

BOARD OF LICENSED SOCIAL WORKERS
Minutes of the Meeting
January 28, 2011

The Board of Licensed Social Workers met on January 28, 2011 at the office of the Board of Medical Licensure and Supervision, 101 Northeast 51st Street, Oklahoma City, Oklahoma. The meeting was held in accordance with the Administrative Procedures Act and Open Meeting Act of Oklahoma.

Members Present:

Joy Leuthard, LSWA, Board Chair
Larry Cassil, Jr., Esq., Vice Chair
Robert Lee, LCSW, Secretary
Sarah Schulz, NASW President
Antoinette Lempicki, LSW
Gwendolyn Kaminski, LCSW

Members Absent:

Kelly Harmon, LMSW

Also Present:

Karl Kramer, AAG
James Marks, Board Executive Director
Laura Maguire, Administrative Assistant

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

Ms. Leuthard welcomed Mr. James Marks as the new Executive Director of the Oklahoma State Board of Licensed Social Worker's office.

Mr. Riley Shaul and **Ms. Laura Swingle**, from the Office of State Finance, appeared before the Board to present the Financial Report. Each Board member received a handout. Ms. Swingle reviewed the expenditure report (July 1, 2010 to December 31, 2010), a detailed expenditure report (breaking down all expenses), an allotment budget and available cash report, a summary of receipts and disbursements, and an outstanding encumbrances report.

Mr. Cassil moved to accept the Financial Report. Ms. Lempicki seconded the motion and the vote was unanimous in the affirmative.

Violet Kribbs appeared before the Board to request a waiver of partial continuing education credits for her 2011 renewal. Ms. Kribbs had completed the required sixteen hours of continuing education, but not all are approved Oklahoma provider numbers. There was some discussion as to whether she had acquired the three ethics hours needed.

Mr. Lee moved to require Ms. Kribbs to provide the Continuing Education for Licensees form (#505), the \$40.00 fee, and the curriculum of the unapproved hours to determine if ethics was incorporated in the curriculum. She must submit this to the Board office by March 1, 2011. Ms. Kaminski seconded the motion and the vote was unanimous in the affirmative.

The Board reviewed a letter from **James Campbell** requesting a waiver of continuing education for his 2011 renewal. Mr. Campbell did not obtain any continuing education hours. After some discussion, Ms. Lempicki moved to deny Mr. Campbell's request. Mr. Lee seconded the motion and the vote was unanimous in the affirmative.

In the matter of Complaint #2010-18 against **Sharon Humphries**, Mr. Kramer reported to the Board as the Board's prosecutor, not as the Board's general counsel. He provided each Board member with an information packet containing:

- 1). The complaint and a copy of Ms. Humphries' wallet card.
- 2). The Board's website printout, showing status of license.
- 3). Cease and Desist letter to Ms. Humphries.
- 4). Ms. Humphries' response to the complaint.
- 5). Notice of Hearing served to Ms. Humphries.
- 6). A proposed Consent Order with Ms. Humphries' signature, indicating her acceptance.

Ms. Humphries accepted full responsibility for her actions. The Complaint Committee recommended that a hearing be set, allowing the Board to negotiate a settlement with Ms. Humphries, in lieu of a public hearing. Ms. Humphries agreed.

The Consent Order sets out the facts and the violations. It provides for a \$100.00 fine and an agreement by the respondent that she will not seek a social worker license for five years from the date of the Consent Order. The respondent has signed the Consent Order, waiving all rights and admitting all facts and all violations. Mr. Kramer asked the Board to approve the Consent Order, noting that the Board may go into Executive Session. If they choose to do so, he will not be in attendance. Mr. Lee moved to go into Executive Session. Ms. Lempicki seconded the motion and the vote was unanimous in the affirmative. Ms. Leuthard recused herself from the discussion. Mr. Cassil took the Chair.

Mr. Lee moved to come out of Executive Session. Ms. Schulz seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki asked Mr. Kramer if the Consent Order could be changed to require Ms. Humphries to repay the Board for the cost of ASWB Board member training. Mr. Kramer doubted the Board's authority to do so.

The question was raised as to whether the Board would need to review any votes that were taken while Ms. Humphries served as a Board member. Mr. Kramer said her position on the Board did not require her to be licensed.

The Board asked if they have the authority to permanently deny any future licensure in the state of Oklahoma to Ms. Humphries. Mr. Kramer said the statute allows them to reapply.

The Board inquired whether they could increase the fine of \$100.00 to \$500.00. Mr. Kramer responded affirmatively.

Mr. Lee moved to go into Executive Session. Ms. Lempicki seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to come out of Executive Session. Mr. Lee seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to reject the Consent Order and increase the fine to \$500.00. Mr. Lee seconded the motion and the vote was unanimous in the affirmative.

Ms. Leuthard resumed Chair.

Ms. Leuthard reported on the status of House Bill 1715. She received a call from Representative Pam Peterson concerning the use of the term "spiritual", referring to treating of the whole person. Representative Peterson was concerned that the committee she chairs would raise issues with it. Ms. Leuthard made the decision to remove the word "spiritual".

The bill has been filed. Any changes to the bill at this point, has to be done within committee. Ms. Leuthard said the next step is the securing of a Senate sponsor.

The Board reviewed an email request from Vallery Brown, of The Oklahoman newspaper, asking for complaint information and statistics. Mr. Kramer stated that Ms. Brown has not yet called the Board office to set up a meeting. He has compiled the number of complaints filed from 2005 to date and the Board office is obtaining the number of licensees for those years. He is gathering the additional complaint information requested. He suggested giving Ms. Brown a copy of the complaint log spread sheets.

Ms. Lempicki moved to have the Board receive the above information on an annual basis. The Board will also receive a printout of motions made at previous Board meetings, including disciplinary actions, approval of CEU waivers, etc. Mr. Lee seconded the motion and the vote was unanimous in the affirmative.

Ms. Leuthard offered training dates for new Board members and Mr. Marks. Mr. Lee indicated that he would attend training in August and Ms. Schultz said she would attend in March. Mr. Marks will schedule a training date for himself. Ms. Leuthard and Mr. Marks will attend the ASWB meeting on May 12-15 to extend an invitation to the fall meeting in Oklahoma City on November 3rd - 5th. Ms. Leuthard, Ms. Lempicki, Mr. Lee, and Mr. Marks will work together, preparing for the November meeting.

The Board discussed the Oklahoma Open Meetings Act. Mr. Kramer referred to a handout each Board member received, explaining what is allowed and prohibited. He said the purpose of the Open Meetings Act is to provide transparent government to the public. The Act prohibits communication between members in a way that might result in an electronic meeting. Board business should not be discussed by email. Any Board business should be sent to the Executive Director, Jim Marks.

Mr. Cassil asked if Board members could get an email address separate from their work or personal email addresses. This would be specifically used for Board business. The address would be similar to Board staff email addresses. He said that, for rare exceptions, you have no reasonable expectation of privacy in emails you receive at work. Mr. Marks responded that he would check with the Office of State Finance.

The Board discussed the possibility of the Complaint Committee having their own page on the website that the Board can access.

Mr. Lee moved to break for lunch. Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Mr. Lee move to reconvene. Ms. Lempicki seconded the motion and the vote was unanimous in the affirmative.

The Board reviewed a letter from **Barbara Galbraith**, requesting a waiver of continuing education for 2011 renewal, due to medical issues. Medical documentation from Ms. Galbraith's physician was provided. After some discussion, Mr. Lee moved to ask Ms. Galbraith for verification of her employment status. Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

The Board reviewed a letter from **David Cunningham**, requesting a waiver of partial continuing education for 2011 renewal. Mr. Cunningham attended a course earlier in 2010, but couldn't locate the verification of attendance. He has been in contact with the course provider, Heritage Family, and they are trying to locate the sign-in sheet for the course. With these hours, he would have the required sixteen hours needed for renewal. Ms. Lempicki moved to table Mr.

Cunningham's request and take it up at the March 25, 2011 meeting if he has not located the continuing education verification needed. Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Karyn O'Brien submitted a letter to the Board requesting an extension to March 31, 2011, to obtain continuing education for the 2011 licensure renewal. Ms. O'Brien passed the clinical exam in July, 2010, in New York. She applied for clinical licensure in Oklahoma at the December 3, 2010 Board meeting and was granted that license. She is currently a resident of New York and New York does not require continuing education. Ms. O'Brien had obtained continuing education during the 2010 year, but it was not NASW or ASWB approved. She was not aware that her license would expire on December 31, 2010. After some discussion, Mr. Cassil moved to verify, in writing, that Ms. O'Brien is required to have eight hours of continuing education, all eight face-to-face and three of the eight on ethics. Ms. O'Brien can submit form #505 to the Board office, with the appropriate fee, for approval of continuing education. Mr. Lee seconded the motion and the vote was unanimous in the affirmative.

The Board discussed the possibility of not scheduling Board meetings in December to help avoid future situations similar to Ms. O'Brien's.

Sarah Schulz left the meeting at 1:27 PM.

The Board reviewed a letter from **Linda Cutchall** requesting a waiver of continuing education for 2011 renewal, due to extenuating circumstances. Ms. Cutchall had been the full-time caregiver for her husband over the past year. She had obtained six continuing education hours in 2010. Ms. Lempicki moved to approve Ms. Cutchall's request. Ms. Kaminski seconded the motion and the vote was unanimous in the affirmative.

The Board reviewed a letter from **Lahoma Roebuck**, regarding the acceptance of continuing education credits from other NASW state chapters. Ms. Lempicki said this issue is being addressed in the proposed legislation. Mr. Cassil moved to take no action in reference to Ms. Roebuck's letter. Ms. Lempicki seconded the motion and the vote was unanimous in the affirmative.

The Board presented Applications for Licensure. Ms. Kaminski moved to approve **Jennifer Owens** for LMSW. Mr. Lee seconded the motion and the vote was unanimous in the affirmative.

Ms. Kaminski moved to approve **Christy McClain and Jerry Brewer** for LCSW, issue provisional. Mr. Lee seconded the motion and the vote was unanimous in the affirmative.

Ms. Kaminski moved to approve **Anedra Mayfield Slaughter** for LCSW, Exam ID only. Mr. Lee seconded the motion and the vote was unanimous in the affirmative.

Mr. Lee moved to approve the following for LCSW, issue provisional:

Margaret Boyce
Angela Bivins
Erica Campbell

Ms. Kaminski seconded the motion and the vote was unanimous in the affirmative.

Mr. Lee moved to approve **Brittany Hjerpe** for LCSW, Exam ID only. Ms. Kaminski seconded the motion and the vote was unanimous in the affirmative.

Mr. Cassil assumed Chair.

Ms. Leuthard moved to approve **Kimberly Jones and Judith Sarver** for Clinical BAS. Ms. Kaminski seconded the motion and the vote was unanimous in the affirmative.

Ms. Leuthard moved to approve **Sandra Harris** for LCSW, Exam ID only. Ms. Kaminski seconded the motion and the vote was unanimous in the affirmative.

Ms. Leuthard moved to table **Mary Ann Smith** for LMSW and request her appearance at the March 25, 2011 Board meeting to discuss her extended background check. Ms. Smith will also need to complete a question missed on the application for licensure. Ms. Lempicki seconded the motion and the vote was unanimous in the affirmative. There was some discussion as to whether the extended background check received by the Board office was the correct one.

Ms. Leuthard resumed as Chair.

Ms. Lempicki moved to approve **Jackie Powell** for LMSW, issue provisional. Ms. Kaminski seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve **Pearl Freese and Raveen Lee** for LCSW, issue provisional. Ms. Kaminski seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve **Kathy Ridgway and Jennifer Rooks** for LCSW, Exam ID only. Ms. Kaminski seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to table **Julie Garrett**, for Clinical BAS, a second time and request her to appear before the Board at the March 25, 2011 meeting to discuss her supervisory experience. Mr. Cassil seconded the motion and the vote was unanimous in the affirmative. Mr. Cassil also requested that the definition of clinical supervision be included in the letter.

There was discussion regarding applicants who apply for Exam ID only. These applicants have had a provisional license in the past, but did not pass the exam. The applicants are issued an Exam ID only, which is simply permission to sit for the exam. This is not a license. The provisional license and Exam ID only are both good for one year. Ms. Lempicki was concerned that the Board has no authority over the applicants with Exam ID only. They are, in a manner of speaking, in limbo. Mr. Kramer will look into this further and report back to the Board at the March 25, 2011 meeting.

Ms. Leuthard delivered the Chair report. Ms. Leuthard met with Mr. Marks on January 14, 2011 for orientation. Mr. Jeff Chace has also offered his help to Mr. Marks.

Ms. Leuthard reported on the website development. The search function on the website is currently being restructured. A testing mode time will be set up. The home page will need some work.

There was discussion on revamping the supervision evaluations to avoid redundancy.

Mr. Lee moved to adjourn. Ms. Kaminski seconded the motion and the vote was unanimous in the affirmative. Meeting was adjourned at 2:35 PM.