

BOARD OF LICENSED SOCIAL WORKERS
Minutes of the Meeting
May 29, 2009

The Board of Licensed Social Workers met on May 29, 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:

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

Members Absent:

Kelly Harmon, LMSW
Lanny Endicott, LCSW
Toni Lempicki, LSW

Also Present:

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

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

The first order of business was reviewing the Minutes from the March 20, 2009 Board meeting. Mr. Chace and Mr. Cassil noted that they were not present at the March 20, 2009 meeting and would not be able to vote on approval of the minutes. Without a quorum to vote, approval of the Minutes was tabled to the July 31, 2009 Board meeting.

Elizabeth Ashton appeared before the Board to report on her recent hospitalization and current medications. She broke her hip the day after the last Board meeting in March. She was initially taking Hydrocodone for pain, but has discontinued taking it. She is seeing a pain management physician on a monthly basis and is taking Celebrex once daily. She has returned to work 30 hours a week. After a short discussion, Mr. Cassil

moved to accept Ms. Ashton's report. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Ashton questioned whether she needed to submit written reports, as requested in a previous letter, in lieu of appearing in person. The Board responded in the affirmative, but said she will need to appear at the September Board meeting since it will be her last required appearance before the Board.

Ms. Schwartz requested the Board to approve expenses involved with deposing a witness. Mr. Cassil moved to have Ms. Schwartz investigate authenticating documents via affidavit and/or statement under oath and if that is not available, the Board authorizes up to \$1,000.00 expenditure for taking a deposition. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Ms. Schwartz reviewed Complaint #200903 against **Don Abbott**. The allegations against Mr. Abbott did not implicate a possible violation of the license and were not related to the practice of social work. Other co-workers did not corroborate the complainant's story. The Complaint Committee did not feel that this was ethically related. Mr. Chace moved to dismiss complaint #200903. Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Ms. Lempicki joined the meeting.

Ms. Schwartz reported there were only two complaints on the complaint log, the one presented today and one that will be heard in July.

Fran Alltizer and Barbara Ferguson came before the Board to discuss supervision issues surrounding the Board's decision of September 19, 2008, regarding Cyrena Mathews' supervision and William Heathco's supervision of Ms. Mathews.

Ms. Alltizer claimed that Ms. Mathews submitted a job description for a job that she did not hold and never worked. They discovered this when a supervisee of Ms. Ferguson's presented a job description for the same job and was told it was not clinical.

Ms. Schwartz said there were three job descriptions in question. She said she had invited Ms. Alltizer and Ms. Ferguson to submit their concerns in writing, but the writings the Complaint Committee received were difficult to follow. She said that Ms. Alltizer and Ms. Ferguson were reluctant to appear before the Board. The allegation of fraud is very serious and requires proof. Based on the information the Board had and the statements of Ms. Mathews and Mr. Heathco denying the allegations, there wasn't sufficient evidence to prove fraud and bring formal charges.

Ms. Mathews received her license in 2006. Two years passed between her licensing and the complaint being filed.

Mr. Cassil stated that reversing the licensing would be very difficult. Ms. Alltizer advised the Board that she is not trying to get Ms. Mathews' license revoked. She came before the Board to ensure that this situation does not occur again. The Board restated that their earlier decision was made based on the information they had at the time.

Mr. Cassil recommended that Ms. Ferguson's supervisee, Toni Yankie, resubmit the job description she had, along with the supervision log, and have Julia Reed review it. He invited Ms. Yankie to come before the Board to discuss the possibility of retaining those supervision hours.

With regard to Ms. Mathews, Mr. Cassil felt that the Board's decision should stand. No motion was made.

Jodey Pederson came before the Board to discuss an irregularity issue arising during the ASWB exam.

Ms. Pederson explained that she shares joint custody of her child with her ex-husband and she has to leave her daughter with a sitter that her ex-husband has consented to. On her way to the testing center, Ms. Pederson's regular sitter was not home. Ms. Pederson left her child with a neighbor.

During the test, Ms. Pederson signed out, walked to the campus phone at the front desk, and called her sitter. Unable to reach her, she hung up, used the restroom, and returned to the testing center. She was advised by the attendant that a report would be filed on her for using the phone. The test form states the phone could be used for emergencies only. Ms. Pederson

considered that to be an emergency, but she did not notify the attendant before using the phone.

Immediately after finishing the test and leaving the center, Ms. Pederson called ASWB to report the incident herself. She later learned she passed the test.

Mr. Chace moved to notify ASWB in writing that Ms. Pederson came before the Board and explained the reason for the phone call. The Board found it to be satisfactory and let the test score stand. Mr. Cassil seconded the motion and the vote was as follows:

Joy Leuthard	Yes
Jeff Chace	Yes
Gwen Gibson	Yes
Toni Lempicki	No
Larry Cassil	Yes

The Board reviewed correspondence from **Lori Franklin and Steven Wells** regarding the issuance of a college registrar letter confirming a degree in lieu of an official transcript (for supervision/employment purposes) until an official transcript with degree posted becomes available.

Rule 675: 12-1-6 (c)(2) states an official transcript with degree posted and a current job description must accompany the contract.

Mr. Chace pointed out that a transcript will be held if money is owed to the university. Ms. Lempicki added that the problem lies with the university.

Mr. Cassil suggested responding to Ms. Franklin and Mr. Wells, quote the present rule, and invite them to come before the Board to discuss why the Board should recommend changes to the Legislature.

Ms. Lempicki moved to send letters to Ms. Franklin and Mr. Wells informing them of our limitations and suggest that they contact the registrar at the University of Oklahoma. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

Kelly Bruner submitted a written request for the Board's acceptance of six and twelve months supervision documents. She has been under supervision for 20 months and has not submitted anything after the initial contract. She stated in her request that medical issues contributed to this, but no medical documentation from a physician was submitted.

Ms. Leuthard moved to deny Ms. Bruner's request for submitting late supervision documents. Mr. Chace seconded the motion and the vote was unanimous in the affirmative. Ms. Bruner will need to submit a new contract and job description.

The Board reviewed a written request from **Judith Rickman** asking for a CE waiver for 2009 renewal due to extenuating circumstances. Mr. Cassil moved to request a medical report from Ms. Rickman and send it to the Board office by July 17, 2009. Mr. Chace seconded the motion and the vote was unanimous in the affirmative.

The letter to Ms. Rickman should state that she cannot refer to herself as a social worker until the Board makes a decision.

Watt Osage submitted his final report to the Board, summarizing issues discussed with his supervisor during supervision. Ms. Lempicki moved to accept the report as fulfilling his requirements. Ms. Schwartz will notify him by letter. Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Reji Varghese appeared before the Board to present the Administrative Report. Mr. Varghese reviewed the revenue, expenditures, cash receipts, and disbursement report. Ms. Lempicki moved to approve the financial report. Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Mr. Varghese reviewed the budget for the 2010 fiscal year. The contract between the Social Workers Board and the Medical Board will be reviewed on June 30, 2009.

The expenditures for data processing equipment will increase if the Board chooses to remain in its current location. The costs include a small business server, software, back-up hardware, and labor for installation. The maintenance of the server and support services will be contracted through

the Medical Board and passed on to this Board or this Board may directly contract with Advancia.

The Social Workers Board had a total budget decrease of 13.35%. Mr. Cassil moved to approve the budget for the 2010 fiscal year as submitted. Ms. Gibson seconded the motion and the vote was unanimous in the affirmative.

Mr. Varghese reviewed the audit report. Our Board office is required to have a safe for monies collected and back-up tapes.

The audit recommended that the Social Workers Board consider requesting the Medical Board to reconcile the deposits to licenses issued and renewed monthly. This ensures a license was not renewed without collecting money. Ms. Schwartz asked if the fee for the Medical Board doing this should be included in next years budget. Mr. Varghese said it will be done at cost, rather than charge a flat amount each month. It will vary from month to month.

Ms. Lempicki moved that this Board contract with the Medical Board for segregation of duties for the receipt of funds. Mr. Cassil seconded the motion and the vote was unanimous in the affirmative.

Arun Mathew appeared before the Board with his attorney, Mr. Swedlow, to discuss a proposed Consent Order pertaining to an alleged violation of security of licensure examination material.

Mr. Swedlow explained that Mr. Mathew sat for the LCSW exam and did not pass it. To prepare for the next exam, he sought resources that were available to him. He attempted to follow the study guide that the ASWB provided for him by seeking counsel with other people who have taken the exam. A seminar offered by the University of Oklahoma would not be given in time before he took the exam again. He logged onto the Yahoo website and created a message forum, searching for a group study. Two questions that were posted on the site were very similar to actual test questions. Mr. Mathew did not post these questions, but because he started the group, ASWB counsel sent correspondence to Mr. Mathew telling him to cease and desist. Mr. Mathew's response was immediate and compliant. He posted the ASWB warning and did what was required of him. Ms. Schwartz

confirmed the ASWB advised Mr. Mathew fully complied with what they asked him to do and did so immediately.

Mr. Mathew has now taken and passed the exam. The Consent Order specifies that Mr. Mathew is to give the Board a written essay demonstrating that he understands exactly what the issue was that came up.

Mr. Chace moved to approve the Consent Order as proposed. Ms. Gibson seconded the motion and the vote was unanimous in the affirmative.

The Board discussed supervision for dual specialties. Mr. Chace received a call from a supervisor questioning whether a supervisee can undergo supervision for administrative and clinical simultaneously. The supervisor said there was nothing in the rules pertaining to this and was looking for clarification.

Mr. Chace told the supervisor that the Board will be working on a rule change that will limit the supervision process to six years. Dual supervision could take longer.

The Board discussed that if dual supervision were allowed, the supervisee would have to keep accurate records that delineate how many hours are clinical and administrative. The process would take longer than two years to complete.

Ms. Hoehner said currently, there are no people pursuing dual supervision. There are very few people with an administrative license.

Ms. Lempicki suggested that if an application for dual licensing was submitted, it would need to come before the Board for discussion. Currently, there is nothing in the rules pertaining to this.

The Board began review of Applications for Licensure. Mr. Chace moved to approve the following applicant for LCSW:

Susan Chastain

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

Mr. Chace moved to approve the following applicants for LCSW, no provisional, exam ID only:

Shirley Brown
Tobi Panicker
Wendy Mills

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

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

Polina Ezhkova
Kathryn Harrison

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

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

Deborah Mitchell

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

Ms. Lempicki moved to approve the following applicant for LMSW:

Julie Dillard

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

Ms. Lempicki moved to approve the following applicants for LCSW, issue provisional:

Felicia Cummings
Kathryn Horton

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

Ms. Lempicki moved to approve the following applicant for LCSW, issue provisional, pending signature of supervisee on supervision log:

Cherie Boyd

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

Ms. Lempicki moved to approve the following applicant for LCSW, issue provisional, pending receipt of evaluation of supervisor:

Linda Hurst

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

Ms. Lempicki moved to approve the following applicant for LCSW:

Daryl Mitchell

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

The Chair was turned over to Ms. Gibson.

Ms. Leuthard moved to approve the following applicants for LMSW:

Dawartha Tyler
Mary Beth Chrestman

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

Ms. Leuthard moved to approve the following applicant for LMSW, pending receipt of extended background check:

Lindsey Scott Hogue

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

Ms. Leuthard moved to approve the following applicants for LMSW, issue provisional:

**Kelly Kirby
Julie Schmidt**

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

Ms. Leuthard moved to approve the following applicants for LCSW, pending receipt of extended background check:

**Stephen Chiovoloni
Lee Ellen Patterson**

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

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

**Dana Furtado
Amanda Rice
Sherry Rosa
Mandy Vanderhoof-Fogle**

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

Ms. Leuthard resumed the Chair position.

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

Darnel Dorenkamp
Palma Bucher
Darlene Cook
Watt Osage

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

Mr. Chace moved to approve the following applicant for BAS Clinical:

Kelly White

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

Mr. Chace reviewed the application of **Anedra Mayfield Slaughter** for the Board. According to her 24 months evaluation, her supervisor wrote that the focus of supervision was changed from clinical to general. Her contract reads that Ms. Slaughter is working part-time, but her supervision logs show 40 hours work weeks. The Board office was not notified of the change from clinical to general supervision.

Mr. Chace moved to table Ms. Slaughter's application for licensure and request Ms. Slaughter appear before the Board with her supervisor. Ms. Gibson seconded the motion and the vote was unanimous in the affirmative.

Mr. Chace reviewed the Application of **Gary Dan Davis**. Mr. Davis was issued a LCSW provisional license in 2004. There is no documentation in his file regarding supervision. He is an ACSW. Ms. Lempicki stated ACSW supervision does not have to be clinical.

Mr. Chace moved to table Mr. Davis' application and have him appear at the July 31, 2009 Board meeting with supporting evidence of prior supervision. Ms. Gibson seconded the motion and the vote was unanimous in the affirmative.

Ms. Hoehner reported that ASWB test results will now reflect pass/fail and will not give the score. Depending upon what test the applicant took, the score report will advise the applicant how many questions were

required to be correct in each category and will advise him/her how many questions they answered correctly in each category.

Ms. Hoehner proposed a new method of license renewal notification by the use of post cards. Ms. Hoehner will send out a letter in advance to notify social workers of the upcoming change. This would save on postage and paper expenses and the Newsletter would be posted on the website. The Board was in agreement with this. The spending allowance for the new notifications was not decided. Ms. Lempicki suggested posting “News For Licensees” on the top of the web home page for licensees to check for new information.

Ms. Hoehner advised the Board that the Board office will need to purchase a safe for deposit monies.

Ms. Hoehner reviewed the courses she has been trained on by Dela Kwetey of the Medical Board and the courses which she has attended with the Office of State Finance.

Ms. Hoehner advised the ASWB meeting in Quebec was very enlightening. The entire meeting is available on DVD and Ms. Hoehner has requested a copy be mailed to the Board office. Some topics discussed at the meeting were as follows:

- 1). Jurisdictions notifying employers when a license or provisional license has lapsed.
- 2). Jurisdictions audit all paper renewals every year to encourage online renewals.
- 3). Kansas and Nevada have specific language in their laws regarding dissemination of ASWB questions. That language might be reviewed to be incorporated into the upcoming Rule changes.
- 4). Texas and Alberta now have a limit to the number of times a person can take the exam before they have to repeat supervision.
- 5). When Consent Orders are entered into with a licensee or supervisee, should they be mailed to the employer and to the NASW office?

6). There was discussion about putting a database together, similar to DARS, with all licensees (whether they have had disciplinary action or not). This would enable the Administrators to verify if an applicant has been licensed and if they have had disciplinary action in the past.

Ms. Hoehner suggested a radio button be placed on the licensee search page labeled “disciplinary action”. When checked it would return a display of all licensees with disciplinary action.

There was brief discussion on compiling information from past Board meetings to develop a directory of licensees with past offenses or disciplinary actions. The Board thanked Ms. Hoehner for summarizing the history of past cases for Board meetings.

Ms. Leuthard, Board Chair, reported that Sally Carter, LCSW, ACSW will be a member of the complaint committee. Mr. Chace will no longer serve on the committee so that his expertise can be used on the Board.

Ms. Leuthard mentioned developing a section on the website pertaining to frequently asked questions. Ms. Hoehner now has access to that link.

The dates for the Board retreat will be July 31, 2009 to August 1, 2009. The Board meeting will be conducted beforehand. The location for the retreat and Board meeting is Post Oak Lodge. Ms. Hoehner will make the necessary arrangements.

The Board discussed whether Julia Reed’s contract should be amended so that she would be paid, at a reduced rate, for attending Board meetings. Ms. Lempicki pointed out that Ms. Edmondson was not paid for attending, if the Board is looking for consistency. The consensus of the Board was to not amend the contract. Ms. Hoehner will confer with Ms. Reed before the Board meeting on any issues that she may be able to provide input.

There being no further business, the meeting was adjourned at 3:00 p.m.