

Ohio Counselor, Social Worker & Marriage and Family Therapist Board

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Social Worker Professional Standards Committee (SWPSC) Minutes **Thursday January 17, 2019**

Members Present: Dr. Carl Brun (Committee Chair); Anna Bomas; Andy Bowers; Lisa Haberbusch; Erin Michel

Staff Present: Brian Carnahan (Executive Director); Bill Hegarty (Deputy Director); Margaret-Ann Adorjan; Simeon Frazier; Tracy Hosom; Ebony Turner

Guests Present: Colleen Dempsey, NASW-Ohio Chapter

Meeting Called to Order:

Dr. Brun called the meeting to order at 11:12am.

Approval of the January 2019 Meeting Agenda:

Ms. Michel informed the committee she would need to leave the meeting at 2:15pm for a meeting for work. Dr. Brun stated that business should be complete before then but if not then there would still be a quorum.

Mr. Frazier questioned if Ms. Michel would like to move up the agenda item, *ASWB Conference Report* since she may be leaving the meeting before it is adjourned. It was decided that the *ASWB Conference Report* would be moved and discussed after the committee returned from the lunch break at 1pm.

Having no further changes, Ms. Michel made a motion to approve the meeting agenda as amended. Ms. Haberbusch seconded the motion. The motion passed unanimously.

Motion to Approve Applicants Licensed by Staff:

The committee was informed that there were 161 LSW applicants licensed, 128 LISW applicants licensed, and 10 SWA applicants registered by staff from November 2, 2018 through January 16, 2019. Ms. Haberbusch made a motion to approve the applicants licensed by staff from November 2, 2018 through January 16, 2019. Ms. Michel seconded the motion. The motion passed unanimously.

Discussion and Approval of the November 2018 Minutes:

Having no changes to the minutes, Ms. Habermusch made a motion to approve the minutes as written. Dr. Brun seconded the motion. The motion passed unanimously.

Correspondence:

Mr. Frazier informed the committee that Brian Carnahan received an email from an LSW licensee, Brian Kutchera, who allowed his LSW license to expire but is now wanting to reinstate the license. The license has been expired since 2015. However, Mr. Kutchera passed the licensure exam in 2011, which was more than 7 years ago. Seven years is the cut off for when an applicant would be required to take the licensure examination again if they are wanting to reinstate an expired license. Mr. Kutchera is requesting that the 7-year examination requirement be waived so that he can reinstate his license without having to take the examination again.

Discussion ensued regarding clarification of Mr. Kutchera's status. It was clarified that during the time that Mr. Kutchera took and passed the Clinical Exam in 2011, he was able to be licensed as an LSW by having passed that examination. However, according to the current law and rules, Mr. Kutchera would not be qualified to take the Clinical Exam again but would be required to take and pass the Master's Level exam before his LSW license could be reinstated.

Ms. Michel suggested sending correspondence back to this licensee to make sure that he is clear on the rationale of the decision of the committee regarding his request and make sure that he understands the licensure requirements. Ms. Michel pointed out that Mr. Kutchera's request is not a hardship due to unforeseeable circumstances but is regarding the personal responsibility of the licensee.

Having no further discussion, Dr. Brun conferred with the committee and all agreed with the decision not to allow the 7-year re-examination requirement to be waived. Mr. Frazier informed the committee that a vote is not required for correspondence.

New Business:

Hardship Requests

Brenda McGuire: Ms. McGuire is licensed as an LSW and is requesting that an LPCC-S, who works at her facility, be allowed to provide her with training supervision. Discussion ensued regarding the possible availability of an LISW-S in the area and the means by which training supervision could be acquired (e.g. video conferencing). Ms. Bomas made a motion to deny the hardship request for Brenda McGuire. Dr Brun seconded the motion. The motion passed unanimously.

Megan Randall: Ms. Randall is licensed as an LSW in Ohio but is located in Germany. She is requesting that an LCSW be approved as her training supervisor. Ms. Randall previously submitted a hardship request to the SWPSC for approval of an LCSW to be her training supervisor. That request was approved. However, the previous supervisor that was approved by the SWPSC has left and now Ms. Randall needs approval for another training supervisor. Ms. Michel made a motion to approve the hardship request for Megan Randall. Mr. Bowers seconded the motion. The motion passed unanimously.

During this point in the meeting Mr. Bowers informed the committee that he needed to step away from the meeting but would be back after the lunch break.

Endorsement Reconciliation: LISW from North Carolina

Andrea Moskowski: Ms. Moskowski is a licensed social worker in North Carolina, but she is not yet eligible for the independent license in North Carolina. Ms. Moskowski wants to apply for LSW licensure in Ohio. However, she will not have the independent license in North Carolina before moving to Ohio. The supervision requirements in Ohio versus North Carolina are not similar. North Carolina only requires 100 hours of training supervision. Ms. Moskowski intends to complete the remaining 50 hours required once she is licensed in Ohio. Ms. Moskowski is requesting that, after LSW licensure is granted in Ohio, if the 100 North Carolina supervision hours could count toward the 150 hours of supervision required for LISW license in Ohio when she applies for that license. Ms. Michel made a motion to allow the 100 hours of supervision obtained in North Carolina to be accepted toward the 150 supervision hours required for Ohio with the understanding that Ms. Moskowski will complete the remaining 50 hours once she is licensed as an LSW in Ohio. Ms. Haberbusch seconded the motion. The motion passed unanimously.

Discussion and Vote RE: NASW – National Continuing Education Status

Mr. Carnahan clarified that the committee is being asked to vote on the approval of the association status of NASW – National. Ms. Michel made a motion to approve NASW – National's association status. Ms. Bomas seconded the motion. The motion passed unanimously.

ASWB:

Mr. Carnahan informed the committee that he was not successful in being elected to the office of Board Administrator. However, Mr. Carnahan stated that he was invited to serve on the Supervision Competency Taskforce.

Ms. Michel shared with the committee an interest in holding a leadership position or serving on a committee at ASWB before her term expires with the Board in October 2020. Ms. Michel questioned if the committee has any recommendations or any suggestions on other positions of service at ASWB.

At this point in the meeting the committee broke for lunch at 12:08pm.

The SWPSC meeting resumed at 1:15pm.

Investigations:

Mr. Hegarty shared with the committee that complaints have increased 67% within the last two years.

Mr. Hegarty also informed the committee that there will be a licensure denial hearing during the March 2019 meeting on Thursday afternoon at 1:15pm.

Case Review

Dr. Brun made a motion to close the following cases which have been reviewed for the reasons stated. Ms. Michel seconded the motion. The motion passed unanimously.

CA2018-3710	Unprofessional Conduct	Allegation not substantiated
CA2018-3866	Non-sexual Boundaries	Allegation not substantiated
CA2018-3872	Standard of Care	Allegation not substantiated
CA2018-3891	Competency	Allegation not substantiated
CA2018-3929	Standard of Care	Allegation not substantiated
CA2018-3930	Standard of Care	Not within Board's Jurisdiction
CA2018-3952/53	Improper Supervision	Allegation not substantiated
CA2018-3956	Non-Sexual Boundaries	Close with a caution
CA2018-3965	Standard of Care	Allegation not substantiated
CA2018-3979	Boundary Violations	Close pending application
CA2018-4002	Competency	Close with a caution
CA2018-4032	Improper Termination	Close with a caution
CA2018-4048	Unprofessional conduct	Allegation not substantiated
CA2018-4061	Standard of Care	Allegation not substantiated
CA2018-4067	Misrepresentation of Credentials	Close with a caution
CA2018-4068	Impairment	Close with a strong caution
CA2018-4089	Non-Sexual Boundaries	Close with a caution
CA2018-4141	Competency	Close with a caution
CA2018-4142	Professional Conduct	Close with a caution
CA2018-4154	Practiced on Lapsed Credential	Close with a caution
CA2018-4156	Standard of Care	Allegation not substantiated
CA2018-4161	Assessment/Survey Tools	Close with a strong caution
CA2018-4210	Standard of Care	Allegation not substantiated

Ms. Haberbusch made a motion to close the following cases listed that have been reviewed for the reasons stated. Ms. Michel seconded the motion. The motion passed unanimously.

CA2018- 3737	Non-Sexual Boundaries	Close with a caution
CA2018-3793	Misrep of Credentials	Close with a caution
CA2018-3813	Standard of Care	Allegation not substantiated
CA2018-3856	Record Keeping	Close with a caution
CA2018-3899	Non-Sexual Boundary Issues	Close with a strong caution
CA2018-3905	Record Keeping	Allegation not substantiated
CA2018-3969	Standard of Care	Close with no violation
CA2018-3987	Non-Sexual Boundaries	Allegation not substantiated
CA2018-4043	Standard of Care	Allegation not substantiated
CA2018-4016	Failure to Report	Allegation not substantiated
CA2018-4019	Failure to Report	Allegation not substantiated
CA2018-4065	Improper Termination	Close with a strong caution
CA2018-4078	Standard of Care	Allegation not substantiated
CA2018-4090	Non-Sexual Boundaries	Close with a caution
CA2018-4144	Standard of Care	Allegation not substantiated
CA2018-4145	Standard of Care	No violation found
CA2018-4162	Practice on a Lapsed License	Close with a caution

Case Number CA2018-3660

Mr. Hegarty informed the committee that there has been more than enough information gathered to determine that an evaluation needs to be ordered for case number CA2018-3660. However, the Board committee has to make a motion to be able to order the licensee to have this evaluation. Ms. Bomas made a motion to order CA2018-3660 to an evaluation.

Consent Agreements

Chani Coady: Ms. Coady is an LISW-S. She is suffering from an addiction. According to the terms of the consent agreement Ms. Coady has to undergo personal counseling, comply with substance abuse treatment and maintain recovery. Ms. Michel made a motion to accept the consent agreement between Chani Coady and the Counselor, Social Worker, and Marriage and Family Therapy Board. Ms. Bomas seconded the motion. The motion passed unanimously.

Sandra Ernst: Ms. Ernst is an LISW. Ms. Ernst reported to work with alcohol in her system. It was not enough alcohol over the legal limit to make her intoxicated and there is no evidence of an ongoing impairment issue. It is recommended that Ms. Ernst be reprimanded. Ms. Haberbusch made a motion to accept the consent agreement between Sandra Ernst and the Counselor, Social Worker, and Marriage and Family Therapy Board. Ms. Michel seconded the motion. The motion passed unanimously.

Joshua Pollard: Mr. Pollard is an LSW. Mr. Pollard had a positive drug screen while on duty at work. He has to be in compliance with mandated substance abuse treatment and undergo personal counseling. Ms. Michel made a motion to accept the consent agreement between Joshua Pollard and the Counselor, Social Worker, and Marriage and Family Therapy Board. Ms. Bomas seconded the motion. The motion passed unanimously.

Melissa Rein: Ms. Rein is an LSW. Ms. Rein was required to submit to a drug test while on duty at work and tested positive. She has to undergo personal counseling. Dr. Brun made a motion to accept the consent agreement between Melissa Rein and the Counselor, Social Worker, and Marriage and Family Therapy Board. Ms. Haberbusch seconded the motion. The motion passed unanimously.

Lee Tillapaugh: Mr. Tillapaugh is an LSW. Mr. Tillapaugh blurred his boundaries with a client by making inappropriate comments in person and via text, and for spending more than reasonable time with the client in his office. Mr. Tillapaugh's license will be suspended beginning January 18, 2019 for one year. Ms. Bomas made a motion to accept the consent agreement between Lee Tillapaugh and the Counselor, Social Worker, and Marriage and Family Therapy Board. Dr. Brun seconded the motion. The motion passed unanimously.

Cynthia Mason: Ms. Mason is an LISW. Ms. Mason blurred her boundaries in a non-sexual way with a client. According to the terms of the consent agreement, Ms. Mason will be required to be monitored in all aspects of her practice for a 2-year period and is not permitted to be in solo private practice until she successfully completes the 2-year monitoring period. Ms. Mason added handwritten notes to the signed consent agreement which will become a public record. Dr. Brun made a motion to accept the consent agreement between Cynthia Mason and the Counselor, Social Worker, and Marriage and Family Therapy Board. Ms. Haberbusch seconded the motion. The motion passed unanimously.

Goldman Review

Sara Gothard: Ms. Gothard is an LISW-S. Ms. Gothard was convicted of first-degree bank robbery and is currently serving a 10-year prison sentence in Kentucky. In November 2018 the Board issued a notice of opportunity for a hearing to Ms. Gothard. However, Ms. Gothard did not request a hearing. Since she did not request a hearing, enough information has been gathered to discipline Ms. Gothard. Dr. Brun made a motion to revoke the license of Sara Gothard. Ms. Bomas seconded the motion. The motion passed unanimously.

Tessa Wukusick: Ms. Wukusick is an LSW. Mr. Hegarty stated that Tracy Hosom, Board Investigator, attempted several times, via phone, US mail, and email, to set up interviews with Ms. Wukusick and all opportunities for an interview were refused. Mr. Hegarty clarified that the rules require that a licensee cooperate during an investigation. Ms. Wukusick was sent a notice of opportunity for a hearing but she did not request a hearing. Therefore, it is recommended that Ms. Wukusick's license be revoked.

Ms. Haberbusch made a motion to revoke the license of Tessa Wukusick due to non-cooperation with an investigation. Ms. Bomas seconded the motion.

Mr. Carnahan informed the committee of a tentative plan to fill a staff vacancy, that will be due to Rhonda Franklin retiring in April, by hiring an additional investigator. Also, Mr. Carnahan stated that hopefully the budget request will be approved in order to hire another person for renewal. However, in the meantime a new investigator is needed.

NASW Report:

The SWPSC provided Colleen Dempsey of NASW – Ohio Chapter, the opportunity to give a report to the committee.

Ms. Dempsey stated that she received a question from a licensee who stated that she is applying for an LISW and her LSW is up for renewal in mid-May but will not have her supervision hours completed for the LISW license until the end of May. The licensee was concerned about having to pay double fees. Ms. Haberbusch stated that the licensee will need to renew the LSW license even though she will be paying for the LISW license not long after renewal.

Ms. Dempsey informed the committee that New York has a statewide ban on conversion therapy. Additionally, Ms. Dempsey mentioned that Utah is the first red state to consider a statewide ban on conversion therapy as well.

Ms. Dempsey thanked the committee for approving the continuing education Association Approval status for NASW - Ohio.

Ms. Dempsey informed the committee that there has been correspondence with Mr. Carnahan regarding gathering information concerning language skills of licensees in relation to working with immigrant populations. Ms. Dempsey stated that the Board has been helpful in gathering information specifically related to bilingual licensees. Mr. Carnahan clarified that the question that is asked of licensees on the renewal application not only questions if the licensees are bilingual but also questions what languages they are comfortable using in practice. The purpose is to make sure that the licensee is competent in communicating using those languages in a professional setting, to avoid possible misunderstandings.

Ms. Dempsey stated that at the request of a couple of active NASW members, the organization has created a Human/Animal Bond committee. There has been some work done in connecting with other NASW chapters that have formed committees that focus on this topic. One of the reoccurring issues that comes up often is emotional support animals and evidence-based practice in letter writing. Ms. Dempsey stated that NASW – Ohio is working on forming a group that focuses on this and formalizing NASW's recommendations on letter writing for clients with disabilities who would need emotional support animals or already have these animals. The purpose would be to help social workers have a better understanding of the ethics and policies surrounding this topic.

A discussion ensued regarding the previously proposed animal abuse legislation. Mr. Carnahan clarified that the legislation passed out of the House but the legislation was not taken up in the Senate. He stated that Representative Lanese is planning on reintroducing the legislation, possibly without any of our provisions

included, which were the SWA provision and Counselor endorsement. Mr. Carnahan stated that Representative Lanese is considering introducing a separate bill.

Ms. Dempsey informed the committee of the March 30, 2019 NASW Gala and the April 2, 2019 Advocacy Day.

Dr. Brun thanked Ms. Dempsey for the report.

CSWE Report:

Dr. Brun stated that he wanted to reemphasize CSWE's support in having more content in BSW and MSW coursework regarding regulation. ASWB and CSWE has worked together in collaboration to produce a curricular guide which includes applying the 10 Competencies of Social Work practice.

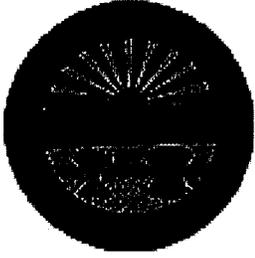
Miscellaneous:

Dr. Brun reminded the committee that during the full board meeting tomorrow, there may be a motion to approve the current rule related to internet searches and just removing the word "emergency" from the rule. Mr. Carnahan suggested, that when the motion is made, having a discussion regarding if a reference to the internet searches is needed in another rule.

Ms. Hosom voiced a concern that licensees may routinely do an internet search for their clients. In doing an internet search, the information that is found regarding the client may influence the treatment that the licensee may choose to provide to the client. Ms. Hosom commented that, clients have a right to seek treatment for the condition for which they want to be treated.

Meeting Adjournment:

The meeting was adjourned at 1:57pm.



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Social Worker Professional Standards Committee (SWPSC) Minutes
Friday January 18, 2019

It was decided that the committee would not meet today since there was not a full agenda of items to discuss.

Carl Brun

Committee Chair Signature

5-16-19

Date