



State of Idaho
Division of Occupational and Professional Licenses
Idaho Board of Social Work Examiners

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Minutes of 5/23/2023

Board Members Present: Dr. Alex Zamora - Chair
April Christenson
Lynnet R Keeley
Virginia K Dickman
Brandi Warnke

Division Staff: Cesley Metcalfe, Executive Officer
Greg Loos, Legal Counsel
Skip Liddle, Investigative Supervisor
Debi Casto, Licensing Specialist
Emily Rough, Board Support Specialist

Board Members Absent: Jeri Perkins

Others Present: Eric Nelson, Board Prosecutor

The meeting was called to order at 9:00 AM by Dr. Alex Zamora.

Introductions

Brandi Warnke introduced herself as a new Board member.

Approval of Minutes

A motion was made and seconded to approve the 02/28/2023 minutes. The motion carried unanimously.

DIVISION BUSINESS

2023 Legislative Session: Ms. Metcalfe presented a legislative update on House Bill 61, House Bill 63, and Senate Bill 1109.

Financial Update: Ms. Metcalfe provided the Board with a financial update.

Website Update: Ms. Metcalfe presented the updated Board website and explained that the goal is to make it more user-friendly and to drive licensees to the website for information.

BOARD BUSINESS

Conference Update: Ms. Keeley provided an update on her recent attendance at the Association of Social Work Boards Education Conference.

Final Supervision Report Form: The Board reviewed an updated supervision form that better aligns with the experience requirements. A motion was made and seconded to approve the new supervision report form. The motion carried unanimously.

Licensing Report: Ms. Metcalfe presented a report on applications received and licenses issued and renewed by staff since the last meeting.

Applications

A motion was made and seconded to deny the appeal for supervision hours from LMSW-42214. The motion carried unanimously.

A motion was made and seconded to approve application SWOA-43341. The motion carried unanimously.

Zero-Based Regulation: The Board discussed the comments that were made during the negotiated rulemaking session. There were multiple comments of concern regarding eliminating supervisor registration and the allowable timeline for sexual relationships between practitioners and clients. The Board had the following discussion around specific rules:

Rule 351 – Continuing Education: The Board continued its conversation from the previous meeting regarding the efficacy of continuing education and whether it actually helps practitioners maintain competency. The Board discussed whether it would be more beneficial to require continuing education on specific topics, such as ethics and suicide intervention. There was also conversation about how non-practicing licensees remain up-to-date and proficient when they are not getting the same level of experience throughout the year as licensees who are actively practicing. Mr. Loos pointed out that Rule 450.03 requires that social workers must practice in a competent manner consistent with their education and that they can only practice within new areas or use new techniques or approaches after engaging in the appropriate study or training. This language ensures that even without required continuing education, practitioners must maintain the appropriate level of education to practice competently, or they may be subject to discipline. No changes were made and the Board stated that it will continue the conversation at the next meeting.

Rule 450.01.i. – The Social Worker’s Ethical Responsibility to Clients: The Board reviewed the National Association of Social Workers (NASW) Code of Conduct (Code) in regard to sexual relationships. The NASW Code explicitly prohibits any sexual relationship between a practitioner and a client. The Idaho rule allows a sexual or romantic relationship after three years have passed since the social work services ended. The Board discussed the size of the state and the fact that there are many small rural communities in which it may be unreasonable to prohibit an intimate relationship into perpetuity. No additional changes were made.

Public Comment: Delmar Stone, National Association of Social Workers asked for clarification on the proposed continuing education requirements.

Executive Session

A motion was made and seconded to enter 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. The vote was: Dr. Zamora, aye; Ms. Dickman, aye; Ms. Warnke, aye; Ms. Christenson, aye; and Ms. Keeley, aye. The motion carried unanimously.

A motion was made and seconded to exit executive session. The motion carried unanimously. No decisions were made in executive session.

Discipline

A motion was made and seconded to close case numbers SWO-2022-32 and I-SWO-2023-29. The motion carried unanimously.

A motion was made and seconded to authorize the prosecuting attorney to negotiate a Stipulation for case number I-SWO-2023-26 and to authorize the Board chair to sign on behalf of the Board. The motion carried unanimously.

A motion was made and seconded to close case number SWO-2022-20 with an advisory letter. The motion carried unanimously.

A motion was made and seconded to approve the signed stipulation for case number SWO-2023-12 and to allow the Board chair to sign on behalf of the Board. The motion carries unanimously.

Adjourn

There being no further business, the meeting was adjourned at 12:13 PM.

The next meeting is on 06/27/2023.

DRAFT