



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

Minutes

September 19, 2014

Members Present: Michael Aguirre, LGSW, Secretary-Treasurer
Christine Black-Hughes, LICSW
Jason Collins, LSW
Donna Ennis, LSW
David Hallman, LSW
Angela Hirsch, LICSW
Kathy Lombardi, LICSW
Susan McGeehan, LSW
Carol Payne, LSW, Vice Chair
Ruth Richardson, Public Member, Chair

Members Absent: Rosemary Kassekert, Public Member
Kenneth Middlebrooks, Public Member

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

1. PROPOSED AGENDA [Attached]

Chair Richardson called the meeting of the Minnesota Board of Social Work (BOSW) to order at 9:06 a.m. A quorum was present.

A motion was made by Black-Hughes and seconded by Aguirre to approve the Agenda as presented. The motion carried unanimously.

2. **MINUTES FOR JULY 18, 2014 MEETING** [Attached]

The Board reviewed the July 18, 2014 minutes.

A motion was made by Payne and seconded by Black-Hughes to approve the July 18, 2014 minutes as presented. The motion carried unanimously.

3. **BOARD MEMBER COMMITMENT TO SERVICE AND OATH OF OFFICE**

Richardson read the Commitment to Service and Oath of Office aloud and Board Members affirmed their acceptance. Signed copies of the written statement were collected.

4. **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 contact lists to be updated as needed. A card for former Board Member Karen Arnold Truax was circulated. Zacher-Pate related that Arnold Truax had expressed her gratitude to the Board for the opportunities to serve and learn during her tenure on the Board.

Zacher-Pate provided a short summary of the attached Executive Director report including:

- Board Member Vacancies
- Staffing and Personnel: The temporary, full-time Customer Service Representative position has been posted.
- BOSW IT initiatives:
 - The new licensing database system project
 - The new Tridion based website
 - MN.IT Services Tactical Plan FY 2014-FY2015: This plan impacts IT Services that the Board has access to and IT Services that the Board can deliver. There will also be an, as yet undetermined, fiscal impact. The Health Related Licensing Boards (HLBs) are part of the six agencies included in the first wave of this plan.
- One variance has been approved under MS 148E.035 since the July 18, 2014 Board meeting.

In addition to these items, Zacher-Pate reported on her experience as a Trainer at the Association of Social Work Boards (ASWB) New Administrator training held September 12-14, 2014. She also reported on the status of the new criminal background check requirement. Legislation will require all HLBs to conduct Minnesota Bureau of Criminal Apprehension (BCA) and fingerprinted Federal Bureau of Investigation (FBI) background checks by 2018. Currently, the Boards of Dentistry, Nursing, Psychology, and Physical Therapy are part of the first group to begin this process. A Criminal Background Check Coordinator has been hired. So far the rollout has been complex due to, among other things, FBI protocols that must be followed in regard to access and security of the records. There will be no fiscal impact for FY 2016-FY2017 to the BOSW. The HLB Administrative Services Unit (ASU) may also hire a Communications and Legislative Liaison position that may have fiscal impact in FY2016-FY2017, but because the position will be in ASU, the costs for the position will be shared by the HLBs.

5. **FY 2016-FY 2017 PROPOSED BIENNIAL BUDGET:** Juli Vangsness, Director, HLB Administrative Services Unit (ASU), Aguirre, Zacher-Pate [Executive Session-portion closed to the public]

Vangsness presented training on Fiscal, Financial, and Budget Processes. Topics included:

- ASU Services
- Types of Expenses
- Current Budgets
- Biennial Budget Planning Process

Aguirre reviewed the Small Agency Profile draft which was already submitted to Minnesota Management and Budget (MMB). In addition, Aguirre reviewed the following items:

- Total Expenses for FY 2014. Close of fiscal year expenses were at 87.79%, but not all invoices have been finalized.
- Total Revenues for FY 2014 were 11.64% above projections at the close of the fiscal year.
- Total Expenses for FY 2015 budgeted numbers were reviewed, but not all the actual expenses have not been compiled into the report yet.
- Total Revenue for FY 2015. At 16% of the year, the Board has received 19.94% of projected revenues.

Aguirre and Zacher-Pate discussed Attorney General and Health Professional Services Program expenses for FY 2014 and FY 2015. Attorney General costs have been increasing for several reasons, including more complex cases.

Zacher-Pate stated that, after careful consideration with ASU, the combination of the deliberate spend down of the Board of Social Work accumulated balance in the State Government Special Revenue Fund (SGSRF), legislative transfers of funds from the SGSRF, and increased costs for the Board, the Board may need to consider a small fee increase in FY 2018 and FY 2019. The Board has not had a fee increase since 2000 and, in fact, decreased fees by 20% in 2006 and by another 10% in 2009. Aguirre pointed out the statutory requirement that all HLBs should have one year's operating funds in their accumulated balance. The Board's accumulated balance has been below this threshold for several years and will continue to be below the threshold in FY 2016 and into the future. This will contribute to the need for a fee increase.

The Finance Committee recommended the following FY 2016-FY 2017 budget change items to the board for approval. The specific budget amounts for each of the change items will be considered in closed session to comply with budget data practice requirements.

- Ongoing additional staffing including one full-time licensing position and one part-time records management position
- Ongoing funding for increased outreach and education
- One-time development of a Jurisprudence Exam
- One-time offsite contracted scanning of archived records

- Revenue changes caused by new proposed legislation

The Finance Committee also recommended supporting some of the budget change items proposed by the Health Professional Services Program (HPSP). The fiscal detail will be discussed in closed session. The budget change items supported included support of critical needs:

- MN.IT Cost increases
- IT Project – Auto Entry of Toxicology Screen Results into Database
- Small Agency Increase in FY 2016 and FY 2017 for rent, salaries and benefits, a fully funded case management position, and medical consultant services:

Lombardi left the meeting at 10:36 am.

Executive Session-Closed to the Public at 10:37am.

A motion was made by the Finance Committee to grant approval for the following FY 2016-FY 2017 budget change items:

- **Ongoing additional staffing including one full-time licensing position and one part-time records management position**
- **Ongoing funding for increased outreach and education**
- **One-time development of a Jurisprudence Exam**
- **One-time offsite contracted scanning of archived records**
- **Revenue changes caused by new proposed legislation**

If any changes need to be made to prioritization of these items, the Finance Committee and Executive Committee will be delegated authority to approve the changes. The motion carried unanimously.

A motion was made by the Finance Committee to grant preliminary approval to the proposed FY 2016-FY2017 budget. The motion carried unanimously.

A motion was made by the Finance Committee for the Board to delegate authority to the Finance Committee to approve any changes to the FY 2016-2017 budget that may occur after this Board meeting but before the November Board meeting. The motion passed unanimously.

The Health Professionals Services Program budget was discussed but no motions were made in regard to it. Recommendations were given to Zacher-Pate to present at the next Executive Directors' meeting.

The meeting was reopened at 11:15 am

Richardson announced a change to the agenda to shorten the Compliance Committee time allotted as one compliance issue was resolved just prior to the Board meeting. As a result, the Committee and Liaison Reports were moved up in the agenda to accommodate the timing of the closed session of the Compliance Committee Report.

6. DRAFT 2015 LEGISLATIVE PROPOSAL: Hallman, Zacher-Pate

Hallman reported that the Legislation and Rules Committee had met several times to discuss legislative proposals relating to:

- Creating a new Emeritus Active license
 - Amend MS 148E.075 “Inactive Licenses” to create a new “active retired” license which authorizes pro bono and limited paid practice
 - Provides another licensing option, while maintaining standards, for experienced, “seasoned” professionals to continue to be engaged in the workforce, rather than retiring and discontinuing social work practice
 - Increases access to social work licensing supervisors and social work services
 - Responds to mental health workforce shortages
- Amending the Temporary License provision to remove the automatic ineligibility provision
 - Eliminates the current, unintended consequence of automatic denial of a temporary license when an applicant has begun social work practice in Minnesota prior to submitting the temporary license application
- Creating a License Late Fee
 - Provides an administrative fee mechanism, in addition to the Board’s complaint resolution and disciplinary authority, to revolve unlicensed practice cases
 - More appropriately balances the type of enforcement action with the violation

Black Hughes left the meeting at 11:35 am.

A motion was made by the Legislation and Rules Committee for draft approval of the three proposals and that the Executive Committee, with input from the Legislation and Rules Committee Chair, is allowed to make changes as needed to the legislation without changing the intent. The Executive Committee and the Legislation and Rules Committee would report back to the Board at its next meeting, or sooner if needed, any changes that were made. The authority is requested for the duration of the next legislative session. After discussion, the motion carried unanimously.

Lunch: 11:54 am to 12:31 pm

7. LICENSING REPORT: McNair

McNair reported that as of the beginning of September, the Board has received 464 Grandfathering applications. Twelve individuals applied for Grandfathering under the tribal employment setting. Final reminder notices to agencies and stakeholders will be going out in early October. An informational webinar on Grandfathering will occur in mid-October. There are plans to hold a “Licensing 101 Summit” in spring 2015 to provide training on social work licensing and regulation for new Grandfathered licensees, who may not be as familiar with the Board’s statutes.

- As of September 2014, 1,932 (or 15%) of licensees have attested to meeting the licensing supervisor requirements. About 20% of licensees need supervision.

- Effective August 1, 2012, 25% of supervision may be provided by an alternate supervisor. Since that time, the Board has approved 116 supervision plans utilizing an alternate supervisor.
- The Board currently processes about 170 supervision plans and about 250 supervision verification forms per month.

McNair recently piloted the BOSW Student “Professional Licensure Responsibilities” presentation electronically to BSW students at Minnesota State University, Mankato. After encountering a few initial hurdles with the set-up, the presentation was successful. McNair thanked Ryan Hirsh, MN IT; Jerry Anderson, Minnesota State University, Mankato, IT; and Board Member Black-Hughes for their assistance. McNair received 37 responses to a student survey distributed at the end of the session. Student comments were very positive and indicated the presentation was effective. McNair cautioned that as electronic presentations are offered to other schools factors to consider in the planning include varying levels of IT support and site preparation for managing the firewalls. McNair also mentioned some disadvantages of presenting electronically include less connection with the audience and not being able to take individual questions from students who do not want to ask a personal question during the formal session.

8. COMPLIANCE COMMITTEE: Attached-some documents non-public] [Executive Session – portion closed to the public] Hoffman

Hoffman distributed the complaint statistics for the previous two months that show consistency with patterns from previous months. As of September 9, there were 70 open complaints, with approximately 10 more opened since that time. This number is down 2 from the 72 reported at the July meeting. Hoffman also explained that some cases have been moved to other categories in the report to better reflect their current status.

9. COMMITTEE & LIAISON REPORTS:

A: Advisory Committee: McNair

McNair reported that the Advisory Committee met on August 1, 2014; minutes were included in the Board packet. There have been some changes to the membership of the committee as Karen Arnold Truax, the Board liaison, has resigned from the Board. Barbara Kaufman resigned, Pam Luinenburg is on an extended leave, and Kristy Schutt from the Clinical Society was replaced by Jenny Anderson.

Topics discussed at the meeting included:

- Appointment of three new Board members
- BOSW new Tridion based website
- BOSW 2015 legislative proposals
- Development of the Board’s new licensing system
- Financial review of Board processes by the Office of the Legislative Auditor
- Licensing statistics

- Implementation of 2014 legislation that affects the Board
- The Mental Health Summit
- Member updates

B. Application Review Committee (ARC): Black-Hughes, Hirsch, Richardson, Collins, McNair

McNair reported that the ARC met in August and will meet again after today's board meeting.

C. Association of Social Work Boards (ASWB): Middlebrooks, Zacher-Pate

Richardson reported that the 2014 ASWB Annual Meeting of the Delegate Assembly will be held November 13-15, 2014 in Boise, Idaho. Zacher-Pate and Middlebrooks will attend at ASWBs' expense due to their roles with the organization.

The ASWB Spring 2015 Education Meeting will be held in Seattle, Washington and the theme will be licensure mobility. Discussion ensued on the topic of mobility.

Hallman moved and Aguirre seconded to support Zacher-Pate's and Middlebrooks' attendance at the 2014 ASWB Delegate Assembly. The motion passed unanimously.

Richardson and Zacher-Pate reviewed the ASWB Institution Pass Rates information that Black-Hughes brought to the Board. Black-Hughes had concerns about the cost of the information provided to academic institutions.

D. Communication Education Outreach Committee (CEOC): Richardson, Zacher-Pate

Richardson reported that CEOC met on August 26, 2014; minutes were provided in the Board packet. Topics of the meeting included:

- Sending out the final notice to agencies and stakeholders of the upcoming December 31, 2014 Grandfathering application deadline
- The upcoming Grandfathering Webinar
- The planned "Licensing 101 Summit"
- Interactive CEOC meetings
- Development of Jurisprudence Exam
- Development a Social Media Policy
- Reaching out to employers regarding social work licensure requirements
- Continuing the dialogue with the Minnesota Councils of Color
- 2014 meeting schedule

E. Council of Health Boards (CHB): Kassekert

McNair reported in Kassekert's absence that the Council of Health Boards did not meet.

H. Health Professionals Services Program (HPSP): Kassekert

McNair reported in Kassekert's absence that the HPSP Program Committee had met on August 19, 2014. Topics of the meeting included:

- Statutory Language Updates
- Annual Report
- 2016-2017 Budget Proposal
- Strategic Planning
- Statistics from the past 20 years that HPSP has been in existence

Lombardi returned at 1:10 pm.

8: COMPLIANCE COMMITTEE: (continued) [Executive Session – portion closed to the public]
Hoffman

Executive Session-Closed to the Public from 1:25 pm – 1:48 am.

A motion was made by Compliance Panel A to uphold the Stipulation and Order for Alyssa M. Passehl, LSW 20599, reprimanding her license. The motion carried unanimously.

A motion was made by Compliance Panel B to affirm the Findings of Fact, Conclusions, and Final Order for Elizabeth B. Langlais-Sick, LSW 18285 revoking her license. The motion carried unanimously.

9: COMMITTEE & LIAISON REPORTS: (Continued)

F: Executive Committee: Richardson, Payne, Aguirre
Richardson reported that there are still three vacant Board seats. Two are required to be from Greater Minnesota and one must have expertise in communities of color. Two must be members of the public and one must be an LISW.

Zacher-Pate reported that HPSP is looking for Board members to volunteer to be part of their planning team to develop program effectiveness measures, a goal of the strategic planning process.

Richardson reported that ASWB will be asked to attend a board meeting in early 2015 to present on examination issues and performance, and to discuss exam issues related to diversity. Planning will include inviting educators to attend.

BOSW Strategic Planning for 2015 is being discussed and planned.

The Executive Committee made a motion to grant Zacher-Pate the authority to begin working with the Management Analysis Division (MAD) of MMB to begin the strategic planning process. The motion passed unanimously.

Board committee appointments have been made as follows:

- Collins: Application Review Committee
- Lombardi: Compliance Committee and Panel A
- McGeehan: Legislation and Rules Committee

There are two committee vacancies: Nominating Committee Chair and Advisory Committee Board Liaison.

G. Finance Committee: Aguirre

Richardson thanked Aguirre for all of his work on the Finance Committee.

I. Legislation & Rules Committee (L&RC): Hallman

Richardson thanked Hallman for his work on the Legislation and Rules Committee.

J. Nominating Committee: Richardson

Richardson reported there will be two additional Board vacancies in January 2015, as terms end for Middlebrooks and Hirsch.

10. REPORT; COUNCIL ON LICENSURE ENFORCEMENT AND REGULATION 2014 ANNUAL CONFERENCE SEPTEMBER 11-13, 2014: Aguirre, Kramer-Prevost
Aguirre and Kramer-Prevost thanked the Board for sending them to the CLEAR conference.

Trainings attended included:

- Challenging regulation
- Transparency
- Complaint investigations
- Jurisprudence examinations
- Social media
- Resiliency in social work
- National multi-profession regulation
- Complaint mediation
- Certification of individuals with limited English proficiencies
- Trends in regulation

11. PUBLIC COMMENT

Alan Ingram, Executive Director for the Minnesota Chapter of the National Association of Social Workers (NASW-MN), commented about the possible fee increase indicating that if a small fee increase is proposed in two years to sustain services rather than increasing the accumulated balance it may be perceived as reasonable by the professionals as the last fee increase was in 2000 with a 30% fee decrease since that time.

Ingram also addressed the proposed legislation, national licensure, and child protection workers, indicating the legislative proposal seems responsive to workforce issues, professionals, and board needs. The child protection review is of extreme importance and may present opportunities to address standards and licensing exemptions.

12. OTHER BUSINESS

Richardson advised the Board that only Zacher-Pate and the Board Chair are authorized to speak on behalf of the Board. If any Board member is contacted by the media for any reason, refer the person to Zacher-Pate.

McGeehan questioned the number of social workers that are practicing in the exempt setting of counties.

12. ROUNDTABLE

Kramer-Prevost stated that in Europe there is a proposal to have a “professional card” recognized between countries that regulated persons could carry.

13. ADJOURN

Hallman moved and Hirsch seconded to adjourn the meeting at 2:50 pm. The motion passed unanimously.

Respectfully submitted,

Michael Aguirre, LGSW

Michael Aguirre, LGSW
Secretary-Treasurer