



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

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

**Thursday, March 18, 2010**

**Members Present:** Mr. Tim Brady, Mr. Don McTigue, Mr. Bob Nelson,  
Mr. Steve Polovick, Ms. Jennifer Riesbeck-Lee  
**Staff Present:** Mr. Bill Hegarty, Ms. Marcia Holleman,  
Ms. Tracey Hosom, Ms. Jenny Kreinbrink,  
Ms. Patty Miller, Mr. Jim Rough, Ms. Tammy Tingle  
**Guests Present:** Dr. Otha Gilyard, CPSC member

1. **Meeting Called to Order**

Ms. Riesbeck-Lee called the meeting to order at 9:20 a.m.

2. **Discussion/Approval of the March 18<sup>th</sup> & 19<sup>th</sup>, 2010 Agenda**

Ms. Riesbeck-Lee asked if there were any changes or discussion of the March 18<sup>th</sup> and 19<sup>th</sup>, 2010 agenda. The committee asked that the following item be added to the agenda: discussion of Mr. Nelson's participation in the CEU Ad Hoc Committee. Mr. Brady made a motion to approve the agenda with the change. Seconded by Mr. Nelson. Motion carried.

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

Ms. Riesbeck-Lee asked if there were any changes or discussion of the January 21<sup>st</sup> and 22<sup>nd</sup>, 2010 minutes. The committee made one minor change. Mr. Nelson made a motion to approve the minutes with the change. Seconded by Mr. Brady. Motion carried.

4. **CEU Ad Hoc Committee**

As the representative for the SWPSC in the CEU Ad Hoc Committee, Mr. Nelson stated that he felt supported by the SWPSC and that they were on the same page when they discussed the issue of banking CEUs. However, he did not feel supported during the full Board meeting when a member of the committee voted for banking CEUs. Mr. Nelson

thinks there should be a new representative on the CEU Committee, but he does not know who should take his place. Ms. Riesbeck-Lee tabled the discussion until later in the day.

**5. Investigations**

**(A) Disclosure of HIV+ Status**

Mr. Nelson had requested that Mr. Hegarty investigate the topic of a client being HIV+ and the need to disclose it to others. Mr. Hegarty referred to the following statutes: ORC 3701.243(B)(1)(a), ORC 2703.11 and ORC 2921. Mr. Hegarty said that none of the aforementioned statutes are under the Board's jurisdiction.

**(B) 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.

2009-82	2009-189	2009-202	2009-216	2009-240	2009-259
2010-4	2010-11				

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.

2009-172	2009-226	2009-242	2009-256	2009-261	2009-263
2009-265	2010-8	2010-10	2010-29	2010-46	

**(C) Executive Session**

Ms. Riesbeck-Lee requested that the SWPSC meeting go into Executive Session at 9:40 a.m. to discuss Consent Agreements and Goldman Reviews (Licensure and Discipline). Accepted by a Roll Call Vote – Mr. Brady – yes, Mr. Nelson – yes, and Ms. Riesbeck-Lee - yes.

Ms. Riesbeck-Lee moved that the SWPSC come out of Executive Session at 9:53 a.m. Accepted by a Roll Call Vote – Mr. Brady – yes, Mr. Nelson – yes, and Ms. Riesbeck-Lee – yes.

**(D) Consent Agreements**

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

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

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

(E) **Goldman Review (Disciplinary)**

**Regina C. Anderson, LISW** – A motion was made by Mr. Nelson to revoke Ms. Anderson’s social worker license based on the Board’s proposal to discipline her because she failed the continuing education audit. She did not request a hearing. Seconded by Mr. Brady. Motion carried.

**Amy J. Jenkinson, LSW** – A motion was made by Mr. Nelson to revoke Ms. Jenkinson’s social worker license based on the Board’s proposal to discipline her because she failed the continuing education audit. She did not request a hearing. Seconded by Mr. Brady. Motion carried.

**Dorothy L. Johnson, LSW** – A motion was made by Mr. Nelson to revoke Ms. Johnson’s social worker license based on the Board’s proposal to discipline her because she failed the continuing education audit. She did not request a hearing. Seconded by Mr. Brady. Motion carried.

**Leslie Milstein-Pastel, LSW** – A motion was made by Mr. Nelson to revoke Ms. Milstein-Pastel’s social worker license based on the Board’s proposal to discipline her because she failed the continuing education audit. She did not request a hearing. Seconded by Mr. Brady. Motion carried.

6. **New SWPSC Member**

Mr. Rough mentioned that the SWPSC has a new public member and his name is Mr. McTigue. Mr. McTigue will try and come to the meeting this afternoon.

7. **CEU Committee**

Ms. Riesbeck-Lee took the CEU Committee discussion off the table from earlier in the morning. Mr. Nelson said that Mr. John Cranley should have followed procedures and first gone to the CEU Committee with his idea of banking CEUs. Mr. Nelson also mentioned that it is a vote of no confidence in the SWPSC when members have one view in the committee, but change their view at the full Board meeting. Mr. Polovick said he would be willing to represent the SWPSC on the CEU Committee. Mr. Nelson said we need a representative that the members can talk to and one they feel will listen. Ms. Riesbeck-Lee temporarily appointed herself to be on the CEU Committee.

**8. 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.

**9. 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>SWT -</b>	<b>5 Applications Approved</b>
<b>SWA -</b>	<b>1 Application Approved</b>
<b>LSW -</b>	<b>2 Applications Approved</b>
<b>LSW (Related Degree) -</b>	<b>3 Applications Approved</b>
<b>LISW -</b>	<b>1 Application Approved</b>

**12** Applicants were approved for registration and licensure by the SWPSC at the March 2010 meeting.

**154** Applicants were licensed by staff prior to the March 2010 meeting. A motion was made by Mr. Nelson to approve applicants licensed by staff from January 25, 2010 to March 17, 2010. Seconded by Mr. Brady. Motion carried.

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

<b>LSW (Related Degree) -</b>	<b>3 Applicants with a related degree issued intent to deny exam pre-approval</b>
<b>Remediation Plan -</b>	<b>3 Applicants remediation plans approved</b>

**10. ASWB**

Mr. Nelson will not be attending the ASWB spring education meeting in Charleston, South Carolina because he does not feel the meeting would be beneficial for him. None of the SWPSC members will be attending the meeting.

**11. ASWB/ACE Approval and NASW Approval Issues**

Ms. Miller asked the committee if the attendance certificates have to say ACE approved or can they say ASWB approved. The committee said that the certificates can say either one. Ms. Miller questioned the committee on why they are looking at approving NASW to be a social worker association provider. Ms. Riesbeck-Lee said that allowing ASWB/ACE and NASW to be providers would allow the committee more time to review other CEUs. Ms. Miller said the Board would have to rely on the licensee to provide

feedback about the ASWB/ACE and NASW approved programs since the Board would no longer be reviewing some programs.

## 12. **Investigations**

### (A) **Executive Session**

Ms. Riesbeck-Lee requested that the SWPSC meeting go into Executive Session at 11:13 a.m. to discuss Goldman Reviews (Licensure). 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 11:16 a.m. Accepted by a Roll Call Vote – Mr. Brady – yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee – yes.

### (B) **Goldman Reviews (Licensure)**

**Wendi L. Boggs** – A motion was made by Mr. Brady to deny Ms. Boggs' licensure application because she does not meet the criteria for licensure. She did not request a hearing. Seconded by Mr. Polovick. Mr. Nelson recused himself. Motion carried.

**Ashley Hathaway** – A motion was made by Mr. Brady to deny Ms. Hathaway's licensure application because she does not meet the criteria for licensure. She did not request a hearing. Seconded by Mr. Polovick. Mr. Nelson recused himself. Motion carried.

Mr. Don McTigue arrived at 1:38 p.m. and was introduced as the new public member to the SWPSC.

## 13. **Correspondence**

**LISW Supervision Hardship Request** – Ms. Sara Gothard submitted a hardship request letter. Ms. Gothard had emailed the Board a few years ago about requesting that a LPCC provide her LISW supervision. The LISW at her agency was a front line worker and Ms. Gothard was in middle management and there were issues that could not be discussed during supervision because of the different status that both held at the agency. The Board recommended that she submit a hardship request letter. She misunderstood and thought she was supposed to submit this letter after she had completed the supervision with the LPCC. The committee reviewed and discussed the documentation that was submitted. Mr. Brady made a motion to deny the LISW supervision hardship request of Ms. Gothard. Seconded by Mr. Polovick. Motion carried.

**LISW Supervision Hardship Request** – Ms. Jenise Harmon and Ms. Ruby Linhan submitted a hardship request letter. Due to the financial climate that mental health agencies are currently in, Ms. Harmon and Ms. Linhan would like a LPCC-S to provide their LISW supervision. Also, the agency where they are currently practicing does not

have a LISW-S on staff. The committee reviewed and discussed the documentation that was submitted. Mr. Nelson made a motion to deny the LISW supervision hardship request of Ms. Harmon and Ms. Linhan. Seconded by Mr. Polovick. Motion carried.

**14. July Full Board Retreat**

Mr. Polovick suggested that at the July full Board retreat, they should discuss the possibility of the Board having a social worker, counselor and marriage and family therapist licensee of the year.

**15. LISW Supervisors**

Mr. Hegarty suggested that NASW could gather a list of LISW-S' who would be willing to provide supervision for those with a hardship request.

**16. Meeting Adjourned**

A motion was made by Mr. McTigue to adjourn the meeting at 4:09 p.m. Seconded by Mr. Polovick. Motion carried.

## Social Worker Professional Standards Committee (SWPSC) Minutes

Friday, March 19, 2010

**Members Present:** Mr. Tim Brady, Mr. Don McTigue, Mr. Bob Nelson,  
Mr. Steve Polovick, Ms. Jennifer Riesbeck-Lee  
**Staff Present:** Mr. Bill Hegarty, Ms. Marcia Holleman, Ms. Tracey Hosom,  
Ms. Jenny Kreinbrink, Mr. Jim Rough  
**Guest Present:** Mr. Glenn Abraham, former SWPSC member,  
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 9:10 a.m.

### 2. **Old Business**

**Tally of Jurisdictions Allowing Online CEUs** – The committee reviewed the information that Mr. Rough submitted showing which states have no restrictions and which states do have restrictions on how online CEUs are earned.

### 3. **New Business**

**Draft of Hardship Request Form** – The committee reviewed the draft of the hardship request form. They suggested that the following questions be added:

Please explain on a separate sheet of paper if there are other underlying circumstances that you would like the board to take into consideration with regard to your request for a hardship?

Please explain on a separate sheet of paper if the type of social work duties you provide that requires a hardship (i.e., a particular population you work with that has a limited amount of LISW-S's, or are you an administrative social worker and cannot find a LISW-S that practices administrative social work, etc).

Ms. Holleman will revise the form and email it to the SWPSC.

**Rules Under Review** – The SWPSC discussed fine rule 4757-1-07 and if they should have fines for audit failures and/or discipline cases. Both Mr. McTigue and Mr. Rough discussed the difference between administrative and disciplinary fines. Mr. McTigue suggested that the Board can have a civil fine and Mr. Rough will draft a rule addressing this issue.

Mr. Nelson made a motion to approve 4757-9-05(D). Seconded by Mr. Polovick. Ms. Riesbeck-Lee asked if there was any discussion and Mr. Brady said he wanted to discuss the issue. Mr. Brady feels that approving this rule is hurtful to Ohio and it gives authority to another organization. Mr. Rough said it is a good rule change because it helps with the manpower in the office and we trust their process. Ms. Webb said that NASW's approval process is rigorous. They will also provide high quality CEUs and they want to make sure that these CEUs meet the competencies. Mr. Abraham questioned whether NASW can fairly approve CEUs and then offer CEUs to make money because it has the appearance of impropriety. Mr. Nelson said that if the committee approves this rule, then we are more aligned with social work organizations. Mr. Polovick asked if the Board has looked into obtaining the software CE Manager. Mr. McTigue made a motion to amend paragraph (E) that notes the ASWB and NASW approval documents in the rule to add "and as thereafter amended". The amended motion was seconded by Mr. Nelson. Roll Call Vote – Mr. Brady – no, Mr. McTigue – yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee – yes. Motion carried.

#### **4. Professional Disclosure Statement**

Mr. Nelson addressed the issue of the professional disclosure statement and that licensees may be putting things on there in which they are not proficient in their practice as a social worker. Mr. Brady suggested that maybe the Board should get rid of it and be in line with other professions. Ms. Hosom said they look at the disclosure statement during discipline cases. Mr. Nelson said that having the disclosure statement is a protection of the public issue. The committee is worried about the scope of practice on the disclosure statement. The Ohio Counsel would like to get rid of it. The committee would like information about the disclosure statements from other states for the May meeting.

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

The Board appointments have been completed and Mr. McTigue is the new public member.

The Ohio Ethics Commission filings are due April 15, 2010.

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. Detail was added to the statute sections brought to our attention by Mr. Glenn Karr.

BMV held a public hearing scheduled on February 11, 2010 at 11:00 a.m. for rule 4501:1-1-18 with the change to paragraph (C) as requested. No testimony was given. The JCARR hearing approved the rule change on March 8, 2010.

Travel claims processing had major changes starting October 1, 2009 – all claims will be entered into the OAKS system.

The budget will require close monitoring throughout the fiscal year and Mr. Rough enclosed a memo concerning this issue in the board mailing. The Board is within budget and have projected higher savings. A major concern is payroll for which cost savings days are not being accounted for as originally anticipated and the issue is still in work. One area of additional savings is hearing costs.

The Mental Health Hold Bill – HB 281 has had three hearings. Mr. Rough will testify as a proponent when the next hearing is scheduled. The Ohio Psychiatric Physicians Association, Ohio Association of County Behavioral Health Authorities, and Ohio Legal Rights Service testified in writing against this bill.

The Art Therapy Bill – HB 208 has had two hearings. Mr. Rough has met with several associations to discuss the bill.

Mr. Rough included the rule changes in the board mailing.

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.

Mr. Rough has contacted all the associations concerning proposed statute changes and none were prepared to present their issues in February, but each of them is working on the issue through assigned committees.

Mr. Rough enclosed a memo in the board mailing on how to implement the banking of continuing education hours for the CEU committee to discuss and forward to the Professional Standards Committees. He is proposing to send this issue to the associations for their comment.

Mr. Rough referred the SWPSC to the letter from Ms. Roberta Young concerning the civil service exemption.

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

Ms. Webb said she has heard nothing back from Rep. Pryor about HB 62. NASW-Ohio is getting the supervisory registry ready, which is an informational service only, and they want to get it up and running soon. She said anyone will be able to access this service and not just NASW members. However, you must be a NASW member to be a supervisor on this list. Ms. Webb submitted testimony about the Art Therapist Bill. They had Advocacy Day and it covered the following issues: workplace safety issues, educational debt relief, and human trafficking. She submitted a letter to ODMH Director Sandra Stephenson addressing the concerns with the QMHS. Mr. Polovick asked if NASW offers a social work award and Ms. Webb said they do.

**7. Executive Ad Hoc Committee Report**

Ms. Riesbeck-Lee said Mr. Rough's evaluation will be completed at the May meeting.

**8. CEU Ad Hoc Committee Report**

Ms. Riesbeck-Lee said the committee is working on ensuring the quality of CEUs provided to licensees. Mr. Rough wants to add a survey question for licensees renewing online and the licensee can rate their last CEU attended. They discussed putting something on the program presenter's evaluation form. Ms. Miller attempted to audit two programs but was unsuccessful. She said counselors are a proponent of fining for audit failures. Mr. Rough said he came up with a potential rule for banking CEU hours. Mr. Nelson asked if there would be an increased cost for the Board if we went with banking CEUs. Ms. Riesbeck-Lee said it would be more work for the staff, but maybe not an increased cost. The issue of banking CEUs still needs to go to the associations for their comment.

**9. Meeting Adjourned**

Ms. Riesbeck-Lee declared the meeting adjourned at 11:54 a.m.

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Ms. Jennifer Riesbeck-Lee, Chairperson