

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 4/23/2013

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

BOARD MEMBERS ABSENT: Carolyn Burt
Dorothy Ring

BUREAU STAFF: Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Jean Uranga, Board Prosecutor
Marilyn London, Technical Records Specialist

OTHERS PRESENT: Y. Sitz
Sean Walsh, Attorney

The meeting was called to order at 9:00 AM MDT by Robert Payne.

APPROVAL OF MINUTES

Ms. Kase made a motion to approve the minutes of January 22, 2013. It was seconded by Ms. Pepi Downey. Motion carried.

LEGISLATIVE REPORT

Ms. Hall gave the legislative report. She said that the proposed law and rule changes passed and the rules are in effect. The new law change will be in effect July 1, 2013.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$87,437.79 as of March 31, 2013.

DISCIPLINE

Ms. Uranga presented a memorandum regarding case numbers SWO-2013-15, SWO-2013-17, SWO-2013-16, SWO-2013-23, and SWO-2013-24. After discussion, the Board gave recommendations for appropriate discipline.

Ms. Uranga presented a Stipulation and Consent Order in case SWO-2011-13. Ms. Pepi Downey made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Walton. Motion carried.

EXECUTIVE SESSION

Mr. Walton made a motion that the Board go into executive session to discuss pending litigation with counsel per Idaho Code § 67-2345(1)(f). The purpose of the Executive Session was to discuss the legal and procedural status of Case SWO-2012-3. It was seconded by Ms. Kase. The vote was: Mr. Walton, aye; Ms. Pepi Downey, aye; Ms. Kase, aye; and Mr. Payne, aye. Motion carried.

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

Mr. Ellsworth presented the Board the Hearing Officer's Finding of Fact, Conclusions of Law and Recommended Order on case SWO-2012-3 and said that the Board has a choice to accept or modify the Findings of Fact and Conclusions of Law.

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 Mr. Walton. The vote was: Mr. Walton, aye; Ms. Pepi Downey, aye; Ms. Kase, aye; and Mr. Payne, aye. Motion carried.

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

APPLICATIONS

Mr. Walton made a motion to approve the examination application for Carrie Burris. It was seconded by Ms. Kase. Ms. Pepi Downey recused. Motion carried.

Ms. Kase made a motion to approve the examination application for Craig Hepworth. It was seconded by Mr. Walton. Motion carried.

Ms. Pepi Downey made a motion to approve the examination application for Michael Chippolla. It was seconded by Ms. Kase. Motion carried.

Mr. Walton made a motion to approve the examination application for Valerie Velasco. It was seconded by Ms. Pepi Downey. Motion carried.

LUNCH

The Board broke for lunch at 12:00 noon to 1:00 P.M.

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 Mr. Walton. The vote was: Mr. Walton, aye; Ms. Pepi Downey, aye; Ms. Kase, aye; and Mr. Payne, aye. Motion carried.

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

APPLICATIONS

Ms. Kase made a motion to approve the examination application for Ivana Zorica. It was seconded by Mr. Walton. Motion carried.

NEW BUSINESS

Mr. Walton made a motion to dismiss case SWO-2012-3 and write a letter of reprimand. There was no second. Mr. Walton withdrew the motion.

After further discussion Mr. Walton made a motion that the Board reject Conclusions of Law numbers one and three and accept violations number two and four for case SWO-2012-3 and direct the Board's attorney to draft a Final Order and authorize the Chair to sign it. It was seconded by Ms. Pepi Downey. Motion carried.

DISCIPLINARY HEARING FOR CASE SWO-2012-3

Mr. Walsh, attorney appeared representing the Respondent in case SWO-2012-3 regarding discipline and fees and Ms. Uranga represented the State.

Following the arguments of counsel the Board discussed discipline options. Mr. Walton made a motion on case SWO-2012-3 that the Final Order shall require Respondent to obtain 10 hours of continuing education in ethics and in report writing within one year of the Board's Final Order, and pay costs and fees of investigation and prosecution, with \$500 to be paid within 120 days and \$100 per month payments thereafter until paid in full. It was seconded by Ms. Pepi Downey. 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 cases I-SWO-2011-3, I-SWO-2012-1, I-SWO-2012-16, I-SWO-2012-41, I-SWO-2012-44, I-SWO-2013-25, I-SWO-2013-26, I-SWO-2013-55, I-SWO-2013-38, and I-SWO-2013-54. It was seconded by Ms. Pepi Downey. Motion carried.

MEMORANDUM

Ms. Peel presented a memorandum on case SWO-2002-1. After discussion the Board gave direction to the Bureau for appropriate discipline.

CONTINUING EDUCATION CONSENT ORDER

Ms. Pepi Downey made a motion to approve the Consent Order on case SWO-2013-13 and authorize the Chair to sign on behalf of the Board and send a letter to the Respondent that all disciplinary actions must stay on the Board's website. It was seconded by Mr. Walton. Motion carried.

SUPERVISION REPORTS

The Board reviewed and approved supervision reports on cases SWO-2009-1, SWO-2012-16, SWO-2013-8, and SWO-2011-18.

DISCIPLINARY CORRESPONDENCE

The Board reviewed a letter regarding case SWO-2012-9 requesting an extension for payment of fines. The Board granted the extension and requested a payment plan.

OLD BUSINESS

Mr. Payne discussed telepractice and the difficulty of regulating the practice. The Counselor and Psychology Boards are also working on regulations. The professional associations need to be involved in the process. The Board will work on a list of social workers interested in serving on a committee regarding telepractice.

PROPOSED RULE CHANGE

The Board discussed the new Rule 211.01(a) which requires two years of experience as an Idaho clinical social worker to apply as a registered supervisor. Ms. Pepi Downey moved that the Board approve a temporary Rule for 211.01(a) deleting the words an Idaho. It was seconded by Mr. Walton. Motion carried.

ASSOCIATION OF SOCIAL WORK BOARDS

Mr. Walton and Ms. Kase attended the May 2013 ASWB meeting in Austin Texas. Part of the discussion included moving toward better continuing education for social workers. The next meeting is in November in Nashville, Tennessee.

CORRESPONDENCE

The Board reviewed a letter from Boise State University. Ms. Kase moved to grant that a bachelor level license be issued to Michelle Nielson. It was seconded by Mr. Walton. Motion carried.

The Board reviewed letters from master level applicants 901124286 and 901125456 requesting to have the ASWB master level exam waived because they have passed the clinical level exam. The Board stated that passing the master level exam is a requirement for a master level license.

The Board reviewed an e-mail letter from a licensed clinical social worker requesting approval to provide the clinical practice supervision for her daughter for a clinical level license. The Board stated that a parent cannot be approved to provide clinical supervision for their child's licensure.

ASWB MEETING

The ASWB November 2014 meeting will be in Boise Idaho. The Board discussed having a planning committee to work on the details. The Board congratulated Ms. Kase on her appointment to the ASWB Program Committee.

APPLICATION

Mr. Walton moved that the Board deny the application for Shantelle Fredrickson based upon Idaho Code 54-3206(3) that requires a degree in social work. It was seconded by Ms. Pepi Downey. Motion carried.

NEXT MEETING was scheduled for July 23, 2013 at 9:00 AM MDT.

ADJOURNMENT

Mr. Walton made a motion to adjourn the meeting at 4:30 PM MDT. It was seconded by Ms. Pepi Downey. Motion carried.

Robert Payne, Chair

Carolyn Burt

Kristopher L. Walton

Dr. Eleanor Pepi Downey

Dorothy Ring

Lynnet R. Kase

Tana Cory, Bureau Chief