

IDAHO BOARD OF SOCIAL WORK EXAMINERS
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 3/8/2022

BOARD MEMBERS PRESENT: Virginia K Dickman - Chair
Dr. Donna Lynn Schmid
Dr. Alex Zamora
Jeri Perkins
Lynnet R Keeley

BOARD MEMBERS ABSENT: April Christenson

DIVISION STAFF: Anne Lawler, Bureau Chief
Kent Absec, Licensing Program Manager
John Price, Investigative Unit Manager
Nicholas Krema, General Counsel
Cesley Metcalfe, Board Support Supervisor
Debbie Sexton, Management Assistant
Marcie Rightnowar, Appeals & Hearing Technician
Allegra Earl, Licensing Supervisor
Lizzie Kukla, Licensing Supervisor
Debi Casto, Licensing Specialist

OTHERS PRESENT: Tyler Williams, Naylor and Hales
Katie Fidrych, Licensed Master Social Worker

The meeting was called to order at 9:00 AM MST by Virginia K Dickman.

AMENDED AGENDA

Dr. Zamora made a motion to approve the first amended agenda. It was seconded by Ms. Keeley. Motion carried.

INTERIM CHAIR

Dr. Schmid made a motion to elect Dr. Zamora as interim Chair. It was seconded by Ms. Perkins. Motion carried.

INTRODUCTIONS

Ms. Lawler introduced herself as the Occupational Licenses Bureau Chief and Executive Officer of the Board; Nicholas Krema as General Counsel; John Price as the Investigative Unit Manager; Kent Absec as the Licensing Unit Program Manager; Cesley Metcalfe as the Board Support Supervisor; Bonnie Dodson and Christian Runnalls as Board Support Specialists; Debbie Sexton as the Management Assistant; Allegra Earl as a Licensing Supervisor, and Debi Casto as a Licensing Specialist for the Board.

APPROVAL OF MINUTES

Dr. Schmid made a motion to approve the minutes of 10/26/2021 as written. It was seconded by Ms. Keeley. Motion carried.

CONFERENCE ATTENDANCE

The Board discussed the upcoming Association of Social Work Boards (ASWB) conference. Dr. Schmid made a motion that the Board pay expenses for two Board members and one staff member to attend the conference. Dr. Schmid rescinded the motion. Ms. Dickman made a motion that the Board pay expenses for one Board member and one staff member to attend the conference, or to pay expenses for two Board members to attend the conference if the staff member is awarded a scholarship to attend the conference. It was seconded by Dr. Schmid. Motion carried.

SUPERVISION PLANS

The Board discussed supervision plans. Mr. Absec will work with Dr. Schmid, Dr. Zamora, and Division staff to develop a form that will continue to streamline the process.

LAWS AND RULES

Ms. Lawler presented a legislative update. She explained the history and purpose of Zero-Based Regulation (ZBR) and stated that the Board is not scheduled to perform its rule chapter review this year. Ms. Lawler also stated that she is following Senate Bill 1328 which amends the Idaho Telehealth Access Act to clarify interactions that qualify as telehealth services sufficient to establish a prescriber-patient relationship.

DIVISION UPDATES

Ms. Lawler informed the Board that the third organizational chart showing all employees is complete and posted to the Division's website. She also stated that the move to the Division's permanent office space is expected to occur in July 2022.

FINANCIAL REPORT

The Board reviewed a financial memo from Administrator Russ Barron. Ms. Lawler stated that a financial report was unavailable due to issues created by the consolidation of multiple financial systems within the Division but is hoping to have a financial report at the next meeting.

MEETING DATES

The Board scheduled the following future meeting dates:

May 17, 2022, at 9:00 AM MDT

August 30, 2022, at 9:00 AM MDT

November 22, 2022, at 9:00 AM MST

BOARD MEMBER TRAINING

The Board Member training was tabled until the next meeting.

COMPLAINT MEMORANDUM

Mr. Price gave the investigative report, which is linked above.

EXECUTIVE SESSION

Ms. Dickman made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Ms. Keeley. The vote was: Dr. Zamora, aye; Dr. Schmid, aye; Ms. Dickman, aye; Ms. Keeley, aye; and Ms. Perkins, aye. Motion carried.

Ms. Dickman made a motion to come out of executive session. It was seconded by Ms. Keeley. Motion carried.

DISCIPLINE

Ms. Dickman made a motion to close case numbers SWO-2021-14; SWO-2022-4; and SWO-2022-12 with an advisory letter. It was seconded by Ms. Perkins. Motion carried.

Ms. Dickman made a motion to close case number SWO-2022-1. It was seconded by Ms. Perkins. Motion carried.

Ms. Perkins made a motion regarding case number SWO-2021-8 to authorize a Corrective Action Plan (CAP) that requires the Respondent to take 15 continuing education credits covering ethics and mandatory reporting documentation and related issues of professionalism. Upon completion of those courses the Respondent must attend a Board meeting in person or virtually to discuss what they learned. The timeframe to complete this task is six months from the date the CAP is signed. It was seconded by Dr. Zamora. Motion carried. Ms. Dickman abstained.

Mr. Williams presented Stipulation and Consent Orders in case numbers SWO-2021-9 and SWO-2021-13. Ms. Dickman made a motion to approve the Consent Orders and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. Perkins. Motion carried.

Mr. Williams presented a Stipulation and Consent Order in case numbers SWO-2021-4 and SWO-2022-2. Ms. Dickman made a motion to approve the Findings of Fact, Conclusions of Law and Final Order and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. Perkins. Motion carried.

FOR BOARD DETERMINATION

Ms. Dickman made a motion to approve the Division's recommendation and authorize closure in the following case numbers:

I-SWO-2019-11	I-SWO-2020-14
I-SWO-2019-13	I-SWO-2021-40
I-SWO-2019-14	I SWO-2021-46
I-SWO-2019-16	I-SWO-2021-48
I-SWO-2019-38	I-SWO-2021-50
I-SWO-2020-7	I-SWO-2022-10
I-SWO-2020-13	I-SWO-2022-16

And to authorize a Corrective Action Plan (CAP) in case number I-SWO-2021-42 that requires the Respondent to take three continuing education credits covering ethics and dual relationships. Upon completion of those courses the Respondent must attend a Board meeting in person or virtually to discuss what they learned. The timeframe to complete this task is six months from the date the CAP is signed.

It was seconded by Dr. Schmid. Motion carried.

Mr. Price presented a Stipulation and Consent Order in case number SWO-2022-11. Ms. Dickman made a motion to approve the Findings of Fact, Conclusions of Law and Final Order and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. Keeley. Motion carried.

EXECUTIVE SESSION

Dr. Schmid made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Ms. Perkins. The vote was: Dr. Zamora, aye; Dr. Schmid, aye; Ms. Dickman, aye; Ms. Keeley, aye; and Ms. Perkins, aye. Motion carried.

Ms. Dickman made a motion to come out of executive session. It was seconded by Ms. Perkins. Motion carried.

APPLICATIONS

Ms. Dickman made a motion in response to applicant # 901188935 pursuant to Idaho Code 67-9410 that the Board finds no reason that this applicant would be precluded from licensure given the information regarding the criminal offenses that were provided in the accompanying application materials. It was seconded by Dr. Schmid. Motion carried. Ms. Keeley was opposed.

Ms. Dickman made a motion to table the application for applicant # 901052555 due to the application being incomplete. Ms. Dickman rescinded the motion. No further action was taken. The Board requested Division staff to follow-up with the applicant.

Ms. Dickman made a motion to deny applicant # 901111435 pursuant to Idaho Code 54-3211(6) for being found guilty of unprofessional conduct by the rules established by the Board and Idaho Code 54-3211(7) for having had a license or registration to practice social work revoked, suspended, or otherwise disciplined in any state, territory, or county. Based on the evidence presented, the Board found that the applicant has not learned from nor accepted responsibility for her prior violations, all of which pose a risk to the health, safety, and welfare of the public. It was seconded by Ms. Perkins. Motion carried.

Ms. Perkins made a motion to deny the supervision plan as written for applicant # 901150189 due to not meeting clinical components for supervision. It was seconded by Dr. Schmid. Motion carried.

Ms. Dickman made a motion to approve the request of applicant # 901136002 for an extension to complete supervision. It was seconded by Ms. Perkins. Motion carried.

BOARD BUSINESS

The Board discussed the use of the Utah clinical exam for the MSW license in Idaho. The Board reviewed rule 350.01.b which states "*Masters level candidates are required to successfully pass the master's examination.*" No further action was taken.

Ms. Dickman made a motion to make the appropriate corrections in Rule 350. It was seconded by Ms. Keeley. Motion carried.

NEXT MEETING was scheduled for May 17, 2022, at 9:00 AM MDT.

Dr. Zamora adjourned the meeting at 12:52 PM MST.