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**REGULAR BOARD MEETING**  
**University Park Plaza**  
**Conference Room C – 3rd Floor**  
**2829 University Avenue S. E.**  
**Minneapolis, Minnesota 55414**

**Minutes**

**January 18, 2008**

**Members Present:** Kathleen Beehler, LSW  
Robin Bode, LSW  
William Cullen, Secretary-Treasurer  
David Hallman, LSW, Chair  
Rosemary Kassekert, Public Member  
Mary Casey Ladd, LICSW  
Peter Langseth, LSW  
Kenneth Middlebrooks, Public Member, Vice Chair  
Tamerlee Ruebke, LSW  
Beverly Ryan, LISW  
Antonia Wilcoxon, Public Member

**Members Absent:** Anthony Bibus, III, LISW  
David Sandry, Public Member

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

**1. PROPOSED AGENDA**

Chair Hallman called the meeting to order at 10:05 a.m.; a quorum was present. The Board unanimously approved the agenda.

## 2. MINUTES FOR NOVEMBER 16, 2007 MEETING [Attached]

The November 16, 2007 Board Meeting minutes were unanimously approved by the Board. **A motion was made by Langseth, and seconded by Ruebke, to approve the November 16, 2007 minutes. The motion carried unanimously.**

## 3. EXECUTIVE DIRECTOR'S REPORT [Attached]

Merriman reported the following:

### A. Strategic Plan Status Report [Attached]

- The revisions to the plan are highlighted, several items are marked completed, and some target dates were revised.

### B. Statistics [Attached]

- On-line renewals and application figures have stabilized and may stay at 62% for applications and 62-64% for renewals. Most other Boards have stabilized at 80%.

### C. T-Shirts

- The shirts for Board members will be distributed today.

## 4. COMPLIANCE COMMITTEE: David Hallman, Ken Middlebrooks

Hoffman reported the following:

### A. Compliance Matters

- The Committee met yesterday and many of the cases on the large agenda were dismissed, with one follow-up and one educational meeting. There are two cases pending a Stipulation and Order, and several cases being investigated by the Attorney General, one involving alleged unlicensed practice. The Attorney General recommended the Board review the current statutory provisions regarding jurisdiction over unlicensed practice to determine if statutory modification may be needed.

### B. Appointment of Member to Replace Anoma Mullegama

- Mullegama resigned her position on December 10, 2007. Ladd and Ryan are interested in joining the Compliance Committee. **A motion was made by Langseth, and seconded by Ruebke, to approve Ladd and Ryan's appointment to the Compliance Committee contingent upon the approval of Ryan's employer. The motion carried unanimously.**

## 5. COMMITTEE & LIAISON REPORTS

### A. Advisory Committee: Antonia Wilcoxon [Minutes Attached]

- Wilcoxon reported that Annyea Berg resigned as Chair of the Committee, and that Stephanie Alen may take the position. Meetings have been scheduled for 2009 and the Committee plans to develop bylaws. The Committee has requested the Board to develop one resource that would help professionals find qualified licensing supervision.
- Luinenburg reported that supervision is a key issue for licensees and that the Advisory Committee had an in-depth discussion about it. Also, the effect of removing exemptions in the counties, the new statute and how supervisors will be affected was discussed at the meeting and at the Coalition meeting. A questionnaire was compiled by the Coalition regarding supervisors and licensing supervision that will be sent to the Associations. The results will be presented to the Advisory Committee.
- There was discussion about frequently asked questions by licensees, and the Advisory Committee has requested the Board to develop a newsletter that could be available on the Board's website. Wilcoxon said that the Board is open to exploring ideas and that there is a compliance brochure available and compliance information is on the Board's website. The draft of the continuing education brochure is nearing completion, and a supervision brochure will be available in the near future.

B. ASWB: Kathy Beehler

- Beehler said there was nothing to report at this time.

C. Compliance Education Outreach Committee: Antonia Wilcoxon

- Hoffman reported that the Committee was approved to do a session at the MSSA Conference in March and that he, Hallman and McNair will present information about old and new compliance process standards and Ladd and Zacher-Pate will do a presentation on the 2007 legislation.
- McNair will present in Hoffman's absence at the Minnesota Psychological Association in April and Hoffman will present at the NASW conference in June. Bode and Hoffman may present at another conference this spring.
- Hoffman responded to Luinenburg that he is willing to talk to larger groups about the compliance process.
- Bibus and Hoffman did a presentation to Sherburne County in December.

D. Council of Health Boards: Rosemary Kassekert

- Kassekert reported there was a meeting on December 5 and discussion about the Legislature's request for the Council to review a legislative proposal for regulating Athletic Trainers, which is currently regulated by the Board of Medical Practice.

E. Finance Committee: Bill Cullen [Report Distributed]

- Cullen reported that the total operating expenses are at 38.9% which is well ahead of the budgeted 50%, and total expenses are also good at 30% of budget expenses. 50.98% of the revenue has been collected which is 50% of the fiscal year's estimate.

F. HPSP: Rosemary Kassekert

- Kassekert reported that HPSP had its new office open house on November 22. They have hired a new case manager and case aide. Also, the budget operating expenses are within set parameters, they are converting and updating their database, and passed the annual security audit on June 30 which recommended that HPSP update and add new computers to the office. She also reported on social work actions reported to HPSP.

G. Legislation & Rules Committee: Casey Ladd

\* *Attachment: Implementation of 2007 Legislation*

- Temporary Licenses and Provisional Licenses: No Board Action
- Clinical Standards 67.21: **The Legislation and Rules Committee recommendation to approve changing "postgraduate coursework" to "graduate coursework in an accredited institution of higher learning" was unanimously approved by the Board.**
- Clinical Standards 85.10 and 86.22: **The Legislation and Rules Committee recommendation to approve tabling these sections until March when additional input will be received from the Coalition was unanimously approved by the Board.**
- Clinical Standards 88.7: **The Legislation and Rules Committee recommendation to approve changing the language from 90 days to 60 days was unanimously approved by the Board.**
- Clinical Standards 89.13-89.35: **The Legislation and Rules Committee recommendation to approve deleting subdivision 2 was unanimously approved by the Board**
- Clinical Standards 90.1: **The Legislation and Rules Committee recommendation to approve deleting subdivision 2 means that this section will include "The Board must receive verification of supervised practice" was unanimously approved by the Board.**
- Clinical Standards 90.4: **The Legislation and Rules Committee recommendation to approve changing the language to "the licensee submits the license renewal" was unanimously approved by the Board.**
- Clinical Standards 91.15: **The Legislation and Rules Committee recommendation to approve the increase in the number of**

**independent study from 10 to 15 hours was unanimously approved by the Board.**

- **Clinical Standards 95.3: : The Legislation and Rules Committee recommendation to approve changing the following language was unanimously approved by the Board:**

**“(4) for independent study, including electronic study or consultation, a written summary of the activity conducted, including the following:**

**(1) topics covered;**

**(ii) a description of the applicability of the activity to the licensee’s authorized scope of practice;**

**(iii) the titles and authors of books and articles consulted, or the name of the organization offering the activity, or the name and title of the supervisor consulted;**

**(iv) the dates the licensee conducted the activity; and**

**(v) the number of clock hours the licensee conducted the activity.”**

H. Legislative Task Force: Peter Langseth

*\*Attachment: Exemptions Proposed Draft*

Langseth, the new Chair of this committee, reported that the committee met on January 4<sup>th</sup>. The following are Langseth’s comments and discussion of the Board and attendees:

- *The key issue is public protection and oversight, and the grandparenting provision is a way to make the proposal to remove county exemptions more appealing.*
- *An individual with a CSWE BSW or MSW or who uses the title of “social worker” must be licensed. There was discussion about whether social workers without these degrees would lose their jobs or whether the counties would be obligated to change job titles or job descriptions.*
- *There was discussion about the “Exemptions Proposed Draft” language in Subd.4 (b) and using “or” versus “and” between paragraphs (1) and (2). This proposal includes title and practice protection which may discourage counties from hiring social workers. Title protection is an easier authority for the Board to establish compared to practice protection because there are many disciplines that can do tasks that social service workers do. If only title protection is chosen, registration could be used.*
- *Persons who contract with the county to provide services are not eligible for grandparenting, according to the Attorney General, because they are not eligible for benefits, and are not a county employee.*
- *Grandparenting applies to any county social worker who has “social worker” in their job title and has practiced social work as defined in law. An accredited graduate degree would qualify for LGSW and LISW and an accredited graduate degree in a mental health discipline is required for*

LICSW. Also, no ASWB examination is required during grandparenting. For those qualified because of practice or degree, they must have completed six months of employment and a probationary period.

- If a person is grandparented with a non-MSW degree, they cannot become a LICSW or LISW after the close of grandparenting, which will last for one year.
- There was discussion about educating the public, and advocacy with disenfranchised groups about what social workers do and that it should be our legislative strategy to have the title mean something. For instance, it's important that clients know that a financial worker is not a social worker, and that the Board does not regulate financial workers who are not social workers.
- If payment by state and federal programs were only made to licensed social workers, it would be easier to differentiate between job titles.
- Discussion about changing "anytime" to "within five years" under Section 2, Subdivision 4. Employment requirements (a)(i).
- The application received date is now used instead of the post-marked date.
- Are statistics available on the Board's complaints received against county social workers.

There was no formal action taken on the exemption proposed draft, but the Board agreed to move forward on working on the proposal and present it as a concept to the Minnesota Association of County Social Service Administrators at a meeting with Kate Lerner and county representatives.

*\* Attachment: Destination Deferred Recommendations  
(Revised Version e-mailed)*

- Langseth, on behalf of the Legislative Task Force, recommended that the Board accept the committee's Destination Deferred Recommendations which will be sent back to the Legislative Task Force for Review. The Board unanimously approved the recommendation.
- The Task Force meets the first Friday of the month.

I. Licensing Study Committee: Antonia Wilcoxon

Wilcoxon reported the following:

- The committee met last night and she is grateful for participation of Board Members (Beehler, Bode, Ladd, Langseth, Middlebrooks), Zacher-Pate and Ingram.
- There was discussion about the second portion of the legislative mandate which relates to removing testing as a path to licensure, and determining if competence can be demonstrated by an alternate method. The new provisional license for FB/ESL utilizes licensing supervision as an

alternative and may be a suitable option. Would an alternate method pose difficulty for licensees wanting to transfer to another state, and should it apply to all applicants?

- Other questions included: 1) is the current exam a barrier; 2) is there a viable alternative to demonstrate competence that could apply to everyone and 3) should it apply only to the underserved. Also, how can we recommend to the Legislature that there is a need to increase the number of professionals who serve underserved communities.
- Senator Erickson Ropes, who proposed the amendment, commented that she knew people who were well prepared for a professional licensing examination, but they had difficulty taking the examination and were unable to do the work there were qualified to do. There was discussion about either taking a test or proving that you are qualified for licensure, which is the route Senator Marty supported. Chris Black-Hughes took a sabbatical to research these issues and work with this committee and Langseth provided a valuable historical overview to the committee.
- There was discussion about the lack of data regarding testing and that we should gather information about GPA's and compare GPA's and passing rates for applicants from community of color and all others.

J. OMHP: Robin Bode

Bode reported that she was unable to attend the last meeting, and that the minutes are unavailable at this time. She said the committee will meet from 1:00-3:00 the third Thursday of the month.

**6. LUNCH**

Hallman announced that the lunch break would be from 12:20 – 12:45 p.m. at which time the meeting would reconvene and be closed to the public until Merriman's performance appraisal is completed.

*[Ladd left the meeting at 12:20 p.m.]*

**7. HR OVERVIEW:** Cindy Greenlaw-Benton

In closed session, Benton gave an HR overview to the Board.

**8. NEW EXECUTIVE DIRECTOR:** David Hallman

*[The meeting re-opened to the public at 1:15 p.m.]*

Hallman reported that the Board voted to appoint Kate Zacher-Pate as the Board's new Executive Director effective February 20, pending salary approval by DOER and completion of her BCA.

Zacher-Pate thanked the Board for the appointment. She also expressed her appreciation to Merriman for his encouragement, support and mentorship, and wished to publicly state how important his service and tenure has been to the Board in fulfilling its mission of public protection with a spirit of respect and diplomacy. She said that he has been one of the Board's most effective directors and that she will miss him. Zacher-Pate also said that her vision as the new Executive Director is to maintain the stability that has benefited everybody and to move forward the best we can on challenging issues such as maintaining a stable budget, county exemptions, completing the legislative mandate to the licensing study committee, fostering a better relationship with ASWB, recruiting Board members, public education and electronic services. She also said that she appreciates the support of the Board members and the professional associations.

#### **9: PERFORMANCE APPRAISAL OF CURRENT E.D.: David Hallman**

There were comments about the fantastic work Merriman has done and the positive way the Board has functioned since he became the Executive Director. Merriman commented that he takes pride in what he has been able to accomplish with the help of a wonderful staff, Board members, individually and as a whole, and the cooperation of the associations and the Advisory Committee. He said his vision of collaborative leadership involved establishing partnerships with a variety of individuals and groups. Also, that he strongly supports Zacher-Pate as the new Executive Director, and he said that there is a good team in place for her to work with.

Merriman also said that the Board should have two themes – public protection and that this Board should be the best Board and one that other Board's emulate. He said that he is confident that the Board will become even better than it is today and that he is very happy in taking this new step in his life, retirement. Also, he said Tuesday, March 4 is his last day with the Board, there will be a two week overlap in the hiring process, and that his focus until the time he leaves will be facilitating transition. Merriman will stay in the Twin Cities and is willing to provide any assistance in the future.

In closing, Merriman said that he appreciates working with everyone and that he will miss doing so in the future. Also, he knows the Board will do well in the future.

#### **10. PUBLIC COMMENT**

Alan Ingram, Executive Director, National Association of Social Workers, Minnesota Chapter, commented as the person who lobbied for the social work licensing law to pass, that Merriman was the best thing that happened to this institution, and he thanked Zacher-Pate for being with the Board all these years. He said that the associations are comfortable about the transition of leadership and he thanked the Board for making a great decision.

Pam Luinenberg, Coordinator of the Minnesota Coalition of Licensed Social Workers, commented that Merriman offered a lot of wisdom and diplomacy in this

position as Executive Director and that she enjoyed working with him. She also said that she was pleased that Zacher-Pate got the position and that she has a lot of confidence in her and the Board continuing to move forward.

**11. OTHER BUSINESS**

There was no other business.

**12. ROUNDTABLE**

The Board members expressed their appreciation for the expertise Merriman brought to the Board, the associations and the licensees, and the respect that he gained from them and the staff. The Board also congratulated Zacher-Pate as the new Executive Director.

Wilcoxon commented that the Minnesota Legislature appropriated a grant to prepare professionals in communities of color. She said it is important to encourage mental health professionals from these communities to become licensed so that agencies serving them will have adequate and qualified staff to meet their needs.

Middlebrooks commented that he had dinner with Charlotte McConnell, ASWB's incoming President, and he feels that she will have a different opinion about the alternative licensing issue, which may help us in our efforts on this issue.

**13. ADJOURN**

The meeting adjourned at 1:40 p.m.

Respectfully submitted,



William Cullen  
Secretary-Treasurer