

MINUTES
UTAH
SOCIAL WORKER LICENSING BOARD
MEETING

April 7, 2011

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

CONVENED: 9:07 A.M.

ADJOURNED: 4:39 P.M.

Bureau Manager:
Board Secretary:
Board Members Present:

Richard J. Oborn
Lee Avery

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

Members Absent:

Evan Coates
Tanya Nagahiro

Guests:

Jeff Tutus
Emily Bleyl, NASW
Pat Berckman, NASW

DOPL Staff Present:

Susan Higgs, Compliance Specialist
Ray Walker, Reg/Comp Manager
Brittany Butsch, DOPL Investigator

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The Board reviewed the minutes dated February 3, 2011. Mr. Williams motioned to approve the minutes with changes, seconded by Mr. Frandsen. The motion carried unanimously.

Preliminary review of appointment and discussion items:

Mr. Oborn reviewed the discussion items with the Board.

COMPLIANCE REPORT:

Susan Higgs, Compliance Specialist

Appointments:

#1. Mr. James Stringham is in compliance with his stipulation. Mr. Stringham has a new stipulation order. He is almost halfway through his probation under the first stipulation. The new stipulation adds one additional year to his probation term. Under the first stipulation, Mr. Stringham breached confidentiality on two separate occasions; lack of clinical records and billing; refused to give clinical notes to new therapist; did not appropriately refer patients to new counselor upon terminating them. Under the new stipulation, Mr. Stringham administered the MMPI 2 RF without being qualified to do so and breached testing protocols and appropriate testing security.

#2. Ms. Anntoinette Titus is in compliance with her stipulation. The Division received positive reports from her employer and supervisor. She has a part time job. The next time she meets with the Board she will have completed half of her probation term.

#3. Mr. Fred Carlson is in compliance with his stipulation. Received 3 supervisor reports from David Petersen and 2 employer reports. Mr. Carlson has requested early termination. His supervisor supports early termination of his probation term.

#4. Ms. Kristi Robles is a new probationer. Ms. Higgs advised the Board that Ms. Robles did not receive her stipulation in time to submit a plan. In 2008 she signed a stipulation that placed her license on probation for 4 years. The violation was that she had an inappropriate relationship with a client. She surrendered her license when she was unwilling to comply with the stipulation and new allegations of unprofessional conduct came to light. Ms. Robles is working at a legal firm. She is half way through her hours for her LCSW license. Her stipulation requires her to have a supervisor and employer report. She will be working in a small facility and the same person will be providing both reports.

#5. Ms. Carolyn Henry is not in compliance with her stipulation. She has not submitted her supervisor reports. Ms. Henry needs to complete 20 hours of CEs before January 2012. She proposed a CE course for approval.

Preliminary review of appointments and discussion items

Mr. Oborn reviewed the agenda discussion items with the Board:

APPOINTMENTS:

James Stringham, probation interview

Mr. Stringham met with the Board. Mr. Attallah conducted the interview. The Board reviewed Mr. Stringham's old and new violations. Mr. Stringham reviewed the specific circumstances that led to the additional violations with the Board. Mr. Stringham stated that he is taking CE courses regarding administering the MMPI 2 RF. The Board reviewed Mr. Stringham's supervisor reports and advised Mr. Stringham that the Board wants more information in his supervisor reports. The Board would like these to focus on professionalism, integrity, communication, and accuracy in terms of your notes. Mr. Stringham stated he completed 3 ½ continuing education hours via the internet. Mr. Williams motioned to meet with Mr. Stringham every 4 months, his supervisor reports are to be submitted every month, seconded by Ms. Egbert. The motion carried unanimously. The Board asked to see Mr. Stringham August 4, 2011. **Mr. Stringham is in compliance with his stipulation.**

Anntoinette Titus, probation interview

Ms. Titus met with the Board. Doing well. Mr. Attallah conducted the interview. Ms. Titus stated that she still works at Blue Skies Recovery Center. She has a new job at Discovery House. She has been there only a week. Ms. Titus advised the Board that she is almost finished with her clinical supervision hours. Ms. Titus stated that Mr. Benn is also employed at Discovery House and will supervise her at both places of employment.

Mr. Frandsen motioned to have Mr. KC Benn supervise Ms. Titus at Discovery House, seconded by Ms. Searle. The motion carried unanimously. The Board noted that Ms. Titus has been in compliance with her stipulation and will have completed half of her probation by the time she meets with the Board in August. The Board advised Ms. Titus that it would

consider early termination of her probation if her supervisor includes in the next report that he supports her early release and if she submits a written request. The Board asked to see Ms. Titus August 4, 2011.

Ms. Titus is in compliance with her stipulation.

Fred Carlson, probation interview

Mr. Carlson met with the Board. Mr. Frandsen conducted the interview. Mr. Carlson advised the Board that things are going well. David Peterson is his supervisor. Mr. Carlson requested early termination of his probation term. The Board noted that his reports have been positive and Mr. Carlson has been continuously in compliance with his stipulation. Mr. Frandsen motioned to terminate probation, seconded by Ms. Searle. The motion carried unanimously.

Kristi Robles, new probation interview

Ms. Robles met with the Board. The Board introduced itself. Ms. Egbert conducted the interview. Ms. Robles advised the Board that she is currently not working in the Social Work field. She plans to work at Pathways as a therapist. Her supervisor would be Curtis Watson. Ms. Robles advised the Board that she is in therapy for three years and feels like she is doing well. At 11:15 A.M. Mr. Williams motioned to close the Board meeting to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Egbert. The motion carried. A record was not made. The meeting opened at 11:21 A.M. The Board asked Ms. Robles to complete a psychological evaluation, include recommendations for ongoing therapy, submit a written plan for probation based on a review of her stipulation, and to submit Mr. Watson's resume. The Board asked to see Ms. Robles June 2, 2011. **Ms. Robles is in compliance with her stipulation.**

Carolyn Henry, probation interview

Ms. Henry met with the Board. Mr. Williams conducted the interview. Ms. Henry was advised that she is not in compliance with her stipulation because her reports have not been submitted to the compliance unit. These need to be submitted by the 20th of the month. Her supervisor needs to include what kinds of cases they are staffing, what kinds of issues/concerns they are working on, and the dates they meet. Mr. Frandsen motioned to approve the 6 hours of ethics

course provided by CMI Education Institute, seconded by Ms. Egbert. The motion carried unanimously. Ms. Henry states that she continues volunteering with her support group for grieving. This group has between 8 and 10 people who regularly attend. The Board advised Ms. Henry that once she is back in compliance with her stipulation, the Board will consider having her probation interviews via telephone. The Board asked to see Ms. Henry June 2, 2011. **Ms. Henry is not in compliance with her stipulation.**

Julie Bylund, applicant for relicensure as a CSW

Mr. Oborn reviewed the minutes from the February Board meeting regarding Ms. Bylund's last interview with the Board. Mr. Attallah motioned to close the Board meeting at 1:07 P.M to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Searle. The Board meeting opened at 1:30 P.M.

Ms. Bylund met with the Board. Mr. Attallah conducted the interview. Ms. Searle motioned to close the Board meeting at 1:32 P.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Mr. Williams. The Board meeting opened at 2:06 P.M. The Board advised Ms. Bylund that the Board reviewed the additional information she submitted with the previous information, the letter from her therapist and the evaluation from Dr. Pompa. The Board advised Ms. Bylund that they have some unanswered questions and would like to talk with Ms. Heaton, her therapist, and Dr. Pompa, at the next Board meeting. Ms. Bylund stated that she has already signed the appropriate releases. Mr. Frandsen motioned to allow for further information from Dr. Pompa and Ms Heaton at the Board meeting on June 2, 2011 and then make a recommendation to the Division regarding relicensure of Ms. Bylund, seconded by Mr. Williams. The motion carried unanimously. The Board recognized the busy schedules for Dr. Pompa and Ms. Heaton and stated that telephone interview would be acceptable.

Gary Poulsen, applicant for CSW license

Mr. Poulsen met with the Board. Mr. Attallah conducted the interview. Mr. Poulsen met with the

Board in September 2009. His request for a CSW license was denied due to his extensive criminal history and on December 15, 2008, Mr. Poulsen signed a cease and desist stipulation for working without a license. In addition, he worked at a DHS licensed facility even after he failed to pass the required criminal background check. The Board noted that the Board and Division recommended at that time he not reapply for two years. Mr. Poulsen stated that he attends support groups and talks with friends and associates about his position.

The Board discussed the possibility of issuing Mr. Poulsen a restricted license. Mr. Williams motioned to deny Mr. Poulsen's application with the recommendation that he submit a psychological evaluation, treatment recommendations, written plan to include what his thinking errors were, seconded by Ms. Egbert. The motion carried unanimously.

DISCUSSION ITEMS:

1. Accommodations on ASWB examination for candidates who have English as their second language, Emily Blyle, NASW Utah Chapter

Ms. Bleyl, Executive Director, NASW, Utah Chapter and Ms. Pat Berckman, President, NASW met with the Board. Ms. Blyle advised the Board that ASWB is making accommodations on the ASWB exam for candidates who have English as their second language. This would be to allow extra time in taking the exam and/or allowing the candidate a dictionary. Ms. Bleyl stated that another way to help ESL candidates is to develop a provisional license that would require the individual to complete all education requirements, but not have to pass the ASWB exam. Then after a specific number of supervised hours are obtained, the individual would be issued a full license. Ms. Bleyl stated that they are looking for the Board's input regarding these possible changes to help ESL individuals. Ms. Bleyl reviewed national statistics with the Board. Mr. Ray Walker stated that historically the Division has referred to the federal and state laws regarding Americans with Disabilities Act. This act determined that not speaking English as your native language is not a disability under federal law. Mr. Walker noted that the State of Utah adopted the policy that English is the official language in Utah. Mr. Walker advised Ms. Bleyl that the changes she wants the Board to consider need to be made in statute and she may want to consult with other mental health

therapists.

2. 2011 Legislative Session

Mr. Oborn advised the Board that Utah Legislature did not pass HB 229, 249 and 298. HB 229 would have allowed APCs such as LPCs, MFTs, LAMFTs, CSWs and psychologists to be 1099 employees. HB 249 would have clarified online mental health therapy. HB 298 would have allowed qualified psychologists to have limited prescription authority. HB 243 did pass and it amends the DOPL Licensing Act. The Division now has fine and citation authority for the practice of unlicensed individuals and Board members with expiring terms may continue to serve for a limited period until the Governor appoints their replacement.

3. Potential amendments to the Social Worker Licensing Act Rule

Mr. Oborn advised the Board that he received a request from a licensee who would like to see the rule change to allow 100% of CE hours to be obtained on line. The Board opted to not make any changes in CE requirements at this time.

4. Governor Herbert's proposal to create regulations that are more business friendly

Mr. Oborn shared the quote from Governor Gary R. Herbert's State of the State address on 01/26/2011 with the Board. Mr. Oborn noted that Governor Herbert has asked all state agencies to separate regulations that serve an important purpose from those regulations that serve no purpose at all. Mr. Oborn asked the Board to let him know if they are aware of a regulation that is overly burdensome to the social work profession that does not serve a purpose.

CORRESPONDENCE:

There is no correspondence at this time.

NEXT SCHEDULED MEETING:

June 2, 2011

Mr. Oborn advised the Board that there may be a hearing in June the date is still to be determined.

2011 Board meetings tentatively scheduled:
August 4, October 6, December 1.

ADJOURN:

Motion to adjourn at 4:39 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.

June 2, 2011
Date Approved

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

May 5, 2011
Date Approved

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