**REGULAR BOARD MEETING**
**University Park Plaza**
**University Conference Room A – 4th Floor**
**2829 University Avenue SE**
**Minneapolis, Minnesota 55414**

**March 21, 2003**

***MINUTES***

**Members Present:** Kathleen Beehler, LSW
Anthony Bibus, III, LISW
Jane Braun, LSW
Barbara Kaufman, LISW, Vice-Chair
Marilyn Kiloran, LICSW
Margaret Sebring Khali, LSW
Peter Langseth, LSW
Lois McDougall, Public Member
Steven Sawyer, LICSW, Chair
Timothy Schmidt, Public Member
Antonia Wilcoxon, Public Member, Secretary-Treasurer

**Members Absent:** Miriam Bergmark, Public Member
Paul Gaston, LSW
Anoma Mullegama, LICSW
Michael Yang, Public Member

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

## 1. PROPOSED AGENDA

Chair Sawyer called the meeting to order at 10:05 a.m.; a quorum was present. Zacher-Pate announced the addition of another restoration/reinstatement and that Case A may appear before the Board. Member sign-in sheet was passed. **A motion was made by Langseth, and seconded by Kaufman, to approve the agenda for the March 21, 2003 Board meeting. The motion carried unanimously.**

## 2. MINUTES FOR JANUARY 17, 2003 MEETING

**A motion was made by Bibus, and seconded by McDougall, to approve the minutes for the January 17, 2003 Board meeting. The motion carried unanimously.**

## 3. EXECUTIVE DIRECTOR'S REPORT: Frank Merriman

- Distribution of "2003 Committee Assignments," "2003 Liaison Appointments" and "Distribution of Board Members" charts.
- Met with the Governor's staff person, John Berns, about the expiration of three board members' terms in January 2003. Kaufman has reapplied, but public members Yang and McDougall have declined to reapply. Applicants from communities of color expertise are encouraged to apply. If the Board has recommendations, let Merriman know or have applicant send application to Secretary of State.
- Discussion on "The Basics of Parliamentary Procedure" as alluded to in the Board Bylaws: motions will be repeated for clarification, and volunteer sought for parliamentarian.
- Reviewing staff position descriptions; institute formal performance evaluation system. Evaluations begin April 2003.
- Oral budget report deferred to Finance Committee report.
- Negotiations continue on building lease which ends October 31, 2003.
- First stage of computer project to be completed June 30, 2003, including online renewals and using the Office of Technology's web site template for updates.
- Senator Berglin will not pursue a bill brought by a constituent to eliminate exemption of county social workers. She will work with the Board in 2005 on this matter.
- Merriman will meet with Rep. Boudreau April 1 regarding the rumor of merging the Boards of Psychology, Marriage and Family Therapy, and Social Work.

## 4. DISCIPLINARY MATTERS: (Executive Session – *closed at 10:32 a.m.)*

Hoffman distributed two additional actions for Board consideration.

1. In the Matter of Sheila J. Haukos, LSW. **A motion was made by McDougall, and seconded by Kaufman, to approve the Compliance Panel's recommended Stipulation and Order revoking Haukos' LSW license. The motion carried, with Sebring Khali absent during voting.**
2. In the Matter of Charles A. Hagen, LSW. **A motion was made by Bibus, and seconded by Beehler, to approve the Compliance Panel's recommended Stipulation and Order requiring Hagen to surrender his LSW license. The motion carried unanimously.**
3. In the Matter of Tami L. Froelich, LSW. **A motion was made by Wilcoxon, and seconded by Kaufman, to approve the Compliance Panel's recommended Stipulation and Order suspending Froelich's LSW license. The motion carried unanimously.**
4. In the Matter of Mary Jo Miller, LICSW. **A motion was made by Braun, and seconded by Langseth, to approve the Compliance Panel's recommended Stipulation and Order requiring Miller to surrender her LICSW license. The motion carried unanimously.**
5. In the Matter of Thomas M. Yahnke, LICSW. **A motion was made by Braun, and seconded by McDougall, to approve the Compliance Panel's recommendation to place Yahnke's LICSW license in inactive status. The motion carried unanimously.**

*(Meeting re-opened to the public at 10:53 a.m.)*

## *5.* REINSTATEMENT/RESTORATION OF LICENSES: Kate Zacher-Pate

1. In the Matter of the Petition for Reinstatement/Restoration of Case A's LSW license. The licensee appeared before the Board. **A motion was made by Braun, and seconded by McDougall, to accept staff recommendation to reinstate the petitioner's expired LSW license. The motion carried unanimously.**

2. In the Matter of the Petition for Reinstatment/Restoration of Case B's LSW license. **A motion was made by Braun, and seconded by Kaufman, to accept staff recommendation to reinstate the petitioner's expired LSW license. The motion carried unanimously.**

3. In the Matter of the Petition for Reinstatment/Restoration of Case C's LSW license. **A motion was made by Braun, and seconded by Sebring Khali, to accept staff recommendation to reinstate the petitioner's expired LSW license. The motion carried unanimously.**

4. Zacher-Pate distributed the following: In the Matter of the Petition for Reinstatment/Restoration of Case D's LSW's license. **A motion was made by McDougall, and seconded by Braun, to accept staff recommendation to reinstate the petitioner's expired LSW license. The motion carried unanimously.**

**A motion was made by Braun, and seconded by Kaufman, allowing staff, instead of the Board, to decide reinstatement/restoration cases which are not problematic. The motion carried unanimously.**

## 6. BOARD COMMITTEE REPORTS

### A. Application Review Committee: Tony Bibus

No report.

### B. Compliance Committee: Jane Braun

- **A motion was made by Braun, and seconded by McDougall, to accept the committee's recommendation to immediately discontinue mailing disciplinary actions to newspapers. The motion carried unanimously.** Upon completion of the Board web site, newspapers and professional associations will be notified that these actions are accessible on the web site. Eventually all such actions will be on the web site indefinitely.
- Hoffman distributed "Complaint Status Report as of March 21, 2003."

### C. Executive Committee: Steve Sawyer

No report.

*(Lunch break 11:45-12:15 p.m.)*

## 6. BOARD COMMITTEE REPORTS *(continued)*

### D. Finance Committee: Antonia Wilcoxon (Reported by Frank Merriman)

- Wilcoxon stated that the committee met March 20th. She requested that Merriman report on his analysis of the governor's budget as presented at the Finance Committee meeting.
- "Finance Committee Minutes-March 20, 2003," and "Budget, 2004-2005 Biennium Highlights of Governor's Proposal" distributed.
- Discussion of the Governor's recommendation that the Board transfer its special revenue funds to the general fund possibly causing immediate deficit spending. The Advisory Committee was asked to inform groups of the consequence of the Board's capacity to protect the public. **A motion was made by Bibus, and seconded by Kaufman, directing staff to estimate the effects of the Governor's budget proposal and report its findings to the Board. The Board authorizes the Executive Committee to take action upon receipt of the staff report, provided that the Committee's actions are ratified at the next Board meeting. The Committee may also call a special Board meeting. The motion passed unanimously.**
- **A motion was made by Langseth, and seconded by Braun, enabling the Executive Committee to approve these Board minutes as soon as possible, and have them posted on the Board's web site immediately. The motion carried, with one member opposing.**

### E. Legislation and Rules Committee: Tony Bibus *(See attachment)*

- Bibus, Sawyer and Zacher-Pate met and reviewed the status of the Board's 2003 legislative initiative. Authors have been obtained and the bill will be introduced shortly.
- Briefing on Governor's proposed shift of health licensing board funds from the special reserve fund to the general fund. Will require legislative action.
- Staff research concluded that the number of reinstatement cases has not increased by reducing the number of license renewal notifications. See attachment, "2003 Legislative Initiative-Retroactive Reinstatements."
- Strategy for 2005 legislative package:
    - Comprehensive revision of the Practice Act including reducing licensure levels and eliminating all exemptions. The Board will work with the Advisory Committee in developing a proposal to eliminate exemptions.

### F. Licensure Exam Group: Peter Langseth

No meeting. Continues to solicit funding from organizations.

## 7. OTHER REPORTS

### A. Advisory Committee: Barbara Kaufman

Kaufman reported that the Advisory and Compliance Committees recommend that disciplinary actions no longer be published (see Compliance Committee motion above).

Committee member Pam Luinenburg reported that the Committee questioned the Governor's proposed transfer of Board funds. Among the questions are the following:

- What is the Board's role in responding to the proposal?
- Would the proposal affect the Board's ability to protect the public?
- How will it affect licensees?
- Is the transfer of funds fairly assessed to all the Boards?

Luinenburg also asked if the professional counselor's bill has gone to the Council of Health Boards. (Merriman's response: The bill won't be reviewed unless the Council receives a request from the legislature.)

- There is concern that the bill requires 2000 supervised practice hours, rather than 4000, as required of social work licensees.

### B. Council of Health Boards: Lois McDougall

McDougall reported that there were no additional legislative proposals to review, so they did not meet. She also noted that she is no longer on the committee. Gaston is a member, but did not attend this Board meeting.

### C. E-Therapy Committee: Kate Zacher-Pate *(See attachment)*

Social Work, Psychology, Marriage and Family Therapy and the Department of Health collaborated for over a year preparing the "Final Report of the Internet Therapy Committee" (to be posted on the Board's web site.) The Committee's goal was to describe internet therapy issues for regulatory agencies' consideration. Sawyer recommended Legislation and Rules discuss this for the 2005 session.

### D. HPSP: Tony Bibus

No meeting.

### E. ASWB: Steve Sawyer

Sawyer asked for a Board member to volunteer as ASWB's delegate. Kiloran will continue as the Board's delegate. Bibus will temporarily continue as alternate. Beehler is considering the alternate position, which is a two year commitment.

## 8. PUBLIC COMMENT

- Pam Luinenburg, Coordinator of the Minnesota Coalition of Licensed Social Workers and member of the Board's Advisory Committee, expressed concern with the Governor's proposal to transfer Board funds from the special revenue fund to the general fund. Licensees' fees would not be used to regulate social workers and protect the public as originally intended. She suggested asking legislators to raise taxes instead of transferring funds.
- She spoke to lobbyists from the Dental, Chiropractic, Psychology, and Nursing Associations concerning the transfer of their Board's budgets to the general fund. It's unclear what actions these associations will take.
- Alan Ingram, National Association of Social Workers, discussed general finance issues and possibly preparing a letter to licensees.

## 9. ADJOURN

**A motion was made by McDougall, and seconded by Sebring Khali, to adjourn. The motion carried unanimously.**

*(The meeting adjourned at 2:35)*

Respectfully submitted,

Antonia Wilcoxon
Secretary-Treasurer