

**Minutes of the Meeting of the
Louisiana State Board of Social Work Examiners
February 16, 2018**

John Shalett, LCSW, Chairperson, called the meeting to order at 8:30 a.m. on Friday, February 16, 2018, in the conference room at the Board office located at 18550 Highland Road, Suite B, Baton Rouge, Louisiana. Emily DeAngelo, Administrator, was present for the entire meeting.

Carla Moore, LMSW, conducted roll call. Board members present at the time of roll call included John Shalett, LCSW, Carla Moore, LMSW, Brent Villemarette, LCSW, Ruth Weinzettle, LCSW, and Robert Showers, RSW. Jennifer Burch, LCSW, arrived for the meeting at 11:57 a.m.

Members of the public in attendance included Dorothy Williams, Kris Piland, Toni Buxton, Jacob DePrimo, Carmen Weisner, Joseph Keegan, Nicole Johnson, Rachel Austin, Maggie Bridges, Laralea Scott, Karlee Beville, Bobbye Roberts, Mary Elizabeth McCurdy, Jessica Whitney, Eva Slater, LeeAnn Coffey, Elandra Seal and Michelle Miner.

AGENDA

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to approve the agenda with the addition of Plaquemines Community CARE to Correspondence and Complaint numbers 2018-171, 2018-172, 2018-173 and 2018-174 to New Complaints.

PUBLIC COMMENTS

Carmen Weisner reminded the people in attendance of the meeting that NASW-LA's annual conference is next month. A public statement was made by Joseph Keegan. It is being included in the minutes as an attachment.

PRESENTATION OF CONSENT AGREEMENT AND ORDERS

Madeline Carbonette, Assistant Attorney General, presented an addendum to the Consent Agreement and Order to the board, which was previously accepted by **Jennifer Richards** in resolution of Complaint #2015-74.

Motion was made by Carla Moore, seconded by Robert Showers and unanimously carried, to accept Consent Agreement and Order #2015-74 for Jennifer Richards.

Madeline Carbonette, Assistant Attorney General, presented a Consent Agreement and Order to the board, which was previously accepted by **Josie Campbell**, in resolution of Complaint #2017-102.

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to accept Consent Agreement and Order #2017-102 for Josie Campbell.

Madeline Carbonette, Assistant Attorney General, presented a Consent Agreement and Order to the board, which was previously accepted by **Ashley Carter** in resolution of Complaint #2017-105.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to accept Consent Agreement and Order #2017-105 for Ashley Carter.

Madeline Carbonette, Assistant Attorney General, presented a Consent Agreement and Order to the board, which was previously accepted by **Teiwana Miller** in resolution of Complaint #2017-192.

Motion was made by Carla Moore, seconded by Brent Villemarette and unanimously carried, to accept Consent Agreement and Order #2017-192 for Teiwana Miller.

MINUTES

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to approve the minutes of the meeting held January 12, 2018, as presented.

CORRESPONDENCE

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to approve **Mylischa Smith-Lewis'** BACS renewal via completing the 6.5 hour supervision workshop.

Board members advised **Tucker Keatley, LMSW**, that consultation is providing advice in the areas of his knowledge due to his education and training, as well as scope of practice.

Stephanie Shepherd-Kopf, LMSW, submitted a manual for the Board to review and approve as social work practice. Board members requested that Ms. Shepherd-Kopf submit an explanation of what she is doing and how what she is doing is social work practice.

Motion was made by Robert Showers, seconded by Ruth Weinzettle and unanimously carried, to submit **Joseph Keegan's** request for a declaratory ruling to George Papale for a legal opinion.

Motion was made by Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to get legal advice from George Papale relative to **Caitlin Wankowski's** inquiry about client confidentiality.

Board members responded to an inquiry from **Eddie Jenkins, LCSW-BACS**, relative to solution-focused intervention being clinical social work and a supervisee's employer prohibiting him from reviewing notes. Board members agreed that solution-focused intervention is clinical social work. They suggested that Mr. Jenkins require the supervisee to copy her notes and redact client-identifying information.

Motion was made by Robert Showers, seconded by Carla Moore and unanimously carried, to request that ASWB waive the 90-day wait between exams for **Vanesa Diaz, CSW**.

Motion was made by Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to approve the application submitted by **Women's Center for Healing and Transformation** to be a pre-approval organization for social work continuing education.

Motion was made by Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to allow **Deena Gerber, LCSW-BACS**, to provide Jayne Stillman supervision via Facetime for the months of February through May 2018.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to approve the job description submitted by **Lakertia Venzant, LMSW**, towards meeting the supervised work experience required to become a LCSW.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to deny the request made by **Kathleen Pope, LMSW**, to complete supervision via electronic means.

Board members responded to an inquiry submitted by **Michele Guidry, LMSW**, advising that client information cannot be released without informed consent. Furthermore, if the client is a minor, the parent or guardian must provide consent.

Motion was made by Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to approve the application submitted by **LA Group Psychotherapy** to be a pre-approval organization for social work continuing education.

Steve Loria, LCSW-BACS, submitted an inquiry relative to social workers administering Narcan. **Motion** was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to request an opinion from the Board's legal counsel.

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to approve the application submitted by **Plaquemines Community CARE** to be a pre-approval organization for social work continuing education.

BOARD/STAFF ISSUES

Report on Office Workflow

Emily DeAngelo provided a report to board members with information on office activity since the last meeting. Board staff processed 42 retake applications for exam, 53 new applications, 76 new licenses, 8 BACS applications, 40 renewal applications, and 18 license verifications. Board members were also provided the processing time for Plan of Supervision reviews and advised that 75 complaint files were discussed in a team meeting on January 31, 2018.

Continuing Education Pre-approval Organizations

Board members discussed the need to audit continuing education pre-approval organizations.

Reminders

Board members were reminded that Financial Disclosure Forms are due to the Board of Ethics by May 15, 2018, and that the ethics training required by the state must be completed by December 31, 2018.

2018 ASWB Bylaws & Resolutions Committee

Board members were informed that Robert Showers accepted an appointment to ASWB's Bylaws & Resolutions Committee.

FINANCIAL

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to pay the ASWB annual membership fee of \$250.00.

Motion was made by Ruth Weinzettle, seconded by Carla Moore and unanimously carried, to purchase four paper copies and five digital copies of the "Professional Licensing Report".

EXECUTIVE SESSION

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to go into Executive Session at 10:32 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, and/or to discuss prospective litigation.

Votes for going into Executive Session: Robert Showers, RSW; Ruth Weinzettle, LCSW, yes; Brent Villemarette, yes; and Carla Moore, yes.

Motion was made by Robert Showers, seconded by Ruth Weinzettle and unanimously carried, to come out of Executive Session at 3:00 p.m. to make the following motions.

Potential litigation – ME

Motion was made by Brent Villemarette, seconded by Robert Showers and carried by majority vote, to comply with order of 19th JDC. Jennifer Burch recused herself from discussion and vote.

Impaired Professional Program Monitoring Report

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to accept the report provided by Kathie Pohlman, LCSW-BACS, Program Manager.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to have LE submit her treatment records, discharge plan, as well as the certification/accreditation information for the program she attended.

Disciplinary Monitoring Report

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to accept the disciplinary report prepared by Regina Dewitt, Administrative Assistant.

Motion was made by Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to release Ariane Bordere from the Consent Agreement and Order because all terms are successfully complete.

Motion was made by Robert Showers, seconded by Ruth Weinzettle and unanimously carried, to release Jacqueline Warrington from the Consent Agreement and Order because all terms are successfully complete.

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to release Shandell Simmons from the Consent Agreement and Order because all terms are successfully complete.

Motion was made by Robert Showers, seconded by Ruth Weinzettle and unanimously carried, to release Kristen Mallory from the Consent Agreement and Order because all terms are successfully complete.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to release Shemika Johnson from the Consent Agreement and Order because all terms are successfully complete.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to release Julie Hoffman from the Consent Agreement and Order because all terms are successfully complete.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to release Ian Farrell from the Consent Agreement and Order because all terms are successfully complete.

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to release LaTonya Sweet from the Consent Agreement and Order because all terms are successfully complete.

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to release Cynthia Walker from the Consent Agreement and Order because all terms are successfully complete.

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to release Martia Woodard from the Consent Agreement and Order because all terms are successfully complete.

New Complaints

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to accept **Complaint #2018-138** and to request a written response. Possible violations include Rule 121(B).

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to accept **Complaint #2018-139** and to request a written response and all official court documents.

Motion was made by Robert Showers, seconded by Ruth Weinzettle and unanimously carried, to accept **Complaint #2018-140** and to request that respondent keep the Board informed of the court proceedings.

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to accept **Complaint #2018-141** and to send for investigation. Possible violations include La R.S. 37:2717(A)(5), (7) & (11) and Rules 107(B), 109(B) and 115(A).

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to accept **Complaint #2018-142** and to request a written response and all official court documents.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to accept **Complaint #2018-143** and to request a written response. Possible violations include La R.S. 37:2717(A)(7) & (11) and Rule 107(B).

Motion was made by Robert Showers, seconded by Ruth Weinzettle and unanimously carried, to accept **Complaint #2018-144** and to send for investigation. Possible violations include La R.S. 37:2717(A)(5), (7), & (11) and Rules 107(B), 113(A) and 115(A).

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to accept **Complaint #2018-145** and to request a written response as well as forward to DCFS. Possible violations include Rules 107(B), 109(A)(1) and 111(G)(1).

Motion was made by Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to accept **Complaint #2018-146** and to request a written response. Possible violations include Rules 107(B) and 111(A), (C) & (E).

Motion was made Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to not accept **Complaint #2018-147**.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to accept **Complaint #2018-148** and to send for investigation. Possible violations include Rules 107(B), 109(A)(1) & (2), and 303(C).

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to follow up with the complainant of **Complaint #2018-149** because the respondent listed is not a social worker.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-150** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-151** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-152** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-153** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-154** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-155** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-156** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-157** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-158** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-159** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-160** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-161** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-162** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-163** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-164** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to open **Complaint #2018-165** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to send **Complaint #2018-166** to DCFS.

Motion was made by Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to not accept **Complaint #2018-167**.

Motion was made by Robert Showers, seconded by Ruth Weinzettle and unanimously carried, to accept **Complaint #2018-168** and to send it for investigation. Possible violations include Rules 107(B), 111(H)(1), (2) & (3), and 113(A).

Motion was made by Robert Showers, seconded by Ruth Weinzettle and unanimously carried, to accept **Complaint #2018-169** and to request a written response. Possible violations include Rules 107(B) and 111(G)(1).

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to open **Complaint #2018-171** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to open **Complaint #2018-172** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to open **Complaint #2018-173** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to open **Complaint #2018-174** and to request a written response and a job description, if necessary. Possible violations include La R.S. 37:2709.

Motion was made by Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to open complaint files and to request a written response from any social worker who may have practice social work after their license lapsed on August 31, 2017.

Pending Complaints

Motion was made by Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to request that the Assistant Attorney General pursue **Complaint #2017-57**.

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to dismiss **Complaint #2017-94**.

Motion was made by Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to dismiss **Complaint #2017-111**.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to dismiss **Complaint #2017-133**.

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to dismiss **Complaint #2017-134**.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to dismiss **Complaint #2017-153**.

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to dismiss **Complaint #2017-170** with a letter of education.

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to dismiss **Complaint #2018-2** with a letter of education.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to dismiss **Complaint #2018-30**.

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to dismiss **Complaint #2018-33** with a letter of education.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to dismiss **Complaint #2018-39**.

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to dismiss **Complaint #2018-58**.

Motion was made by Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to dismiss **Complaint #2018-76**.

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to dismiss **Complaint #2018-79**.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to dismiss **Complaint #2018-108**.

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to dismiss **Complaint #2018-121**.

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to approve the following applicants for Registered Social Work:

Armour, Carisa	Johnson, Te'Leisha
Augustine, Windy	Royal, Tanesha
Buckley, Sharisma	Sedlacek, Sarah
Carter, LaShawn	Vaughn, Heather
Estem, Allison	Walker, Destiny
Grant, Quiandra	Williams, Sonya

Motion was made by Carla Moore, seconded by Robert Showers and unanimously carried, to approve the following applicants for approval to sit for the Masters exam and to issue Certified Social Work:

Aucoin, Melissa R. (testing only)	Lafferty, Chelsea M.
Brister, Bailie A.	Laukaitis, Kristina S.
Clark, Carolyn B.	McCoy, Natasha D.
Cox, Jessica L.	Melmuka, Alison B.
Guevara, Amy L.	Russell, Jason H.
Hayes, Cristina R.	Shelton, Jessica
Kimbrell, Fay E.	

Motion was made by Carla Moore, seconded by Robert Showers and unanimously carried, to issue Licensed Master Social Work through endorsement to:
Rogers, Courtney (End-ME)

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to issue approval to sit for the Masters exam and to issue Certified Social Work pending receipt of official Master's transcript:
Smith, Carly J.

Motion was made by Brent Villemarette, seconded by Ruth Weinzettle and unanimously carried, to approve the following applicants to sit for the ASWB Clinical exam for Licensed Clinical Social Work:

Armentor, Autumn N.	Moody, Jessica K.
Armstead, Tikesha G.	Otto-Berglund, Morgan
Baker, Jill S.	Prelow, Melissa R.
Becker, Tiffany M.	Saunders, DaNethia
Beverly, Gretchun A.	Simmons-Johnson, Robin
Drew, Ashley C.	Simon, Martha L.
Forbes-Richard, Deven M.	Smith, Natasha N.
Fox, Heidi L.	Snider, Gary M.
Galliano, Ashley V.	Spinato, Tracey A.
Garrison, Jaqueline J.	Stoma, Annsley M.
Gaubert, Renee	Strickland, Haley D.
Hadley-Bush, Shacidy M.	Tyus, Jamesalina M.
Johnson, Amy C.	Welsh, Tanya E.
Kron, Kayla A.	Williams, Lisa L.
Levine, Kara L.	

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to issue Licensed Clinical Social Work through endorsement to the following applicants:

Evenson, Lucata (End-TX)
Mermelstein, Melanie J. (End-MA)

Continuing Education Requests

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to approve **Lori Gieseler's** request to complete her continuing education for the July 1, 2017-June 30, 2018 collection period via distance learning due to her extenuating circumstances.

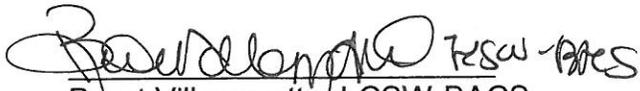
Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to approve **Candice Kent's** request to complete her continuing education for the July 1, 2017-June 30, 2018 collection period via distance learning due to her extenuating circumstances.

Motion was made by Robert Showers, seconded by Ruth Weinzettle and unanimously carried, to approve **Colleen Smith's** request to complete her continuing education for the July 1, 2017-June 30, 2018 collection period via distance learning due to her extenuating circumstances.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to request clarification from **Deyandra Harris** as to the dates she experienced extenuating circumstances.

Motion was made by Brent Villemarette, seconded by Robert Showers and unanimously carried, to approve **Jo Ellen Bezou's** request to complete her continuing education for the July 1, 2017-June 30, 2018 collection period via distance learning due to her extenuating circumstances.

Adjourned at 3:25 p.m.


Brent Villemarette, LCSW-BACS
Vice-Chairperson


Carla Moore, LMSW
Secretary-Treasurer

I come to board in a spirit of collaboration and concern. Collaboration, in that we are all part of the same profession and have dedicated our professional lives to service to our clients. I appreciate the Board members who volunteer their time in service of our profession. It is a large commitment and one with significant responsibility to our profession, the public and each licensed social worker. I recognize that social workers do some strange and amazingly bad practices from time to time, that require the Board's disciplinary response. I also appreciate the Board's historical openness to change and feedback. The Board demonstrated this in 2014 when it got SSA to evaluate the board; it did it again in 2014 when it rescinded all of the disciplinary actions about CEU's that did not correctly apply the law.

The second spirit I have is one of concern. The Board has misread, misapplied and done disciplinary action based on incorrect use of the rule against LCSW-BACS social workers, specifically Section 503. This has been going on for several years.

Board members may want to have my petition in front of them as I speak. My comments follow the general order of the petition.

In reference to my petition, there are two basic problems with the Board's actions. One, the Board has assumed the presence of a rule or rules that are not in fact, written in the rule, and certainly, not written with a clear definition of expected behavior. The second problem is that the Board is requiring action of a BACS supervisor when the rule specifically requires the person completing supervision to perform that action.

I start with Section 503(J).

Title 46, Part XXV, 503(J) states, "The supervisor has a professional responsibility to honor his/her commitment to supervise responsibly, which includes submitting forms on a timely basis." This section specifies no specific forms. It further specifies no specific definition of "timely". While the section goes on to talk about consequences, it clearly does not specifically require any specific form in any specific time in this section.

Title 46, Part XXV, 503(N) states, "The original supervision agreement/plan of supervision must be submitted to the board office within 60 days of the first supervision session. A supervision agreement shall be submitted on each supervision experience, such as a change in employment and/or a change in supervisor." This section specifies no specific person responsible for submitting the original supervision agreement/plan. It further specifies no specific person responsible for submitting the supervision agreement in the case of a change of supervision experience. Let us look at the wording again. "The original supervision agreement/plan of supervision must be submitted to the board office within 60 days of the first supervision session." You will notice that nowhere in this sentence does it say the BACS supervisor is responsible for turning in this supervision agreement/plan of supervision. Nowhere. The second sentence. "A supervision agreement shall be submitted on each supervision experience, such as a change in employment and/or a change in supervisor." Similarly, nowhere in this sentence does it say the BACS supervisor is responsible for turning in this supervision agreement/plan of supervision. In fact, the BACS supervisor is not even mentioned in this section at all.

This same section, Title 46, Part XXV, 503(N) specifically distinguishes the "original" plan as being due within 60 days of the "first supervision session". The second sentence in this section references a subsequent supervision agreement, not the original, which is required on each change in supervision

experience. This clause is silent about what the time frame, if any, applies to this updated plan. While the rule is clear that 60 days is the required time frame for an “original” supervision agreement/plan of supervision, it is also clear that no time frame was spelled out for subsequent supervision agreements. In the alternative, if one accepts the incorrect understanding of the subsequent plan being due within the time frame of the first sentence, the subsequent plan would be due within 60 days of the first supervision session. Rarely is a revised plan necessary within 60 days of the first supervision session, thus making the revision due before it is even contemplated or written. Clearly, the rule does not intend this incorrect interpretation.

Since Sections 503(J) and 503(N) do not specify who must turn in forms, I turn to another paragraph of section 503.

Title 46, Part XXV, 503(M) specifically states that it is the responsibility of the person completing supervision (the supervisee) to turn in the forms to the board.

“The individual completing supervision shall:

1. use the following forms to submit their supervision to the board office:
 - a. supervision agreement/plan of supervision;
 - b. employment verification;
 - c. record of supervision;
 - d. evaluation of supervision;
 - e. professional experience verification record;”

This section is eminently clear that the “individual completing supervision”, which is the supervisee, is required by the rule to turn in the supervision agreement/plan of supervision form. You will also notice that this section is silent about what time frames each form has.

I would like to so summarize with regards to timely and 60 days. Rule 503(J) does not specify what forms have to be turned in and does not specify what “timely” means. Rule 503(N) only specifies that an “**original** supervision agreement/plan of supervision” must be turned in within 60 days, but again, does not specify any time frame for a revised supervision agreement/plan of supervision. The word “**original**” is used 11 times in the rule. Every occasion of its use distinguishes an original, or first, document versus a subsequent, copied or revised document. The first sentence of 503(N) makes a time requirement for an original plan. The second sentence refers to a different plan from the original, and does not make a time requirement. Since the second sentence does not refer to the original or first supervision agreement, the requirements for the “original” plan cannot legally be applied to the second sentence. The people who wrote the rule detailed a specific number of days 47 different times in the rule, from specifying a two day requirement once, to a 30 day requirement 15 times. They did not in any way specify a 60-day requirement for the revised supervision agreement/plan of supervision in Section 503(N).

Rules 503(J) and Rule 503(N) do not specify who must turn in the supervision agreement/plan of supervision form. Not only do they NOT specify the LCSW BACS as the person required to turn in the supervision agreement/plan of supervision, but Rule 503(M) clearly states that it is the responsibility of the supervisee, not the LCSW, BACS supervisor, to turn in the supervision agreement/plan of supervision. It is illegal and unjust to require a BACS supervisor to turn in a plan when the rule requires the supervisee to turn in that plan.

Rules must be sufficiently clear to inform social workers what conduct renders them liable to penalties. Board rules cannot be so vague that social workers have to guess at its meaning, or what is required. As the Administrative Procedure Act, R.S. 49:951(6) states, a rule is "each agency statement, guide, or requirement for conduct or action". While the Board has authority to promulgate rules, it does not have authority to expand these rules through interpretation, policy, or historical institutional practice. Any such practice constitutes rule making without going through the legally required rule promulgation process.

The Social Work Practice Act states the purpose of the act is "to safeguard the public health, safety, and welfare of the people of this state against unauthorized, unqualified, and improper practice of social work". When the Louisiana Board of Social Work Examiners vote to investigate and discipline LCSW BACS social workers for not turning in the supervision agreement/plan of supervision form within 60 days, the Board is conducting the unauthorized and improper practice of social work, thus violating the rule and the stated purpose of the act.

Based on the rule and a just application of the rule, I urge the board to issue a declaratory ruling that

1. Title 46, Part XXV, Section 503 does not specifically require the Licensed Clinical Social Worker, BACS supervisor be the person who shall turn in a supervision agreement/plan of supervision.
2. Title 46, Part XXV, Section 503(N) does not specifically require the Licensed Clinical Social Worker, BACS supervisor or the Licensed Master Social Worker to turn in an updated or changed supervision agreement within 60 days when there is a change in the supervision experience.

I brought this matter to the Board's attention at the January 2017 meeting; the minutes reflect this conversation. Since that time the board has done two, in my opinion, illegal disciplinary actions (2017-77

and 2017-75) based on incorrect reading and application of Section 503. It is grossly unjust. Most social workers do not have the time and money to hire a lawyer to defend themselves against unjust and illegal board investigations and disciplinary actions. These social workers are worried about keeping their license and job. It is less stressful, quicker, cheaper, and safer from an employment point of view, for them to sign a consent decree. They do not know enough and do not have money enough to fight with a poorly behaved board.

The board has a legal requirement to make a written ruling within 30 or 60 days of the date the board received my petition, depending on whether the board seeks legal counsel. The board's ruling on this petition is appealable to the 19th Judicial District Court.

Thank you for taking the time to listen to my comments. As I know from the many mistakes and unjust things I've done, we all make mistakes. We are not judged best by our mistakes, but by how we recover and make just our mistakes. This is an opportunity for the board to do this.

Thanks again for listening to me.

**Minutes of the Strategic Planning Meeting
for the
Louisiana State Board of Social Work Examiners
February 16 - 17, 2018**

John Shalett, LCSW, Chairperson, called the meeting to order at 3:45 p.m. on Friday, February 16, 2018, in the conference room at the Board office located at 18550 Highland Road, Suite B, Baton Rouge, Louisiana. Emily DeAngelo, Administrator, Regina DeWitt, Administrative Assistant, Holly Freeman, Administrative Coordinator 4, and Jasmine Offord, Administrative Coordinator 3, were present for the meeting.

Carla Moore, LMSW, conducted roll call. Board members present at the time of roll call included John Shalett, LCSW, Carla Moore, LMSW, Brent Villemarette, LCSW, Ruth Weinzettle, LCSW, Robert Showers, RSW, and Jennifer Burch, LCSW.

AGENDA

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to approve the agenda as presented.

PUBLIC COMMENTS

No public attended the meeting on February 16, 2018.

OVERVIEW OF STRATEGIC PLANNING MEETING

John Shalett spoke to board members and staff about strategic planning methodology, vocabulary of strategic planning, and provided examples of strategic planning.

Motion was made by Robert Showers, seconded by Brent Villemarette and unanimously carried, to adjourn at 4:20 p.m. and reconvene at 8:30 a.m. on February 17, 2018.

John Shalett, LCSW, Chairperson, called the meeting to order at 8:30 a.m. on Saturday, February 17, 2018, in the conference room at the Board office located at 18550 Highland Road, Suite B, Baton Rouge, Louisiana. Emily DeAngelo, Administrator, Regina DeWitt, Administrative Assistant, Holly Freeman, Administrative Coordinator 4, and Jasmine Offord, Administrative Coordinator 3, were present for the meeting.

Carla Moore, LMSW, conducted roll call. Board members present at the time of roll call included John Shalett, LCSW, Carla Moore, LMSW, Brent Villemarette, LCSW, Ruth Weinzettle, LCSW, Robert Showers, RSW, and Jennifer Burch, LCSW.

Robert Showers, RSW, left the meeting at 12:00 p.m.

PUBLIC COMMENTS

Ellie Seal, LMSW, attended the public portion of the meeting, but she did not make a public comment.

SWOT Analysis

Strengths were identified as board members who are committed and engaged, transparent, diversity in areas of practice, experienced staff, pool of consultants, financially sound, and relationship with ASWB. Being asked to provide presentations to students at the schools of social work was also identified as a strength.

Weaknesses identified as relationship with licensees, licensees' lack of knowledge about the Board, relationship with NASW-LA Chapter, and lack of communication with the community regarding licensing requirements. Also identified as a weakness is the workload verses the number of employees hired by the Board.

Opportunities identified included reconvening an Inter-organizational committee to look at the Practice Act, being more visible, seeking feedback from licensees, adding FAQ section on website, MOU with NASW-LA, and attendance at NASW-LA board meetings.

Threats identified included apathy, opening the Practice Act and a change occurs that does not better the group as a whole, as well as the talk of de-regulation in some areas of the country.

DISCUSSION ITEMS/ISSUES

Inter-organizational Committee

John Shalett agreed to contact Ayn Stehr, Executive Director, of NASW-LA Chapter, to follow-up on the requests made to NASW-LA for reconvening an IOC.

Rules Committee

Board members discussed having two different rules committees. It was suggested that there be one committee to look at supervision and one to review the rest of the rules. Emily DeAngelo was asked to add Rules Committee to the March agenda. Ruth Weinzettle volunteered to serve as Chair of the committee to look at supervision. Jennifer Burch and Holly Freeman also volunteered to serve on a supervision committee.

Office Staffing

There are four staff members employed by the Board to assist 8,200 social workers. The group discussed adding videos, tutorials, Board decisions and FAQs to the website to assist with providing information to the public and licenses in hopes to reduce the number of phone calls to the board office.

Finances

There were no changes or decisions made regarding finances.

Electronic Practice

Tabled for another meeting.

Social Media

Tabled for another meeting.

Prisoner Complaints

Board members agreed that all complaints are carefully considered and taken seriously. They identified no changes that need to be made in their review of complaints.

Child Custody Guidelines

Board members were informed that the Child Custody Guidelines are almost complete.

Mandatory Reporting Laws

Brent Villemarette went over the mandatory reporting laws with board members and staff.

EXECUTIVE SESSION

Motion was made by Ruth Weinzettle, seconded by Robert Showers and unanimously carried, to go into Executive Session at 11:17 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, and/or to discuss prospective litigation.

Votes for going into Executive Session: Jennifer Burch, LCSW; Robert Showers, RSW; Ruth Weinzettle, LCSW, yes; Brent Villemarette, yes; and Carla Moore, yes.

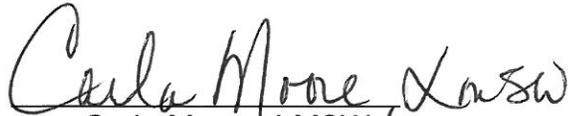
Motion was made by Carla Moore, seconded by Jennifer Burch and unanimously carried, to come out of Executive Session at 12:21 p.m. to make the following motions.

Professional Service Contracts

Motion was made by Ruth Weinzettle, seconded by Brent Villemarette and unanimously carried, to implement a three year review policy of consultants effective January 1, 2019, which includes solicitations and interviews to obtain the contract.

Adjourned at 1:00 p.m.


Brent Villemarette, LCSW-BACS
Vice-Chairperson


Carla Moore, LMSW
Secretary-Treasurer