

**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING**

BOARD OF SOCIAL WORK EXAMINERS

MINUTES OF MEETING

By authority of AS 08.01.070(2) and AS 08.95.020, and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Social Work Examiners was held in Anchorage at 550 West 7th Avenue.

June 15, 2012

Call to Order/Roll Call

The meeting was called to order by Gail La Rose-Henderson, Chair, at 8:37 a.m.

Board members present, forming a quorum of the Board, were:

Gail La Rose-Henderson, Licensed Clinical Social Worker
Jason Floyd, Licensed Baccalaureate Social Worker
Laura Thiesen, Licensed Master Social Worker
Marilyn B. Kerr, Licensed Clinical Social Worker
Jennifer Syzdek, Public Member

Present from the Division of Corporations, Business, and Professional Licensing at various times were:

Susan Winton, Investigator
Gary Keiser, Investigator
Karen Wilke, Paralegal, by telephone
Eleanor Vinson, Licensing Examiner

Present from the Office of Administrative Hearings

Judge Jeffrey Friedman

Present from the Department of Law:

Dan Branch, Attorney, by telephone

Ethics Reports

There were no ethics violations to report.

Agenda Item 1 Review Agenda

The Board reviewed the agenda and made no changes.

Agenda Item 2 Review Meeting Minutes

The Board reviewed the minutes from the February 24, 2012, meeting.

On a motion duly made by Jason Floyd, seconded by Laura Thiesen, and passed unanimously, it was

RESOLVED that the Board accept the February 24, 2012 meeting minutes as amended.

Agenda Item 3 Investigator's Report

Investigator Gary Keiser gave his Board report. He has three open complaints at this time. There were five new complaints/investigations since the last meeting. Persons on probation are up to date and current on their requirements.

Investigator Susan Winton previously introduced a new tool that had been adopted by the Medical Board, and it was believed that it would be useful to the Board of Social Work Examiners. It is the Civil Imposition of a Civil Fine Without Censure. It is between an advisement letter and a memorandum of agreement. It is not retroactive and not for technical violations related to patient care. The Board had requested more time to review it and Investigator Winton returned to this meeting with the information.

A Civil Imposition of a Civil Fine Without Censure is a tool to provide a different level of enforcement for non-serious offenses. It is seen as something to be used mostly for first time administrative errors. The final decision regarding an offense/fine will be the Board's.

On a motion duly made by Jason Floyd, seconded by Laura Thiesen, and passed unanimously, it was

RESOLVED that the Board adopt an Imposition of Civil Fine. This action is not retroactive, and only applies in cases not related to the delivery of client care.

The Board does not want to categorize the fine amounts, but will decide on a case by case basis.

Agenda Item 4 Paralegal Report

Paralegal Karen Wilke spoke with the Board by telephone. She presented the Board with information regarding a consent agreement, Decision and Order.

On a motion duly made by Laura Thiesen, seconded by Jason Floyd, and passed unanimously, it was

RESOLVED that the Board go into Executive Session with staff under authority of AS 44.62.310 in order to discuss case number 2012-000509.

Into Executive Session 9:30 am

Out of Executive Session 9:40 am

On a motion duly made by Jason Floyd, seconded by Jennifer Syzdek, and passed unanimously, it was

RESOLVED that the Board accept the Consent Agreement in case number 2012-000509.

Chair La Rose-Henderson signed the Consent Agreement, Decision, and Order for case number 2012-000509.

Agenda Item 5 Board Elections

The Board held elections for Board Chair and Vice-Chair.

Marilyn Kerr nominated Jason Floyd for the Board Chair position. Jason Floyd nominated Laura Thiesen for the Board Vice-Chair position. There were no other nominations. The Board voted and elected them unanimously, with Jason Floyd abstaining from voting in the election of the Chair position and Laura Thiesen abstaining from voting in the election of the Vice-Chair position.

Agenda Item 6 Applications/Reinstatements/CEU Audits

On a motion duly made by Laura Thiesen, seconded by Jason Floyd, and passed unanimously, it was

RESOLVED that the Board go into Executive Session with staff under authority of AS 44.62.310 in order to discuss an application.

Into Executive Session 9:45 am
Out of Executive Session 10:40 am

On a motion duly made by Jason Floyd, seconded by Laura Thiesen, and passed unanimously, it was

RESOLVED that the Board go into Executive Session with staff under authority of AS 44.62.310 in order to telephone an applicant.

Into Executive Session 2:10 pm
Out of Executive Session 2:20 pm

The Board reviewed 25 license applications, 2 requests for exam time extension, 2 requests for alternate supervision and 18 Continuing Education Providers' Approval applications during this meeting. The Board voted by mail to accept the following:

CLINICAL SOCIAL WORKER BY EXAMINATION

BEAUCHAMP, LANE
BIGLEY, DANIEL
GUDMUNDSSON, FRIDRIK
HAAS, SHANA
MCGLONE, MAUREEN
SORENSEN, SHANNON
THIESEN, LAURA
WHITE, TRACEY

CLINICAL SOCIAL WORKER BY EXAMINATION

THIESEN, LAURA (Board vote with Board Member Thiesen abstaining)

CLINICAL SOCIAL WORKER BY CREDENTIALS

MCCARVILLE, THERI

MASTER SOCIAL WORKER BY EXAMINATION

BINGLEY, MUTALE
BLAIR, MELISSA
CAMPBELL, JACQUELING
GROVES, CARLA
HEFFLE, ROBERT
HUNTE, DUANE
KELLY, KAREN
MERRIFIELD, KEITH
OTT, MARIEL

MASTER SOCIAL WORKER BY CREDENTIALS

SCHWEIZER, SARAH

BACCALAUREATE SOCIAL WORKER BY EXAMINATION

BARNETT, MEGHAN
FILLINGIM, CHELSEA
MCGINTY, JOLENE
WILSON, TAMARA

REINSTATEMENT

COOK, JOHN

EXTENSION OF EXAM TIME

FRYER, VICTORIA
MACK, MARILYN

ALTERNATE SUPERVISION

HUFFMAN, PAMELA
WATKINS, DE-AN

CONTINUING EDUCATION PROVIDER'S APPROVAL

ALASKA CASA PROGRAM-OFFICE OF PUBLIC ADVOCACY

Celebrating 25 Years of CASA in Alaska

STATE OF ALASKA/OFFICE OF CHILDRENS SERVICE

Early Childhood Mental Health Institute

UAF/UA ALASKA RURAL BEHAVIORAL HEALTH TRAINING ACADEMY

Clinical Supervision Capstone

CO-OCCURRING DISORDERS INSTITUTE – CODI

Addictive Behaviors - 8 CEUs – substance abuse specific

Ethics - 6 CEUs – substance abuse specific

Introduction to Counseling - 12 CEUs – substance abuse specific

Documentation - 12 CEUs – substance abuse specific

Intro to Co-Occurring Disorders - 8 CEUs – substance abuse specific

Ethics-The Boundary Dilemma - 6 CEUs – substance abuse specific

ASAM Practice - 12 CEUs – substance abuse specific

RURAL PROVIDERS' CONFERENCE

Talking Circle & Traditional Healing Methods for Rural Health Providers

Increasing Youth Resiliency: A Strategy to Prevent Substance Use & Suicide

Store Outside Your Door: The Importance of Nutrition in Recovery

Gendered Lives: Impact of Gender on Recovery

What's Your Green Dot?

Heart of a Grizzly

Planning While Aging in Rural Alaska

BBNA Family Services Department Focus

Agenda Item 7 Public Comment

There was no public comment.

Agenda Item 8 New Business

A. On-line board packets

The Department would like boards to begin receiving their packets by logging into the state website. The Board consensus was that they wish to continue to have their board packets mailed. The other way would make it a personal cost for printing, etc.

B. Substance abuse hours/addictions

There was a question as to what can be used as “substance abuse education”. The Board consensus is that eating disorders are considered “general”, not substance abuse. Substance abuse shall remain as traditionally defined: It is drug and alcohol abuse disorders.

Addiction regulations will be discussed at the next meeting.

C. Renewals

Not all licensees are receiving their renewal information packets. It was sent out from the Division, but was not received by all it was sent to. The Board would like a post card sent out to remind licensees that it is time to renew.

The Board Liaison will ask AKASWB to send out an email reminding their members that it is a renewal year.

Agenda Item 9 Office of Administrative Hearings

Administrative Law Judge Jeffrey Friedman met with the Board of Social Work Examiners. The Administrative Law Judge had proposed a decision regarding case number OAH No. 11-0203-CSW for the Board to consider. The decision was ready for final action by the Board.

On a motion duly made by Laura Thiesen, seconded by Jason Floyd, and passed unanimously, it was

RESOLVED that the Board go into Executive Session without staff under authority of AS 44.62.310 in order to discuss OAH case number 11-0203-CSW.

Into Executive Session 1:52 pm

Out of Executive Session 2:08 pm

On a motion duly made by Jason Floyd, seconded by Laura Thiesen, and passed unanimously, it was

RESOLVED that the Board adopt the Administrative Court Judge’s decision in case number OAH 11-0203-CSW as proposed.

The Board Chair signed the adoption on record.

Agenda Item 10 Old Business

A. Code of Ethics

The Board had discussed the NASW's code of ethics in regulations. It was also noted that the aspirational nature in the code makes it difficult to use in disciplinary areas.

There was discussion and it was noted that "standards of practice" is in the regulations (1998-2001). Does the board need to update it? Do they want to update regulations with the 2008 ethics code?

Each member needs to review the code of ethics in our regulations. Marilyn will compare the current code of ethics with the one in regulations.

Jason will see if there are major changes or modifications in the new ASWB standards of practice. He will contact ASWB regarding this.

12 AAC 18.150. SOCIAL WORKER CODE OF ETHICS. A social worker licensed in this state shall adhere to the code of ethics adopted by the Board of Social Work Examiners under this section. The board hereby adopts the *Code of Ethics of the National Association of Social Workers, Inc.*, 1999 edition, as the code of ethics for social workers licensed in this state.

12 AAC 18.160. STANDARDS OF PRACTICE. A social worker licensed in this state shall adhere to the standards of practice adopted by the Board of Social Work Examiners under this section. The board hereby adopts the "*Standards of Practice/Code of Conduct*", Parts 1 – 10 of the Model Social Work Practice Act, Model Law Task Force 1996-1997 with amendments, 1998-2001 published by the Association of Social Work Boards, as the standards of practice for social workers licensed in this state.

On a motion duly made by Jason Floyd, seconded by Laura Thiesen, and passed unanimously, it was

RESOLVED that the Board table 10.A Code of Ethics until the September meeting.

B. Legal Opinion/Military Reporting

The Board was asked if military members that are Alaska state licensed social workers have to report any suspected child abuse directly to the OCS, or does the federal policy trump the state policy in that the military members only have to report to the designated government agency.

It was further asked if military members who are licensed in various other states and are stationed in Alaska have to report directly to Alaska Office of Children's Services (OCS) also? (Note: Military members are not required to become licensed in Alaska if working only on military bases.)

Alaska Department of Law Attorney Dan Branch addressed the Board regarding this matter. There would have to be a written request for a formal legal opinion, but AAG Branch could give some information.

This information included the fact that the Federal law requires that child abuse be reported by social workers working on federal land to the U. S. Attorney General. The USAG wrote a regulation regarding this, but it does not specify exactly who a social worker must report to (whether federal or state or local).

There was discussion regarding federal laws, state regulations, and what responsibility the Alaska Board of Social Work Examiners has regarding this question. Though the Board has the authority through state statute to

enforce the reporting requirement because they have the authority to discipline licensees, the Board does not have much of a role or an obligation to clarify this. It is up to the AG's Office.

The Board does not wish to have a formal Attorney General's Opinion on this question. It is not the Board's role to request this. It is not a problem at this time.

At the end of the discussion, the Board consensus was that the Alaska licensed social worker working on Federal land, must report to the Alaska Office of Children's Services (OCS), as required in Alaska's statutes, in addition to any other Federal designated government agency as mandated by the Federal Attorney General. The Alaska licensed social worker must report to both.

The Board also recommends that social workers licensed in another state, working on a military base in Alaska, should also report to the Alaska Office of Children's Services (OCS), in addition to the agency designated by the Federal Attorney General.

Sec. 08.95.900. Confidentiality of communication.....

(b) Notwithstanding (a) of this section, a licensed social worker shall report incidents of child abuse or neglect as required by AS 47.17.020 and incidents of harm to vulnerable adults as required by AS 47.24.010.

C. End of Year Report-Narrative

The Chair will write a narrative for the end of the year Division report.

Agenda Item 11 Correspondence

A. ASWB Pass Rates

The Association of Social Work Boards sent the examination pass rates. For Alaska, there were 30 individuals that took the examination, two of whom failed.

B. ASWB/ACE

The Association of Social Work Boards wrote and inquired why our office had told a licensee that courses offered by the Approved Continuing Education(ACE) courses, which is administered by ASWB, were not automatically approved according to our regulations.

Our regulations do not specifically name ACE; the language is not in our law. They do name ASWB:

12 AAC 18.220. APPROVED CONTINUING EDUCATION ACTIVITIES. (a) To be accepted by the board, continuing education must contribute directly to the professional competency of a social worker and must be directly related to the skills and knowledge required to implement social work principles and methods as defined in AS 08.95.990.

(b) The following continuing education activities are acceptable if they are related to social work in accordance with (a) of this section:.....

(2) courses offered by or certified by the Association of Social Work Boards;

Agenda Item 12 Board Reports

A. NASWAK Liaison Report

Board Liaison Marilyn Kerr gave her report. NASWAK has hired a new Executive Director. The Board Liaison Kerr wishes to get clarification on what the NASWAK expects from the Code of Ethics and if they wish to update the existing NASW Code of Ethics in the regulations. They are working on alternatives for CEU credit report that may be copied clearly for audit purposes.

There was discussion regarding conference dates.

B. ASWB Spring Meeting Report

The Board would like to send at least two persons to this meeting in the future. The education component for this meeting will be very valuable for a Board.

The conference included information on area that this Board will be having issues with, such as AVATAR Therapy. It also covered information regarding Facebook and Insta-gram use as therapists. It is all about the “E-World”.

The Chair also noted that she was approached by ASWB to hold a spring meeting in Alaska.

Agenda Item 13 Board Business

A. Task List

Marilyn Kerr -- liaison to NASWAK
Laura Thiesen-Reviewing Board Member
All -- Read Code of Ethics

B. Sign Wall Certificates

The wall certificates were signed.

C. Schedule future meetings

September 7, 2012 in Kenai

December 6-7, 2012 in Anchorage

The meetings will begin at 9:00 a.m.

D. Sign Meeting Minutes

The February 24, 2012 meeting minutes were signed by the Board Chair.

E. Discuss Travel Authorizations/collect & sign

Travel Authorizations were signed by the Board members and submitted.

F. Training/conferences

ASWB Annual Meeting, November 1-3, 2012 – Jason Floyd (1), Marilyn Kerr (2) or Laura Thiesen (3)

ASWB Spring Training