



Counselor, Social Worker & Marriage and Family Therapist Board

77 S High St, 24th Floor
Columbus, Ohio 43215
614-466-0912 & Fax 614-728-7790
www.cswmft.ohio.gov

Note: The Professional Standards Committees (PSCs) met jointly in July 2020. There are no separate minutes for the Administration and Planning Committee or the PSCs.

State of Ohio Counselor, Social Worker, and Marriage and Family Therapist Board Thursday, July 16th, 2020

Members Present: Sara Blakeslee Salkil, Anna Bomas, Andy Bowers, Jose Camerino, Joe Geig, Lisa Habermusch, Hollie Hinton, Christine Jungers, Margaret Knerr, Raymond Losey, Erin Michel, James Minikowski, Ryan Pickut, Sue Pohler, and Scott Wilkes

Staff Present: Margaret-Ann Adorjan, Yolanda Berry, Paula Broome, Brian Carnahan, Tiffany Coutts, Rena Elliott, Simeon Frazier, Ezekiel Hall, Bill Hegarty, Tracey Hosom, Andy Miller, Patty Miller, Rachel Randall, and Ebony Turner

Additional guests attended the online meeting using credentials provided on the agenda

1) Meeting Called to Order

Mr. Pickut called the meeting to order at 9:06 a.m.

2) Discussion/Approval of the July 16th Agenda

Mr. Minikowski motioned to approve the July 16th agenda. Mr. Geig seconded the motion. Motion carried.

3) Discussion/Approval of the Previous Board Minutes

Ms. Pohler motioned to approve the minutes from the May 2020 Board Meeting. Ms. Habermusch seconded the motion. Motion carried. Mr. Geig motioned to approve the minutes from the June 2020 Special Meeting. Ms. Jungers seconded the motion. Motion carried, with Ms. Knerr abstaining.

4) Chairperson's Comments

Mr. Pickut discussed the format of the meeting, and thanked Board members for their cooperation and understanding.

5) Executive Director's Report

Mr. Carnahan shared that the Board is getting a number of calls on telehealth, and a number of requests from out of state licensees who are looking to provide teletherapy to Ohio clients. ASWB and NBCC have shared that the number of exam takers is comparable to last year and have not decreased significantly. They are placing no limits on who can test. At present, there are no plans for Board staff to return to the office in the near future. The Board's new website has also gone live; some response has been positive; some has been negative. The Board will likely need to issue an RFP for services that CEBroker currently provides. There are still some rules pending with the Common Sense Initiative, including rules passed as part of the five year rule review. A new telehealth rule will go into place soon. There have been some challenges with the process of submitting supervision hours for licensees, but DAS is working to resolve these issues. There are currently 5 bills the Board is watching: HB263 requires the Board to establish a tighter standard for reviewing criminal backgrounds of applicants, and it has passed the House and is awaiting action in the Senate. Others (SB 246 and 238, HB 432, 503 and 513) are still in committee. SB246 and HB432 are intended to establish universal licensing across state lines, but there are some concerns since different states have different standards. Ms. Wilburn asked which offenses HB263 includes that would bar the Board from licensing someone. Mr. Carnahan responded that the list is fairly extensive; the Board would need to go through and establish the connection between licensed practice and any one offense when considering whether an applicant should be denied. Mr. Wilkes if the Board had any data on how many licensees are actually providing supervision; Mr. Carnahan answered that this data is not available in the current system.

6) Deputy Director's Report

Mr. Hegarty shared that investigations are running well under the circumstances, just a little bit slower than before. The number of incoming cases has also slowed down. There is discussion around how the Board will do a hearing if needed. Ms. Knerr asked if telehealth has had any impact to investigations. Mr. Hegarty shared that licensees are learning as they're going, and they're seeing that some platforms are better suited to telehealth than others, however the general perspective seems to be that overall telehealth is working and is not creating any insurmountable barriers to practice. Ms. Michel asked whether the Board might like to issue guidance on telehealth going forward, to make sure best practice is being maintained in verifying client identity and ensuring confidentiality. Mr. Camerino asked whether specific CEUs on teletherapy should be required. Mr. Pickut asked if the Ohio Department of Health is also extending their emergency rule. Bobbi Boyer from ODMHAS responded that a rule was in the process of being filed and would be announced fairly soon. Mr. Pickut proposed that Board members send suggestions to Mr. Carnahan individually for discussion in September, but in the meantime a statement should be sent to licensees reminding them that licensees need to be competent in teletherapy, and that the rules for teletherapy need to be reviewed by any practitioner. Ms. Knerr also suggested a comparison between the emergency rule and the permanent rules. Mr. Hegarty also shared a report showing the types

of complaints the Board has received since the last Board meeting.

7) Legal Counsel Report

Ms. Wilburn shared that the Attorney General's office has set a target date of September 21 to return to work, with employees on a staggered schedule. She discussed how the office would function during the remainder of the pandemic, and how hearings might be done through video chat. She stated that the Attorney General's office would not schedule hearings until the Board was comfortable with moving forward.

Stopped at 0:50:00

Ms. Wilburn recommended that the Board have video hearings for the foreseeable future. This decision would be completely independent of whether we are returning to the office or not. Ms. Wilburn questioned how would the Board do a credential hearing. Ms. Wilburn explained that she and Mr. Hegarty discussed the fact that the Board has hearings coming up and one of them is a credential hearing. Ms. Wilburn stated that the Board's hearing officer, Rhonda Shamansky would be on board with having video hearings. Ms. Wilburn suggested that the group have a discussion about this and stated that she is willing to address any questions or concerns regarding this recommendation. Additionally, she stated that she would be willing to take questions and concerns back to her section chief. Ms. Wilburn mentioned that nothing would be scheduled until the Board is ready but does not want a backlog because of concerns regarding how to go forward.

Ms. Michel stated that she is ok with having technology-based video hearings. She stated that her agency is contemplating having people come to the building and sit in different rooms. This could be an option for clients who do not have access to technology. For example, the therapist could be in their office while the client would sit in a conference room and still have a teletherapy session and the environment is more controlled. Ms. Wilburn responded that access to a building could be problematic and there could be security issues with getting a room where people could be spaced adequately in the room along with the court reporter. Ms. Wilburn went on to state that one thing that she heard from Ms. Shamansky was that she could not adequately evaluate the credibility of a witness who is wearing a mask which is extremely important during a hearing when she is getting testimony. Credibility of a witness is the number one thing on which we often rely and reflect. Additionally, Ms. Wilburn stated that it is good for her to have credibility too, so she does not want to be in a room wearing a mask either. Ms. Wilburn stated that she is not being given the choice by her chain of command at the Attorney General's (AG) office, regarding in person and video hearings. She has been told that she must have video hearings as the primary choice. However, if the consensus of the Board is not to have video hearing, then she would need to take this back to her section chief at the AG's office and have a discussion about it so that he can work on it.

Mr. Pickut stated that he has no problem with doing video hearings from home, but his concern is regarding how the documents would be shared securely. Once that is figured out then the rest of it could be done rather easily. This could possibly solve some issues in the future when hearings have to be planned rather quickly.

Ms. Wilburn responded that the AG's office is providing the structure technologically to be able to conduct the hearings virtually and to be able to email the documents securely ahead of time. If someone has documents or exhibits to submit the day of the hearing then we would have to deal with that. Ms. Wilburn suggested having a rule that states we have to have the exhibits and documents ahead of time or they would be excluded from evidence. This would be because the hearing is being done remotely via technology instead of an in-person hearing where the documents could be handed directly to someone which could quickly be reviewed. Additionally, the AG's office has a video platform that could be used to conduct the hearing. The issue comes when the hearing is conducted during a Board meeting and the hearing is part of the Board meeting, such as in a credential hearing. So, regarding the credential hearings this would require further thought and discussion.

Ms. Knerr requested hearing input from Investigations. Mr. Hegarty stated that he believes that video hearings would work but as Mr. Pickut stated, the concern would be the documents being submitted and the documents being submitted well in advance. Additionally, Mr. Hegarty wonders how it would work with the Board members being present, along with the court reporter, and investigator coming in to testify and then being dismissed. Also, the concerns of the opposing counsel would need to be addressed.

Ms. Hosom agreed with Ms. Shamansky's concern about being able to evaluate credibility. Also, through this medium she is able to hear and see people and get a good sense of what is going on. Ms. Hosom pointed out that courts are now using this platform. Ms. Hosom went on to state that this would be good for some of our witnesses who are unable to travel to Columbus. This platform would remove the travel barrier. Ms. Hosom agrees that the Board could conduct video hearings.

Ms. Bomas voiced concerns about those who are not familiar with using the technology, who would coach them through the process.

Having no further comment from the Board, Ms. Wilburn thanked the group for discussing and considering this option. She stated that if anyone has anymore comments after further reflection then to let Mr. Carnahan know so that they can be brought back to the Board for further discussion.

Prevention and Social Work Scope of Practice

The Board gave Bobbie Boyer the opportunity to speak to the group. Ms. Boyer is currently Deputy Director of The Office of Prevention Services. Ms. Boyer thanked the Board for all of the work that they do and thanked the Board for the opportunity to speak to the Board today. Ms.

Boyer informed the group that her colleague Molly Stone is also attending the meeting via phone.

Ms. Boyer explained that she and Ms. Stone wanted to make the Board aware of an issue that was discovered through preparation of The Office of Prevention Rules concerning prevention. Ms. Stone was given the opportunity to provide context regarding the issue. Ms. Stone explained that when the departments were still ODADAS (Ohio Department of Alcohol and Drug Addiction Services) and ODMH (Ohio Department of Mental Health), ODADAS created prevention rules. In 2013/2014 when the 2 departments consolidated, it was determined that there was a need to revise those rules. It was realized that there were many people who were doing prevention which were social workers. They wanted to expand their pool of folks providing prevention services. Ms. Stone went on to explain that the scopes of practice were reviewed for the professions that they thought might have prevention in their scope (i.e. Social Workers, Licensed Professional Counselors, Nurses, etc.) and they went on to state that these were the folks who could provide prevention services under the current rule. At that time the scope of practice for SWAs, LSWs, and LISWs had prevention services included in their scope of practice. However, while working with the credentialing board a couple of months ago to review the scope of practice for prevention, it was realized that LSWs no longer have prevention services as part of their scope and the LISWs only have supervision. In looking at the scopes of practice for all of the various disciplines allowed substantiation regarding why these folks are able to provide prevention services. Prevention not being included was a concern because this could affect those folks currently providing prevention services. Ms. Stone mentioned that there is a significant number of Social Workers providing prevention services with many of our agencies and the 5-year rule review will be coming up next year.

Ms. Boyer was able to share with the Board a page from their rules showing the prevention scope of practice for social workers. Ms. Boyer stated that what they have in their scope of practice was what they believed was still in the Board's scope of practice for social workers at that time. Additionally, Ms. Boyer shared a copy of a document that is the Board's scope of practice.

Mr. Carnahan pointed out that the document concerning the Board's scope of practice that Ms. Boyer was showing was actually the statute (the Ohio Revised Code). Mr. Carnahan stated that if this is something that the Board believes needs to be addressed, then a vehicle would need to be found, in order to make the change. Additionally, Mr. Carnahan pointed out that based on the amended date on the document was during the time that a number of changes were made to 4757. It is possible that this was an oversight.

Ms. Boyer stated that the NASW practice areas were also reviewed. Ms. Boyer shared a copy of the NASW document and pointed out that the NASW document has prevention listed. Ms. Boyer stated that as a fellow social worker, the scope of practice for social workers may need to be described a little better in our rules.

Mr. Miller stated that he may be able to provide an historical perspective regarding what happened. Mr. Miller explained that in 2014 the statute was rewritten at the time because the statute did not specifically state that social workers could diagnose and treat mental and

emotional disorders. This was stated in the rules but not in the statute. In the rewriting of the statute, prevention was unintentionally left out of the statute in the process of trying to add something else. Mr. Pickut thanked Mr. Miller for that historical knowledge.

Ms. Michel stated that she is glad that this has been brought to the Board's attention and stated that the Board should address this because we do not want people to interpret the statute as they aren't able to do prevention.

Ms. Knerr pointed out that it appears that prevention is not in the counselor or marriage and family therapist (MFT) scope of practice either. Ms. Knerr stated that she couldn't speak for the counselors, but believes that prevention should be in the scope of practice for the MFTs. Mr. Pickut confirmed that prevention is not in the counselor scope of practice and should be included. However, Mr. Pickut pointed out again that a statute change is not the easiest thing to push through. Ms. Knerr questioned if it could be added in the scope of practice for the rules since the rules provide a much broader definition of what the professions do. Ms. Knerr stated that she doesn't know if we need to open up the statute in order to add prevention to the scope.

Ms. Boyer stated that hopefully we will be able to come up with ways that we are all communicating on the same page when it comes to our scopes. Ms. Boyer thanked the Board for their time and they look forward to the organizations working through this together. Mr. Pickut thanked Ms. Boyer and Ms. Stone and stated that the discussion is appreciated. The Board will look at how we can remedy this omission.

Extending Trainee Registrations

Mr. Carnahan stated that John Carney and Dave Turner have made themselves available to discuss the extension of trainee status. Dr. Turner thanked the Board for the opportunity to speak. Dr. Turner explained that he is the executive director for the agency called the Counseling Source which is located in Cincinnati but provides services in over 60 counties in Ohio. Every year they have a handful of CTs and SWTs in the agency at any point in time and with each graduating class they face a dilemma. Dr. Turner went on to explain that they have graduating Master's level counselor and social work students who carry a caseload with their agency. The students may not be able to take the exam before the CT or SWT registration expires or they may have failed the exam the first time. In most mental health agencies, they are forced to lay off or demote a CT or SWT when the registration expires, which disrupts client care. Many times, those clients are forced to start over with a new counselor or social worker but there isn't always an immediate replacement available who can take the caseload. Dr. Turner stated that it makes sense to allow the student who has graduated and who has had a year working under supervised experience in counseling or social work to be able to continue to practice longer than 60 days post-graduation. Dr. Turner went on to state that he does have sympathy for the graduate but the main concern is for the clients and the clients of other agencies because this causes an interruption of service.

Dr. Turner asked that the Board consider extending the post-graduation grace period for CTs and SWTs. He would prefer that the grace period be extended from 60 days to 365 days. Dr. Turner stated that in consultation with the Ohio Counseling Association their preference is a 180-day

extension. Although he would prefer something longer, any extension would be an improvement and would better ensure the quality of care and the safety of the clients that they serve and that are served by other agencies. The 180-day extension would allow recent graduates to maintain their SWT and CT for a longer period and allow the opportunity for testing. Dr. Turner commented that Mr. Carnahan has been very responsive and open to the discussion of this issue and he thanked Mr. Carnahan for that.

Mr. Pickut questioned how many CTs or SWTs has this issue affected within the last year or 2 where they haven't been able to receive their license within the 60-day grace period that we currently have in place. Dr. Turner responded that in their agency, if they have had 10 interns, this has happened to 4 or 5. Dr. Turner explained that they have a lot of graduates who graduate in December. It is pretty common that because of the holidays, late graduation, and other factors, they are not able to test during that 60-day period. Also, universities are not always educating the students about the exam process and how to prepare for the exam. Additionally, in other cases there have been students who have failed the exam.

Mr. Pickut, questioned from a public protection argument, how could it be justified for someone who has failed the exam, to continue to practice counseling, social work, or MFT. Dr. Turner responded that the ultimate responsibility lies with the supervisor. The supervisor is the safeguard. The CTs and SWTs are not practicing independently. Mr. Pickut stated that CTs and SWTs should always be assigned to moderate to low level symptomatic clients. They wouldn't be assigned to those clients who are expected to be in therapy for 6 months to a year. Mr. Pickut commented that this is one of the points of confusion. He questioned what is the protection for the student if it would be extended past 60 days since they would no longer have the internship supervisor that they are meeting with, and they are no longer protected by the institution that they were attending. Who would be assuming the liability for that person who is no longer a student. Dr. Turner responded that they become the responsibility of the agency and the agency becomes liable for their behavior.

Ms. Michel stated that she is able to see the many perspectives of this discussion. Ms. Michel pointed out that the purpose for the exam is to be able to demonstrate competence for licensing and the longer that we extend the grace period, the longer we are allowing a person in this unlicensed/in between stage.

July 16, 2020 Board Meeting Minutes

These minutes start at 1 hour and 30 minutes into the meeting and end at 2 hours and 10 minutes.

Mr. John Carney and Dr. Dave Turner are discussing with the board about master level graduates unable to take the exam or failing their first time and the risk of their CT or SWT status expiring. Their sympathy and concern are also for the client having to start with a new therapist.

1 hour and 30 minutes into the meeting.

Ms. Michel expressed concern for extending the grace period since the test has not been taken and a license has not been issued that person is practicing without a license.

Dr. Turner respects the Boards decision but is coming from a client perspective. Competent individuals are out there so asking for more than 60 days. Contacted ACA, documents from 2016 from various states and the length of time to practice under supervision before licensed were compared. The amount of time varies but Ohio sets a high bar. Concern over disruption to clients but also becoming more difficult to place CT and SWT's.

Mr. Pickut agreed.

Dr. Jungers stated students need to be more prepared, Ohio has a 2-tier system and an LPC license is required to practice. More discussion is needed in the future. Appreciate Dr. Turner for speaking to the board and sharing his concerns.

Mr. Geig shared that he understands their point and is curious if the board staff has noticed this to be an issue. Concern of students not being prepared, and some agencies do not pay their CT so their case loads can be large and prevent them from having time to study.

Dr. Turner understands the concern.

Mr. Carnahan stated that 15-20 percent of social workers fail the BSW exam the first time and this is similar across the board.

Mr. Pickut stated more discussion is needed on this issue and the board is not ready to take a vote. Thanked Dr Turner for talking with the Board.

Mr. Carnahan reported that in the aftermath of the death of Mr. George Floyd, emails have been received regarding continuing education requirements.

Mr. Pickut added that in light of the climate of the country right now more responsibilities of licensees may be asked. Emails received have been on the requirement of cultural competency in continuing education.

Mr. Carnahan stated that cultural competency does meet the ethics requirement, the board could have a listing on the website of specific cultural competency and cultural diversity programs. What direction does the board want to take, does the board want to establish requirements.

Dr. Wilkes stated that cultural competency is already in place showing its importance. Not sure if additional measures are needed.

Ms. Habermusch added that cultural competency and implicit bias continuing education can be different, the cultural competency she encounters is with the Amish population. Maybe suggesting implicit bias specifically be required.

Mr. Minikowski is interested in how agencies are addressing the cultural competency in continuing

education.

Ms. Michel agrees with Ms. Haberbusch and stated that the core issue is licensees practicing with racist ideas which is different from cultural competency. Requiring three hours every two years will not solve the problems.

Ms. Colleen Demsey from NASW Ohio Chapter shares Ms. Michel's concerns. NASW supports a proposal for continuing education on racism.

Ms. Knerr reported that she wrote an article in the Boards newsletter on Black History Month. Licensees are not aware of some terms and issues that were in the article. Cultural competency is not actually included in the ethics requirement. Cultural Competency needs articulated on topics such as anti-racism and implicit bias. The medical board website has a video on cultural competency, it's not clear if licensees understand what cultural competency means.

Mr. Pickut is okay with three hours of implicit bias or cultural competency, but it would be difficult to track.

Mr. Carnahan said that trainings are going to be there if made a requirement. For the Board to create a training it will take time, money, etc. and 40,000 licensees having to take the training. The conversation is a good start and adding resources to the website, will also check what other boards are doing.

Dr. Wilkes said this has been a good discussion. In response to Mr. Carnahan's comment about training being there, agrees if required the market will respond. On a personal level concerned whether this is a symbolic change or a real change and wants a real change. If specific content, then it would be a real change and make licensees aware. Supports a specific requirement showing the board is listening.

Mr. Pickut agreed with Dr. Wilkes. On the agenda #10 and #11 will be tabled for a later date.

Mr. Carnahan stated a rule change would need filed to implement this requirement. Added that this is not the only issue brought to the board; suicide, HIV, opioid abuse, have also been brought to the board's attention. Wants the board to be aware that making this topic mandatory that other requests will want to know why their message was not accepted.

Mr. Minikowski agrees with Mr. Carnahan and has concern over making this a mandatory requirement. Concern over all continuing education topics becoming mandatory.

End of section 2hours and 10 minutes.

Agenda Item Cultural Competency Continuing Education Requirements

The Board continued the conversation on this topic with Mr. Carnahan responding to Mr. Pickut's

question as to “What would it take to have the licensees take 3 hours of “Cultural Diversity /Implicit Bias Training?” Mr. Carnahan responded that the Board would have to file a rule change and add it as a requirement. Mr. Carnahan mentioned that he has also been approached about requiring trainings for “Suicide Prevention” and similar social topics and issues such as “HIV Prevention” and “Opioid Abuse” Training and how we have to be prepared to be approached about requests and questions as to why one topic would be offered over another. Mr. Minikowski also voiced his concerns of how this could become a “slippery slope” as there have been really important issues brought to the Board in the past and how the Board has not decided to make this kind of change. He expressed his nervousness that if the Board starts making changes like this, we will run out of CEU options in the near future for the licensees that we serve. Mr. Camerino added how it may be a mistake to make these changes at this time.

Ms. Knerr voiced that there is a potential to bring about real change in this and that there is a genuine need for education and change. Ms. Michel raised the questions “what is within our role as a Board with licensees and protecting the public to address racism and the harm that it causes to people”? and how do we as a Board create meaningful change? She stated that we have a responsibility to protect the public and that we can bring about meaningful change by providing education and training, but it may not be in CEU requirements only. Mr. Geig then asked the question as to if there is an academic requirement for counseling education? The question was answered by Mr. Pickut and Ms. Knerr that yes, it is a requirement across CACREP, Social Work and MFT programs. Ms. Knerr added that although this is a requirement, as is Ethics, “we need to continue to do our work, grow, and change and tend to this as much as we do Ethics”. Mr. Pickut then suggested that this topic be tabled for the September Board meeting where we can discuss working on things that we can act on.

Ohio Physicians Health Program

Board Staff Andrew Miller led the discussion on the topic regarding a document called “Non-Disciplinary Confidential Process Proposal” after being approached by the Ohio Chemical Dependency Board and Department of Mental Health regarding a diversion program for people who are experiencing issues with substance abuse, drug and alcohol abuse, that is outside of the disciplinary process. This is a program currently used by several of the Ohio Boards. If our Board decides to enroll in this program our licensees can receive up to 5 years of assistance without being under disciplinary action from the Board. This will be something that the Board will continue to discuss and get more information on before deciding to move forward at a later date. Several members of the Board are willing to continue this discussion. Mr. Pickut gave Mr. Miller permission on behalf of the Board to move forward in his research to find out how the CSWMFT Board can become involved in this program.

Mr. Pickut then asked for a motion from the Board members to postpone the discussion of agenda Items 10 and 11 until the September Board Meeting. Board member Mr. Wilkes made the motion to postpone, while Ms. Blakeslee-Salkil seconded the motion. Motion carried.

Proposed dates for the 2021 Board Meetings Schedule

Mr. Carnahan proposed that the Board discuss the proposed 2021 Board schedule for the calendar year. The list of dates were uploaded to Drop Box to be viewed. There are some dates that may conflict with other conferences in March 2021 and November 2021. Mr. Carnahan proposed that the November date be moved to earlier in November. Mr. Pickut called for a vote from the Board on the proposed list of dates. Ms. Michel made the Motion, Mr. Minikowski seconded. Motion carried.

Election of Board Chairperson

Ms. Knerr nominated Mr. Minikowski for Board Chairperson; Mr. Camerino seconded. Motion carried. Congratulations to Mr. Minikowski for accepting the position of Board Chair for the 2021 year.

Board Chairperson for Social Work Committee deferred to Marriage and Family for 2021.

Election of Chairpersons for Subcommittees

MFT Committee - Ms. Hinton was nominated by Ms. Knerr to continue as Chairperson for the 2021 year, Seconded by Mr. Camerino. Motion carried. Congratulations to Ms. Hinton who accepted.

Professional Standards Social Work Committee - Ms. Michel motioned to nominate Mr. Wilkes as new chairperson, seconded by Ms. Habermusch. Motion carried. Congratulations to Mr. Wilkes who accepted.

Counseling Committee - Dr. Jungers nominated Dr. Losey to continue as Chairperson for the 2021 term, Mr. Geig seconded. Motion carried. Congratulations to Dr. Losey for accepting another term as chairperson.

CSWMFT Board Meeting July 16, 2020

Time begins @2:50 to end of Board meeting

Dr. Jungers nominated Dr. Losey as chairperson of the CPSC. Mr. Geig seconded. Motion carried.

Review of Minutes, Correspondence, Approval of Licensees

Mr. Carnahan noted there were no specific committee minutes to review and no items for the CPSC and SWPSC. There are couple of items of correspondence for the MFTPSC. The list of individuals

licensed since the last Board meeting are in Dropbox and a motion will be necessary to officially approve their licensure.

a. CPSC

Mr. Pickut motioned to approve the persons licensed since the May 2020 Board meeting. Mr. Geig seconded. Motion carried.

b. SWPSC

Ms. Haberbusch motioned to approve the persons licensed since the May 2020 Board meeting. Mr. Wilkes seconded. Motion carried.

c. MFTPSC

Mr. Miller reviewed the coordinator stats located in the MFT folder. There were 3 IMFTs, 1MFT, 2MFT Trainees and 2 Temporary MFTs licensed since the last Board meeting which is lower than in usual years. Although this was a lower number, the good news is the profession continues to grow. In May-June there were 19 exam requests issued and the pass/fail rate typically remains approximately 50/50. In May there were two passes, two fails and the scores for June have not yet been received. The total number of licensees are 602. Mr. Miller was asked by the University of Akron to provide data on how fast the profession was growing. It was discovered by researching past data and trend, that future projections could be made on the growth of the profession. It was determined that the Board would have licensed 600 licensees which happened by July.

MFT Exam Exception Request

Pamela Hirt, MFT

Mr. Miller reported that based on the Laws and Rules there is an allowance when an individual is coming back with an expired license they either need to retake the exam, unless they've past the exam less than 7 years ago, or complete 30 hours of CEUs which we approve on a case-by-case basis given the circumstances. Ms. Hirt recently applied for licensure and took the exam 7 ½ years ago which puts her just over the mark. In that regard, the MFTPSC will either have to request that she retake the exam or complete a minimum of 30 hours or more of CEUs in order to be relicensed. Ms. Hirt's request can be viewed in Dropbox. Ms. Knerr asked how many CEUs Ms. Hirt has completed over the past seven years and whether she has continued, in or out of state, to complete 30 hours per licensing cycle. Mr. Miller responded that some CEUs have been completed. Ms. Hirt was licensed in Ohio until 2017 and that license lapsed a couple of years ago while she was working in New Jersey. Mr. Miller added that Ms. Hirt may or may not have been licensed in New Jersey as her position did not require it. The last CEUs completed were in 2015. Ms. Blakeslee-Salkil asked what the typical response of the MFTPSC has been in this instance regarding the number of CEUs. Mr. Miller responded these circumstances have only occurred a couple of times. With the rule being fairly new, the last couple of instances we have stayed with 30 hours. Ms. Knerr requested clarification as to whether Ms. Hurt is asking to waive the 30 hours or the exam and if the rule states that either can be done. Mr. Miller stated that Ms. Hirt is asking

that she not be required to take the exam and instead complete 30 hours noting that the Board's rule does state either can be done. Ms. Knerr asked if Ms. Hirt had taken the exam. Mr. Miller responded that the exam was taken 7 ½ years ago and if had she reapplied 6 months earlier there would be no discussion and she would have been able to get relicensed. Unfortunately, she waited, and it has been 7 ½ years since she tested. Ms. Knerr asked if Ms. Hirt had applied 6 months ago would she have been required to complete the 30 hours of CEUs. Mr. Miller responded that she would not.

Mr. Camerino asked Board Staff, Ms. Adorjan, if this was a familiar situation during her time in Mr. Miller's position as MFT Licensure Coordinator. Ms. Adorjan commented she did not recall encountering this type of request, that her time in that position was prior to the rule change that allowed the either/or option and to her knowledge the counselors and social workers do not give that option. Mr. Camerino asked the MFTPSC if it was known why the MFTs are given this option and not the other disciplines. Mr. Miller responded that it was likely a specific situation such as Ms. Hirt's when it was decided to offer the option. Ms. Blakeslee-Salkil responded she did not recall if this occurred when she was a Board member and without looking at past minutes it would be difficult to determine. Ms. Knerr commented it seemed silly to ask Ms. Hirt to take the exam noting it was probably a similar situation where we said that in the last two years just take 30 hours and continue your license. It may also have been an escrow situation where coming out of escrow so many hours of CEUs would have to be completed. Ms. Knerr motioned that Ms. Hirt complete 30 hours of CEUs. Mr. Camerino asked Mr. Miller if there would be a way to determine the type of work Ms. Hirt performed in New Jersey expressing concern that Ms. Hirt may have been in a helping profession and potentially did something unethical to which the Board would have no knowledge as she would not self-report. Mr. Miller pointed out that Ms. Hirt has reapplied for licensure. Ms. Knerr asked since reapplying for licensure if a background check would be required. Mr. Miller confirmed a background check would be completed. Ms. Knerr asked if the background check would also reveal any potential issues from the licensing board of New Jersey. Mr. Wilkes expressed that it would not include information from the New Jersey Board. Ms. Blakeslee-Salkil asked if Ms. Hirt would have to attest that she had been in good standing. Mr. Miller confirmed after reviewing previous emails from Ms. Hirt that she did not hold a license in New Jersey. Mr. Camerino asked if Ms. Hirt had identified the type of work she performed. Ms. Knerr responded that Ms. Hirt worked for Catholic Charities as a partial care group facilitator in trauma therapy and education to consumers with co-occurring disorders and/or developmental disabilities and that a letter of recommendation could be requested from Catholic Charities. Ms. Blakeslee-Salkil asked how a letter of recommendation would change the requirement for the number of CEUs units. Mr. Minikowski commented that the questions is whether we decide it will be the completion of CEUs or require Ms. Hirt to retest. Ms. Blakeslee-Salkil identified that Ms. Knerr had a motion on the floor suggestion the completion of 30 hours of CEUs. Ms. Knerr withdrew her motion expressing if it were discovered there was an issue there is a possibility that certain CEUs would be required. Mr. Camerino expressed a concern that Ms. Hirt could potentially get into trouble with a client, leave a state and continue this pattern under the radar. It would be up to the employer to inform the Board which they can elect not to do so. Mr. Carnahan commented that when an individual's license expires and they reapply, the Board will question why the license was allowed to expire. There appears to be a search for a comfort level that may not be arrived at. Ms. Hirt was licensed in Ohio once and if she is a bad actor, the Board has ways of handling those situations. Ms. Knerr motioned that Ms. Hirt complete 30 hours of CEUs. Ms.

Blakeslee-Salkil seconded. Motion carried.

MFT Exam Policy

Rebecca Flowers - Schamess, MFT Trainee

Mr. Miller opened the discussion stating that Ms. Flowers-Schamess was present at today's meeting should she wish to present. Ms. Knerr was asked to abstain as she is familiar with Ms. Flowers-Schamess and Ms. Blakeslee-Salkil added she too would abstain as the reviewer of Ms. Flowers-Schamess' request. Mr. Miller stated the application was reviewed approximately two months ago and it was determined that additional course work was needed. There is an exception in our Laws and Rules that state students who are in the last semester of their program are eligible to register for the exam during the last semester. There is no exception that states individuals who need to complete course work can register prior to the completion of the course. Based on the Laws and Rules the course needs to be completed and then they can register. Ms. Flowers-Schamess is requesting to register early. The question would be if we allow the exception and whether the rule permits us to allow an exception to it. Mr. Miller asked Ms. Flowers-Schamess if she wanted to address the MFTPSC.

Ms. Flowers-Schamess stated a peer who is in her last semester of course work will be allowed to register for the exam by providing a letter of good standing from her professor and that she is requesting to do the same. Ms. Flowers-Schamess noted one course was needed for approval to sit for the exam which she is taking. The course should be complete by the end of August and should also be able to obtain a letter in good standing from her professor. The issue was that the school was not COAMFTE-accredited at the time but is now accredited. A person does not find out that the school is non-COAMFTE accredited or if the course work will be sufficient until all course work is completed and applies to sit for the exam. Because of this, I am looking at another 2-3 months after August before I can sit for the exam. Ms. Flowers-Schamess concluded her presentation and thanked the MFTPSC allowing her to present. She also expressed appreciation for Mr. Miller's summary of the rules and for assistance from Ms. Adorjan.

The MFTPSC discussed Ms. Flowers-Schamess' request and the exam policy. Ms. Hinton asked Mr. Miller to clarify what exceptions and non-exceptions the committee had with respect to course work. Mr. Miller explained in Chapter 4757-25-02 of the Ohio Administrative Code, which is the MFT exam policy, states applicants who are in the last semester prior to receiving a degree from a non-COAMFTE program can take the exam while they are still finishing their course work. In Ms. Flowers-Schamess' situation as well as others, there isn't anything that states if they come from a non-COAMFTE program and have to take additional course work after graduation, they are still required under the rule to wait until the course work is completed before they can register for the exam. Ms. Flowers-Schamess sees this as a fairness issue that if an applicant is in their last semester of their program they are able to test but if supplemental course work has to be completed, must wait until the course work is completed. With some of these rules there is always a line or two that state exceptions to this rule may be made in writing to the Board, however this one does not have that. Mr. Camerino asked in retrospect as a Board what did we fail, if anything, to take into consideration with that specific rule that this case examples or is this unique situation. Mr. Miller commented that this does happen when people come from non-COAMFTE programs and

is not uncommon that additional course work is required. The rule was written thinking is someone who has all the course work and are in their last semester. Mr. Minikowski asked if there is room in the rule for flexibility. Mr. Miller stated there is nothing in the rule that states exceptions can be granted to the educational requirements, adding that supposedly the MFTPSC could always grant any exception if wanted. It is similar to the supervision rule which states you must have specific supervision however exceptions can be made in writing to the Board. With the education rule it states here are the education requirements and it is done. This is a concern in that are we able to grant an exception without bypassing the rule; this is a tough spot.

Ms. Flowers-Schamess added that she has been completing her training and taking a practicum course at Ohio State University. That she is technically in her last semester even though she has finished her MFT degree. She is basically adding a semester to my MFT degree due to the insufficiency and is still at the same school where she received her degree. Mr. Minikowski asked Ms. Flowers-Schamess if at the end of this class would she have all the necessary course work except for receiving a letter. Ms. Flowers-Schamess stated this is what she was told. Ms. Hinton motioned to grant Ms. Flowers-Schamess the opportunity to sit for the exam. Mr. Minikowski seconded. Motion carried. Ms. Flowers-Schamess thanked the MFTPSC for their decision.

Investigations

a. Executive Session (C/SW)

i. Roll call vote to enter Executive Session

The next order of business was to go into Executive Session with a roll call. Mr. Pickut instructed the Board members to turn off microphones from the Board meeting and switch to the conference call line where an official roll call would be taken again. Mr. Carnahan stated that when making the motion to go into executive session it should be made under ORC code 121.22 (G)(1). Ms. Blakeslee-Salkil motioned to enter executive session under ORC code 121.22 (G)(1). Ms. Michel seconded. Mr. Carnahan noted that Dr. Jungers, Mr. Bowers and Ms. Bomas had exited the meeting.

Roll call of Board Members with vote to move into Executive Session:

Joe Geig – Yes
Ryan Pickut – Yes
Hollie Hinton – Yes
Sara Blakeslee-Salkil – Yes
Margaret Knerr – Yes
Scott Wilkes – Yes
James Minikowski – Yes
Raymond Losey – Yes
Lisa Haberbusch – Yes
Erin Michel – Yes
Sue Pohler – Yes
Jose Camerino – Yes

The motion carried.

Ms. Hinton motioned that the Board return to regular session. Ms. Blakeslee-Salkil seconded. A roll call vote was taken with all members in agreement as follows.

Roll call of Board Members with vote to return to regular order:

Joe Geig – Yes
Ryan Pickut – Yes
Hollie Hinton – Yes
Sara Blakeslee-Salkil – Yes
Margaret Knerr – Yes
Scott Wilkes – Yes
James Minikowski – Yes
Raymond Losey – Yes
Lisa Haberbusch – Yes
Erin Michel – Yes
Sue Pohler – Yes
Jose Camerino – Yes

The motion carried.

b. Vote on liaison recommendations following the return from the executive session

Mr. Hegarty reported on the Social Work Professional Standards Committee recommendations from case reviews and a consent agreement. The following cases were reviewed by Ms. Haberbusch and recommended for closure as they did not lead to formal discipline.

CA2019-5188	Confidentiality	Close with a caution.
CA2020-5476	Improper Termination	Close with a strong caution.
CA2020-5538	Scope of Practice	Allegation not substantiated.
CA2020-5556	Improper Termination	Allegation not substantiated.
CA2020-5568	Non-Sexual Boundaries	Close with a strong caution.
CA2020-5569	Court Issues	Close with caution.
CA2020-5639	Custody Issues	Allegation not substantiated.
CA2019-5319	Standard of Care	Allegation not substantiated.
CA2019-5320	Non-Sexual Boundaries	Close with a caution.
CA20195352	Standard of Care	Close with a caution.
CA2020-5481	Standard of Care	Close with a caution.

Ms. Haberbusch motioned to close the cases she reviewed for the reasons identified. Ms. Michel seconded. Motion carried.

The following cases were reviewed by Ms. Michel and recommended for closure as they did not lead to formal discipline.

CA2019-5112	Record Issues	Close with a caution.
CA2020-5427	Poor Documentation	Close with a strong caution.
CA2020-5455	Non-Sexual Boundaries	Allegation not substantiated.
CA2020-5466	Non-Sexual Boundaries	Close with a caution.
CA2020-5471	Confidentiality	Close with a caution.
CA2020-5517	Non-Sexual Boundaries	Allegation not substantiated.
CA2020-5634	Record Keeping	Close with a caution.
CA2020-5669	Improper Termination	Close with a strong caution.

Ms. Michel motioned to close the cases she reviewed for the reasons identified. Ms. Habermusch seconded. Motion carried.

Consent Agreement

Amanda Hopkins

Ms. Hopkins is a Licensed Social Worker. When while employed as a social worker in Youngstown, Ohio Ms. Hopkins falsified an environmental assessment regarding a home-based client. Ms. Hopkins has admitted to this allegation. The proposed discipline is that she be reprimanded, take specific continuing education requirements, and suspension for one month starting July 17, 2020. Ms. Habermusch motioned to accept the proposed consent agreement between the Board and Ms. Hopkins. Ms. Michel seconded. Motion carried.

Mr. Hegarty asked if there were any questions and hearing none concluded his SWPSC report.

Mr. Hegarty reported on the Counselor Professional Standards Committee recommendations from case reviews, consent agreements, Goldman Review and endorsement applications. The following cases were reviewed by Dr. Losey and recommended for closure as they did not lead to formal discipline.

CA2019-4886	Practice on Revoked License	Sent to prosecutor.
CA2019-4932	Record Keeping	Close with a caution.
CA2019-5166	Impairment	Close with a caution.
CA2019-5294	Custody Documents	Close with a caution.
CA2020-5470	Improper Termination	Allegation not substantiated.
CA2019-5474	Child Custody	Close with a caution.
CA2020-5475	Professional Conduct	Allegation not substantiated.
CA2020-5505	Standard of Care	Close with a caution.
CA2020-5506	Billing Issues	Close with no violation.
CA2020-5570	Standard of Care	Allegation not substantiated.
CA2020-5575	Confidentiality	Close with caution.

Dr. Losey motioned to close the cases he reviewed for the reasons identified. Mr. Pickut seconded. Motion carried.

The following cases were reviewed by Mr. Pickut and recommended for closure as they did not lead to formal discipline.

CA2019-5187	Confidentiality	No violatin found.
CA2019-5351	Non-Sexual Boundaries	Close with a caution.
CA2020-5384	Standard of Care	No violation found.
CA2020-5426	Standard of Care	No violation found.
CA2020-5472	Confidentiality	Allegation not substantiated
CA2020-5488	Standard of Care	Allegation not substantiated.
CA2020-5508	Impairment	Close with a caution.
CA2020-5514	Scope of Practice	No violation found.
CA2020-5526	Professional Conduct	Allegation not substantiated.
CA2020-5535	Confidentiality	Close with a caution.
CA2020-5566	Confidentiality	Allegation not substantiated

Mr. Pickut motioned to close the cases he reviewed for the reasons identified. Dr. Losey seconded. Motion carried.

Consent Agreements

Genice Williams-Rivers

Ms. Rivers is an Licensed Professional Counselor. The allegations are when while practicing in a mental health facility in Cleveland, Ohio, Ms. Rivers failed to properly document services regarding informed consent and confidentiality and failed to maintain appropriate boundaries with clients and their family members. The proposed discipline is that Ms. Rivers will be reprimanded, monitored in all aspect of her counseling services, and take additional continuing education. Mr. Geig motioned to accept the proposed consent agreement between the Board and Ms. Rivers. Mr. Pickut seconded. Motion carried.

Kenneth Hammer

Mr. Hammer is an Licensed Professional Clinical Counselor. Approximately March-April 2018 Mr. Hammer entered into a personal relationship with former client. Mr. Hammer is going to surrender his license for a minimum of ten years. He does have the opportunity to reapply for a Licensed Professional Clinical Counselor license and must meet all license requirements at that time. Mr. Hammer must show evidence of personal counseling and retake the national examination. If issued, the Board may elect to impose additional restrictions on his license. Dr. Losey motioned to accept the proposed consent agreement between the Board and Mr. Hammer. Mr. Pickut seconded. Motion carried.

Julie Weyandt

Ms. Weyandt is an Licensed Professional Counselor. While in private practice Ms. Weyandt failed to seek appropriate supervision, failed to properly document and blurred boundaries (non-sexual). Ms. Weyandt will surrender her license effective July 17, 2020. Ms. Pohler motioned to approve

the consent agreement between the Board and Ms. Weyandt. Dr. Losey seconded. Motion carried.

Goldman Review

Carolyn D. Greene

Ms. Greene submitted an application for a Professional Counselor License. Her Master's degree is in Addiction Counseling. While Ms. Greene's degree is a counseling degree, she does not have the requisite coursework to be licensed in Ohio. The Goldman Review provides the CPSC with another opportunity review the documents for accuracy. Mr. Pickut motioned to deny the licensing of Ms. Greene as she does not meet the education criteria. Dr. Losey seconded. Motion carried.

Mr. Hegarty reported that the Board entered into three Licensure Endorsement Consent Agreements since the last Board meeting, thanked the CPSC for their work and concluded his report.

Adjournment

Mr. Pickut thanked Mr. Hegarty, the Investigators and Liaisons for their work and expressed his appreciation to the Board members for their patience and understanding for the ambitious agenda and virtual meeting platform. Mr. Pickut motioned to adjourn the meeting.