

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

October 23, 2009

Wade Tyler, LCSW, Chairman, called the meeting to order at 9:04 a.m., Friday, October 23, 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, Emalie Boyce, Jodi Mallett, Nicole LeBlanc, Lynell Whipple, Cherie McDermott and Ella Julian.

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

AGENDA

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to add Complaint #2010-05, 2009-128 and 2010-40, under Pending Complaints, add Website Redesign and Rule 501B under Board/Staff Issues and Tulane under Correspondence. Votes for accepting amended agenda: Roslyn Richardson yes, Hope Himel-Benson yes, Evelyn Jenkins yes, John McBride yes, Michael Hickerson, yes and Wade Tyler yes.

PRESENTATION OF CONSENT AGREEMENT & ORDER

Lindsey Hunter, Assistant Attorney General, presented the board with a Consent Agreement and Order for **Henry DeFelice, LCSW**, which had been previously negotiated and agreed to by Mr. DeFelice in resolution of Complaint #2009-155. Motion was made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried, to accept the Consent Agreement and Order as presented.

PRESENTATION OF CONSENT AGREEMENT & ORDER

Emalie Boyce, Assistant Attorney General, presented the board with a Consent Agreement and Order for **Stacey Legard**, which had been previously negotiated and agreed to by Ms. Legard in resolution of Complaint #2010-06. Motion was made by Evelyn Jenkins, seconded by Roslyn Richardson and unanimously carried, to accept the Consent Agreement and Order as presented.

**HEARING IN THE MATTER OF ADMINISTRATIVE COMPLAINT#2008-160
AGAINST BRIAN KEITH BAKER, LCSW**

DWIGHT HYMANS – ASWB ACE PROGRAM

Dwight Hymans presented the board information about ASWB's Approved Continuing Education (ACE) program. Mr. Hymans explained that the ACE program is a specific service offered by ASWB. This program reviews applications for approval of continuing education providers on a national and international basis.

PUBLIC COMMENTS

Dwight Hymans, ASWB representative, requested the board to promote the position of "item writing" for the examination by posting the position on the board's website and newsletter. Mr. Hymans provided the board with literature on the position and informed the board that the application can be downloaded from the ASWB website at www.aswb.org.

MINUTES

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to accept the minutes for the September 18, 2009 meeting with a revision on page 6 to change "the council" to "their council."

CORRESPONDENCE

Board members reviewed correspondence submitted by **Allison Price, GSW**. Ms. Price submitted a letter thanking the board members for their commitment to the public, their hard work and the discernment they exercise as individuals and as a board.

Board member reviewed correspondence submitted by **Lawrence Legard, GSW**. After reviewing the letter submitted, board members were unable to address the questions presented due to the lack of clarity of the questions. The board requested Mr. Legard to resubmit his questions and include a detailed job description and job title for his current position.

Motion was made by Roslyn Richardson, seconded by John McBride and unanimously carried, to approve the request by **Hospice Compassus** to be a Continuing Education Pre-Approval Organization. This approval extends from October 23, 2009 – October 23, 2014.

Motion was made by Roslyn Richardson, seconded by John McBride and unanimously carried, to deny the request made by **Hospice Compassus** to grant retroactive approval for workshops that have already been presented. The social workers that attended these workshops will need to use the Guide for Assessment for Continuing Education.

Motion was made by Roslyn Richardson, seconded by John McBride and carried by majority vote, to deny the request made by **Charlotte Quinn, RSW**, asking the board to issue her a new credential number. Ms. Quinn informed the board that she was evacuated from her home and was told that she would receive her personal belongings from the movers. She has not received her belongings and expressed

her concern of someone using her credential. The board advised Ms. Quinn that they will note in her file that her previous ID card and wall certificate are missing. Hope Himel-Benson voted against the motion.

Board members reviewed correspondence submitted by **Logan McIlwain, GSW**. Mr. McIlwain asked the board if he could work for an agency where the clinician sets their own fee schedule. The agency receives direct remuneration. At the end of the month taxes are taken out and the GSW will receive a check from the agency for the services provided. The GSW is a W-2 employee. The board advised Mr. McIlwain that according to 501A of the Rules, Standards and Procedures, the described practice would be acceptable for a GSW. Mr. McIlwain also asked the board if his current BACS supervisor could also supervise him for a part-time social work position. The board advised Mr. McIlwan that this would be acceptable. A new supervision agreement should be submitted within 60 days of beginning his new employment. He was advised to note on the agreement that this is an addendum to the original agreement submitted.

Board members reviewed correspondence submitted by **Lesa Schrimsher, LCSW**. In her letter, she explained that she currently works for a Partial Hospital Program and that some of the patients discharged from the program need continued counseling. Ms. Schrimsher's employer informed her that he did not want Ms. Schrimsher professionally seeing any of these patients outside of the PHP. The board advised Ms. Schrimsher that to avoid dual relationships and/or the potential for exploitation of clients referral of these patients to other professionals outside of the PHP would be most appropriate. Ms. Schrimsher also asked the board if it would be considered a dual relationship if she gave several of the patients of the PHP a ride to the 12-step program that she is also attending. The board informed her that this is not advisable due to the potential for harm and exploitation. This would be entering into a dual relationship.

Motion was made by Roslyn Richardson, seconded by Hope Himel-Benson and unanimously carried, to approve the request by **Resources for Human Development** to be a Continuing Education Pre-Approval Organization. This approval extends from October 23, 2009 – October 23, 2014.

Board members reviewed correspondence submitted by **Kiedi Mabile**, Training and Education Program Coordinator for the LSU School of Social Work. Ms. Mabile submitted a recommendation to the board to consider changing the wording of Rule 317 M(4) to include "for every contact hour you sit in a classroom, you will receive one (1) contact hour of continuing education credit." The board advised Ms. Mabile that they will consider her recommendation.

Motion was made by Hope Himel-Benson, seconded by Roslyn Richardson and unanimously carried, to approve the **Tulane School of Social Work** "Ethics/Supervision Workshop" pending the receipt of Dr. Lynn Pearlmutter's vita. Once the requested information has been received the workshop being held on

November 6-7, 2009, is approved for the Board Approved Clinical Supervisor designation.

INTER-ORGANIZATIONAL COMMITTEE (IOC)

A letter in response to the proposed changes to the Practice Act were given to Roslyn Richardson to provide to the Inter-organizational Committee.

Report on Town Hall Meetings: 35 people attended the meeting in New Orleans, 15 people attended the meeting in Lake Charles, and 12 people attended the meeting in Shreveport, LA.

EXECUTIVE SESSION

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to go in to Executive Session at 1:10 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; Roslyn Richardson, yes; Hope Himel-Benson, yes; John McBride, yes; Evelyn Jenkins, yes; Michael Hickerson, yes.

Motion was made by John McBride, seconded by Roslyn Richardson and unanimously carried, to come out of Executive Session at 3:56 p.m.

Monitoring Reports-Disciplinary

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

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried to deny the supervision report submitted for Lesa Sharkey. The report does not identify how objectives have been met.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to accept the supervision report submitted for Donna Hulse, 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 Plan of Supervision between Teri Groves, LCSW-BACS, and Gloria Solorzano, GSW.

Monitoring Reports-Impaired Professional Program

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to accept the report submitted by Sherril Rudd, IPP Manager. Ms. Rudd's report included a request that the IPP Committee be allowed to provide a presentation to the members of the board relative to the program. Wade Tyler requested that the presentation be conducted in conjunction with the December meeting.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to allow JL-08 to resume drug testing through her employer which uses the same collection site as Affinity Lab.

Motion was made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried, to request FC-09 to submit a request with specifics in reference to alternative sites for drug testing.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to require JL-03 to have his therapist submit a recommendation to the board no later than December 1, 2009.

Participation Agreement was signed and submitted to the board from AN-02. The board has acknowledged active participation in the Impaired Professionals Program.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to send NO-07 a certified notice that the signed Participation Agreement must be submitted within 30 days.

New Complaints

Motion was made by John McBride, seconded by Evelyn Jenkins and unanimously carried, to send **Complaint #2010-55** for investigation of possible violations of Rules 107A, 111G(1), 111G(5), 111H(2) and La. R.S. 2717 A(11) and 2717A(12).

Motion was made by Evelyn Jenkins, seconded by John McBride and unanimously carried, to send **Complaint #2010-56** for investigation of possible violations of Rules 107B, 115(A), 111H(2), 109D and La. R.S. 2717A(5), 2717A(11) and 2717A(12).

Motion was made by John McBride, seconded by Roslyn Richardson and unanimously carried, to send **Complaint #2010-57** for investigation of possible violations of Rule 107A, 109A(1), 119A, 119B, 119C, 303A, 303B and La. R.S. 2709, 2717A(4), 2717A(5), 2717A(10), 2717A(11) and 2717A(12).

Motion was made by John McBride, seconded by Michael Hickerson and unanimously carried, to send **Complaint #2010-58** for investigation of possible violations of Rule 107A, 107B, 117A and La. R.S. 2717A(2), 2717A(4), 2717A(5), 2717A(7), 2717A(11) and 2717A(12).

Motion was made by John McBride, seconded by Roslyn Richardson and unanimously carried, to send **Complaint #2010-59(a)** for investigation of possible violation of Rule 107B, 113A, 113B(1), 113B(3) and La. R.S. 2717A(5), 2717A(11) and 2717A(12).

Motion was made by Evelyn Jenkins, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2010-59(b)** because the person identified in the complaint is not a credentialed social worker.

Motion was made by John McBride, seconded by Roslyn Richardson and unanimously carried, to send **Complaint #2010-59(c)** to investigation of possible violation of Rule 117D and La. R.S. 2717A(5) and 2717A(8).

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to send **Complaint #2010-60** to investigation of possible violation of Rule 107B, 113A, 113B(1), 113B(3) and La. R.S. 2717A(5), 2717A(7), 2717A(11) and 2717A(12).

Pending Complaints

Motion was made by John McBride, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2009-159** with a letter of education.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to offer the respondent in **Complaint #2010-39** two options, either meet the board at the December 11, 2009 board meeting or submit an application and sign a Consent Agreement and Order for practicing social work without a credential.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2010-44** for failure to rise to a level of violation of the Louisiana Social Work Practice Act or Rules, Standards and Procedures.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2009-128** for failure to rise to a level of violation of the Louisiana Social Work Practice Act or Rules, Standards and Procedures.

Motion was made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried, to dismiss **Complaint #2010-05** for failure to rise to a level of

violation of the Louisiana Social Work Practice Act or Rules, Standards and Procedures.

Motion was made by John McBride, seconded by Roslyn Richardson and unanimously carried, to request legal counsel to research whether or not a 20 year old court ruling exists that allows the respondent to practice without a license. If no court ruling exists, the board request the filing of an injunction against the respondent in **Complaint #2010-40** for practicing social work without a credential.

Applications

Motion was made by Roslyn Richardson, seconded by John McBride and unanimously carried, to deny **Janice Rodgers** application for the Registered Social Worker. Ms. Rodgers does not have a social work degree.

Motion was made by Roslyn Richardson, seconded by John McBride and unanimously carried, to allow **Linda Singleton** to apply her renewal fee for the Provisional GSW, toward the Registered Social Worker registration fee.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to grant **Dana Apostal** the Graduate Social Worker certification. Ms. Apostal has provided verification from ASWB that she has passed the Masters level examination.

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to deny **Brij Mohan** the Registered Social Worker registration because the application requirements are incomplete. Advise Dr. Mohan that the board will reconsider his application upon receipt of a foreign equivalency determination submitted by the Council on Social Work Education.

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

Donna Bach	Joshua Docter
Glenn Gaudet	Kedra Green
Patrice Jefferson	Jonika Julian
Patrick Lewis	Cynthia Lowen
Linda Pickens	Kenya Reado
Robin Taylor	Crystal Thompson

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

Anthony Archie	Armisha Ball-Washington
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Carolynn Bourque	Jenee Broussard
Jolene Courtois	Aimee Fambrough
Mia Ford	Valerie Joiner
Patricia Landeche	Nicola Laury
Sarah Lewing	LaTasha Lewis
Romona Lonsberry	Onyi Ndulwe
Gilberto Rodriquez	LeAnn Rogers
Me-Tari Simon	Rossalin Williams

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**:

Cindy Bennett	Mary Brown
Celeste Delafosse	Claude Devillier
Shelia Gold	Katie Kavanaugh
Wendi LeMoine	Jada Lucas
Lizeth Fontaine	Kendra Main
Rebecca Mayfield	Tykie Middlebrook
John Nealy	Amber Vincet
Felicia Smith	Cheree Tham
Brian Whitehead	Banti Zehyoue

BOARD/STAFF ISSUES

Provisional GSW

Motion was made by Roslyn Richardson, seconded by John McBride and unanimously carried, to grant the Provisional GSW to all approved applicants that applied for the GSW prior to the September 18, 2009 board meeting. For those individuals offered a Consent Agreement and Order for working without a credential they will be granted the Provisional GSW upon signing the Consent Agreement and Order.

EXECUTIVE SESSION

Motion was made by Evelyn Jenkins, seconded by Hope Himel-Benson and unanimously carried, to go in to Executive Session at 4:39 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; Roslyn Richardson, yes; Hope Himel-Benson, yes; John McBride, yes; Evelyn Jenkins, yes; Michael Hickerson, yes.

Motion was made by John McBride, seconded by Roslyn Richardson and unanimously carried, to come out of Executive Session at 5:54 p.m.

Financial

Motion was made by Evelyn Jenkins, seconded by Michael Hickerson and unanimously carried, to accept the amended budget for FY2009-2010. The budget was amended to include Post Employment Retirement Benefits.

Consent Agreement and Orders-Practicing without a Credential

Motion made by Roslyn Richardson, seconded by Hope Himel-Benson and unanimously carried, to send a certified notice to **Elaine Rougeau** requesting her to submit a current job description along with a letter explaining her intentions regarding returning to the field of social work.

Motion made by John McBride, seconded by Evelyn Jenkins and unanimously carried, to suspend **Ashley Snowden's** Provisional GSW and to issue her a cease and desist order for failure to complete the terms of her Consent Agreement and Order.

Board/Staff Issues

Motion was made by Hope Himel-Benson, seconded by John McBride and unanimously carried, to send Michael Hickerson to the **FARB Annual Conference** scheduled for January 29-31, 2010, in Las Vegas, Nevada.

Board members reviewed the Mental Health Professional job description submitted by **Assurance Care Provider, LLC** for their employees Dapege Doucet, RSW and Ursula Newell-Lewis, RSW. Board members agreed that the position's major task list falls within the purview of Registered Social Worker practice.

Board members reviewed correspondence submitted by **Emalie Boyce, Assistant Attorney General**. Ms. Boyce submitted an overview of the FARB conference that she attended October 2-4, 2009, in Chicago, Illinois.

Board Orientation Workshop Overview for 10/16/09

Regina Breaux, Administrative Assistant, and Penny Ramsdell, PhD, LCSW-BACS, presented two sessions of "Orientation for Board Approved Clinical Supervisors" on Friday, October 16, 2009. This workshop received favorable evaluations.

ASWB Fall Delegate Assembly

Wade Tyler provided a brief summary of the ASWB Fall Delegate Assembly which included notice that as of January 1, 2010, the Masters exam fee will increase to \$230.00 and the Advanced Generalist and Clinical exam fee will increase to

\$260.00. Dr. Tyler also advised the board members that Michael Hickerson was elected to the ASWB 2010 Nominating Committee.

Website

Emily Efferson provided the members of the board with an update on the website redesign and database development. Ms. Efferson advised that Crystal Clear Solutions has experienced several setbacks with their projects and have set their completion goal for the end of December 2009.

Minutes of the Meeting of the Louisiana State Board of Social Work Examiners Saturday, October 24, 2009

Wade Tyler, LCSW, Chairman, called the meeting to order at 9:00 a.m., Saturday, October 24, in the Conference Room at the Board office located at 18550 Highland Road, Suite B, Baton Rouge, Louisiana. Emily Efferson, Administrator, was present for the entire meeting.

Roslyn Richardson, GSW, conducted roll call. Board members present were Michael Hickerson, RSW, Hope Himel-Benson, LCSW, Wade Tyler, LCSW, Evelyn Jenkins, LCSW, and Roslyn Richardson, GSW. John McBride was absent because he was attending the IOC Town Hall Meeting in Alexandria, LA.

Compliance Hearing – Ella Dorsey-Julian, MSW

Ella Dorsey-Julian requested a compliance hearing to appeal the board's decision to deny her application for GSW. The board denied the application due to the affirmative answers she provided on the application and the notarized explanation of the affirmative answers. Ms. Dorsey-Julian testified that she completed a rehabilitation program and has maintained sobriety since 2001.

EXECUTIVE SESSION

Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to go in to Executive Session at 9:45 a.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,

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

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to come out of Executive Session at 9:55 p.m. to make the following motions:

Motion made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried, to approve **Ella Doresy-Julian's** GSW application which includes issuing her approval to sit for the ASWB Masters exam and issuing her Provisional GSW certification effective October 24, 2009.

Compliance Hearing – Dr. Ira Neighbors, LCSW

Dr. Ira Neighbors requested a compliance hearing to appeal the board's decision to deny his renewal application for the LCSW. The board denied the application due to the affirmative answers he provided on the application and the notarized explanation of the affirmative answers. Dr. Neighbors testified that his DWI was a one-time mistake.

EXECUTIVE SESSION

Motion was made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to go in to Executive Session at 10:15 a.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,

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

Motion was made by Roslyn Richardson, seconded by Michael Hickerson and unanimously carried, to come out of Executive Session at 10:18 a.m. to make the following motions:

Motion made by Michael Hickerson, seconded by Roslyn Richardson and unanimously carried, to approve **Dr. Ira Neighbors'** application to renew his LCSW.

Motion made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried to amend the agenda to add pending **Complaint #2009-154**. Votes for amending the agenda: Wade Tyler yes, Roslyn Richardson yes, Michael Hickerson yes, Hope Himel-Benson yes and Evelyn Jenkins yes.

Motion made by Roslyn Richardson, seconded by Evelyn Jenkins and und unanimously carried to dismiss **Complaint #2009-154** for failure to rise to a level of violation of the Louisiana Social Work Practice Act or Rules, Standards and Procedures.

Wade Tyler requested that "ASWB's ACE Provider Status" be included on the December 11, 2009 agenda.

Motion was made by Roslyn Richardson, seconded by Evelyn Jenkins and unanimously carried, to **adjourn** the meeting at 10:30 a.m.

Wade Tyler, PhD, LCSW
Chairperson

Roslyn Richardson, PhD, GSW
Secretary-Treasurer