

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

**UTAH
SOCIAL WORK BOARD
MEETING**

April 2, 2009

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

CONVENED: 9: 06 A.M.

ADJOURNED: 12:33 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 March 5, 2009. Mr. Frandsen motioned to approve the minutes with changes, seconded by Ms. Smith. The motion carried unanimously.

COMPLIANCE REPORT:

Ronda Trujillo, Compliance Specialist:

Update:

#1. The Board noted the passing of David Wilkes.

#2. The Board reviewed letter from Ms. Frannie Cumberledge, Ms. Allred's supervisor. Ms. Cumberledge is resigning as Ms. Allred's supervisor. Ms. Cumberledge stated that it is a personal decision

and has nothing to do with Ms. Allred.

#3. Fred Carlson is in compliance with his stipulation. The Board reviewed the vitae from Ms. Rebecca Porter, MS, LPC, and Dr. Matthew Gardiner.

Discussion:

The vitae were submitted for the Board's approval for Mr. Carlson's new supervisor. The Board noted that David Peterson, Mr. Carlson's approved supervisor, is no longer working for the agency. The Board noted that one supervisor is a Licensed Professional Counselor (LPC) with less than two (2) years experience and the other supervisor is licensed as a Physician/Surgeon, practicing psychiatrist. The Board identified the following as factors to consider when deciding whether to allow a LCSW probationer to have a non-LCSW supervisor:

- (1) the potential impact on the probationer's ability to maintain employment;
- (2) whether the employment is in a rural area where there are fewer possibilities for LCSW supervisors;
- (3) the difference in the education, training, and scope of practice of the license held by the probationer and the supervisor; and
- (4) whether the nature of the probationer's violation falls under the supervisor's education, training, and experience.

After further discussion, the Board decided to meet with Ms. Porter on May 7, 2009 at 10:00 A.M.

#4. Megan Heath surrendered her license. She advised Ms. Trujillo that she wants her license back in the future. Ms. Heath submitted two (2) prescriptions from different pharmacies. Ms. Trujillo advised Ms. Heath that she should have only one physician and one pharmacy as stated in her stipulation. The Board reviewed the letter submitted by Ms. Heath regarding her having two (2) different doctors. The Board discussed this in detail and stated that if she needs a specialist and the specialist decided she needs medication, the specialist should be able to prescribe the medication. Ms. Heath should not have to go back to her general practitioner to obtain the prescription. The Board noted that she has been keeping the Division updated regarding her medical issues. The

Board encourages her to continue keeping the Division advised of her progress.

#5. William Green is not in compliance with his stipulation. The Division has not received his supervisor reports for January 20, 2009 and March 20, 2009. The Division has not received his therapist report for January 20, 2009.

Discussion:

The Board noted that the last time he met with the Board he brought his reports with him. The Board noted it did not remind him these reports need to be received by the 20th of the month. The Board noted that Mr. Green has completed all continuing education (CE) requirements. The Board will remind Mr. Green the reports need to be submitted by the deadline.

#6. James Stringham is in compliance with his stipulation. The Division received his supervisor report, his psychological evaluation, and a letter from his supervisor defining their prior relationship. The letter indicated that they know each other from attending CE courses. His supervisor acknowledged that he read the Stipulation and Order. Mr. Johnston motioned to close the meeting at 9:29 A.M. to review Mr. Stringham's psychological evaluation, seconded by Mr. Frandsen. The motion carried unanimously. There were no recordings or written notes taken at this time. The meeting opened at 9:39 A.M.

#7. Barbara Snow is in compliance with her stipulation. Her supervisor reports are current. She met her six (6) month requirement and received recommendation from her therapist stating that therapy is no longer required.

Not on the agenda:

Mr. Oborn reviewed the ASWB Examination pass/fail rate statistics.

Preliminary Review of Applications

Not at this time

APPOINTMENTS:

Mr. William Green, Probation Interview

Mr. Green presented himself to the Board. Mr. de St. Aubin conducted the interview. Mr. Green stated that he had a second interview at Copper Hills. He worked for them in 2004 or 2005. His private office is a small office complex in Bountiful. Mr. Green stated he is not seeing a therapist due to financial constraints. The last time he met with his therapist was in January 2009. He continues to meet with his supervisor, Will Dredge. Mr. Green stated that he has his support systems in place and these are working well for him. The Board reviewed Mr. Green's stipulation regarding therapy reports. The Board advised Mr. Green that there should have been a therapist report submitted to the Division in February 2009. The Board stated that Mr. Green's therapist would need to submit a current report to include a statement indicating if continued treatment is needed or if he recommends terminating therapy: The Board encouraged Mr. Green to:

1. Start therapy again;
2. Initiate a treatment plan;
3. Submit treatment plans to the Division;
4. Start quarterly reports: the first one is due immediately, the next one is due on May 20th;
5. Supervisor reports can be combined and the first is due in one week from today;
6. If employment of an agency is obtained, submit vitae for proposed supervisor; and
7. The Board requested that Mr. Green and his therapist, Mr. Peterson, review Mr. Green's psychological evaluation and identify Mr. Green's goals and then identify the goals that have been obtained.

If he obtains employment with an agency, the Board requested to meet with him on May 7, 2009.

Otherwise, he will meet on a quarterly basis with the Board. **Mr. Green is not in compliance with his stipulation.**

Mr. James Stringham, Probation Interview

Mr. Stringham presented himself to the Board. Mr. Johnston conducted the interview. The Board advised Mr. Stringham that it reviewed his psychological evaluation. Mr. de St. Aubin motioned to close the meeting at 10:28 A.M. to review Mr. Stringham's psychological evaluation, seconded by Ms. Smith. The motion carried unanimously. There were no recordings or written notes taken during this time.

The meeting opened at 10:33 A.M. The Board noted that Mr. Stringham completed the required HIPAA continuing education. He is almost finished with all of the required continuing education hours. Mr. Stringham still needs to take the test and will send in the material with the ethics class. Mr. Stringham stated his supervisor has been out of town for the past ten (10) days and will fax his report when he returns. The Board noted that based on the psychological evaluation Mr. Stringham is not required to do therapy. The Board asked to see Mr. Stringham on May 7, 2009. **Mr. Stringham is in compliance with his stipulation.**

Ms. Barbara Snow, Probation Interview

Ms. Snow presented herself to the Board. Mr. Attallah conducted the interview. Ms. Snow advised the Board that things are going well for her. She completed her therapy and is working to complete other stipulation requirements. The Board thanked Ms. Snow for her willingness to work with it and stay in compliance with her stipulation. The Board asked Ms. Snow to continue to sending in her reports quarterly and to meet with the Board quarterly. The Board asked to see Ms. Snow on July 2, 2009. **Ms. Snow is in compliance with her stipulation.**

Application Review

There were no applications reviewed at this time.

DISCUSSION ITEMS:

Social Service Work Education Requirement

Taken out of Order on the Agenda:

At the last board meeting, the Board requested that Mr. Oborn research cases when the Board has accepted a Social Service Worker's education as an "other field approved by the Division in collaboration with the Social Worker Licensing Board," as referenced in Utah Code Annotated 58-60-205 (4)(d)(iii). Mr. Oborn reported that acceptance of degrees as an "other field" has been done on a case by case basis. The following are examples of such cases:

- (1) Degree in Behavioral Science with several advanced courses in Sociology and Psychology;
- (2) Degree in Behavioral Science with a social work concentration reflecting an advanced social work emphasis;
- (3) Degree in Criminal Justice with a Minor in

Sociology reflecting several advanced courses in Sociology;

The Board has also accepted continuing professional education courses accredited by NASW as “other approved training” in social welfare as referenced in Utah Code Annotated 58-60-205 (4)(d)(iv)(A). The Board combined the professional education with other social welfare training to meet the requirement. The Board noted that the content of coursework that meets these requirements is carefully reviewed.

58-60-205 Qualifications for licensure as a clinical or certified social worker and social service worker:
100 Hour Face-to-Face Supervision Requirement

Taken out of Order on the Agenda:

The Board reviewed the 100 hour face-to-face supervision requirement referenced in Utah Code Annotated 58-60-205. The Board searched the current statutes and rules in trying to clarify the meaning of “direct, personal face to face supervision.” After further discussion, the Board requested that Mr. Oborn research this for the Board meeting on May 7, 2009.

58-60-205 Qualifications for licensure as a clinical or certified social worker and social service worker:
1000 Hour Mental Health Therapy Requirement

Mr. Oborn advised the Board that he gave a presentation to the University of Utah Masters of Social Work students who are preparing to graduate. Mr. Oborn requested the Board review the “1,000 hours of supervised training in Mental Health Therapy” requirement and clarify what modalities would count as meeting this requirement. The Board reviewed Utah Code 58-60-205 (1)(f) and Utah Administrative Code R156-60a-302c(4). The Board determined that examples of work that could be counted toward the 1,000 hours of mental health therapy requirement may include individual, family, and group therapy, and crisis intervention. Other time spent doing case staffing, taking case notes, and other administrative work should not be counted toward the 1,000 hours, but may be counted toward the remaining of 3,000 hours of clinical social work training.

Completion of Supervised Experience in a School Setting.

Taken out of Order on the Agenda:

Mr. Oborn advised the Board that he received a call from a MSW student who stated that she provided mental health therapy in a private school setting. Currently, she works in a public school and does the same thing there. Mr. Oborn noted that the statutes define mental health therapy as working at a public or

private agency that engages in mental therapy. Mr. Oborn is looking for clarification if this meets the “Completion of Supervised Experience” requirement. Mr. Oborn contacted the private school and was advised that they do provide mental health therapy, but they do not perform medical diagnosis. Therapists treat emotional disorders and this is in the definition of the practice of mental health therapy in the practice act. They obtain their authority from one of 13 classifications from IDEA federal law which states that schools have the authority to treat emotional disturbance. They do not just look at the academic struggles, they also look at social and emotional factors within the context of academic challenges. A therapist performs a behavioral assessment and a behavioral plan in a school setting. The Board discussed this in detail and determined that the school or school district should identify itself as a public agency that engages in mental health therapy in order for the hours to count towards licensure. Mr. Oborn refers students to the licensing act noting that it is possible to get the hours in a school setting if the experience meets requirements established in the statute and rule.

Request to Supervise Additional Supervisees:

Taken out of Order on the Agenda:

The Board reviewed the request to consider granting Ms. LeAnn Casto, LCSW an allowance to supervise one additional Intern. Ms. Casto does not carry a fulltime caseload. Mr. de St. Aubin motioned to approve the request, seconded by Mr. Frandsen. There was no further discussion. The motion carried unanimously.

Not on the agenda:

The Board noted that they are still short one member. The open seat is for a licensed Social Service Worker.

CORRESPONDENCE:

None at this time

NEXT SCHEDULED MEETING:

May 7, 2009

2009 Board Meetings Tentatively Scheduled

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

ADJOURN:

Motion to adjourn at 12:33 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.

May 7, 2009
Date Approved

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

April 15, 2009
Date Approved

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