



STATE OF MINNESOTA

BOARD OF SOCIAL WORK

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REGULAR BOARD MEETING
University Park Plaza
University Conference Room A – 4th Floor
2829 University Avenue S. E.
Minneapolis, Minnesota 55414

July 21, 2006

Members Present: Kathleen Beehler, LSW
Anthony Bibus, III, LISW
Robin Bode, LSW
William Cullen, Public Member
David Hallman, LSW, Secretary-Treasurer
Rosemary Kassekert, Public Member
Mary Casey Ladd-Bowman, LICSW
Peter Langseth, LSW
Kenneth Middlebrooks, Public Member
Anoma Mullegama, LICSW, Vice-Chair
Beverly Ryan, LISW
Antonia Wilcoxon, Public Member, Chair

Members Absent: Roy Garza, LGSW

Staff Present: Bethany Henshaw, Office Assistant
Brenda Mammenga, Compliance Coordinator
Sheryl McNair, LICSW, Staff Social Worker
Frank Merriman, Executive Director
Connie Oberle, Office Manager
Kate Zacher-Pate, LSW, Assistant Director

1. INTRODUCTIONS

- Robin Bode
- Bethany Henshaw

Chair Wilcoxon called the meeting to order at 10:05 a.m.; a quorum was present. Merriman introduced new Board Member, Robin Bode, and he noted that she had attended orientation before this meeting. He also said that Anoma Mullegama was re-appointed to the Board. Merriman introduced Bethany Henshaw, Office Assistant, and

mentioned two other new Board staff, Tracy Gullerud, Communication Specialist, and Malinn Pate, Temporary Licensing Assistant. All present at the meeting introduced themselves.

2. PROPOSED AGENDA

Merriman distributed a revised agenda. **A motion was made by Middlebrooks, and seconded by Mullegama, to approve the revised agenda. The motion carried unanimously.**

3. MINUTES FOR MAY 19, 2006 MEETING

Several revisions were noted.

- Wilcoxon said that she did not second the motion to approve the May 19, 2006 Board meeting minutes. The motion should read: **"A motion was made by Middlebrooks, and seconded by Mullegama, to approve the May 19, 2006 Board meeting minutes. The motion carried unanimously."**
- Hallman proposed deleting the last sentence of paragraph nine (9. Executive Committee) of the May 19, 2006 Board Minutes. **A motion was made by Hallman, and seconded by Ladd-Bowman, to delete the last sentence of paragraph nine (9. Executive Committee) of the May 19, 2006 Board minutes and to approve the minutes as amended. The motion carried unanimously.**

4. EXECUTIVE DIRECTOR'S REPORT: Frank Merriman

Merriman distributed "Executive Director's Report [Revised], July 21, 2006 Board Meeting," and made the following report:

A. Appointment of Board Members: Merriman referred to Governor Pawlenty's press release announcing Robin Bode's appointment to the Board replacing former Board Member, Paul Gaston, and the re-appointment of Anoma Mullegama. They will serve a four-year term which ends January 4, 2010. Two vacancies remain-school social worker and public member.

B. Sunny Andrews award: ASWB has provided electronic forms if you would like to nominate and publicly acknowledge board or staff members of social work regulatory boards for contributions to their individual boards.

C. Recognition of Departing Board Members: There will be a luncheon honoring former Board Members, Margaret Sebring Khali and Paul Gaston, at the September 15, 2006 Board meeting.

D. Expense and Per Diem Reports for fiscal year ending 6/30/06 should be submitted to Oberle as soon as possible.

E. Education & Training Sessions: See attachment for future Board training.

F. Disaster Recovery Plan: The Health Licensing Boards have developed a project charter that will be used to partner with the Office of Enterprise Technology in completing a continuity of operations plan.

G. My Performance Appraisal: Merriman discussed recommendations from the Board including the budget format, sharing information with the Board regarding staff Human Resource issues, and the "Supervisory Development Core Training Program" that he will take from the State's Department of Administration.

H. Work Plan: The plan has been updated.

I. Conferences: There are four major conferences per year that several Board and Staff members may attend. The sign-up-sheets were distributed.

J. Computer Project: Online service enhancements are on track for FY 2006, and decisions are being made for FY 2007 and the biennium. The web site is an ongoing project and a Board member intranet is planned in the future.

K. Statistical Reports: "List of Statistical Reports" was distributed. It included a Compliance Status Report, Number of Licensees, Licenses Issued, Renewals Received, and Online Renewals Received. The Board Member public and private contact list was distributed.

5. BOARD ASSESSMENT: Management Analysis & Development: Frank Merriman

Merriman reported that he acted upon the Executive Committee's request to gather information about hiring an outside entity that could do an information gathering assessment of the Board and help develop a strategic plan. See "Board Assessment Option." He contacted Susan Senko from the Management Analysis and Development office ("MAD"), which is housed within the State's Department of Administration. Senko recommends an assessment of the entire organization, including both Board members and Board staff. One-on-one personal interviews would be conducted and a written report would be prepared. Wilcoxon asked that input via e-mail from the Board and staff on this matter be sent to her, Mullegama or Hallman. The Executive Committee will decide whether to hire MAD or another entity.

6. LEGISLATION: Frank Merriman

- Clinical Standards Background Information

Merriman referred to materials mailed and e-mailed, which includes the following: a preliminary draft of the clinical standards proposal, a memo from Pam Luinenburg of the Minnesota Coalition of Licensed Social Workers which explains the process, a table summarizing the clinical requirements of the various mental health professions in Minnesota, a table summarizing the clinical requirements of social workers in various states, and a preliminary schedule for actions to be taken.

Besides clinical standards, Merriman suggested that the Board consider pursuing legislation regarding the budget, ESL/Foreign-Born Applicants and possibly exemptions in the 2007 legislative session. **A motion was made by Bibus, and seconded by Hallman, to reconvene the Legislation and Rules Committee for the 2007 legislative session. The committee was authorized to request the Advisory**

Committee to appoint two representatives to work with the committee. The motion carried unanimously.

There was discussion about the clinical standards issue. Merriman reported that it was not a Board initiated activity. During the 2005 legislative session, legislation was introduced regarding the standards of Licensed Professional Counselors practicing in a clinical setting. In 2006, the legislature directed the Department of Human Services to conduct a study concerning clinical diagnosis and Medicaid reimbursement for all professions. The Health Licensing Boards were also directed to work on the study. DHS's final written report must be submitted to the legislature by January 15, 2007.

7. ESL REPORT: Colleen McDonald

Merriman introduced Colleen McDonald, who is the Board's consultant on the alternative licensure issue. McDonald reported that she and Janina Aristy, Executive Director of the Multicultural Specialty Provider Network, have partnered in conducting roundtable meetings. "Preliminary Findings" was distributed today which shows that there have been more than 40 participants at the discussions held throughout the Twin Cities. The purpose of the roundtable discussions is to disseminate Ralph Holcomb's report and to get feedback from the participants on the educational system, and the examination and licensure process. All community roundtable participants thanked the Board for looking into this issue and for attempting to solve disparities in the licensure process. Future roundtable discussions may be held in Duluth and Rochester.

8. COMPLIANCE COMMITTEE MEMBERSHIP: Frank Merriman

Merriman reported that Margaret Sebring Khali is no longer a member of the Board and that her position is open on the Compliance Committee. Mullegama commented that there are three remaining committee members and that they can handle the work load without another member. **A motion was made by Mullegama, and seconded by Middlebrooks, to have three members on the Compliance Committee instead of four. The motion carried unanimously.**

9. EXEMPTION REQUEST: Frank Merriman

Merriman reported that Board Staff generally handles requests for exemption from licensure. However, since formal requests are rare and Staff has not asked the Board to consider such an exemption for some time, Staff would like the Board to consider a request from a private non-profit agency as to whether a person qualifies for exemption for licensure pursuant to Minnesota Statutes, Chapter 148D.065, subdivision 5. **A motion was made by Bibus, and seconded by Langseth, to maintain the precedent the Board has taken in the legal interpretation of the law regarding exemptions as stated in Minnesota Statutes, Chapter 148D.065, subdivision 5. The motion carried unanimously.**

After discussion, **a motion was made by Bibus, and seconded by Ladd-Bowman, to deny the Professional Association of Treatment Homes, a private**

non-profit agency, request for exemption under the Board's Policy on Geographic Waivers dated 11-12-03. The motion carried with one abstention.

A motion was made by Cullen, and seconded by Beehler, directing Board Staff to deliver the Board's Policy on Geographic Waivers whenever such request is made to the Board. The motion carried unanimously.

10. TAX CLEARANCE POLICY: Frank Merriman

A motion was made by Bibus, and seconded by Langseth, to approve the Board's Executive Director the authority to Revoke and Non-Revoke Licenses within 30 days of receipt by the Board as stated in Minnesota Statutes section 270.72. The motion carried unanimously.

11. APPOINTMENT OF BUDDY FOR ROBIN BODE: Frank Merriman

- Merriman asked for a volunteer to assist Bode in her role as a new Board member. Bibus agreed to assist Bode through e-mail contact.

12. LEGISLATION AND RULES COMMITTEE: Frank Merriman

The following was also discussed regarding preparation for the 2007 legislative session:

- Ladd-Bowman agreed to Chair the Legislation and Rules Committee, Bibus and Langseth will serve as committee members, and the Drafting Subcommittee will have two members appointed by the Advisory Committee;
- Langseth will represent the ESL Committee;
- Ladd-Bowman will represent the clinical standards group; and
- Bibus will represent the Legislative Task Force.

LUNCH (Adjourned from 12:45 – 1:15 p.m.)

CONFERENCES: [Continued from 4.I.]

Merriman suggested that Board members be allowed to attend one conference per year, and that no more than two Board members may attend any one conference at a time. The following sign-up sheets were passed:

- CLEAR, September 14-16, 2006 in Alexandria, Virginia. Kassekert will attend and possibly Langseth.
- CAC, October 17-20, 2006 in Williamsburg, Virginia. Middlebrooks will attend.
- ASWB, November 10-12, 2006 in Baltimore, Maryland. Beehler will attend as Board delegate, and also Wilcoxon.
- FARB, February 2-4, 2007 in San Antonio, Texas. Hallman will attend and possibly Beehler, as she will be in the area.

13. HUMAN RESOURCES OVERVIEW: Frank Merriman

Merriman discussed the process involved in disciplining two of the Board's employees, one of which is resolved and one is not. He explained that it is a very lengthy and confidential process which involves the Department of Employee Relations (DOER), the employee's bargaining unit, and Board policies. He also discussed the hiring process through DOER, and the role that bargaining units have in hiring employees, as well as the judicial role it plays in disciplining employees.

Currently the Board office is fully-staffed, and includes a temporary and a student worker.

**14. DISCIPLINARY MATTERS: David Hallman, Anoma Mullegama,
Kenneth Middlebrooks**

(Executive meeting – closed to the public at 1:55 p.m.)

1. In the Matter of Robert W. Michler, LICSW License No. 886. The Compliance Committee's recommendation approving the Order Granting Unconditional License was approved with one opposing.

[The meeting re-opened to the public at 2:05 p.m.]

15. COMMITTEE & LIAISON REPORTS

A. Compliance Education Outreach Committee: Antonia Wilcoxon

Wilcoxon reported that the Committee did not meet. McNair reported that a proposal has been submitted to the 22nd National Home & Community Based Services Conference (Age & Disabilities Odyssey) slated for October 4-5, 2006 at the Minneapolis Hyatt. To date, we have not received acceptance of our proposal.

B. Council of Health Boards: Rosemary Kassekert

Kassekert reported that the Council did not meet.

C. ESL Committee: Peter Langseth

Merriman distributed "ESL Committee July 20, 2006 Minutes." Langseth thanked Ladd-Bowman and Wilcoxon for attending the meeting, and reported that the Committee is making progress and dialog is very positive. Discussion included the following:

- An offer was extended for people to present their exam stories to the Board.
- There has been discussion about incorporating cultural competency into the FB/ESL legislation. This issue will be considered in the future.

- The focus of legislation in the next session will be to extend FB/ESL legislation for two years with a supervision requirement.

D. Finance Committee: David Hallman

Merriman distributed "Finance Committee July 20, 2006 Minutes." Hallman reported a surplus of \$217,767 for the first year of a two year budget. The Department of Finance allowed the Board direct costs of \$873,000. Final budget figures will be available around September 1.

E. HPSP: Casey Ladd-Bowman

Ladd-Bowman reported that the Committee has not met since the last Board meeting.

F. Legislative Task Force: Tony Bibus

A meeting is planned in August.

G. OMHP: Tony Bibus

Bibus reported that OMHP is very well run by Christy Wright, Program Manager. He said that the Office has jurisdiction over unlicensed mental health practitioners, and its authority is narrowly defined. The Office has very few complaints, and word about it has been disseminated through mailings, contact with professional associations and its website which has increased awareness of its purpose. The Office sunsets in 2009 unless it is extended by the legislature.

16. PUBLIC COMMENT

Alan Ingram, Executive Director of the National Association of Social Workers-Minnesota Chapter, said that he agrees that the Board should have a surplus, but he expressed his concern about the surplus being taken from the Board for use by the State's General Revenue Fund. Merriman responded that the budget surplus will be discussed at the next Board meeting, and noted that final surplus figures occur at the end of the biennium.

17. OTHER BUSINESS

In regard to increasing the number of licensees renewing online, Hallman asked if Board Staff would consider sending a survey to licensees who have not used the online renewal feature. Merriman said that on-line renewal statistics would be discussed at the next Board meeting.

12. ADJOURN

The meeting adjourned at 3:00 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "David Hallman".

David Hallman, LSW
Secretary-Treasurer