

## MINUTES

### UTAH SOCIAL WORKER LICENSING BOARD MEETING

November 5, 2009

Room 474, 4<sup>th</sup> Floor – 9:00 A.M.  
Heber M. Wells Building  
Salt Lake City, UT 84111

**CONVENED:** 9:07 A.M.

**ADJOURNED:** 1:07 P.M.

**Bureau Manager:**

Rich Oborn

**Board Secretary:**

Lee Avery

**Board Members Present:**

Mark de St. Aubin, Acting Chairperson

Jean V. McAfee

Dennis R. Frandsen

Evan C. Coats

Tanya Nagahiro

Kathy Searle

Board Members Excused:

Tammer M. Attallah, Chairperson

**DOPL Staff Present:**

Ronda Trujillo, Compliance Manager

**Guests Present:**

Jeff Titus

Emily Bleyl, NASW

Elise Hutchings, NASW

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

##### **ADMINISTRATIVE BUSINESS:**

Swear in new Board member Tanya M. Nagahiro

Ms. Tanya M. Nagahiro was sworn in as a new Board member. Ms. Nagahiro introduced herself to the Board.

Swear in new Board member Kathy Searle

Ms. Kathy Searle was sworn in as a new Board member. Ms. Searle introduced herself to the Board.

##### **MINUTES:**

The Board reviewed the minutes from the October 8, 2009 Board meeting. Ms. McAfee motioned to approve the minutes with changes, seconded by Mr. Frandsen. The motion carried unanimously.

**COMPLIANCE REPORT:**  
Ronda Trujillo, Compliance Specialist

#1 Ms. Anntionette Titus is in compliance with her stipulation. The Division received a positive employer report from Pam Gramse and a positive supervisor report from K.C. Benn. Her next quarterly reports are due November 20, 2009.

**Discussion:**

The Board discussed moving her meetings with the Board and reports to quarterly. Ms. Titus has been continuously in compliance with her stipulation.

#2. Ms. Andrea Morris is a new probationer. Ms. Morris submitted continuing education (CE) information. This was approved by Mr. Oborn. She has an appointment with Dr. Glenn Johnson, psychiatrist, for her evaluation. Dr. Johnson is on her insurance provider list. Ms. Morris violated ethical standards and was involved in a dual relationship.

**Discussion:**

The Board reviewed Ms. Morris' stipulation.

**APPOINTMENTS:**

Ms. Anntionette Titus, probation interview

Ms. Titus met with the Board for her probation interview. Ms. McAfee conducted the interview. Ms. Titus was introduced to the new Board members. Ms. Titus stated that things were going okay. She meets with her therapist two times a month and is working on specific issues. The Board talked with Ms. Titus about moving her meetings with the Board and her reports to quarterly. Ms. Titus will have her supervisor note that he supports her reports and meetings with the Board be moved to quarterly. The Board asked to see Ms. Titus on December 3, 2009.  
**Ms. Titus is in compliance with her stipulation.**

Ms. Andrea L. Morris, probation interview

Ms. Morris met with the Board for her probation interview. Mr. Frandsen conducted the interview. Ms. Morris reviewed the violations that placed her license on probation. Ms. Morris stated that the Veterans Administration (VA) has not given her a decision regarding whether her employment will be terminated. They should have a decision in two (2) days. Ms. Morris reviewed the plan of action she completed and gave copies to the Board. Mr.

Frandsen motioned to accept Dr. Glenn Johnson and Dr. Harvey Rische to provide Ms. Morris' psychological evaluation. After further discussion, Mr. Oborn stated that the Division has not reviewed Dr. Rische's history yet. Mr. Frandsen amended his motion to accept Dr. Glenn Johnson to complete the psychological evaluation on Ms. Morris. Mr. Frandsen amended his motion to allow the Division to approve or disapprove Dr. Rische as the psychologist to complete Ms. Morris' evaluation, seconded by Mr. de St. Aubin. The motion carried unanimously. Mr. Frandsen motioned to approve the two (2) four (4) hour continuing education courses, seconded by Ms. Searle. The motion carried unanimously. Ms. Morris stated that the VA is still trying to determine which supervisor to assign to her. She will let Ms. Trujillo know as soon as she is advised. The Board reviewed Ms. Morris' stipulation with her. The Board asked to see Ms. Morris on December 3, 2009. **Ms. Morris is in compliance with her stipulation.**

## DISCUSSION ITEMS:

Application Review

There are no additional applications for review.

Licensure by endorsement requirement in Mental Health Professional Practice Act

Mr. Oborn reviewed information regarding the licensure by endorsement requirement in the Mental Health Professionals Practice Act (Utah Code, Title 58, chapter 60). Mr. Oborn noted that this requirement is the same for all mental health professionals except psychologists. The psychologists clarified this in the Psychologist Licensing Act Rule. Mr. Oborn stated that the concern is regarding licensed Clinical Social Workers, holding licenses in other states, who work part time or are retired. The current statute makes it very difficult for these individuals to gain licensure in Utah. Mr. Oborn reviewed an unofficial sampling of license by endorsement requirements in various states. The Board discussed the concerns in detail. Mr. Frandsen motioned to modify the endorsement requirements to be less restrictive, seconded by Mr. Coates. The motion carried unanimously. The Board requested the NASW representatives recommend the most appropriate set of requirements for licensure by endorsement in Utah.

Definitions of unprofessional conduct in Social

Mr. Oborn advised the Board that the Division seeks

## Worker Licensing Act Rule

input from the Board regarding conflicts between definitions of unprofessional conduct in the Social Worker Licensing Act Rule, the Mental Health Professional Practice Act Rule, and the NASW Code of Ethics. Mr. Oborn reviewed the areas of conflicts between the three documents. Mr. Oborn stated that a potential resolution to the conflicts would be to delete the paragraphs 9, 10, 11 and 12 from section 502 of the Social Worker Licensing Act Rule and to replace them with the following language:

*(9) failure to maintain a professional boundaries with a client or former client within two years after the formal termination of therapy, with or without client consent, including engaging in any of the following:*

*(a) dual or multiple relationship; and*

*(b) romantic or sexual relationship.*

*(10) after two years following formal termination of therapy, engaging in activity or relationship referenced in Section 9 with a form client who is especially vulnerable or susceptible to being disadvantaged because of the client's personal history, the client's current mental status, or any condition could reasonably be expected to place the client at a disadvantage recognizing the power imbalance which exists or may exist between the mental health therapist and the client; or*

*(11) to engage with a former client in any activity or relationship referenced in Subsection (9) which is not unprofessional conduct under the provision of Subsections (9) and (10) without first obtaining professionally documented consultation from another mental health therapist with respect to that relationship, and without exercising all reasonable effort to ensure that the relationship is not adverse to the former client's best interests.*

Mr. Oborn stated that if this language was adopted, the language defining unprofessional conduct in the Mental Health Professional Practice Act Rule could be deleted. Mr. Frandsen motioned to amend the Mental Health Professional Practice Act Rule (R-156-60) by deleting section 502 because it conflicts with the Social Worker Licensing Act Rule and is not needed. The Motion was seconded by Mr. Coats. The motion carried unanimously.

ASWB Annual Meeting - Jean McAfee

Ms. McAfee reviewed information about the ASWB Annual conference she attended. Ms. McAfee stated that after a detailed discussion, delegates in attendance

at the conference voted to approve an ASWB examination fee increase. Ms. McAfee stated that there are changes in how the ninety (90) day waiting period waiver will be approved. The waiver can only be used when the candidate is five or less questions short of passing the ASWB exam. Ms. McAfee stated that a committee continues researching exam accommodation for English as a second language (ESL).

Open and Public Meetings Act training

Mr. Oborn gave the Board information regarding the Open and Public Meetings Act. Mr. Oborn encouraged the Board to contact him with any questions.

Code of Conduct for Investigations, Audits, and Examinations

Mr. Oborn gave the Board a memo regarding the code of conduct for DOPL investigators. Mr. Oborn encouraged the Board to contact him with any questions.

**CORRESPONDENCE:**

None at this time.

**NEXT SCHEDULED MEETING:**

December 3, 2009

2010 Board Meetings Tentatively Scheduled

January 7, February 4, March 4, April 1, May 6, June 3, July 1, August 5, September 2 October 7, November 4 December 2.

**ADJOURN:**

Motion to adjourn at 1:07 P.M.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

December 3, 2009

Date Approved

(ss) Tammer Attallah

Chairperson, Utah Social Worker Licensing Board

November 23, 2009

Date Approved

(ss) Richard J. Oborn

Bureau Manager, Division of Occupational & Professional Licensing