

A P P R O V E D
THE VIRGINIA BOARD OF SOCIAL WORK
MINUTES
FRIDAY, DECEMBER 16, 2005

The Virginia Board of Social Work ("Board") meeting was convened at 10:15 a.m. on Friday, December 16, 2005 at the Department of Health Professions, 6603 West Broad Street, Richmond, Virginia. Valerie Carter-Williams, Chair, called the meeting to order.

BOARD MEMBERS PRESENT:

Valerie Carter-Williams
David R. Boehm
Charles R. Chambers
Wayne A. Martin
Catherine L. Moore

BOARD MEMBERS ABSENT:

Willie T. Greene, Sr.
Jill Smeltzer

STAFF PRESENT:

Evelyn B. Brown, Executive Director
Benjamin Foster, Deputy Executive Director
Howard Casway, Senior Assistant Attorney General
Arnice N. Covington, Administrative Assistant

OTHERS PRESENT:

Kevin Doyle, Ph.D.
Charles F. Gressard, Ed.D.
Joseph P. Lynch
Charles McAdams, III, Ph.D.
Sharon Payne, VSCSW
Debra Riggs, NASW

INTRODUCTION OF NEW MEMBER

Ms. Carter-Williams, Chair of the Board, introduced Charles W. Chambers, new Citizen Member, from Alexandria, Virginia.

ORDERING OF AGENDA

Ms. Carter-Williams opened the floor to any changes in the agenda order. The agenda was accepted as submitted.

PUBLIC COMMENT

Ms. Carter-Williams opened the floor to comment from the public. Debra Riggs, Executive Director, Virginia Chapter of the National Association of Social Workers, advised that the Association has a patron sponsoring 2006 legislation. However, as yet no specific language has been developed. Some issues currently being discussed are removing exemptions from licensure, requiring people who are referred to as “social workers” to become licensed as social workers, and increasing the Board of Social Work by two (2) members.

Ms. Riggs requested that the Board consider changing the required number of hours of continuing education for licensed social workers. Currently the licensed social workers are required to meet the same requirements, 30 hours of continuing education every two years, as licensed clinical social workers. Licensed social workers, by nature of their job descriptions, lean toward topics regarding behavioral health and cases management and have difficulty finding appropriate continuing education.

Ms. Riggs advised the Board that NASW receives a number of telephone calls regarding supervision and supervisors. There is growing concern that supervisors are not being adequately trained to provide supervision and trainees are not receiving proper clinical training. Ms. Riggs requested that the Board consider additional requirements for supervisors.

APPROVAL OF MINUTES

A motion was made by Mr. Boehm to accept the minutes of September 16, 2005. The motion was seconded and passed unanimously.

REQUEST FOR REGULATORY AMENDMENT – Kevin S. Doyle, Ed.D.

Dr. Kevin Doyle, Chair of the Board of Counseling, addressed the Board regarding supervision. Currently the Board of Counseling allows a portion of required supervision hours to be provided by clinical social workers. Dr. Doyle would like the Board to consider allowing a portion of required supervision hours for trainees seeking licensure as clinical social workers to be provided by a professional counselor. Dr. Doyle requested that the Board consider a reciprocal agreement between the two boards and a regulatory change.

Dr. McAdams, also a member of the Board of Counseling and Professor at William & Mary College, further reiterated the request of Dr. Doyle and asked the Board to consider a reciprocal agreement and a regulatory change.

Following discussion it was decided to refer the matter to the Regulatory Committee.

CHAIR'S REPORT – Valerie Carter-Williams

Discipline Committee – Valerie Carter-Williams

Ms. Carter-Williams reported that the Board currently has 16 complaints in Investigation. There are seven (7) cases at Board Level. Four (4) Informals have been held since last Board Meeting (September 16, 2005).

Ms. Carter-Williams reported on the Association of Social Work Boards' Annual Meeting that she and Mr. Foster attended. The Meeting was held November 4-6, 2005 in Dearborn, Michigan.

Ms. Carter-Williams advised that ASWB has developed a practice examination that will be available for candidates in early 2006. She also reported that discussion ensued regarding supervision. Other states reported difficulty with supervision being provided. Ms. Carter-Williams requested that the Regulatory Committee consider requirements for supervision at a future meeting. Following discussion Mr. Martin, Chair of the Regulatory Committee, noted that he may consider appointing an Ad Hoc Committee to consider regulatory matters related to supervision. Ms. Riggs and Ms. Payne would like to be appointed to the Committee.

EXECUTIVE DIRECTOR'S REPORT – Evelyn Brown

Ms. Brown reviewed the Consent Orders. Following review Ms. Carter-Williams asked for a motion to go into Executive Session to discuss Consent Orders.

Mr. Boehm moved that the Board of Social Work convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* for the purpose of discussion and deliberation regarding the Consent Orders of Michael Crosby and Shomer Zwelling. Additionally, Mr. Boehm moved that Ms. Brown, Mr. Casway, Mr. Foster, and Ms. Covington attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried.

The Committee reconvened in open session.

Mr. Boehm moved that the Informal Conference Committee certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom on Information Act and only such public business matters as were identified in the motion by which the Closed Meeting was convened. The motion was seconded and carried.

Following discussion, Mr. Martin moved to accept the Consent Order for the suspension of Michael Crosby's license effective December 16, 2005. The motion was seconded and passed unanimously.

Following discussion, Mr. Chambers moved to accept the Consent Order for the suspension of Shomer Zwelling's license effective December 16, 2005. The motion was seconded and passed unanimously.

Ms. Brown noted that due to increased costs for returned checks, the Agency is increasing the fee for returned checks. In order to change the fee language is being adopted throughout the Agency to amend the returned check fee. Following discussion Mr. Martin moved to adopt the proposed language regarding increasing the penalty for a returned check to \$35.00. The motion was properly seconded and carried unanimously.

AGENCY SUBORDINATE RECOMMENDATIONS – David Boehm

Mr. Boehm gave an overview regarding procedure for the continuing education case for consideration by the Board. Mr. Boehm recused himself from additional discussion about recommendations before the Board regarding the continuing education disciplinary case.

Following discussion a motion was made by Mr. Martin and properly seconded that the Board of Social Work convene in Closed Meeting pursuant to Sections 2.2.3711(A)(28) of the *Code of Virginia* for the purpose of deliberation regarding the Consent Order of Ms. Cauthorn. Mr. Martin further moved that Evelyn Brown, Howard Casway, Benjamin Foster, and Arnice Covington remain in the Closed Meeting to aid the Board in its consideration of the matters before the Board.

A motion was made by Mr. Martin and properly seconded that, the Board heard, discussed or considered only those public matters lawfully exempted from Open Meeting requirements by Virginia law and those matters as were identified in the motion for the Closed Meeting.

A motion was made by Ms. Moore and properly seconded that the Board accept the recommendation of the Agency Subordinate that Ms. Cauthorn be assessed a monetary penalty of \$1400.00 and that the monetary penalty be stayed until such time as Ms. Cauthorn seeks to have her license to practice clinical social work placed on active status. At such time as Ms. Cauthorn seeks to place her license on active status, in addition to submitting payment of the above-referenced monetary penalty, she shall provide documentation of completion of the appropriate number of hours of continuing education for each renewal cycle, beginning with the 2003 renewal cycle. The motion carried unanimously.

CONTINUING EDUCATION AUDIT REPORT – Benjamin Foster

Mr. Foster provided an update on the 2005 continuing education audit. Mr. Foster reported that 173 licensees were audited during August 2005. Of that number, 151 were randomly selected and 22 others were audited as a result of Confidential Consent Orders issued in conjunction with the 2003 random audit. Of the 173 audits mailed, 169 were returned.

Mr. Foster stated that he had reviewed all 169 returned audit packages. He further stated that he enlisted the assistance of Ms. Carter-Williams and Mr. Boehm to determine compliance in approximately 20 files. Using the guidance document on possible disciplinary actions adopted at the September 16, 2005 Board Meeting, Mr. Foster determined there would be seven (7) Confidential Consent Agreements offered, as well as 11 informal conferences to be scheduled as a result of the audit.

INFORMAL CONFERENCE TRAINING – Howard Casway, Sr. Assistant Attorney General

Mr. Casway presented a power point presentation about conducting informal fact finding conferences to the Board.

NEW BUSINESS:

The Regulatory Committee plans to meet March 3, 2006. March 17 will be an alternate date.

David Boehm has agreed to work on the Continuing Education Committee.

Charles Chambers has agreed to work on the Regulatory Committee.

OLD BUSINESS:

ADJOURNMENT:

There being no further business to come before the Board the meeting adjourned at 2:00 p.m.

Valerie Carter-Williams, Chair

Evelyn B. Brown, Executive Director