REGULAR BOARD MEETING
University Park Plaza
Board of Medical Practice Conference Room – 3rd Floor
2829 University Avenue SE
Minneapolis, Minnesota 55414

September 19, 2003

MINUTES

Members Present: Kathleen Beehler, LSW
Miriam Bergmark, Public Member
Anthony Bibus, III, LISW
Jane Braun, LSW
Roy Garza, LGSW
Margaret Sebring Khali, LSW
Marilyn Kiloran, LICSW
Peter Langseth, LSW
Ken Middlebrooks, Public Member
Anoma Mullegama, LICSW
Steven Sawyer, LICSW, Chair
Antonia Wilcoxon, Public Member, Secretary-Treasurer
Barbara Butts Williams, Public Member

Members Absent: Paul Gaston, LSW
Timothy Schmidt, 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. The agenda was amended to add a disciplinary matter after public comment. **A motion was made by Garza, and seconded by Braun, to approve the agenda, as amended, for the September 19, 2003 Board meeting. The motion carried unanimously.**

2. MINUTES FOR JULY 18, 2003 MEETING

A motion was made by Braun, and seconded by Wilcoxon, to approve the minutes for the July 18, 2003 Board meeting. The motion carried unanimously with the following correction: Page 4., Section F., Legislation and Rules Committee should read "Gaston" instead of "Williams."

3. EXECUTIVE DIRECTOR'S REPORT: Frank Merriman

(Merriman circulated a news item from ASWB, "Examination Writers Sought." Those interested should apply with ASWB by December 1, 2003.)

- **Board of Behavioral Health & Therapy.** The Boards do not expect that they will share staff with Behavioral Health & Therapy. Decisions are pending regarding the appointment of Board members which will occur after November 1, 2003.

- **Recommendation on Merging Therapy-Related Boards.** Legislation enacted in 2003 requires the new Board of Behavioral Health & Therapy and the Board of Marriage & Family Therapy to study merging the two boards. Senator Kiscaden, the Senate author of the legislation, has indicated that the study will not include the possibility of including Social Work in a merger.

- **Budget.** Merriman and other Executive Directors met with the Department of Finance in July for clarification on budget issues. The department has transferred the Board's Special Revenue Funds to the State's General Fund as required by legislation enacted in 2003. Merriman will make recommendations to the Finance Committee on how to respond to the department's policies.

- **Building Lease.** Since the Boards' leases expire on October 31, 2003, they will be finalized soon. Negotiation has resulted in a decrease of lease rates for several years, and the Boards' receiving three month's free rent.

- **Conferences.** Sign-up sheets were passed for ASWB's Annual Meeting November 7-9, 2003 in Colorado Springs and for the FARB Conference February 6-8, 2004 (location & topic to be announced). **A motion was made by Langseth, and seconded by Williams, to fund two Board members for the ASWB and FARB conferences. The motion carried unanimously.** ASWB will pay for delegate Kiloran's expenses; Beehler's (alternate) and Middlebrook's expenses will be paid for by the Board. Garza and Mullegama will attend FARB, and their expenses will be paid for by the Board.

- **Online Renewals.** Unlike other Boards, Social Work does not want to charge licensees bank and transaction fees, because doing so would discourage licensees from renewing online. The budget can handle the projected $25,000 it will cost the Board to waive these fees. The web site and online renewal will be functioning in October.

- **CE Study.** Circulation of "NASW's – Minnesota Chapter SPICE Program Evaluation" of May 2003 by Simone Arsenault, NASW intern.

NOTE: Sawyer asked if there is a Strike Plan in place should MAPE and AFSCME state unions' workers strike. Merriman responded that normal office operation will be suspended if there is a strike as the only staff in attendance would be Zacher-Pate, Oberle and himself.

4. BOARD COMMITTEE REPORTS

A. APPLICATION REVIEW COMMITTEE: Tony Bibus

The Committee is defunct. Statistics show that new applications have decreased significantly. The FB/ESL alternative licensing provision sunsets in 2005. Final report was distributed.

B. COMPLIANCE COMMITTEE: Jane Braun, Louis Hoffman, Margaret Sebring Khali

The committee met today and covered complaint historical perspective and accomplishments. Figures have increased slightly. Pending the Board's updated web site, disciplinary actions will be posted online.

Hoffman and Sebring Khali attended the CLEAR Conference September 11-13, 2003. Hoffman relayed a discussion on Boards having jurisdiction over a licensee's conduct outside the scope of practice. Minnesota does not have legislation on conduct outside of conviction; he has drafted language to revise the Practice Act.

Sebring Khali spoke on Ontario's social work regulation which licenses social workers and registers social service workers. She and Wilcoxon also attended a discussion on licensure examinations. Discussion included information on Minnesota's FB/ESL licensing provision and study, and revealed that such an alternative is rarely used.

NOTE: Wilcoxon added that she received valuable training at ASWB's Board Member Training as it clarified her role as a public Board member. However, as a manager of a nonprofit organization, she found that ASWB's response to her questions about diversity and testing at the CLEAR conference was negative.

Sebring Khali questioned how other states creatively understand other cultures and what testing methods they use in these circumstances.

Sawyer recommended a discussion on the Board's FB/ESL study at the November Board meeting.

C. ESL STUDY COMMITTEE: Peter Langseth

There was no meeting, but one is scheduled for November 14. Update on the Bush Foundation grant for Board research: The Board's application remains active. If we receive the grant, research will continue; if not, alternatives will need to be discussed at the January Board meeting. The Board received $8,000 from the Otto Bremer Foundation. If the Board is unsuccessful in obtaining additional funding, it was suggested to request the legislature's permission to use money from our Special Revenue Fund. It was also clarified that the existing legislation does not allow for Board funds to be used for the study.

D. EXECUTIVE COMMITTEE: Steve Sawyer

No activity. Will schedule a meeting for November.

E. FINANCE COMMITTEE: Antonia Wilcoxon

There was no meeting. No current figures from ASU yet.

F. LEGISLATION AND RULES COMMITTEE: Tony Bibus

The Drafting Subcommittee's focus has been on drafting legislation for major revisions to the Practice Act in 2005, which includes reducing licensure categories from four to three, eliminating exemptions, revising supervision requirements, and defining clinical practice. Drafts will be reviewed by the Advisory Committee and the Board.

Bibus asked for Board member volunteers to review draft legislation from the subcommittee. Garza, Langseth and Mullegama agreed to serve on the subcommittee and review and comment on the drafts by e-mail. Beehler and Schmidt will comment by teleconference as members of the Legislative and Rules Committee.

5. OTHER REPORTS

A. ADVISORY COMMITTEE: Frank Merriman

Bibus could not attend. Merriman reported and referred to a notice entitled "Board of Social Work Advisory Committee" which would create a member-at-large position on the Committee for Barbara Kaufman. Kaufman would have full voting rights, and would not be automatically replaced upon termination. After a discussion, Sawyer referred the issue to the Executive Committee so it could revisit the Board's bylaws and the Committee's mission statement before making a decision.

(Jane Braun excused herself from the meeting at 11:15)

B. COUNCIL OF HEALTH BOARDS: Steve Sawyer

At the Council of Health Boards' meeting, Senator Kiscaden received questions on the new legislation, the new Board of Behavioral Health and Therapy, the study of merging health boards, and implications, if any. Also, the Senator conveyed that she is studying cost efficiencies, uniformity of administration, and consumer access in communicating concerns or complaints to the boards.

C. HPSP: Tony Bibus

Bibus distributed the "Participation" section of HPSP's annual report. The statistics show improvement in licensees and the boards using the service. Our Board's fee for services is about $19,000 of HPSP's annual budget.

6. COMMITTEE APPOINTMENTS: Steve Sawyer

- Gaston removed himself from the Drafting Subcommittee
- Langseth removed himself from the Finance Committee
- Garza, Langseth and Mullegama will serve on the Drafting Subcommittee to review documents online.

The appointments were ratified by Chair Sawyer.

7. PUBLIC COMMENT

Alan Ingram, Executive Director of the National Association of Social Workers, spoke on behalf of the Advisory Committee's decision to appoint Barbara Kaufman to a newly created member-at-large position on the Committee. Kaufman is a former Board member and liaison to the Advisory Committee, whose knowledge, regulatory experience and leadership in the community is highly respected. The Committee believes a continuing relationship with Kaufman on the Advisory Committee would be beneficial to both the Committee and the Board.

Pam Luinenberg, Coordinator of the Minnesota Coalition of Licensed Social Workers and an Advisory Committee member, spoke of issues that the Committee sent to the Drafting Subcommittee. She referred to developing a definition for "What is a Social Worker?" and the removal of social work exemptions. She noted that social workers who work in nursing homes, hospitals, schools and in home care settings have a strong interest in supporting future legislation, and that she personally appreciates the ability to provide input into legislation.

7. A. DISCIPLINARY MATTER: Louis Hoffman
(Executive Session – *The meeting was closed to the public at 12:00 p.m.***)**

1. In the Matter of Dianna L. Collier, LSW. **A motion was made by Langseth, and seconded by Williams, to revoke Collier's license as provided under Minn. Stat. § 270. The motion carried unanimously.**

(The meeting re-opened to the public at 12:10 p.m.)

8. LUNCH – 12:10 p.m.

9. ADJOURN – 12:30 p.m.

Respectfully submitted,

Antonia Wilcoxon
Secretary-Treasurer