



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

Minutes

November 21, 2014

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

Members Absent: Susan McGeehan, LSW

Staff Present: 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 9:08 a.m. A quorum was present.

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

2. **WELCOME NEW BOARD MEMBER AND AFFIRM COMMITMENT TO SERVICE: MARY WEAVER, PUBLIC MEMBER:** Richardson, Weaver

Weaver introduced herself to the Board. Board members gave background information about themselves. Richardson will be the mentor for Weaver. Richardson read the Commitment to Service and Oath of Office to Weaver, who affirmed her adherence.

Richardson introduced visitor Shereen Reda, the Interim Coordinator for the Coalition of Licensed Social Workers. Reda will be filling in for Pam Luinenburg, who is on an extended leave.

3. **MINUTES FOR SEPTEMBER 19, 2014 MEETING** [Attached]

The Board reviewed the September 19, 2014 Board meeting minutes.

A motion was made by Black-Hughes and seconded by Payne to approve the September 19, 2014 minutes as written. The motion carried unanimously.

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.

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

- Board Member Vacancies: Weaver's New Board Member Orientation was conducted on November 6, 2014. This is Aguirre's last meeting as he is resigning effective November 22, 2014 to move out-of-state. Zacher-Pate thanked him for his service.
- Staffing and Personnel: Laura Kahle-Burbey has been hired as the temporary full-time Customer Service Representative. She will start on November 24, 2014. Louis Hoffman, Director of Compliance, ended his employment on November 5, 2014.
- Budget Information
- BOSW IT initiatives:
 - The new licensing database system project is underway.
 - 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.
- Office of the Legislative Auditor (OLA) Report: The final public report is available on the OLA website. The Board was not cited in any findings by the OLA. However, findings from the audits of other Health Licensing Boards will likely be addressed in the future, which may affect the Board of Social Work.
- Minnesota Mental Health Workforce Development Plan: A 25 page Executive Summary, including 25 recommendations, has been written. The final plan will be presented to the Legislature on January 15, 2015. The comment period for this plan ends November 26, 2014. Legislative initiatives from this plan may affect the Board of Social Work and licensees.

- Governor’s Task Force on the Protection of Children: Although not a member of the task force, staff has attended some of the task force meetings and also had contact with the task force co-chairs. Initial Task Force recommendations are due December 31, 2014, with the final recommendations to the Legislature presented by March 31, 2015. Legislative initiatives from this task force may affect the Board of Social Work and licensees.
- One variance has been denied under MS 148E.035 since the September 19, 2014 Board meeting.

5. 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:

- 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 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 not to exceed 240 clock hours per calendar year for the exclusive purpose to provide licensing supervision
 - 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
- 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

A motion was made by the Legislation and Rules Committee for approval of the proposals as presented. Hallman proposed an amendment to change the maximum length of Temporary Leave to four years (currently five years). The motion carried unanimously.

The next steps in legislation implementation were discussed.

6. 2013 MINNESOTA DEPARTMENT OF HUMAN SERVICES (DHS) MODIFICATION TO MS 148E.066: Zacher-Pate, McNair

Without the Board’s input or knowledge, DHS made a legislative change to MS 148E.065, which modified the exemptions for city, county, and state agency social workers to include “staff who are designated to perform mandated duties under sections 256.01, subdivision 24, and 256.975, subdivisions 7 to 7c”. This modification broadened the social work exemptions and was a concern to the Board related to fulfilling its mission of public protection. Zacher-

Pate and McNair had meetings with Mark Schulz, Laura Sayles, Krista Boston, and Jean Wood, representatives from DHS and the Senior Linkage Line Program, regarding these modifications and the Board's concerns. After much discussion, DHS agreed to delete the language they added to MS148E.065 without the Board's knowledge and agreed to add this change to remove the language to the DHS legislation during the upcoming legislative session.

7. LICENSING REPORT: McNair

McNair reported that the final date to submit an application through the Grandfathering provision will be December 31, 2014. In early October, final deadline reminder notices were emailed to about 1300 agencies and stakeholders. An informational webinar on Grandfathering was held on October 16, 2014. There are plans to hold a "Licensing 101" Summit in September 2015 to provide training on social work licensing and regulation for newly Grandfathered licensees, who may not be as familiar with the Board's statutes.

- As of November 20, 2014, the Board has received 601 Grandfathering applications. Of these:
 - 257 were for LSW
 - 161 for LGSW
 - 59 for LISW
 - 124 for LICSW
 - Total of 293 licenses have been granted and 220 are still in process
- From January 1, 2013 to November 20, 2013, the Board received 1713 applications for licensure. For the same period in 2014, the Board received 2037 applications, or a 19% increase.

Richardson reminded the Board to refer any questions that members may receive regarding licensure issues to Board staff.

8. COMPLIANCE COMMITTEE: [Executive Session – portion closed to the public] Hirsch, Hallman

Executive Session-Closed to the Public from 11:20 am – 11:30 am.

A motion was made by Compliance Panel B to uphold the Stipulation and Order for Breanna L. Johannsen, LSW 20000 reprimanding her license. The motion carried unanimously.

A motion was made by Compliance Panel A to affirm the Stipulation and Order for Tommie D. Nuesse, LGSW 20209 for a Stayed Suspension of his license. The motion carried unanimously.

Lunch: 11:32 am – 12:05 pm

9. HEALTH PROFESSIONALS SERVICES PROGRAM (HPSP) ANNUAL BOSW

REPORT: Kimberly Zillmer, BA, LADC, Case Manager
Zillmer presented the annual HPSP report. Topics included:

- Overview of HPSP
- Participation statistics for all Health Licensing Boards
- Participation statistics for the Board of Social Work

Zillmer answered questions from the Board following the presentation.

Zacher-Pate discussed upcoming legislation regarding HPSP that will affect all HLBs.

Black Hughes left the meeting at 12:25 pm

10. COMMITTEE & LIAISON REPORTS:

To aid new Board member, Weaver, committee spokespersons gave an overview of the various committees at the beginning of their reports.

A: Advisory Committee: Zacher-Pate

Zacher-Pate reported that the Advisory Committee met on October 10, 2014; minutes were included in the Board packet. There is a vacancy for the Board liaison to the Advisory Committee.

Topics discussed at the meeting included:

- Grandfathering update
- BOSW 2016-2017 budget , including a possible fee increase beginning in fiscal year 2018
- The Governor’s Task Force on the Protection of Children
- The Mental Health Summit
- Member updates

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

Richardson reported that the ARC will meet following the Board meeting.

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

Middlebrooks reported that the 2014 ASWB Annual Meeting of the Delegate Assembly was held November 13-15, 2014 in Boise, Idaho. Topics covered included:

- ASWB’s 35th anniversary
- Plans for new headquarters
- Budget
- Elections
- International Technology Task Force
- Governance Task Force
- License Mobility
- The Missing Link Project- a national study designed to promote quality improvement in social work continuing education.
- Annual awards given to regulators
- Extending an invitation to ASWB to attend a 2015 BOSW meeting to discuss examination topics

- Upcoming Spring Educational Conference April 30-May 2, 2015 in Seattle, Washington

Richardson reminded new Board members about upcoming ASWB New Board Member training.

Zacher-Pate reported on the Administrators' Forum for which she is Chair. Topics included:

- Number of examinations administered
- Public Protection Database statistics
- Jurisdiction updates
- E-Therapy

D: Communication Education Outreach Committee (CEOC): Richardson, Zacher-Pate
Richardson reported that CEOC met on October 28, 2014; minutes were provided in the Board packet. Topics of the meeting included:

- Report on grandfathering notification and webinar
- Grandfathering licensing event, "Licensing 101", to occur in 2015
- Social media policy
- Ideas for 2015 Board Meeting educational sessions
- Piloting interactive CEOC committee meetings

E: Council of Health Boards (CHB): Kassekert
Kassekert reported that the Council of Health Boards did not meet.

F: Executive Committee: Richardson, Payne, Aguirre
Richardson reported on the following committee vacancies:

- Compliance Panel B member - Metro area social worker
- Finance Committee chair (new Secretary/Treasurer)
- CEOC Committee member
- Advisory Committee liaison
- Nominating Committee Chair

Richardson also reported on the following Board member vacancies

- One Public Member
- One LGSW
- One LISW

Additional qualifications for the Board member vacancies include:

- One must be from Greater Minnesota
- One must have expertise in communities of color

As of January 2015, there will be two additional scheduled vacancies on the Board:

- One LICSW
- One Public Member

A motion was made by Hallman and seconded by Ennis to appoint Hirsch as the new Secretary/Treasurer. The motion carried unanimously.

Further discussion was held about the DHS amendment of the BOSW statute.

A motion was made by the Executive Committee empowering the Executive Committee to draft and send a thank you letter to the Revisor's Office and a letter to DHS on behalf of the Board. The motion carried unanimously.

Richardson asked for comments from Board members on what to include in the letters. Drafts will be shared with Board members.

A motion was made by the Executive Committee empowering the Executive Committee to make written comments and testify on behalf of the Board in regard to the Governor's Task Force on the Protection of Children. The motion carried unanimously.

Richardson requested that Board members send comments to her about this proposal.

Zacher-Pate requested that Board members read the information that was provided about the ASWB International Technology Task Force and send comments to her and Middlebrooks.

Richardson reported that a new BOSW Strategic Plan will be on hold for the foreseeable future.

Zacher-Pate's annual evaluation will be in January and Richardson requested that Board members send comments to her.

A motion was made by the Executive Committee empowering the Executive Committee to make written comments and testify on behalf of Board in regard to the Mental Health Workforce Summit. The motion carried unanimously.

The Executive Committee recommends foregoing attendance at the annual Federation of Associations of Regulatory Boards (FARB) in order to send more attendees to the ASWB Spring Educational Conference. This will be discussed more fully at an upcoming Board meeting.

G. Finance Committee: Aguirre

Aguirre reported that the Finance Committee met on November 20, 2014.

- At 33% of the fiscal year, the Total Direct and Indirect Expenses are at 21.69%, or below projections
- Attorney General Expenses are at 38.19%, or above projections
- At 33% of the fiscal year, Revenues are at 38.36%, or above projections
- State Mandate of Enterprise Data Center Migration for all HLBs. A projected cost of \$179,000 per year will be shared by all HLBs. There is also a \$70,000 initial cost, which will come from FY 15 Direct Appropriations. The BOSW's share of the \$70,000 is projected to be about \$4,200. A 2016-2017 budget change item has been submitted on behalf of all HLBs for the \$179,000 annual cost.

H. Health Professionals Services Program (HPSP): Kassekert
Kassekert reported that the HPSP Program Committee met on November 18, 2014. Topics of the meeting included:

- Strategic Planning Update
- 2016-2017 Budget Proposal
- Referrals and Discharges
- Executive Director Survey
- Mission Review
- Video and Case Review

I. Legislation & Rules Committee (L&RC): Hallman
Richardson stated that the report of the L& RC was made in agenda item 5.

J. Nominating Committee: Richardson
Richardson reiterated that the Nominating Committee still needs a chair.

11. PUBLIC COMMENT

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

- Mental Health Workforce Summit
- Common rules for supervisors across disciplines
- NASW-MN and the Coalition of Licensed Social Workers will approach the Governor's Task Force on the Protection of Children about the possibility of removing the county exemption. Legislative authors will also be sought.
- Electronic Health Records
- Technical standards and need to review practice provisions
- NASW transitions

12. OTHER BUSINESS

There was no other business

13. ROUNDTABLE

Hallman thanked Lauren Stevens, Compliance and Continuing Education Coordinator, and Zacher-Pate for their assistance in Compliance during this time of transition.

Middlebrooks welcomed Weaver and thanked Aguirre for his service.

14. ADJOURN

Hallman moved and Aguirre seconded to adjourn the meeting at 2:03 pm. The motion passed unanimously.

Respectfully submitted,

 Michael Aguirre, LGSW

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Secretary-Treasurer