

**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 4/26/2016**

**BOARD MEMBERS PRESENT:** Robert Payne- Acting-Chair  
Dr Eleanor P Downey  
Dr Joan M Cloonan  
Lynnet R Kase  
Virginia K Dickman

**BOARD MEMBERS ABSENT:** Kristopher L Walton - Chair

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Mitchell Toryanski, Legal Counsel  
Jean Uranga, Prosecuting Attorney  
Deborah Sexton, Management Assistant

**OTHERS PRESENT:** Keryn Richards  
Jason Pope  
Susan Davis

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

**AGENDA**

Dr. Cloonan made a motion to add the spring conference to the agenda due to just receiving information she would like comment on from the Board. Since she leaves tomorrow for the conference, this is the only time she can get their comment. It was seconded by Dr. Downey. Motion carried.

**APPROVAL OF MINUTES**

Ms. Kase made a motion to approve the minutes of 1/26/2016. It was seconded by Dr. Cloonan. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. She said that proposed law changes are due to the Governor's Office by August 1, and proposed rule changes are due to the Governor's Office by the third week in August for the 2017 Legislature.

## **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$62,081.61 as of 3/31/2016.

## **DISCIPLINE**

Ms. Uranga presented a memorandum regarding case numbers SWO-2016-16, SWO-2016-15, SWO-2016-7, SWO-2016-8, SWO-2016-11, and SWO-2016-14. After discussion, the Board gave recommendations for appropriate discipline.

Ms. Dickman made a motion to close SWO-2016-6 with a warning letter and recommendation to get up-to-date with Medicaid laws regarding cloning notes. It was seconded by Dr. Cloonan. Motion carried.

## **INVESTIGATIVE REPORT**

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

## **FOR BOARD DETERMINATION**

Ms. Dickman made a motion to approve the Bureau's recommendation and authorize closure in cases I-SWO-2015-15, I-SWO-2015-20 and I-SWO-2015-25. It was seconded by Dr. Cloonan. Motion carried.

Ms. Peel presented a Findings of Fact, Conclusions of Law, and Final Order regarding SWO-2016-13. Dr. Cloonan made a motion to approve the Final Order and allow the acting-chair to sign on behalf of the Board. It was seconded by Ms. Dickman. Motion carried.

The Board reviewed the following supervisors report:

SWO-2014-9

## **EXECUTIVE SESSION**

Ms. Dickman made a motion that the Board go into executive session under Idaho Code § 74-206(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. Kase. The vote was: Mr. Payne, aye; Dr. Downey, aye; Ms. Kase, aye; Dr. Cloonan, aye; and Ms. Dickman, aye. Motion carried.

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

## **APPLICATIONS**

Ms. Dickman made a motion to deny Susan Davis licensure due to not meeting Idaho's requirements. It was seconded by Dr. Downey. Motion carried.

Ms. Dickman made a motion to deny Seth Patzer's supervised hours due to not meeting the requirements. It was seconded by Ms. Kase. Motion carried. Dr. Downey recused herself in this matter.

Ms. Kase made a motion to keep applicant file # 901109875 open. The Board also suggested the applicant contact the Association of Social Work Boards (ASWB) regarding the Americans with Disabilities Act (ADA) accommodations. It was seconded by Dr. Cloonan. Motion carried. Dr. Downey recused herself in this matter.

Ms. Kase made a motion to deny Jennifer Clure licensure due to not meeting Idaho's requirements. It was seconded by Dr. Downey. Motion carried.

Dr. Cloonan made a motion to table applicant # 901052794 until additional information has been submitted for the Board to review. It was seconded by Ms. Kase. Motion carried.

Ms. Dickman made a motion to approve Keryn Richards to sit for the exam. It was seconded by Dr. Downey. Motion carried.

## **EXECUTIVE SESSION**

Dr. Cloonan made a motion that the Board go into executive session under Idaho Code § 74-206(1)(f) to discuss pending litigation with counsel. The purpose of the Executive Session was to discuss the law and procedures regarding SWO-2015-15. It was seconded by Ms. Dickman. The vote was: Mr. Payne, aye; Dr. Downey, aye; Ms. Kase, aye; Dr. Cloonan, aye; and Ms. Dickman, aye. Motion carried.

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

Mr. Ellsworth reviewed SWO-2015-15 with members of the Board.

Dr. Cloonan made a motion to accept the Findings of Fact, Conclusions of Law, and Recommended Order of the Hearing Officer in its entirety and to deny the respondent's exceptions. It was seconded by Ms. Kase. Motion carried.

Ms. Kase made a motion to revoke respondent's license and to impose a \$1,000 fine each for the following violations listed in the Conclusions of Law: B, C, E, G, and H, and to impose a \$500 fine for violation D listed in the Conclusions of Law: D. It was seconded by Dr. Downey. Motion carried.

Dr. Downey made a motion to direct counsel to prepare final order and allow Chair to sign on behalf of the Board. It was seconded by Ms. Dickman. Motion carried.

Dr. Cloonan made a motion that fines, costs, and fees are to be paid within two years. It was seconded by Ms. Dickman. Motion carried.

## **NEW BUSINESS**

Dr. Cloonan discussed attendance at the upcoming ASWB conference. Dr. Cloonan is on a mobility task force to research the cost of licensing individuals and the cost of maintaining their license. Discussion was held on what the task force was studying.

Dr. Cloonan was excused from the meeting at 2:40 PM.

## **OPEN MEETING TRAINING**

Mr. Toryanski gave a presentation of the open meeting law to members of the Board.

## **OLD BUSINESS**

To Do List – The Board reviewed the to do list and no action was taken.

The Board reviewed a revised supervisor report form. Ms. Dickman made a motion to accept the revised supervisor report form. It was seconded by Dr. Downey. Motion carried.

## **NEW BUSINESS**

The Board reviewed a revised supervision plan form. Dr. Downey made a motion to accept the revised version. It was seconded by Ms. Dickman. Motion carried.

The Board discussed out of country audio/video supervision. The Board reviewed the Counselor's rule that states face-to-face supervision may include a face-to-

face setting provided by a secure live electronic connection between the supervisor and supervisee. No further action was taken.

The Board discussed correspondence from Dr. Robert Haws and Karin Kaiser enquiring about telehealth and temporary licenses. The Board requested staff respond stating that Idaho does not have a temporary license and if the client is in Idaho at the time the services are being provided, an Idaho license is required.

The Board reviewed correspondence from attorney Marvin M. Smith regarding the future application process for his client. Dr. Downey made a motion to direct Mr. Ellsworth reply to the correspondence. It was seconded by Ms. Kase. Motion carried.

The Board reviewed correspondence from Thomas Hogan regarding distributing naloxone kits to veterans. The Board said it has no authority to authorize use of prescription medications. Ms. Dickman made a motion to direct Mr. Ellsworth to reply to the correspondence. It was seconded by Dr. Downey. Motion carried.

The Board reviewed a survey from the U.S. Department of Veterans Affairs (VA). Mr. Payne will complete the survey for staff to submit.

The Board reviewed correspondence from ASWB. No further action was taken.

**NEXT MEETING** was scheduled for July 26, 2016 at 9:00 AM MDT.

## **ADJOURNMENT**

Ms. Kase made a motion to adjourn the meeting at 3:50 PM. It was seconded by Dr. Downey. Motion carried.

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Kristopher L Walton, Chair

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Dr Eleanor P Downey

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Dr Joan M Cloonan

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Lynnet R Kase

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Robert Payne

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Virginia K Dickman

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Tana Cory, Bureau Chief