

MINUTES
UTAH
SOCIAL WORKER LICENSING BOARD
MEETING

October 7, 2010

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

CONVENED: 9:07 A.M.

ADJOURNED: 12:28 P.M.

Bureau Manager:
Board Secretary:
Board Members Present:

Richard J. Oborn
Lee Avery

Dennis R. Frandsen, Acting Chairperson
Kathy Searle
Susan Egbert
Doran Williams

Board Members Absent:

Tammer M. Attallah, Chairperson
Evan C. Coates
Tanya Nagahiro

Guests:

Gary Leavitt
Darren Adamson, MFT
Emily Bleyl, NASW

DOPL Staff Present:

Susan Higgs, Compliance Specialist
Ray Walker, Regulatory and Compliance Officer

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The Board reviewed the minutes dated August 5, 2010. Mr. Williams motioned to approve the minutes with changes, seconded by Ms. Searle. The motion carried.

COMPLIANCE REPORT:

Susan Higgs, Compliance Specialist

Update:

Ms. Higgs advised the Board that Mr. Fred Carlson submitted a request for early release of his probation. Ms. Yvette Melby submitted her therapist's vitae for the Board's review and approval. Ms. Megan Heath submitted a request for changes to her stipulation.

Discussion:

The Board reviewed Mr. Carlson's request for early release of his probation. The Board noted that Mr. Carlson's employer report noted that he is making efforts to improve his availability to students. The Board noted that Dr. Matthew Gardiner was approved as a temporary supervisor for Mr. Carlson. Because the level of supervision is different for a LCSW than a psychiatrist, the Board wanted him to obtain supervision from a LCSW. The Board noted that his employer may not be able to hire a LCSW supervisor and discussed letting Mr. Carlson hire his own supervisor. The Board decided to place Mr. Carlson's request on hold until he gets the supervision worked out. Mr. Oborn and Ms. Higgs will draft a letter to Mr. Carlson.

Appointments:

#1. Ms. Dorothy Imperiale is in compliance with her stipulation. She submitted continuing education certificates. She is one contact hour of CE short of satisfying the CE requirement as a term of her probation and wants to purchase a book that will help her be compliance with ethics and laws in her practice and report to the Board. She submitted her essay.

Discussion:

The Board reviewed Ms. Imperiale's essay and noted that it is very well written.

APPOINTMENTS:

Ms. Dorothy Imperiale, probation interview

Ms. Imperiale met with the Board. Ms. Searle conducted the interview. The Board advised Ms. Imperiale that the Board reviewed her essay and found it to be very well written. Ms. Imperiale stated that she appreciated the continuing education information. She has been able to make adjustments in private practice including the need for appropriate documentation. Ms. Imperiale stated she had interest in proposing that she be allowed to complete the one remaining hour of CE by studying a book and reporting to the Board and Division what she learned from the book; however, she was unable to obtain information about the book prior to the meeting. The

Board referred Ms. Imperiale to the www.hhs.gov website for information regarding HIPAA law. The Board asked Ms. Imperiale to write a report on this information and send it to Ms. Higgs. The Board will review it at the December 2, 2010 Board meeting. The Board advised Ms. Imperiale that as long as she stays in compliance with her probation and once she completes at least half of her probation term, the Board may consider early termination of her probationary term. The Board asked to see Ms. Imperiale on December 2, 2010. **Ms. Imperiale is in compliance with her stipulation.**

DISCUSSION ITEMS:

1. Online therapy legislation proposal, Gary Leavitt

Ms. Emily Bleyl, NASW, Utah Chapter, Mr. Gary Leavitt and Mr. Darren Adamson met with the Board. Mr. Leavitt advised the Board that he and Mr. Adamson are currently working with a legislator who is sponsoring a bill that would clarify the use of online therapy in Utah. The bill would clarify jurisdiction when Utah mental health therapists physically located in Utah provide online counseling to clients physically located outside of Utah. When therapy takes place between a Utah mental health therapist physically located in Utah and a client physically located outside of Utah, the therapy will be considered to have taken place in Utah and regulated by Utah's law. Mr. Leavitt is currently establishing an Online Counseling Association as a resource for Utah therapists practicing online therapy. The Board emphasized the importance of Utah therapists practicing online therapy being aware of statutes in the jurisdictions where their patients are physically located. The Board encouraged Mr. Leavitt to discuss the potential language of the bill with associations representing professionals in related mental health fields such as professional counseling, social work, substance abuse counseling, and psychology. Mr. Leavitt stated that feedback from all related mental health fields and any areas of concern would be worked out in the final version of the bill. Information will be posted online at www.onlinecounselingassociation.org

2. Counting of hours gathered as a certified social worker intern (CSWI) toward licensed clinical social worker (LCSW) training

The Board reviewed a request to consider changing the rules to allow a CSWI to count hours gathered toward their LCSW license. Mr. Oborn advised the Board

requirement

that the Professional Counselor Licensing Board is changing the Professional Counselor Licensing Act Rule to allow hours earned as an Extern to count toward the professional counselor license. The Board reviewed the Social Worker Licensing Act Rule and noted that currently that the 4,000 hours can only be obtained after the CSW license has been received. The CSWI license is issued for a maximum of six (6) months. This license cannot be extended or reissued. Mr. Williams motioned to modify the Social Worker Licensing Act Rule to explicitly require that hours must be obtained while licensed as a CSW, seconded by Ms. Egbert. The motion carried unanimously.

3. Review of courses that possibly meet social work practice methods course requirement

Mr. Oborn advised the Board that Utah Valley University (UVU) has submitted a proposed course syllabi for the Board's review. These courses are for matriculated students. The proposal is that these courses meet the social work practice methods course requirement as outlined in R156-60a-102 (5). The Board reviewed the Social Worker Licensing Act Rule and the proposed course syllabi. Mr. Oborn noted that the social welfare policy course has already been reviewed and was found to meet requirements. Mr. Oborn noted that SW 1010 is a prerequisite to taking this class. The Board is requesting further clarification regarding how the courses provide education in generalist social work practice at the family and community level. Mr. Oborn stated he will advise a UVU school representative of the deficiency.

Mr. Oborn advised the Board that the second packet is from Utah State University. The proposal is that the course "4900 Practicum Skills in Family and Human Relationships" meet the social work practice methods course as outlined in R156-60a-102 (5). The Board reviewed the Social Worker Licensing Act Rule and the proposed course syllabi. The Board determined that the course is missing education on generalist social work practice at the group and community level. The course is also missing a review of ethics in practice of social work.

Update:

Mr. Oborn advised the Board that Weber State University and Salt Lake Community College are in the process of possibly creating a program for non-matriculated students.

4. Consideration of Megan Heath's request to amend order

Out of order on the Agenda:

Ms. Heath submitted a letter requesting consideration of a proposal to amend her Order. She is requesting that the following amendments be made to her Order: she no longer be required to submit monthly employer reports, AA signatures, or inform the Board of medication changes. The Board reviewed Ms. Heath's request. The Board expressed the need for the Division and Board to have sufficient requirements in Ms. Heath's order such that she can be accountable. She needs to document her recovery in some way and right now she is not doing the drug screens. Requiring that Ms. Heath submit monthly employer reports, AA signatures, and inform the Division and Board about medication changes helps document her ongoing recovery.

Mr. Williams motioned to have her surrender her license for health reasons. Once she is ready to work in the field, she can then start the requirements of the probation, seconded by Ms. Searle. The motion carried unanimously. Once she becomes employed, she will then need to submit to random drug testing, supervisor reports, and attending support meetings. The Board noted that if Ms. Heath is not willing to agree to surrender her license, then her probation will continue as is. The Board is not inclined to amend her stipulation again.

5. Consideration of Yvette Melby's proposed therapist

The Board reviewed the vitae submitted by Ms. Melby requesting approval of Ms. Marianne Felt as her new therapist. Ms. Egbert motioned to accept Ms. Marianne Felt as Ms. Melby's therapist, seconded by Ms. Searle. The motion carried unanimously.

6. Open and Public Meetings Act Training

Mr. Oborn reviewed the Open and Public Meetings Act Training with the Board. Mr. Oborn encouraged the Board to contact him with any questions.

CORRESPONDENCE:

There is no correspondence at this time.

NEXT SCHEDULED MEETING: December 2, 2010

2011 Board meetings tentatively scheduled:
February 3, April 7, June 2, August 4, October 6,
December 8.

ADJOURN: Motion to adjourn at 12: 28 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.

December 2, 2010
Date Approved

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

December 2, 2010
Date Approved

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