

MINUTES

UTAH SOCIAL WORKER LICENSING BOARD MEETING

February 2, 2012
Room 474, 4th Floor – 9:00 A.M.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:12 A.M.

ADJOURNED: 1:58 P.M.

Bureau Manager:
Board Secretary:
Board Members Present:

Richard J. Oborn
Lee Avery

Doran Williams, Chairperson
Donna Didas
Nathan Strait
Dennis R. Frandsen
Kathy Searle
Susan Egbert
Tanya Nagahiro

DOPL Staff Present:

Susan Higgs, Compliance Specialist
Tony Patterson, Office of Attorney General
Jake Tinsdale, Legislative Auditor
Mark Murray, DOPL Licensing Specialist

Guests:

Diana Cook
Scott Kelly

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The Board reviewed the minutes dated December 1, 2011. Mr. Strait motioned to approve the minutes with changes, seconded by Ms. Didas. The motion carried unanimously.

COMPLIANCE REPORT:

Susan Higgs, Compliance Specialist

Appointments:

#1. Julie Bylund is in compliance with her stipulation. She is seeing her therapist PRN. She submitted two positive supervisor reports.

#2. Megan Heath is in compliance with her stipulation. She submitted her 12 step attendance documentation, 2 therapist reports, 2 supervisor reports and 2 employer reports, all positive. Ms. Heath has not missed drug screens and has not tested positive.

#3. Kristi Robles is in compliance with her stipulation. She submitted 2 employer reports, one for October and one for January. She submitted a therapy report for October. This was not signed. She has not submitted a report for January. The Board may consider moving her reports to quarterly. She has submitted documentation showing she completed 6 hours of CE. It is unclear the hours obtained for a HIPAA course she completed and she needs to submit documentation showing she completed the 1 hour NASW Code of Ethics course.

#4. Barry Richards is not in compliance with his stipulation. He has not joined a peer supervisor group and does not have a supervisor.

Discussion

Mr. Oborn advised the Board that he called Ms. Diane Moore. She stated that Mr. Richards put forth a good faith effort to find a supervisor. Ms. Moore said it is not feasible for a LCSW at DCFS to provide the level of supervision the Order requires. This is partly due to the distance between the supervisor and supervisee. Mr. Oborn noted that the Board may want to consider approval of an associate professional counselor as Mr. Richards' supervisor. The Board discussed meeting with the associate professional counselor.

#5. Carolyn Henry is in compliance with her stipulation. Ms. Henry submitted a positive employer report and submitted documentation verifying her volunteer hours for September through January. She submitted her essay.

Discussion:

The Board reviewed Ms. Henry's essay. The Board noted that she talks about HIPAA and confidentiality; however, she does not address areas regarding her

violations including the NASW code of ethics. Her essay covers many areas but it does not address any of the laws or ethics that apply to the reason why she was placed on probation.

Preliminary review of appointments and discussion items

Mr. Oborn briefly reviewed Mr. Charles Andrews' history with the Board. Mr. Andrews submitted his psychological evaluation. Mr. Oborn reminded the Board that the Board meeting will need to be closed to discuss this.

APPOINTMENTS:

Ms. Julie Bylund, probation interview

Ms. Bylund met with the Board. Ms. Searle conducted the interview. Ms. Bylund advised the Board that things are going well. She advised her employer that she needed to cut back in her workload and she does not work in the Salt Lake office anymore. Ms. Bylund stated she has not seen her therapist since she last met with the Board. Her therapy is on an as needed basis. The Board requested Ms. Bylund have her therapist submit a letter stating she supports seeing Ms. Bylund on an as needed basis. Ms. Bylund noted that she frequently reviews boundary concerns with her supervisor. The Board asked Ms. Bylund to have her supervisor include the types of boundary concerns they cover in her next report to the Board. The Board noted that the reports from Ms. Bylund's supervisor still need to be submitted monthly. The Board asked to see Ms. Bylund April 5, 2012. **Ms. Bylund is in compliance with her stipulation.**

Ms. Megan Heath, probation interview

Ms. Heath met with the Board. Mr. Frandsen conducted the interview. Ms. Heath advised the Board that things are going well. She is feeling well and is doing some volunteer work. She continues to interview for additional employment; however, she has not found anything yet. Ms. Heath stated that she volunteers 10-20 hours a week at the New Discovery Club House. They serve mentally ill adults and are working towards their certification. Ms. Heath stated she is still working at Logan Nursing. She works 3 to 6 hours a week. She started April 28, 2011. The Board noted that her probation started October 2009. The Board noted that Ms. Heath has continuously

called the drug testing line and encouraged her to continue. The Board noted that even though her probation is scheduled to end October 2012, she has not worked at least half of her probation term. The date of her probation would be extended for the time she was not working. The Board advised Ms. Heath that she could request that the Board consider terminating her probation next October. She will need to document why the Board should release her. She would also need to submit a letter from her supervisor and therapist supporting termination of Ms. Heath's probation. The Board encouraged her to have the letters submitted for the August Board meeting. Ms. Egbert motioned to move her supervisor and therapy reports to quarterly, seconded by Mr. Frandsen. The motion carried unanimously. The Board advised Ms. Heath that her reports are due May 20, 2012, July 2012 and have the July 20th report focus on termination of her probation. Ms. Heath advised the Board that she will be on a retreat February 17, 18, and 19 and would like to be released from being required to call the drug testing phone number on those days. Ms. Higgs will work this out with her. The Board advised Ms. Heath that as long as she stays in compliance with her stipulation and her supervisor reports remain positive, the Board would like to see her August 2, 2012. **Ms. Heath is in compliance with her stipulation.**

Ms. Kristi Robles, probation interview

Ms. Robles met with the Board. Ms. Egbert conducted the interview. Ms. Robles stated she continues working at Pathways Real Life Recovery. She works 10 hours a week. The Board advised Ms. Robles that she needs to have her therapist sign the October report and submit one for January. Ms. Robles stated she has not seen her therapist since she last met with the Board. The Board advised Ms. Robles that her supervisor and therapist reports need to be monthly until the Board motions to make them less frequent. Mr. Strait motioned to move her reports to quarterly, seconded by Ms. Didas. The motion carried unanimously. Ms. Robles advised the Board that there may be some changes in her supervisors and will keep the Board advised. The Board reminded her that her supervisor needs to be approved by the Board. The Board noted that Ms. Robles has completed all 10

hours of CE required in her Order. When asked to expand on what she learned from the course, Ms. Robles stated that the course spent too much time discuss easy ethics issues. They did not cover difficult topics. The Board asked to see Ms. Robles June 7, 2012. **Ms. Robles is in compliance with her stipulation.**

Mr. Barry Richards, probation interview

Mr. Richards met with the Board. Mr. Williams conducted the interview. Mr. Richards introduced his guests, Ms. Diana Cook and Mr. Scott Kelly. The Board advised Mr. Richards that because he has been in contact with Mr. Oborn and Mr. Oborn confirmed with DCFS that he has tried but was unable to find a supervisor for him. Because Mr. Richards has made a good faith effort to comply with the terms of his Order, the Board is willing to consider him in compliance with this stipulation at this time. The Board noted that the preference is to obtain a supervisor within the social work profession. Mr. Oborn proposed the possibility of approving an associate professional counselor for Mr. Richards' supervisor. The Board could meet with this person before the approval. The Board advised Mr. Richards he needs to obtain an additional 12.5 hours of CE. These need to be preapproved and completed by August 2012. Mr. Williams motioned to amend the order to require that Mr. Richards enter into the peer supervision group if and when he goes into private practice, seconded by Mr. Frandsen. The motion carried unanimously. The Board asked to see Mr. Richards April 5, 2012. **Mr. Richards is in compliance with his stipulation.**

Ms. Carolyn Henry, probation interview

Ms. Henry met with the Board. Mr. Strait conducted the interview. Ms. Henry advised the Board that things are going well. She is working 25 to 30 hours a week at a medical facility with several physicians. She meets with her supervisor 2 times a month. The Board advised Ms. Henry that her essay was lacking in the areas regarding the violations that placed her license on probation. The Board asked Ms. Henry to submit a 500 word essay regarding information she learned from the continuing education courses she completed and the charges in her stipulation. Mr. Frandsen motioned to change supervision to monthly,

seconded by Ms. Nagahiro. The motion carried unanimously. The Board noted Ms. Henry started probation in January 2011 and her supervision was changed to every other week at the Board meeting on October 6, 2011. The Board wants to see her supervisor include notes addressing ethics in his reports to the Board. The Board advised Ms. Henry to have her supervisor include in his report an indication of his support for moving their supervision to once a month. The Board advised Ms. Henry that if she is still providing volunteer services she may want to continue submitting documentation because it is always good to get credit for it, even though it is no longer required. The Board noted that her next supervisor report is due May 20, 2012. The Board asked to see Ms. Henry on June 7, 2012. **Ms. Henry is in compliance with her stipulation.**

Mr. Charles Andrews, applicant for LCSW relicensure

Mr. Andrews met with the Board. Mr. Williams motioned to close the Board meeting at 12:00 P.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Didas. The motion carried unanimously. There was no recording made. There were no written notes. The Board meeting opened at 12:12 P.M. Mr. Andrews advised the Board that he has plans to return to working with juveniles and families. He worked with adults in substance abuse and mental health. He spent an extended time working with adult and juveniles. Mr. Andrews stated that he would also like to do some teaching of students in a practicum setting. Mr. Oborn noted the Board could recommend:

1. approval of a restricted license;
2. denial of the license; or
3. approval of a license without restrictions.

With a stipulation, the Board would set the terms. Mr. Frandsen motioned to recommend a restricted license be issued to Mr. Andrews, seconded by Ms. Didas. The motion carried unanimously.

Mr. Frandsen motioned to have Mr. Andrews on probation for 4 years, seconded by Mr. Strait. The motion carried, with Mr. Williams opposing. The Board recommended that Mr. Andrews' stipulation include the following terms:

1. 4 years, possible early release;

2. pre approved supervisor when working;
3. regular therapy reports when working;
4. propose an activity in a volunteer capacity; and
5. written essay, 500 words, that shares insights, self-reflections, personal growth, and addresses the impact of his actions on his victims.

The Board noted that the 4 years starts when Mr. Andrews becomes employed in the field.

Mr. Tony Patterson from the Attorney General Office reviewed the Open and Public Meetings Act with the Board.

DISCUSSION ITEMS:

1. Preliminary review of Kathy Barrett application for SSW reinstatement

The Board reviewed information submitted by Ms. Kathy Barrett who plans on submitting her SSW license application. Ms. Barrett let her SSW license expire in 2006. Utah law requires that when a licensee lets their license expire more than 2 years, they need to meet all current license requirements. Mr. Oborn noted that Ms. Barrett's education is not in social work. Her bachelor's degree is from BYU in sociology. The Board noted that Ms. Barrett needs to complete the required 3 courses and 2 of these are on line.

2. Legislation to amend Mental Health Professional Practice Act under consideration during legislative session

- a. Clarification of LCSW practice of biofeedback
- b. NASW proposal to allow special accommodations for qualified ESL candidates
- c. Changes to substance abuse counselor license categories and scope of practice

Mr. Oborn shared with the Board information about legislation to amend the Mental Health Professional Practice Act regarding clarification of LCSW practice of biofeedback, NASW's proposal to allow special accommodations for qualified ESL candidates and changes to the substance abuse counselor license categories and scope of practice. There is a good possibility that all three of these bills will pass.

3. Consideration of MSW/MPA coursework fulfilling CSW education requirement if degree is not yet awarded

Mr. Oborn shared with the Board a question regarding a student who is enrolled in the MSW/MPA program and has completed all courses for MSW, however, the degree for the MSW will not be awarded until the student completes the MPA degree. There is a question of whether it would be possible for a license to be issued if the degree has not yet been formally awarded. The Board noted that the statutes indicate

4. Question of whether LCSW can obtain CSW for purpose of not wanting to complete CE but being willing to work under supervision
5. Kathryn Johnson, surrender of LCSW license
6. Paul Reeve, public reprimand
7. 2012 ASWB meetings
- CORRESPONDENCE:**
- NEXT SCHEDULED MEETING:**
- ADJOURN:**
- the degree needs to be formally issued.
- Mr. Oborn shared that an LCSW asked if she could obtain a CSW license because she did not want to complete the CE hours needed to renew her LCSW license. Mr. Oborn noted that she meets requirements for a lesser license, but that this is not the intent of the law. The Board took no action.
- Mr. Oborn advised the Board that Ms. Kathryn Johnson surrendered her LCSW license. The surrender is a non-disciplinary surrender and order. Ms. Johnson was licensed as an LCSW in 1992. DOPL investigated her but rather than respond to the allegations and continue to practice as a LCSW, she preferred to surrender her license.
- Mr. Oborn advised the Board that Mr. Paul Reeve was licensed as a CSW in 1994. On October 26, 2011, he admitted to forging the name of a co-worker on case notes. His employment with that Hospice was terminated. Mr. Reeve was issued a public reprimand by the Division.
- Mr. Oborn reviewed the 2012 ASWB meeting schedule with the Board.
- Not on the Agenda:**
Mr. Oborn advised the Board that the grace period for renewal of licenses now will be extended. Starting this February 3, 2012, if someone is licensed within 365 days of the renewal expiration date it will push their expiration date to the next renewal cycle.
- There is no correspondence at this time.
- April 5, 2012
- 2012 Board meetings tentatively scheduled:
April 5, June 7, August 2, October 4, December 6.
- Motion to adjourn at 1:58 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 5, 2012
Date Approved

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

February 29, 2012
Date Approved

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