

MINUTES

**UTAH
SOCIAL WORKER LICENSING BOARD
MEETING**

**August 18, 2011
Room 474, 4th Floor – 9:00 A.M.
Heber M. Wells Building
Salt Lake City, UT 84111**

CONVENED:9:02 A.M.

ADJOURNED: 12:25 P.M.

**Bureau Manager:
Board Secretary:
Board Members Present:**

Richard J. Oborn
Lee Avery

Doran Williams, Chairperson
Dennis R. Frandsen
Kathy Searle
Tanya Nagahiro

Members Absent

Evan Coates, resigned
Susan Egbert
Tammer Attallah

DOPL Staff Present:

Susan Higgs, Compliance Specialist

Guests:

Jeff Titus

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Elect a new chairperson

Ms. Searle nominated Mr. Williams as the Chairperson, seconded by Ms. Nagahiro. The motion carried unanimously.

Ms. Searle nominated Ms. Egbert as the vice chairperson, seconded by Ms. Nagahiro. The motion carried unanimously.

MINUTES:

The Board reviewed the minutes dated June 2, 2011. Ms. Nagahiro motioned to approve the minutes with changes, seconded by Mr. Frandsen. The motion carried unanimously.

COMPLIANCE REPORT:

Susan Higgs, Compliance Specialist

Appointments:

#1. James Stringham is in compliance with his stipulation. His employer and supervisor reports are positive.

#2. Kristi Robles is in compliance with her stipulation. She has picked up an additional job but it is not in the social work field. Ms. Robles was asked to bring an original Certificate of Notification.

#3. Julie Bylund is a new probationer and is in compliance with her stipulation. Ms. Bylund submitted a letter stating that she is not working in the field. She submitted a plan for her probation.

#4. Tammy Titus is in compliance with her stipulation. She submitted positive employer and supervisor reports and a letter requesting early release. Her supervisor and employer noted they support her early release from probation.

APPOINTMENTS:

Mr. James Stringham, probation interview

Mr. Stringham met with the Board. Mr. Frandsen conducted the interview. The Board noted that Mr. Stringham's supervisor followed up with the Board's request to include more information in his reports to the Board and the reports have been positive. Mr. Stringham advised the Board that he meets with his supervisor every week. The Board noted that his probation is due to end January 20, 2013. Mr. Frandsen motioned to move Mr. Stringham's meetings with the Board to every 4 months as long as he stays in compliance with his stipulation, seconded by Ms. Searle. The motion carried. The Board asked to see Mr. Stringham on December 1, 2011. **Mr. Stringham is in compliance with his stipulation.**

Mr. Curtis Watson, LCSW

Discussion:

The Board reviewed Mr. Watson's stipulation and order and CV. Mr. Oborn advised the Board that the Division does not have a concern regarding the disciplinary action taken against Mr. Watson in 2004.

Mr. Watson met with the Board. The Board was introduced to Mr. Watson. Mr. Watson advised the

Board that he is aware of Ms. Robles' history. Ms. Robles is working for him at Pathways. Mr. Watson stated that his experience with the Board was very good for him. It helped him to be more solid in his knowledge and skills. Mr. Watson noted he is working on his Ph.D. He supervises 2 CSWs besides Ms. Robles. And has been working with teaching the students as they work on their master's at the University of Phoenix. Mr. Frandsen motioned to approve Mr. Watson as the clinical supervisor for Kristi Robles, seconded by Ms. Searle. The motion carried unanimously.

Ms. Kristi Robles, probation interview

Ms. Robles met with the Board. Ms. Nagahiro conducted the interview. Ms. Robles was advised that Mr. Watson has been approved to be her supervisor. The Board encouraged Ms. Robles to seek out her supervisor for support. Ms. Robles advised the Board that Dr. Fiddler is her therapist. She plans to see him Sept 22 or 23rd after her insurance becomes effective. The Board asked to see Ms. Robles on October 6, 2011. **Ms. Robles is in compliance with her stipulation.**

Ms. Julie Bylund, new probation interview

Ms. Bylund met with the Board. Ms. Searle conducted the interview. Ms. Bylund stated she is not working in the field at this time. She is looking for work as a CSW. Ms. Bylund asked if she would be able to volunteer to gain her hours. The Board reviewed the current rule, noting that supervised hours can only be earned while in the employment of a mental health agency. The Board encouraged Ms. Bylund to continue notifying Ms. Higgs monthly until she is employed in the field and to let her know as soon as she is employed. She will need to submit her supervisor's CV for Board approval. She would need to submit her supervisor report by the 20th of the previous month. The Board advised Ms. Bylund that she can still work off her probation while working part time. Ms. Searle motioned to have Ms. Bylund not meet with the Board, as long as she is in compliance, until she gets a job in the field, seconded by Ms. Nagahiro. The motion carried unanimously. **Ms. Bylund is in compliance with her stipulation.**

Anntoinette (Tammy) Titus, probation

Ms. Titus met with the Board. Mr. Jeff Titus joined

interview

the interview. Mr. Williams conducted the interview. Ms. Titus advised the Board that things are going well. She is still working at Discovery House. Dr. Robert Simmons is her clinical supervisor. Ms. Titus expressed concern regarding the hours she earned when working at Weber Human Services. Ms. Titus stated her supervisor there refuses to sign off on the 2,600 hours she earned. The Board encouraged her to contact her supervisor again and see if her supervisor would acknowledge that she earned the hours, but her supervisor will not sign off on her supervised experience. The Board reviewed R156-60a-601(10), Duties and Responsibilities of a LCSW Supervisor. Mr. Oborn stated he would e-mail her a copy. The Board advised Ms. Titus that Ms. Willoughby is not an LCSW and cannot sign her supervisor reports. She needs to have a LCSW sign them. The Board encouraged Ms. Titus to have her LCSW supervisor submit a letter stating he supports early termination of her probation. The Board asked Ms. Titus to have this report submitted before September 20th for the Board meeting on October 6, 2011.

The Board asked to see Ms. Titus October 6, 2011.

Ms. Titus is in compliance with her stipulation.

Ms. Amy Merz applicant for SSW relicensure

Ms. Merz cancelled her appointment with the Board. She has not yet submitted information the Board requested.

Mr. James Noorlander, CSW, request regarding supervised training

Discussion:

Mr. Oborn advised the Board that Mr. Noorlander wants to start a private practice while licensed as a CSW. He asked the Board whether he could engage in psychotherapy if he obtained his own supervisor. Mr. Oborn noted that in the Mental Health Professional Practice Act (Utah Code 58-60), the practice of psychotherapy is included under the definition of the practice of mental health therapy.

The Board reviewed the following statutes.

58-60-207. Scope of practice - Limitations.

(1) A clinical social worker may engage in all acts and practices defined as the practice of clinical social work without supervision, in private and independent practice, or as an employee of another person, limited only by the licensee's education, training, and competence.

(2) To the extent an individual is professionally prepared by the education and training track completed while earning a master's or doctor of social work degree, a licensed

certified social worker may engage in all acts and practices defined as the practice of certified social work consistent with the licensee's education, clinical training, experience, and competence:

- (a) under supervision of a clinical social worker and as an employee of another person when engaged in the practice of mental health therapy;*
- (b) without supervision and in private and independent practice or an employee of another person, if not engaged in the practice of mental health therapy;*
- (c) including engaging in the private, independent, unsupervised practice of social work as a self-employed individual, in partnership with other licensed clinical or certified social workers, as a professional corporation, or in any other capacity or business entity, so long as he does not practice unsupervised psychotherapy; and*
- (d) supervising social service workers as provided by division rule.*

And

58-60-102. Definitions.

(7) "Practice of mental health therapy" means treatment or prevention of mental illness, including:

- (a) conducting a professional evaluation of an individual's condition of mental health, mental illness, or emotional disorder consistent with standards generally recognized in the professions of mental health therapy listed under Subsection (5);*
- (b) establishing a diagnosis in accordance with established written standards generally recognized in the professions of mental health therapy listed under Subsection (5);*
- (c) prescribing a plan for the prevention or treatment of a condition of mental illness or emotional disorder; and*
- (d) engaging in the conduct of professional intervention, including psychotherapy by the application of established methods and procedures generally recognized in the professions of mental health therapy listed under Subsection (5).*

Mr. Noorlander met with the Board. The Board was introduced to Mr. Noorlander. Mr. Noorlander reviewed his proposal with the Board. The Board reviewed the above statutes with Mr. Noorlander. The Board noted that there is not much room for interpretation and encouraged Mr. Noorlander to contact his legislator about amending the statute to allow for CSWs to provide psychotherapy in their own private practice under supervision.

DISCUSSION ITEMS:

1. SSW Master's degree education track

Mr. Oborn reviewed the following Mental Health Professional Practice Act Rule with the Board.
R156-60a-302a. Education Requirements for Licensure as an

SSW.

In accordance with Subsection 58-60-205(3)(d)(ii), a master's degree qualifying an applicant for licensure as an SSW shall be in a field of social work, psychology, marriage and family therapy, or professional counseling.

Mr. Oborn noted that the problem comes from the schools listing the degrees differently. And when interpreting the transcripts the Division focuses on “shall be in a field of social work”. The Board reviewed a sample transcript and agreed that this section of the rule needs to be clarified. The Board requested Mr. Oborn to draft language to change the rule to clarify the requirements.

2. Supervision requirement during practicum experience under Utah Code 58-1-307(1)(b)

Mr. Oborn reviewed Utah Code 58-1-307(1)(b) with the Board. Mr. Oborn noted that if the social work program allows it, there is nothing stopping a student from being supervised by a psychologist or licensed professional counselor.

Mr. Oborn noted that the marriage and family therapist rule was changed to require the MFT supervisors to be a licensed MFT and meet specific MFT education and experience. The Board reviewed Utah Code 58-1-307(1)(b), Exemptions from licensure.

58-1-307. Exemptions from licensure.

(1) Except as otherwise provided by statute or rule, the following persons may engage in the practice of their occupation or profession, subject to the stated circumstances and limitations, without being licensed under this title:

(b) a student engaged in activities constituting the practice of a regulated occupation or profession while in training in a recognized school approved by the division to the extent the activities are supervised by qualified faculty, staff, or designee and the activities are a defined part of the training program;

The Board requested that Mr. Oborn contact Board member Susan Egbert about the issue and that he draft language for a possible rule change.

3. Possible changes to licensing laws and scope of practice for substance abuse professionals

Mr. Oborn shared with the Board that a committee has been created to suggest changes to the scope of practice and license categories for substance abuse counselors. The LSAC cannot diagnose, provide mental health therapy, or sign off on treatment plans. Mr. Oborn noted that this discussion is still in the very

beginning stages and he will keep the Board updated as things progress.

4. Consideration of whether SW 1010 course at Utah Valley University fulfills social work practice methods course requirements

Tabled this discussion until the October 6, 2011 Board meeting.

5. Continuing Education requirement

Tabled this discussion until the October 6, 2011 Board meeting.

Mr. Oborn noted that the ASWB Annual Meeting is in November. And there is no one scheduled to go yet. The Board suggested that one of the new Board members who have not been appointed by the Governor's Office should attend.

CORRESPONDENCE:

There is no correspondence at this time.

NEXT SCHEDULED MEETING:

October 6, 2011

2011 Board meetings tentatively scheduled:
December 1.

ADJOURN:

Motion to adjourn at 12:25 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.

October 6, 2011
Date Approved

(ss) Dorin Williams
Chairperson, Utah Social Worker Licensing Board

October 6, 2011
Date Approved

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