STATE OF MINNESOTA

BOARD OF SOCIAL WORK

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

January 21, 2005

Members Present: Miriam Bergmark, Public Member
Anthony Bibus, III, LISW, Chair
Roy Garza, LGSW
Paul Gaston, LSW
David Hallman, LSW, Secretary-Treasurer
Margaret Sebring Khali, LSW
Peter Langseth, LSW
Kenneth Middlebrooks, Public Member
Anoma Mullegama, LICSW

Members Absent: Kathleen Beehler, LSW
Marilyn Kiloran, LICSW
Mary Casey Ladd-Bowman, LICSW
Timothy Schmidt, Public Member
Antonia Wilcoxon, Public Member, Vice Chair

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

1. PROPOSED AGENDA

Chair Bibus called the meeting to order at 10:00 a.m.; a quorum was present. **A motion was made by Garza and seconded by Langseth, to approve the agenda. The motion carried unanimously.** Bibus noted that the new packet of materials distributed today was in regard to the contested case hearing being heard during this meeting.

2. MINUTES FOR NOVEMBER 19, 2004 MEETING

A motion was made by Langseth, and seconded by Middlebrooks, to approve the November 19, 2004 minutes. The motion carried unanimously.

3. EXECUTIVE DIRECTOR'S REPORT: Frank Merriman

- Merriman thanked Board staff for their work during his absence, and he also extended his appreciation to the Board Members for their expressions of kindness.
- Merriman recognized Oberle and Zacher-Pate for their work and noted that promoting them into supervisory positions was a decision that has served the Board well, and it has rewarded them for their long-standing service to the Board. He also complimented Hoffman and McNair who are present at today's meeting and referred to "Staff Telephone Numbers" which is attached.
- There has been no word from the Governor's Office regarding the five open Board Member positions. They should be filled by June.

[Paul Gaston arrived at 10:10 a.m.]

- Merriman recommended deferring Board Member conference sign-up until the selection of new Board Members has been completed. He distributed a sign-up sheet for the ASWB Spring Meeting in Boston April 7-10.
- There will be Board orientation for newly appointed and present Board Members on matters which will include the FB/ESL alternate licensing study and the budget.
- Zacher-Pate and Merriman will meet with Senator Kiscaden and Representative Abeler who authored our legislation last time. They have a proven track record for passing legislation through the legislature.
- The legislative proposal may be impacted by the Governor's budget recommendations which will be announced on January 25. There are two main issues that could affect the Board's legislative proposal: 1) the State's budget deficit and the possibility that funds from our Special Revenue Fund could be transferred to the General Fund, and 2) a proposal that would consolidate the Health Licensing Boards.
- The Executive Directors sent a letter to the Governor to address concerns about the possibility of consolidating the Health Licensing Boards, and Merriman sent a letter to the Governor's Chief of Staff regarding the Board's proposal to reduce licensing fees by 20%.
- The Governor's Drive to Excellence group has not finalized recommendations from its review of state government operations. However, it has discussed the need to introduce legislation which would include a $5 licensing surcharge that would be used to plan the consolidation of the state's licensing efforts into a single entity for the state.
- The Boards were required to do the 20-60-20 budget exercise. However, the Health Licensing Boards are exempt from reducing the bottom 20% of its activities.

4. INTRANET FOR BOARD MEMBERS: Kate Zacher-Pate

- Zacher-Pate referred to the Board's computer project manager, Chris Luhman, who gave an on-line service computer demonstration at the November Board Meeting. The new web site has a password protected feature which would allow Board Members to securely access information and do Board business This feature could reduce copying and postage costs and would be available 24-7.
- Oberle is the Board Administrator for the web site, and our new Communication Specialist, Brie Deadman, is the point person who will manage web issues with Board Members.
- Zacher-Pate distributed "Login Procedures for Online Services for Board Members-January 21, 2005," and noted that Brie has set up accounts for all Board Members.

Board Members may access the "intranet" by a user name that has been set and consists of your last name and the first letter of your first name.

- You may do a password reminder when you log in if you have a valid e-mail address. Otherwise, do not use "Remember my login" as it could diminish security. To confirm that you have logged in, "Log out" will appear on the right-hand corner of each page instead of "Log in." To prevent jeopardizing confidentiality, always remember to log out of the system when you have completed Board business.
- Board committees may use the site to access Board documents which are currently public data. However, staff will continue to send meeting notices and documents via the postal service, and e-mail according to current practice until committees decide that they want to rely on the web site for this purpose.

5. COMMITTEE REPORTS

A. FOREIGN-BORN ESL STUDY COMMITTEE: Peter Langseth

- Merriman distributed "Foreign-Born ESL Study Committee Minutes January 20, 2005."
- Langseth reported that MCSWE was invited and two members attended the meeting.
- The Board met its obligation to the legislature by completing the FB/ESL study, and it has been posted on our web site. However, the committee would like to make it available to various communities by printing and mailing copies of the study.
- There was a discussion about the Board's hiring a consultant to address issues such as the discrepancies in testing, or to coordinate groups with particular issues.
- Gaston suggested that a resolution be passed to encourage other organizations to take the lead in managing issues so that the Board would not be in an advocacy position. He also supports receiving a grant to hire Colleen McDonald to manage and coordinate the effort.
- Langseth recommended authorizing the expenditure of $5000.
- The Finance Committee is especially supportive of the expenditure if it would result in the partnership of other agencies taking on the FB/ESL issues.

A motion was made by Langseth, and seconded by Gaston, to authorize the Board to spend up to $5000 to hire Colleen McDonald to work on the issues presented in Dr. Holcomb's report on the FB/ESL study. The motion carried unanimously.

- Merriman noted that the FB/ESL Study Committee asked Colleen McDonald to propose a plan for the committee's approval next month.

B. FINANCE COMMITTEE: David Hallman

- Merriman distributed "Finance Committee Minutes-January 20, 2005.
- Hallman reported that the Board projects it will have a $360,000 surplus at the end of the fiscal year due to lower computer costs and Attorney General fees.
- Oberle reported that receipts were at 51% by the end of December and that online renewal is at 15% and growing.

6. OTHER REPORTS

A. ADVISORY COMMITTEE: Tony Bibus

- Bibus distributed "MN Board of Social Work Advisory Committee Meeting Minutes-December 3, 2004" and congratulated newly appointed Board officers.
- The Committee discussed having an annual voluntary orientation for licensees to ensure that they have an understanding of the Board's rules and regulations.
- David Gibson wanted to speak today on the possibility of a licensee orientation, but he was unable to attend so Pam Luinenberg, Coordinator for the Minnesota Coalition of Licensed Social Workers, spoke on behalf of the Coalition and the Advisory Committee.
- Luinenberg noted that Advisory Committee member Barbara Kaufman is interested in receiving feedback from the Board about including jurisprudence training in the licensee orientation as many licensees don't understand the statutes and how they affect the Board. Providing this training could reduce Board compliance costs and would build a good relationship between the Board and its licensees.
- It was suggested that the orientation be presented in person, but it could be provided on-line for those living in greater Minnesota.
- Bibus noted that it would be valuable for the licensees to understand how legislation is developed, and to go through the compliance process. He asked if the Board would like to request the Advisory Committee to develop a model and bring it back to the Board.
- The Board requested information about the purpose, cost, time investment, who would do the presentations, and proposed outcomes and goals for the proposed orientation.
- Luinenberg added that she and Zacher-Pate attended the Minnesota Board of Chiropractic Examiner's Licensee Orientation last year. They learned that the Chiropractic Board has experienced a reduction in the number of complaints brought to the Board because of their efforts to educate licensees about the compliance process. Presenting the information in person eliminates confusion about the role of the Board and associations.
- Langseth asked Luinenberg if the Advisory Committee could first prepare a written proposal to the Board.
- Luinenberg responded that the Committee would prepare a proposal which would answer the questions above.
- Langseth thanked Luinenberg for speaking today and for her great service to the Advisory Committee and the Board.

[Roy Garza left the meeting at 11:30.]

B. COUNCIL OF HEALTH BOARDS: Paul Gaston

Gaston reported that the Committee has not met recently. Merriman noted that the Council may meet after the February 1 Executive Director's meeting to discuss the Governor's budget proposal. He believes that the Council's President has agreed to invite all the Boards and professional associations, including NASW and the Coalition.

C. HPSP: Casey Ladd-Bowman

Ladd-Bowman relayed to Zacher-Pate that she attended the meeting and that the HPSP budget was discussed. Merriman noted that HPSP is facing cost problems and he believes it has come up with a plan to reduce services, but not increase participation fees.

7. PUBLIC COMMENT

Pam Luinenberg, Coordinator for the Minnesota Coalition of Licensed Social Workers, expressed her concern about the Governor's Drive to Excellence, but she believes the Board's legislative proposal has a good chance of passing. She also said that the Board is responsive in dealing with complaints and that the Coalition will support the Board in its work.

Alan Ingram, Executive Director of the National Association of Social Workers-Minnesota Chapter, spoke about the Board streamlining its processes and reducing fees. He also noted that it would be destructive to interfere with the spirit of the Board's mission and its progress, and that the letters Merriman wrote to the Governor's Office were right on point. Ingram is optimistic about our legislative proposal, but he suggested that we have a Plan B or C in case the legislature has concerns.

Merriman stated that the Board needs legislative support to streamline its processes and that it makes sense to do it now. If a section is not acceptable, for example, FB/ESL, we can cut out that piece and pursue it separately.

Luinenberg noted that she is a member of the FB/ESL Committee and that the Association sees it as an important issue. She believes that the groups she works with will be pleased to know that there is a report, that a discrepancy was found, and that a remedy has been developed. She is pleased with the systems approach that the Committee is taking, and she said that it may need to be used in all areas.

8. COMPLIANCE MATTERS: Louis Hoffman

Hoffman verified that Board Members received a sealed envelope in the Donald L. Keys contested case hearing discussed below.

1. In the Matter of Michael J. Carle, LICSW, License Number 7229. **A motion was made by Langseth, and seconded by Bergmark, to approve the Compliance Panel's recommendation to condition and restrict Mr. Carle's license and to approve the Stipulation and Order. The motion carried unanimously.**

2. In the Matter of Lyle G. Elenkiwich, LICSW, License Number 11797. **A motion was made by Langseth, and seconded by Hallman, to approve the Compliance Panel's recommendation to sign the Order Granting Unconditional License in this matter. The motion carried unanimously.**

[LUNCH: 12:00 – 12:30 p.m.]

COMPLIANCE PANEL REPORT: Margaret Sebring Khali

Khali reported that the volume of complaints is down, and that the Panel is working well together. The Panel requested complaint statistics at every other Board meeting. Khali also reported that she, along with Hallman, Hoffman and McNair will be doing a presentation at the MSSA conference in March.

COMPLIANCE MATTERS: Louis Hoffman (continued)

Hoffman explained the contested case proceedings.

[Recess: 12:45 – 1:00 p.m.]

3. In the Matter of Donald L. Keys, LGSW, License Number 6497. Bibus read "Procedural Instructions by Board Chair" in this contested case hearing. Nathan W. Hart, Assistant Attorney General, presented argument on behalf of the Board's Compliance Panel. No appearance was made by or on behalf of Respondent. Susan E. Damon, Assistant Attorney General, was present as the Board's counsel. As a member of the Compliance Panel, Margaret Sebring Khali, LSW, did not participate in the deliberations and did not vote in the matter.

[The meeting was closed to the public at 1:12 p.m. for deliberations.]

A motion was made by Gaston, and seconded by Bergmark, to give Susan E. Damon, the Board's advising attorney, the authority to revise the recommendations proposed in the Compliance Panel's Findings of Fact, Conclusions, and Final Order, which includes removing the word "permanently" before the word "revokes" in the Order. The Board moved to revoke Mr. Keys' license and to require him to pay the Board $2,694.40 for partial reimbursement for the cost of the proceedings resulting in the disciplinary action. The motion carried unanimously.

[The meeting was re-opened to the public at 1:27 p.m.]

9. OTHER BUSINESS

Gaston reported that he will not be able to attend the FARB Conference in February.

10. ADJOURN

The meeting adjourned at 1:30 p.m.

Respectfully submitted,

David J. Hallman

David Hallman, LSW
Secretary-Treasurer