

State of Alaska
Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing

Alaska State Board of Social Work Examiners
December 20, 2021

By Authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, a regularly scheduled meeting of the Alaska State Board of Social Work Examiners was held December 20, 2021. The meeting was held via Zoom.

December 20, 2021

Agenda item #1 **Call to order/Roll Call**

This meeting was called to order by Occupational Licensing Examiner Stefanie Davis at 8:59am.

Board Members present, constituting a quorum:

Mindy Swisher, Licensed Clinical Social Worker, Board Chairperson
Geoffrey McCormick, Licensed Master Social Worker
Sharon Woodward, Licensed Baccalaureate Social Worker
Gabriel King, Public Member

Board Members absent:

Brandon Ercanbrack, Licensed Clinical Social Worker – noted as excused on record

Division Staff present were:

Lacey Derr, Records and Licensing Supervisor
Stefanie Davis, Occupational Licensing Examiner

Agenda Item #2 **Review/Approve Agenda**

A motion duly made by Geoffrey McCormick, seconded by Sharon Woodward, and approved by unanimous consent, was:

Resolved to approve the agenda as presented.

Agenda item #3 **Ethics Disclosures**

There were no ethics conflicts to report.

Agenda item #4 **Introduce New Board Member**

The board took time to make introductions and to welcome the new board member, Public Member Gabriel King.

Agenda item #5 **Application Review/Update**

The board currently has five tabled applications. These applicants have been contacted and sent status letters regarding what must be provided for the board to re-review their applications. Documentation has not yet been received from these applicants. The board discussed whether they would be able to review the applications without the required documentation, and decided the documentation is necessary for a complete discussion. Tabled applications will be reviewed at the next board meeting, pending the receipt of documentation.

RLS Derr used the remaining time to ask current board members whose term ends in March of 2022 to reach out and let staff know if they are not interested in being reappointed. This is a general note for all board members to give proper notice if they are considering resigning from the board so that board quorum may remain without any lapses.

Board chair Mindy Swisher noted that the board has been updated that the audits are complete. OLE Davis updated the board that all initial audits have been completed. Audits with any issues have been forwarded to Marilyn Zimmerman for further processing. The board may have additional Consent Agreements to review at the next board meeting.

With additional time before the Division Update, the board elected to move on to Old Business.

Agenda item #6 Division Update

A. 4th Quarter Report FY2021

Division Director Sara Chambers joined the meeting at 9:29am

Division Director Sara Chambers joined the meeting to present the board's financial report for the fourth quarter of FY2021 and the first quarter of FY2022. The revenue for the board through June of 2021 was \$323,280.00, the direct expenditures for the board were \$197,763.00. The board's total expenditures were \$272,280.00, with a carry-over of \$8,410.00 in deficit from the prior year. Currently the surplus for the board is \$42,590.00. A fee analysis is recommended.

B. 1st Quarter Report FY2022

The revenue for the board through September of 2021 was \$23,923.00, the direct expenditures for the board were \$37,127.00. The board's total expenditures were \$55,757.00, with a carry-over of \$42,590.00 in surplus from the prior year. Currently the surplus for the board is \$10,756.00. Department of Law is currently behind on their billing and DCCED has not yet been billed for the first quarter of FY2022. The Board of Social Work Examiners likely has attorney costs that will be shown next quarter. The board will likely be in deficit next quarter, which happens during non-renewal years. Licensing fees are prohibited from being raised at this time by the Dunleavy Administration. Starting in FY2021, the Administration has started to give general fund dollars to off-set the amount that would have been needed to raise fees. This is continuing in FY2022 and has been requested for FY2023.

C. Division Update

The board was notified that travel is now going forward as usual. If any requests are necessary, the board may make them as they were in the past prior to COVID-19.

D. SB21 – Temporary Military Courtesy License

The Board of Nursing has draft regulations to reference centralized regulation for military licensing. SB21 will be implemented on January 1st, 2022 and will allow for military members and/or their spouses to practice under a 180-day temporary license, along with expedited processing of said temporary license as long as they are licensed in another jurisdiction with substantially equivalent requirements. The various licensing boards in Alaska are reviewing existing temporary licensing regulations and working to implement new regulations before SB21 goes into effect. During the six-month timeframe, the applicant would be working towards being able to meet all of the Alaska Social Work board requirements for permanent licensure. However, the applicant is not required to gain permanent licensure after receiving the temporary military license. The permanent licensure will allow applicants to gain

employment, an income, and to fulfill requirements for full licensure. The board elected to reference the centralized licensing fees in centralized regulation, rather than pointing directly to Social Work fees.

A motion duly made by Geoffry McCormick, seconded by Sharon Woodward, and approved by unanimous consent, was:

Resolved to approve the draft language to add a temporary military license to the regulations of the Board of Social Work Examiners

Division Director Sara Chambers left the meeting at 10:09am

The board took a brief at ease.

Agenda item #7 Investigative Report/Investigative Memo (Executive Session)

Josh Hardy, Marilyn Zimmerman, and Brian Suprise joined the meeting at 10:28am

Investigator III Josh Hardy joined the meeting to deliver the investigative report. The report covered August 9, 2021 through December 3, 2021. There are currently 23 open cases in various statuses, and 13 were closed.

The board chair mentioned that during the fiscal update it was noted that there is an increase in investigative costs. She asked if there has been an increase in complaints. Josh Hardy stated that during the last 4-5 months there has been a significant increase in complaints. There is no specific pattern or trend that they are seeing that has become problematic.

A motion duly made by Geoffry McCormick, seconded by Sharon Woodward, and approved by unanimous consent, was:

Resolved that the Alaska State Board of Social Work Examiners enter into executive session in accordance with Alaska Statute 44.62.310(c), and the Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion. Board staff to remain present: Stefanie Davis, Lacey Derr, Josh Hardy, Marilyn Zimmerman, and Brian Suprise.

The board went off record into Executive Session at 10:38am

Back on the record at 10:51am

A motion duly made by Geoffry McCormick, seconded by Sharon Woodward, and approved by unanimous consent, was:

Resolved to approve the Consent Agreement for Case No. 2021-000580 as presented

A motion duly made by Geoffry McCormick, seconded by Sharon Woodward, and approved by unanimous consent, was:

Resolved to approve the Consent Agreement for Case No. 2021-000582 as presented

A motion duly made by Geoffry McCormick, seconded by Sharon Woodward, and approved by unanimous consent, was:

Resolved to approve the Consent Agreement for Case No. 2021-000583 as presented

A motion duly made by Geoffry McCormick, seconded by Sharon Woodward, and approved by unanimous consent, was:

Resolved to approve the Consent Agreement for Case No. 2021-001057 as presented

A motion duly made by Geoffry McCormick, seconded by Sharon Woodward, and approved by unanimous consent, was:

Resolved to approve the Consent Agreement for Case No. 2021-000962 as presented

Josh Hardy, Marilyn Zimmerman, and Brian Surprise left the meeting at 10:54am

Agenda item #8 Lunch

The board took a recess for lunch at 11:49am

The board returns from recess and is back on record at 12:59pm

Agenda item #9 Public Comment

Public comment period opened at 12:59pm

No persons present for public comment.

Public comment period closed at 1:27pm

Agenda item #10 Regulation Change Update: 12 AAC 18.115

Jun Maiquis and Richard Moses joined the meeting at 1:28pm

Division Regulations Specialist Jun Maiquis joined the meeting to discuss the regulation change to **12 AAC 18.115 Supervision of experience for clinical social work license**. Proposed language is as follows:

12 AAC 18.115 is amended to read:

12 AAC 18.115. Supervision of experience for clinical social work license. (a) To meet the requirements of AS 08.95.110(a)(2), an applicant for a clinical social work license must document at least 100 hours of direct clinical supervision equitably distributed throughout the supervised period. No more than 50 hours required by this subsection may be in group supervision. For good cause shown, the board **may** [will, in its discretion,] grant a written request from an applicant for an exception to the limitation on the number of group supervision hours.

(b) The board **may** [will, in its discretion,] approve the supervision of experience of an applicant for a clinical social work license to satisfy the requirements of AS 08.95.110(a)(2) if the clinical supervisor

(1) documents the applicant's supervised experience on a form provided by the department; and
(2) is a clinical social worker, psychologist, or psychiatrist who holds an unrestricted license to practice that profession in this state or other licensing jurisdiction during the period of supervision.

(c) To be accepted by the board,

(1) direct clinical supervision must be provided in **synchronous** [face-to-face] meetings between the supervisor and the applicant unless the board, for good cause shown, has granted an exception allowing for an alternate form of supervision;

(2) if direct clinical supervision is not provided to the applicant within the applicant's agency of employment, the applicant must provide the board with a written release from the administrator of the applicant's agency for the applicant to be supervised outside the applicant's agency setting; and

(3) the clinical supervisor must be responsible for direct clinical supervision of the applicant within the following content areas:

- (A) clinical skills;
- (B) practice management skills;
- (C) skills required for continuing competence;
- (D) development of professional identity;
- (E) ethical practice;

(F) legal and regulatory requirements.

(d) **Repealed** ____/____/____ [To receive the exception in (c)(1) of this section, an applicant who practices in a remote location must, before the supervision begins, submit a written request to the board to allow supervision by telephonic or electronic means. The board will approve a request for telephonic or electronic supervision of an applicant who practices in a remote location if the board determines that

(1) approved clinical supervisors are not practicing at, or within a reasonable distance of, that location; or

(2) the approved clinical supervisors practicing at that location cannot provide appropriate supervision because of the supervisor's relationship to the applicant, a possible conflict of interest, or other good cause shown].

(e) For good cause shown to the board's satisfaction, the board will accept an alternate plan of supervision that varies from the requirement of this section, if the applicant

(1) submits the alternate plan in writing to the board; and

(2) receives approval of the alternate plan by the board before the applicant begins the alternate supervised experience. (Eff. 10/14/99, Register 152; am 10/31/2008, Register 188; am ____/____/____, Register ____)

Authority: AS 08.95.030 AS 08.95.110

Richard Moses from the Department of Law found an issue with the proposed regulatory change language. Mr. Moses proposes that the board should define “face-to-face” rather than change “face-to-face” to “synchronous” in section (c)(1). In regulation **12 AAC 18.990 DEFINITIONS, “synchronous” means a real-time interaction between a licensee and a client occurring at exactly the same time, during which the licensee and client are able to communicate using real time.** The new proposed language would instead define “face-to-face” in section **12 AAC 18.115** as: **“face-to-face meetings” are meetings in which a supervisor and an applicant can speak and hear simultaneously. Face-to-face meetings may occur in-person or via any electronic means of communication that allows the supervisor and applicant to speak and hear simultaneously.**

A motion duly made by Sharon Woodward, seconded by Geoffry McCormick, and approved by unanimous consent, was:

Resolved to approve the changes to 12 AAC 18.115 as amended

Jun Maiquis and Richard Moses left the meeting at 1:43pm

Agenda item #11 **Old Business**

A. Regulation Discussion – Telemedicine CEs required for initial licensure

During the previous board meeting, the board discussed the lack of Telemedicine CEs required for initial licensure. Telemedicine CEs are currently only required for renewals. Mindy Swisher stated that since we have a fair amount of applicants applying for licensure in Alaska while residing outside of Alaska, it is fair to assume they are providing services to Alaskans via telehealth. If this board does not require proof of obtaining Telemedicine Continuing Education, how is the board to know the applicant is well-educated in this area and qualified? Sharon Woodward stated that since telehealth will likely be staying, it should be required on all applications. Geoffry McCormick agrees and states telehealth will also likely expand. It is something the board should consider requiring for initial licensure on the applications. This would be a change to regulation 12 AAC 18.112.

While reviewing the above regulation, the board had a discussion regarding why initial licensure CE requirements only specify Substance Abuse and Ethics CEs. Cross-Cultural (including Alaska Native) CEs and Telehealth CEs are only required for renewals. The board had concern that the lack of consistency may be confusing to some

applicants/licenses. Making all requirements the same may ease some of that confusion. Geoffrey stated that it is likely the board wanted initial licensure CEs to be standardized across all state boards. Once working in Alaska, the licensee would require additional knowledge about Alaska Natives and their culture. This would be why renewal CEs require Cross-Cultural CEs. However, Telehealth should be part of the requirements of all license applications along with Substance Abuse and ethics.

The board would like to know if CE requirements vary with other boards. OLE Davis gave herself a task to look at past minutes to find if there was any explanation regarding the reasoning between initial CEs vs. renewal CEs. OLE Davis will meet with RLS Derr to see if these requirements vary with other mental health boards as well. These findings will be brought before the board during the next board meeting.

RLS Derr noted that the frontloading of CEs is a common discussion amongst boards currently. She states that if the CSW Board moves forward with a regulation change around the same time as the other mental health boards, the Regulation Specialist may be able to draft general language for all boards, which would cut down on costs.

B. Position Statement Updates – Exam Extensions, Substance Abuse CE Definition

The board was informed that these Position Statements were completed and have both been posted on the website.

C. Emergency Courtesy License update/expiration

The Emergency Courtesy License enacted by the board on September 18, 2021 expired on December 19, 2021. There were seven applications for the Emergency Courtesy License, three were approved. The paper application and online applications have been removed from the website.

OLE Davis is tasked with sending a letter pointing the three licensees to apply for permanent licensure, and alert them that they are no longer able to practice in Alaska as their license has expired.

Geoffrey McCormick inquired about whether or not the Division would implement Emergency Courtesy Licenses again soon due to the rising cases from the Omicron variant. RLS Derr noted that this is able to be enacted at the board level, and it will be up to the board to enact this as they see fit. It does not appear to be as necessary as it was when it was first set up, however this is good to have in the board's back pocket so they may choose to enact the license type as necessary.

D. HB193 Update

Director Chambers was contacted for any updates regarding HB193. There have not been any updates on this bill. It is not likely to be going before the Legislature during this session. No further correspondence has been received from the presenter, Jason Floyd, or Representative Ron Gillham's office. There is no legislative sponsor at this time.

E. Proposed Legislative Actions/Discussions

Most of the mental health boards have plans to be meeting in Juneau for this legislative season. If there is anything in statute this board is needing to change, this would be the time to plan. If any board members plan on leaving in March, it would be helpful to receive as much knowledge as they have before then to pass on to any new board members.

Per Mindy Swisher, two years ago the board went through the statutes and made edits. The language changes were made in January 2020 and were put on hold due to COVID-19. The notes from that meeting will be sent to the board after this meeting for review in preparation for the next meeting. The board would like to move forward with the changes previously made.

Per RLS Derr, the next meeting will likely be a download of information from board members, with input from legislatures themselves on what exactly they would need to move these statute changes forward. This would be a building year toward hopefully making changes during the 2023 legislative session. If the board chooses to have an in-person meeting this spring, it would be best to split up the topics in teams of two to then meet with legislators in hopes to move forward with a bill.

With additional time before lunch, the board elected to move on to New Business.

Agenda item #12 New Business

A. Correspondence – Naloxone Response

An email was received from Lakeshia Hasten, Project Manager with the National Social Work Program Office. Ms. Hasten emailed all Social Work boards with a request to complete a form related to social work use of Naloxone.

The Veteran's Health Administration National Social Work Program Office is seeking information from State Licensing Boards on the ability of licensed social workers within the State's jurisdiction to carry and administer Narcan/Naloxone. During the ASWB 2021 Administrators Forum it was highly suggested that each board answer this email so there is a response from each jurisdiction. The board can choose one of three responses:

1. The State of Alaska Social Work Licensing Board concurs, social workers in this state can carry and administer Narcan/Naloxone.
2. The State of Alaska Social Work Licensing Board concurs, social workers in this state can carry and administer Narcan/Naloxone, only if the social worker has completed education and training in order to do so.
3. The State of Alaska Social Work Licensing Board does not concur social workers in this state can carry and administer Narcan/Naloxone under any circumstances.

The board believes the second option with training would be the best option. The board did find a one-hour web-based training titled "Opioid Overdose Education and Naloxone Distribution (OEND) Training" available to those in Alaska. Sharon Woodward posed the question about if there are many social workers who are first responders who are witnessing overdoses. Mindy Swisher noted the ongoing opioid epidemic, and that the idea is that anyone can help someone during that type of crisis. Many social workers work in hospitals and other treatment facilities. Geoffry is curious if a response is necessary, and if it would be required to put this requirement in the statutes/regulations. It may be best to leave this up to individual agencies and hospitals, rather than have a blanket response for the entire state.

The board would like additional information before answering this response. They would like to know where this information will be posted, if it will need to be posted on the Alaska Board of Social Work Examiners website, and what the intent of this position is. Per RLS Derr, the board does not have to choose one of the three options. The board may write a response stating they are not comfortable making a statement on this if they so choose.

B. ASWB Spring Education Conference

The ASWB Board of Directors Administrators Forum/Board Member Exchange/Education Meeting is taking place April 28-30, 2022 in Chicago, IL. Sharon Woodward would like to attend this meeting. Gabriel King would like to attend the ASWB New Board Member Training June 2-3, 2022 online. OLE Davis will send in these requests and forward any further instructions to the board.

C. Board Member Updates

-ASWB Delegate Meeting

Geoffrey McCormick was the Alaska delegate for the ASWB Delegate Meeting. Mr. McCormick reports that ASWB has an outgoing president, Harold Dean. The incoming president is Roxroy Reid from New Mexico. CEO of ASWB, Dwight Hymans, is retiring in April. The key takeaway from the meeting was that the ASWB Board of Director's approved an initiative to release exam performance data. It had been a point of discussion that the ASWB examinations may be biased towards those that are privileged due to various costs for study materials, travel, etc. It was also discussed that ASWB create a blueprint for how boards should run in the case of a future emergency like COVID-19. This is something ASWB is considering for the future.

Per RLS Derr, the ASWB is reaching out and looking for additional board members to be part of the conversation for Social Work compacts. Alaska is a small licensing base so it is more difficult to be a part of the compact. If board members are interested in being a part of this, they should reach out to ASWB.

While preparing previous minutes from October 2020, OLE Davis found that the board was interested in learning more about the option of having ASWB process applications. The ASWB Delegate Meeting had an exhibition hall where additional information on this topic was available. OLE Davis presented this to the board. The board noted that if applications continue to be processed and organized the way they are now, they no longer feel it is necessary to investigate this option, however, it is good to have this information in their back pocket.

-Alaska NASW Fall Conference

Mindy Swisher attended this meeting and reported back to the board. There is a large focus on Diversity, Equity, and Inclusion (DEI) in the State of Alaska right now. This affects the culture in the state. The meeting was overall interesting and helpful, but the in-person aspect was missed due to the meeting being virtual.

-TBD

The board stated that it would be helpful for future board members to have a recording of someone reviewing an application in full and providing 'cheat sheets' current board members personally use to a newly appointed board member. Brandon Ercanbrack has provided his own cheat sheets to current board members. OLE Davis will contact him to receive this cheat sheet to provide to the board during the next board meeting.

The board reviewed their future goals noted in their Annual Report. One of the goals mentioned the importance of in-person meetings. The board still finds this an important, continuous goal. They are critical to the board's cohesion and dynamics of working together. This is being added to the next meeting's agenda to set up the next in-person meeting. An additional goal mentioned looking into a board approved supervisory license, and teletherapy practice. Teletherapy is currently being discussed by the board as far as CEs are concerned.

D. Schedule Meetings

Due to turnover of the board on March 1, 2022, the board is scheduling the next meeting via Zoom on Tuesday, February 15, 2022. This will allow the new board to schedule future meetings that work best for them.


Agenda item #13 **Adjourn**

In a motion duly made by Sharon Woodward and seconded by Gabriel King, with three to one in favor, it was resolved to adjourn the Alaska State Social Work Board meeting at 1:45pm


	APPROVE	DENY	ABSTAIN	ABSENT
Brandon Ercanbrack				x
Gabriel King	x			
Geoffry McCormick		x		
Mindy Swisher	x			
Sharon Woodward	x			

Adjourned at 1:45 PM

Respectfully Submitted By:

DocuSigned by:

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Stefanie Davis
Occupational License Examiner
State of Alaska, DCCED, CBPL

2/15/2022
Date

DocuSigned by:

9F237A2A86A2448...
Mindy Swisher
Board Chairperson
Alaska State Board of Social Work Examiners

2/15/2022
Date