

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 10/24/2017

BOARD MEMBERS PRESENT: Robert Payne - Chair
Virginia K Dickman
Dr. Donna Lynn Hatch
Dr. Eleanor P Downey
Dr. Joan M Cloonan
Lynnet R Keeley

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Debbie Sexton, Management Assistant
Deon L'Abbé, Technical Records Specialist I

OTHERS PRESENT: Lori Ann Shaw, LMSW
Christina Smith, LCSW

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

APPROVAL OF MINUTES

Ms. Dickman made a motion to approve the minutes of 07/25/17. It was seconded by Dr. Downey. Motion carried.

EXECUTIVE ORDER

Mr. Payne and Dr. Cloonan updated the Board regarding a recent Executive Order meeting they attended. The Executive Order issued by Acting Governor Little requires State agencies to submit a report to the Office of the Governor no later than July 1, 2018. The report will assess whether the licensure requirements are necessary and in the public interest while providing recommendations for improvement, modification or elimination.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The deadlines to submit proposed rule and law revisions to the Governor's Office have passed for the 2018 Legislative Session.

ADMINISTRATIVE PROCEDURES ACT

Mr. Ellsworth stated that the Idaho Legislature has an Interim Committee that has been studying the use of Hearing Officers. The Interim Committee is also looking at the Idaho Administrative Procedures Act. Draft legislation was presented at the Interim Committee's last meeting that would make changes to Idaho Administrative Procedures Act and the way contested cases are handled. The Bureau submitted a letter to the committee which met on Oct. 2, 2017 seeking clarification and rationale on some of the changes. As the Bureau receives additional information, it will be provided to the Board.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$96,144.29 as of September 30, 2017.

DISCIPLINE

Ms. Uranga presented a memorandum regarding case number SWO-2017-9. Ms. Dickman made a motion to close SWO-2017-9. It was seconded by Dr. Cloonan. Motion carried.

Ms. Uranga presented a memorandum regarding case numbers SWO-2018-1, SWO-2018-3, and SWO-2018-4. After discussion, the Board gave recommendations for appropriate discipline.

Ms. Uranga presented a memorandum regarding case number SWO-2018-2. Ms. Dickman made a motion to close SWO-2018-2. It was seconded by Dr. Cloonan. Motion carried.

Ms. Uranga presented a memorandum regarding case number SWO-2018-5. Ms. Dickman made a motion to close SWO-2018-5 with an advisory letter and to reopen contingent on further investigation findings. It was seconded by Dr. Downey. Motion carried.

Ms. Uranga presented a Stipulation and Consent Order in case SWO-2017-19. Dr. 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 Ms. Dickman. Motion carried.

Ms. Uranga presented a Stipulation and Consent Order in case SWO-2017-20. Dr. Cloonan made a motion to reject and renegotiate the Consent Order. It was

seconded by Ms. Keeley. Motion carried. Dr. Hatch recused herself from discussion and voting in case number SWO-2017-20.

Ms. Uranga presented a Findings of Fact, Conclusions of Law, and Final Order regarding SWO-2016-17. Ms. Dickman made a motion to approve the Final Order and allow the Chair to sign on behalf of the Board. It was seconded by Dr. Downey. Motion carried.

Dr. Downey made a motion to approve the Bureau's recommendation and authorize closure in case I-SWO-2017-16. It was seconded by Dr. Cloonan. Motion carried.

\$\$INVESTIGATIVE REPORT\$\$

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

FOR BOARD DETERMINATION

Dr. Downey made a motion to approve the Bureau's recommendation and authorize closure in case I-SWO-2017-16. It was seconded by Dr. Cloonan. Motion carried.

SUPERVISION REPORTS

The Board reviewed the following supervision reports:

SWO-2014-25
SWO-2015-1
SWO-2015-2
SWO-2015-16

PAYMENT PROPOSAL

Ms. Dickman made a motion to accept the payment proposal in regard to SWO-2016-16. It was seconded by Dr. Downey. Motion carried.

OLD BUSINESS

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

Dr. Downey gave a report on Disciplinary Sanctions Guidelines subcommittee and will continue to follow-up.

Ms. Dickman made a motion to approve the car rental expense for the 10/23/17 Interdisciplinary Committee Meeting Dr. Downey attended. It was seconded by Dr. Cloonan. Motion carried.

Mr. Payne spoke briefly to members of the Board regarding participation on the clinical advisory work group and will continue to follow-up.

Ms. Dickman gave an update on the practice guidelines of use of technology by ASWB and compared them to the Board's laws and rules and the Idaho Telehealth Access Act. Ms. Dickman went through the ASWB guidelines and found several areas the Board may want to look at for future rule changes. These include listing exactly what technology consists of, having a scanned ID on file to know what state the client resides in, informing the client of the risks, having policies and procedures online and easily accessible, and clients are not permitted to post any of the session on social media.

EXECUTIVE SESSION

Ms. Keeley 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. Dickman. The vote was: Ms. Keeley, aye; Ms. Dickman, aye; Dr. Cloonan, aye; Dr. Downey, aye; Dr. Hatch, aye; and Mr. Payne, aye. Motion carried.

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

APPLICATIONS

Ms. Dickman made a motion to accept the supervision plan for Lori Ann Shaw. It was seconded by Dr. Downey. Motion withdrawn.

EXECUTIVE SESSION

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

APPLICATIONS

Ms. Dickman made a motion to accept the supervision plan effective as of today for Lori Ann Shaw. It was seconded by Ms. Keeley. Motion carried. Dr. Downey recused herself.

ASSOCIATION OF SOCIAL WORK BOARDS (ASWB) UPDATE

Dr. Cloonan gave an update on the ASWB mobility task force committee she's on. ASWB is in the process of setting up a centralized database that applicants could voluntarily submit and store their information for licensure. If licensees move they would be able to request their information be sent directly from ASWB to the state they are moving to. The ASWB resolution is requesting Boards review the statutes, rules, and policies relative to their standards in order for Boards to determine whether they could accept the information from ASWB.

Ms. Dickman discussed several rules that may need to be changed in order for the Board to accept information that came directly from the ASWB databank, which included transcripts coming directly from the college or university and also verification of licensure coming directly from the state.

Dr. Cloonan left the meeting.

LUNCH

DISCUSSION REGARDING AGENDA ITEM ORDER

The Board had a brief discussion of the agenda order. No action was taken.

CREDENTIALING REQUIREMENTS FOR NETWORK PARTICIPATION

Mr. Payne discussed a letter that went out from Regence Blue Shield to licensees regarding the scope of practice and credentialing requirements for Licensed Master Social Worker, Licensed Master Social Worker Independent (LMSWI), and Licensed Clinical Social Worker for network participation with Regence Blue Shield concerning licensees operating outside of the scope of practice. Regence Blue Shield is removing the LMSWI requirement. No further action was taken.

PROPOSED LAWS AND RULES

The Board discussed how to make supervision plan effective dates more clear to licensees on the supervision plan application and Frequently Asked Questions (FAQ's) on the Boards website rather than propose a new rule. The Board discussed that the Rule is clear that supervision cannot commence until the plan is approved by a Board member. Ms. Keeley made a motion for Mr. Payne and Dr. Hatch to revise the supervision plan application to include language in the affidavit area about understanding they cannot begin supervision until this plan

has been approved and for Ms. Hall to draft a FAQ's to add to the Boards website. It was seconded by Dr. Downey. Motion carried.

REVIEW SAMPLE SUPERVISION LOG

Ms. Keeley made a motion for Dr. Downey to draft language referencing the supervision sample tracking log as a tool in the FAQ's and include a link to the form for approved plans. It was seconded by Dr. Downey. Motion carried.

APPLICATION REVISIONS

Ms. Dickman made a motion for Dr. Hatch and Mr. Payne to look at revisions with Ms. Hall to the application forms. It was seconded by Dr. Downey. Motion carried.

DISCUSSION REGARDING SIX MONTH REPORTS

Ms. Dickman made a motion to authorize Dr. Hatch to work with staff to simplify the 6-month supervision report form. It was seconded by Dr. Downey. Motion carried.

ASSOCIATION OF SOCIAL WORK BOARDS CONTRACTS (ASWB)

Dr. Downey made a motion to approve the contract and authorize the Board Chair to sign the contract. It was seconded by Ms. Dickman. Motion carried.

ASWB

Ms. Dickman gave a brief discussion on the two bylaw changes and resolution for the upcoming conference. Ms. Dickman made a motion to direct the delegate to vote to approve the two bylaw changes and the mobility resolution at the ASWB conference. It was seconded by Dr. Hatch. Motion carried.

Ms. Dickman made a motion to direct the delegate to vote for the slate of officers as directed by the Board. It was seconded by Ms. Keeley. Motion carried.

EXECUTIVE SESSION

Ms. Keeley 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. Dickman. The vote was: Ms. Keeley, aye; Ms. Dickman, aye; Dr. Downey, aye; Dr. Hatch, aye; and Mr. Payne, aye. Motion carried.

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

CORRESPONDENCE

The Board reviewed correspondence requesting a waiver of the reinstatement fee from Charlotte Lanier. Dr. Downey made a motion to direct Ms. Hall to draft letter as directed by the Board Chairman to review. It was seconded by Ms. Keely. Motion carried.

The Board reviewed correspondence from Craig Johnson. Ms. Dickman made a motion to accept the supervision plan for Craig Johnson. It was seconded by Ms. Keely. Motion carried.

APPLICATIONS

Ms. Dickman made a motion to accept the supervision plan for Ms. Urick effective July 26, 2016. It was seconded by Dr. Hatch. Motion carried.

Ms. Keeley made a motion to deny the application by exam for Kirk Stadelmeyer based on Idaho Code 54-3211(7). It was seconded by Dr. Hatch. Motion carried.

Ms. Dickman made a motion to accept the corrected supervision hours from the agency supervisor for Victoria White Eagle Hahn. It was seconded by Ms. Keeley. Motion carried. Dr. Downey abstained from discussion and voting.

NEXT MEETING was scheduled for January 23, 2018 at 9:00 AM.

ADJOURNMENT

Dr. Downey made a motion to adjourn the meeting at 3:36 PM. It was seconded by Ms. Dickman. Motion carried.

Robert Payne, Chair

Virginia K Dickman

Dr Donna Lynn Hatch

Dr Eleanor P Downey

Dr Joan M Cloonan

Lynnet R Keeley

Tana Cory, Bureau Chief