

WV Board of Social Work
Board Meeting Minutes

October 17, 2019

WV Board of Social Work

Attendance: Jody Gottlieb, Patricia O'Reilly, Barbara Heasley, Rita Brown, Chris Maniskas, Lucy Eates, Vickie James, Guests: Tanny O'Connell (by phone), Mark Weiler, Sam Hickman, Janie Howsare

Call to Order- Patricia O'Reilly opened the meeting

Minutes:

It was M/S/P (Gottlieb/Maniskas/all in favor) to approve the August minutes as distributed.

Financial Reports/Purchasing Card:

Members were referred to the monthly line item report and Fund 8513 report in their packets covering the 2019 fiscal year from July 1, 2018 to October 15, 2019. The report reflects revenues of \$63, 490 and expenditures of \$66, 614.76. Expenditures were above revenues due to some expenses not being posted until this current fiscal year, attorney expenses, and the onset of the new fiscal year. The Board's ending cash balance was \$384,204.

Vickie reported that there was one P Card reconciliation to report August 21 to September 10 for expenditures totaling \$650.60. Receipts for all transactions were available for member review. It was M/S/P (Heasley/Gottlieb/all in favor) to approve the P card reconciliation/expenditures as submitted.

Disciplinary Committee

It was M/S/P (Gottlieb/Maniskas/all in favor) to go into Executive Session for the purpose of discussing complaints pending before the Board. Following Executive Session discussion, it was M/S/P (O'Reilly/Heasley/all in favor) to exit Executive Session.

Upon return to the agenda, the Board voted to act (Maniskas/O'Reilly/all in favor) on the following cases (Heasley recused on all votes):

- 201820JB-Having prevailed in the recommendation of the Administrative Law Judge from the June Hearing, the Board revokes the license of Julie Blair for a minimum period of 5 years. Should she later seek reinstatement, an independent medical evaluation and treatment for substance abuse is contingent upon application consideration. Moreover, she shall be placed on probation for two years and shall be under supervision. Reimbursement of administrative costs is contingent upon consideration of a license.
- 201910RM-The Board reviewed and made changes in the proposed consent order prepared by AG, Mark Weiler having found probable cause that Rebecca Marcum violated the following standards in the Code of Ethics-1.06 Conflicts of interest, 1.09 Sexual Relationship, 4.03 Private

Conduct; 5.01 Integrity of the Profession. The Consent Order revokes/suspend her license for 5 years and requires ethics training for boundaries and conflicts of interest. Upon reinstatement, she shall be on supervised probation for one year.

- 20198RK: The Board found probable cause that Rebecca Kinder violated 1.01 and 1.12 of the Code of Ethics with the use of derogatory and disrespectful language in her text messaging with a foster family in her care. Ms. Kinder failed to respond to two notices of complaint. Mark will draft an order of consent requiring ethics training external to the Department and monthly supervision with her licensing supervisor for a minimum of six months to address ethics and values, client communication, casework relationship, ethical use of technology. A six-month suspension shall be held in abeyance with completion of the terms of suspension.
- 2015MS: During the change in attorneys, the final order and notice to counsel and the respondent was not properly filed, which was recently discovered. The case has been dismissed.

Executive Director Update

Rule Filing: Both rules - 25CF SR1, Qualification for the Profession of Social Work and 25CSR5, Fee Schedule have been before Legislative Rule Making in September and in October. Minor language changes were made and the modified rules have been filed with the Secretary of State.

In Lumon: There are approximately 5-6 other Boards in WV who will be in the cohort beginning November 1, with a time frame of implementation expected for April 1, 2020.

Interims/September 23 Presentation: Vickie reported on the presentation to the Joint Committee on Health to address licensure requirements, reciprocity requirements, national certification, and solutions to DHHR CPS licensure issue

Contract Staff for DAC/Per Diem: The Disciplinary Committee has been discussing how to better address the numerous complaints and case disposition. While some Boards utilize a volunteer committee, the DAC proposes using a contract employee to only address complaints, monitor and prepare six-month status reports, and follow up on case activity. There is a question on whether we have the position or if it will restrict the Board's ability to use temporary staff as needed. It was M/S/P (O'Reilly/Gottlieb/all in favor) to approve this position if it is feasible.

Auditor's Licensing Board Seminar is scheduled for October 29. Vickie reminded Board members that they are required to attend once every 3 years.

Work Group on Scope of Practice

Members were referred to a draft in their packets of the proposed licensure levels for the Provisional License and restricted license following license conversion. This product is based on the work of Debra Young, Jo Dee and Tanny O'Connell. Jo Dee thought

perhaps there is a need to better define the differences in scope of practice. Sam Hickman, Vickie and Debra Young will follow up in helping define those differences.

Provisional License Requests

Two applications were presented: 1) Brittany Smith whose application was denied at the August meeting but who has since been accepted into an MSW program at Capella University and 2) Gina Pensule who has a degree in Bible theology and ministry but who is enrolled in Concord's MSW program. It was M/S/P (Gottlieb/O'Reilly/all in favor) to approve these two eligibility applications contingent upon proof of and ongoing enrollment. Vickie will notify the applicants of the Board's ruling.

Employer Application

One application was presented. Marshall Health requests permission to hire provisional licensees for the position of Family Navigator for Healthy Connections. The scope of practice is consistent with the scope of practice for a Provisional Licensee. It was M/S/P (Heasley/O'Reilly /all in favor with Gottlieb recusing) to approve the application. Vickie will follow up on notifying the employer.

Other License Requests

Five requests were presented: 1) Jennifer Bryant and Sarah Boyd who are provisionally licensed but now requests a restricted license, citing financial hardship as a barrier to taking the required coursework 2) Natasha Spriggs requests an extension of her provisional in order to finish coursework 3) Linda Dindak was grandfather in Penn and has never test. She has an MSW and is seeking licensure in WV, and has been licensed at that level in Pa. 4) Marissa Holliday is seeking a 6th permit.

IT was M/S/P (O'Reilly/Heasley/all in favor) to approve the request. Vickie will follow up with the applicants and terms of approval.

Working Group Needs/Assignments/Tasks-planning session

A work group needs to be formed to address Legislation/Policy to work on changes within the code to address scope of practice and other updates. Vickie reviewed previously discussed areas the Board may want to consider changing: Board composition (eliminating one of the two LCSW members and adding it to LICSW membership to be more reflective of workforce trends); inactive status and continuing education, expired licensees and retesting. Following discussion, the Board decided to review the Code section by section and make recommendations via email Vickie will send out sections weekly for recommendation and comment.

New Business

Sam Hickman brought up two areas for discussion: Acudetox Certification, passed last year in the Legislative session and Licensing for Alcohol and Drug Counselors. The Board is aware that social workers were included in those eligible to become certified and discussed the ramifications within the Association of Licensing Boards. The Acupuncture Board bears all responsibility for training and discipline and as with Narcan

administration, the Board does not believe it conflicts with scope of practice for social workers.

The Alcohol and Drug Counselors met with Delegate Rorhbach regarding obtaining a license for addiction. Adding another category of licensure is not an option but he would be open to adding it under the Board of Social Work. Sam asked if there was interest and it was the consensus of the Board to further explore what this would entail.

Next meeting date: December 19, 2019 at 11:00 am. at the Board offices.

Meeting Adjourned: It was M/S/P (Gottlieb/Maniskas/all in favor) to adjourn.

Respectfully Submitted,
Vickie James, Executive Director