Motion carried.

(D) **Consent Agreements**

**Dale Agnew, LISW-S** - A motion was made by Mr. Brady to approve the Consent Agreement between the Board and Mr. Agnew based on the information contained in the Consent Agreement. Seconded by Mr. Polovick. Motion carried.

**Carla Butler, LSW** - A motion was made by Mr. Brady to approve the Consent Agreement between the Board and Ms. Butler based on the information contained in the Consent Agreement. Seconded by Mr. Nelson. Motion carried.

**Cheryl Soo Yun Kim, LISW-S** - A motion was made by Mr. Brady to approve the Consent Agreement between the Board and Ms. Kim based on the information contained in the Consent Agreement. Seconded by Mr. Polovick. Motion carried.

**Julie A. McClellan-Rivera, LSW** - A motion was made by Mr. Brady to approve the Consent Agreement between the Board and Ms. McClellan-Rivera based on the information contained in the Consent Agreement. Seconded by Mr. Nelson. Motion carried.

**Christopher L. Mullen, LSW** - A motion was made by Mr. Brady to approve the Consent Agreement between the Board and Mr. Mullen based on the information contained in the Consent Agreement. Seconded by Mr. Nelson. Motion carried.

**Joy L. Pratt, LSW** - A motion was made by Mr. Brady to approve the Consent Agreement between the Board and Ms. Pratt based on the information contained in the Consent Agreement. Seconded by Mr. Nelson. Motion carried.

**Nicole D. Wallick, LSW** - A motion was made by Mr. Brady to approve the Consent Agreement between the Board and Ms. Wallick based on the information contained in the Consent Agreement. Seconded by Mr. Nelson. Motion carried.

(E) **Goldman Reviews (Licensure)**

**Margie Campbell** – A motion was made by Mr. Brady to deny Ms. Campbell's licensure application for not possessing a qualifying degree in social work based on the accompanying affidavit. She did not request a hearing. Seconded by Mr. Polovick. Mr. Nelson recused himself. Motion carried.

**Phillip Richardson** – A motion was made by Mr. Brady to deny Mr. Richardson's licensure application for not possessing a qualifying degree in social work based on the accompanying affidavit. He did not request a hearing. Seconded by Mr. Polovick. Mr. Nelson recused himself. Motion carried.

**(F) Goldman Review (Disciplinary)**

**E. Gail Settle, LSW** – A motion was made by Mr. Brady to revoke Ms. Settle’s social worker license based on the Board’s proposal to discipline her because she did not comply with the audit requirement. She did not request a hearing. Seconded by Mr. Nelson. Motion carried.

**(G) Jennifer Weber Swingle**

At the July 2009 meeting, the SWPSC requested that Ms. Swingle seek employment or volunteer experience to show that she could handle the stressors of a job. Ms. Swingle has been volunteering at the Division of Aging for the City of Lakewood. She is requesting that the committee allow her to return to the practice of social work. Mr. Hegarty had the SWPSC review the following documents: the letter from Ms. Swingle received on January 5, 2010, the two statements from her volunteer coordinator at the Division of Aging, the evaluation dated March 14, 2006, the adjudication order, the evaluation dated October 21, 2008, and Ms. Swingle’s letter from June 13, 2009.

Ms. Swingle discussed her duties at the senior center, her feelings about the volunteer experience, and her current mental and emotional state. She also discussed what she would like the SWPSC to decide about the status of her license. Mr. Hegarty gave the committee four options to consider when deciding on what to do with Ms. Swingle’s license. Those four options are: keep the current suspension, allow her to practice as a LISW without any restrictions, order her to receive another mental health evaluation or offer her a Consent Agreement which would allow her to practice as a LSW and the Board would receive supervisory reports. The committee weighed those options and will table their discussion and decision on the matter until 2:00 p.m. today.

**7. Working Meeting**

The SWPSC proceeded with a working meeting to Review Pending Applications for Licensure, Files to be Audited, CEU Programs and Providers, and Licensure Renewal Issues.

**8. Approval of Applications for Licensure**

A motion was made by Mr. Brady to approve the following applications for licensure. Seconded by Mr. Nelson. Motion carried.

<b>SWA -</b>	<b>1</b> Application Approved
<b>LSW -</b>	<b>6</b> Applications Approved
<b>LSW (Related Degree) -</b>	<b>6</b> Applications Approved

**13** Applicants were approved for licensure by the SWPSC at the January 2010 meeting.

**181** Applicants were licensed by staff prior to the January 2010 meeting. A motion was made by Mr. Brady to approve applicants licensed by staff from November 23, 2009 to January 20, 2010. Seconded by Mr. Nelson. Motion carried.

A motion was made by Mr. Brady in regards to the other applicants. Seconded by Mr. Nelson. Motion carried.

**LISW (Related Degree) - 2 Applicants with a related degree issued intent to deny exam pre-approval**

**9. Correspondence**

**Hardship Request** – Ms. Erin Cusack submitted a hardship request letter. She would like to have a LPCC-S provide the remaining hours of her LISW supervision. In addition to her letter, Ms. Cusack’s agency director and the LPCC-S submitted letters supporting her hardship request. The committee discussed this issue and Mr. Nelson made a motion to approve the hardship request, but then withdrew the motion. The SWPSC determined that before they will decide on this matter, Ms. Cusack will need to submit the following additional information: the number of LISW-S individuals that she has contacted to request their supervision and the agency’s policy about confidentiality. Ms. Holleman will come up with a hardship request checklist.

**Social Workers Obtaining 30 CEUs Online** – The committee reviewed two letters, one from Ms. Lisa Durham at OSU and the other from Ms. Gretchen Waltman, stating their position on the issue of allowing social workers to obtain all 30 CEUs online. The SWPSC discussed this issue and why they approved it. They also discussed the pros and cons of offering all CEUs online and the quality of those CEUs. Mr. Rough will send a response letter to these two individuals and state that the rule was approved by the committee and will now go before JCARR for their review.

**10. ASWB Examination Irregularity Report**

ASWB sent the SWPSC the examination irregularity report for Mr. Carlos Evans. The committee reviewed the documentation and determined that Mr. Evans’ passing examination score shall be accepted. Ms. Holleman will send ASWB the letter stating the committee’s decision.

**11. Jennifer Weber Swingle**

The SWPSC commenced their discussion at 2:00 p.m. on what to do with the status of Ms. Swingle’s license. They discussed the four options that Mr. Hegarty posed to them earlier in the day and what those four options may entail for Ms. Swingle and the Board.

Mr. Brady made a motion to keep the status quo and to not lift the suspension on Ms. Swingle’s license. Seconded by Mr. Nelson. The committee discussed the motion and the motion did not pass. Mr. Brady made a second motion that the suspension not be lifted at this time and to leave the suspension in place, as in the Adjudication Order, for one year. Seconded by Mr. Nelson. Motion carried.

Ms. Swingle had issues with the decision and began to act out. The SWPSC took a break and left the room. Due to Ms. Swingle’s disturbance, the LeVeque Tower building security was called and she was removed from the Board’s office and the building.

**12. 4757-19-02(C)(2)(a)**

Mr. Nelson made a motion to add “or other consideration” to 4757-19-02(2)(a) after the word salary. Seconded by Mr. Polovick. Mr. Brady was a “nay” vote. Motion carried.

**13. Meeting Adjourned**

A motion was made by Mr. Brady to adjourn the meeting at 4:35 p.m. Seconded by Mr. Nelson.  
Motion carried.

## Social Worker Professional Standards Committee (SWPSC) Minutes

Friday, January 22, 2010

**Members Present:** Mr. Tim Brady, Mr. Bob Nelson, Mr. Steve Polovick,  
Ms. Jennifer Riesbeck-Lee

**Staff Present:** Mr. Bill Hegarty, Ms. Marcia Holleman, Ms. Jenny Kreinbrink,  
Ms. Patty Miller, Mr. Jim Rough

**Guest Present:** Mr. John Cranley, IV, MFTPSC member, Ms. Annetta Davis, LSW,  
Ms. Sharon Hanger, NASW Board Treasurer and Taskforce Chair,  
Mr. Glenn Karr, Attorney-at-Law, Mr. Henry Lustig, NASW Liaison,  
Ms. Cindy Webb, Executive Director of NASW

### 1. **Meeting Called to Order**

Ms. Riesbeck-Lee called the meeting to order at 9:02 a.m.

### 2. **Old Business**

**Moral Turpitude** – Ms. Riesbeck-Lee and Ms. Holleman gave some background as to why the committee is again reviewing moral turpitude. The idea of an applicant's good moral character needs to be a consistent policy within the SWPSC and not a rule. They discussed moral turpitude and will continue to look at files on a case-by-case basis. Ms. Hanger suggested that the committee look at the type of convictions in Ohio and benchmark those convictions with other social work boards. Ms. Holleman and Ms. Kreinbrink will need to track the type of convictions that we license prior to the next Board meeting vs. the ones that the committee must approve and this will be presented at the March meeting.

**ACE and NASW Provider Status** – The SWPSC reviewed the NASW's continuing education approval program packet. Ms. Miller asked questions and discussed with the committee ACE and NASW's provider status. During the next budget cycle, the CEU committee would like to have organizations pay a fee to the Board for program and provider approval. However, some organizations, such as non-profits, may not have to pay this fee. Mr. Rough will tweak the rule for provider approval.

### 3. **Executive Director's Report**

Mr. Rough would like the Board to welcome new members Mr. Polovick, Ms. Deirdre Petrich, and Ms. Mary Venrick. The SWPSC is still waiting for a public member appointment.

Mr. Rough sent the members a list of staff proposed statute changes to Chapter 4757 of the Revised Code for the committees to consider and amend, add to or delete. There is an explanation for each proposed change at the beginning of each item.

January 1, 2010 is the start date to require the laws and rule examination online for all LSW, LISW, PC, PCC, MFT and IMFT applicants. The charge will be \$10. All schools and associations have been notified. The laws and rules exam is up and running in the live mode and the newsletter highlighted its availability. The scenarios have been added to get the CEU up to 3 hours and the charge is \$30.

The Mental Health Hold Bill – HB 281 has had two hearings. Mr. Rough will testify as a proponent when the next hearing is scheduled. The Ohio Counsel opposes this bill. They said that becoming a health officer is easier and would like to design a more formal process. Mr. Brady said he wants the Ohio Counsel to have them look at when someone is licensed vs. when you're functioning as a health officer. The Ohio Counseling Association is pushing for the passage of this bill.

The Art Therapy Bill – HB 208 has had two hearings. Mr. Rough has a meeting scheduled with several associations to discuss the bill. Mr. Rough said that adding this group would impact the Board's budget.

The SWPSC and the MFTPSC has permitted the approval of applications between meetings, but the AAG has proposed a change to the existing process. The CPSC needs to discuss the issue and decide to go forward or not. Mr. Rough would like the Board to review the rules 4757-13-08, 4757-19-08 and/or 4757-25-07 with draft changes approved by the AAG.

Rule 4757-1-07 concerning fines needs additional discussion and Mr. Rough has only received one input so far. He has asked OCBHP, OACCA, OAC, NASW and OAMFT for input. He stated that any fine would be a public discipline reportable to the National Practitioner Databank.

Mr. Rough included the draft language to rules 4757-9-04 and 4757-9-05 to allow social workers to take all 30 of their CEUs via distance learning and to allow ASWB's ACE and NASW CE program approvals to be accepted CE programs without review by the SWPSC.

The Civil Service Exemption – HB 62 passed the House on a 97-0 vote and moves on to the Senate. Mr. Rough will notify board members as senate hearings are scheduled.

Currently, transcripts are not public record because of FERPA guidelines. However, the AG's office and the AAG are looking at whether the transcript should be made a public record.

Board members need to complete the evaluation form for Mr. Rough's annual review due in March and give it to the chair of the member's professional standards committee.

#### **4. Banking CEUs**

Mr. Cranley has drafted a petition to see if he has enough votes for a motion to bank CEUs. He would like the Board members to review and sign it if they support this idea. The committee discussed the petition and Mr. Nelson feels that Mr. Cranley should have gone through the process about contacting the CEU committee about this idea. The SWPSC discussed that there may not be enough staff time to handle this task and there is currently no way to track the banking of CEUs. The members will sign or not sign the petition as they see fit.

#### **5. Executive Ad Hoc Committee Report**

Ms. Riesbeck-Lee said that it is time for Mr. Rough's annual review and she needs the SWPSC's evaluation forms. Mr. Rough will now give a brief overview of his executive director's report at the full Board meeting and he will attach it for the members to review. At the full Board meeting, they will now have a 15-20 minute discussion and today's topic is fines for CEUs.

**6. CEU Ad Hoc Committee Report**

Mr. Nelson said the committee is working on ensuring the quality of CEUs provided to licensees and Ms. Miller will attend a few workshops to determine the quality of the program. He said that they are looking at requiring the attendance certificates to have the Board's and survey monkey's websites so we can receive feedback about the presentations. In addition, the committee is also looking at spirituality workshops and what they are presenting in those workshops. Finally, they discussed fees for program and provider approval.

**7. New Business**

**Hardship Request for the LISW-S** – Ms. Karen E. Johnson submitted a hardship request for the LISW-S. Ms. Johnson was overseas for two years with the Peace Corps. During this time, the LISW-S had the grandfathering period, but she returned to Ohio after this time period ended. She would like the committee to grant her the LISW-S without her having to take the currently required supervisory classes or CEUs. Mr. Nelson made a motion to approve Ms. Johnson's hardship request. Seconded by Mr. Brady. Motion carried.

**Rules under Review** – The SWPSC reviewed and briefly discussed the following rules under review:

4757-9-04 – The committee is fine with the language as presented.

4757-9-05(C)(2) – The committee is fine with the language as presented.

4757-9-05(D) – Mr. Rough may change the language before the March meeting.

4757-19-08(A) – Mr. Brady made a motion to accept 4757-19-08(A) with the deletions and additions. Seconded by Mr. Nelson. Motion carried.

4757-1-07 – The committee is willing to fine licensees due to audit failures. They would like to have an administrative fine.

**8. National Association of Social Workers (NASW)**

Mr. Lustig said that NASW is looking at three issues: the clinical supervision rule has been tabled, the opposition to having all 30 CEUs online because they would prefer 24 online and 6 in person, and the art therapist bill. He also stated that Advocacy Day is March 16, 2010.

**9. Meeting Adjourned**

Mr. Brady moved to adjourn the meeting at 12:17 p.m. Seconded by Mr. Nelson. Motion carried.