

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 7/31/2018

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
Jean Uranga, Prosecuting Attorney
Joan Callahan, Legal Attorney
Deborah Sexton, Management Assistant
Jennifer Carr, Technical Records Specialist

OTHERS PRESENT: Jackie Nelson, Sex Offender Management Board
Matthew Thornhill

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 April 24, 2018 and May 24, 2018. It was seconded by Dr. Hatch. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The deadline to submit legislative ideas to the Governor's Office was July 13, 2018 and the deadline to submit proposed law and rule changes to the Governor's Office is August 17, 2018 for the 2019 Legislative Session.

INTERIM COMMITTEE: OCCUPATIONAL LICENSING & CERTIFICATION LAWS COMMITTEE

Ms. Cory said that the Executive Order report was submitted to the Governor and Lt. Governor prior to July 1 and it has been linked on the Board's main webpage. Ms. Cory updated the Board on the legislative interim committee on occupational licensing and certification laws. The Occupational Licensing & Certification Laws

Committee met on June 22. Ms. Cory was invited to present on the process and executive order reports for the Boards served by the Bureau. It also heard from Greg Wilson, chief of staff to Lieutenant Governor Little; Albert Downs, policy specialist for the National Conference of State Legislatures; and Patrick Grace, regional manager for the Division of Building Safety.

In her presentation before the Committee, Ms. Cory noted that 29 of the 30 Boards served by the Bureau had submitted their reports. She let the Board know that all of the reports were submitted before the July 1 deadline and each Board's report has been posted to its website

Comments by the Committee included that its efforts appeared to be on a parallel track with those of the executive order, and committee members outlined a framework where each of them would take a few reports to review with members of the Boards who wrote them. The co-chairs encouraged legislators on the committee to volunteer to review reports where they felt like they had a connection to the occupation or had constituents who serve on the Board.

The Committee set its next meeting for Tuesday, August 7.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$142,461.89 as of June 30, 2018.

FY 2019 CONTRACT

Ms. Hall reviewed the FY2019 contract with the Board. Ms. Dickman made a motion to approve the contract and authorize the Chair to sign on behalf of the Board. It was seconded by Ms. Keeley. Motion carried.

DISCIPLINE

Dr. Downey recused herself from case number SWO-2018-7 and left the room during the discussion of SWO-2018-7.

Ms. Uranga presented a memorandum regarding case numbers SWO-2018-7, SWO-2018-9, SWO-2019-1, and SWO-2018-10. After discussion, the Board gave recommendations for appropriate discipline.

Ms. Dickman made a motion to close SWO-2018-25 with an advisory letter. It was seconded by Dr. Cloonan. Motion carried.

Ms. Keeley made a motion to close SWO-2018-27 with an advisory letter. It was seconded by Dr. Cloonan. Motion carried.

Ms. Uranga presented a Stipulation and Consent Order in case SWO-2018-20. Ms. Dickman made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Dr. Downey. Motion carried.

INVESTIGATIVE REPORT

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

FOR BOARD DETERMINATION

Dr. Cloonan made a motion to approve the Bureau's recommendation and authorize closure in the following cases:

I-SWO-2017-31
I-SWO-2017-33
I-SWO-2018-2
I-SWO-2018-7

It was seconded by Ms. Keeley. Motion carried.

Ms. Peel presented a Notice of Violation and Settlement Order RE: Continuing Education in case SWO-2018-24. Dr. Downey made a motion to approve the Settlement Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Dickman. Motion carried.

Ms. Peel presented a Findings of Fact, Conclusions of Law and Final Order in case SWO-2018-23. Ms. Dickman made a motion to approve the Final Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Keeley. Motion carried.

The Board reviewed the following supervision reports:

SWO-2017-18
SWO-2014-25
SWO-2017-19
SWO-2017-20
SWO-2011-31
SWO-2017-2

Ms. Dickman made a motion to release Kenneth Burnham from probation in regard to case SWO-2017-2. It was seconded by Dr. Hatch. Motion carried.

The Board reviewed an untimely and improperly filed Notice of Appeal and a Brief in Support of Motion to Dismiss and a Motion to Dismiss in case number SWO-2018.1. The Board took no action.

Ms. Dickman made a motion to request legal counsel to draft a letter in regard to case number SWO-2018-1. It was seconded by Dr. Cloonan. Motion carried. Dr. Downey made a motion to withdraw the motion. It was seconded by Ms. Keeley. Motion Carried.

The Board reviewed correspondence from Amelia Ware requesting to cancel her license. Ms. Dickman made a motion to request legal counsel to draft a letter to Ms. Ware regarding the cancellation of her license. It was seconded by Dr. Cloonan. Motion carried.

OPEN MEETING LAW

Mr. Ellsworth reviewed HB611 that made changes to the open meeting law regarding meeting notices and agendas. Changes effective July 1, 2018 included: notices and agendas must be posted online if the agency has an online presence; identification of all “action Items” must be noted on the agenda; and final action may not be taken on an agenda item added after the start of the meeting unless an emergency is declared.

OLD BUSINESS

The Board reviewed the To Do List and no action was taken.

Dr. Downey updated the Board regarding disciplinary sanctions guidelines. Dr. Downey and Ms. Keeley will continue to work on guidelines and update the Board at the next meeting.

LAWS AND RULES

Ms. Callahan reviewed a draft of the proposed law change that would change the designation of licensed social worker (LSW) to licensed bachelor social worker (LBSW). Ms. Dickman made a motion to approve the draft and submit it to the Governor’s Office. It was seconded by Ms. Keeley. Motion carried.

Ms. Callahan reviewed a draft of the proposed rule changes. Dr. Downey made a motion to approve the following rule changes and submit them to the Governor’s Office:

Rule 075.02. Official Documents. All applicants shall arrange for official documents including transcripts to be transmitted by the registrars of the educational institutions or official custodian of documents or from the Social Work Registry administered by the Association of Social Work Boards (ASWB), directly to the board.

Rule 200.03. Educational Requirements. Educational requirements must be verified by submission of official transcripts sent directly to the Board from the educational institution or from the Social Work Registry administered by the Association of Social Work Boards (ASWB). ~~directly to the Bureau of Occupational Licenses.~~

Rule 350.05. Endorsement.

f. The Board may waive the examination requirement in Subsection 350.05.d for an applicant who was not required to pass such an examination at the time the applicant initially obtained a social work license, provided that the applicant meets all other requirements in this Subsection and has actively practiced social work for five (5) of the last seven (7) years preceding application.

Delete Rule 500.

It was seconded by Dr. Cloonan. Motion carried.

Ms. Keeley made a motion to authorize, upon the Chairman's review and approval, a postcard be sent out to all licensees once the proposed laws and rules have been published in the fall. It was seconded by Ms. Dickman. Motion carried.

The Board broke for lunch.

Dr. Hatch left the meeting.

NEW BUSINESS

EXECUTIVE SESSION

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

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

Ms. Dickman made a motion to approve Matthew Thornhill as a licensed master social worker, LMSW- 37976. It was seconded by Dr. Downey. Motion carried.

OLD BUSINESS

Ms. Hall reviewed a revision to the applications that had been requested by the Board. Ms. Dickman made a motion to approve the revision and requested all of the applications be updated. It was seconded by Ms. Keeley. Motion carried.

Dr. Downey briefly discussed ethical issues related to licensure. The discussion was tabled for the next meeting.

NEW BUSINESS

The Board discussed possible future rule changes. Ms. Dickman made a motion for Dr. Cloonan and Ms. Keeley to work together and research the requirements regarding the endorsement rule. It was seconded by Dr. Downey. Motion carried.

ASSOCIATION OF SOCIAL WORK BOARDS (ASWB)

Dr. Cloonan made a motion to approve appropriate expenses be paid to send Ms. Keeley, as the delegate, and Dr. Downey to the 2018 ASWB annual conference and authorize the Chairman to designate an alternate to attend if someone had to cancel. It was seconded by Ms. Dickman. Motion carried.

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

APPLICATIONS

Ms. Dickman made a motion to approve a supervision plan for Emma Wade. It was seconded by Dr. Cloonan. Motion carried.

Ms. Dickman made a motion to deny a supervision plan for # 901150641. It was seconded by Ms. Keeley. Motion carried.

Ms. Dickman made a motion to deny coursework submitted by # 901114927 to become a registered supervisor. It was seconded by Ms. Keeley. Motion carried.

Ms. Dickman made a motion to accept the final hours and approve applicant # 901060989 to take the clinical examination. It was seconded by Dr. Downey. Motion carried.

Ms. Dickman made a motion to deny Rebecca Garrison for a social work license due to not meeting the requirements outlined in Idaho Code § 54-3206 which requires a degree in social work. It was seconded by Dr. Downey. Motion carried.

ELECTION OF OFFICERS

Dr. Downey made a motion to elect Ms. Keeley as Chairman. It was seconded by Dr. Cloonan. Motion carried.

NEXT MEETING was scheduled for October 16, 2018 at 9:00 AM.

ADJOURNMENT

Ms. Keeley made a motion to adjourn the meeting at 3:40 PM. It was seconded by Dr. Downey. 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