

**Minutes of the Meeting of the
Louisiana State Board of Social Work Examiners
November 5, 2010**

John McBride, LCSW, Chairman, called the meeting to order at 9:00 a.m., Friday, November 5, 2010, 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 Carmen Weisner, Kristina Allen, Ronnika Brewer, Rebecca McDaniel, Jennifer Roberts, Melissa Tremie, Byron Johnson, Jodi Mallett, Shital Pafel, Melissa Smithee, Carrie Wiggins, and Ifeyinwa Onyenekw.

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

PUBLIC COMMENTS

Carmen Weisner, Executive Director of NASW-LA Chapter, reported that they are in the final stages of planning for their annual conference. She stated that the LABSWE will be provided with one of the larger rooms at the Shaw Center to accommodate the estimated amount of individuals attending the ethics workshop. The conference brochure will be mailed out mid to late December.

AGENDA

Motion was made by Michael Hickerson, seconded by Wade Tyler and unanimously carried, to accept the agenda as amended to add "Telephone Conference with NASW & LACSW", "Proposed Changes to the Rules", "ASWB Meeting" and "Board Vacancy" under Board/Staff Issues.

Minutes

Motion was made by Michael Hickerson, seconded by Wade Tyler and unanimously carried, to accept the minutes as presented for the October 8, 2010 board meeting.

Presentation of Consent Agreement and Order

Emalie Boyce, Assistant Attorney General, presented the board with a Consent Agreement and Order for **Crystal Faulkner, MSW**, which had been previously negotiated and agreed to by Ms. Faulkner in resolution of Complaint #2009-84. Motion was made by Hope Himel-Benson, seconded by Evelyn Jenkins and unanimously carried, to accept the Consent Agreement and Order as presented.

Hearing in the Matter of Administrative Complaint #2009-60

George Papale opened the hearing in the matter of Administrative Complaint #2009-60, against Juanita Anderson-Hilton, LCSW. Board members serving on the hearing panel included John McBride, LCSW, Wade Tyler, LCSW, and Michael Hickerson,

RSW. Prosecution presented; defense presented. Mr. Papale requested a recess with the hearing panel. Everyone with the exception of the hearing panel was excused from the hearing room. Once reconvened, the hearing panel requested to continue the matter on December 10, 2010 at 9:00 a.m.

CORRESPONDENCE

Members of the board reviewed correspondence submitted by **Valerie Ghoram, GSW**. Ms. Ghoram expressed concern about her employer requiring her to sign off on paperwork that requires the signature of an MSW. Members of the board agreed that this situation appears to be an agency issue. Ms. Ghoram was referred to Rule 111G(2), of the Rules, Standards and Procedures.

Members of the board reviewed correspondence submitted by **Patrice Greene, Provisional GSW**. Ms. Greene requested the board review her current job description to determine if she could perform these duties with a RSW. After reviewing the job description, members of the board agreed that as long as she is only providing supportive counseling, the job description does fall under the scope of practice of a RSW.

Members of the board reviewed correspondence submitted by **Susan Herrod, LCSW**. Ms. Herrod submitted a letter to the board asking two separate questions about reporting incidents to the Office of Family Support. In both instances the board reminded Ms. Herrod that she is a mandatory reporter and therefore she is required to report to the Office of Family Support. Ms. Herrod was advised to reference Rule 111D, of the Rules, Standards and Procedures.

Members of the board reviewed correspondence submitted by **Thao Dola, M.D.**, in reference to Susanne Perret, LCSW. Dr. Dola requested that Ms. Perret be allowed to complete all of her continuing education hours online due to her current medical condition. Members of the board agreed that they will consider granting the request once they receive a written request from Ms. Perret asking for the exception.

Members of the board reviewed correspondence submitted by **Kenneth Saucier, LCSW**. In Mr. Saucier's correspondence he described a situation where in a rural area a LCSW working at a mental health rehabilitation agency is providing services to the child of the administrator of the same agency. Members of the board agreed that given the information provided, it does not appear that a violation has occurred. Mr. Saucier was informed that should he have information indicating exploitation or a dual relationship he must submit a mandatory report to the LABSWE.

Members of the board reviewed correspondence submitted by **Nancy Thacker, LCSW**. Ms. Thacker described a situation where a minor client recorded her father being verbally abusive on her cell phone. Ms. Thacker asked the board if she can share the recording with the parents and OFS if there is a question of emotional abuse. Members of the board agreed that if emotional abuse has taken place, she is

required to report this to the Office of Family Support. The board informed Ms. Thacker that they cannot rule whether or not the recording can be shared and encouraged her to seek legal counsel on this issue.

Board/Staff Issues

Behavioral Health Professional Working Group Meeting Minutes

Members of the board reviewed the minutes for the meeting that was held October 7, 2010.

ASWB 2009 Annual Report

Annual report provided for board review.

NASW Presentation

Members of the board discussed reviewing cases and verifying that all violations are referenced. John McBride volunteered to review cases 3&4, Michael Hickerson volunteered to review cases 5&6, Evelyn Jenkins volunteered to review cases 7&8, and Naaman Stewart volunteered to review cases 9&10.

Telephone Conference with NASW & LACSW

John McBride was asked to meet with NASW and LACSW. Alisa Lear, President of NASW-LA Chapter, Deb Fernandez, Representative of LACSW, Carmen Weisner, Executive Director of NASW-LA Chapter, and Emily Efferson, Administrator for LABSWE, participated in the telephone conference. The discussion included investigations, the board's Impaired Professionals Program, and the release of information signed by clients whose records will be reviewed by the investigator. John McBride asked Emily Efferson to write a letter to George Papale requesting his opinion on whether or not the investigator is required to obtain a release form and are the board's investigations violating clients' rights under HIPPA.

Proposed Changes to the Rules, Standards and Procedures

Regina Breaux, Administrative Assistant, was asked to forward the proposed revisions of the Rules, Standards and Procedures to the members of the board. John McBride requested that board members respond within 1-2 days after receipt of the proposed changes. Mr. McBride would like to hold public hearings throughout the state. The office of the LABSWE will mail out postcards and send an email blast notifying licensees of the rules changes and refer them to the website to review the changes and provide them with a chance to respond.

ASWB Meeting

Motion was made by Naaman Stewart, seconded by Hope Himel-Benson and unanimously carried to hire a band for a second line in the amount of \$300.00. Board members agreed that the Louisiana vote will be Donald Montoya for President Elect, Jenise Comer for Secretary, Dorinda Noble for Member at Large, Allison McDonald for Member at Large Staff Position, Mikki Lilley, Wade Tyler, and Theresa Young for Nominating Committee.

Advertising for Board Vacancy

LABSWE staff sent an E-mail blast to all licensees informing them of the upcoming LCSW board vacancy and the public member vacancy. Ms. Efferson reported that many letters of interest and resumes were received after sending the email notice of vacancy.

Financial

Motion was made by Michael Hickerson, seconded by Hope Himel-Benson and unanimously carried, to accept the financial statement prepared by Susan Sevario, CPA, for the period ending July 31, 2010.

Motion was made by Michael Hickerson, seconded by Hope Himel-Benson and unanimously carried, to accept the financial statement prepared by Susan Sevario, CPA, for the period ending August 31, 2010.

EXECUTIVE SESSION

Motion was made by Hope Himel-Benson, seconded by Evelyn Jenkins and unanimously carried, to go in to Executive Session at 2:05 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.

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

Motion was made by Michael Hickerson, seconded by Evelyn Jenkins and unanimously carried, to come out of Executive Session at 2:35 p.m. to conduct Compliance Hearings.

Compliance Hearing for Leah Arceneaux, MSW

Leah Arceneaux requested a compliance hearing to appeal the board's decision to deny her Graduate Social Work renewal application. The board denied the renewal application because of her affirmative answers to questions relative to charges of state or federal, civil or criminal law, and participation in a drug, alcohol or rehabilitation program. Ms. Arceneaux testified that she was a social worker with the Lafayette Parish School System, assisting with a school for disabled and challenged students. She also testified that her legal matters did not affect her practice of social work. Ms. Arceneaux admitted that she was arrested and charged with possession with intent to distribute marijuana and possession with intent to distribute schedule III, which she disclosed as being Lortab and Flexeril. Ms. Arceneaux stated that she was in possession of marijuana because an extended family member borrowed

money from her and paid her back with marijuana. She stated that she had a prescription for the Lortab and Flexeril but was charged with the intent to distribute the schedule III drugs because she did not have the pills in the correct bottles. Because of her legal dilemma she has lost custody of her two foster children. Ms. Arceneaux testified that she has a strong support system through her family and friends, and has a lot of social workers who are friends and who support her. She stated that she does not have a recovery plan in place because she does not feel that she has a problem with drugs.

Robin Kincel, LCSW, testified on behalf of Ms. Arceneaux. She stated that she has known Ms. Arceneaux since graduate school and since she has known her she has always been a care taker. She stated that Ms. Arceneaux took care of her mother when she was battling leukemia and is currently caring for her elderly grandmother. Ms. Kincel stated that Ms. Arceneaux was nominated for student of the year while in graduate school.

Carleen Doucet, Special Education Program Supervisor, testified on behalf of Ms. Arceneaux. Ms. Doucet stated that Ms. Arceneaux is dedicated to the profession of social work and to the students that she served. Ms. Arceneaux has received national recognition for her work with children. She also stated that the school will be leaving Ms. Arceneaux's position vacant until she is allowed by the school board to return to work.

Compliance Hearing for Nedra Epps, MSW

Nedra Epps requested a compliance hearing to appeal the board's decision to deny her application for Graduate Social Work certification. The application was denied because of having a former disciplinary action against a professional license. Ms. Epps received a Consent Agreement and Order on September 9, 2005, for working without a credential. Ms. Epps did not complete the terms of her Consent Agreement and Order. On October 6, 2010, Ms. Epps submitted an application for the Graduate Social Worker certification and indicated on her application that she has been employed as a social worker since May 4, 2010. Ms. Epps testified that she doesn't remember why she did not complete the terms of her Consent Agreement and Order. She indicated that she did take and pass the open book examination portion of her agreement, but does not remember completing the ethics requirement. She stated that she began her current employment in May 2010, and that she had been out of the profession of social work for five years. At the time that she ceased her practice of social work, she did not intend on reentering the profession. She stated that her husband's place of employment needed a social worker because their social worker was out on maternity leave, so she agreed to work part-time.

EXECUTIVE SESSION

Motion was made by Hope Himel-Benson, seconded by Evelyn Jenkins and unanimously carried, to go in to Executive Session at 3:20 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: John McBride yes; Hope Himel-Benson, yes; Evelyn Jenkins, yes; Michael Hickerson, yes; Naaman Stewart, yes; and Wade Tyler, yes.

Motion was made by Wade Tyler, seconded by Michael Hickerson and unanimously carried, to come out of Executive Session at 4:10 p.m. to make the following motions:

Motion was made by Hope Himel-Benson, seconded by Evelyn Jenkins and unanimously carried, to uphold the denial of the renewal application for **Leah Arceneaux, MSW**. Once Ms. Arceneaux has submitted evidence that she has been successfully discharged from the pre-trial diversion program she may reapply for the Graduate Social Worker certification.

Motion was made by Hope Himel-Benson, seconded by Michael Hickerson and unanimously carried, to uphold the denial of the Graduate Social Worker application for **Nedra Epps, MSW**. Ms. Epps will be offered a Consent Agreement and Order to include a passing score on the Open Book Examination, 20 hours of continuing education of which 6 hours must be of social work ethics and 14 hours of general or clinical contact hours. Ms. Epps will be issued the Provisional GSW and approval to take the ASWB Masters level examination after the terms of the Consent Agreement and Order have been completed. Ms. Epps will be issued a Cease and Desist order until she has completed the terms of her Consent Agreement and Order and issued a current credential.

EXECUTIVE SESSION

Motion was made by Wade Tyler, seconded by Evelyn Jenkins and unanimously carried, to go in to Executive Session at 4:28 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: John McBride yes; Hope Himel-Benson, yes; Evelyn Jenkins, yes; Michael Hickerson, yes; Naaman Stewart, yes; and Wade Tyler, yes.

Motion was made by Wade Tyler, seconded by Hope Himel-Benson and unanimously carried, to come out of Executive Session at 5:40 p.m. to make the following motions:

Monitoring Reports-Impaired Professional Program

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

Members of the board reviewed correspondence submitted by **JG-09**. Board staff was instructed to forward the letter to the IPP Manager for a written response.

Motion was made by Wade Tyler, seconded by Michael Hickerson and unanimously carried, to release **SS-07**, from the IPP program due to successfully completing all of the terms of the Participation Agreement.

Members of the board reviewed correspondence submitted by **AN-02**. Members of the board responded to the participant that he needs to follow the directions of the IPP manager and complete a hair analysis.

Members of the board reviewed correspondence submitted by **MS-08**. The participant recommended that a missed call in should not be considered non-compliant with the program. Members of the board took her concern under advisement and responded that they will not be making a rule change at this time.

Members of the board reviewed the file for **JW-09**. Board staff was directed to send a letter to the participant requesting that she submit a written statement reflecting that she will not return to the profession of social work until such time as she has become active in the IPP.

Motion was made by Wade Tyler, seconded by Evelyn Jenkins and unanimously carried, to send **SA-10** certified notification that she must be in compliance with her Participation Agreement within 30 days. If she is not in compliance within 30 days a complaint will be filed.

Monitoring Reports-Disciplinary

Motion was made by Wade Tyler, seconded by Hope Himel-Benson and unanimously carried, to accept the disciplinary monitoring report.

Motion was made by Wade Tyler, seconded by Evelyn Jenkins and unanimously carried, to approve the supervision report submitted by Carol Miles, LCSW-BACS, on behalf of **Cynthia DeBlanc, LCSW**.

Motion was made by Wade Tyler, seconded by Evelyn Jenkins and unanimously carried, to approve the supervision report submitted by Mary Morris, LCSW-BACS, on behalf of **Anissa Horne, LCSW**.

Motion was made by Wade Tyler, seconded by Evelyn Jenkins and unanimously carried, to approve the request submitted by Darlene Abbott, LCSW-BACS, on behalf of **Robin Cannatella, LCSW**. Ms. Abbott requested the board to allow Ms. Cannatella to meet for two (2) hours for the first November session in order to make up the previously missed session due to Ms. Cannatella's illness.

New Complaints

Motion was made by Wade Tyler, seconded by Michael Hickerson and unanimously carried, to accept **Complaint #2011-38** for investigation of possible violations of La. R.S. 2717A(11) and 2717A(12).

Motion was made by Wade Tyler, seconded by Naaman Stewart and unanimously carried, to send **Complaint #2011-39** to investigation of possible violations of Rule 107A, 107B, 111G(1)(5), 117D and La. R.S. 2717A(4),(5),(7),(10),(11), and (12).

Pending Complaints

Motion was made by Wade Tyler, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2010-57** with a letter of education.

Motion was made by Evelyn Jenkins, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2010-119** because the respondent is deceased.

Motion was made by Evelyn Jenkins, seconded by Michael Hickerson and unanimously carried, to dismiss **Complaint #2011-01**, for failure to rise to a level of a violation of the Louisiana Social Work Practice Act or Rules, Standards and Procedures.

Applications

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

Bell, Mithra	Blunt, Carmencia
Dodd, Lottie	Jones, Tonja
Myles, Yvette	Parks, Phyllis
Smith, Josephine	Stevenson, Priscar
Yee, Cliff	

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

Fondal, Tomorrow	Groch, Paul
Hartford, LaRaunda	Huff, Crystal

LaLone, Melissa
Peterson, Curtis

Mayho, Cardella
Walker, Ashley

Motion was made by Michael Hickerson, seconded by Evelyn Jenkins 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**:

Arceneaux, Peggy
Brown, Ashley
Hawkins, Beverly
James, Cheryl
Langley-Dane, Lisa
Paige-Fibble, Rebecca
Sitton, John
Bennett, Robert

Artigue, Anne Catherine
Belanger, Debra
Ingram, Jennifer
Kearney, Niquette
McNamara, Kathleen
O'Conner, William
Stewart, Heather

Motion made by Michael Hickerson, seconded by Naaman Stewart and unanimously carried, to adjourn the meeting at 6:14 p.m.

John McBride, LCSW
Chairperson

Hope Himel-Benson, LCSW
Secretary-Treasurer