

**THE VIRGINIA BOARD OF SOCIAL WORK  
MINUTES  
FRIDAY, JANUARY 11, 2008**

The Virginia Board of Social Work ("Board") meeting convened at 9:07 a.m. on Friday, January 11, 2008 at the Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia. David Boehm, Chair, called the meeting to order.

**BOARD MEMBERS PRESENT:** David R. Boehm  
Charles R. Chambers, Jr.  
Willie T. Greene, Sr.  
Susan Horne-Quatannens  
Wayne A. Martin  
Catherine L. Moore  
Francis N. Nelson, Jr.  
Dolores S. Paulson  
Jill Smeltzer

**BOARD MEMBERS ABSENT:** None

**STAFF PRESENT:** Emily Wingfield, Chief Deputy Director  
Ishneila Moore, Assistant Attorney General  
Evelyn B. Brown, Executive Director  
Elaine Yeatts, Agency Policy Analyst  
Patricia L. Larimer, Deputy Executive Director  
Catherine Chappell, Administrative Assistant

**OTHERS PRESENT:** James Schliessmann, Assistant Attorney General  
Mary Beth Shelton, Adjudication Specialist  
Dwight Hymans, ASWB  
Mark O'Shea, LCSW, Virginia Society of Clinical  
Social Workers  
Debra Riggs, NASWVA

**ORDERING OF AGENDA**

Mr. Boehm noted a change in the agenda, in which Ms. Isneila Moore would begin the meeting with a review of the process to review a disciplinary case for possible suspension, to be followed by a presentation by Mr. Schliessmann and Ms. Shelton of the Commonwealth's evidence.

## **THERESA S. ZODY – Case number 118055**

Mr. Schliessmann and Ms. Shelton presented the Commonwealth's evidence for the Board's determination as to whether Ms. Zody's continued practice of social work constituted a substantial danger to public health and safety.

### **SUMMARY SUSPENSION:**

Mr. Greene moved, and the Board voted unanimously, to convene a closed meeting pursuant to Section 2.2-3711.A.28 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of a possible summary suspension. Additionally, he moved that Evelyn Brown, Patricia Larimer, Catherine Chappell, and Isneila Moore attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations. The motion was seconded and approved.

Mr. Greene moved, and the Board voted unanimously, that only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion for closed session were heard, discussed or considered during the closed meeting. The motion was seconded and approved.

Mr. Greene moved, and the Board voted unanimously in favor of the motion that, according to the evidence presented, the social work practice of Theresa S. Zody poses a substantial danger to the public, and therefore the license of Theresa S. Zody to practice as a licensed clinical social worker be summarily suspended with a consent order offered to Ms. Zody for the indefinite suspension of her license in lieu of a hearing. The motion was seconded and approved.

### **APPROVAL OF MINUTES**

Ms. Horne-Quatannens moved to accept the minutes of the October 12, 2007, with correction to the date on page 4 and reference to Regulatory Committee Meeting in Ms. Paulson's report. The motion was seconded and carried.

### **PUBLIC COMMENT**

There was no public comment.

### **CHAIR'S REPORT – David Boehm**

#### Board of Health Professions

Mr. Boehm reported that the executive committee of the Board of Health Professions met in December for budget discussion. In accordance with the Governor Kaine's healthcare initiatives, an increase of sixty (60) Agency positions had been deemed necessary.

At that meeting, the need for applicant background checks was discussed in light of the implementation of multi-jurisdictional licenses in states that require background investigations.

Mr. Boehm indicated that the next full BHP meeting would be held in February and that he remained chair.

### Discipline Committee Report

Mr. Boehm reported that the Board currently has 17 complaints in Investigation. There are eight (8) cases at Board level. One informal conference is to be scheduled. At this time, there are no formal hearings, consent orders or confidential consent orders pending.

Mr. Boehm advised that the Agency was currently reviewing how determinations were made in the Board's disciplinary proceedings. He indicated that a guidance tool was being developed to assist in and assure consistency in disciplinary proceedings. Ms. Larimer remarked that she anticipated the guidance tool to be in the form of a worksheet using a sanction referencing system.

### House Bill 1146

Mr. Boehm advised that the HB 1146 Committee had met and that Mr. Chambers had prepared a draft a summary of comments. Mr. Chambers reported that the Committee had been charged with consulting with stakeholders (including educators, professional associations, and individuals) to determine if the current education requirements were adequate and if the current licensure exemption best served citizens of the Commonwealth of Virginia.

Mr. Boehm stated that he anticipated providing the summary to the Board at the April Board meeting, and would provide any Committee recommendations to the Board for consideration.

Mr. O'Shea commented that he appreciated the work of the Board with respect to HB 1146. He acknowledged that the Board's process was complex and complicated but thoughtful. He stated that he looked forward to reviewing the Committee's report.

### Examination Scores for Schools

Mr. Boehm introduced Mr. Hymans, Director of Board Services as ASWB. Mr. Hymans reported that the ASWB tests are reviewed every seven (7) years to stay up to date with current practice standards. He offered to serve as a resource to the Board.

## **Executive Director's Report – Evelyn Brown**

Ms. Brown thanked the Board for their participation in Arnice Covington's retirement celebration and welcomed Ms. Chappell who now serves as administrative assistant to the Board. Ms. Brown noted that the Behavioral Science Unit is now fully staffed.

Ms. Brown referred the Board to the communication from the Governor's office on the mental health budget and legislative initiatives. Ms. Yeatts provided information on additional proposed legislation relating to the Agency. She noted that Board members, as part of the Governor's administration, may not take a position on any bills but can express opinions as individual citizens.

Ms. Brown reminded Board members that Conflict of Interest Disclosure Statements are now due and asked that they complete the paperwork as soon as possible. Additionally, she advised that the mileage reimbursement had been increased to \$.505.

## **COMMITTEE REPORTS**

### **Continuing Education Committee – Cathi Moore**

Ms. Cathi Moore updated the Board on the Continuing Education (CE) audit, noting that 88 licensees had been randomly chosen for audit. Of the 88 licensees, eight (8) did not respond. She thanked the Board members who had assisted with the audit. The audit had identified items needing clarification, including the growing trend towards online CE as opposed to face-to-face CE.

### **Regulatory Committee Report – Wayne Martin/Elaine Yeatts**

- Continuing Education for Licensed Social Workers. Ms. Yeatts indicated that the action had been fast-tracked and was awaiting approval by the Governor.
- Update on status of Proposed Regulations Governing the Practice of Social Work. Ms. Yeatts noted that the public comment period closed on December 28, 2007, but that the Board was not able to take action at this time due to the time requirements under the Administrative Process Act. She advised that the public comments would be in the agenda package for the April meeting and that the Regulatory Committee would have a recommendation to the Board.

Mr. Martin advised that the Committee recommended that the Board issue a Notice of Intended Regulatory Action (NOIRA) to establish a definition of "clinical course of study" in the regulations. The recommendation was approved.

Mr. Martin advised that the Committee recommended that the Board revise regulation 18VAC140-20-50.B.2, by striking the words "or the equivalent in part-

time experience” and “in the two year period”. The recommendation was approved.

Mr. Martin advised that the Committee recommended that the Board add section C. to regulation 18VAC140-20-70 and continue discussion at a later time on the number of times an applicant can take the licensure examination. The recommendation was approved.

- Clinical Course Work Report. Ms. Paulson advised that the meeting with representatives from the schools of social work at Virginia Commonwealth University and George Mason University on the working draft of educational coursework had been productive. She anticipated revising the draft based upon the meeting and would present the document at the next Board meeting.

### **NEW BUSINESS:**

There was no new business.

### **OLD BUSINESS**

There was no old business.

### **ADJOURNMENT**

There being no further business to come before the Board, Mr. Martin moved to adjourn the meeting. The meeting adjourned at 11:37 a.m.

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David Boehm, Chair

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Evelyn B. Brown, Executive Director