

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, Alaska at 550 West 7th Avenue.

December 7, 2012

Call to Order/Roll Call

The meeting was called to order by Jason Floyd, Chair, at 9:04 a.m.

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

Jason Floyd, Licensed Baccalaureate Social Worker
Gail La Rose-Henderson, Licensed Clinical 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:

Don Habeger, Director
Sara Chambers, Operations Manager
Misty Frawley, Administrative Officer, by telephone
Michele Wall-Rood, Investigator
Eleanor Vinson, Licensing Examiner

Present from Public:

Dwight Hymans, ASWB Deputy Executive Director
Dale Atkinson, ASWB General Counsel
Colleen Patrick-Riley, former Board Chair

Ethics Reports

There were no ethics violations to report.

Agenda Item 1 Review Agenda

The Board reviewed the agenda and made no changes.

On a motion duly made by Laura Thiesen, seconded by Marilyn Kerr, and passed unanimously, it was

RESOLVED that the Board accept the agenda as amended.

Agenda Item 2 Review Meeting Minutes

The Board reviewed the minutes from the September 7, 2012, meeting.

On a motion duly made by Laura Thiesen, seconded by Gail La Rose-Henderson, and passed unanimously, it was

RESOLVED that the Board accept the September 7, 2012 meeting minutes.

Agenda Item 3 Board Reports

A. NASWAK Liaison Report

Marilynn Kerr is the Board's liaison to the National Association of Social Workers Alaska Chapter.

NASWAK members want to attend the Board meetings and have been told they could attend at any time except for executive sessions. No member attended this meeting.

The NASWAK meetings are the third Tuesday of every month (in Anchorage).

B. ASWB Meeting Report

Jason Floyd attended the Association of Social Work Boards' (ASWB) Annual Meeting. He gave a re-cap of the meeting. He spoke on the difficulty to get the Division to allow board members to attend and the long length of time it takes for travel to be authorized.

At the ASWB meeting there was discussion/information on Associate Licenses, which is something this Board is exploring.

There was also discussion on the Code of Ethics. Minnesota has an ethics code much like Alaska is considering pursuing.

C. ASWB Hyman & Atkinson

Dwight Hymans, Association of Social Work Board's Deputy Executive Director and Dale Atkinson, Association of Social Work Board's General Counsel came to the meeting at the invitation of the Board. They were asked to approach this as an educational opportunity and let the new administration know the History; the significance of ASWB to the Alaska Board; the Board's participation in the association; and what the association provides for us in measuring the competence and proper practice of social work in Alaska.

Don Habeger, Division Director, and Sara Chambers, Operations Manager, joined the meeting.

Mr. Atkinson is consultant for many regulatory areas, including many areas in which Alaska has Regulatory Boards. He spoke of the following:

The Association of Social Work Board (ASWB) is not an association or a trade organization. It exists solely for regulatory boards. The purpose is for assistance to its members; to lessen the burden on the state governments.

ASWB promotes uniformity and to help boards to be more efficient. Part of their mission includes public protection and a legally defensible examination.

It was noted that Alaska's social work statutes and regulation are based on ASWB's Model Act. All applicants for licensure in Alaska are checked through ASWB's Practitioner Data Bank (called DARS).

Social Workers are also able to get access to providers of continuing education through ASWB's ACE program.

All states are represented at their yearly meeting. This is why ASWB funds one member per state to attend the yearly meeting. (There is question on whether or not the Board Members from Alaska can accept the funding.)

Dwight Hymans, Association of Social Work Board's Deputy Executive Director addressed the Board and administrators. Forty-nine states, The District of Columbia, the US Virgin Islands and all ten Canadian Provinces are members of the ASWB. California is not, but will be soon.

He noted that one of their missions is protection of the public by providing support and services to the social work community boards and the work that they do.

Mr. Hymans spoke regarding their Public Protection Data Bank. Boards can use it to check applicants regarding adverse actions against them. This is done at no cost to the member boards.

Their largest service to boards is the examination administration. The exams are defensible. It maintains high standards. He explained the process of test development.

ASWB can offer information and research for Boards to help them make informed decisions.

ASWB also offers New Board Member Training at no cost to the Boards.

Their Approved Continuing Education (ACE) program makes sure that content is relevant to social work practice.

Agenda Item 4 Budget Report

A. Budget Report

Misty Frawley, Division Administrative Officer, gave a budget report by telephone. At this point, the Board is \$123,670.00 to the good.

There was discussion regarding decreasing the cost of a license.

B. Travel

The Board had invited Director Habeger to address the Board regarding travel; travel costs; and the perception that travel is being restricted.

There was discussion regarding what is reimbursed. (One member had not been reimbursed for what had been approved.) The Director and staff had been unaware of the situation, but would support reimbursement and staff would look into it.

There has been a change in how the administration distributes money. The Legislature distributes money in categories. One of the categories is travel. The Division requested more money for travel than the \$403,000.00 that the Legislature granted. The decisions on what is allowed for travel is made according to the following priorities:

1. Board meetings
2. Division travel (Director, Operations Manager, Administrative Officer, etc)
3. Board Member out of state travel
4. Staff out of state travel

The Board had questions as to what was happening with third party reimbursement/payment of travel expenses. Previously, a Board Member's travel might be paid ahead of time by the ASWB. The Director explained that what is new is how the reimbursement is recorded and handled. We no longer show an offset of travel expenses on the travel authorization due to a 3rd party reimbursement. Rather, we pay all expenses for travel up front, which is recorded as a direct expense on board or commission reports, and reimbursements from associations are recorded as revenue to the State's General Fund.

For boards, the real issue is where the reimbursement is recorded. Current policy dictates that travel reimbursement revenue is recorded on the general fund side and not as board or commission revenue. One of the detriments to the clearer understanding of state policy, from a board member's perspective, is the division will not accept prepayment of airfare and lodging for a board member if they travel on state business, but we will accept the payment as a 3rd party reimbursement.

The Board had a discussion and was not in agreement with the idea that they are state employees when traveling as a board member to a national meeting.

The Chair asked about a course of action to fix the situation. The Director said that the Board of Nursing had written the Dept of Administration for clarification of their rules/policies/statutes and that answer will pertain to other boards. It is appropriate for board members to discuss the travel situation with Legislature.

Agenda Item 5 Applications/Reinstatements

The Board reviewed 57 applications.

On a motion by Gail La Rose-Henderson, seconded by Laura Thiesen, and approved unanimously it was

RESOLVED to approve the following Social Work CEU applications with the stipulation that the information in the applicants' files will take precedence over the information in the minutes:

CONTINUING EDUCATION PROVIDERS APPROVAL

AK CHAPTER OF CASE MANAGEMENT SOCIETY OF AMERICA

AKCMSA Fall 2012 Conference

CODI

Family Services

Hazelden Co-occurring Disorders Program: Integrating Combined Therapies

Hazelden Co-occurring Disorders Program: Screening & Assessment

Hazelden Co-occurring Disorders Program: Review

Cognitive Behavioral Therapy

Documentation

Development Trauma

Relating with Transitional Young adults: Developmental Needs, Independence & Social Support

Motivational Interviewing

Trauma 101

Trauma Informed Care

A New Look At Binge Drinking

Risk Assessment

Engaging Couples & Families

Motivational Enhancement Therapy

Cross Cultural Competence

Personality Disorders & Addiction

Substance Abuse Assessment

Trauma Focused CBT

Working With Resistant Clients

Nutrition: The Slayer & Healer of Addiction

Global Assessment of Functioning

ASAM

Forgiveness in Recovery

On a motion by Laura Thiesen, seconded by Gail La Rose-Henderson, and approved unanimously it was

RESOLVED to approve the following Social Work applications with the stipulation that the information in the applicants' files will take precedence over the information in the minutes:

CLINICAL SOCIAL WORKER BY EXAMINATION

BARKER, AMY
BLANAS, ANNETTE
ENGEL, STEPHANIE
HUMPHERY, YOHANCE
MONEYHUN, STEPHANIE
O'LAUGHLIN, LUCAS

CLINICAL SOCIAL WORKER BY EXAMINATION

ZRINY, MARY

MASTER SOCIAL WORKER BY CREDENTIALS

ADAY-SPRINGER, BRANDY

MASTER SOCIAL WORKER BY EXAMINATION

CONWAY, SARAH
SMITH, MELANIE
STOVER, RENALDO

BACCALAUREATE SOCIAL WORKER BY EXAMINATION

BUCHANAN, LYNNE
HOLLEMAN, ALISON

EXTENSION OF EXAM TIME

RODRIGUEZ, CHRISTIE

ALTERNATE SUPERVISION

SCHROLL, JENNIE

REINSTATEMENT OF LICENSE

BOGARD, JANET
DAY, JAYLENE
DUNGAN, PETER
LEMMON, CAROLYN
NEUMANN, MARY

Agenda Item 6 Public Comment

See Agenda Item 3.C.

Agenda Item 8 New Business

A. Travel Policy

There was discussion on what to do about not accepting the new travel policy of not funding travel, even when the Board has the funds, and accepting travel that is no cost to the state.

The Board formed a subcommittee to compose a letter to give to the Governor and the some Legislators. Jason Floyd and Marilyn Kerr are on that subcommittee. The subcommittee to determine what subcommittees and individual Legislators to contact is Laura Thiesen and Jennifer Syzdek. The subcommittee that will make the appointments is made up of Jason Floyd and Gail La Rose-Henderson.

Agenda Item 8 Investigator's Report

Investigator Wall-Rood gave the Board report. There are four open cases; five cases have been closed since last meeting.

On a motion by Gail La Rose-Henderson, seconded by Laura Thiesen, and approved unanimously it was

RESOLVED to go into executive session with staff in accordance with AS 44.62.310(c)(2) and (3) for the purpose of discussing investigations.

Into Executive Session: 2:04 pm

Out of Executive Session: 2:10 pm

On a motion by Gail La Rose-Henderson, seconded by Laura Thiesen, and approved unanimously it was

RESOLVED to accept the consent agreement in case number 2012-000910.

Chair Floyd signed the Consent Agreement.

On a motion by Laura Thiesen, seconded by Marilyn Kerr, and approved unanimously it was

RESOLVED to accept the Surrender of License in case number 2012-001320.

Chair Floyd signed the Surrender of License.

Agenda Item 9 Statutes

A. Associate License

There was discussion regarding creating the associate level license. This is meant to be below the BSW. The Chair felt it would be beneficial for advocacy and jobs. It was also felt that the Universities must be in agreement with the concept. The goal is to explore this license further.

On a motion by Jennifer Syzdek, seconded by Gail La Rose-Henderson, and approved unanimously it was

RESOLVED to make the Associate Level licensure to the Board's task list for the year, which would include determining the goal; research; work with ASWB; begin conversation with different parties, such as academia, OCS, NASW.

Agenda Item 10 Old Business

A. Code of Ethics

The Board has had an on-going discussion regarding the NASW code of ethics and their regulations. What are in the regulations now is as follows:

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.

This was discussion regarding other states' codes. The Chair recommended that it be added to the task list: to explore those that do not point directly to the NASW code. There was opposing comments regarding leaving it in the code.

It was noted that both NASW and ASWB are noted in the regulations.

This was tabled until next meeting.

Agenda Item 11 Correspondence

A. Schweitzer-conscience clause

Ellis Schweitzer asked the following:

Under current state regulations, is there a conscience clause exception in licensing rules to allow licensed professionals including social workers and psychologists to opt out of treating and referring patients when such counseling violates their religious or moral convictions?

The Boards reply:

1.06 Conflicts of Interest

(a) Social workers should be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment. Social workers should inform clients when a real or potential conflict of interest arises and take reasonable steps to resolve the issue in a manner that makes the clients' interests primary and protects clients' interests to the greatest extent possible. In some cases, protecting clients' interests may require termination of the professional relationship with proper referral of the client.

B. Narayan- inter-state remote service

Aditi Narayan, of Livestrong, had several question:

1. What are the legal consequences of social workers licensed in a state other than Alaska offering services¹ remotely² to clients in Alaska?

Board's Answer: There are no current regulations answering this question.

2. What are the ethical implications of social workers licensed in a state other than Alaska offering services remotely to clients in Alaska?

Board's Answer: **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

3. Does BSWE Alaska allow it?

Board's Answer: The Board recommends that service providers providing services in Alaska seek licensure.

4. Are there any laws in Alaska that pertain to this issue?

Board's Answer: The Board is currently working on this.

Agenda Item 13 Board Business

A. Task List

Marilyn Kerr -- liaison to NASWAK
Board -- Work on statute for Associate license
Board -- Explore Code of Ethics change

B. Sign Wall Certificates

The wall certificates were signed.

C. Schedule future meetings

March 14-15, 2013 in Juneau

June 7, 2013 in Anchorage

September 27, 2013 in Anchorage

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

D. Sign Meeting Minutes

The 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 Spring Training, April 11-14, 2013 – Jason Floyd (1), Marilyn Kerr (2)

On a motion by Gail La Rose-Henderson, seconded by Laura Thiesen, and approved unanimously it was

RESOLVED to send the following members to ASWB Spring Training:

1st attendee -- Jason Floyd

2nd attendee -- Marilyn Kerr

The Board wants just one Travel Authorization put in at a time.

On a motion by Gail La Rose-Henderson, seconded by Laura Thiesen, and approved unanimously it was

RESOLVED to adjourn the meeting.

Meeting adjourned at 5:47 p.m.