

**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS & PROFESSIONAL LICENSING
BOARD OF SOCIAL WORK EXAMINERS**

MEETING MINUTES

April 7, 2006

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 08.95.020, Article 1, a scheduled meeting of the Board of Social Work Examiners was held April 7, 2006, in Juneau, Alaska.

Call to Order / Roll Call

The meeting was called to order at 10:30 a.m. by Sammye Pokryfki, Board Chair. Those present, constituting a quorum of the Board, were:

Sammye Pokryfki, Master Social Worker, Wasilla
Mildred Townsend, Public Member, Anchorage
Darrell Allman, Clinical Social Worker, Anchorage
Gail La Rose-Henderson, Clinical Social Worker, Wasilla

In attendance from Division of Corporations, Business and Professional Licensing were:

Cori Hondolero - Licensing Supervisor
Alice Albrecht - Licensing Examiner

In attendance from the Department of Law:

Gayle Horetski
Dan Branch
Judge Terry Thurbon
Judge Andrew Hemenway

Elections

Chair Pokryfki opened the floor for nomination for chair and vice chair.
Mr. Allman made a nomination to appoint Sammye Pokryfki as Chair.

Ms. Pokryfki opened the floor for nominations for vice chair.
Mr. Allman expressed desire to serve.

Upon a motion by Allman, seconded by Townsend and approved unanimously it was

RESOLVED to appoint Sammye Pokryfki as Chair of the Board of Social Work Examiners.

Upon a motion by LaRose-Henderson, seconded by Townsend and approved unanimously it was

RESOLVED to appoint Darrell Allman as Vice-Chair of the Board of Social Work Examiners.

ROSTER UPDATE

Ms. Pokryfki noted that that her termination date should state 2009, though the Division has not received official notification.

Item 1. Agenda

The Board reviewed the agenda. Ms. Pokryfki noted one change; a break scheduled between items 11 and 12 at approximately 3:30 p.m.

Upon a motion by Townsend seconded by La-Rose Henderson and approved unanimously it was

RESOLVED to approve the agenda with the one change.

Item 2. Review Minutes

Ms. Pokryfki would prefer the minutes to reflect action vs. discussion unless it is sensitive and the Board would then give direction. Ms. Pokryfki has some changes to the December 9, 2005, minutes that she will provide in writing to Ms. Albrecht and the Board will review the minutes again at their next meeting.

Item 3. Applications for Review

The Board reviewed license applications for the following areas:

Clinical Social Worker by Exam
Baccalaureate Social Worker by Exam
Baccalaureate Social Worker by Credentials
Special Requests

Item 4. Public Comment

There was no one present for public comment.

Item 3. Application Review (Continued)

The Board discussed Margaret Hillebrand and Lourdetta Neuburg's applications. They are self-employed while receiving outside supervision. The Board, at the December 9, 2005, meeting asked for

clarification from Investigator McQuaid to determine if the applicants were operating within Alaska Statutes. The applicants were conducting case management with terminally ill patients. They did not represent themselves to be clinical social workers and they were paying for and receiving clinical supervision from outside the agency. The Board also asked if self-employment meets the employment requirement. The Investigator reported that the Statutes do not state that self-employment cannot count.

Break at 12:09 p.m.

Back on record at 12:27 p.m.

Kelly Huse, CSW by examination applicant, documented her attempts to get her previous supervisor to fill out the Alaska Postgraduate Supervision form. She would like the Board to consider her out of state documentation instead, a supervision form from the State of Maine, which requires the same information. The Board felt the applicant has made her best effort and has enough employment hours without the supervision form, but she still lacks 18 supervised hours without it. The Board approved her application, pending verification of the required additional supervised hours with a new supervisor or documentation on the Alaska form from her Maine supervisor.

Thomas Ryan was seeking approval for one-on-one telephonic supervision. He also requests that the Polycom system be allowed to count for face-to-face supervision. Following discussion, the Board made the decision to approve 25 hours supervision by telephone and 25 hours of face-to-face supervision, of which the Polycom can be used. The Board strongly encourages an applicant get as many face-to-face hours as possible in person rather than the Polycom. The Board also requested a signed copy of the letter from his supervisor.

Item 7. Investigative Report

Investigator Margaret McQuaid joined the meeting via teleconference. She will be leaving the Division in three weeks. She has one open investigation, a violation of professional ethics. This matter does not require Board action at this time.

Investigator McQuaid reported that two other cases opened at the end of December have been closed. The two applicants were operating as Clinical Social Workers who were self-employed, receiving outside supervision from an LCSW.

Item 3. Applications (Continued)

The Board discussed Denise Marenah extension request. She had asked for a one year extension, however, her application dates back to the fall of 2002, so the Board agreed to allow her a three month extension. After that time period, there will be no more extensions and she will be required to submit a new application. The applicant could use her previously submitted supervision form but would need updated references.

Item 9. Administrative Hearing Process

Administrative Law Judge Terry Thurbon and Assistant Attorney General Gayle Horetski joined the meeting. Judge Thurbon provided the Board with a background of the hearing process and noted that the Contway file falls under the old procedures.

Item 10. Contway Decision

Assistant Attorney General Dan Branch joined and Administrative Law Judge Hemenway joined the meeting. Mr. Contway had informed Judge Hemenway via an email that he did not wish to participate unless the Board had questions for him.

Ms. Pokryfki stated that the Board received two differing decisions in this matter and first asked Judge Hemenway if he'd like to make a statement. He replied that he would wait until deliberations. Ms. Pokryfki asked Assistant Attorney General Horetski if she'd like to present her opinion and she outlined her decision below.

AAG Horetski is representing the Division's proposed decision:

In Mr. Contway's application for licensure, his supervisor did not meet the statutory criteria as a supervisor, which required a supervisor to be a licensed clinical social worker, psychiatrist or psychologist. Judge Hemenway had laid out the facts and the Statutes and Regulations were construed to recommend that the Board approve his decision. However, the Division disagreed with this interpretation of the standards and, on behalf of the Division; AAG Horetski wrote an amended decision. She would like the Board to take the next step to reject the Administrative Law Judge's decision and instead adopt the decision by Ms. Horetski. The Board can take any part of the decision and amend it.

Ms. Horetski cited AS 09.95.110 and AS 08.95.110(a)(2). The position of the Division means what these say, which is that those holding a license can be a supervisor. If the Board feels the Statute is too narrow, the Board cannot fix it, only the State Legislature can. Ms. Horetski also cited 12.AAC 18.115(b), which refers to supervision of experience for clinical social work license. It states that the Board will, in its discretion, approve the supervision of experience of an applicant for a clinical social work license if the clinical supervisor 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. AAG Horetski stated that, if you adopt this recommendation, based on these Statutes and Regulations, Mr. Contway's supervisor is not qualified.

Upon a motion by Allman, seconded by La-Rose-Henderson and approved unanimously it was

RESOLVED to go into Executive Session to Discuss Mr. Contway's case.

The Board went into Executive Session at 3:06 p.m.

The Board came out of the Executive Session at: 3:14 p.m.

Upon a motion by Allman, seconded by La-Rose-Henderson and approved unanimously it was

RESOLVED to reject the Administrative Law Judge's Decision.

Item 11. Dept. of Law – Self Employment

AAG Horetski provided background on the Board's request regarding applicants who received Supervision while self-employed. The statutes were discussed. Sec. 08.95.110 states that an applicant has completed, within 10 years before application for licensure and under the supervision of a licensed

social worker, licensed psychologist or licensed psychiatrist either a minimum of two years continuous full-time employment in postgraduate clinical social work; or a minimum of 3,000 hours of less than full-time employment in a period of not less than two-years in postgraduate social work. The Statutes do not state that self-employment cannot be counted.

Under 12 AAC 18.115. says that, 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. Ms. Horetski reported, even though the applicants were self-employed, the applicants received qualified supervision from an outside supervisor.

Item 11. Dept. of Law – Pre-Approved Supervision Plan

The Board asked AAG Horetski, if the Board can deny someone for not submitting to the Board a pre-approved supervision plan. Ms. Horetski reported that the Board cannot impose a pre-approval process. If the Board feels they would like to require that supervision be granted in advance, they should amend the Regulations to state that. The Board would also have to take a hard look at out-of-state applicants who already have their supervision. If their supervision/supervisor is not approved in advance then why would the Board not approve them? Horetski suggested the Board would have to state a very good reason to deny a supervision plan that has already taken place.

Chair Pokryfki stated that under 12 AAC 18.115 (c)(1) the Board has always assumed that when the Board is asked to approve an alternative supervision plan, that it is done in advance. *12 AAC 18.115 (c)(1) ...unless for good cause shown, has granted an exception allowing for an alternate form of supervision.* Ms. Pokryfki stated the phrase, “has granted an exception”, is past-tense, and this is why the Board has asked to approve supervision in advance.

AAG Horetski asked that, if there is no current requirement that supervision be approved in advance, how can an exception to it be approved in advance. For approving supervision after the fact and outside an agency, if the person shows you their release and they have met the requirements, then why deny them because the release isn't signed for the right date? She added that, if it is important that you want a written release to be on file with the Board before outside supervision begins, then a Regulations change would have to state as such.

Item 12. Ethics Report

Darrell Allman had one conflict of interest vote. An Ethics form and supervision form were filled out. The reports are filed with the department on a quarterly basis.

Off the record 3:55 p.m.
On the record at 4:03 p.m.

Item 13. Budget Report

Ms. Kathy Mason, Administrative Manager, reported that the fees are coming down for the biennial renewal period 6/30/06. The Board expressed their fear of one large case causing fees to go back up again and wondered whether they were taking a risk by lowering the fees. Ms. Mason reported that the Board cannot keep rolling forward money. It was noted that the fees were came down because the Board stopped giving out first-time licenses at one-half the normal cost.

Item 14. Regulations

This item was deferred to the next meeting.

Item 15. Association of Social Work Boards (ASWB)

Ms. Townsend and Mr. Allman reported on the annual ASWB training. The conference offered a broad perspective, and provided information on their operation with regards to the development of the national test. They break down the different states and international requirements and how different Boards are made up. A legal council spoke on legal issues that Board members are involved in or concerned with. It provided an opportunity to meet others and work on committees. Mr. Allman felt the training gives a better awareness of his role on the Alaska Board and makes him more aware of legal ramifications of any decisions the Board makes. Ms. La-Rose Henderson will attend the August training and the licensing examiner will contact Jason Floyd to see if he would like to attend the August training.

Item 5. Special Request

Ms. Pokryfki read through CEU clarification requests that have come before the Board.

- Is Nicotine Addiction considered substance abuse?
Answer: Yes.
- What about addictions outside the arena of ingesting chemicals such as pathological gambling addictions, Internet addiction, Sex addiction and others compulsive disorders?
Answer: If it is in the DSM IV then it is covered.
- Can a social worker receive 100% of their CEUs online or via video?
Answer: Yes, but the Board encourages licensees to attend face-to-face trainings.
- Is a 6.0 CEU class in substance abuse/cross cultural good for both?
Answer: You can use the 6.0 in substance abuse, or 6.0 in Cross cultural or 3 and 3 in each, but you cannot double dip.
- Are gay and lesbian issues considered cross cultural?
Answer: No.
- In the future will the Board allow us to determine what cross cultural classes are relevant to us instead of Alaska Natives?
Answer: No. Regulations dictate Alaska Native and the Board feels this requirement is very important.
- Are eating disorders considered substance abuse?
Answer: No, it is not found in the DSM IV and is considered a mental disorder vs. an addiction.
- If it is a requirement of your job to attend and you are getting paid to be there, under 12 AAC 18.220 (c) *hours spent in job orientation may not be accepted as continued education contact hours*. It is up to the applicant to document whether trainings they claim are mandatory vs. voluntary training.
Answer: Ms. Pokryfki questions whether we are correct in denying CEUs under 12 AAC 18.220 (c) *Hours spent in **job orientation** may not be accepted as continued education contact hours*. Ms. Hondolero suggested the Board may want to discuss this with the AAG.
 - Mandatory vs. voluntary training
 - Paid vs. nonpaid
 - On-site vs. outside.
- Is teaching Ethics good for Ethics credit?

Answer: Yes, 3.0 CEUs should be good for Ethics and up to 7 more for teaching.

- Does Legal and Ethical Issues class satisfy Ethics requirement
Answer: Yes
- Is FAS considered a substance abuse class
Answer: Yes
- Are Tobacco Conferences considered substance abuse
Answer: Yes

Chair Pokryfki counseled Ms. Albrecht that she did not have to answer every applicant's concerns about whether their CEUs fit or not. Ms. Albrecht added that Steve Winker writes in his audit letters that when in doubt write to the Board.

Item 5. CEU Application Review (Continued)

Upon a motion by Allman, seconded by Townsend and approved unanimously it was

RESOLVED to approve the following individuals to sit for the clinical social workers examination:

**Laura Baez-Terry,
Jeffrey Cain
Terrya Elder
Margaret Hillebrand
Diane McEachern
David Modde
Lourdette Neuburg
Mary Neuman
Julie Perez (Logan)
Liana Shull
Timothy Smeekens**

Upon a motion by Allman and seconded by Townsend and approved unanimously it was

RESOLVED to approve Barbara Johnson-Tow to sit for the baccalaureate social worker examination.

Upon a motion by Allman, seconded by Townsend and approved unanimously it was

RESOLVED to approve Alice Mallet for licensing as a Baccalaureate social worker by credentials.

Upon a motion by Allman seconded by Townsend and approved unanimously it was

RESOLVED to approve pending the clarification of information requested, Kelly Huse and Ryan Wheeler for clinical social worker by examination.

Upon a motion by Allman, seconded by Townsend and approved unanimously it was

RESOLVED to approve Thomas Ryan's one-on-one supervision plan upon receipt of the signed letter.

Upon a motion by Allman, seconded by Townsend and approved unanimously it was

RESOLVED to approve Faith Bancroft's revision to her supervision plan to begin March of 2005.

Upon a motion by Allman, seconded by Townsend and approved unanimously it was

RESOLVED to approve the special request of Erica Jolley to extend her time to take the exam for one more year.

Upon a motion by Allman, seconded by Townsend and approved unanimously it was

RESOLVED to approve the extension request of Denise Marenah to give her until June 30, 2006 to take the exam.

Item 5. CEU Applications

The Board reviewed the following courses and workshops

Upon a motion by Allman, seconded by Townsend and approved unanimously it was

RESOLVED to approve the following CEU course requests for the total CEUs requested:

- **Anchorage CMHC, Attachment, Self Regulation 15 CEUs**
- **Lorman - Children with Auditory Disorders - 1.0 CEUs**
- **Lorman - Attention ADD/ADHA - 1.0 CEUs**
- **Gateway - Legacy Retold - 6.0 CEUs Cultural Consideration with Alaska Natives**
- **Co-Di - Cultural Competence Successes and Challenges - Cross Cultural Education w/Native Issues - 7 CEUs**
- **Co-Di - 52 Workshops**
- **Co-Di - Promoting Healthy Communities 1.5 CEUs**
- **Co-Di - Clinical Supervision Roadblocks 6.0**
- **Co-Di Healing the Wounds - 3 CEUs CC with Alaska Natives**
- **Co-Di Alaska Native Cultural Tradition - 1.5**
- **Co-Di Seeking Safety - 6 CEUs in Substance Abuse**
- **Co-Di 42 CFR and HIPAA - Ethics 3.0 CEUs**
- **Co-Di Understanding Psychodynamics' 1.5 CEUs**
- **Co-Di - Assessment of Suicidal Youth - 1.5 CEUs**
- **Substance Abuse Directors - Annual School - 22 CEUs**
- **NAMI Conference - 18 CEUs**
- **OCS Partnerships for Childhood Conference 14 CEUs**

Upon a motion by Allman, seconded by Townsend and approved unanimously it was

RESOLVED to approve Sabrina Warren's Sociology 201, Social Problems class for 6.0 CEUs in Cross-Cultural Consideration, but no CEUs for issues related to Alaska Natives.

Upon a motion by Allman, seconded by Townsend and approved unanimously it was

RESOLVED to deny Lorman request for CEUs for Legal Issues in Student Athletics.

Upon a motion by Allman, seconded by Townsend and approved unanimously it was

RESOLVED to approve the DARE officer training, pending receipt of the number of hours devoted to each segment of the training, e.g. time spent on each activity.

Next Board Meeting

Mr. Allman would like everyone to take a look at the Regulations and suggest small adjustments. When the Board meets again schedule time to talk about the regulations.

The Board set the next meeting for August 4, 2006, in Anchorage.

Board Business

The Board will send someone to the annual conference. Members were advised to contact Ms. Albrecht if they want to go. Mr. Allman will attend one of the annual meetings.

The Board signed wall certificates.

Upon a motion by Allman, seconded by Townsend and approved unanimously it was

RESOLVED to adjourn the meeting at 5:50 p.m.

Respectfully submitted:

Alice Albrecht, Licensing Examiner

Approved:

Sammye Pokryfki, Chair
Board of Social Work Examiners

Date: _____