



STATE OF MINNESOTA

# BOARD OF SOCIAL WORK

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**REGULAR BOARD MEETING**  
**University Park Plaza**  
**University Conference Room A – 1<sup>st</sup> Floor**  
**2829 University Avenue SE**  
**Minneapolis, Minnesota 55414**

**March 22, 2002**

## MINUTES

**Members Present:** Kathleen Beehler, LSW  
Anthony Bibus, III, LISW  
Jane Braun, LSW  
Paul Gaston, LSW  
Margaret Sebring Khali, LSW  
Marilyn Kiloran, LICSW  
Peter Langseth, LSW, Secretary-Treasurer  
Lois McDougall, Public Member  
Anoma Mullegama, LICSW  
Steven Sawyer, LICSW, Chair  
Antonia Wilcoxon, Public Member

**Members Absent:** Miriam Bergmark, Public Member  
Barbara Kaufman, LISW, Vice-Chair  
Michael Yang, Public Member

**Staff Present:** Louis Hoffman, Director of Compliance  
Sheryl McNair, LICSW, Staff Social Worker  
Connie Oberle, Office Manager  
Penny Troolin, Executive Director  
Kate Zacher-Pate, LSW, Director of Licensure

**Legal Counsel:** Susan Damon, Assistant Attorney General

### **I. CALL TO ORDER; ADDITIONS TO AND APPROVAL OF AGENDA**

Chair Sawyer called the meeting to order at 10:05 a.m.; a quorum was present. The agenda was approved, with the deletion of agenda item XI (*U of M Law School Institute on Criminal Justice*), and the tabling of agenda item VI (*Special Committee on Board Operations – Final Report*).

## II. APPROVE MINUTES FOR JANUARY 21, 2002 BOARD MEETING

A motion was made by Gaston, seconded by Bibus, to approve the minutes for the January 21, 2002 Board meeting. The motion carried.

## III. EXECUTIVE DIRECTOR'S REPORT

Troolin introduced new Board members Anoma Mullegama, LICSW and Antonia Wilcoxon (Public Member), and then introduced the Board's new compliance coordinator, Brenda Mammenga. Troolin referred Board members to her written report. She then announced the recent death of Darina Siv, Executive Director for United Cambodian Association. Following discussion, a motion was made by Braun, seconded by McDougall, to adopt the following resolution:

**BE IT RESOLVED**, on this 22<sup>nd</sup> day of March, 2002, that we, the members of the Minnesota Board of Social Work, hereby honor the life and work of Darina Siv (1957 - 2002) with the following pronouncement:

### In Gratitude to Darina Siv

... for her dedicated and tireless service to clients at the  
Wilder Southeast Asian Social Adjustment Program;

... for her visionary leadership as  
Executive Director of the United Cambodian Association;

... for eloquently sharing her story of courage and survival in  
*Never Come Back: A Cambodian Woman's Journey*;

... for working as an advocate for social justice  
to ensure that all persons in this country have  
equal access to the American Dream; and

... for showing us the power of  
human kindness and goodwill,  
even in the face of tragedy and loss.

**The motion carried.** The Board directed Troolin to present the resolution to Darina Siv's family at the earliest opportunity.

*(The meeting was CLOSED at 10:15 a.m. for the following agenda item.)*

## IV. DISCIPLINARY MATTERS (*Executive Session*)

1. In the Matter of HJ, LICSW. Complaint Panel members Braun and Sebring Khali summarized the background and facts relating to this case, and recommended approval of the Stipulation and Order signed by Licensee. Following discussion, a motion was made by McDougall, seconded by Gaston, to adopt the Stipulation and Order. The motion carried. Under the terms of the order, Licensee is **reprimanded**, and must comply with the following **conditions and restrictions** on her license: (a) Licensee must participate in HPSP; (b) Licensee must

obtain a chemical dependency evaluation and comply with the evaluator's recommendations; (c) Licensee must abstain from using mood-altering chemicals; (d) Licensee must sign all necessary waivers; (e) Licensee must not provide supervision; (f) Licensee must pay costs in the amount of \$300; and (g) Licensee is subject to a \$25 fine for each late report or other violation of the Stipulation and Order.

*(The meeting was RE-OPENED to the public at 10:24 a.m.)*

2. **CONTESTED CASE:** In the Matter of the Social Work License of Halle S. Ricketts, LICSW, License # 14301. The Board's Advisory Attorney, Assistant Attorney General Susan Damon, explained that the Board had taken action on this contested case at the January 18, 2002, meeting, but that Licensee and his attorney, Beth Bertelson, were now appearing before the Board to petition for an amended order.

Licensee's attorney presented oral argument to the Board in support of a petition for an amended order that would stay the suspension of Licensee's license. Licensee then spoke to the Board. Hoffman explained that, although Licensee is not yet eligible for a stayed suspension under the terms of the order issued by the Board on January 18, 2002, the Compliance Panel (Kaufman) recommends that the Board consider Licensee's petition.

*(The meeting was CLOSED at 10:42 a.m. for Board deliberation; Hoffman, Licensee and his attorney left the meeting.)*

Board members discussed whether to consider Licensee's petition; Bibus recused himself from the discussion. **A motion was made by Kiloran, seconded by McDougall, to consider Licensee's petition for a stayed suspension. The motion carried, with Bibus abstaining.**

*(The meeting was RE-OPENED to the public at 10:52 a.m.; Hoffman, Licensee and his attorney re-entered the meeting.)*

Sawyer announced to Licensee that the Board agreed to consider Licensee's petition for a stayed suspension. Licensee's attorney presented oral argument in support of the stayed suspension. Board members and staff then asked questions of Licensee.

*(The meeting was CLOSED at 11:10 a.m. for Board deliberation; Hoffman, Licensee and his attorney left the meeting.)*

Board members discussed whether to issue an amended order staying Licensee's suspension; Bibus continued to recuse himself from deliberation. Damon explained that Licensee and his attorney may be willing to sign a stipulation and order. Following discussion, **a motion was made by Braun, seconded by Langseth, to adopt a stipulation and order, effective today, provided Licensee agrees to and signs a stipulation and order authorizing Licensee to petition the Board for a stayed suspension upon fully complying with the following terms: (a) Licensee must complete twelve hours of one-on-one continuing education with an instructor approved in advance by the Compliance Panel, and within a time frame established by the Compliance Panel; (b) Licensee must comply with a revised repayment schedule; and (c) Licensee must meet with the Compliance Panel on or before April 5, 2002. Under the terms of the stipulation and order, the Board may revoke the stayed suspension if Licensee fails to comply with the terms of the order. The motion carried, with Bibus abstaining.**

*(The meeting was RE-OPENED to the public at 11:20 a.m.; Hoffman, Licensee and his attorney re-entered the meeting.)*

Sawyer explained the Board's decision to Licensee and his attorney.

*(The Board recessed for lunch at 11:30 a.m., and reconvened at 11:45 a.m. The Board then moved directly to agenda item VII.)*

## **VII. HIRING COMMITTEE REPORT ON EXECUTIVE DIRECTOR HIRING**

Sawyer presented the Hiring Committee's report on the status of hiring a new executive director, which included posting the position opening with the Department of Employee Relations and the Board's Web site, advertising the position in statewide issues of the StarTribune and Pioneer Press, and disseminating information about the position opening and the hiring process to the Advisory Committee. He explained that the Hiring Committee interviewed six candidates, and selected two finalist to be interviewed by the full Board at 12 noon.

*(At 11:55 a.m., the Board returned to agenda item V.)*

## **V. PETITIONS FOR REINSTATEMENT OF LICENSE**

1. In the Matter of the Petition for Reinstatement of Expired LSW License # 7907. Zacher-Pate presented background information relating to the Petitioner's petition for reinstatement, and summarized Petitioner's reasons for failing to renew her license by November 30, 2001, which were described in her letter to the Board dated February 28, 2002. **A motion was made by Langseth, seconded by Wilcoxon, to deny the petition on the grounds that Petitioner was not able to demonstrate that she was "unable to comply with the license renewal requirements due to a mental or physical condition," in accordance with Minnesota Rules, part 8740.0200, subpart 3; nor did she present sufficient reasons for the Board to restore her license pursuant to Minnesota Statutes, section 148B.26, subdivision 2. The motion carried, with Bibus and Sebring Khali opposing the motion. Braun abstained.**

2. In the Matter of the Petition for Reinstatement of Expired LSW License # 7070. Zacher-Pate presented background information relating to the Petitioner's petition for reinstatement, and summarized Petitioner's reasons for failing to renew her license by April 30, 2000, which were described in her letters to the Board dated January 18, February 16, February 22, and March 3, 2002. **A motion was made by Gaston, seconded by Braun, to deny the petition on the grounds that Petitioner was not able to demonstrate that she was "unable to comply with the license renewal requirements due to a mental or physical condition," in accordance with Minnesota Rules, part 8740.0200, subpart 3; nor did she present sufficient reasons for the Board to restore her license pursuant to Minnesota Statutes, section 148B.26, subdivision 2. The motion carried, with Beehler abstaining.**

*(At 12:05 a.m., the Board went directly to agenda item VIII.)*

## **VIII. EXECUTIVE DIRECTOR CANDIDATES – FINAL INTERVIEWS**

1. Interview of Frank Merriman, Finalist Candidate for Executive Director Position. Staff distributed the candidate's writing sample and Board members introduced themselves to the

candidate. Board members then proceeded to ask the candidate questions that had been provided to the candidate for review earlier in the day. After responding to all questions, the candidate was excused and the second finalist candidate was invited to appear before the Board.

2. Interview of Jill Ruzicka, Finalist Candidate for Executive Director Position. Staff distributed the candidate's writing sample and Board members introduced themselves to the candidate. Board members then proceeded to ask the candidate questions that had been provided to the candidate for review earlier in the day. After responding to all questions, the candidate was excused.

*(At 1:40 p.m., the meeting was CLOSED as the Board went into Executive Session to deliberate over the two finalist candidates.)*

Following discussion, a motion was made by Braun, seconded by McDougall, to offer the position of executive director to Frank Merriman. The motion carried.

Following further discussion, a motion was made by Bibus, seconded by Kiloran, to delegate to the Hiring Committee the authority (1) to negotiate a starting salary and starting date with Merriman; and, if Merriman does not accept the Board's offer, (2) to reopen the hiring process and bring to the Board a new slate of up to two candidates for the Board to consider for the executive director position. The motion carried.

*(At 2:05 p.m., the meeting was RE-OPENED to the public.)*

## **IX. BOARD COMMITTEE REPORTS**

### **A. Application Review Committee**

Zacher-Pate referred to the written statistics included in the Board packet. She reported that to date there have been no denials of licensure for applicants under the foreign-born, English as a second language law.

### **B. Compliance Committee**

Compliance Committee Chair Braun reported that compliance unit staff have set aggressive goals for responding to incoming complaints. Compliance panels and staff are trying harder to work in a cooperative way with licensees to resolve complaints, which is proving to be effective. Hoffman announced that comments "from the field" indicate that social workers are responding well to changes in the Board's the complaint-resolution system. Sawyer requested that compliance unit staff provide the Board with a status sheet at every Board meeting.

### **C. Executive Committee**

Executive Committee Chair Sawyer reported that the Executive Committee met with the executive committee for NASW – Minnesota Chapter on February 6, 2002. They discussed the Board's accomplishments and everyone was in agreement that currently there are no issues between NASW and the Board. Langseth explained that the Board's Executive Committee presented a summary of the SCOBO Final Report and discussed accomplishments in the compliance unit. NASW's executive committee reported at the meeting that the lines of communication were working well

between the two organizations. It was agreed that no further meeting need be scheduled at this time, but that the two groups will meet again as the need arises.

**D. Finance Committee**

Finance Committee Chair Langseth reported on the committee's March 21, 2002 meeting by summarizing draft minutes of the meeting (*attached*). Board members discussed the hiring freeze and the out-of-state travel freeze imposed by the Legislature.

**E. Licensure Exam Study Work Group**

Licensure Exam Study Work Group Chair Langseth reported that the work group has made no progress in obtaining funding for the study. The work group will be having another meeting soon to decide how to proceed.

**X. OTHER COMMITTEE/ORGANIZATION REPORTS**

**A. Advisory Committee**

No report was given.

**B. Association of Social Work Boards (ASWB)**

Troolin announced that the three new board members (Mullegama, Wilcoxon and Yang) and one new staff member (Hoffman) would be attending ASWB's new board member training sessions in 2002.

**C. Council of Health Boards**

McDougall reported that the Council of Health Boards met in February, and that two occupational groups would be reviewed by the Council, pursuant to their new statutory authority.

**D. E-Therapy**

Zacher-Pate reported that the multi-board E-Therapy Committee did not meet last month, but was in the process of compiling the results of a recent survey distributed to regulatory boards throughout the country.

**E. Federation of Associations for Regulatory Boards (FARB)**

Sebring Khali reported on the conference she attended in February. She explained that the Minnesota Board of Chiropractic Examiners presented a demonstration of the services they now provide on-line, including renewals and licensure verification. Attendees were urged to use FARB's Model Code of conduct in the orientation of new board members. FARB Executive Director Dale Atkinson presented a summary of Minnesota's foreign-born, English as a second language licensure law at the conference.

**F. Health Professionals Services Program (HPSP)**

Bibus reported that, notwithstanding an increasing number of self-reports by social workers, a disproportionately low number of social workers participate in HPSP. Bibus urged Board members and staff to continue to publicize HPSP as a resource available to social workers. Bibus then announced that HPSP will be seeking increased funding from member boards in the amount of \$150 per participant in the program. He explained that current caseloads are too high, and HPSP needs this increase to hire an additional staff person.

## **XII. PUBLIC COMMENT**

Pam Luinenburg, Coordinator for the Minnesota Coalition of Licensed Social Workers, reported on the MSSA conference held earlier in the month, at which a panel assembled by the Coalition conducted a session on the issue of licensure of county social workers. She announced that a written report of the session would be forthcoming. Luinenburg then reported on a proposal being advanced by Ken Ebel, Director of Sherburne County Social Services, which would allow licensed social workers to be hired by counties in greater Minnesota without taking the Minnesota Merit System examination. Luinenburg explained that she and Board staff (Troolin and Zacher-Pate) would be meeting with Betty Carlson, head of the Minnesota Merit System, to discuss Ebel's proposal and try to reach agreement on the logistics.

## **XIII. ADJOURN**

The meeting adjourned at 3:25 p.m.

Respectfully submitted,



PETER LANGSETH, LSW  
Secretary-Treasurer