

**BOARD OF LICENSED SOCIAL WORKERS**  
**Minutes of the Meeting**  
**January 23, 2009**

The Board of Licensed Social Workers met on January 23, 2009, 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:**

Toni Lempicki, LSW, Board Chair  
Joy Leuthard, LSWA, Vice Chair  
Gwendolyn Gibson, LCSW, Secretary  
Jeff Chace, LCSW  
Larry G. Cassil, Jr., Esq.

**Members absent:**

Kelly Harmon, LMSW  
Lanny Endicott, LCSW

**Also Present:**

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

After roll call and noting that a quorum was present, Ms. Lempicki, Chair, called the meeting to order at 10:08 a.m.

The first item of business was election of officers.

Mr. Chace moved to nominate Ms. Leuthard as Chair. Mr. Cassil seconded the motion and the vote was as follows:

Jeff Chace	Yes
Gwendolyn Gibson	Yes
Joy Leuthard	Abstain
Toni Lempicki	Yes
Larry Cassil	Yes

Mr. Chace moved to nominate Ms. Gibson for Vice-Chair. Mr. Cassil seconded the motion and the vote was as follows:

Jeff Chace	Yes
Gwendolyn Gibson	Abstain
Joy Leuthard	Yes
Toni Lempicki	Yes
Larry Cassil	Yes

Mr. Cassil moved to nominate Mr. Chace for Secretary. Ms. Leuthard seconded the motion and the vote was as follows:

Jeff Chace	Abstain
Gwendolyn Gibson	Yes
Joy Leuthard	Yes
Toni Lempicki	Yes
Larry Cassil	Yes

Ms. Lempicki was thanked for her service to the Board as the out going Board Chair.

The Minutes from the November 21, 2008 Board meeting were reviewed. Mr. Cassil moved to accept the Minutes. Mr. Chace seconded the motion and the vote was as follows:

Jeff Chace	Yes
Gwendolyn Gibson	Yes
Joy Leuthard	Abstain
Larry Cassil	Yes
Toni Lempicki	Yes

Dr. Endicott entered the meeting.

**Tanja Dougherty** appeared before the Board with her attorney, Jessica Underwood regarding a complaint that she was practicing while impaired. In December 2007, an anonymous caller advised police that Ms. Dougherty had swerved while driving with her children in the car. She was asked to step outside a store, questioned by a police officer, placed under arrest, and taken to the police department to be tested for illegal drugs. Ms. Dougherty is under physician's care and takes prescription hydrocodone for migraine

headaches. This medication showed up on the drug test. Ms. Dougherty denied having any impairment.

A letter from the District Attorney's office presented by Ms. Underwood clarified the basis of the arrest resulted in no alcohol related, but chemical impairment. This is why Ms. Dougherty was charged. The statute under which she was charged and plead is not limited to alcohol and can include prescription medications. According to the docket sheet, Ms. Dougherty was required to receive an assessment. The drug counselor did not believe that any further treatment was necessary.

Ms. Schwartz made Ms. Dougherty aware that the statutes do require that any type of incident such as this be reported by the licensee or applicant herself/himself.

Ms. Underwood referred to the testimonials presented to the Board from an employer and co-workers of Ms. Dougherty. She asked the Board to notice the letters indicated no notice of slurred speech, absences from work, or erratic behavior. The letters span 13 years from people who have known Ms. Dougherty for a few months to those who have known her many years.

Ms. Schwartz stated that many people find that over a period of time, the initial dosage of hydrocodone does not work for them any longer and therefore increase the dosage. Ms. Dougherty said her neurologist recently changed her medication and she provided a list to the Board outlining the medications she is currently taking. She takes the medication on an as needed basis due to suffering from migraines several times a week.

Ms. Dougherty advised the Board she was promoted to clinical director and oversees 20-25 therapists, case managers, and rehab workers. She also sees a caseload, as well.

In light of the evidence presented by counsel Mr. Cassil moved to dismiss the complaint against Ms. Dougherty if she would agree to receive another drug and alcohol screening report in six months. Ms. Gibson seconded the motion and the vote was unanimous in the affirmative.

Ms. Underwood then addressed the Board with an Open Records request for the identity of the person making the complaint and requested a copy of the complaint.

Ms. Schwartz stated that the Open Records Act says the Board may, through its discretion (permissive not mandatory) keep the identity of the complainant confidential. This is to not have a chilling effect on complainants. The Board may also choose to allow the identity to be made public.

Ms. Underwood stated they have good reason to believe that the individual who made the complaint did so because he/she was recently fired. She asked the Board that in this case when weighing the chilling effect there is no chilling effect when you're trying to keep people from making erroneous complaints.

Ms. Schwartz said liability will not attach to someone who makes a complaint in good faith and without malice. She said the arrest report and guilty plea stand by themselves. Ms. Underwood responded that the complaint was not made in good faith. She does not feel the complainant's identity should be protected. Ms. Schwartz directed that this issue for the Board to decide. When asked what would happen if the complaint were dismissed, Ms. Schwartz stated it would not be reported to the databank but would be placed in Ms. Dougherty's file. Ms. Underwood explained that Ms. Dougherty was given a deferred sentence. At the end of her deferred sentence Ms. Dougherty's record will be cleared. The information will still be visible but it can't be used against her in civil matters.

There being no further discussion, Mr. Chace moved withhold the complainant's name. Ms. Leuthard seconded the motion and the vote was as follows:

Mr. Chace	Yes
Ms. Gibson	No
Mr. Cassil	No
Dr. Endicott	Yes
Ms. Leuthard	Yes
Ms. Lempicki	Yes

A written request from **Jack Fortenberry's** new attorney was reviewed by the Board. Counsel requested this issue to be tabled until the next meeting so as to afford him the opportunity to familiarize himself with the case and due to a scheduling conflict.

Mr. Cassil asked to be reminded to recuse himself when Mr. Fortenberry appears before the Board in March.

Mr. Chace moved to table the update on Mr. Fortenberry. Mr. Cassil seconded the motion and the vote was as follows:

Mr. Chace	Yes
Ms. Gibson	Yes
Mr. Cassil	Abstain
Ms. Lempicki	Yes
Ms. Leuthard	Yes
Dr. Endicott	Yes

A complaint against **Karleen Daugherty** was discussed with the Board by Ms. Schwartz. The Complaint Committee did not find there was valid basis for the complaint and recommended the complaint be dismissed.

Mr. Chace moved to dismiss the complaint against Ms. Daugherty. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative.

Ms. Schwartz advised the Board that the Complaint Committee recommends initiating a full investigation into the allegations of misconduct against **Matt Atkinson**.

Ms. Leuthard moved to initiate an investigation into the allegations against Mr. Atkinson. Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Ms. Schwartz reported on the hearing status of **Steve Kristic**. Due to Mr. Kristic's death the Board will be closing its file on this matter and no further action will be taken.

Mr. Cassil moved that in the case of Steve Kristic, let the record reflect that as of January 23, 2009, a full hearing was scheduled to investigate the allegations that were made against him. Due to his unfortunate death, the Board is dismissing the complaint. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

**Sharolyn Wallace** appeared requesting her supervisor status reinstatement date be changed from August 16, 2008 to June 27, 2008, the date she attended the Board Approved Supervisor training. Ms. Wallace advised the Board that she has been a supervisor for ten years and does not charge supervisees for supervision. She does not want her supervisees to lose their supervision hours due to her inactions. She also stated she did not receive the e-mail from Linda Edmondson advising her that her supervisor status was soon to expire.

Ms. Hoehner stated that the Board office sends out e-mail notification. Ms. Wallace's address was listed as one of the recipients. Currently, the Board office does not mail out letters of notification. Ms. Wallace said she was finally notified on May 29<sup>th</sup> and took the supervisor training on June 27<sup>th</sup>.

Mr. Cassil moved to grant Ms. Wallace's request to make her reinstatement as a supervisor retroactive to June 27, 2008, so her supervisees, who were on notice that their hours wouldn't count can make these hours count toward their supervision. Mr. Chace seconded the motion and the vote was as follows:

Mr. Cassil	Yes
Mr. Chace	Yes
Ms. Lempicki	No
Ms. Leuthard	Yes
Ms. Gibson	Yes
Dr. Endicott	Yes

Mr. Chace suggested mailing letters of notification of expiration to all supervisors in the future. The suggested time was six months prior to the expiration date. Ms. Lempicki brought up the possibility of printing the BAS status and expiration date on the wallet card. Ms. Hoehner replied that the BAS status is on the wallet card, but not the expiration date.

**Elizabeth Ashton** appeared before the Board her four-month follow-up report. She is currently supervising three supervisees. She is submitting to random drug testing once a month. She provided the Board with a current list of medications she is taking. The Board commended Ms. Ashton for her sobriety and commitment and thanked her for coming before them.

The next item on the agenda was an appearance by **Lahoma Roebuck**. She was appealing the Board's decision, requiring her to sit for the ASWB exam prior to receiving her license.

Ms. Roebuck explained that during the time she would have been renewing, she was in the process of moving and had recently had knee surgery. She stated she never received the renewal notice. She had met her continuing education requirements, was now living in Oklahoma and would like to work part-time. She is also in the process of obtaining a license in Arkansas. She was originally licensed in New Mexico then sat for the exam in Maryland, where she maintains a license.

Ms. Roebuck provided the Board with a copy of continuing education workshops that were approved by the State of Maryland. She stated that she is not trying to evade her continuing education requirements. Ms. Hoehner said that Ms. Roebuck's license was issued in 2005 and expired at the end of 2005. At the March 2006 Board meeting, Ms. Roebuck asked for an extension to obtain her continuing education. The Board asked for additional information, Ms. Roebuck provided that information and the Board approved her request. In 2007 she again allowed her Oklahoma license to lapse and she advised the Board she did not realize that fact until she had relocated in Oregon.

Ms. Lempicki said the Board's action in May 2008 to her approve her to take the ASWB exam was based on Oklahoma Statute. Mr. Chace stated there were no continuing education workshops submitted before March 31<sup>st</sup> and the statute states that a licensee would be required to retest if the license expired after March 31<sup>st</sup>.

Ms. Roebuck maintained that her notification did not get to her. Mr. Chace said it is not the Board's responsibility to ensure she gets her mail and all mail is sent to the current address on file in the Board office.

After further discussion, Ms. Leuthard moved to let the Board's original decision stand and advised Ms. Roebuck she has until August 16, 2009 to sit for the exam. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Schwartz directed Ms. Roebuck to 59 O.S. § 1261.1a(d). It refers to license renewals and what actions are to be taken if the licensee fails to

renew. She advised Ms. Roebuck the Board was limited to the action that could be taken as Oklahoma Statutes cannot be disregarded.

The Board requested **Teri Stacy** to appear for an informal interview regarding a pending complaint. The complaint was received prior to Ms. Stacy being licensed. The Board decided to wait until Ms. Stacy applied for licensure and request an informal interview. Ms. Stacy stated she received a letter in August 2008 advising her of her required appearance before the Board in order to be approved to sit for the exam.

Ms. Stacy was contacted by DHS to provide individual and family counseling to a child and her family. The mother lived out of state.

In working with her previous employer, Ms. Stacy was taught that there was open communication with the referring agency. When she received letters of concern (regarding abuse and neglect) from the attorney representing the mother Ms. Stacy forwarded the letters to the DHS worker assigned to the case. She did this without redacting the mother's name and personal information. Ms. Stacy later contacted the social worker and requested the previous letters sent be shredded. Upon her realization that protected information had been disseminated she sent new copies of the letters with the mother's name and medical information redacted.

A release of information was signed by the father as he is the legal custodial parent. He also faxed a handwritten release of information to DHS, listing the specific caseworker. She did not have consent from the mother to release her personal information.

Ms. Lempicki advised when treating a child through family therapy Ms. Stacy would need an authorization to disclose information on all parties involved in the therapy. The parent who has custody of the child is the proper person to authorize disclosure of information. If releasing a specific person's protected health information, you must have that individual's consent unless there is a Court Order in place allowing disclosure of said records.

An individual release for each parent and each child is required at some agencies to avoid any misunderstandings. Mr. Chace suggested that releases need to be very specific as to what type of information can be released.

Ms. Stacy requested copies of releases used by Mr. Chace and Ms. Leuthard at their place of employment. Ms. Lempicki stated that releases are usually agency specific. She suggested having Ms. Stacy's agency contract with an attorney to make sure their authorizations comply with HIPPA and state statutes.

The Board felt that Ms. Stacy's actions were unintentional. They suggested that Ms. Stacy attend or take online three hours of continuing education regarding HIPPA regulations and provide a certificate as proof of attendance.

Ms. Leuthard moved to dismiss the complaint contingent upon Ms. Stacy obtaining three hours of continuing education in the area of HIPPA regulations and release of information. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Correspondence from **Lisa Blanco's** physician was reviewed by the Board. At the November 21, 2008 meeting Ms. Blanco requested a continuing education waiver for renewal due to medical hardship. The Board asked for medical documentation at that time.

After the Board reviewed the most recent correspondence Mr. Chace moved to request additional medical information more specific to her medical diagnosis, medical leave and advising the Board would prohibit Ms. Blanco's attendance due to her medical condition.

The Board also requested Ms. Blanco outline any continuing education she during the 2008 calendar year, including online courses. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative.

**Watt Osage** and his supervisor, John Eckenberger, submitted a final report to the Board, dealing with client confidentiality.

Dr. Endicott moved to accept Mr. Osage's most recent report as having met the Board's requirements. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative. A letter will be sent to Mr. Osage and his attorney.

A written report from **Judith Hall** was reviewed by the Board. The report contained research that Ms. Hall had done regarding boundary issues in

social work practice. Ms. Hall indicated that she has taken what she has learned and applied it to her practice.

Mr. Chace moved to accept the report submitted by Ms. Hall as having fulfilled her obligation set forth by the Board at the previous meeting. Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

**Gail Smith** submitted a letter to the Board in response to listening to the recording of the November 21, 2008 meeting, specifically Judith Hall's informal interview. Ms. Smith felt that Judith Hall did accept a witness fee but has no documents to support her allegations. Mr. Chace suggested sending Ms. Smith a letter stating that the Board met and dismissed the complaint against Ms. Hall. The Board had Ms. Hall address concerns about boundary violations in a report and the Board is satisfied that Ms. Hall has met her obligations.

The August Minutes were reviewed and revised. Due to all written documentation being destroyed, the Minutes may not be recreated exactly. Dr. Endicott moved to approve the Minutes as corrected. Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Proposed revisions to the Social Worker's Licensing Act were discussed amongst the Board members. All the definitions were completed and correct numbering changes were made. Mr. Cassil moved to approve the changes to the Social Worker's Licensing Act. Ms. Leuthard seconded the motion and the vote was unanimous in the affirmative.

The Board began review of Applications for Licensure. Ms. Gibson moved to approve the following candidate for LMSW, no exam required:

**Karen Womack**

Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Gibson moved to approve the following candidates for LCSW, issue provisional license:

**Jonette Coquat**  
**Gretchen Newsom**

**Christopher Shomo**

Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Gibson moved to approve the following candidate for LCSW, no exam required, pending receipt of ASWB score report and background check:

**Kathleen Arch-Link**

Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Gibson moved to approve the following candidates for LCSW, no provisional license, exam ID only, pending receipt of background check:

- Bridgette Gray**
- Sheri Scott**
- Kelli Shankle**

Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace moved to approve the following candidate for LCSW, no exam required:

**Debra Mattocks**

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

Mr. Chace moved to approve the following candidate for LCSW, issue provisional license, pending receipt of background check:

**Joan Whipple**

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

Mr. Chace moved to approve the following candidates for LCSW, issue provisional license:

**Cynthia Kelley**  
**Mona Lowrey**  
**Yvonne Rhoades**  
**Keitha Wyatt**

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

Mr. Chace moved to approve the following candidate for LCSW, no provisional, exam ID only, and issue ADA accommodation:

**Amy Humphrey**

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

Ms. Leuthard moved to approve the following candidates for LCSW, issue provisional license, pending receipt of background check:

**Casey Bakhsh**  
**Valery Gonzalez**  
**Anna Lurvey**  
**Rachel Neighbors**

Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Leuthard moved to approve the following candidate for LCSW, no exam required:

**Tanya Kaplan**

Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Leuthard moved to approve the following candidates for LCSW, issue provisional license:

**Marline Fry**  
**Malyn Vogt**

Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve the following candidates for LMSW, issue provisional license, pending receipt of background check:

**Caitlin Steele**  
**Ivanilda Silva**

Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve the following candidates for LMSW, no provisional license, pending receipt of background check:

**Elaine Shelton**  
**Sneha Varghese**

Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve the following candidates for LMSW, no exam required:

**Susan Brooke**  
**Raquel Wells**

Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve the following candidate for LCSW, no exam required, pending receipt of background check:

**Diana Hope**

Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve the following candidate for LCSW, no exam required:

**Susan Kidder**

Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve the following candidates for LCSW, issue provisional license, pending receipt of background check:

**Michelle Fitzgibbon**  
**Cherie Pennington**

Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve the following candidates for Board Approved Supervisors, Clinical:

**Joseph Smela**  
**Becky Plunk**  
**Lynda Osborn**

Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki moved to approve the following candidates for LCSW, no provisional, exam ID only:

**Jessica Shores**  
**Linda Coats**  
**Margaret Love**  
**Joan Luttmer**

Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

**Lyle Kelsey and Reji Varghese** came before the Board to present the Administrative Report. Mr. Varghese reviewed the cash receipts and the disbursements for the fiscal year to date. Mr. Kelsey discussed the contract between the two Boards for the period October 1, 2008 through June 30, 2009.

Mr. Varghese explained the cost of the audit and how the price is determined. There will be five Boards being audited at one time, so the price should be lower than it would be if the Social Workers' Board was audited without the other Boards.

Mr. Kelsey was asked whether it would benefit the Board to receive assistance from someone in the Legislature regarding the Licensure Act. Dr. Endicott thought Jeanie McDaniel might be able to help.

The Board discussed with Mr. Kelsey why the fees paid to the Medical Board for services has not decreased since Ms. Hoehner and other staff have taken on some of the tasks previously performed by the Medical Board staff.

Dr. Endicott moved to authorize Ms. Leuthard to meet with Mr. Kelsey to approve the contract between the Social Worker's Board and the Medical Board. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Hoehner presented her report to the Board. She advised the Board of the recent difficulties encountered with Trak-1 Technology. Ms. Schwartz advised the Board that most licensure boards are using OSBI, but the wording must be in the statutes for the OSBI to agree to perform that function. Ms. Leuthard suggested seeing what other surrounding State Boards are doing to acquire background information on applicants.

The Office of State Finance has not been offering the required courses Ms. Hoehner must attend in order to acquire some responsibilities outlined in her job description but are still being performed by Medical Board staff. She advised the Board that the only class offered in the next three months is not a class that she is required to attend.

Ms. Hoehner reported on her attendance at the credentialing meetings being held amongst other licensure boards and the Oklahoma Health Care

Authority once a month. There will be a demonstration of telemedicine next month for anyone who wishes to attend and participate.

Ms. Hoehner advised that in speaking with the director of the LPC, LMFT, LBP boards she discovered those boards allow supervisees to have a primary and secondary supervisor for licensure supervision. The secondary supervisor's name is submitted on the original Contract and approved at the time of the initial Contract. Primarily the secondary supervisor is utilized as an approved supervisor available when the primary supervisor is unavailable to the supervisee. The secondary supervisor does not complete evaluations unless they meet with the supervisee for a specific amount of time. Ms. Hoehner inquired if the Board would be interested in adding that to Contracts for social work supervision.

Ms. Hoehner said there have been many problems with the computers at the Board office since the Board's relocation to the Lincoln address. Ms. Lempicki suggested Ms. Hoehner discuss with Mr. Varghese what steps would be necessary to be taken in order to obtain a proposal for a new server.

Ms. Hoehner stated she could take the responsibility of posting items on the website from the Medical Board if she was granted permission to have access to the website.

On December 19, 2008 all online renewals were uploaded in triplicate, entering three separate payments and extending the expiration date of each licensee to December 31, 2011. This error was caused by the nightly upload of information and was remedied. All licensees who renewed online on December 19, 2008 and given a new wallet card reflecting a 2011 expiration date have been issued a new wallet card with the correct expiration date of December 31, 2009.

Ms. Hoehner voiced the difficulty in transporting files and equipment from the Board office to the Medical Board for Board meetings.

Ms. Hoehner polled the Board members regarding having their supervision files emailed to them. Some responded that they had trouble opening the larger files. Ms. Leuthard suggested emailing files up to a certain size and mailing the larger ones files in the postal mail.

Dr. Endicott suggested having Ms. Leuthard and Ms. Hoehner look into the possibility of setting up a website that would only be accessible to Board members for reviewing Board meeting information.

Ms. Hoehner said she would get a cost estimate on how much it would cost to do all supervision online.

Ms. Lempicki reported that she reviewed the Continuing Education Applications for November and December, 2008. Some applications came in late and she suggested the possibility of setting a deadline for future applications.

Ms. Lempicki also requested clarification for faculty members who are submitting the classes they teach to count as continuing education to renew their social work license. She would like the rules to be reviewed and clarified so faculty will know how many hours they will earn from presenting a class.

There being no further business, the meeting was adjourned at 4:15 p.m.