

IDAHO BOARD OF SOCIAL WORK EXAMINERS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 10/23/2012

BOARD MEMBERS PRESENT: Robert Payne - Chair
Kristopher L. Walton
Dr. Eleanor Pepi Downey
Dorothy Ring
Lynnet R. Kase

BOARD MEMBERS ABSENT: Carolyn Burt

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Jean Uranga, Board Prosecutor
Cherie Simpson, Management Assistant
Marilyn London, Technical Records Specialist

OTHERS PRESENT: Brian Cox, Applicant
Austin Reed, LCPC
Renee Morse, Family Court
Mary McDougal, Social Worker
Heather McCarthy, Family Court
Vicki Howard, Idaho Courts

The meeting was called to order at 9:15 AM MDT by Robert Payne.

AMENDED AGENDA

Ms. Ring made a motion to amend the agenda to add discussion on a Disciplinary Memorandum that was just received. It was seconded by Mr. Walton. Motion carried.

APPROVAL OF MINUTES

Ms. Pepi Downey made a motion to approve the minutes of July 24, 2012, August 8, 2012, August 10, 2012, August 24, 2012, and September 20, 2012. It was seconded by Ms. Ring. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She discussed the proposed law and if the Board would like to have it posted to the website. Mr. Walton moved that the Bureau post the proposed law to the Board's website. It was seconded by Ms. Pepi Downey. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$110,223.71 as of September 30, 2012.

DISCIPLINE

Ms. Uranga presented a memorandum regarding case numbers SWO-2012-19, SWO-2013-1, and SWO-2013-8. After discussion, the Board gave recommendations for appropriate discipline.

Ms. Uranga presented a Stipulation and Consent Order in case SWO-2012-8. Ms. Walton made a motion to approve the Consent Order and authorize the Board Chair to sign on behalf of the Board. It was seconded by Ms. Kase. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Walton made a motion to approve the Bureau's recommendation and authorize closure in case I-SWO-2012-35 with a cease and desist letter to the Respondent. It was seconded by Ms. Ring. Motion carried.

Mr. Walton made a motion to approve the Bureau's recommendation and authorize closure in case I-SWO-2013-1. It was seconded by Ms. Pepi Downey. Motion carried.

Ms. Kase made a motion to approve the Bureau's recommendation and authorize closure in case I-SWO-2013-18. It was seconded by Mr. Walton. Motion carried.

CONTINUING EDUCATION SETTLEMENT ORDERS

Ms. Peel presented a Stipulation and Consent Order in case SWO-2013-6. Mr. Walton made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Kase. Motion carried.

Ms. Peel presented a Stipulation and Consent Order in case SWO-2013-3. Mr. Walton made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Pepi Downey. Motion carried.

Ms. Peel presented a Stipulation and Consent Order in case SWO-2013-4. Mr. Walton made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Pepi Downey. Motion carried.

FINAL ORDER

Ms. Peel presented the Final Order for case SWO-2013-7. Mr. Walton moved that the Board approve the Final Order for case SWO-2013-7 and authorize the Board Chair to sign on behalf of the Board. It was seconded by Ms. Ring. Motion carried.

DISCIPLINARY ACTION

Ms. Peel presented information on case SWO-2011-12. Ms. Ring moved to approve the supervision request on case SWO-2011-12. It was seconded by Mr. Walton. Motion carried.

Ms. Peel presented a request in case SWO-2011-18 for reinstatement of the license and a payment plan of \$100 per month. Ms. Pepi Downey moved to approve the reinstatement of the license for case SWO-2011-18 and to authorize the payment plan of \$100 per month. It was seconded by Ms. Kase. Motion carried.

Ms. Peel presented information on case SWO-2011-19. It was moved by Mr. Walton that the Board approve the continuing education request on case SWO-2011-19. It was seconded by Ms. Kase. Motion carried.

PRO-REVIEWER GUIDELINES

Ms. Peel discussed pro-reviewers who review complaint cases. Mr. Payne and Ms. Kase volunteered to work on drafting guidelines for pro-reviewers.

EXECUTIVE SESSION

Ms. Pepi Downey made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Ring. The vote was: Ms. Kase, aye; Mr. Walton, aye; Ms. Ring, aye; Ms. Pepi Downey, aye; and Mr. Payne, aye. Motion carried.

Ms. Pepi Downey made a motion to come out of executive session. It was seconded by Ms. Kase. The vote was: Ms. Kase, aye; Mr. Walton, aye; Ms. Ring, aye; Ms. Pepi Downey, aye; and Mr. Payne, aye. Motion carried.

SCOPE OF PRACTICE

The Board discussed a letter regarding master level social workers performing assessments within an agency, but not under an approved supervision plan. Ms. Ring moved that the Board send a response stating that it is within the scope of practice for master level social workers to perform assessments under supervision within an agency. It was seconded by Ms. Pepi Downey. Motion carried.

POSTCARDS

The Board reviewed the draft language to send out postcards to the licensees regarding the proposed law and rule changes. Ms. Ring moved that the Board approve the draft with the noted changes and send it out to the licensees. It was seconded by Mr. Walton. Motion carried.

EXECUTIVE SESSION

Ms. Kase made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Ring. The vote was: Ms. Kase, aye; Mr. Walton, aye; Ms. Ring, aye; Ms. Pepi Downey, aye; and Mr. Payne, aye. Motion carried.

Ms. Kase made a motion to come out of executive session. It was seconded by Mr. Walton. The vote was: Ms. Kase, aye; Mr. Walton, aye; Ms. Ring, aye; Ms. Pepi Downey, aye; and Mr. Payne, aye. Motion carried.

APPLICATIONS

Ms. Kase made a motion to approve the renewal of Brian Cox's bachelor level license and to approve him to take the master level exam. It was seconded by Mr. Walton. Motion carried.

PROPOSED RULES

The Board reviewed comments on the proposed rules. Ms. Kase moved that the Board amend the proposed Rules 210.02(b) and 210.03(b) allowing an extension of the five (5) years to complete the supervision if approved by the Board for good cause shown. It was seconded by Ms. Pepi Downey. Motion carried. Mr. Walton moved that the Board direct Mr. Hales and the Board Chair to work on a response to the comments received. It was seconded by Ms. Pepi Downey. Motion carried.

LUNCH BREAK

The Board took a lunch break and returned at 1:15 PM.

HEALTH CARE PLANNING COMMITTEE

Mr. Payne reported on the Health Care Planning Committee and a report was sent to the Board members to review. The committee is working on the demographics for health care professionals.

CORRESPONDENCE

The Board reviewed a letter from the Association of Social Work Boards thanking the Board for an invitation to Idaho and that the invitation was accepted for the fall 2014 meeting.

The Board reviewed correspondence from Simon Kayiki requesting a waiver of the ASWB master level exam since he has passed the clinical level exam. Ms. Pepi Downey moved that the Board respond stating that the Board cannot waive Rule 350.02(b) which states passing the master level exam is required for a master level license. It was seconded by Ms. Kase. Motion carried.

The Board reviewed a letter from April Clover requesting a waiver of the continuing education requirements. Mr. Walton moved to grant a waiver on the continuing education requirements. It was seconded by Ms. Pepi Downey. Motion carried.

The Board reviewed correspondence from Amy Facer requesting a waiver of two hours of continuing education. Ms. Kase moved to waive the two hours of continuing education to complete the requirements for renewal of her license. It was seconded by Ms. Ring. Motion carried.

The Board received a letter from Arlo Siegersma who holds a current California clinical social work license and volunteers with the American Red Cross. Mr. Walton moved that the Board respond indicating that in order to practice social

work in Idaho or be called a social worker, a person would need to hold a current Idaho social work license. It was seconded by Ms. Ring. Motion carried.

The Board reviewed a letter and information from Arthur Dodson requesting credit for continuing education. Ms. Pepi Downey moved that the Board deny the continuing education credit of six hours for Arthur Dodson. It was seconded by Ms. Ring. Motion carried. Ms. Kase voted nay.

PROPOSED RULES

The Board reviewed the amended copy of the proposed rules. Ms. Kase moved to approve the amended rules. It was seconded by Mr. Walton. Motion carried.

CRIMINAL HISTORY

The Board discussed social work students who have a criminal history. The Board reviews social work applicants on an individual basis who have had past criminal history and normally they will need to appear before the Board at a regular Board meeting.

EXECUTIVE SESSION

Mr. Walton made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Ring. The vote was: Ms. Kase, aye; Mr. Walton, aye; Ms. Ring, aye; Ms. Pepi Downey, aye; and Mr. Payne, aye. Motion carried.

Ms. Ring made a motion to come out of executive session. It was seconded by Ms. Kase. The vote was: Ms. Kase, aye; Mr. Walton, aye; Ms. Ring, aye; Ms. Pepi Downey, aye; and Mr. Payne, aye. Motion carried.

APPLICATIONS

Ms. Pepi Downey moved to deny the bachelor level application of Janet Gross based upon not graduating with a degree in social work. It was seconded by Ms. Kase. Motion carried.

It was moved by Ms. Pepi Downey that the Board approve the clinical application of Kent Thibault for the clinical level exam. It was seconded by Ms. Kase. Motion carried.

NEXT MEETING was scheduled for January 22, 2013.

ADJOURNMENT

Ms. Ring made a motion to adjourn the meeting at 2:35 PM MDT. It was seconded by Ms. Kase. Motion carried.

Robert Payne, Chair

Carolyn Burt

Kristopher L. Walton

Dr. Eleanor Pepi Downey

Dorothy Ring

Lynnet R. Kase

Tana Cory, Bureau Chief