



**REGULAR BOARD MEETING**  
**University Park Plaza**  
**Conference Room A - 4<sup>th</sup> Floor**  
**2829 University Avenue Southeast**  
**Minneapolis, Minnesota 55414-3239**

**Minutes**  
**March 20, 2015**

**Members Present:** Jason Collins, LSW  
David Hallman, LSW  
Angela Hirsch, LICSW, Secretary-Treasurer  
Rosemary Kassekert, Public Member  
Kathy Lombardi, LICSW  
Susan McGeehan, LSW  
Kenneth Middlebrooks, Public Member  
Carol Payne, LSW, Vice Chair  
Ruth Richardson, Public Member, Chair  
Mary Weaver, Public Member

**Members Absent:** Christine Black-Hughes, LICSW  
Donna Ennis, LSW

**Staff Present:** Megan Gallagher, Regulations Analyst  
Michelle Kramer-Prevost, LISW, Staff Social Worker  
Connie Oberle, Office Manager  
Roberta Schneider, Office Assistant  
Kate Zacher-Pate, LSW, Executive Director

**Staff Absent:** Sheryl McNair, LICSW, Assistant Director

**1. PROPOSED AGENDA [Attached]**

Chair Richardson called the meeting of the Minnesota Board of Social Work (BOSW) to order at 9:02 am. A quorum was present. Richardson added an edit to the agenda, to correct Ken Middlebrooks as Chair of the Nominating Committee.

**A motion was made by Middlebrooks and seconded by Hirsch to approve the Agenda as amended. The motion carried unanimously.**

**2. MINUTES FOR JANUARY 16, 2015 MEETING [Attached]**

The Board reviewed the January 16, 2015 board meeting minutes. Richardson added two edits to the minutes, including correcting the previous meeting dates in Section 2 and changing the word “vacancy” to “vacancies” in Section 3.

**A motion was made by Lombardi and seconded by Weaver to approve the January 16, 2015 minutes as amended. The motion carried unanimously.**

**3. EXECUTIVE DIRECTOR’S REPORT: Zacher-Pate [Attached]**

Zacher-Pate distributed the following: per diem claim forms, expense report forms, and the sign-in sheet with public and private BOSW board contact lists to be updated as needed.

Zacher-Pate provided the following summary of the Executive Director’s report:

- *BOSW IT Initiatives:* The BOSW received a June 1, 2015 contract extension and additional “e-licensing surcharge” funds of \$40,000, approved by MN.IT, to complete work on the new BOSW Licensing Data Base System Project. Testing of the new system will begin April 1, 2015. The new system will provide additional and enhanced online services for customers and create significant internal business process efficiencies.
- *2015 Legislative Session:* The University of Minnesota Government Relations Office sent an email expressing concerns related to the 2012 change in the licensing exemption for state agencies, which includes the School of Social Work at the University of Minnesota. The concerns relate to the requirement in the Board’s Practice Act, MS 148E.065, subdivision 4a, which states in part “*an individual who is newly employed by a city or state agency after July 1, 2016, must be licensed if the individual who provides social work services, as those services are defined in section 148E.010, subdivision 11, paragraph (b), is presented to the public by any title incorporating the words "social work" or "social worker."* The University believes this change will hamper their ability to hire qualified staff.

In addition, Zacher-Pate noted that she had a telephone conversation with a staff person at the University of Minnesota Government Relations Office about the history, intent, and support of this legislation, which passed unanimously in both legislative bodies in 2012. Zacher-Pate also noted that the Board met with 17 stakeholder groups over a six-year period, which produced a noncontroversial bill and was supported by consumer advocacy organizations, the MAPE Union, and social work professional associations. No opposition was reported by the University of Minnesota at that time.

- *Licensure of Music Therapists:* At the request of Senator Hoffman, BOSW staff met on March 6, 2015 with representatives from the Music Therapy profession. These representatives were hoping to obtain BOSW support for their bill, sponsorship of a Music Therapist license, and the creation of a Music Therapy Advisory Council housed within the BOSW. Many issues were discussed including that the full BOSW board would need to take action to support the bill and the creation of a Music Therapy Advisory Council within the BOSW. It is unlikely the Music Therapy licensing bills will move forward during the 2015 legislation session based on committee hearing deadlines fast approaching.

A board member discussion ensued regarding the licensure of Music Therapists. Lombardi asked what type of licensure this group would need and would they be working toward becoming licensed clinical practitioners? Hallman suggested that Music Therapist representatives could give a presentation to the BOSW to discuss these and other issues regarding licensure. Zacher-Pate added that the Council of Health Boards, created by the Legislature, is the vehicle generally charged with the review and study of any new profession that is seeking licensure or certification. McGeehan wondered what the precedent was in other states for using host boards for licensure of Music Therapists. Zacher-Pate noted that the State of Iowa houses the Music Therapists within the Iowa Board of Social Work.

- *Resignation of Staff Member:* Office Aide Shirley Akpelu has resigned effective April 2, 2015. The BOSW will fill this position as soon as possible.
- *OLA Report on the Board of Nursing Audit:* The Office of Legislative Auditor (OLA) released two significant reports on the Board of Nursing audit. Zacher-Pate handed out a report summary from the OLA titled, “Minnesota Board of Nursing: Complaint Resolution Process.”
  - *Summary of Key Findings:* The complaint resolution at the Board of Nursing was generally reasonable. However, the OLA noted that it has taken too long to resolve some complaints.
  - *Summary of Key Recommendations:* The OLA recommended giving the Board of Nursing staff greater authority to investigate and dismiss complaints. The OLA also recommended that the Board of Nursing develop guidelines or administrative rules to help board members determine appropriate actions.
- *OLA Report on the Clinical Drug Trials at the University of Minnesota:* A previous BOSW public board action is listed in this OLA report as Finding #6. This corrective action was taken against an LICSW who served as one of the coordinators of the clinical drug trials. Zacher-Pate noted that, because the BOSW was the only oversight agency who took action against this LICSW, there could be some media attention around this report. Richardson reminded board members that the Executive Director and the Chair of the Board are the

only BOSW personnel authorized to speak with the media.

In addition, Zacher-Pate noted that she had spoken with the auditor of this report about county agency social work licensure exemption, as a participant in this University of Minnesota clinical drug trial program committed suicide. The primary case manager for this participant was an unlicensed county social worker, who had been licensed but let his social work license expire. Zacher-Pate informed the auditor that under current Minnesota law county social workers are not mandated to be licensed. The board has no authority or jurisdiction; therefore cannot investigate or take action in alleged complaints involving unlicensed county social workers.

- *HERSA Audit of the BOSW:* There will be another audit of the BOSW by the Health Resource and Services Administration (HERSA) on behalf of the National Practitioner Data Bank. They will be focusing on actions that the BOSW took in 2012 and 2013. The audit should be completed by July 1, 2015.
- *Governor’s Task Force on the Protection of Children:* The Governor’s Task Force will complete their work by March 31, 2015 with the final recommendations going to the governor. The governor has pledged an additional fifty million dollars for the counties to better provide services. As noted by Zacher-Pate, various subjects discussed in the task force meetings included family assessment versus investigation and the issue of family permanency. Zacher-Pate added that the BOSW recommendations were not adopted at this time, including the BOSW recommendation for changing Merit System educational requirements for social work positions, changing the county social worker licensing exemption for child protection supervisors, and clarifying the use of the “social worker” title for unlicensed county social workers.

A board member discussion of the Governor’s Task Force on the Protection of Children followed, including discussion of the concept of “full core training” for county social workers.

**4. LICENSING REPORT: Kramer-Prevost [Attached]**

Kramer-Prevost provided the following update on grandfathering applications:

Total grandfathering applications received as of 3/16/2015.....	843
Licenses granted to date through grandfathering.....	395
Grandfathering applications still in process .....	290
Grandfathering applications closed .....	69
Applicants determined ineligible for grandfathering.....	89

Kramer-Prevost reported the Association of Social Work Boards (ASWB) Examination Pass Rates for 2014. In summary, Kramer-Prevost noted the examination rates in Minnesota are better overall than the national average. Middlebrooks asked if the BOSW presented at all of

the Minnesota colleges and universities with accredited social work programs. Kramer-Prevost stated that a student presentation was given at every Council on Social Work Education (CSWE) accredited BSW and MSW program during the 2014-2015 academic year with the exception of Southwest State University.

**5. COMPLIANCE COMMITTEE: Gallagher, Hallman** [Attached]

Gallagher presented the document, “Complaint Statistics: January 1, 2015 - March 13, 2015.” In summary, Gallagher noted there have been 150 complaints opened since January 1, 2015, with a small number of complaints that are over 12 months old. The BOSW’s goal, Gallagher added, is to resolve all complaints within 12 months whenever possible. Because the new licensing database will have increased capacity to provide more specific complaint data, board members were asked if they would like any additional compliance statistics reported to them, including complaints against unlicensed social workers. Hallman requested that reasons be provided for cases open longer than 12 months.

**6. COMMITTEE & LIAISON REPORTS - Part 1**

**A. Advisory Committee: Zacher-Pate** [Attached]

Zacher-Pate thanked Susan McGeehan for accepting the Chair’s appointment as board liaison to the Advisory Committee. Zacher-Pate reported the Advisory Committee met on February 6, 2015. The following issues were discussed in that meeting:

- BOSW 2015 Legislative Proposals and Budget
- MN Mental Health Work Force Plan
- Governor’s Task Force on the Protection of Children
- Member Updates on their Organizations

**B. Application Review Committee: Richardson**

Hirsch reported that the committee is considering several application issues, which were discussed among the committee members.

**C. Association of Social Work Boards: Middlebrooks, Hirsch, Zacher-Pate**

Zacher-Pate asked Weaver and Lombardi to report on their recent training provided through the ASWB New Board Member Training. Lombardi reported that she learned more about the ASWB and how various states, including Minnesota, go through the process to create legislation. Weaver reported that she learned more about discipline, compliance, and licensing rules and how they pertain to your particular region, state, or province. Both Lombardi and Weaver noted the training was helpful to provide additional perspective with the BOSW regulations as well as how to use technology in social work. In addition, this training emphasized the importance of regulation of licensure and that all board members are “public” members protecting public safety.

Zacher-Pate brought board member’s attention to the Technology Practice Standards

document titled, “Model Regulatory Standards for Technology and Social Work Practice.” Zacher-Pate suggested a future dedicated meeting in which the board can discuss how to utilize the information, including the review of the BOSW statute to identify ways in which these technology recommendations may be considered and applied. ASWB is also studying the recommendations and how they may be incorporated into the ASWB Model Social Work Practice Act.

**D. Communication Education Outreach Committee:** Richardson

Richardson reported that a licensing summit is being planned for the recent Grandfathering licensees. Another goal of the CEOC is to continue the conversation with the Councils of Color. In addition, Richardson asked board members if they had any ideas for upcoming educational sessions, to include topics such as electronic health records and background checks.

**E. Council of Health Boards:** Kassekert

No report.

**F. Executive Committee:** Richardson, Payne, Hirsch

Richardson reported that the BOSW’s goal is to conduct a more robust strategic planning session within the third or fourth quarter. Richardson added that there are currently five board member vacancies, which need to be filled by June 30, 2015. Richardson noted that Zacher-Pate’s performance evaluation was completed at the January 2015 board meeting and Zacher-Pate was recommended to receive the highest possible achievement award based on her performance. Richardson also noted that Donna Ennis is attending an ASWB meeting today and will provide a report at the next board meeting. Zacher-Pate shared updated lists of committee appointments. Richardson informed the board that the ASWB Spring Meeting will be held in Seattle, Washington, from April 30 to May 2, 2015 and asked if any board members would be interested in attending.

**G. Finance Committee:** Hirsch [Attached]

Hirsch presented the BOSW monthly expenditure and revenue reports.

- Direct operations expenditures through January 2015, at 58% of the fiscal year, are at 35%
- Attorney General legal fees expenditures through January 2015, at 58 % of the fiscal year, are at 88.25%
- Revenues through February 2015, at 66% of the fiscal year, area at 72% based on projections

Grandfathering applications exceeded projections and have added to the revenues. Licensing activities have increased by 32% from 2013 to 2014 and one additional, new licensing position is determined necessary, and can be supported within the budget. The BOSW Attorney General legal budget is exceeding projections. The BOSW has been

advised by the Attorney General Office to continue the necessary complaint resolution duties to maintain public safety.

**7. EDUCATIONAL SESSION: OVERVIEW OF THE CHILD PROTECTION SYSTEM**  
Presented by Tamara Kincaid, MSW, LICSW, Social Work Faculty University of Wisconsin River Falls; Child Protection Worker/Supervisor in Minnesota and Wisconsin.

Kincaid covered various topics of the Child Protection System, including the following:

- Background and history of child welfare
- Settlement House Movement
- Child Abuse Prevention and Treatment Act (CAPTA) of the mid-1970's
- Indian Child Welfare Act (ICWA)
- Title IV of the Social Security Act
- Adoption and Safe Families Act (ASFA)
- Chafee Act
- Relative foster care versus kinship
- Promoting safe and stable families with community programs
- Fostering Connections Act
- Interstate Compact
- Child Family Services Review
- Minnesota Statute 626.556 - Reporting of Maltreatment to Minors Act
- Minnesota Statute 260C - Children's Justice Initiative
- Minnesota Indian Family Preservation Act
- Child Mortality Reviews
- Family Group Decision Making (FGDM)
- Parent Support Outreach Program (FSOP)
- Citizen Review Panels
- Minnesota Child and Family Service Reviews
- Mandatory reporting requirements

**Lunch:** 12:03 pm – 12:15 pm

After the lunch break, Kincaid resumed her overview of the Child Protection System. The following topics were discussed:

- Definitions of maltreatment and neglect
- What happens after a report is made
- Family assessment versus family investigation
- Court intervention and the option to appeal a finding

At the conclusion of Kincaid's presentation, Gertrude Buckanaga, Executive Director of the Upper Midwest American Indian Center, and BOSW Advisory Committee Member, suggested that there be more social work training centered on these issues. Buckanaga explained that many Native Americans are still dealing with historical trauma within the American Indian community, which is related to these issues.

## **6. COMMITTEE & LIAISON REPORTS - Part 2**

### **H. HPSP: Kassekert**

Kassekert reported that the HPSP Program Committee met on February 17, 2015. Kassekert related the following statistics from an HPSP report dated 1/6/2015:

- 15 social workers are currently active in the program
- Three social workers completed the program in 2014
- One social worker completed the program in the first half of 2015
- No social workers voluntarily withdrew in 2014 or 2015
- Two were discharged for non-compliance in 2014
- One was discharged for non-compliance in 2015
- One died in 2014
- No social workers were ineligible for monitoring in either year

Kassekert noted that HPSP has embarked on an ambitious strategic planning process, which includes every area of program operations. One of its most difficult goals has been in measuring program effectiveness. In addition, HPSP is looking at ways to enhance their program outreach. On a fiscal note, spending for HPSP was within expected limits in the first half of fiscal year 2015. Kassekert also reported that the committee had debated the definition of a quorum, since in many cases the committee had not been able to conduct business without a quorum present. Lastly, the committee discussed which members should answer questions from the media.

### **I. Legislation & Rules Committee: Hallman, Zacher-Pate**

Hallman informed the board that the BOSW legislation has gone through various house committees, although it's unsure whether or not the senate will get to this legislation during the current session. Zacher-Pate brought the board's attention to a document titled, "Legislative Update 2015: First Year of Biennium." Some of the legislative highpoints noted by Zacher-Pate included the following:

- Committee Deadlines: The BOSW made the first house committee deadline by having the BOSW policy bill heard in the house. This senate bill remains to be heard in the senate policy committee.

- HF 1584 & SF 1521: The Attorney General's office has recommended collaboration between the executive directors to make necessary changes to the new temporary license suspension laws enacted in 2014.
- Several bills were introduced that could impact the various boards, including Telemedicine Bills, the Interstate Medical License Compact, and the Nursing License Compact.
- HF 960: There has been one hearing regarding Bill HF 960. This bill was re-referred to the House Finance Committee.
- SF 883: There has been some difficulty getting licensing bills heard in the Senate Policy Committee, including SF 883, which might not be heard until next year.
- HF 850 & SF 825: These finance bills, which include appropriations for all of the Health Licensing Boards as recommended from the Governor's budget, include the creation of new fees for the BOSW.
- HF 211 & SF 3: This is a loan forgiveness bill for mental health professionals.
- HF 573 & SF 63: Creates more access to social work services.
- HF 803 & SF 815: This is another loan forgiveness bill that comes from the Governor's Task Force on the Protection of Children. This bill provides loan forgiveness to mental health professionals, including county social workers.
- DHS Agency Bill/SF 1356: The DHS has agreed to amend out the exemption provision to statute 148E.065 that DHS made without the BOSW's knowledge. This exemption appears in Article 6, Section 2, of the DHS bill and has passed in the Senate and has been re-referred to judiciary. A house hearing is scheduled.

**J. Nominating Committee:** Middlebrooks

Middlebrooks reported that Zacher-Pate met yesterday with the Governor's Appointments Secretary to review Board Member applications to ensure applicants met the BOSW statutory requirements. Appointments must be made by June 30.

**K. Executive Committee:** Richardson, Payne, Hirsch (continued for action item)

**A motion was made by Hallman and seconded by Weaver to send one staff member and three board members to the ASWB Spring Education Meeting. The motion carried unanimously.** Zacher-Pate is funded by ASWB as an ASWB Committee Chair and the Board decided to not send a member to the CLEAR conference last fall; therefore funds are available for this important conference.

**8. OTHER BUSINESS**

No other business.

**9. ROUNDTABLE**

No discussion.

**10. PUBLIC COMMENT**

Alan Ingram, Executive Director for the Minnesota Chapter of the National Association of Social Workers (NASW-MN), addressed the following topics:

- The possibility of a future discussion with respect to technology issues and amending the BOSW standards of conduct
- Ideas for promoting the Active Emeritus License

**11. COMPLIANCE COMMITTEE: Hallman, Gallagher**

*Executive Session - Closed to the Public to consider compliance cases at 1:49 pm.*

**A motion was made by Compliance Panel B to affirm the *Order of Reprimand* for Carolyn R. Setter, LSW 23176. The motion passed unanimously.**

**A motion was made by Compliance Panel A to adopt the amended *Stipulation and Order* for Jill A. Kuntz, LGSW 18377. The motion passed unanimously.**

**12. ADJOURN**

**Hallman moved and Middlebrooks seconded to adjourn the meeting at 2:10 pm. The motion passed unanimously.**

Respectfully submitted,



Angela Hirsch, LICSW  
Secretary-Treasurer