



Counselor, Social Worker & Marriage and Family Therapist Board

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Social Worker Professional Standards Committee (SWPSC) Minutes **Thursday, May 19, 2011**

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

Staff Present: Mr. Bill Hegarty, Ms. Tracey Hosom, Mr. Jim Rough, Ms. Tammy
Tingle, Mr. Doug Warne

Guest Present: Mr. Andrew Gillespie

1) Meeting Called to Order

Mr. Nelson called the meeting to order at 9:00 a.m.

2) Approval of the March 17 & 18 Minutes

Mr. Nelson asked if there were any changes or discussion of the March, 2011 minutes. Mr. Brady made a motion to approve the minutes. Seconded by Ms. Riesbeck-Lee. Motion carried.

3) Discussion/Approval of the May 18 & 19 Agenda

Mr. Brady made a motion to approve the agenda. Ms. Riesbeck-Lee seconded the motion. Motion carried.

4) Investigations

a) Mr. Hegarty conducted a general discussion about the checks and balances in how ethics complaints are processed. He pointed out there has been very little disagreement between the SWPSC member's decisions/outcomes and the expectations of the CSWMFT investigators. Both SWPSC member and investigators rely on objective and fact specific information to make decisions that determine outcomes.

b) Discussion of AIMS evaluations:

A licensed social worker had called Mr. Hegarty because her supervisor asked her to routinely administer AIMS evaluations. The social worker did not feel comfortable with administering the AIMS evaluation and wanted to know if the administration of this evaluation tool was within the scope of practice of a licensed social worker. The

members of the SWPSC agreed that administration of the AIMS was not inherently part of the licensed social work scope of practice. However, it was agreed if a licensed social worker has the background, education, and training the social worker could administer the AIMS as part of his or her employment.

c) Closed Cases

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

2010 – 210	Boundaries. No violation found
2011 – 33	Confidentiality. Allegations not substantiated
2011 – 35	Competency. No violation found
2011 – 37	Confidentiality. Closed with caution
2011 – 39	CEU problem. Closed with caution
2011 – 45	Boundaries. Allegations not substantiated
2011 – 54	Misrepresentation of credentials. Close with caution
2011 – 66	Practice outside of scope. Close with caution

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

2010 – 173	Non-sexual boundaries. Close with caution
2011 – 16	Custody issue. Close with caution
2011 – 36	Falsification on renewal. Close with caution
2011 – 42	Custody issues. Close with general caution
2011 – 44	Poor record keeping. Close with caution
2011 – 56	Unlicensed practice. Close with caution
2011 – 57	Improper records. Close with strong caution
2011 – 60	Practice on a lapsed license. Close with caution
2011 – 75	Improper records. Close with strong caution

d) Executive Session

Mr. Nelson requested that the SWPSC meeting go into Executive Session at 9:40 a.m. for the purpose of discussing investigations. Accepted by a Roll Call Vote – Mr. Brady – yes, Mr. McTigue – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee – yes.

Mr. Nelson moved that the SWPSC come out of Executive Session at 9:50 a.m. Accepted by a Roll Call Vote – Mr. Brady – yes, Mr. McTigue – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee – yes.

e) Consent Agreements

1) Ms. Linda S. Neil: Ms Neil allowed her license to lapse and she continued to practice under it from November 20, 2010 until December 7, 2010 while working at an agency in Cincinnati, Ohio. Practicing social work on a lapsed license constitute a

violation of Ohio Revised Code Section 4757.36(C)(1) and Ohio Administrative Code Section 4757-7-02. Ms. Neil admits to these allegations.

Ms. Riesbeck-Lee made a motion to accept the consent agreement between the Board and Ms. Neil based on the evidence in the document. Mr. Brady seconded the motion. Motion carried.

f) Goldman Review (Licensure)

- 1) **Teresa Cheadle:** Ms. Riesbeck-Lee moved to deny Ms. Alston's application for licensure because on the date of her application Ms. Alston did not possess a qualifying degree in social work as required by Ohio Revised Code 4757.28(B) and Ohio Administrative Section 4757-19-01(C)(2). Mr. Brady seconded the motion. Motion carried.
- 2) **John Eberhart:** Ms. Riesbeck-Lee moved to deny Mr. Eberhart's application for licensure because on the date of his application Mr. Eberhart did not possess a qualifying degree in social work as required by Ohio Revised Code 4757.28(B) and Ohio Administrative Section 4757-19-01(C)(2). Mr. Brady seconded the motion. Motion carried.

g) Goldman Review (Discipline)

- 1) **Paul Mortimer:** Mr. Polovick moved to revoke Mr. Mortimer's Social Work license because he did not comply with a Board audit for continuing education in violation of Ohio Revised Code 4757.36(C)(1) and Ohio Administrative Code 4757-11-01(C)(20)(b). Ms. Riesbeck-Lee seconded. Motion carried.

5) Correspondence

- a) **Marian Robinson:** Ms. Robinson's supervisor is not recommending her for licensure as a LISW. The consensus of the SWPSC is that the Committee does not have enough information to determine if this is a competency, an ethical, or a supervision issue. The SWPSC will refer the supervisor's statement to the CSWMFT Board's Investigations Department; specifically to investigate whether or not Ms. Robinson violated boundary issues.
- b) **Karen Carnabucci:** Ms. Carnabucci applied for the LISW-S designation in Ohio based on her experience as a LCSW in Wisconsin. The SWPSC unanimously decided Ms. Carnabucci would need to meet Ohio requirements for the LISW-S; the SWPSC was not willing to consider making a rule change. Ms. Carnabucci will need to submit a LISW-S application and complete nine CEU in supervision before she can become a LISW-S.
- c) **Andrew Gillespie:** Andrew Gillespie met with the SWPSC to clarify how to correctly write his credentials. He discussed why he believed his Ph.D. in physiology could be considered related to the field of mental health per O.A.C 4757-5-02(A)(1). The SWPSC unanimously agreed that Andrew Gillespie could use his doctorate degree in his professional capacity when signing documents and lecturing. However, he could not use

his doctorate degree in his Professional Disclosure Statement per rule 4757-5-12(B)(2)(a).

d) LISW Hardship Request for a professional other than a LISW-S to provide supervision.

1) **Joshua Williams:** The SWPSC unanimously agreed to deny Mr. Williams Hardship Request for a PCC-S to provide his supervision because a LISW-S is available to provide him with supervision.

2) **Erin Bryant:** The SWPSC unanimously agreed that it was unnecessary for Ms. Bryant to submit a hardship request for supervision as she already had obtained 150 hours of supervision by a LISW-S.

6) **Working Meeting**

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

7) **Meeting Adjourned**

Mr. Nelson adjourned the meeting at 3:30 p.m.

Social Worker Professional Standards Committee (SWPSC) Minutes
Friday, May 20, 2011

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

Staff Present: Mr. Bill Hegarty, Mr. Jim Rough, Mr. Doug Warne

Guest Present: Mr. Henry Lustig, NASW Liaison, Ms. Danielle Smith, NASW Service Coordinator

1) Meeting Called to Order

Mr. Nelson called the meeting to order at 9:10 a.m.

2) New Business

Doctorate Degree and Social Work Licensure: Mr. Rough presented the issue of whether or not to grant licensure to a LISW applicant who has a doctorate in social work but not a MSW/MSSA. Mr. Rough pointed out the language of the current rule creates a false barrier for applicants and he agreed to draft a rule change to present to the SWPSC.

Continuing Competency: Mr. Rough discussed a self assessment instrument and will give a presentation at the July planning meeting before giving attendees this self assessment to take and discuss.

3) Old Business

There was discussion of the SWPSC members who are up for renewal and who need to reapply for appointment.

4) Executive Directors Report

See attached. Mr. Rough reported on planning meeting issues, budget issues and policy review issues.

5) Approval of Applications for Licensure

A motion was made by Mr. McTigue to approve the 86 LISW and 154 LSW applicants licensed by staff, and 4 SWA applicants registered by staff, from March 17, 2011 through May 17, 2011. Seconded by Ms. Riesbeck-Lee. Motion carried.

6) NASW

Cynthia Webb will be leaving as Executive Director of the NASW in August 2011. NASW is in the process of interviewing for a new Executive Director and plan to make a decision by the end of June.

Report from NASW liaison:

NASW, OH Chapter requested the SWPSC accept the following definition of social work and to include a definition of social functioning:

4757.01 Definition –

(C) “Practice of social work” means the application of specialized knowledge of human development and behavior and social, economic, and cultural systems in directly assisting individuals, families, and groups to improve or restore their capacity for social functioning through the application of social work theory, including counseling, the use of psychosocial interventions, and the use of social psychotherapy, which may include the diagnosis and treatment of mental disorders.

To add definition for social functioning as defined by the Social Work Dictionary, 5th Addition:

Social Functioning is defined as; living up to the expectations that are made of an individual by that person’s own self, by the immediate social environment, and by society at large. These expectations, or functions, include meeting one’s own basic needs and the needs of one’s dependents and making positive contributions to society. Human needs include physical aspects (food, shelter, safety, health care, and protection), personal fulfillment (education, recreation, values, aesthetics, religion, and accomplishment), emotional needs (a sense of belonging, mutual caring, and companionship), and an adequate self-concept (self-confidence, self-esteem, and identity).

The members of the SWPSC agreed to consider and discuss this suggestion at the next SWPSC meeting.

7) CEU Committee

Mr. Polovick reported the CEU Committee approved the March minutes. He also reported that the CEU Committee discussed imposing larger fines as a deterrent for rule violations.

8) Executive Committee Report

Ms. Riesbeck-Lee reported that Mr. Rough’s Executive Directors Report highlighted issues discussed in the Executive Committee Meeting.

9) Meeting Adjourned

Mr. Bob Nelson adjourned the meeting at 12:15 p.m.

Mr. Robert Nelson, Chairperson