



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

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

**Thursday, July 15, 2010**

**Members Present:** Mr. Tim Brady, Mr. Don McTigue, Mr. Bob Nelson,  
Mr. Steve Polovick, Ms. Jennifer Riesbeck-Lee  
**Staff Present:** Ms. Margaret-Ann Adorjan, Mr. Bill Hegarty,  
Ms. Marcia Holleman, Ms. Tracey Hosom,  
Ms. Jenny Kreinbrink, Mr. Jim Rough  
**Guests Present:** Ms. Regina Anderson, LISW-S,  
Dr. Otha Gilyard, CPSC member,  
Mr. Scott Lavelle, attorney-at-law,  
Ms. Leah O'Carroll, AAG

1. **Meeting Called to Order**

Ms. Riesbeck-Lee called the meeting to order at 9:07 a.m.

2. **Election of new SWPSC chair**

Mr. McTigue made a motion to elect Mr. Nelson as chair of the SWPSC. Mr. Brady seconded the motion. Motion carried.

3. **Discussion/Approval of the July 15<sup>th</sup> & 16<sup>th</sup>, 2010 Agenda**

Mr. Nelson asked if there were any changes or discussion of the July 15<sup>th</sup> and 16<sup>th</sup>, 2010 agenda. No changes or discussion were made. Mr. Brady made a motion to approve the agenda. Seconded by Ms. Riesbeck-Lee. Motion carried.

4. **Approval of the May 20<sup>th</sup> & 21<sup>st</sup>, 2010 Minutes**

Mr. Nelson asked if there were any changes or discussion of the May 20<sup>th</sup> and 21<sup>st</sup>, 2010 minutes. The committee made two minor changes. Mr. Brady made a motion to approve the minutes with the changes. Seconded by Ms. Riesbeck-Lee. Motion carried.

5. **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. Ms. Riesbeck-Lee seconded the motion. Motion carried.

2010-31      2010-67      2010-87      2010-92      2010-93

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

2010-32      2010-58      2010-77      2010-82      2010-88      2010-89  
2010-90      2010-99      2010-68

(B) **Executive Session**

Mr. Nelson requested that the SWPSC meeting go into Executive Session at 9:19 a.m. to discuss Consent Agreements, Goldman Reviews (Licensure and Discipline), Hearing Officer Report, and Guardianship of an ex-client. Accepted by a Roll Call Vote – Mr. Brady – yes, Mr. McTigue – yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee - yes.

Mr. Nelson moved that the SWPSC come out of Executive Session at 9:34 a.m. Accepted by a Roll Call Vote – Mr. Brady – yes, Mr. McTigue – yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee – yes.

(C) **Consent Agreements**

**Melanie Barber, LSW** - A motion was made by Mr. Brady to approve the Consent Agreement between the Board and Ms. Barber based on the non-sexual boundary issues cited in the Consent Agreement. Seconded by Ms. Riesbeck-Lee. Motion carried.

**Julie Calestro-McDonald, LISW-S** - A motion was made by Ms. Riesbeck-Lee to approve the Consent Agreement between the Board and Ms. Calestro-McDonald based on the non-sexual boundary issues cited in the Consent Agreement. Seconded by Mr. Brady. Motion carried.

**Susan D. Hensley, LISW** - A motion was made by Mr. Brady to approve the Consent Agreement between the Board and Ms. Hensley based on her use of networking sites as a professional cited in the Consent Agreement. Seconded by Ms. Riesbeck-Lee. Motion carried.

Ms. Holleman will request that Mr. Rough write an article for NASW newsletter and the Board's newsletter about the use of social networking sites by professionals.

**(D) Goldman Review (Disciplinary)**

**Amy B. Kazanowski, LSW** – A motion was made by Ms. Riesbeck-Lee to revoke Ms. Kazanowski's social worker license based on the Board's proposal to discipline her due to her failure to respond to the continuing education audit. She did not request a hearing. Seconded by Mr. Brady. Motion carried.

**(E) Goldman Review (Licensure)**

**Rachelle Miller** – A motion was made by Mr. Brady to deny Ms. Miller'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.

**(F) Hearing Officer Report**

**Rodney Stinson, LSW** – Ms. Riesbeck-Lee made a motion to concur with the hearing officer's report and Mr. Stinson's license to practice social work is suspended for three months and must receive 18 months of monitoring. Seconded by Mr. McTigue. Mr. Brady recused himself. Motion carried.

**(G) Guardianship of an Ex-Client**

Mr. Hegarty discussed the issue of a LSW being the guardian of an ex-client. A member of the public filed a complaint against the LSW. The committee discussed whether or not they should put in the rules about waiting one year to be the guardian of an ex-client. Mr. Hegarty said that if they want this in the rule, then it would be in the non-sexual boundary section and the SWPSC would need to discuss it with the entire Board. The committee will talk about this issue with the other two committees. Mr. McTigue made a motion to table this issue until the September meeting. Seconded by Ms. Riesbeck-Lee. Motion carried.

**6. 9:56 a.m. - Meeting with Regina Anderson**

Mr. Lavelle introduced his client Ms. Anderson to the SWPSC and said that she was going to speak with them concerning the revocation of her LISW and encouraged the committee to make a decision today. Ms. Anderson said she was audited by the Board, but the Board did not hear from her. This went to notice for hearing, a Goldman review, and then her license was revoked. Ms. Anderson told the committee that she never received correspondence from the Board because she was living in Virginia at the time caring for her elderly parents. Her son was taking care of her mail, etc. while she was in Virginia and she did not change her Ohio address to the Virginia one. Ms. Anderson has since presented evidence that she did have the 30 hours of CEU's. After the Board's revocation, her employer changed her job duties. Ms. Anderson now realizes that she should have taken responsibility with her license.

Ms. Riesbeck-Lee made a motion to re-instate Ms. Anderson's license, vacate the revocation, and implement a formal reprimand. Seconded by Mr. Brady. The committee discussed what this motion means with Mr. Hegarty. Ms. Riesbeck-Lee withdraws her motion. Seconded by Mr. Brady. Motion withdrawn. Mr. Polovick made a motion to vacate the revocation of Ms. Anderson's license because he believes the licensee showed reasonable intent to renew and it was not malicious intent to not renew. Seconded by Mr. McTigue because there was no harm to the public shown and she took reasonable steps to have her son watch the mail. Roll Call Vote – Mr. Brady – no, Mr. McTigue – yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee – yes. Motion carried.

**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>2 Applications Approved</b>
<b>LSW -</b>	<b>3 Applications Approved</b>
<b>LSW (Related Degree) -</b>	<b>5 Applications Approved</b>

**10** Applicants were approved for registration and licensure by the SWPSC at the July 2010 meeting.

A motion was made by Mr. Brady in regards to the two applications and two remediation plans. Seconded by Mr. Nelson. Motion carried.

<b>LSW -</b>	<b>1 Applicant issued intent to deny licensure</b>
<b>LSW (Related Degree) -</b>	<b>1 Applicant with a related degree issued intent to deny exam pre-approval</b>
<b>Remediation Plan -</b>	<b>2 Applicants remediation plans approved</b>

**9. Meeting Adjourned**

Mr. Nelson declared the meeting adjourned at 1:05 p.m.

## Social Worker Professional Standards Committee (SWPSC) Minutes

Friday, July 16, 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. Jenny Kreinbrink, Mr. Jim Rough  
**Guests Present:** Ms. Sarah Luker, BGSU student,  
Mr. Henry Lustig, NASW liaison,  
Ms. Mary Venrick, CPSC member

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

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

### 2. **Approval of Applications for Licensure**

223 Applicants were licensed by staff prior to the July 2010 meeting. A motion was made by Mr. McTigue to approve applicants licensed by staff from May 24, 2010 to July 14, 2010. Seconded by Mr. Brady. Motion carried.

### 3. **Old Business**

**Banking of CEU's** – The committee discussed banking of CEU's. Mr. McTigue is in favor of banking because it allows flexibility. Currently, the Board does not track continuing education hours for licensees. If banking is approved, the Board may require that licensees keep their CEU's for five years. Mr. Brady and Mr. Nelson are in favor of banking. Mr. Nelson approves of banking if it is a low-tech solution and it will not cost the Board any money to implement. The SWPSC believes that 15 CEU's would be an appropriate amount to bank.

**4757-5-02 (I)** – Mr. Hegarty said the new paragraph to 4757-5-02(I) was proposed by the Board's investigators following several recent cases where the trainee alleges that his/her supervisor allows someone else to provide supervision and the original supervisor would sign as the training supervisor. Some supervisors have said that that they were only providing work supervision when the trainee thought it was training supervision. The SWPSC reviewed the new paragraph and would like to add the word "training" to the first sentence and it would read as "Licensed Independent Social Workers, Professional Clinical Counselors, and Independent Marriage and Family Therapists shall provide appropriate training supervision to licensees who do not hold an independent license." A motion was made by Mr. McTigue to approve 4757-5-02 (I) with the addition. Seconded by Ms. Riesbeck-Lee. Roll Call Vote – Mr. Brady – yes, Mr. McTigue – yes, Mr. Nelson – yes, Mr. Polovick – yes, and Ms. Riesbeck-Lee – yes. Motion carried.

**Bartering Rule Change** – Mr. Polovick arrived for the meeting at 9:53 a.m. Mr. Hegarty explained to the committee why 4757-5-08 (B) and 4757-5-03 (A) needs to be reviewed. The committee reviewed and discussed Mr. Hegarty’s revisions of both rules. A motion was made by Ms. Riesbeck-Lee to approve the changes to rules 4757-5-08 (B) and 4757-5-03 (A). Seconded by Mr. McTigue. Motion carried.

**SWA Issue** – The committee reviewed and discussed the scope of a SWA vs. the scope/job duties of a QMHS. They also reviewed Mr. Hegarty’s re-drafted SWA scope of practice. Ms. Riesbeck-Lee suggested that Mr. Rough come up with a questionnaire for all the Board’s SWA’s and community college programs that offer AAS programs for potential SWA’s and they can help determine the SWA’s scope of practice. Mr. McTigue suggested that the Board ask the AAS association what SWA’s can do in practice. Mr. Brady suggested the committee look at the QMHS’ scope and work up to the SWA’s scope of practice. They weighed these options and tasked Ms. Kreinbrink with printing off information about the human service programs at community colleges and bring that information to the September meeting.

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

Mr. Lustig said NASW is looking at legislative issues.

**5. Executive Director’s Report**

Mr. Rough mentioned that he attended a screening of the movie “Moving Our World Forward.” This student produced movie highlights 36 social workers in Ohio.

Ms. Riesbeck-Lee has agreed to accept the position of full Board chair.

The following Board member appointments expire on 10/10/2010: Ms. Susan Huss, Ms. Francine Packard, Mr. Nelson, and Dr. Otha Gilyard.

Mr. Rough has scheduled the annual Governor’s Ethics training for the Thursday, September 16 meeting at 2:00 p.m. The SWPSC members who need to attend are Don McTigue, Bob Nelson and Steve Polovick. Mr. Hegarty and Mr. Rough are required to attend biennially.

Mr. Rough contacted all of the associations concerning proposed statute changes and most are still in work. OCBHP has provided their input, which includes a request to delete the professional disclosure statements from section 4757.12 of the Revised Code. We are waiting for input from the professional associations on these changes and any that they may propose. OAMFT and OCA provided their inputs and NASW Ohio Chapter is working on their input.

Mr. Rough is working on changing the rules of superintendence for the courts of Ohio rule 66 paragraph (A). He needs a letter from NASW supporting these changes.

The Civil Service Exemption – HB 62 had a hearing in the senate on May 11, 2010 for sponsor testimony. Interested parties are encouraged to write Senator Hughes, Committee chairman, to encourage additional hearings.

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 Art Therapy Bill – HB 208 has had three hearings. The bill has had significant input, but we have not received a new copy of the draft bill.

The Controlling Board approved an increase in budget authority for FY 2011. The increased funds are primarily related to payroll costs for Cost Savings Days, increased health insurance, and the biennial audit in FY 2011.

Mr. Rough received a call on July 6, 2010 from the Auditor of State's office for an audit entrance meeting on July 19, 2010. The audit will cover FY 2009 and 2010.

The Board ended FY 2010 in good shape and the revenue was \$1,185,037. The next budget is due 11/1/2010.

Mr. Rough has initiated some IT changes that should result in \$700+ a month in savings for FY 2011.

In order to comply with Revised Code section 1347.15, we filed new rules 4757-31-01 through 05. These are the Joe the Plumber rules.

The following rules need review by the professional standards committees: 4757-1-07 and 4757-5-02.

## **6. Old Business**

**4757-1-07 (B)** – The SWPSC reviewed and discussed rule 4757-1-07 (B). The committee wants to add the word “other” to the first sentence and it will read as “Fines may be levied in other discipline cases where the professional standards committee believes the fine will be more productive in correcting the issue than other discipline cases.” A motion was made by Mr. Brady to approve rule 4757-1-07 (B) with the addition of “other.” Seconded by Ms. Riesbeck-Lee. Motion carried.

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

Ms. Riesbeck-Lee said Mr. Rough received his evaluation.

## **8. CEU Ad Hoc Committee Report**

Mr. Polovick said they discussed amending the CEU application and he suggested they add the NASW approval number and whether or not an agency is a 501(C)(3). The

committee also discussed the ongoing issue of NASW approving programs that the SWSPC would not have approved. Mr. Lustig asked the SWPSC if this CEU issue with NASW persists, then can they remove NASW's approval. The SWPSC said that they can make a rule change and no longer have NASW approve programs. Mr. Lustig also wanted to know if Mr. Rough will communicate this CEU issue with NASW, but the SWPSC did not have an answer. The CEU committee also discussed fining providers for using provider status even though it has expired. Finally, the committee discussed charging for program and provider approval. If they charged for approval, then the Board may be able to hire someone who could do quality assurance with CEU's.

**9. Old Business**

**CSWE Status** - A motion was made by Mr. Brady to table this topic until the next meeting. Seconded by Ms. Riesbeck-Lee. Motion carried.

**University Provider Status** – A motion was made by Mr. Brady to table this topic until the next meeting. Seconded by Mr. Polovick. Motion carried.

**Professional Disclosure Statements** – A motion was made by Mr. Brady to table this topic until the next meeting. Seconded by Mr. Polovick. Motion carried.

**10. Correspondence**

**Supervision Hours Towards LISW Comment** - Ms. Lisa Castagnola submitted a comment concerning the current rule that social workers obtaining training hours towards the LISW must be supervised by a LISW-S. She would like the committee to consider allowing supervisees to receive supervision toward their respective independent licensures from any one of the following (LISW-S/IMFT/PCC-S) if the supervisor is the direct supervisor for the supervisee and qualified to supervise the clinical treatment model being practiced by the supervisee. The SWPSC reviewed and discussed her concerns and suggestions. However, the committee will stay with the current rule and require that all social workers receiving training supervision towards the LISW must be supervised by a LISW-S.

**11. Meeting Adjourned**

A motion was made by Mr. Polovick to adjourn the meeting at 12:18 p.m. Seconded by Mr. Brady. Motion carried.