

MINUTES
UTAH SOCIAL WORKER LICENSING BOARD
ELECTRONIC MEETING
October 1, 2020 | 9:00 A.M.
Heber M. Wells Building
160 E. 300 S. Salt Lake City, Utah

DUE TO COVID-19, NO PUBLIC ANCHOR LOCATION WAS PROVIDED.
Public attended electronically

CONVENED: 9:07 A.M.

ADJOURNED: 1:30 P.M.

DOPL STAFF PRESENT:

Mark Steinagel, Division Director
Jennifer Falkenrath, Bureau Manager
Jennifer Johnson, Board Secretary

Carolyn Dennis, Management Analyst
Neena Bowen, Compliance Specialist

BOARD MEMBERS PRESENT:

Rachel Stoddard, Chair
Emily Aikins, Vice Chair
Marette Monson
Kathleen Anderson, Public Member

Alan Misbach
Jamie Navarrete
Steven Phelps

GUESTS:

N/A

ADMINISTRATIVE BUSINESS:

CALL MEETING TO ORDER

Ms. Stoddard called the meeting to order at 9:07 A.M.

SWEAR IN NEW BOARD MEMBER, STEVEN PHELPS

Refer to audio for specifics. (Audio 1_01) (00:02 – 00:05)

Mr. Phelps was sworn in as the new member of the Board.

REVIEW AND APPROVE AUGUST 6, 2020 MINUTES

Refer to audio for specifics. (Audio 1_01) (00:05-00:06)

The Board reviewed the minutes.

Ms. Aikins made a motion to approve the minutes with corrections.

Ms. Anderson seconded the motion.

The Board motion passed unanimously.

DISCUSSION ITEMS:

Refer to audio for specifics. (Audio 1_01) (00:07-00:29:49) & (Audio 1_02) (00:00 – 00:06:46)

SB 23

Ms. Dennis provided the Board a brief overview of the new provisions for applicants applying for licensure via Endorsement. SB 23 will affect licensure through Endorsement for all professions. The purpose for this modification is portability and mobility for professionals across the country.

58-1-302. License by endorsement.

the division shall issue a license without examination to a person who has been licensed in a state, district, or territory of the United States if: (a) after being licensed outside of this state, the person has at least one year of experience in the state, district, or territory of the United States where the license was issued; (b) the person's license is in good standing in the state, district, or territory of the United States where the license was issued; and (c) the division determines that the license issued by the state, district, or territory of the United States encompasses a similar scope of practice as the license sought in this state.

Director Steinagel stated Ms. Dennis is providing this information for each profession within the Division. Director Steinagel stated the Division is trying to work with each profession to determine what states align with Utah in scope of practice and license requirements to help determine portability.

Questions and Comments were discussed.

Ms. Dennis provided the Board with a spreadsheet for those states she has been able to obtain information from regarding scope of practice and requirements. Ms. Dennis asked the Board to review the information provided and advise on which states the Board determines which states align or don't align with Utah. Ms. Dennis asked the Board to review independently and submit their feedback with any questions or comments they have for discussion at the next Board meeting.

Mr. Misbach stated he supports portability and would like to make license transfer easier for those that have similar requirements.

APPOINTMENTS:

COMPLIANCE UPDATE:

Refer to audio for specifics. (Audio 1_02) (00:07 – 00:25)

Ms. Bowen presented the compliance report as provided.

Questions and comments were discussed with the Board regarding the information provided for the upcoming interviews.

Ms. Aikins made a motion to take a break

Ms. Anderson seconded the motion.

The Board motion passed unanimously.
The Board took a break at 10:02 A.M.
The meeting resumed at 10:12 A.M.

EMILY MULLENAX, PROBATION REVIEW:

Refer to audio for specifics. (Audio 1_02) (00:26 – 00:30:11) & (Audio 1_03) (00:00 -00:12)

Ms. Anderson conducted the interview with Ms. Mullenax.

Ms. Mullenax provided an update to the Board. Ms. Mullenax stated she recently passed her clinical exam and has submitted her application for LCSW. Ms. Mullenax submitted a request for early termination of her probation.

Ms. Monson made a motion to close the meeting in accordance with the Open and Public Meetings Act, 52-4-250(1) (a) to discuss the character, professional competence or physical or mental health of an individual.

Ms. Anderson seconded the motion.

The Board motion passed.

The meeting closed at 10:24 A.M

A recording was not made and written minutes were not taken.

Ms. Anderson made a motion to open the meeting.

Ms. Aikins seconded the motion.

The Board motion passed.

The meeting opened at 10:31 A.M.

The Board stated because Ms. Mullenax's Order requires she provide a new mental health evaluation prior to being released from probation. The Board requested Ms. Mullenax meet with them again in December.

The Board commended Ms. Mullenax for the progress she has made while on probation.

The Board found Ms. Mullenax COMPLIANT.

An appointment was made or Ms. Mullenax to meet with the Board in December.

Ms. Mullenax thanked the Board for their time.

JERRY BUIE, INITIAL PROBATION REVIEW:

Refer to audio for specifics. (Audio 1_03) (00:16 – 00:30:11) & (Audio 1_04) (00:00 – 00:21)

Introduction were made.

Ms. Aikins conducted the interview with Mr. Buie.

Ms. Aikins advised Mr. Buie of the option to close the meeting when discussing the character, professional competence, physical or mental health of an individual.

Mr. Buie discussed the reasons he is appearing before the Board and stated he engaged in inappropriate relations with a client.

Ms. Aikins made a motion to close the meeting in accordance with the Open and Public Meetings Act, 52-4-250(1) (a) to discuss the character, professional competence or physical or mental health of an individual.

Ms. Navarrete seconded the motion.

The Board motion passed.

The meeting closed at 10:44 A.M

A recording was not made and written minutes were not taken.

Ms. Aikins made a motion to open the meeting.

Ms. Navarrete seconded the motion.

The Board motion passed.

The meeting opened at 11:09 A.M.

The Board reviewed the requirements of Mr. Buie's Order.

Mr. Buie submitted information to the Board for a proposed supervisor and therapist.

The Board expressed concern with Mr. Buie's proposed supervisor, Rob Butters, due to them having a professional relationship previously. The Board stated Mr. Butters would not be appropriate and their relationship could be conceived as having a dual relationship. The Board stated dual relationships has been an issue for Mr. Buie and is what has brought him before the Board. The Board asked Mr. Buie to find a different supervisor with whom he has not had a previous relationship with.

The Board reviewed the written plan Mr. Buie provided and stated the plan was not sufficient. The Board provided feedback to Mr. Buie on what needed to be address in his plan before he resubmits to the Division.

Mr. Misbach stated the purpose of the written plan is for the probationer to provide feedback on their misconduct, address the issues, and the advise on their plans moving forward and how the misconduct will be avoided in the future.

Mr. Buie provided feedback to the Board regarding his situation and how he feels at this time and his plans moving forward.

Ms. Aikins stated the Boards intent is to not upset Mr. Buie. The Boards role is to support Mr. Buie moving forward and ensure that he can grow and is safe to practice.

Ms. Aikins stated the Board needs to make motions regarding Mr. Buie's written plan, supervisor, and therapist.

Ms. Aikins made a motion the Board is not approving Mr. Buie's current plan as

written. Mr. Buie needs to submit a new plan that is detailed and more personal.
Ms. Naverrete seconded the motion.
The Board motion passed.

Ms. Aikins made a motion deny Mr. Buie's proposed supervisor, Dr. Butters.
Ms. Monson seconded the motion.
The Board motion passed.

Ms. Aikins made a motion to approve Mr. Buie's therapist, Janet Wolf.
Ms. Naverrete seconded the motion.
The Board motion passed.

The Board found Mr. Buie COMPLIANT.

An appointment was made for Mr. Buie to meet with the Board in December.

Ms. Aikins asked Mr. Buie if he had any questions for the Board.

Mr. Buie asked about the process moving forward for an approved supervisor.

Ms. Bowen stated proposed supervisors can be provided ahead of the meeting and Ms. Falkenrath can review and temporarily approve until an official approval can be made by the Board at the next Board meeting.

Ms. Aikins made a motion to take a break
Ms. Anderson seconded the motion.
The Board motion passed unanimously.
The Board closed at 11:39 A.M.
The meeting opened at 11:45 A.M.

CHET LUDLOW, PROBATION REVIEW:

Refer to audio for specifics. (Audio 1_04) (00:21 – 00:29:37) & (Audio 1_05) (00:00 – 00:16:31)

Mr. Misbach conducted the interview with Mr. Ludlow.

Mr. Misbach reminded Mr. Ludlow the meeting is public and being recorded.

Mr. Ludlow provided an update to the Board. Mr. Ludlow stated he started a new job with Mountain Valley Recovery, which is an all-male treatment center.

Mr. Misbach asked Mr. Ludlow how his supervision was going and if his supervisor has sat in on any of his sessions.

Mr. Ludlow stated supervision is going well and his supervisor has not sat in on any of his sessions but has listened to recordings of his sessions. Mr. Ludlow stated all his sessions are recorded and provided to his supervisor. Mr. Ludlow stated to his knowledge his supervisor has listened to 3 recorded sessions.

Mr. Misbach asked Mr. Ludlow how many sessions his Order requires his supervisor to listen to each month.

Mr. Ludlow stated his Order requires his supervisor listen to 2 sessions per month. Mr. Ludlow stated he does not know if his supervisor has listened to more than the 3 pre-recorded sessions.

Mr. Misbach stated in order for the Board to ensure Mr. Ludlow is in compliance with his Order, he would like Mr. Ludlow's supervisor to identify many sessions he reviews each month in his supervisor reports. Mr. Misbach stated this is via sessions the supervisor sits in on or the pre-recorded sessions he reviews.

Other areas of Mr. Ludlow's order were reviewed and discussed. Mr. Misbach asked Mr. Ludlow if he had any questions for the Board.

Mr. Ludlow asked if his supervision reports can be moved to quarterly.

Mr. Misbach stated since Mr. Ludlow has a new place of employment and new supervisor, he would like to keep the reports at a monthly basis at this time. Mr. Misbach stated he would like to see Mr. Ludlow's supervisor identify in the monthly supervisor reports which case files have been listened to as well as the number of case files reviewed each month.

Mr. Ludlow stated he understood.

Mr. Ludlow stated his new position requires he does family therapy. Mr. Ludlow stated his current stipulation does not allow him to meet with female clients. Mr. Ludlow stated his employer is aware of the requirements of his Order and has asked him to see if the Board would amend his order to allow him to treat female clients in a family therapy setting. Mr. Ludlow stated he would not see these clients independently or without someone else in the room.

Mr. Misbach stated before he would consider a recommendation for a change in requirements of the order to allow Mr. Ludlow to see female patients in type of a setting, Mr. Misbach stated he would like Mr. Ludlow's supervisor and therapist to provide feedback in this area and their thoughts on Mr. Ludlow's practice with female clients.

Ms. Stoddard asked Ms. Falkenrath if the Board is able to make changes to a Stipulation and Order.

Ms. Falkenrath stated the Board could make a recommendation for amendments to the Order. Ms. Falkenrath stated she would need to make the amendments and forward to the Division Director for review and approval.

Ms. Aikins stated she wanted to commend the progress Mr. Ludlow has made.

Ms. Monson stated she would like to see Mr. Ludlow show he is able to work within the bounds of the requirements of his Order instead of consistently asking for an exception be made to his Order.

Mr. Ludlow stated he apologized for the way his request has come across. His intent is not asking for an exception but asking for an opportunity for changes if the Board felt he had made progress. Mr. Ludlow stated he understands the requirements established in his Order and understands his requests may not be approved but wanted to make sure he had the ability to ask these questions when he had them.

Ms. Navarrete stated at this time she has concerns with Mr. Ludlow working with females. Ms. Navarrete stated she would like to see Mr. Ludlow have more time and experience in current position before the Board considers making changes to his Order. Ms. Navarrete stated eventually she would like to see Mr. Ludlow transition to working with female clients when it's appropriate and in a safe environment.

The Board found Mr. Ludlow OUT OF COMPLIANCE.

An appointment was made for Mr. Ludlow to meet with the Board in December.

KYLE PETERSON, PROBATION REVIEW:

Refer to audio for specifics. (Audio 1_05) (00:19: – 00:29:49) & (Audio 1_06) (00:00 – 00:10:55)

Ms. Navarrete conducted the interview with Mr. Peterson.

Ms. Navarrete stated the Board needed to review and approve Mr. Peterson's proposed therapist.

Ms. Monson stated the therapist appears to have the standard training required.

Ms. Navarrete stated she has concerns the proposed therapist may not be able to address Mr. Peterson's specific challenges based on the information provided for the therapist.

The Board stated they would like to have additional information provided before the Board can approve Mr. Peterson's proposed therapist.

Ms. Navarrete asked if Mr. Peterson is current with his supervisor reports.

Ms. Stoddard asked Mr. Peterson how he felt his therapy and supervision has been going.

Mr. Peterson stated his therapy is going well and he feels there is a lot he will learn through his sessions. Mr. Peterson stated his supervision is going well and his supervisor has been very supported.

The Board was unable to have an in depth review due to Mr. Peterson having a child present during his interview. The Board asked Mr. Peterson to make arrangements for childcare the next time he meets with the Board.

The Board found Mr. Peterson COMPLIANT.

An appointment was made for Mr. Peterson to meet with the Board in December.

KIMBERLY ST. CLAIR, INITIAL PROBATION REVIEW:

Refer to audio for specifics. (Audio 1_06) (00:11 – 00:26:55)

Introductions were made.

Ms. Monson conducted the interview with Ms. St. Clair.

Ms. Monson advised Ms. St. Clair the meeting is public and is being recorded. Ms. Monson stated when discussing the character, professional competence, physical or mental health of an individual, the meeting is recommended to be closed.

Ms. St. Clair asked to close the meeting.

Ms. Monson made a motion to close the meeting in accordance with the Open and Public Meetings Act, 52-4-250(1) (a) to discuss the character, professional competence or physical or mental health of an individual.

Ms. Navarrete seconded the motion.

The Board motion passed.

The meeting closed at 12:36 P.M

A recording was not made and written minutes were not taken.

Ms. Aikins made a motion to open the meeting.

Ms. Monson seconded the motion.

The Board motion passed.

The meeting opened at 12:56 P.M.

Ms. Monson stated she would like Ms. St. Clair to provide and update to the Board with employment. Ms. Monson stated the Board would need to make a determination on the written plan Ms. St. Clair has submitted.

Ms. St. Clair stated she is not currently working in the field. Ms. St. Clair stated she is a stay at home mom and teaches piano lessons. Ms. St. Clair stated she plans to apply for positions in the field in the future.

Ms. St. Clair stated there was a misunderstanding with the information that needed to be provided in her written plan. Ms. St. Clair stated she will need to revise her written plan and resubmit.

Ms. Monson provided feedback regarding the written plan and what information the written plan should entail. Ms. Monson advised the plan should be submitted as soon as possible and not wait until the next meeting to December.

Ms. St. Clair asked if she would need to wait for the plan to be approved before she would be allowed to work in the field.

Ms. Bowen stated the plan did not need to be approved prior to her working in the field.

Ms. Stoddard stated Ms. St. Clair would want to notify Ms. Bowen and the Division as soon as she starts working in the field.

Ms. Monson stated Ms. St. Clair's Order requires she submit a mental health evaluation.

Ms. Bowen stated Ms. St. Clair had one done previously and wanted to know if the Board would want an updated evaluation.

The Board stated they would like to have an updated mental health evaluation. Ms. Monson recommended Ms. St. Clair have a Psychologist or other qualified evaluator perform the evaluation.

Ms. Bowen advised Ms. St. Clair to contact the Division with the proposed evaluator to make sure they are qualified prior to having the evaluation completed.

Ms. Monson stated Ms. St. Clair's due date for the evaluation is before the end of the month and stated the Board would allow her to submit or at least have the evaluation scheduled by the next Board meeting.

Ms. Falkenrath stated the Board needed to make an official vote on Ms. St. Clair's practice plan.

Ms. Monson made a motion for the Board to deny Ms. St. Clair's current written plan and stated a new written plan will need to be provided.

Ms. Navarrete seconded the motion.

The Board motion passed unanimously.

Ms. St. Clair thanked the Board for their time.

The Board found Ms. St. Clair COMPLIANT.

An appointment was made for Ms. St. Clair to meet with the Board in December.

ERIKA WILLIAMS, APPLICATION REVIEW:

Refer to audio for specifics. (Audio 1_06) (00:28 – 00:31:07) & (Audio 1_07) (00:00 – 00:16:30)

Ms. Williams was not available for her interview.

Ms. Williams submitted an application for a Licensed Clinical Social Worker. The Division has requested Board review due to questions regarding the applicant's education, supervision, and previous Board review in 2005.

Questions and comments were discussed.

Based on the information provided the Board determined the education and supervised experience does not meet requirements to award a Licensed Clinical Social Worker License.

Ms. Anderson made a motion to deny the application at this time due to lack of information and applicant's failure to attend the meeting.

Mr. Phelps seconded the motion.

The Board motion passed unanimously.

Ms. Anderson stated her time with the Board is up and will expire in December. Ms. Anderson stated she will plan to attend the December meeting at this time unless she hears otherwise.

Ms. Falkenrath stated she appreciates Ms. Anderson's time on the Board and stated the Division would love to have her attend one final Board meeting in December if possible.

Meeting ADJOURN: 1:30 P.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessary shown in the chronological order they occurred.

12/3/2020

Date Approved

Rachel Stoddard

(ss) Rachel Stoddard
Rachel Stoddard, Chairperson
Social Work Licensing Board

12/3/2020

Date Approved

Jennifer Falkenrath

(ss) Jennifer Falkenrath
Jennifer (Zaelit) Falkenrath, Bureau Manager, DOPL