

BOARD OF LICENSED SOCIAL WORKERS
Minutes of the Meeting
March 14, 2008

The Board of Licensed Social Workers met on March 14, 2008, at the office of the Board of Medical Licensure and Supervision, 5104 North Francis Avenue, Suite C, Oklahoma City, Oklahoma. The meeting was held in accordance with the Administrative Procedures Act and Open Meeting Act of Oklahoma.

Members Present:

Antoinette Lempicki, LSW, Board Chair
Joy Leuthard, LSWA, Vice Chair
Gwendolyn Gibson, LCSW, Secretary
Eunice McDowell, LSW
Jeff Chace, LCSW

Members absent:

Elaine Eddens, LMSW

Also Present:

Debra Schwartz, AAG
Kandi Hoehner, Administrator
Laura Maguire, Administrative Assistant

After roll call and noting that a quorum was present, Ms. Lempicki, Chair, called the meeting to order at 10:00 a.m.

The first item of business was reviewing the Minutes from the January 18, 2008 meeting. Ms. Leuthard moved to approve the Minutes as presented. Ms. Gibson seconded the motion and the vote was unanimous in the affirmative.

The Board reviewed a written letter from **Watt Osage**, stating he and his attorney would not be attending this meeting due to other obligations of his attorney. He requested that he be rescheduled for the May 23, 2008 meeting. Mr. Chace moved that Mr. Osage be tabled until the May 23, 2008 meeting. Ms. McDowell seconded the motion and the vote was unanimous in the affirmative.

The Board reviewed a written request from **Alecia Atwell, LSW**, requesting a waiver of the continuing education requirements. Ms. Atwell obtained 6 hours of CE before breaking her left shoulder and requiring multiple surgeries. Ms. McDowell moved to table the request until the May 23, 2008 meeting and requested that a letter be sent to Ms. Atwell asking for more information regarding her medical condition. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Lynda Cooper, MSW, submitted a written request asking for permission to apply for late renewal and permission to take the last four hours of continuing education

in the year 2008. Ms. Leuthard moved to table the request and asked that a letter be sent requesting more documentation on her and her daughter's medical conditions. Ms. McDowell seconded the motion and the vote was unanimous in the affirmative.

The Board reviewed an update to a Consent Decree letter from **Karla Kempf**. She lists methods to prevent becoming overwhelmed with her caseload. She also includes the proper procedure for terminating clients from treatment. Ms. Leuthard and Ms. Gibson felt more information was needed regarding her supervised practice. Ms. Lempicki requested more information on how she will handle stress. She feels her report is too vague. Ms. Schwartz said the consent itself was vague. Ms. Schwartz will draft a letter to Ms. Kempf for Ms. Lempicki to review. Ms. Leuthard moved to have the letter drafted to send to Ms. Kempf. Ms. Gibson seconded the motion and the vote was unanimous in the affirmative.

Courtney Rogers appeared before the Board requesting approval of her Application for licensed clinical social worker. Ms. Roger's request had been tabled at the last board meeting. She had completed her supervision under Tausha Mayberry, whom the Board had entered into a Consent Order with based on complaints of her supervision. Ms. Rogers began supervision in June 2005, and is still employed at the same agency.

Ms. Lempicki asked Ms. Rogers if she indeed received supervision for two years and was it valid. Ms. Rogers responded by saying all documentation was correct and that supervision was clinical in nature. She met with her supervisor several times a week and each session was an hour in length. They discussed problems with clients, diagnosis, and treatment planning. Ms. Leuthard asked if she felt she was getting what she needed from supervision. Ms. Rogers stated that Ms. Mayberry is very knowledgeable, always available to her, and notifies her of any upcoming training. After further discussion, Ms. McDowell moved to approve the application for licensure, pending passing the examination. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative.

Paula Rynkowski appeared before the Board requesting approval of her Application for Licensure for licensed clinical social worker. The Board inquired about Ms. Rynkowski's past employment history, past residence history, and the confusion of what last name she is using. After this information was clarified for the Board, Ms. McDowell moved to approve the Application for Licensure for LCSW. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative.

Holly Schiavo appeared before the Board appealing the decision made at the January meeting, denying waiver of continuing education hours. Ms. Schiavo explained she has small children and was unable to find a sitter for them, thus not allowing her to take CE courses. She stated that over the last three months she has taken the hours needed to complete the required 16 hours for 2007. Mr. Chace moved to deny the request. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative.

LaKessha Smith appeared before the Board requesting approval of her Application for Licensure. Her supervision hours, under Tausha Mayberry, her sister, were in question. Her request had been tabled from the last board meeting. When asked to describe her supervision, Ms. Smith said the meetings were weekly, with some group supervision. She specified that she only counted individual time. She said that supervision consisted of how to develop treatment plans, what to discuss with clients, and have any questions answered on how to work with clients. Ms. Leuthard inquired if there was any discussion on ethical issues or how to strive for professionalism. Ms. Smith replied by saying that ethics was discussed with her supervisor, along with how to have a professional relationship with clients. She said that her supervisor also made her aware of any training available.

Several questions dealing with her relationship with her supervisor (sisters) were raised by the board. Mr. Chace expressed concern that it could raise many issues and it is not good practice and not good circumstances. Ms. Smith responded by saying she did not feel it was inappropriate because everything had to be documented and submitted to the Board office.

After further discussion about someone being supervised by a relative, Ms. Schwartz stated that in the legal interpretation, the rules don't prohibit it. New rules to be approved will include "A supervisor may not be related within the second degree by affinity (marriage) or within the third degree by consanguinity (blood or adoption) to the person whom he or she is supervising." Ms. Leuthard finished by saying that this is not just a legal issue, but an ethical issue as well.

Ms. Gibson moved to approve the Application for Licensure, pending passing the examination. Ms. Leuthard seconded the motion and the vote is recorded as follows:

Toni Lempicki, LSW	Yes
Joy Leuthard, LSWA	Yes
Gwendolyn Gibson, LCSW	Yes
Jeff Chace, LCSW	No
Eunice McDowell, LSW	Abstain

Donna Alter appeared before the board requesting approval of her application for clinical licensure. Her request had been tabled at the January 18th board meeting. She was asked to appear before the Board in person to explain a "plan for improvement" occurring during her supervision. Ms. Lempicki recused and Ms. Leuthard took over as Chair.

Mr. Chace referred to a letter sent in 2005. Ms. Alter clarified that the EAP was not related to her, but dealt with a counseling session involving a mother and her daughter. Ms. Alter was the acting counselor at the session. They came to her for an emergency assessment because the daughter had threatened to commit suicide at school. The mother initially wanted to meet with the crisis team and was denied. The school required a letter from a counselor before the daughter could return to school. Ms. Alter felt the comment to kill her was made out of exasperation by the daughter and sent a letter to the school stating that family counseling was recommended. Before faxing the letter, Ms. Alter allowed the mother to read the letter and was given a copy. The mother

filed a complaint the next day. The agency she was employed with disagreed with how she handled the situation. Ms. Alter decided to seek supervision outside the agency. Her evaluations from her past supervisor were very favorable.

The Board thanked Ms. Alter for answering their questions and clearing up any confusion. With no further discussion, Mr. Chace moved to approve her Application for Licensure, pending passing the examination. Ms. McDowell seconded the motion and the vote was unanimous in the affirmative.

Lyle Kelsey and Reji Varghese were not present to give the Administrative Report. It will be given at the May, 2008 meeting.

Ms. Hoehner presented the cost for obtaining a secure website where she would be able to post applications, rules, and anything applicable to the upcoming meeting. The cost is \$800.00, and \$100.00 an hour if changes are requested.

Ms. Schwartz presented the complaint log. She began by stating that the independent practice issue will not be resolved until the rules are changed.

In the case #200710, Ms. Schwartz advised to dismiss the complaint against **Toni Hail** and notify her by letter. Ms. McDowell moved to dismiss the complaint. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative.

In the case #200717, **Gina Filkins**, clinical director of Restorative Counseling Services; the agency will be dissolved, Ms. Filkins will resign from the board, and she will begin supervision.

In the case #200719, Ms. Schwartz recommended dismissal of the complaint in addition to a cautionary letter discussing her boundaries with her clients and the ramifications of bartering with clients.

Mr. Chace moved to approve **Danita Kollars and Wendy Mills** for LCSW, no provisional, and exam ID only. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to approve **Jodey Edwards-Pederson** for LCSW, no provisional, exam ID only. Ms. McDowell seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to approve **Angela Peterson** for LCSW. Ms. McDowell seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to table the application of **Jennie Roland** for LCSW. There is a question pertaining to the requirements being met. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to approve **Autumn Gaskill** for LCSW, pending passing the examination and to issue a provisional license. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to approve **Tina Ryker-Bevans** for LCSW, pending passing the examination, completion of supervisee comments on the evaluations, and issue a provisional license. Ms. Gibson seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to approve **Pearl Freese** for LMSW, pending passing the examination, receipt of her background check and to issue a provisional license. Ms. Gibson seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to approve **Cecil Hedrich** for LMSW. Ms. McDowell seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to approve **Danielle Nokes** for LMSW, pending passing the examination, receipt of her background check and to issue a provisional license. Ms. McDowell seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to approve **Meghan Tierney** for LMSW, pending passing the examination and to issue a provisional license. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to approve **Linda Bingham** for LCSW, pending passing the examination and to issue a provisional license. Ms. Leuthard recused from the discussion and vote. Ms. McDowell seconded the motion and the vote is recorded as follows:

Toni Lempicki, LSW	Yes
Jeff Chace, LCSW	Yes
Gwendolyn Gibson, LCSW	Yes
Eunice McDowell, LSW	Yes

Mr. Chace moved to approve **Rebecca Cotney** for LCSW, pending passing the examination, receipt of her background check and to issue a provisional license. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative

Mr. Chace moved to approve **Tracy Ellman** for LCSW, no provisional, and exam ID only. Ms. Gibson seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to approve **Sheila Good** for LCSW, no provisional, exam ID only, and pending background check. Ms. Gibson seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to approve **Robert Lee and Mark Smalley** for Board Approved Supervisor-Clinical. Ms. McDowell seconded the motion and the vote was unanimous in the affirmative.

Ms. Leuthard moved to approve **Tonia Martin and Melissa Sitter** for LMSW. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Leuthard moved to approve **Stephanie Lewis** for LMSW, pending passing the examination and issue a provisional license. Ms. McDowell seconded the motion and the vote was unanimous in the affirmative.

Ms. Leuthard moved to approve **Kimberly Jeanpierre and Tobi Panicker** for LCSW, pending passing the examination and issue a provisional license. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Gibson moved to approve **Tracy Adams and Beverly Coon** for LMSW, pending passing the examination and issue a provisional license. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Gibson moved to approve **Frances Busby** for LMSW. Ms. McDowell seconded the motion and the vote was unanimous in the affirmative.

Ms. Gibson moved to approve **Julie Garrett and Sheela McKenney** for LCSW, pending passing the examination and issue a provisional license. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve **Carla Gonzalez-Jenkins and Michelle Price** for LCSW, no provisional, exam ID only. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve **Deanna Barth** for LCSW, pending passing the examination and issue a provisional license. Ms. Gibson seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to table the application of **T. Jefferson Pounders, III**, for LCSW. She requested more information regarding his supervision hours and places of employment. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve **Carolyn McElroy** for Board Approved Supervisor-Clinical. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Hoehner stated today is the final day of the comment period for rule revisions. The Board will need to adopt them or make minimal revisions. Ms. Schwartz

stated that if substantive revisions were to be made, the comment period would have to be repeated.

Ms. Schwartz had a question about rule 675:12-1-6 (d), regarding in-agency supervisors. Ms. Hoehner said that in-agency supervisors are not Board approved supervisors, but they supervise someone within their agency. Ms. Schwartz suggested changing terms or defining the term “in-agency supervisor” in the definition section in the rules. It was discussed that there may also be board approved supervisors working within the same agency. Ms. McDowell suggested calling them non-board approved supervisors rather than in-agency supervisors. Ms. Schwartz said they could insert that in sub-section d. She did not think the Board would be allowed to add a definition section at this late date.

Ms. Schwartz directed the Board to complaint procedure rule 675:3-1-3. She referred to a possible change in dealing with an alleged violation not requiring a hearing. Instead of the licensee coming before the Board for an informal interview, the Complaint Committee would communicate with the licensee, develop a proposed Consent Order, and bring it to the Board meeting for the Board’s approval. She suggested possibly using teleconferencing or e-mail to ease the process. The Board would still have the opportunity to talk to the person if needed. She thought this would help “streamline” things.

Ms. McDowell stated her concern that this may lead to voting on something that she doesn’t have all the facts on. She would like to be aware of the whole situation. Ms. Schwartz said that the individual could still appear before the Board, but this would eliminate the step where the licensee initially comes before the Board. Ms. Lempicki stated that she would not want to delegate that to non-board members.

Ms. Schwartz asked the board to keep the changes made to 675:3-1-3, 2 (E). She requested that E remain stricken. This would keep the complainant from being able to reappear publicly before the Board after a decision has been made.

Ms. Schwartz then referred to the last sentence. She asked that if the Board is going to do a Consent Decree for minor violations of the Act, that it not be considered a disciplinary action and it would not appear on the databank. Ms. Lempicki concurred with Ms. Schwartz about striking E and keeping the last sentence.

Ms. Schwartz noted that the Board is adding an inactive status in 675:10-1-12.2. She said the emeritus status title should be bolded. Ms. Gibson stated that continuing education hours should be required before a person is reinstated as active. It was discussed how many hours would be required and in what period of time, before becoming active again, would it need to be taken. The question as to how long can a person be inactive was also discussed. It was decided that these changes can’t be made at this time.

Ms. Schwartz referred to the complaint procedure rule 675: 3-1-3 (A). The rule already states that anonymous complaints had to be written. She asked the board if they wanted to retain that provision and the Board responded in the affirmative.

Linda Edmondson had a question regarding rule 675: 10-8-18, the definition of a licensed health care facility. Ms. Schwartz said it did not appear in the handouts of the rules. Ms. Edmondson felt the wording leads a person to think that all social workers would have to be licensed. This would include facilities that should be exempt (hospitals, hospice programs). Ms. Schwartz suggested changing the language. It was decided to put it in, strike it out entirely, and then put revoked after it in parenthesis.

Ms. Lempicki briefly referred to the rule 675:12-1-6 (c)(2), regarding the change that a supervisee can't be supervised by a relative.

Ms. Hoehner asked about rule 675:15-1-3. This rule pertains to ethics training per license or per licensee. She questioned whether it should read three hours of ethics per license title or per licensee. The website states that three hours of ethics are required per license title (not licensee). Ms. Schwartz instructed the Board to cross through the words license title, put in the word licensee, and underline it. The Board decided it would read per licensee.

The rule changes presented to the Board are as follows:

1. The Board decided to accept the following proposed changes to 675:3-1-3:
 - a. To eliminate subsection (c) (2) (E);
 - b. Add the proposed language to (a);
 - c. Add the proposed language to (c)(3);

The Board decided to reject all other proposed changes to 675:3-1-3.

2. The Board rejected the proposed changes to 675:10-1-12.2 and 675:10-1-12.3.
3. Add rule 675:10-1-18 that had inadvertently been omitted from the rule book and then delete the rule entirely.
4. Rule 675: 15-1-3(b)(1) add license title, strike it, and put in licensee (underlined).
5. Rule 675:12-1-6 (d), reword language eliminating “in-agency supervisor” and replacing with “non-board approved supervisor”.

All other proposed rule changes, if not addressed above, are approved as submitted.

Ms. Leuthard moved to accept the rule changes, Ms. Gibson seconded the motion, and the vote was unanimous in the affirmative.

Ms. Leuthard left the meeting.

Ms. Terri Fritz, with the Oklahoma Health Care Authority, appeared before the Board to discuss the future of “telemedicine or telehealth” in the social worker setting. She wanted to discuss how, under Medicaid, would social workers be compensated for services performed using this technology. “Telehealth” is described as video and auditory two-way interactive (not telephone). She asked for feedback on how this technology could be applied in a behavioral health setting and would it be appropriate for therapy. Ms. Hoehner pointed out that a social worker needs to be licensed in the state that either the client or the provider is residing.

Ms. Schwartz stated that the Attorney General’s office did an opinion on the practice of internet treatment. The provider of treatment would be subject to Oklahoma’s jurisdiction. If the professional does not reside in Oklahoma, but the patient does, he/she will be required to be licensed in Oklahoma. Other areas discussed for further consideration were: what areas of therapy will be appropriate; confidentiality of the sessions; informed consent; unreliability of computer or internet.

Under correspondence received, Maridee Lindley requested waiver of the continuing education hours for the 2007 year due to illness from ovarian cancer. Ms. McDowell moved to grant the waiver. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Hoehner reported that she and Joy Leuthard will be attending the ASWB Spring Educational Meeting in Montana this May. She also reported that Reji is working on the cost for automating the supervisory process online. This would include evaluation forms, contracts, etc.

Ms. Lempicki wanted to schedule a retreat for the Board to make changes to the law and rules. After discussion, the weekend of August 9th and 10th was decided upon. Ms. Hoehner will make the necessary arrangements.

There being no further action, the meeting was adjourned at 2:35 p.m.