

**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 1/22/2019**

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

**BUREAU STAFF:** Kelley Packer, Bureau Chief  
Dawn Hall, Deputy Bureau Chief  
Julie Eavenson, Administrative Support Manager  
Eric Nelson, Prosecuting Attorney  
Jean Uranga, Prosecuting Attorney  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Rob McQuade, Legal Counsel  
Deborah Sexton, Management Assistant

**OTHERS PRESENT:** Irene Duffy  
Kate Pape

The meeting was called to order at 9:05 AM MST by Lynnet R Keeley.

**INTRODUCTIONS**

Ms. Kelley Packer, the new bureau chief, introduced herself to the Board.

Ms. Packer introduced Rob McQuade, legal counsel, who will be working with Mr. Ellsworth and monitoring the legislative session for the Bureau, and Eric Nelson, the Board's new prosecuting attorney.

**APPROVAL OF MINUTES**

Dr. Cloonan made a motion to approve the minutes of 10/16/2018. It was seconded by Dr. Downey. Motion carried.

Ms. Dickman made a motion to approve the minutes of 11/6/2018. It was seconded by Mr. Payne. Motion carried.

**LEGISLATIVE REPORT**

Ms. Packer gave a brief legislative report and said the Board's laws and rules were moving through the 2019 Legislative session.

### **INTERIM COMMITTEE: OCCUPATIONAL LICENSING & CERTIFICATION LAWS COMMITTEE**

Ms. Eavenson discussed her role as the representative of the Executive Branch to the National Conference of State Legislatures (NCSL) Occupational Licensing Learning Consortium, held in Florida, November 27-30. Senator Todd Lakey, Senator Lori Den Hartog, and Representative Gayann DeMordaunt led the Idaho team. Discussion was held regarding licensing and certification laws, nationwide alignment of licensure by endorsement, as well as and military service members and their spouses, many of whom are teachers, and veterans.

Ms. Eavenson stated that Governor Brad Little has convened a working group to review agency Executive Order Reports in greater depth; review specific recommendations from boards, commissions, and agencies; and begin implementing initial recommendations. Members include Mike Brassey, an attorney in private practice; Robert Payne, Idaho Board of Social Work Examiners; Jane McClaran, Idaho Real Estate Appraisers Board; Representative Gayann DeMordaunt; and Senator Todd Lakey.

Ms. Eavenson stated that the Interim Committee's final meeting was held November 26th and that they recommended reauthorization of the committee and some action on endorsement. The Bureau will update Board members as new information becomes available.

### **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$169,987.82 as of 12/31/2018.

### **DISCIPLINE**

Ms. Uranga presented a Stipulation and Consent Order in case SWO-2018-15. 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 Mr. Payne. Motion carried.

Mr. Nelson presented a memorandum regarding case numbers SWO-2019-7, SWO-2019-8, SWO-2019-2, and SWO-2019-3. After discussion, the Board gave recommendations for appropriate discipline.

### **INVESTIGATIVE REPORT**

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

## **FOR BOARD DETERMINATION**

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

I-SWO-2017-25  
I-SWO-2017-26  
I-SWO-2018-10  
I-SWO-2018-14  
I-SWO-2018-45  
I-SWO-2019-2

It was seconded by Ms. Dickman. Motion carried.

Ms. Peel presented a Findings of Fact, Conclusions of Law and Final Order in cases SWO-2019-4 and SWO-2019-5. 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. Cloonan. Motion carried

The Board reviewed the following supervision reports:

SWO-2017-19  
SWO-2014-25

The Board reviewed a payment plan and supervision request in regard to case number SWO-2017-19. Dr. Hatch made a motion to accept the payment plan and supervision request. It was seconded by Dr. Cloonan. Motion carried.

The Board discussed the process of the oral argument in regard to case number SWO-2018-10 with legal counsel.

## **OLD BUSINESS**

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

## **NEW BUSINESS**

## **PROPOSED LAWS AND RULES**

The Board discussed possible law and rule changes to consider adding a timeframe for a length of time an exam would be considered valid in regard to out of state applicants who no longer hold an active license in another state applying for licensure in Idaho. Applicants would need to apply through examination. Dr. Downey made a motion to expand the charge to the exam committee to include additional research

and bring suggestions back to the Board. It was seconded by Mr. Payne. Motion carried.

The Board reviewed a draft of the inactive and cancellation forms. Dr. Cloonan made a motion to approve the inactive form. It was seconded by Dr. Hatch. Motion carried. No further action was taken with the cancellation form.

Dr. Hatch discussed the coursework submitted with new supervisor applications with members of the Board. Specifically the timeframe in which the continuing education would need to be completed. Mr. Payne made a motion to add new supervisor requirements to the exam committee to research and bring back recommendations. It was seconded by Ms. Dickman. Motion carried.

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

Dr. Hatch excused herself from the meeting.

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

### **APPLICATIONS**

Mr. Payne made a motion to approve applicant number 901163395 for examination. It was seconded by Dr. Downey. Motion carried.

Dr. Cloonan made a motion to approve applicant number 901163816 for examination. It was seconded by Dr. Downey. Motion carried.

Dr. Downey made a motion to approve applicant number 901164051 for examination. It was seconded by Dr. Cloonan. Motion carried.

The Board reviewed application number 901164295 in regard to marking “yes” to the criminal history question. The Board requested the application continue through the regular process.

### **NEW BUSINESS**

Ms. Eavenson discussed how media calls are handled with members of the Board.

## **ASSOCIATION OF SOCIAL WORK BOARDS (ASWB)**

The Board reviewed ASWB's policy regarding taking exams prior to graduation. The Board is required to submit an exemption to continue to allow applicants to sit for the ASWB exam prior to graduation. Mr. Payne made a motion to work with staff to draft a letter for review and his approval to send to ASWB. It was seconded by Dr. Downey. Motion carried.

Ms. Dickman made a motion to approve the annual ASWB dues. It was seconded by Mr. Payne. Motion carried.

Ms. Dickman made a motion to approve appropriate expenses be paid to send two Board members to the 2019 educational spring conference and authorize the Chairman to designate an alternate to attend if someone had to cancel. It was seconded by Dr. Downey. Motion carried.

**NEXT MEETING** was scheduled for April 23, 2019 at 9:00 AM MDT.

### **ADJOURNMENT**

Dr. Cloonan made a motion to adjourn the meeting at 4:50 PM MST. It was seconded by Ms. Dickman. Motion carried.

The Board was set to reconvene at 9:00 AM MST.

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Robert Payne  
Virginia K Dickman  
Dr. Donna Lynn Hatch  
Dr. Eleanor P Downey

**BOARD MEMBERS ABSENT:** Dr. Joan M Cloonan

**BUREAU STAFF:** Kelley Packer, Bureau Chief  
Dawn Hall, Deputy Bureau Chief  
Julie Eavenson, Administrative Support Manager  
Jean Uranga, Prosecuting Attorney  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Rob McQuade, Legal Counsel  
Deborah Sexton, Management Assistant

The meeting was called to order at 9:00 AM MST by Lynnet R Keeley.

The Board had a lengthy discussion on developing guidelines to insure consistency and fairness in disciplinary action. Dr. Downey will be responsible for developing a preliminary format to present to the Board at the July 2019 meeting.

### **EXECUTIVE SESSION**

Ms. Dickman made a motion that the Board go into executive session under Idaho Code § 74-206(1)(f) to discuss laws and rules regarding pending litigation with counsel. The purpose of the executive session will be to discuss SWO-2018-10. It was seconded by Dr. Mr. Payne. The vote was: Ms. Keeley, aye; Ms. Dickman, aye; Dr. Downey, aye; Dr. Hatch, aye; and Mr. Payne, aye. Motion carried.

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. Downey, aye; Dr. Hatch, aye; and Mr. Payne, aye. Motion carried.

The oral argument in case SWO-2018-10 was heard.

Mr. Payne made a motion to accept the Hearing Officer's following orders: October 23, 2018 order partially granting and partially denying summary judgement, the November 14, 2018 order vacating hearing and granting Board's motion to withdraw allegations and December 4, 2018 order denying reconsideration. And to accept and approve all other orders and rulings of the Hearing Officer. It was seconded by Ms. Dickman. Motion carried.

Ms. Dickman made a motion to approve discipline as agreed by the Board. It was seconded by Mr. Payne. Dr. Hatch opposed. Motion carried.

Dr. Downey made a motion to require costs and fees to be paid within two years. It was seconded by Mr. Payne. Motion carried.

Mr. Payne made a motion to direct counsel prepare the order for the Board Chair to sign. It was seconded by Dr. Hatch. Motion carried.

### **ADJOURNMENT**

Dr. Downey made a motion to adjourn the meeting at 3:08 PM MST. It was seconded by Ms. Dickman. Motion carried.