

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

May 15, 2009

Wade Tyler, LCSW, Chairman, called the meeting to order at 9:05 a.m., Friday, May 15, 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 entire meeting. Other individuals present for a portion of the meeting were Lindsey Hunter, Carmen Weisner, Margery Williams, and Betty Briggs.

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, Wade Tyler, LCSW, and Evelyn Jenkins, LCSW.

AGENDA

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to move 5c, to the end of correspondence to allow Angela Tyrone time to be present while her correspondence is being reviewed. Votes for accepting amended agenda: Roslyn Richardson yes, Michael Hickerson yes, Hope Himel-Benson 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 previously presented and agreed to by Brett Quantrille, LCSW, in resolution of Complaint #2009-31. Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to accept the Consent Agreement and Order as presented.

MINUTES

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to accept the minutes for the April 3, 2009 meeting with a revision under Correspondence – Special Agent Roger Jones to include that Mr. Jones was given a voided LCSW wall certificate to be used as evidence in an ongoing alleged fraud case by the US Department of Defense.

PUBLIC COMMENTS

Carmen Weisner, Executive Director of NASW-LA Chapter, reported on several issues. She informed the board that the NASW will be holding two Board Approved Clinical Supervisors workshops in New Orleans in June, 2009. Supervision workshops will also be offered in Shreveport, Louisiana in the fall. They are currently watching HB837 which will potentially be a merger of the Office of Addictive Disorders (OADD) with the Office of Mental Health.

CORRESPONDENCE

Board members reviewed correspondence submitted by **Kelli Cook, LCSW** regarding her employment with a church. Ms. Cook had questions regarding appropriate referral, mentorship and confidentiality. Board members cautioned her about dual relationships; however, it was not clear from the correspondence if Ms. Cook attends the church in which she is employed. Members of the board advised that as she has described her functions at the church, it appears that she is providing spiritual direction rather than filling a social worker role. Also, Ms. Cook was advised that she must develop a referral procedure.

Board members reviewed correspondence submitted by **Helen Miller, LCSW** asking if there is a conflict of interest for social workers employed by and working in a courthouse with domestic/family judges, in the same jurisdiction to perform court ordered custody evaluations. Ms. Miller was advised that there is the possibility of a perceived conflict of interest.

Board members reviewed correspondence submitted by **Donna Canezaro**. Ms. Canezaro provides calligraphy services to the board. She notified the board that she is increasing her fee to calligraphy certificates by \$1.25 which brings her rate to \$3.75 per certificate and to include a \$10.00 delivery fee.

Board members reviewed correspondence submitted by **Tarsha White, LCSW**, asking if a social worker can administer the "finger prick blood test" for HIV/AIDS after participating in a two day in-service training. The board informed Ms. White that a social worker can perform this test if they are appropriately trained. If the social worker does not feel competent in administering this test then they should discuss that with the employing agency.

Motion was made by Roslyn Richardson, Seconded by Michael Hickerson and unanimously carried, to approve **Lynne Robinson, LCSW**, to complete all of her continuing education hours via distance learning. Ms. Robinson provided the board with documentation of her medical condition. She was advised that all courses must be pre-approved by a pre-approval organization and if not pre-approved, she must use the guide for assessment to determine acceptability.

Board members reviewed correspondence submitted by **Janet Genry**. She stated that she and her husband were defendants in a civil suit regarding a custody matter. Court documents indicated that the child custody evaluator forwarded to the judge emails received from the plaintiff. She asked the board if it was permissible for the child custody evaluator to send the emails. The board informed her that social workers are required to disclose limits of confidentiality at the start of the professional relationship. She was directed to the Rules, Standards and Procedures 115(D)(5), Limits of Confidentiality.

Board members reviewed correspondence submitted by **Gale Nadler, Medicaid Program Supervisor**, asking for a representative from the board to attend the Joint Training Conference and give a brief presentation about the Louisiana State Board of Social Work Examiners. Emily Efferson, Administrator, will be attending and presenting at the conference that is being held June 11 -12, 2009.

Board members reviewed correspondence submitted by **Dana Papania, LCSW**, requesting additional guidance for billing practices as a private practitioner other than what is stated in Rule 121 of the Rules, Standards and Procedures. She also asked if a private practitioner can have a set fee for therapies for private pay clients, insurance billing and also offer a sliding scale fee to those without insurance or who chose not to use their insurance. She was advised that there are not other rules or standards that address fees and billing practices and she should inform her clients of her fees prior to service. The board made reference to professional organizations that may offer her additional resources.

Motion was made by John McBride, seconded by Roslyn Richardson and unanimously carried to deny **Dean Christian Molidor's** request that the board hold a special meeting to approve MSW graduates' applications for Graduate Social Worker certification. Board members agreed that the 2009 board meeting dates that were established took into consideration the need to expedite GSW applications for new graduates to not unduly delay their employment eligibility. However, the board also indicated that it would be impractical to schedule special meetings to accommodate MSW graduates as each university has different commencement dates. The board meetings are set for the calendar year at the last meeting of the previous year. The next scheduled board meeting is June 19, 2009.

Board members reviewed correspondence submitted by **Deborah Ott, LCSW**, and advised Ms. Ott that Raymond LeBleu is not licensed to practice social work in Louisiana. Because the board has no knowledge of an "Allied Mental Health Care Provider Notice of Ninth Amendment Rights" they will request a legal opinion from their attorney.

Board members reviewed correspondence submitted by **Janet Michels, LCSW**. Ms. Michels presented the board with two issues: job protection and the practice of an unlicensed social worker. The board advised Ms. Michels that all social workers must be licensed to practice social work in the state of Louisiana. She was referred to 37:2707(C) of the Louisiana Social Work Practice Act for the extensive list of duties that fall within the scope of practice of a social worker. Job protection falls outside the purview of the board. This issue should be addressed to the professional organizations.

Board members reviewed correspondence submitted by **Anjeanne Weiss, LCSW**, and advised Ms. Weiss that given the statements she submitted to the board, it does not appear that the person referred to in her correspondence was a client or that a clinical relationship was established.

Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried to approve the request by **Lynelle Whipple**, to waive the mailing list fee for a BACS training that is being conducted in June 2009. This is a one time fee waiver that will expire on May 15, 2010, and is not to exceed \$50.00. This one time fee waiver is being offered to all organizations providing BACS trainings as per the request from the board to offer such trainings.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried to approve a one time waiver of the 90 days to test for Trinaee Babienaux at the request of **Barry LaFleur, LCSW**. Ms. Babineaux submitted evidence that she must retest prior to the 90 day waiting period to maintain her employment.

Motion was made by John McBride, seconded by Evelyn Jenkins and unanimously carried to approve a one time waiver of the 90 days to test for **Maxine Hamilton, MSW**. Ms. Hamilton submitted evidence that she must retest prior to the 90 day waiting period to maintain her job.

Board members reviewed correspondence submitted by **Elaine Kalka, LCSW**, asking if a GSW or Provisional GSW, under the supervision of a LCSW can render a provisional diagnosis. The board advised Ms. Kalka that a Provisional GSW or GSW may only render those services if they are under the supervision of a LCSW.

Board members reviewed correspondence submitted by **Lori Bird, MBA**. She requested a board opinion on an agency sending clients to a collection agency for failure to pay for services provided. Ms. Bird was advised that the board does not have purview over an agency and therefore cannot dictate agency business practice.

Board members reviewed sponsorship information sent by **Carmen Weisner, Executive Director of NASW-LA**, regarding the 2010 annual conference. Motion was made by Roslyn Richardson, seconded by Hope Himel-Benson and unanimously carried to, exhibit at the 2010 NASW-LA Annual Conference at the "Exhibitor Sponsorship" level.

Board members reviewed correspondence submitted by **Angela Tyrone, LCSW** and advised Ms. Tyrone that the Louisiana Social Work Practice Act and the Rules, Standards and Procedures does not include language that prohibits social workers from determining if a student has been properly instructed in reading or from assisting with the annual State Standardized tests (iLEAP and LEAP).

EXECUTIVE SESSION

Motion was made by Roslyn Richardson, seconded by John McBride and unanimously carried, to go in to Executive Session at 12:30 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.

Votes for going in to Executive Session: Wade Tyler, yes; Michael Hickerson, yes; Roslyn Richardson, yes; Hope Himel-Benson, yes; John McBride, yes; Evelyn Jenkins, yes.

Motion was made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried, to come out of Executive Session at 3:10 p.m. to take the following actions:

Personnel Committee Report

Michael Hickerson reported to the board that the personnel committee is planning their first meeting date. He also reported that Emily Efferson has been working on an employee handbook. The committee members will be reviewing this handbook.

Letter of Appeal

Motion was made by Roslyn Richardson, seconded by John McBride and unanimously carried, to deny **Josephine Oubre's** request to waive the previous board's decision to require a psychological evaluation. She was informed that because her RSW has lapsed she must file an updated application. The board has stated that they will deny her application and offer her a compliance hearing.

Monitoring Reports

Motion was made by Michael Hickerson, seconded by John McBride and unanimously carried, to accept the report submitted by Sherril Rudd, IPP Manager.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to accept the supervision proposal submitted for OA-08.

Motion was made by Roslyn Richardson, seconded by Hope Himel-Benson and unanimously carried, to release AE-07 from the Impaired Professional Program.

Motion was made by Roslyn Richardson, seconded by Hope Himel-Benson and unanimously carried, to release JP-07 from the Impaired Professional Program.

Motion was made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried, to require AN-02 to undergo a psychological evaluation.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to prohibit FC-09 from practicing social work until compliance with the IPP Participation Agreement is met.

Motion was made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried, to send Donna Hulseley a certified letter that she has 15 days in which to comply with the terms of her Consent Agreement and Order.

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

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

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to accept the supervision report submitted for Sherry Johnson, GSW.

Motion was made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried, to grant Linda Phillips, LCSW, two hours of continuing education credit towards the hours she owes in the area of record keeping for completing the online course, "Can't We Meet at Starbucks?".

Motion was made by Roslyn Richardson, seconded by John McBride and unanimously carried, to approve the supervision report submitted for Lesa Sharkey Schrimsher, LCSW.

Motion was made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried, to approve Sarah Pokorny, LCSW-BACS, to provide disciplinary supervision to Gloria Solorzano, GSW.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to release Christopher Velardo, LCSW, from disciplinary monitoring because he has successfully completed all terms of his Consent Agreement and Order.

New Complaints

Motion was made by Hope Himel-Benson, seconded by John McBride and unanimously carried, to send **Complaint #2009-136** for investigation of possible violations of Rule 107(A), 107(B), and La. R.S. 2717(A)(7) and 2717(A)(11).

Motion was made by Hope Himel-Benson, seconded by John McBride and unanimously carried, to send **Complaint #2009-137** for investigation of possible violations of Rule 111(G)(1), 111(G)(5), and La. R.S. 2717(A)(11).

Motion was made by John McBride, seconded by Roslyn Richardson and unanimously carried, to dismiss **Complaint #2009-138** for failure to rise to a level of violation of the Louisiana Social Work Practice Act or Rules, Standards and Procedures.

Compliance Hearing – Gwendolyn Muse Charles, MSW

Gwendolyn Muse Charles requested a compliance hearing to appeal the board's decision to deny her LCSW renewal application due to the affirmative answers on her renewal application. Ms. Charles' attorney, DeWayne Williams, also appeared and testified. Gwendolyn Charles testified that her pharmacy license is on probation until

2012, for not having a relationship with a doctor in order to fill prescriptions via internet. Ms. Charles was also charged with providing inaccurate information on a gaming license application. Mr. Williams advised the board that his client was acquitted on Wednesday, May 13, 2009 of that charge. Ms. Charles testified that she is not currently practicing social work because her license is not active.

Motion was made by Roslyn Richardson, seconded by Hope Himel-Benson and unanimously carried, to move to Executive Session at 3:25 p.m. for the following reason:

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,

Votes for going into Executive Session: Roslyn Richardson yes, John McBride yes, Evelyn Jenkins yes, Michael Hickerson yes, Hope Himel-Benson yes, and Wade Tyler yes.

Motion was made by John McBride, seconded by Roslyn Richardson and unanimously carried, to come out of Executive Session at 3:55 p.m. to make the following motion:

Motion was made by Roslyn Richardson, seconded by John McBride and carried by majority vote to accept Ms. Charles' request to process her renewal application pending receipt of documentation of acquittal of all charges that occurred on May 13, 2009. Michael Hickerson abstained from the vote.

Board/Staff Issues

Renewal Update

Carmen Quebedeaux presented the board with an update on the renewal process for social workers. Postcards will be mailed to notify licenses that they can renew online or download renewal forms from the board website.

“Regulatory Management of Chemically Dependent Health Care Practitioners” sponsored by Citizen Advocacy Center (CAC)

Motion was made by Michael Hickerson, seconded by Evelyn Jenkins and unanimously carried to send Sherril Rudd, IPP Manager, and Emily Efferson, Administrator, to the CAC conference to be held on June 17, 2009, in San Francisco, California.

COMPLIANCE HEARING – Chrissy Thomas

Chrissy Thomas requested a compliance hearing to appeal the board's decision to require her to enter into a Consent Agreement and Order for practicing social work without a credential.

Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to move to Executive Session at 4:40 p.m. for the following reason:

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,

Votes for going into Executive Session: Roslyn Richardson yes, John McBride yes, Evelyn Jenkins yes, Michael Hickerson yes, Hope Himel-Benson 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 4:45 p.m. to make the following motion:

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to deny Chrissy Thomas' request to waive the Consent Agreement and Order to obtain the Registered Social Worker registration.

Motion was made by Hope Himel-Benson, seconded by Roslyn Richardson and unanimously carried to **adjourn** the meeting at 4:50 p.m. Wade Tyler announced that the meeting would resume at 9:00 a.m. on Saturday, May 16, 2009.

Wade Tyler, LCSW, Chairman, called the meeting to order at 9:10 a.m., Saturday, May 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.

Roslyn Richardson, GSW, Secretary-Treasurer, conducted roll call. Board members present were Roslyn Richardson, GSW, Michael Hickerson, RSW, Wade Tyler, LCSW and Evelyn Jenkins, LCSW. Hope Himel-Benson, LCSW, arrived at 9:30 a.m. and John McBride, LCSW, arrived at 9:50 a.m.

Motion was made by Roslyn Richardson, seconded Evelyn Jenkins and unanimously carried, to move to Executive Session at 9:14 a.m. for the following reason:

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,

Votes for going into Executive Session: Roslyn Richardson yes, Evelyn Jenkins yes, Michael Hickerson yes, and Wade Tyler yes.

New Complaints

Motion was made by Roslyn Richardson, seconded by Hope Himel-Benson and carried by majority vote, to send **Complaint #2009-142** for investigation for possible violations of La. R.S. 2717(A)(7), 2717(A)(11), and Rule 107(B) and 111(G)(5). John McBride abstained from the vote.

Report of Social Workers Infraction in another State

Motion was made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried, to accept the information presented and to take no action.

Pending Complaints

Motion was made by Evelyn Jenkins, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2008-239** upon entry into the Impaired Professionals Program.

Motion was made by Evelyn Jenkins, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2009-75** with a letter of concern.

Motion was made by John McBride, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2009-99** as there was no violation of the Louisiana Social Work Practice Act or Rules, Standards and Procedures.

Motion was made by Hope Himel-Benson, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2009-104** with an informal letter of recommendation.

Motion was made by Hope Himel-Benson, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2009-105** as there was no violation of the Louisiana Social Work Practice Act or Rules, Standards and Procedures.

Motion was made by Hope Himel-Benson, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2009-123** as there was no violation of the Louisiana Social Work Practice Act or Rules, Standards and Procedures.

Motion was made by John McBride, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2009-129** as there was no violation of the Louisiana Social Work Practice Act or Rules, Standards and Procedures.

Applications

Motion was made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried to deny **Kathleen Coenson** the Licensed Clinical Social Worker license by Endorsement because she has not passed the ASWB Clinical or Advanced Generalist level examination and grant her approval to take the ASWB examination.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried to deny **Laura S. Meiki** the Graduate Social Worker certification by Endorsement. The board will grant Ms. Meiki approval to take the ASWB Masters level examination pending her signing a Consent Agreement and Order for working without a credential.

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

Joyce Aaron	CeCely Archield
Kamisha Atkins	Kira Bellizeare
Kenya Brown	Brandie Bruno
Ashley Cross	Breanna James
Delatris Jones	JoAnn Keith
AndersonLewis	Ade Kemi Osundare
Pauletta Phillips	Raquel Riche
Tundra Turner	Wanda 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**:

Ginger Carr	Courtney Clements
Jon Davidson	Julie Foreman
Latisha Hebert	Sonya Heisser
Sharon Hyatt	Charmaine Jones
Vickie Landry	Mirian Osadchey
Raven Strange	

Motion was made by Evelyn Jenkins, seconded by Hope Himel-Benson 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**:

William Arendell	Richard Bellamy
Ellen Boyer	Jamie Clark
Alicia Coley	Mary Faciane
Ilyse Goldberg	Sharon Hitchens
David Jennings	Kathleen Koch
Andrea Lemons	MeKisha McCraw
Kelli Maddox	Paula Rodriguez
Brad Bergeron	Chanell Williams
Jamie Scoggin	

Board/Staff Issues

FARB 17th Annual Attorney Certification Seminar

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried to send Emalie Boyce to the FARB conference being held October 2-4, 2009, in Chicago, Illinois.

Notification to the complainant that respondent will know who filed the complaint

Motion was made by Michael Hickerson, seconded by Hope Himel-Benson and unanimously carried to revise the complaint form and acknowledgement letter to include notice that the respondent will know who filed the complaint.

Issuing letters of concern

Board members requested that staff obtain information from George Papale relative to issuing public or private letters of concern in regard to reportable disciplinary action.

Update on website redesign

Board members discussed additions and revisions to the website. Requested additions included posting board minutes, Consent Agreement and Orders, and including a search engine on the homepage.

Email encryption

Board members requested the purchase of encryption software. In addition, they requested to be issued a board email address.

Report on ASWB Spring Education Meeting

Sarah Herrera, Administrative Assistant, submitted a written report from the Administrator Forum that she attended at the 2009 Spring Education Meeting held in Quebec City, Canada.

- 2009-2010 renewal season- post cards will be mailed out to notify licenses that they can renew online or download their renewal forms from the board website.
- Develop an online training for the Board Orientation Workshop that is required to become a Board Approved Clinical Supervisor.
- Board office will no longer accept personal checks.

Documentation of CE hours on certificates

John McBride reported that he received a certificate of attendance from NASW-LA. The workshop was advertised as a three hour BACS workshop. However, the educational offering did not meet for the required three hours. The board requested that NASW-LA be sent a letter requesting that in the future the certificates issued reflect the actual amount of time the workshop took place.

Board Orientation Workshop Evaluation Overview

Regina Breaux, Administrative Assistant, and Penny Ramsdell, PhD, LCSW-BACS, presented "Orientation for Board Approved Clinical Supervisors" on Friday, May 8, 2009. This workshop received favorable evaluations.

Consent Agreement and Orders-Practicing Without a Credential

Motion made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to issue a cease and desist order to **Dustin Ebanks** for failure to submit requested information pertaining to his RSW Application.

Motion made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to issue a cease and desist order to **Thebia Hudson** for failure to complete the terms of her Consent Agreement and Order.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to **adjourn** the meeting at 12:47 p.m.

Wade Tyler, PhD, LCSW
Chairperson

Roslyn Richardson, PhD, GSW
Secretary-Treasurer