

**As amended by the Board on June 4, 2009  
MINUTES**

**UTAH  
SOCIAL WORK BOARD  
MEETING**

**March 5, 2009**

**Room 474 – 4th Floor – 9:00 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 9:10 A.M.

**ADJOURNED:** 3:17 P.M.

**Bureau Manager:**

Rich Oborn

**Board Secretary:**

Lee Avery

**Board Members Present:**

Tammer M. Attallah, Chairperson

Jean V. McAfee

Mark de St. Aubin

Dennis R. Frandsen

Patsy Smith

Andrew Johnston

**Guests:**

None

**DOPL Staff Present:**

F. David Stanley, Division Director

Ronda Trujillo, Compliance Specialist

Kent Barnes, Compliance Manager

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:  
MINUTES:**

The Board reviewed the minutes dated January 8, 2009. Mr. Frandsen motioned to approve the minutes with changes, seconded by Ms. McAfee. The motion carried unanimously.

**COMPLIANCE REPORT:**

**Update:**

Mr. Wilkes had an appointment to meet with the Board today but he is in the hospital and is unable to keep his appointment. His condition is very serious. Mr. Attallah expressed concerns regarding Mr. Wilkes not being able to meet the deadlines as indicated on his stipulation because of his illness. Mr. Oborn stated the

Ronda Trujillo, Compliance Specialist

Division would be flexible with these deadlines.

#1. Jacqueline Allred is in compliance with her stipulation. She is current on all reports and has submitted a plan for her probation. Her continuing education is due on January 26, 2010.

#2. James Stringham is in compliance with his stipulation. He submitted a plan for his probation and his supervisor's resume.

**Discussion:**

The Board briefly discussed Mr. Stringham's request for the Board to consider Mr. Chris Robertson, LCSW, as Mr. Stringham's supervisor. Mr. Oborn noted that Mr. Stringham contacted Mr. Robertson to be his supervisor before the Division completed the investigation of the charges against Mr. Stringham.

#3. Fred Carlson is in compliance with his stipulation. He is current on all reports. Mr. Carlson's continuing education hours are due May 8, 2009. The Division received information stating his current supervisor will no longer be able to supervise him. Mr. Carlson is requesting the Board consider approving Dr. Matthew Gardiner as his supervisor. Dr. Gardiner is Mr. Carlson's psychiatrist. Dr. Gardner's license is active and in good standing. Mr. Carlson will bring Dr. Gardiner's vitae to this Board meeting. Mr. Carlson is requesting to be approved to provide occasional child custody/adoption evaluations.

**Discussion:**

The Board reviewed Mr. Carlson's letter regarding Dr. Gardiner being Mr. Carlson's supervisor.

#4. Theresa Schubach is in compliance with her stipulation. The Division received her quarterly supervisor report and her quarterly therapy report.

**Discussion:**

The Board noted that she has been consistently in compliance.

#5. Brenda Welch is a new probationer. This is her

first interview. Ms. Welch was asked to bring a plan for her probation to this Board meeting. Ms. Welch is working on her essay. The essay is due May 25, 2009.

**Discussion:**

Ms. Welch's violations involved practicing outside the scope of her license and boundary violations.

Preliminary Review of Applications

Mr. Oborn briefly reviewed the following applications with the Board.

#1. Constance Fairbanks - Licensed Clinical Social Worker (LCSW), is requesting to reinstate her LCSW license. Ms. Fairbanks was in private practice until she retired in 2004.

#2. Sharon Parkinson, LCSW, is requesting to reinstate her LCSW license. Ms. Parkinson retired in 2002. Ms. Parkinson's interview will be telephonic.

Ms. Smith advised the Board that Ms. Parkinson was her counselor in school.

#3. Pepper Gale is applying for a Social Service Worker (SSW) license. Ms. Gale is requesting the Board to consider the courses she took through DCFS to be equivalent to the required practice methods course. Ms. Gale has a bachelor's degree in English and Psychology.

**APPOINTMENTS:**

Ms. Jacqueline Allred, Probation Interview

Ms. Allred presented herself to the Board. Mr. Frandsen conducted the interview. Ms. Allred advised the Board that she was not able to obtain the continuing education (CE) the Board approved in February. Ms. Allred stated that she would submit additional CE courses for the Board's approval at a future appointment. Ms. Allred stated that her supervisor is working out very well. Ms. Allred requested to be excused from the April 2, 2009 Board meeting. After a detailed discussion, the Board granted her request. The Board advised Ms. Allred that she would still need to submit her reports and advise the Division if there are any changes. The Board asked to see Ms. Allred on May 7, 2009. **Ms. Allred is in compliance with her stipulation.**

Mr. James Stringham, Probation Interview

The Board reviewed Mr. Stringham's plan for his probation. Mr. de St. Aubin conducted the interview. Mr. Stringham presented himself to the Board. Mr. Stringham advised the Board that Mr. Chris Robertson has been a facilitator in several continuing education courses that Mr. Stringham attended. After a detailed discussion, Mr. de St. Aubin motioned to approve Mr. Chris Robertson, LCSW to supervise Mr. Stringham, seconded by Mr. Frandsen. The motion carried unanimously. Mr. Stringham advised the Board that he has an appointment for his psychological evaluation with Dr. Pompa on Thursday, March 12, 2009. Mr. Stringham stated that he is almost finished with the HIPAA course as part of his continuing education requirement. Mr. Stringham expressed concern regarding his clients who are not willing to sign the informed consent form. The Board gave Mr. Stringham several suggestions regarding ways to help his clients understand the need to record their sessions including; #1. The recording is erased once the review is completed, #2. The review will be by himself and his supervisor only, #3. No names are attached to the recording, and #4. Have his supervisor talk with the client. The Board requested that Mr. Stringham have his supervisor, Mr. Robertson, make note in his report to the Board that Mr. Robertson has randomly selected the clients for his review. The Board advised Mr. Stringham that his reports are due by the 20<sup>th</sup> of each month. The Board asked to see Mr. Stringham on April 2, 2009. **Mr. Stringham is in compliance with his stipulation.**

Mr. Fred Carlson, Probation Interview

Mr. Carlson presented himself to the Board. Mr. Frandsen conducted the interview. Mr. Carlson advised the Board that he is working on the ethics course and will have it completed soon. Mr. Carlson stated that Job Corps did not renew his previous supervisor's contract. Mr. Carlson submitted a resume for Dr. Matthew Gardiner, a new supervisor, for the Board's consideration. Dr. Gardiner is a Psychiatrist. The Board talked with Mr. Carlson in detail and expressed several concerns regarding Dr. Gardiner's scope of practice being very different from Mr. Carlson's scope of practice. The Board requested Mr. Carlson to look for a supervisor within his profession.

Mr. Carlson stated that he would see if Ms. Becky Porter, LPC would supervise him. The Board stated that discussing cases with a supervising therapist that is not employed by the agency would not violate the HIPAA laws as long as there is a written agreement. The Board talked with Mr. Carlson about his request to continue doing the court ordered child custody/adoption evaluations. The Board noted that Mr. Carlson's stipulation does not allow Mr. Carlson to provide this service. After a detailed discussion, the Board encouraged Mr. Carlson to stay in compliance with his stipulation and it would consider amending the stipulation in the future. The Board asked to see Mr. Carlson on April 2, 2009. **Mr. Carlson is in compliance with this stipulation.**

Theresa Schubach, Probation Interview

Ms. Schubach presented herself to the Board. Ms. Smith conducted the interview. Ms. Schubach stated that things are going well. She advised the Board that she is reading the following books and has found them to be very helpful to her. #1. "Creating a Life of Meaning and Compassion", #2. "Dialectical Behavior Therapy in Clinical Practice", #3. "Mindfulness and Psycho Therapy". Ms. Schubach stated she is still having problems obtaining malpractice insurance. The Board noted that Ms. Schubach is making good progress with her probation. The Board asked to see Ms. Schubach on June 4, 2009. **Ms. Schubach is in compliance with her stipulation.**

Constance Fairbanks, Application Review for Reinstatement of LCSW License

Ms. Fairbanks presented herself to the Board. Ms. Fairbanks advised the Board that she wants to reinstate her license. She stopped working in 2004 to care for her husband who was ill and let her license expire. The Board talked with Ms. Fairbanks in detail. The Board reviewed the Social Work Practice Act Rule, R-156-60a-308. The Board encouraged Ms. Fairbanks to obtain forty (40) hours of continuing education in the areas she is interested in including the new HIPAA laws, practice methods in depression and learning how brain activity affects behavior. The Board suggested that the continuing education hours be NASW approved and that she could obtain all of them on-line. The Board stated that she would not have to take the clinical exam. Ms. Fairbanks was asked to submit the

certificates to Mr. Oborn once she completes the forty (40) hours of continuing education. Mr. Oborn stated that he would e-mail her a link to NASW's CE website. The Division will keep her application pending for ninety (90) additional days. The Board reminded Ms. Fairbanks that once she receives her license, the continuing education requirement is forty (40) hours every two years. Only ten (10) of these can be obtained on-line.

Sharon Parkinson, Application Review for Reinstatement of LCSW License, telephonic interview

The Board introduced itself to Ms. Parkinson. Ms. Parkinson reviewed her history with the Board. The Board talked with Ms. Parkinson in detail. Ms. Parkinson expressed an interest in working in oncology. The Board advised Dr. Parkinson that she would need to complete forty (40) hours of continuing education to reinstate her LCSW license. Some of these hours need to be in the new HIPAA laws. They need to be NASW approved and she could obtain all of these on line. The Board encouraged Ms. Parkinson to contact the University for continuing education for social work in oncology. The Division will keep her application pending for ninety (90) additional days. The Board reminded Ms. Parkinson that once she receives her license, the continuing education requirement is forty (40) hours every two years. Only ten (10) of these can be obtained on-line. Ms. Parkinson does not have to re-take the ASWB exam.

The Board reviewed the letter and supporting documents submitted by Ms. Gale. The Board noted that Ms. Gale's education is like many others who have come before the Board for review. There are parts of their education that could cross over, but the course work does not meet the entire educational requirement as referenced in Utah code 58-60-205(4)(d)(iv). The Board noted that social work assessment and social work treatment were important elements of an approved social work practice methods course. The Board briefly talked about advising the agencies, and updating the application regarding what is expected to be a part of the Social Work Practice Methods course.

Pepper Gale, Social Service Worker (SSW)

Ms. Gale presented herself to the Board. The Board

### Application Interview

introduced itself. The Board noted that Ms. Gale is applying for licensure as a Social Service Worker (SSW) under 58-60-205-4(iv) of the Mental Health Professional Practice Act. The Board reviewed Ms. Gale's application and talked with her in detail. Ms. Gale was advised that her education is too narrow in focus. Her background and education in Criminal Justice and Division of Child and Family Services (DCFS) is not broad enough to allow her to work in all areas of social work practice. The Board gave Ms. Gale the option to withdraw her application at this time. The Board advised Ms. Gale that the association is in the process of proposing changes to the SSW license requirements.

### Report on New Utah State University MSW Program, Derrik Tollefson

Mr. Tollefson presented himself to the Board. The Board introduced itself. Mr. Tollefson gave the Board a pamphlet regarding a new MSW program at Utah State University. Mr. Tollefson stated that they would be graduating students in May of 2010. Mr. Oborn stated that graduates of the program will not meet the current license requirements until the university becomes accredited by the Council on Social Work Education (CSWE). If the university feels the requirement should change, they need to contact NASW who hopes to make revisions to the Social Worker Licensing Act during the 2010 Legislation Session. Mr. Tollefson thanked the Board for meeting with him.

### Brenda Welch, New Probation Interview

Ms. Welch presented herself to the Board. Mr. Johnston conducted the interview. The Board introduced itself. Ms. Welch advised the Board that she had a dual relationship with a male client and she practiced beyond the scope of her license. Ms. Welch reviewed the specific details with the Board. Ms. Welch also reviewed her plan for her probation and gave the Board her written copy. Ms. Welch stated that she is currently working part-time outside of the profession. The Board reviewed her stipulation with her. The Board noted that the essay needs to be completed by May 25, 2009. The Board asked to see Ms. Welch on June 4, 2009. **Ms. Welch is in compliance with her stipulation.**

**DISCUSSION ITEMS:**

Legislative Session Update

Mr. Oborn advised the Board that there is a bill titled the Vocational Rehabilitation Licensing Act being considered by the state Legislature. If the bill passes, it will allow for the licensure of Vocational Rehabilitation Counselors. Mr. Oborn stated that this could lead to the licensure of approximately 300 Rehabilitation Counselors. This would create a new Board for the Division. Mr. Oborn noted that they are not mental health therapists; however, they do provide services closely related to those provided by mental health therapists.

Probationer Psychological Evaluations Review  
(closed meeting)

**Taken out of order on the agenda:**

Mr. Johnston motioned to close the Board meeting at 11:43 A.M. to discuss the psychological evaluation of Emily Berry. There were no recording or written notes taken during this time. The Board meeting opened at 12:02 P.M.

**Taken out of order on the agenda:**

Mr. de St. Aubin motioned to close the Board meeting at 1:17 P.M. to discuss the psychological evaluation of Anntionette Titus, seconded by Ms. Smith. There was no recording or written notes taken during this time. The Board meeting opened at 1:33 P.M.

**Discussion to be placed on a future agenda**

Mr. Attallah requested that the Board discuss education requirements at a future Board meeting.

**CORRESPONDENCE:**

Association of Social Worker Board (ASWB)  
Letter of Agreement

Mr. Oborn briefly reviewed the letter from ASWB regarding the agreement between ASWB and the Division.

Mr. Oborn advised the Board that there is a freeze regarding state employees and board members traveling outside Utah. This is because of the current budget restraints.

**NEXT SCHEDULED MEETING:**

April 2, 2009

2009 Board Meetings Tentatively Scheduled

April 2, May 7, June 4, July 2, August 6, September 3, October 1, November 5, December 3.

**ADJOURN:**

Motion to adjourn at 3:17 P.M.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

April 2, 2009  
Date Approved

(ss) Tammer Attallah  
Tammer Attallah Chairperson, Utah Social Work  
Licensing Board

March 23, 2009  
Date Approved

(ss) Richard Oborn  
Richard Oborn, Bureau Manager, Division of  
Occupational & Professional Licensing