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

Minutes

September 16, 2011

Members Present:
Christine Black-Hughes, LICSW, Vice Chair
David Hallman, LSW
Jacqueline Johnson, LICSW
Janna Kovach, LSW
Kenneth Middlebrooks, Public Member, Chair
Carol Payne, LSW
Ruth Richardson, Public Member
Nicole Roiger, LSW
Tamerlee Ruebke, LSW
Beverly Ryan, LISW
David Sandry, Public Member, Secretary-Treasurer
Angie Stratig, LICSW
Antonia Wilcoxon, Public Member

Members Absent:
Rosemary Kassekert, Public Member
Mary Casey Ladd, LICSW

Staff Present:
Louis Hoffman, Director of Compliance
Michelle Kramer-Prevost, LGSW, Staff Social Worker
Sheryl McNair, LICSW, Assistant Director
Brenda Mammenga, Recording Secretary
Connie Oberle, Office Manager
Kate Zacher-Pate, LSW, Executive Director

1. PROPOSED AGENDA [Attached]

Chair Middlebrooks called the meeting to order at 9:05 a.m. A quorum was present and the Board unanimously approved the agenda.

2. MINUTES FOR MAY 20, 2011BOARD MEETING [Attached]

The Board of Social Work (BOSW) unanimously approved the May 20, 2011 minutes.

Note: Middlebrooks reported that Nathan Hart, Assistant Attorney General (AAG), is no longer the BOSW attorney and that BOSW will have Co-Counsels. He introduced Karen Andrews (AAG) and she said she will be serving as the Board's General Counsel and will provide legal counsel to Compliance Panel A, and for policy, licensing, legislative and other BOSW issues. Andrews said that Benjamin Garbe, (AAG), will provide legal counsel to Compliance Panel B and serve as Andrews' back-up and other areas as needed. Middlebrooks said that Garbe will be at the meeting later and will be introduced to the Board at that time.

Middlebrooks commented that Board staff did a magnificent job dealing with the state shutdown and the Executive Committee, (Black-Hughes, Sandry and himself), will provide lunch in appreciation to the staff for their work during that time.

[Richardson arrived at the meeting at 9:15 a.m.]

3. EXECUTIVE DIRECTOR'S REPORT (State Government Service Interruption): Zacher-Pate [Attached]

Zacher-Pate referred to the information included in the Board packet and commented on the following:

- Zacher-Pate said she appreciated the acknowledgment from the Board and the Executive Committee for the work staff provided prior to the state shutdown, beginning July 1 through July 20, and the subsequent work when the office re-opened on July 21. It is estimated that 85 hours of staff time was spent in contingency planning, at an estimated cost of $4,500.
- Approximately 900 notices were sent to applicants and licensees to inform them of the possible shutdown and the need to submit applications, renewals, and fees early, if possible before June 30.
- An estimated 500 staff hours, totaling $12, 500, was required to resume normal business operations following the re-open.
- An estimated $35,000 to $40,000 of revenue, ordinarily received after July 1 in FY 2012, was received by June 30. Therefore, those revenues anticipated for direct operational expenditures in FY 2012, cannot be used in this fiscal year, but were cancelled back to the State Government Special Revenue Fund (SGSRF) as they were received in FY 2011.
- Karen Andrews, AAG, attended the new Application Review Committee (ARC) last night and provided good direction in setting up the committee. Both Andrews and Garbe are assets to the Compliance Panels, and having Co-Counsels will be beneficial to the BOSW. Zacher-Pate thanked them for their excellent work and looking forward to working with them in the future.
- Detailed budget information will be covered in the Finance Committee report.
- A Request for Proposal (RFP) for the common licensing system has been compiled and submitted to the Office of Enterprise Technology (OET) for approval on August 12. This action follows the approval of the HLB budget appropriations enacted during the 2011 Special Session for the collaborative HLBs including: 1) the new common platform licensing system, and 2) the "adaptor" project to migrate to the OET e-licensing system.

- OET is moving toward an "enterprise e-mail system" effective the end of September. The Executive Directors, after considering all issues, have determined to move to the "enterprise e-mail system". The system will provide e-mail security, and costs will increase approximately 75%, from approximately $2.50 to $8.50 per mailbox.
- The Commissioners of the Department of Labor and Industry and OET have hired the Management Analysis and Development (MAD), to evaluate the Minnesota Enterprise e-Licensing System (MEELS). As stakeholders, the HLB Executive Directors, in addition to other stakeholders, were asked for comments which will be complied in a report to the commissioners and the MEELS steering committee.
- Based on legal advice, three variances have been granted according to Minnesota Statutes 148D.035 and 148E.035 since the May Board meeting. Three variances were granted based on the shutdown period.
- I-Pads have been purchased for the purpose of having paperless Board meetings, and the target date for the first "paperless" Board meeting will be January 2012.
- In 2009 Paula Tracey asked the BOSW to support her in conducting a research study as she had applied for a grant through the ASWB Foundation to survey LICSWs to identify both resources and barriers for clinical supervision in greater Minnesota. Tracy has completed the study and will report her findings at an upcoming Board meeting, likely in November.
- The Department of Human Services (DHS) has requested meetings with the "mental health" Boards to collaborate in providing clear information to stakeholders about the new DHS Rule 47. Martha Abbey, DHS employee and an LICSW, is the head of the initiative and has invited the Mental Health Licensing Board EDs to provide training to the Community Mental Health Cultural and Ethnic Minority Infrastructure Grantees. Through legislative approval, DHS is funding the 32 grantees of which 11are MSW trained social workers.

4. LICENSING UPDATE-AUGUST 2011 REQUIREMENTS: McNair, Kramer-Prevost

McNair reported the following:

- Licensing staff is commended for the teamwork displayed in dealing with the extra work that resulted from the shutdown and the implementation of the new requirements.
- Staff has been implementing the 2011 licensing changes effective August 1, 2011, updating the Board's website with new licensure forms related to the changes, and responding to questions from licensees about the changes.
- From January 1 - September 12, 1,373 applications have been processed compared to 1,055 applications processed one year ago. Of these, 195 applications (94 LICSW) were received in June and 85 applications (54 LICSW) were received in July during the shutdown. On average, the Board receives 87 applications per month. Supporting documents received for applications included 219 Supervision Verification forms received in June and 146 received in July. The average number received is 135 per month.
- 136 licenses were issued in June, 95 in July, and 173 in August. There was an increase in LICSW applications submitted prior to August, as applicants were trying to apply prior to the new 360 clock hours in clinical knowledge areas requirement became effective.

- Fall BSW and MSW student presentations are underway and fall conferences are beginning with requests to staff booths which will continue until mid-November.
- The Student Handbook has been revised in electronic format rather than in hard copy. The cost savings will be approximately $2000 per year.
- McNair distributed a copy of the new licensure forms, all of which required modification to incorporate the new 2011 licensing requirements.

- McNair and Kramer- Prevost provided a Power Point presentation on the August 1, 2011 licensing changes as training for the Board. The Board's statute changed from MS 148D to MS 148E, including changes to licensure requirements for supervised practice, licensing supervisor requirements, continuing education (CE), and LICSW license eligibility. Transition provisions in law to assist licensees in meeting the new increased requirements were also discussed. Questions and discussion followed.

- All categories of licensing supervisors must now complete a one-time requirement of 30 hours of training in supervision. There is no time frame specified in statute as to when this training may have occurred. It may be earned through acceptable CE activities, including some hours of independent study, or through academic coursework. Licensing supervisors must attest to completion of the 30 hours of training in supervision when they submit a Supervision Plan form and Supervision Verification form to the Board on or after August 1, 2011. The supervisor may be subject to audit.
- Clinical LICSW licensing supervisors must complete a one-time requirement of 30 hours of training in supervision and must also have completed 2,000 hours of practice after becoming a licensed LICSW. Of the 2,000 practice hours, 1,000 hours must be experience in clinical practice. If the supervisor requirements have not been met, the supervisor must suspend their supervision. The 2,000 practice hour requirement does not apply to LICSWs providing non-clinical licensing supervision.
- The new increased supervision hour requirement for non-clinical practice supervision applies to LSWs and LGSWs who have not completed their supervised practice requirements. Effective August 1, 2011, the supervision required increased from 75 to 100 hours of supervision over 4,000 hours of practice, or 3 to 4 hours of supervision for every 160 hours of practice. Of the 100 hours of supervision required, 50% must be one-on-one supervision, with a minimum of 25 hours of in-person supervision and no more than 25 hours of supervision via eye-to-eye electronic media while maintaining visual contact. The other 50% may be provided through one-on-one supervision, or group supervision. This supervision may be in-person, by telephone, or via eye-to-eye electronic media while maintaining visual contact. Group supervision is limited to 6 supervisees. The supervision must not be provided by e-mail.

  Kramer-Prevost continued the training and reported on the increased clinical supervision hour requirements in MS 148E and CE information as follows:
- Effective August 1, 2011, supervision for LGSWs and LISWs engaged in clinical supervised practice increased from 75 to 200 hours. Clinical practice hours can be earned in no less than 4,000 and no more than 8,000 hours of practice. Clinical

supervision hours can be earned in no less than 4 hours and no more than 8 hours of supervision for every 160 hours of clinical practice, and must be adjusted proportionately according to practice hours. There is flexibility between receiving a minimum of 4 hours of supervision and a maximum of 8 hours of supervision per month. Supervision may be completed over two years of full-time practice if 8 hours of supervision is received per month or over four years if 4 hours of supervision is received per month.

- Of the 4,000 total hours of clinical practice required for the LICSW license, 1,800 practice hours must be "direct clinical client contact", which is defined in statute as "in-person or electronic media interaction with a client, including client systems and service providers, related to the client's mental and emotional functioning, differential diagnosis, and treatment." The 1,800 hours of "direct clinical client contact" requirement does not apply to anyone issued an LGSW or LISW license engaged in clinical practice with a license issued prior to August 1, 2011.
- Of the 200 hours of supervision required, 50% must be one-on-one supervision with a minimum of 50 hours of in-person supervision and no more than 50 hours of supervision via eye-to-eye electronic media while maintaining visual contact. The other 50% may be provided through one-on-one supervision, or group supervision. This supervision may be in-person, by telephone, or via eye-to-eye electronic media while maintaining visual contact. E-mail supervision is excluded.
- CE requirements have increased from 30 to 40 hours per renewal period; independent study increased from 10 to 15 hours, which includes consultation or training regarding supervision with a licensed professional who has demonstrated supervisory skills (not case consultation, but training in supervision). LICSWs must document at least 24 of the 40 CE hours in clinical content. Licensing supervisors must have 6 CE hours in supervision.
- LICSW license applications submitted on or after August 1, 2011 require that applicants document 360 clock hours in six specific clinical knowledge areas. These clock hours may be earned through coursework from a Council on Social Work Education (CSWE) MSW graduate degree program, graduate coursework from an accredited institution of higher learning, or up to 90 continuing education (CE) hours, including a maximum of 20 hours of independent study. Independent study for this purpose must include a course description and a posttest. One semester credit is equivalent to 15 clock hours.

Zacher-Pate thanked McNair and Kramer-Prevost for the presentation today as she believes it is important for the Board to understand the new requirements which will be useful in interacting with other licensees, applicants and colleagues. Zacher-Pate said the increased requirements will improve standards and competencies. The "transition" language specific to the change in increased supervised practice and continuing education will allow current licensees a smoother transition into new requirements. However, grandparenting provisions are not available under the new requirements.

The Attorney General's Office (AGO) has been consulted on the Board's variance statute (MS 148E.035) and stated a variance can be granted to a requirement if it is unreasonable, if there is hardship, etc. The variance language does include the requirement that "a variance must not be granted for core licensing standards such as substantive educational and examination requirements". The AGO commented that a

variance cannot be granted to exempt someone from any or all of the 360 clock hours in clinical knowledge area. The Board may consider variances related to other licensing requirements.

The AGO has also been consulted regarding the new posttest requirement for any continuing education (CE) activity completed, for up to the 90 hours allowed toward the 360 clock hours in clinical knowledge areas required for LICSWs. The statute is silent on how the posttest should be constructed or administered; however, the requirement of a posttest is clear. The AGO commented that the intent of a posttest is a method to demonstrate learning from the CE activity and how the learning applies to clinical practice. It could include, but not be limited to, formats such as essay, multiple choice, and true/false questions.

[Hoffman arrived at 9:45 a.m. and Andrews left the meeting at 10:15 a.m.]

5. LEGISLATION: 2011 SPECIAL SESSION and 2012 SESSION: Zacher-Pate, Middlebrooks [Attached]

Zacher-Pate made the following comments:

- **Policy Bills.** There was unfinished business at the end of the 2011 Legislative Session that resulted in a special session from July 1-20, 2011. Three bills passed that have immediate impact on the HLBs including appropriations, the IT consolidation bill through OET, and the Minnesota Sunset Act. The BOSW policy bills, including the exemption modifications, the revisions to the temporary license (MS 148E), and the proposal to add the alternate supervisor provision were stalled out. These bills did not receive final action during the Regular Session and were not taken up during the Special Session. In addition, other policy bills affecting the HLBs, including the modification to the HLB complaint resolution process and the legislation to automatically deny or revoke a license if there was a sexual misconduct conviction, did not receive final action.
- **Budget Appropriations.** An appropriation was enacted for the proposed HLB backend licensing database system that included $800,000 for 2010 and $300,000 for 2013. The HLBs regulate over 250,000 individuals, and the hope is that the HLBs will be able to utilize the common licensing platform for about $5 per licensee.
- An appropriation of $760,000 was enacted from the HLBs accumulated balance in the SGSRF for the "adaptors" that are required to connect all HLBs with the OET e-licensing system.
- Representative Abeler, Chair of the House and Human Services Committee, built in small agency increases into the HLB budgets and they passed through the Legislature.
- The BOSW was awarded a base budget of $921,000, which has been the same for several fiscal years. A change item was requested based on the contingency of the exemption modifications passing so those funds could be utilized. The additional appropriation was enacted even though the BOSW policy bill did not pass. Therefore, the BOSW was appropriated over $1,000,000 per year, but it is doubtful that enough revenue will be collected to spend those funds.
- **Minnesota Sunset Act.** The Minnesota Sunset Act legislation is new to Minnesota and requires all state agencies and commissions to be reviewed based on need

and performance, on a rotating schedule. The HLBs are in the first round of agencies to be reviewed during the 2012 Legislative Session.

- The legislation results in sunset of an agency unless there is legislation to continue the agency. An agency self-evaluation report with specific data and criteria must be provided to the Sunset Advisory Commission (SAC) for review. The SAC was established with 12 members appointed as follows: 4 Senators, 4 Representatives, and 4 public members appointed by the Governor, with specific appointment terms.
- Reports are due to the SAC in the odd-numbered years and decisions will be made in the even-numbered years. The SAC will conduct public hearings which will be held before February 1of the year an agency is subject to review.
- Agencies must provide outcome-based data about their efficiency and effectiveness; identify missions, goals and objectives; describe their activities and the extent to which they are needed; provide an assessment of fee authority; ascertain whether a less restrictive or alternative method of performing those functions is possible; determine if functions are duplicated in any other agency; describe the promptness and effectiveness of the complaint processes; assess rulemaking; demonstrate compliance with federal and state laws regarding purchasing, potential conflicts of interest of employees, and compliance with data practice laws; show effective record retention and efficient response to requests for public information; and explain whether there would be a loss of federal funds if the agency was abolished.
- The SAC will make recommendations on the following: the abolition, transfer, or reorganization of the agency; the consolidation, transfer, or reorganization of programs within other state agencies; the improvement of agency operations; and the estimated fiscal impact.
- The SAC will draft legislation to carry out its recommendations, including legislation necessary to continue the agency's existence that would otherwise sunset.
- During the regular legislative session before the sunset, the Legislature may enact legislation for an agency's continuation for a period not to exceed 12 years.
- If the result of sunset review is abolishment of an agency, the agency may continue existence until June 30 of the following year to conclude its business.
- Board staff is gathering data and working with the Executive Committee to prepare the report. Board members offered to forward information for the report.

Benjamin Garbe, AAG, arrived at 11:10 a.m. Zacher-Pate welcomed Garbe and said he will give legal counsel to Compliance Panel B and provide other services as needed. Garbe thanked Zacher-Pate for the introduction and said he represents several other HLBs and is pleased to be general counsel for the mental health boards.

Zacher-Pate made the following comments about the 2012 Legislative Session, which is the second year of the legislative biennium:

- Because the BOSW policy bills, including the modifications to the current licensing exemptions, alternate supervisor, and temporary license correction, did not receive final action during either of the 2011 Sessions, Zacher-Pate contacted Senator Rosen's Legislative Assistant at the end of the session. The bills are dormant, but they may be reintroduced to the Senate during the second year of the legislative biennium. Zacher-Pate also contacted Representative Abeler,

BOSW's chief author in the House, and he agreed to continue supporting the proposals. During Regular Session, the House bill was amended to remove the counties from any change to the current exemptions and to include title protection only for city, state, and the remaining minority agency non-profit agencies. The Board's goal is to have both title and practice protection in these sectors.

A motion was made by Hallman, and seconded by Roiger, to work with the House and Senate authors to include both title and practice protection for city, state, and private nonprofit minority agencies in the 2012 Legislative Proposal, should it move forward. The motion passed unanimously.

Zacher-Pate made the following comments about the Consolidation of the Information Technology Services bill:

- Carolyn Parnell is the new Office of Enterprise Technology (OET) CIO, and she spoke at the last ED Forum on September 6. As of October 1, 2011 all state IT employees become employees of OET, including Grace Rhee, BOSWs IT staff person, and ASU IT staff.
- As of October 1, 2013, OET will have the authority to receive all IT appropriations for state agencies.
- Interagency agreements will be utilized beginning October 2011 to manage the IT spend for agencies. As of July 1, 2012, there will be service level agreements with state agencies, who will buy services from OET.
- Parnell has convened a work group of 7-9 CIOs from large state agencies to develop a management structure. Rick Bostrom, the lead IT developer currently employed by ASU, will be the HLB OET CIO and will report to John Paulson, the CIO of the Department of Health.
- Agencies will participate in three exercises including taking inventory of all IT personnel, IT hardware, and IT software. There will be an IT spend analysis to portion out the percentage of time employees spend using IT functions. Therefore, every budget line item in the BOSW's direct appropriations must be reviewed.

6. COMPLIANCE COMMITTEE: Hallman, Hoffman [Attached]

Hoffman distributed the Compliance Unit Case Age and Status Report and reported the following:

- Since there was no July Board meeting, the report includes statistics from the last Board meeting held on May 17, 2011 through September 16, 2011. The number of cases increased from 58 in May to more than 75 in September, which is approximately a 33% increase. The increase is due, in part, to the unlicensed practice cases and the Board being closed for 20 days in July. The AGO investigative process is lengthy, and there are 23 cases at the AGO with several ready for post-AGO investigation committee review. There are several contested matters and a number of pending Agreements for Corrective Action and Stipulations and Order.

Executive Session - Closed to the Public [11:53 p.m. – 12:00 p.m.]

7. LUNCH *[12:00 p.m. – 12:40 p.m.]*

Resume Executive Session - Closed to the Public [12:40 p.m. -12:50pm]

A motion was made by Black Hughes and seconded by Ruebke, to approve the following five Stipulations and Orders: 1) Juliana J. Chapeau, LSW License No. 8439, 2) Rachel A. Geier, LGSW License No. 20826, 3) Trizer A. Kaaz, LSW License No. 20555, 4) Alissa M. Trebil, LSW License No. 20547, and 5) Tracy J. Vandal, LSW License # 20742. The motions passed unanimously.

Hoffman stated there was one final case to discuss.

A motion was made by Compliance Panel B for the Board to approve a Stipulation and Order in the matter of Barbara P. D'Souza, LICSW License No. 13456. The Board unanimously approved the motion.

8. COMMITTEE and LIAISON REPORTS

A. Advisory Committee-Consideration of Bylaws: Wilcoxon, Kovach [Attached]

Wilcoxon referred to the new Bylaws that were revised and approved by the Board's Advisory Committee (AC) on June 10, 2011, and deferred to Zacher-Pate for comments.

- Zacher-Pate said the Board's Bylaws were used as a template in producing the ACs Bylaws' duties, and she commended the AC and representatives from the Board who worked on this project. The new bylaws include sections on the following: 1) General Provisions, 2) Committee Members, 3) Committee Officers, 4) Meetings, and 5) BOSW Duties Related to the AC.
- Zacher-Pate asked Barbara Kaufman, LISW Emeritus, Advisory Committee Chair, if she would like to comment at this time. Kaufman commended the Board for having an AC, and she believes the BOSW is the only Social Work Licensing Board that has an AC. She also stated the relationship between the Board and the social work community is facilitated by the bylaws as they make expectations clear between the two entities.

A motion was made by Ruebke, and seconded by Kovach, to approve the Bylaws of the Minnesota Board of Social Work's Advisory Committee on September 16, 2011. The motion passed unanimously.

B. Application Review Committee (ARC): Black-Hughes, Johnson, Ladd, Stratig

Black-Hughes reported the following:

- The ARC met yesterday for the first time and included Karen Andrews, AAG. Andrews said open meeting laws will apply to the ARC, which includes using an applicant's name, as it becomes public information upon application with the BOSW. The ARC will review LICSW applications and focus on the 360 clinical hour requirement that became effective on August 1, 2011. McNair and Kramer-Prevost will review the applications initially and refer questions to

one of the ARC members. If an ARC member determines the application should be denied or the applicant should do additional clinical work, the application will be brought to the full ARC for discussion. However, if an ARC member determines the application is complete and is approved, the entire ARC will not see the application. ARC meetings will be available monthly.

McNair noted Andrews also spoke on confidentiality, conflict of interest, and timelines for processing applications. Also, the ARC will model the BOSW's e-compliance process using a secure network.

C. ASWB: Middlebrooks, Stratig, Johnson [Attached]
Consideration of Proposed Bylaw Changes; RAS Committee Report [Public Data]

Middlebrooks made the following comments:

- ASWB prepared a report on proposed bylaw amendments for consideration by the ASWB Delegate Assembly at its 2011 Annual Meeting. There were two amendment proposals from outside the Bylaws and Resolutions Committee: 1) the Finance Committee proposed transferring the authority to set examination fees currently requiring a vote by the full Delegate Assembly to the ASWB Board of Directors, and 2) the Nominating Committee proposed extending terms and staggering elections of the Nominating Committee.
- An additional proposed bylaw modification was to eliminate the requirement for a Parliamentarian at the ASWB Annual Meeting of the Delegate Assembly.
- Middlebrooks asked for discussion about the fee setting proposal, and the Board recommended that he vote "no" to the proposal.

Johnson, serving as a current member of the ASWB Regulations and Standards Committee (RAS), reported the committee met in July in Culpepper, Virginia to consider issues related to the ASWB Model Law and the Public Protection Database (PPD).

D. Communication Education Outreach Committee: Wilcoxon

Wilcoxon reported the following:

- Middlebrooks and Zacher-Pate met with Wilcoxon about this new committee which will develop a communication plan and provide comprehensive educational outreach to the public and stakeholder groups. Wilcoxon will chair the committee. The committee will include staff members Hoffman and McNair, and Board members Hallman, Kovach, Roiger, Ryan, and others as interested.

E. Council of Health Boards: Kassekert

Kassekert was not present and there was no report.

F. Executive Committee: Middlebrooks, Black-Hughes, Sandry
Attendance: ASWB Fall Delegate Assembly and Citizen Advocacy Center [Attached]

Middlebrooks reported the following:

- The ASWB Annual Meeting will be held November 3-5, 2011, in Oklahoma City, Oklahoma. Johnson has been asked to run for the ASWB Nominating Committee and will attend the meeting along with Middlebrooks, the BOSW's delegate, and Zacher-Pate. As delegate, Middlebrooks' expenses and travel are paid by ASWB.

A motion was made by Stratig, and seconded by Kovach, to send Johnson, Middlebrooks, and Zacher-Pate to the ASWB Annual Meeting on November 3-5, 2011, in Oklahoma City, Oklahoma. The motion passed unanimously.

- The Citizen Advocacy Center's 2011 Annual Meeting will be held October 20-21, 2011, in Washington, DC. The topic at the conference is exclusive to the complaint resolution process.

A motion was made by Hallman and seconded by Roiger, to give the authority to BOSWs Chair to approve one person to attend the Citizen Advocacy Center's 2011 Annual Meeting on October 20-21, 2011, in Washington, DC. The motion passed unanimously.

G. Finance Committee: Sandry [Attached]

Sandry reported the following:

- The end of the fiscal year was June 30, 2011. Budget appropriations for FY 2012 are $1,036,000 and $1,053,000 for FY 2013. Revenues for FY 2011 were 111%, and the anticipated overage funds of $102,812 will go into the accumulated funds in the SGSRF; they are not carried forward.
- The expenditures, as of August 11, 2011, are at 88% and are estimates, as expenditures are not completely closed until all encumbrances are either paid or closed. The estimated unspent amount is $91,802 which will go into the SGSRF.
- The indirect expenditures (ASU, AGO, HPSP) are at 93%, which are budgeted but are not direct costs. The estimated unspent amount is $12,019.
- The Board determined to assess the OET surcharge fee directly to licensees during 2011; $98,235 was collected from licensees during FY 2011 and transferred to OET.
- At the end of FY 2011, the BOSW SGSRF Accumulated Funds is approximately $440,943. The final total will not be available until all open invoices have been paid.
- Complete revenue data for August is not available due to the State's accounting system change from MAPS to SWIFT.
- Staff has done an excellent job in managing the budget. The accumulated balance in the SGSRF is reduced.

H. HPSP: Kassekert

Kassekert was not present and Zacher-Pate did not provide a report.

I. Legislation & Rules Committee: Ladd [See Agenda Item 5]

J. Legislative Task Force: Middlebrooks, Wilcoxon

Middlebrooks said there was no report.

K. Nominating Committee: Sandry

According to the BOSW's Bylaws, Sandry said nominations for the election of Board officers, Chair, Vice Chair, and Secretary-Treasurer, will be made at this Board meeting. Elections will occur at the November meeting. The positions are for two-year terms, and nominees may hold the same position twice, but not consecutively. Black-Hughes was nominated for Board Chair, Richardson for Vice Chair, and Payne for Secretary-Treasurer.

Black-Hughes' and Hallman's terms will end on January 2, 2012. They have applied with the Governor's Office for reappointment. There will be one vacant seat, as Ladd has resigned from the Board. Zacher-Pate will post the vacancies on the Board's website, prepare a press release, and notify the AC and DHS.

9. COUNCIL ON LICENSURE ENFORCEMENT AND REGULATION (CLEAR) REPORT:
Hallman, Payne

Payne thanked the Board for sending her to the conference and reported the following:

- The conference was paperless, and attendees were provided a thumb drive for conference materials and e-mails after each day's sessions. Payne attended approximately 18 hours of training.
- CLEAR provides training to professional regulatory licensing boards in the U.S., the Canadian provinces, and the United Kingdom.
- Payne attended training on "The Need for Competent Practitioners" which dealt with adult learning, best practices, barriers, and emerging trends including interactive e-learning. "Extreme Makeover Government" dealt with managing available resources to the greatest capacity by streamlining processes. "Forewarned is Forearmed" dealt with the HIPDB merger with NPDB beginning in 2012, which will provide one query, databank, and fee instead of the current two. "Violations of Ethical Behavior: Can they be predicted, measured, & rehabilitated?" dealt with what is ethical in a particular setting, the importance of social media, confusion about confidentiality, ethical violations, etc. "Substance Abuse: Two Regulatory Approaches that Protect the Public" dealt with the disease of chemical dependency and regulatory discipline programs. The Pennsylvania Bureau of Enforcement & Investigation presented "Direct Discipline: Cutting Costs, Enforcing Priorities" and described a citation it uses (along with 20 other boards) for effectively enforcing common disciplinary actions in a timely manner. "Fakes and Frauds: How to Address the Evolving Problem of Illegal Practice" dealt with how investigations have changed in the last ten years as fraud has become more complex. For example, there are more cases involving practitioners that

collaborate with clients to deceive insurance companies to benefit financially. "Linked in to Facebook: Social Networking and Regulatory Practice" dealt with the vulnerability to having ethical violations when using social media. "Making Disciplinary Decisions-Common Post-Hearing Issues" dealt with the message penalties send to licensees and the public, setting precedents, establishing consistent criteria in discipline, etc.

Hallman commented that all of the presentations were good. In particular, there were two presentations that stood out. "Why Plan Strategically?" dealt with defining goals, making plans, position, visible and internal objectives, and threats in completing the plan. Also, using resources to prepare legislative mandated reports in order to receive program funding was discussed. The other presentation noted was "Regulatory Models of the Future".

Middlebrooks thanked Payne and Hallman for their reports.

10. PUBLIC COMMENT

Pam Luinenberg, Coordinator for the Minnesota Coalition of Licensed Social Workers, made the following comments:

- Beginning in June, the Coalition put up a new webpage with the goal of complementing, not duplicating, the BOSW's website. The focus is to provide tools to agencies, licensees, and supervisors to help licensees meet licensure requirements. Information about utilizing secure electronic media for supervision and the concept of continuing education groups is also available.
- There are links to professional associations and assistance in locating supervisors.
- The Coalition is a member of the Mental Health Legislative Network (MHLN), and MHLN supports public agency licensure and would be available to assist the BOSW in preparing for the sunset report. Also, MHLN would be available to assist the BOSW in educational outreach to clients and families.
- NASW is hosting the Coalition's webpage at www.naswmn.org; click on the supervision webpage, sponsored by the Coalition.
- The office received an e-mail that Representative Abeler's son had passed away.

Alan Ingram, President of NASW-Minnesota Chapter, commented about his uneasiness with the Sunset Act provision and the time and resources that will be expended during the process. He also commented that his office received many telephone calls because of the State shutdown. For example, licensees were concerned about losing their jobs as they could not renew their licenses and employers said that technically, they were not licensed. In the future, Ingram said the HLBs may consider having a legislative provision that licenses will remain active in the event there is a state shutdown.

11. OTHER BUSINESS

There was no other business.

12. ROUNDTABLE

Ryan suggested defining acronyms and putting them on the Board's website.

13. ADJOURN

The meeting adjourned at 2:50 p.m.

Respectfully submitted,

David Sandry
Secretary-Treasurer