

MINUTES

UTAH SOCIAL WORKER LICENSING BOARD MEETING

February 6, 2014
Room 474, 4th Floor – 9:00 A.M.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:08 A.M.

ADJOURNED: 3:40 P.M.

Bureau Manager:

Richard J. Oborn

Board Secretary:

Lee Avery

Board Members Present:

Doran Williams, Chairperson
Susan Egbert, Vice Chairperson
Kathleen Anderson
Donna Didas

Board Members Excused:

Tanya Nagahiro
Mandy Donavan
Nathan Strait

DOPL Staff Present:

Susan Higgs, Compliance Specialist
Mitchell Jones, Attorney General's office

Guests:

Dr. Bryan Hurlb
Lisa Day

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The Board reviewed the minutes dated December 5, 2013. Ms. Didas made a motion to approve the minutes with changes. The motion was seconded by Ms. Anderson and carried unanimously.

Amend minutes dated August 1, 2013

Ms. Egbert made a motion to amend the minutes dated August 1, 2013 to show that Mr. Jensen is in compliance with his stipulation. The motion was seconded by Ms. Didas and carried unanimously.

COMPLIANCE REPORT:

Ms. Higgs reviewed the compliance report with the Board.

1. Ms. Monique Crowley (McKay) is not in compliance with her stipulation. She has not submitted employer reports from November and December. She has not submitted the certificates for the CE course she completed.

Discussion:

The Board noted she was approved to continue obtaining employer reports from her supervisor until the first of the year. The Board expressed concern that she has not been in contact with the Division.

2. Ron Palmer is in compliance with his stipulation. He wrote an essay addressing ethical principals and values hierarchies, ethical decision making models, ranking ordering ethical principles and ethical principles screen. Mr. Palmer has met all other requirements of his stipulation. His probation is scheduled to end April 18, 2014.

3. Michael Rigby is in compliance with his stipulation. His stipulation does not require him to have a supervisor. He has completed all requirements of his stipulation. His probation is scheduled to end January 31, 2015. Because he has completed all requirements, the Board will consider moving his meetings with the Board to every other meeting.

4. Barry Richards is in compliance with his stipulation. He submitted supervisor reports for November and January. His probation is scheduled to end August 22, 2014.

5. Charles Nuttall is in compliance with his stipulation. He submitted a proposal to have Mark de St. Aubin, LCSW, approved as his supervisor and to have his probation plan approved. The Board wants to ensure there is not a conflict with his relationship with Mr. de St. Aubin. His private practice was a training site for Mr. de St. Aubin's students.

6. Gerard Meade is in compliance with his probation. This is his first meeting with the Board. He was ill and unable to meet with the Board in December 2013. He submitted a CV for his proposed supervisor, Lewis Hancock, Ph.D., LCSW.

7. Charles Andrews is in compliance with his stipulation. He is not working in the field. He submitted a supervisor

report for January. If he is not working in the field so he does not need therapy reports. The Board discussed moving his meetings to every 6 months.

8. Kent Larson is in compliance with his stipulation. He submitted his supervisor report for his private practice and for his work at Youth Services. He submitted 2 letters from supervisors addressing the possibility of him treating female clients without another adult present. He is requesting to be able to treat female clients without another adult present.

9. Ron Day is a new probationer. His probation term is September 4, 2013 to September 4, 2016. Mr. Oborn stated that Mr. Day wants to talk to the Board. Mr. Day signed his stipulation but later realized he did not agree with the way some it was worded. Mr. Oborn stated he had some concern regarding the language in the stipulation that summarizes his unprofessional conduct. Mr. Oborn mailed him a new stipulation reflecting changes Mr. Oborn discussed with Mr. Day over the phone; however, Mr. Day added handwritten amendments that the Division did not agree with.

APPOINTMENTS:

Monique Crowley, probation interview

Ms. Crowley failed to keep her appointment with the Board and she has violated her order. The Board expressed concerns that Ms. Crowley has not been in touch with the Division and she has not submitted her reports. The Board would like to see her at the next Board meeting. Mr. Oborn advised the Board that if she does not keep her next appointment the Board could recommend the Division send her a notice of agency action. Ms. Didas made a motion to file a notice of agency action and order to show cause due to Ms. Crowley's non-compliance involving her failure to attend her appointment with the Board and failure to submit her supervisor reports as required by her order. The motion was seconded by Ms. Egbert and carried unanimously. **Ms. Crowley is out of compliance with her stipulation.**

Ronald Palmer, probation interview

Mr. Palmer met with the Board. Ms. Egbert conducted the interview. Mr. Palmer was advised that the Division received his reports. The Board asked him which article does he feel best fit him. Mr. Palmer stated that they all fit him. The references behind the articles are included. Mr. Palmer stated he learned the wisdom of the idea that once a client, always a client, and that

there is wisdom in referring a client to another therapist. He also learned that when confronted with ethics questions or problems, he can turn to the association or DOPL as a resource. The Board advised Mr. Palmer that he will meet with the Board one more time in April before his probation term will end. The Board asked to see Mr. Palmer on April 3, 2014. **Mr. Palmer is in compliance with his stipulation.**

Michael Rigby, probation interview

Mr. Rigby met with the Board. Ms. Didas conducted the interview. Mr. Rigby stated that things are going well. He submitted a copy of another CE class he completed. He noted that this CE course is in addition to what is required in his stipulation. The course he attended is DSM-5 Understanding and Diagnosing Mental Disorders, for 6 hours. It was presented by Cross Country Education and taught by Jeannie Staut. The Board thanked Mr. Rigby for his overall attitude regarding his license on probation and for being in compliance with his stipulation. Ms. Didas made a motion to move his meetings from quarterly to every six months. The motion was seconded by Ms. Egbert and carried unanimously. The Board asked to see Mr. Rigby on June 5, 2014. **Mr. Rigby is in compliance with his stipulation.**

Barry Richards, probation interview

Mr. Richards met with the Board. Mr. Williams conducted the interview. Mr. Richards stated he is doing well. His supervisor reports have been positive. Mr. Richards stated he learned that he needs to make sure the little things count. The Board asked Mr. Richards to bring a talking point with him to the next Board meeting regarding what he has learned during this probation time. Mr. Richards' probation term is 8/22/11 to 8/22/14. The Board asked to see Mr. Richards on June 5, 2014. **Mr. Richards is in compliance with his stipulation.**

Charles Nuttall, probation interview

Mr. Nuttall met with the Board. Mr. Williams conducted the interview. Mr. Nuttall stated that things are going well. He met with Mark de.St. Aubin regarding supervision. They discussed goals and how to better utilize the supervision process vs. just another checklist. Mr. Nuttall stated that they both have a history of teaching. He first met Mr. de St. Aubin in

the early 90s at the Utah Aids Foundation and working in hospice. Mr. Nuttall stated their relationship has been professional. Ms. Egbert made a motion to approve Mr. de St. Aubin as Mr. Nuttall's supervisor. The motion was seconded by Ms. Anderson and carried unanimously. Mr. Nuttall stated he has no feelings of relapse or strong urges. He has a therapist and two mentors he connects with when needed. Ms. Didas made a motion to approve the practice plan Mr. Nuttall submitted. The motion was seconded by Ms. Egbert and carried unanimously. The Board advised Mr. Nuttall his supervisor reports are due the 20th of the month. The Board asked to see Mr. Nuttall on April 3, 2014. **Mr. Nuttall is in compliance with his stipulation.**

Gerard (Jerry) Meade, first probation interview

Mr. Meade met with the Board. Mr. Williams conducted the interview. At 11:46 A.M. Ms. Didas made a motion to close the Board meeting to discuss the character, professional competence, or physical or mental health of an individual. The motion was seconded by Ms. Egbert and carried unanimously. A recording was not made. There were no notes taken. The Board meeting opened at 12:23 P.M. Mr. Meade stated he reviewed his stipulation with his supervisor, Mr. Lewis, and does not have any questions. He plans to limit his clients to 10 a week. He does not know Mr. Hancock personally. He was referred to Mr. Lewis by several people. Ms. Anderson made a motion to accept Mr. Hancock as the supervisor for Mr. Meade. The motion was seconded by Ms. Egbert and carried unanimously. Ms. Didas made a motion to require supervisor reports and meetings every other week giving a case load of 10 hours a week. If his work load increases he needs to advise the Board. The motion was seconded by Ms. Egbert and carried unanimously. Ms. Didas made a motion to request a psychological evaluation. The motion was seconded by Ms. Anderson and carried unanimously. Mr. Meade was advised that he will have 45 days from the date of today's meeting to find a provider and provide this information to Ms. Higgs. The Board advised Mr. Meade that he will be meeting with the Board every other month. This may move to quarterly later as long as he stays in compliance with his stipulation and his supervisor reports are positive. The Board encouraged

Mr. Meade to let Ms. Higgs or Ms. Avery know if he cannot make it to a scheduled Board interview. He needs to ensure his supervisor submits his reports on time. The Board reviewed Mr. Meade's probation plan. Ms. Egbert made a motion to approve the plan. The motion was seconded by Ms. Anderson and carried unanimously. Mr. Meade stated he will start looking for CE courses. The Board advised Mr. Meade that he can supervise interns affiliated with schools. The Board asked to see Mr. Meade on April 3, 2014. **Mr. Meade is in compliance with his stipulation.**

Charles Andrews, probation interview

Mr. Andrews met with the Board. Ms. Anderson conducted the interview. Mr. Andrews stated he continues to volunteer at the food bank. He continues to work outside the field; however, hopes to find employment in the field soon. Mr. Andrews stated he has not taken any CE courses yet; however, he plans to attend some courses soon. He will be renewing his license in September and will need to have forty hours completed by then. Mr. Andrews stated that things are going well. He continues to look for employment in the field. The Board advised Mr. Andrews that his meetings with the Board will be moved to every 6 months. He still needs to have his paperwork submitted on the 20th of the month before he meets with the Board. His next due date is July 20 for the August 7th meeting. The Board asked to see Mr. Andrews on August 7, 2014.

Kent Larson, probation interview

Mr. Larson met with the Board. Ms. Egbert conducted the interview. The Board advised Mr. Larson that his letters have been reviewed. The Board discussed approving him to see female clients at the Youth Services only at this time. Ms. Egbert made a motion to approve Mr. Larson to see female clients only at Youth Services. The Board will review this again at the June 5, 2014 Board meeting. The motion was seconded by Ms. Didas and carried unanimously. The Board asked to see Mr. Larson on June 5, 2014. **Mr. Larson is in compliance with his stipulation.**

Ron Day, first probation interview

Out of order on the agenda:

Mr. Day met with the Board. Mr. Williams conducted the interview. Mr. Oborn stated that in June 2011, Mr.

Day was issued a letter of concern due to boundary issues with a client. In 2013, on multiple occasions, he provided counseling to a female client and during counseling he engaged in an inappropriate sexual discussion that had nothing to do with client's alcohol problem. Mr. Day reviewed the circumstances that he felt brought him before the Board. Mr. Day noted that he did not feel he was given adequate time to review the stipulation. Mr. Oborn stated he tried to work with Mr. Day and mailed him a new version of the stipulation with the word "sexual" removed. Mr. Day returned the stipulation with handwritten amendments with which the Division disagreed. The Board advised Mr. Day that if he chooses to sign the 2nd stipulation without further changes, his license will be placed on probation. The probation term and requirements under the stipulation does not start until he is working in the field again. These requirements may include, but are not limited to the following: therapy, additional CE courses specific to his violations, and supervised practice. The Board noted that the Board's mission is to protect public safety, health and welfare and to help him through the probation term. Sometimes the Board's role is punitive if a probationer is out of compliance. The Board encouraged Mr. Day to move forward and work out the stipulation with DOPL and abide by the requirements. The Board also encouraged Mr. Day to not replace the Board's recommendation with legal advice. Mr. Oborn advised Mr. Day to let him know if he wants to sign the 2nd stipulation as is, or if he wants to surrender his license. Mr. Oborn needs this information by 5:00 p.m. on Thursday, February 13, 2014.

Helen Allred, LCSW applicant interview

Ms. Allred met with the Board. The Board reviewed the information packet. Ms. Didas made a motion to close the Board meeting at 2:35 P.M. to discuss the character, professional competence, or physical or mental health of an individual. The motion was seconded by Ms. Anderson. There were no notes taken. A recording was not made. The Board meeting opened at 3:07 P.M. Ms. Allred stated that she was in a bad place and has not practiced since 2009. She was inexperienced and facing many difficult life choices. She is reapplying for a license and meeting with the Board because she feels she has changed. She has a

good support system now and is seeing a therapist. Ms. Allred stated that she regrets what she did; however, she also regrets not fighting the charges. She has had no contact with John Doe in 5 years. The Board advised Ms. Allred that the Board wants more time to review her packet and asked Ms. Allred to meet with the Board again in April.

DISCUSSION ITEMS:

1. Annual investigation report

Tabled to the April 3, 2014 Board meeting.

2. ASWB annual membership dues

Mr. Oborn indicated that the Division recently paid membership fees to ASWB. Being a member of ASWB allows Utah students to take the exam and for Board members to attend the conferences.

3. ASWB exam pass rates

Mr. Oborn reviewed the pass/fail rate with the Board. These scores reflect the 2012 exams. The scores have been shared with the schools. Utah candidates have a high pass rate compared to other states.

4 Transfer of ASWB exam pre-approval process from DOPL to ASWB

Mr. Oborn reviewed the upcoming transfer of ASWB exam pre-approval process from DOPL to ASWB. Mr. Oborn stated that this will place the responsibility of approving Utah candidates for the exam on ASWB; however, DOPL will still make the final determination regarding approval of the license. The client will be required to submit their transcripts and maybe their hours of supervised experience to ASWB. As soon as things are formalized with ASWB, DOPL will contact all of the Utah schools and advise them of the change. The change should be in place by March 2014.

5. Update regarding proposal to define "on the job training program" as used in Utah Code 58-60-107 (2)(g) in Utah Admin. Code R156-60

Mr. Oborn reviewed an update regarding the a proposal to define "on the job training program" as used in Utah Code 58-60-107 (2)(g) in Utah Admin. Code R156-60. The following paragraph is proposed to be added:

R156-60-102. Definitions.

(6) "On-the-job-training program" means a program that:

(a) is applicable to individuals who have completed all courses required for graduation in a degree or formal training program that would qualify for licensure under this chapter;

(b) starts immediately upon completion of all courses required for graduation;

(c) ends 45 days from the date it begins, or upon licensure, whichever is earlier, and may not be extended or used a second time;

(d) is under supervision by a qualified individual licensed under this chapter and that includes supervision meetings on at least a weekly basis when supervisee and supervisor are physically present in the same room at the same time; and

(e) is completed while the individual is an employee of a public or private agency engaged in mental health therapy or substance use disorder counseling.

Mr. Oborn stated he shared the language with the other mental health boards and the U of U MSW program director and received some helpful feedback. Mr. Oborn stated the rule hearing will likely be held in April or June and he will invite the other mental health association to participate.

6. Possible amendment to Utah Code 58-60-205 to recognize the Canadian Association of Social Workers Education (CASWE) as acceptable accreditation for licensure

Mr. Oborn reviewed a possible amendment to Utah Code 58-60-205 to recognize the Canadian Association of Social Workers Education (CASWE) as acceptable accreditation for licensure.

7. Upcoming legislative session

Mr. Oborn reviewed the upcoming legislative session with the Board. The NASW, Utah Chapter is moving to amend the Mental Health Professional Practice Act to add the title "social worker" to the list of protected titles. The CASWE accreditation would recognize the Canadian Association of Schools of Social Work accreditation as equivalent to CSWE accreditation. Under this agreement, any master's or bachelor's degree from a program accredited by CASSW is accepted as substantially equivalent to a master's or bachelor's degree from a program accredited by CSWE. Ms. Egbert made a motion to support this proposed legislation. The motion was seconded by Ms. Didas and carried unanimously.

8. Open and Public Meetings Act training

Mr. Oborn trained the Board regarding the Open and Public Meetings Act.

9. Identification of items to appear on next meeting's agenda

The Board would like to meet with Ms. Allred again.

NEXT SCHEDULED MEETING:

April 3, 2014

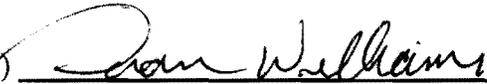
2014 Board meetings tentatively scheduled:
April 3, June 5, August 7, October 2, December 4

ADJOURN:

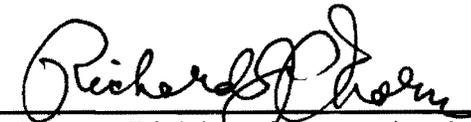
Motion to adjourn at 3:40 P.M.

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 necessarily shown in the chronological order they occurred.

4/3/14
Date Approved

(SS) 
Chairperson, Utah Social Worker Licensing Board

4/3/14
Date Approved

(SS) 
Bureau Manager, Division of Occupational &
Professional Licensing