



REGULAR BOARD MEETING
University Park Plaza
Conference Room A - 4th Floor
2829 University Avenue Southeast
Minneapolis, Minnesota 55414-3239

Minutes
May 15, 2015

Members Present: Jason Collins, LSW
Donna Ennis, LSW
David Hallman, LSW
Angela Hirsch, LICSW, Secretary-Treasurer
Rosemary Kassekert, Public Member
Kathy Lombardi, LICSW
Susan McGeehan, LSW
Kenneth Middlebrooks, Public Member
Carol Payne, LSW, Vice Chair
Mary Weaver, Public Member

Members Absent: Christine Black-Hughes, LICSW
Ruth Richardson, Public Member, Chair

Staff Present: Megan Gallagher, Regulations Analyst
Michelle Kramer-Prevost, LISW, Staff Social Worker
Sheryl McNair, Assistant Director
Connie Oberle, Office Manager
Roberta Schneider, Office Assistant
Kate Zacher-Pate, LSW, Executive Director

- 1. PROPOSED AGENDA:** Payne [Attached]
Vice Chair Payne called the meeting of the Minnesota Board of Social Work (BOSW) to order at 9:06 am. A quorum was present.
A motion was made by Middlebrooks and seconded by Hallman to approve the Agenda. The motion carried unanimously.
- 2. MINUTES FOR MARCH 20, 2015 MEETING:** Payne [Attached]

The Board reviewed the March 20, 2015 board meeting minutes. McGeehan suggested an edit to the compliance portion of the minutes, to include a brief summary of the March meeting discussion about tracking complaints against unlicensed social workers. Following a brief discussion, board members agreed to this edit.

A motion was made by Hallman and seconded by McGeehan to amend the March 20, 2015 minutes. The motion carried unanimously.

A motion was made by Ennis and seconded by Collins to approve the March 20, 2015 minutes as amended. The motion carried unanimously.

3. 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 board contact lists to be updated as needed.

Zacher-Pate provided the following summary of the Executive Director's report:

- Board Member Vacancies: Although the BOSW has not heard anything yet from the Governor's office regarding appointments, Zacher-Pate anticipates new board members being in place for the July board meeting, as the appointments deadline is June 30.
- Staffing and Personnel: Zacher-Pate recognized two staff members, Roberta Schneider and Lauren Stevens, who have tendered their resignations for other promotional opportunities. In addition, a part-time office aide position remains open. All three positions will be filled as soon as possible. In the interim, Zacher-Pate stated that turnaround time will most likely be impacted due to being significantly short staffed.
- Health Licensing Board (HLB) Safety Committee: Zacher-Pate is Chairperson of this newly-created Safety Committee. To increase address safety and security concerns the HLBs have hired a security guard. In addition, the State of Minnesota, Department of Administration, will be involved with efforts to enhance security within the HLB building.
- Office of Enterprise Technology (OET) Licensing Surcharge: This 10% surcharge, which was created to collect funds for a state-wide enterprise online licensing service on July 1, 2009, will expire on June 30, 2015.
- BOSW IT Initiatives: A second contract extension for the new licensing system has been approved and extends the contract date to June 1, 2016. Funds for this project have been provided by the OET licensing surcharge funds, with \$20,000 from the BOSW operating fund. The new licensing system will improve operations productivity, enhance online services for applicants and licensees, and increase maintenance efficiencies. A fully testable system is scheduled to be deployed by target date July 1, 2015.
- 2015 Legislative Session: If the BOSW legislation is approved, there will be a short window of time to implement the License Late Fee and the Emeritus Active License. Payne suggested that these initiatives be added with bullet points to the strategic plan once they have been accomplished.

4. **LICENSING REPORT: McNair [Attached]**

McNair stated that applications, renewals, supervision plans, supervision verification forms, phone calls, emails, and overall volume has been high. This high volume can be attributed to the continued processing of grandfathering applications along with this being the peak application time for graduating students. While emphasizing that the data is still changing, McNair provided the following statistical update on grandfathering applications:

- A total of 849 grandfathering applications have been received: 358 LSW; 228 LGSW; 84 LISW; and 179 LICSW.
- A total of 450 licenses have been granted through 5/13/2015: 180 LSW; 136 LGSW; 53 LISW; and 58 LICSW.
- Approximately 56% of licenses have been granted to minority applicants employed in private or non-private minority-focused agencies. Almost 40% were employed by state agencies. One new grandfathered licensee was a city agency employee. 4% or about 31 licenses have been issued to tribal agency employees.
- About 90% of new licensees reside in the 11-county metro area. (Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Washington, Chisago, Isanti, Wright, Sherburne)
- Ethnicity Statistics: Over 40% or 283 of eligible applicants were African American, including many Somali applicants; 20% Caucasian or 139 Caucasian; 7% of each of the following or 49 Asian/Pacific Islanders; 46 Hispanic; 49 Native American/Alaskan Native; and 3% reported or 21 Multi-Racial. Approximately 10% were city and state agency applicants and were not required to report ethnicity.
- 227 grandfathering applications remain in process. About 30 to 40 of these are at the end stage of the process.
- 172 applicants were ineligible or their applications were closed out.

Oberle stated that these recent grandfathering licensees raise the total number of social work licenses to approximately 13,700. A discussion ensued about this group of licensees and the following questions were raised among board members:

- How many of these grandfathering applicants do not have social work training?
- How many professors were licensed via grandfathering?
- What other related or unrelated types of degrees were represented?
- What was the gender of these applicants?

McNair also noted that, beginning July 1, 2015, the ASWB examinations will include DSM-5 content. The ASWB practice tests for the Bachelors, Masters, and Clinical exams with DSM-5 content were made available for purchase April 1, 2015. In addition, McNair provided the following updated list of Minnesota social work programs that are currently in candidacy status with the Council on Social Work Education (CSWE):

- The baccalaureate program at North Central University has been granted a 3rd year in candidacy (June 2015).
- The baccalaureate program at the University of Minnesota Duluth's candidacy decision was deferred to request clarifying information (enrolled first cohort in fall 2014).
- Walden University online Master's program (November 2015)
- College of Saint Scholastica Master's Program (October 2015)

- University of St. Thomas doctorate program in social work. Their program has been approved by the Higher Learning Commission of the North Central Association of Colleges and Schools (enrolled first cohort fall of 2014).

5. **ASWB Spring Educational Meeting Report: Social Work Practice Mobility**

Hirsch, Kramer-Prevost, Middlebrooks, Payne, Zacher-Pate

Payne directed board members attention to the document, “Achieving Social Work Practice Mobility in our Lifetime: Highlights from the 2015 ASWB Spring Education Meeting.” Several board and staff members, including Hirsch, Kramer-Prevost, Middlebrooks, Payne, and Zacher-Pate, presented a PowerPoint summarizing their experience at the ASWB Spring Education Meeting. Various educational seminars were summarized as follows:

- *Administrator’s Forum: Zacher-Pate*

Zacher-Pate, Chairperson of the Administrator’s Forum, reported that various jurisdictions were experiencing many of the same challenges, such as challenges around exemptions, internal business processes, and resources, as well as difficulties with timely board member appointments. In addition, the forum offered brainstorming opportunities for strategies. Zacher-Pate also noted that the number of examinations administered by the ASWB has risen, while Pearson-Vue reported a low incidence rate.

Zacher-Pate also reported the educational topic of the Administrator’s Forum was “Risk Management.” Discussion revolved around risk management in terms of public safety and protecting the clients, including dialogue about physical risks, IT risks, and staff safety. Zacher-Pate added that the State of Minnesota has mandated state agencies to implement a Continuity of Operations (COOP) plan to identify how an organization will designate and review the essential functions and who will accomplish these tasks in case of emergencies, natural disasters, or terrorist events.

- *Board Member Colloquium: Middlebrooks*

Middlebrooks stated that because there was so much information offered at the ASWB Spring Meeting, it was a good idea to send more than one or two people to this conference. Middlebrooks passed around yearbooks of the individuals who had created questions for the ASWB exams, in order to show the diversity among these individuals. Middlebrooks also relayed the following information:

- The 2015 ASWB Annual Meeting will be held in Fort Lauderdale, Florida.
- The 2016 ASWB Spring Meeting will be held in Jersey City, New Jersey.
- The 2016 ASWB Annual Meeting will be held in San Diego, California.
- ASWB Deputy Executive Director, Dwight Hymans, will present at the BOSW July 17 board meeting.
- California will rejoin the ASWB starting on January of 2016.

Middlebrooks reported that the Board Member Colloquium was an opportunity for board members, from a variety of jurisdictions, to share ideas and experiences. Topics discussed during the Board Member Colloquium included the following:

- CEs, CE audits, and good methods of compliance
 - The complaint process and the increase in complaints
 - Boundary issues or impairment issues
 - Unlicensed practice issues
 - Exemptions, grandfathering, and new legislation
 - Elements to being a good board member
 - Reciprocity and teletherapy
 - Risk management and security
 - Strategies and continuity regarding social work education
 - How to conduct supervision for licensees with non-social degrees
- *Elements of Mobility: Hirsch, Kramer-Prevost, Payne*
Hirsch reported on the session, “Social Work in a Digital World: Ethical and Risk Management Challenges.” Topics within this session included the following:
 - New ways that therapy is being conducted, including the use of apps, text, avatars, and other virtual tools, which raises the question: “How do you have a true therapeutic relationship with someone you’ve actually never met?”
 - How to create crisis plans with clients you’ve never met
 - Privacy issues: Google searches and Facebook searches without consent
 - Boundaries of professional-client relationships
 - Emailing clients: Is it okay to email clients? Is the email secure?
 - True informed consent
 - How to manage and access clinically relevant information

Hirsch also reported on the session, “Equivalency Standards in Education and Regulatory Practice: International Mobility.” Topics within this session included the following:

- Determining social work degree equivalency across states and international boundaries
- The United States is based on competency while Canada is based on knowledge, and how can this be reciprocal?
- Labor mobility

Kramer-Prevost reported on the session, “Social Work Competency Standards: Impact on Mobility.” Topics within this session included the following:

- The Federal Free Trade Act: Does it contain professional mobility?
- Is there too much overregulation statewide?
- Competency versus credentialing

Kramer-Prevost also reported on the session, “Social Work Supervision: Finding Consistency for Mobility.” Topics within this session included the following:

- Because laws regarding supervision vary widely among states, how do you create consistency?

Payne reported on the session, “Legal Implications and Processes: The Challenge of Mobility.” Topics within this session included the following:

- Canada’s Agreement on Internal Trade
- Eliminating barriers and creating transparency
- Does professional regulation impede interstate commerce?
- Proactive legislature and proactive boards
- Informed consumers, informed licensees, and support from academia
- Promoting uniformity with rules and regulations
- Embracing change as regulators

Payne also reported on the session, “Social Work Regulation Today: Readiness for Mobility.” Topics within this session included the following:

- Scope of Practice: How is scope defined in each state?
- Ensuring practice quality and client protection
- International Social Work Recognition and Evaluation Service

- *Models of Mobility: Zacher-Pate*

Zacher-Pate reported that the issue and need for mobility is in the ASWB strategic plan.

Critical issues concerning mobility include the following:

- Agreements between participating jurisdictions
- Uniform standards
- Role of national association as “clearinghouse”
- Concept of “home state” license
- Requiring changes to jurisdictional regulation and statutes
- Defining regulatory jurisdictional/authority for complaint resolution
- Defining fees
- Managing complaints within the mobility model

- *ASWB Strategic World Café: Middlebrooks*

Middlebrooks explained that the name, “Strategic World Café,” was the ASWB’s descriptive term for a facilitated discussion around various specific questions. These focused conversations centered on large scale systemic change of social work practice.

Topics within this session included the following:

- Competency standards and equivalency
- Centralized data depository
- Jurisdictional board communication and collaboration
- Jurisdictional board discipline process

- Technology
- Supervision, CEs, and other application requirements
- Stakeholder engagement

Kramer-Prevost noted that her table had discussed supervision, stakeholder engagement, and trust issues regarding the setting of minimum standards. The question had been raised, “What are we willing to change in our law?” Payne related that her table had discussed proficiency issues when using technology. Participants had also discussed whether or not limits should be implemented with online practice. Hirsch mentioned that her group had discussed informed consent and what basic competencies should be required when providing online therapy. A board discussion ensued and it was noted that flexibility will be required to reach uniformity. The question was raised, “How do you test for competency?”

6. COMMITTEE & LIAISON REPORTS

A. Advisory Committee: Zacher-Pate [Attached]

Zacher-Pate noted that attendance at the Advisory Committee has been very good. Zacher-Pate brought board members attention to the minutes from the April 10, 2015 Advisory Committee meeting.

B. Application Review Committee: McNair

Hirsch and Collins reported that the Application Review Committee is continuing to look at different scenarios and challenging issues. The Application Review Committee will meet today, May 15, 2015, following the board meeting.

C. Association of Social Work Boards: Middlebrooks, Hirsch, Zacher-Pate

Refer to the afore-mentioned ASWB Spring Meeting Report (Item 5 of the agenda).

D. Communication Education Outreach Committee: Middlebrooks, Zacher-Pate [Attached]

Middlebrooks brought board member’s attention to the minutes from the April 28, 2015 CEOC meeting. Zacher-Pate reported that one of the current priorities of CEOC is to create a Licensing Summit for grandfathered licensees. A board member discussion ensued regarding ways in which to present pertinent information at this educational summit.

E. Compliance Review Ad Hoc Committee: Middlebrooks, Weaver, Gallagher [Attached]

Middlebrooks reported that the Compliance Review Ad Hoc Committee met on April 24, 2015. The Committee is creating a strategic plan to accomplish their work.

F. Council of Health Boards: Kassekert

No report.

11:40 pm – 12:40 pm

Recognition Luncheon for Alan Ingram, Retiring Executive Director of the Minnesota Chapter of the National Association of Social Workers (NASW)

During the lunch break, board members presented tributes and recollections for Alan Ingram in honor of his service to the National Association of Social Workers. In addition, Alan Ingram recounted memories of his years with the NASW.

G. Executive Committee: Payne, Hirsch

Payne reported that the committee had discussed the upcoming grandfathering summit, implementation of IT items. Strategic planning for early to mid-2016 will occur at a later meeting. Payne also invited board members to volunteer for office duties. Zacher-Pate addressed the requirement that health workers use electronic health records. A board member discussion ensued regarding technology issues and social media.

H. Finance Committee: Hirsch [Attached]

Hirsch presented the expenditure and revenue reports through April 2015. Spending was less than anticipated with 61% spent. Revenues were greater than anticipated at 93.5%. Compliance processes will not be suspended, even though the AGO budget is at 99% expended. The AGO will absorb any additional expenditures through June 30, 2015. Upcoming one-time expenditures will include completing the office work stations, adding file cabinets, hiring a new staff position, installing an intercom for the office front door, installing a television monitor for the BOSW conference room.

I. HPSP: Kassekert

No report.

J. Legislation & Rules Committee: Hallman, Zacher-Pate

Hallman reported that the BOSW bills are waiting for House and Senate approval. Zacher-Pate reported that the Health Licensing Board Temporary Suspension bill passed unanimously in the Senate on May 12, 2015. The DHS bill with corrections to the BOSW exemptions passed on May 8, 2015.

K. Nominating Committee: Middlebrooks

Middlebrooks reported that elections will be held in September and open positions include Treasurer, Vice-Chair, and Chair. A description of each position's duties can be found under "board bylaws" on the BOSW website.

7. OTHER BUSINESS

Ennis reported on a meeting of the ACE Program, which was created to review CE providers. Ennis explained that the ACE stamp-of-approval demonstrates that a provider has been rigorously reviewed and found to offer quality continuing education.

8. ROUNDTABLE

No discussion.

9. PUBLIC COMMENT

No Comment.

10. COMPLIANCE COMMITTEE: Hallman, Gallagher [Non-public documents attached]

Public Portion: Gallagher reported on the updated compliance statistics in the board packet. Board members indicated statistics provided quarterly or twice per year, rather than at each meeting, was preferable to better detect data patterns. In addition, Gallagher reported on a compliance case that had been open longer than a year, which was due to the appeals process taking place in another state.

Executive Session: Closed to the Public to consider compliance cases at 1:18 pm.

A motion was made by Compliance Panel B to adopt the *Stipulation and Consent Order* for Brian Fruchtman, LISW 11115. The motion passed unanimously.

A motion was made by Compliance Panel B to adopt the *Stipulation and Order* for Angela M.D. Burfield, LGSW 20687. The motion passed unanimously.

A motion was made by Compliance Panel B to adopt the *Stipulation and Order* for Steven R. Siebers, LSW 9801. The motion passed unanimously.

A motion was made by Compliance Panel B to adopt the *Stipulation and Order* for Jerome S. Taylor, LSW 23726. The motion passed unanimously.

A motion was made by Compliance Panel B to adopt the *Stipulation and Order* for Jessica R. Van Duren, LSW 19741. The motion passed unanimously.

A motion was made by Compliance Panel B to adopt the *Stipulation and Consent Order* for John M. Benda, LICSW 13217. The motion passed unanimously.

11. ADJOURN

Ennis moved and Hirsch seconded to adjourn the meeting at 1:35 pm. The motion passed unanimously.

Respectfully submitted,



Angela Hirsch, LICSW
Secretary-Treasurer