

**Minutes of the Meeting of the  
Louisiana State Board of Social Work Examiners**

**January 16, 2009**

Wade Tyler, LCSW, Chairman, called the meeting to order at 9:03 a.m., Friday, January 16, 2009, in the Conference Room at the Board office located at 18550 Highland Road, Suite B, Baton Rouge, Louisiana. Emily Efferson, Administrator, and Regina Breaux, Administrative Assistant, were present for the meeting. Other individuals present for a portion of the meeting were Carmen Weisner, Joe Abel, Linda Kelly Woodruff, Missy Mitchell, Rachel Bourgeois, Jacqueline Shellington and Melanie Faust.

Roslyn Richardson, GSW, Secretary-Treasurer, conducted roll call. Board members present were Roslyn Richardson, GSW, Michael Hickerson, RSW, John McBride, LCSW, Hope Himel-Benson, LCSW, Evelyn Jenkins, LCSW, Barbara Ponson, Public Member and Wade Tyler, LCSW.

**AGENDA**

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to add ASWB Spring Education Meeting under 8F, Board/Staff Issues. Votes for accepting amended agenda: Roslyn Richardson yes, Michael Hickerson yes, Hope Himel-Benson yes, Barbara Ponson yes, Evelyn Jenkins yes, John McBride yes, and Wade Tyler yes.

**PRESENTATION OF CONSENT AGREEMENT & ORDER**

Emalie Boyce, Assistant Attorney General presented the board with a Consent Agreement and Order. The Consent Agreement and Order had been presented and agreed to by Gloria Solorzano, GSW, in resolution of Complaint #2009-15. Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to accept the Consent Agreement and Order as presented.

**PUBLIC COMMENTS**

Carmen Weisner, Executive Director of NASW-LA Chapter, reported on several issues. She informed the board that the NASW has a sponsorship with the Baton Rouge Business Report. There will be an insert in the November publication with a full page ad showcasing the social work profession including the diversity of services that social workers provide. Ms. Weisner is currently sitting on a Technical Advisory Committee to redesign Medicaid billing. Currently social workers are not allowed to independently bill for Medicaid services. She also reminded the board about the upcoming NASW Annual Conference that will be held April 1-3, 2009.

Linda Kelly-Woodruff, LCSW, voiced her concerns about unethical billing practices and possible exploitation of social workers. She reported that she has knowledge of social workers that are in private practice changing their fees for services without giving advance notice to their clients. Dr. Kelly-Woodruff also stated that she is aware of social workers that are in private practice renting out office space to other professionals

on a 60/40 pay scale. She stated that she is very concerned that this could be exploiting social workers that do not have previous experience with private practice. Dr. Kelly-Woodruff recommends private practice mentoring.

### **MINUTES**

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to accept the December 12, 2008 minutes as presented.

### **DECLARATORY JUDGMENT**

The board received a request for declaratory judgment regarding the application of Rule 905(C) specific to the handling of a particular complaint investigation. Board members sought assistance from its legal counsel in responding to the request for a declaratory judgment. Board members reviewed facts only as to the handling of the investigation and ruled that based on the record of the case there has been substantial compliance with Rule 905.

### **FINANCIAL REPORT**

Board members reviewed the financial statement for the month ending November 30, 2008. Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to accept the November 30, 2008 financial statement.

### **CORRESPONDENCE**

Board members reviewed correspondence submitted by **Julie Landry, LCSW** asking whether an unlicensed MSW can supervise a LCSW. The board advised Ms. Landry that the Practice Act does not allow an individual to practice social work in the state unless the individual holds a current credential issued by the board. The board informed Ms. Landry that she is mandated to report any practice or activity that is in violation of the Louisiana Social Work Practice Act. Ms. Landry also asked if this individual is responsible for her social work practice. Ms. Landry was advised to refer to the administrative procedures established for the agency to address that issue.

Motion was made by Roslyn Richardson, seconded by Hope Himel-Benson and unanimously carried, to deny the request made by **Dawne Moffett, MSW** to reinstate her Provisional GSW. Ms. Moffett's Provisional GSW has been suspended for not completing the terms of the Consent Agreement and Order that she was issued for working more than 120 days without a credential. The board informed Ms. Moffett that they will reconsider reinstating her Provisional GSW once she has completed the terms of the Consent Agreement and Order.

Board members reviewed correspondence submitted by **Sara Jane Hyde, LCSW** requesting the board's opinion regarding several issues. Some of Ms. Hyde's questions did not fall under the purview of the board as they were legal in nature. The questions about confidentiality exceeded the general rules regarding confidentiality of a client. The social worker must decide if the situation rises to a level that confidentiality should be broken. The board recommended that Ms. Hyde consult with an attorney with the

Children's Advocacy Center. It was also recommended that she review HIPAA Standards, the Children's Code and her agency's internal policies and procedures.

**Sara Jane Hyde, LCSW** also sent the board correspondence relative to a social work colleague's medical retirement. Board members requested that staff advise Ms. Hyde that the Law and Rules do not provide for a retired status nor do they allow for extensions to collect continuing education. In regard to the colleague's records, it was recommended that she and the colleague's husband, who has power of attorney, enter into a written agreement that Ms. Hyde will maintain the records for a prescribed period.

Board members reviewed correspondence submitted by **Jamie Richard, LCSW** requesting the board's opinion concerning mandatory reporting and scope of practice. Ms. Richard disclosed that she has knowledge of a LCSW that has written medication orders for residents at a partial hospitalization program. Ms. Richard expressed concern about mandatory reporting and anonymity. The board informed Ms. Richard that writing medication orders is outside of the scope of practice of a social worker and that according to LA R.S. 37:2717 (8), she is mandated to report this violation. She advised the board that she is apprehensive to file a complaint because of possible legal ramifications. She was informed that she has protection under LA R.S. 37:2723 (A)(2), unless the complaint is deemed malicious.

Board members reviewed correspondence submitted by **Deidre D. Hayes, LCSW**. Ms. Hayes submitted correspondence to the board office after reading the "It's the Law" memorandum sent out to all social workers. Ms. Hayes suggested the board engage the universities to inform the students about the laws and rules for social workers. She also suggested the board educate the individual agencies that employ social workers. Ms. Hayes was advised that board staff does accept invitations from undergrad and graduate social work programs to inform the graduating social work students of the Louisiana Social Work Practice Act and the Rules, Standards and Procedures.

Board members reviewed correspondence submitted by **Eileen A. Burke, LCSW**. Ms. Burke requested the board advise her in writing regarding the rules and regulations governing relationships with former clients. The board cited the rules that specifically address social work relationships in the Rules, Standards and Procedures. Ms. Burke was referenced to Rule 113 A (5) & B.

Board members reviewed correspondence submitted by **Gregory Hebert, GSW** requesting advice about his current situation where a family member has been admitted into the program that he is employed. The board reminded Mr. Hebert of the rules that address social work relationships and encouraged him to take precautions to insure confidentiality. The board recommended that he continue to keep the family member in a co-worker's group if at all possible.

## **BOARD/STAFF ISSUES**

**Board Orientation Workshop Evaluation Overview-** Emily Efferson and Penny Ramsdell, PhD, LCSW-BACS, presented “Orientation for Board Approved Clinical Supervisors” on Friday, December 19, 2008. This presentation received favorable evaluations.

**Presentation for NASW-LA Annual Conference-** Michael Hickerson, Roslyn Richardson and Jacqueline Shellington presented an outline of the ethics workshop that will be presented at the NASW conference in April. The presentation will be finalized by the next board meeting scheduled for February 27, 2009.

Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to take a **recess** at 12:15 for lunch. The meeting reconvened at 1:00.

**Discussion of Language for Consent Agreement & Order-** Roslyn Richardson presented language that a respondent’s attorney wants to include in client’s Consent Agreement and Order to see if the board would be agreeable to including verbiage that says that “the admissions and finding will not be used in any other forum”. The board members were not agreeable to suggested language.

**ASWB 2009 Board Member Training Schedule–** Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to send Hope Himel-Benson and John McBride to ASWB’s Board Member Training in June, 2009 and Evelyn Jenkins and Barbara Ponson to ASWB’s Board Member Training in August, 2009.

**ASWB Membership–** Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to authorize Emily Efferson to pay the ASWB membership fee of \$1,500.00.

**ASWB Committee Appointment- ACE Committee-** Board members reviewed a letter from Charlotte McConnell, President of ASWB, that Michael Hickerson has been appointed to the ASWB Approved Continuing Education (ACE) Committee for 2009.

**Suggested Language for IOC regarding law changes-** Discussion was tabled until next board meeting scheduled for February 27, 2009.

## **CONSENT AGREEMENT AND ORDERS FOR WORKING OVER 120 DAYS**

Motion was made by Michael Hickerson, seconded by Evelyn Jenkins and unanimously carried, to lift the suspension from **Brandy Klingman’s** Graduate Social Work certification because Ms. Klingman has submitted evidence that she completed the terms of her Consent Agreement and Order.

**EXECUTIVE SESSION**

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to move to Executive Session at 4:05 p.m. for the following reasons:

to discuss the character, professional competence, or physical or mental health of a person, provided that such person is notified in writing at least twenty-four hours before the meeting,

and for investigative proceedings regarding allegations of misconduct.

Chairman Wade Tyler asked Jacqueline Shellington to remain for Executive Session. Votes for going into Executive Session: Roslyn Richardson yes, Michael Hickerson yes, Hope Himel-Benson yes, Evelyn Jenkins yes, John McBride yes, Barbara Ponson yes, and Wade Tyler yes.

Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to come out of Executive Session at 6:47 p.m. to make the following motions:

**MONITORING REPORT – Impaired Professional Program**

A monitoring report was not available for board members to review. The IPP Manager was unable to provide a report because of a family emergency.

Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to authorize Wade Tyler to contact Randall Griffith on behalf of the board regarding the administration of the program.

Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to authorize Emily Efferson to hire a second person to assist with the administration of the program at the same hourly contract rate of the current program manager.

**MONITORING REPORT – Disciplinary**

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to accept the disciplinary report.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to accept the supervision report submitted for Gary Burns, LCSW.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to accept the supervision report and letter recommending termination of supervision submitted for Laurie Nussbaum, LCSW.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to release Laurie Nussbaum, LCSW, from the requirements of her Consent Agreement and Order as she has successfully completed all terms.

### **NEW COMPLAINTS**

Motion was made by Michael Hickerson, seconded by Evelyn Jenkins and carried by majority vote, to request a written response to **Complaint #2009-82** which alleges possible violations of Rule 117(A). Hope Himel-Benson abstained from the vote.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to send **Complaint #2009-83** for investigation of possible violations of Rule 107(B) and Rule 115(A).

Motion was made by Michael Hickerson, seconded by Hope Himel-Benson and unanimously carried, to send **Complaint #2009-84** for investigation of possible violations of La. R.S. 2717(A)(1).

Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to not accept **Complaint #2009-85** as it was submitted anonymously and appeared to have no merit.

### **PENDING COMPLAINTS**

Motion was made Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to set the hearing in the matter of **Complaint #2008-33** for April 3, 2009.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2009-05** as there was no violation of the Louisiana Social Work Practice Act or Rules, Standards and Procedures.

**Complaint #2009-57** will be continued to February 27, 2009.

### **RENEWAL APPLICATIONS**

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to deny the request for an extension to obtain continuing education hours submitted by **John M. Cook, LCSW**. The board advised Mr. Cook that they would consider allowing him to complete more than ten (10) hours of continuing education via on-line courses. The last day that he can renew is February 28, 2009.

Motion was made by Michael Hickerson, seconded by Evelyn Jenkins and unanimously carried, to deny the renewal application submitted by **Christina Beauregard, MSW**. The board advised Ms. Beauregard that she is required to re-apply for the GSW since her certification lapsed on August 31, 2007.

Motion was made by John McBride, seconded by Michael Hickerson and unanimously carried to allow **Stanley Denton, LCSW**, to enter the Impaired Professionals Program.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried to accept **Stanley Denton's** application for renewal of his LCSW conditional of his entry in the Impaired Professional Program.

Board members reviewed correspondence from **Julian Toups, LCSW** requesting the board consider a "retired status" for social workers that have retired. The board advised Mr. Toups that all due diligence was given to reconsidering a "retired status." The IOC chose not to pursue this status because the board's role is to protect the public and it would be difficult to monitor those that do not have active licenses.

### **APPLICATIONS**

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to deny **Laura Burnett**, Licensed Clinical Social Work licensure through endorsement. The Massachusetts board did not verify that she has completed the required 3,840 hours of work experience while being supervised by the equivalent of an LCSW-BACS. She was offered a compliance hearing.

Motion was made by John McBride, seconded by Michael Hickerson and unanimously carried, to deny **Stephen Binz**, Licensed Clinical Social Work licensure through endorsement. The Arkansas board did not verify that she he completed the required 5,760 hours of work experience. He was offered a compliance hearing.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to deny **Vanice Zenon**, approval to sit for the examination for Licensed Clinical Social Worker. The record of supervision did not verify that she has completed the required supervision to be eligible to take the examination for LCSW. She was offered a compliance hearing.

Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to request additional information from **James Ghere** to further consider his application for Graduate Social Worker certification. His request will be tabled until all requested information has been submitted for review.

Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to grant the following applicants registration as a **Registered Social Worker**:

Rebecca Burton	Sarah Dean
Susan Foil	Mark Heine, Jr.
Janet Johnson	LaShonda Littleton
Anthony McGrew	Vinita Martin
Ashleigh Stevens	David Vogt
Denise Williams	

Motion was made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried to approve the following applicants to sit for the ASWB Masters examination for certification as a **Graduate Social Worker**:

Dana Cousins	Emily Croker
Amelia Doty	Erica Hauben
Shelly Johnson	Ngawang Legshe
Rachel Luria	Rebecca Mills
Courtney Owen	Eola Roy
Latoyia Sears	Patricia Smith-McClinton
Rachal Wille	Saundra Richardson

Motion was made by John McBride, seconded by Michael Hickerson and unanimously carried, to approve the following applicants to sit for the ASWB Advanced Generalist or Clinical exam for licensing as a **Licensed Clinical Social Worker**:

Donna Beason	Brenda Gantt
Carolyn Hall	Dale Ivey
Direne Johnson	Lisa LaRochelle
Mona Marcum	

Motion was made by Evelyn Jenkins, seconded by Barbara Ponson and unanimously carried, to **adjourn** the meeting at 7:00 p.m.

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Wade Tyler, PhD, LCSW  
Chairperson

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Roslyn Richardson, GSW  
Secretary-Treasurer