

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 4/24/2018

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

BOARD MEMBERS ABSENT: Lynnet R Keeley

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Admin. Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Joan Callahan, Legal Counsel
Deborah Sexton, Management Assistant
Lizzie Kukla, Technical Records Specialist

OTHERS PRESENT: William Deseron, Policy Analyst/Medicaid

The meeting was called to order at 8:30 AM MDT by Robert Payne.

Ms. Dickman made a motion to correct the agenda to remove committee reports and keep telehealth and mobility as separate items under old business.

APPROVAL OF MINUTES

Dr. Cloonan made a motion to approve the minutes of January 16, 2018, January 23, 2018, and February 20, 2018. It was seconded by Mr. Payne. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report.

Senate Bill 1316 was introduced in the Senate on February 19. Some designated Board members met with Senators Burgoyne and Den Hartog on February 26 and the Senators said they would like to see comments or proposed amendments. Suggested amendments/comments were provided to them on February 27. Some of the proposed amendments were put into the bill and it passed the Senate on March 12 and the House on March 21. The bill will become law without the Governor's signature and will go into effect July 1, 2018.

House Bill 623 passed the House March 6 by a vote of 47-23 and was sent to the Senate. Designated members of Boards served by the Bureau reviewed the bill. A letter expressing concerns about House Bill 623 was prepared and signed by 28 of the designated Board members. It was addressed and delivered to Senator Patti Ann Lodge, chair of the Senate Judiciary and Rules Committee, on March 12. The bill was not heard in the Senate.

Ms. Cory said that an interim committee has been established to study occupational licensing. The Occupational Licensing and Certification Law Interim Committee will meet over the summer.

The deadline to submit proposed law changes to the Governor's Office is mid-July 2018 and the deadline to submit proposed rule changes to the Governor's Office is mid-August 2018 for the 2019 Legislative Session.

INTRODUCTION

Mr. Cory introduced Lizzie Kukla, technical records specialist for the Bureau. Currently Ms. Kukla is helping with the Executive Order.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$110,456.65 as of March 31, 2018.

DISCIPLINE

Mr. Uranga presented a memorandum regarding case numbers:

SWO-2018-9
SWO-2018-14
SWO-2018-15
SWO-2018-20

After discussion, the Board gave recommendations for appropriate discipline.

Ms. Uranga brought SWO-2018-10, which was discussed at a previous meeting, back before the Board. The Board determined to proceed with the original recommendations.

Ms. Dickman made a motion to close SWO-2018-11 with an advisory letter. It was seconded by Dr. Cloonan. Motion carried.

Dr. Hatch made a motion to close SWO-2018-16 with an advisory letter. It was seconded by Dr. Downey. Motion carried.

Ms. Uranga presented a Stipulation and Consent Order in case SWO-2018-1. 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 Findings of Fact, Conclusions of Law and Final Order in case SWO-2018-4. Ms. Dickman made a motion to approve the Final Order as corrected and allow the Board Chair to sign on behalf of the Board. It was seconded by Dr. Hatch. 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 the following cases:

I-SWO-2017-36
I-SWO-2017-40
I-SWO-2017-40
I-SWO-2018-3 with an advisory letter
I-SWO-2018-22

It was seconded by Dr. Hatch. Motion carried.

Ms. Peel presented a Findings of Fact, Conclusions of Law and Final Order in case SWO-2018-19. Dr. Downey made a motion to approve the Final Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Dr. Hatch. Motion carried.

Ms. Peel presented a Notice of Violation and Settlement Order RE: Continuing Education in case SWO-2018-18. Ms. Dickman made a motion to approve the Settlement Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Dr. Hatch. Motion carried.

Ms. Peel presented a Notice of Violation and Settlement Order RE: Continuing Education in case SWO-2018-21. Ms. Dickman made a motion to approve the Settlement Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Dr. Hatch. Motion carried.

The Board reviewed the following supervision reports:

SWO-2014-25
SWO-2017-2

SWO-2017-19
SWO-2017-20

Ms. Peel explained the voluntary surrender process to members of the Board.

Ms. Peel discussed the collections process with members of the Board.

OLD BUSINESS

The Board reviewed the To Do List. Dr. Hatch said she will continue to work with staff on updating all of the supervision applications.

EXECUTIVE ORDER

The Board reviewed a rough draft of the Executive Order response and directed Ms. Eavenson and the Board specialist to work with Mr. Payne and Ms. Dickman to prepare the final draft for review and final approval at the May 24 meeting.

CORRESPONDENCE

Mr. William Deseron addressed the Board regarding whether licensed clinical social workers can order drug tests. After discussion and review of Rule 201.03, the Board said they are unable to provide legal advice and directed Mr. Deseron back to the laws and rules. No further action was taken.

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

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

Ms. Dickman made a motion to approve Mr. James Powers for master's level exam. It was seconded by Dr. Downey. Motion carried.

The Board broke for lunch.

Ms. Dickman discussed telehealth with members of the Board and reviewed a draft of items the Board would need to consider if it decides to propose telehealth rules.

Ms. Dickman discussed mobility with members of the Board and reviewed some of the rule changes the Board would need to consider in order to be compliant with the Association of Social Work Boards resolutions.

The Board Chair excused himself from the meeting and turned the gavel over to Ms. Dickman.

NEW BUSINESS

Dr. Downey discussed “the social worker’s duty to warn” with members of the Board. The Board will discuss this at the July meeting and asked that ethical issues related to licensure be added to the agenda.

The Board reviewed correspondence from Interim Director of the Masters Social Work Program Jeehoon Kim, Ph.D. at Idaho State University regarding the program, which is under candidacy for accreditation now. Dr. Downey requested staff respond and direct Dr. Kim to Rule 100 in its entirety. It was seconded by Dr. Cloonan. Motion carried. Dr. Hatch abstained from voting.

APPLICATIONS

Dr. Hatch said she had worked on updating the six month plan application, but that she wanted to review all the applications and documents related to the supervision plan before implementing any new changes.

ASSOCIATION OF SOCIAL WORK BOARDS (ASWB)

Ms. Dickman reviewed answers she had drafted for an ASWB survey regarding mobility. The Board made suggestions and Ms. Dickman will reply to the survey.

EXECUTIVE SESSION

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

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

The Board requested staff to do follow-up with the continuing education audits as noted on the audits.

NEXT MEETING

May 24, 2018 – Conference Call – 9:00 AM MDT
July 31, 2018 - 9:00 AM MDT

ADJOURNMENT

Dr. Cloonan made a motion to adjourn the meeting at 3:22 PM MDT. It was seconded by Dr. Hatch. 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