

**MEETING MINUTES
TENNESSEE BOARD OF SOCIAL WORKER LICENSURE**

DATE: January 28, 2016
TIME: 9:00 a.m. CST
LOCATION: Iris Room, Ground Floor
665 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS

PRESENT: Adrienne Newman, LAPSW, Chair
Amy Smith, LBSW
Elizabeth Randall, LCSW
Vicki Gardine Williams, LAPSW
Ann-Marie Buchanan, LMSW
Tara Watson, LCSW
Julia Axley, LBSW
Robert Zylstra, LCSW
Kenya Anderson, LMSW
Karen A. Armstrong, Citizen Member

BOARD MEMBERS

ABSENT: All were present

STAFF PRESENT: Christi Stacey, Board Administrator
Teddy Wilkins, Unit Director
Todd Pinckley, Assistant General Counsel

Ms. Newman called the meeting to order at 9:12 a.m. A roll call was conducted and a quorum was present. Ms. Newman extended welcome to our new board member Elizabeth Randall.

Minutes

Mr. Zylstra made a motion to accept the October 29, 2015 minutes, seconded by Ms. Buchanan. The motion carried.

Office of General Counsel

Mr. Pinkley stated the disciplinary actions as of January 25, 2016 were fourteen (14) cases in OGC against the Board's licensees. Four of which: Rebekah Staats, Bernice Colway, Teresa Fannon and Karen Friedman are scheduled to be resolved by Consent Order today.

Mr. Pinckley said the Office of General Counsel has prepared an initial draft of the telehealth rules to be reviewed and a policy statement of the appropriate handling of lapsed licenses to be presented to the board later in the meeting. As of January 25, 2016, there is no legislation affecting the board.

Mr. Pinckley discussed a development in case law, which involved the North Carolina dental board that may have some bearing on the board's business. The Supreme Court's decision held that state regulatory boards are not the sovereign state, therefore sovereign immunity does not protect the board the same way it would protect a state action. State regulatory boards on which the controlling number of decision makers are active market participants in the activation that the board regulates may invoke state action only if the challenged restraint is clearly articulated and affirmatively expresses a state policy. The policy must be actively supervised by a state official or an agency that is not a participant in the market. The board does not meet these requirements. Relatively to the board's day to day business this decision is strictly regarding anti-competitive and anti-trust behavior from a state board. This does not affect the boards regularly conducted business. Promulgation of rules and regulations remains largely unaffected since this requires public notice, written justification and review before changes can be made final. The disciplinary decisions will also remain unaffected as this requires due process according to the respondents and participation of other state actors including investigators, prosecutors and administrative judges. This case does not prevent the board from investigating a non-licensed person for violations of practice act as long as there is a statutory or regulatory authority. This decision could have a minor effect on the testing required for licensure, which is being reviewed by OGC and we are not implementing any changes to testing at this time, and may not be necessary to this board. Ms. Wilkins also noted that it's highly unlikely this board would be affected because it has no "board written test," and involves a national test for licensure. Boards that were most affected were boards that have board written tests.

Consent Order

Mr. Pinckley presented a Consent Order for **Bernice Colway, LCSW #3233**. Ms. Colway engaged in a dual relationship of a sexual nature with a patient. She agreed to the revocation of her license, and further agrees that if she ever wishes to reinstate would have to notify the board in order to do so.

Motion to approve the consent order for Bernice Colway was made by Ms. Axley and seconded by Ms. Anderson. The motion passed unanimously.

Mr. Pinckley presented a Consent Order for **Teresa Fannon, LBSW #181**.

Ms. Fannon engaged in a dual relationship with a client, and married a client she met at work. She agreed to the voluntary surrender of her license, which carries the same effect as revocation and would also have to come before the board if she ever wished to reinstate.

Motion to approve the consent order for Teresa Fannon was made by Ms. Buchanan and seconded by Ms. Smith. The motion passed unanimously.

Mr. Pinckley presented a Consent Order for **Karen Friedman, LMSW #9619**.

Ms. Friedman falsified documents, progress notes and customer treatment plans which included forging the signatures of parents on process treatment plans. She agreed to the voluntary surrender of her license, which carries the same effect as revocation and would also need to come before the board if she ever wished to reinstate.

Motion to approve the consent order for Karen Friedman was made by Mr. Zylstra and seconded by Ms. Buchanan. The motion passed unanimously.

*The board interjected the request that in future consent orders that the stipulation of reporting the revocation action taken to their current and future employers as long as one is on suspension or revocation. Mr. Pinckley stated he would check on the legalities of that addition.

Mr. Pinckley presented a Consent Order for **Rebekah Staats, LMSW #9638**.

Ms. Staats consent order was presented to the board at the October meeting at which time the board made some changes/recommendations. Ms. Staats has agreed to the board's recommended discipline. This consists of a six month suspension of her license, followed by a one year probation period. During the one year probation she will be under supervision and she must have the supervisor submit quarterly reports to the disciplinary coordinator in investigations to be reviewed by the consultant.

Motion to approve the consent order for Rebekah Staats was made by Ms. Axley and seconded by Ms. Buchanan. The motion passed unanimously.

Investigative Report

Ms. Dorroh reviewed the Complaint Report stating there are six (6) complaints against LCSWs; three (3) against LMSWs; and one (1) against LBSWs. Ms. Dorroh also reviewed the currently monitored practitioners report stating they were currently monitoring five (5).

Ms. Dorroh introduced the new director of the Bureau of Investigations, Antoinette Welch to the board. Ms. Welch was welcomed by the board.

Financial Report

Ms. Wilkins gave a brief overview of the most current report. For the fiscal year ending June 30, 2015 the net expenditures for the year were \$263,779.63

The revenue was \$444,821.51 and the net revenue was \$181,040.88 adding to the cumulative carryover. There was a fee reduction that took place December 22, 2015, which will reduce the board fee revenue. Ms. Wilkins appeared before the Government Operations Committee in November and the committee was pleased with the fee reductions. This fee reduction has been made a permanent rule.

Administrative Report

Ms. Stacey reviewed the Administrative Report with the board stating that as of January 27, 2016 there are 708 LBSWs; 2584 LMSWs; 292 LAPSWs and 2503 LCSWs. Ms. Stacey gave the number of licensees that retired between the dates of July 23, 2015 and October 27, 2015:

there were no (0) LBSWs, twenty-one (21) LMSWs, one (1) LAPSW and fifteen (15) LCSWs. Ms. Stacey said seventeen (17) LBSWs, forty-seven (47) LMSWs, four (4) LAPSWs and fourteen (14) LCSWs licenses expired during that timeframe.

Ms. Wilkins presented the board with the contract to continue the agreement with the ASWB for social work licensure testing. The motion was made to continue the contract by Ms. Buchanan, and seconded by Ms. Williams. None opposed, motion passed.

Discussion was held for the ASWB New Board Member training/ education conference, dates were given to see if any members would be interested in attending.

Dates given:

March 18-20, 2016, San Diego, California

June 10-12, 2016, Washington DC

August 19-21, 2016, Washington DC

A motion to approve Mr. Zylstra and Ms. Randall to attend the conference date of their choice was made by Ms. Buchanan and seconded by Ms. Axley. The motion carried.

Discussion was held for the ASWB Spring Education Conference - April 28-30, 2016 to be held in Jersey City, NJ. Ms. Newman, Ms. Williams, and Ms. Buchanan along with a staff member were suggested attendees. Ms. Wilkins expressed interest in attending. Ms. Axley made a motion to approve they attend, Ms. Smith seconded the motion. The motion carried with none opposed.

Continuing Education Agreed Citations

Ms. Buchanan made a motion, seconded by Mr. Zylstra, to approve the Agreed Citation for **Cheryl Gannon**. Ms. Gannon chose to retire the license, understanding should she ever decide to bring the license out of retirement she would have to complete the deficient continuing education hours in addition to the CE's usually required for a reinstate from retired. The motion carried.

Ms. Axley made a motion, seconded by Ms. Buchanan, to approve the Agreed Citation for **Kelly Dunham**. The motion carried.

Newly Licensed

Ms. Smith made a motion, seconded by Ms. Buchanan, to approve the following LMSWs for licensure:

Cassandra Alsup
William K. Ard Jr.
Asia M. Avery
Ashley E. Bigham

Samantha D. Alsup
Morganne B. Austin
Rebecca M. Beale
Richard A. Boyd

**Ashleigh Brady
Olivia Brown
Catherine Carasiti
Ashley M. Champion
Shana J. Crispin
Alyson C. Cutshall
Ambrea M. Fuller
Cassidy L. Hartley
Jodi M. Herrera
Allison E. Hill
Kimberly P. Johnson
Amy Jordan
Sherry L. Kidner
Mary E. Landey
April A. Leary
Erica A. Lewis
Lashonda L. Mayberry
Laura K. Morgan
Judith Orr
Rheanon N. Presley
Amy M. Prickette
Donna L. Pyle
Yuricka Rice
Ashley Leann Richmond
Paul Scheppf
Carol M. Shumaker
Amanda J. Smith
Corey Snyder
Latonya M. Stanley
Marissa K. Sweatt
Matthew Thompson
Jarvis I. Turner
Dorothy Ann Wallis
William G. Wheaton
Natosha D. Word**

**Dawn M. Brady
Toni Y. Burnett
Kathryn M. Cavan
Indienne R. Coombs
Kevin J. Cuchia
Amanda L. Ferguson
Lequandra Hale-Banks
Molly Heiss-Locum
Christopher Herrington
Hannah E. Johnson
Brittany E. Jones
Kisha D. Kelly
Alison M. Knack
Hannah E. Lavoie
Lauren Lee
Rebecca C. Matlock
Lisa Mercado
Samantha Nadler
Tara A. Phillips
Ceola M. Price
Karla K. Privett
Jillian D. Quilty
Amber R. Richards
Sierra M. Rozmenoski
Alessandra N. Screnci
Joyre A. Sims
Catherine Smith
Celina Solano
Lorinda J. Stark
Heather Swiney
Lisa D. Thorne
Elizabeth Wallace
Angela D. Webb
Rachel Wilcox
Caitlin A. Wright**

The motion carried.

Ms. Buchanan made a motion, seconded by Mr. Zylstra, to approve the following LBSWs for licensure:

**Calista F. Barberi
Nancy J. Clark
Ryan E. Lloyd**

**Martha S. Booyesen
Robin M. Fermin
Tyler M. Smith**

The motion carried.

Ms. Axley made a motion, seconded by Ms. Buchanan, to approve the following LCSWs for licensure:

**Melanie J. Assid
Christina Brian
Karen Collins
Shermandra A. Daniel
Michele R. Decremer
Robin L. Edmiston
Roberta M. Fish
Jill A. Gernert
Shirley Hinton
Mary k. Landers
Paula Mannella
Gloria E. Mucino
Lori Molchin Petrie
Linda E. Redding
Crystal C. Royal
Maryann Smith
Labrenda D. Thomas
Lakeshia Wallace
Maura L. Webb
Celia Woolverton
Aleana M. Young**

**Lynn A. Blakemore
Robert D. Brindle
Morgan E. Cooley
Sarah Debock
Samantha Dutton
Katherine A. Falaski
Clifford Gambrell
Lesley James Head
Eva M. Krug
Patricia H. Lane
Amy McLaughlin
Katherine Myers
Samantha N. Pitkin
Caitlin E. Riley
Terri M. Scott
Stephen P. Spiegel
Stephany E. Thompson
Jeanie B. Warren
Annika R. Winter
Joseph Matthew Yancey**

The motion carried.

LCSWs Initially Approved by Exam

Ms. Buchanan made a motion, seconded by Mr. Zylstra, to approve the following LCSWs for licensure by exam:

**Jennifer Bennett
Sandra Call
Sonja Deloatch
Edgar Fritz
Amanda Gitomer
Lorraine Jefferson
Cierra Jordan
Katie Habegger
Jessica Kingsley
Tyra McNeil
Lindsey Murkette**

**Tierra Brown
Melissa Cherry
Carol Dotson
Allen Gholston
Kendra Isadore
Aaron Johnson
Susan Joyce-Schmiesing
Ramona Thomas
Brian McMillin
Lacy Monday
Brenna O'Brien**

**Christina Osborne
Erin Pickney
Kristen Rosenberg
Ronica Smith
Amber Street
Heather Waggener
Jamia Wilson
Takisha Woolfolk**

**Casey Permrnter
Adrienne Rogers
Mary Ann Severino
Martha Stanojvich
Kimberly Trotter
Townley White
Lorraine Wiseman**

The motion carried.

LCSWs Approved By Reciprocity

Ms. Buchanan made a motion, seconded by Ms. Watson, to approve the following LCSWs for licensure by reciprocity:

**Melanie Assid
Morgan Cooley
Michele DeCreamer
Robin Edmiston
Roberta Fish
Samantha Pitkin
Caitlin Riley
Stephany Thompson
Annika Winter**

**Lynn Blakemore
Shermandra Daniel
Samantha Dutton
Katherine Faliski
Jill Gernert
Crystal Royal
LaBrenda Thomas
Maura Webb
Joseph Yancy**

The motion carried.

Reinstatements

Ms. Buchanan made a motion, seconded by Ms. Axley, to approve the following reinstated LMSWs:

**Andrew C. Loomis
Ashley Hosfield
James Patterson
Lauren Valencia**

**Alyson C. Cutshall
Tawanda Lauderdale-Dickerson
Anna Snyder**

The motion carried.

Ms. Buchanan made a motion, seconded by Ms. Axley, to approve the following reinstated LCSWs:

Lisa Barron-Fesmire
Dottie F. Freckman
Lori Molchin Petrie
Celia Woolverton

Vernetta Y. Eddleman
Patricia H. Lane
Linda E. Redding

The motion carried.

Lapsed License Policy

Mr. Pinckley presented a draft for changes to be made in the current Lapsed License Policy. The board reviewed the draft and recommended changes. Several changes in the language and wording were noted for correction. In the first paragraph in the second sentence it will include the old language, which was “however statute prohibits an individual from working as a licensed baccalaureate social worker, licensed master’s social worker, licensed advanced practice social worker, or licensed clinical social worker unless he or she has an active license.” Paragraph one (1) will have language: the individual must cease practicing if the license is required by employer or if practicing as a licensed clinical social worker. All the references to thirty (30) days will be changed to sixty (60) days to comply with the statute. Section four (4) will also include the same language as paragraph one, which (if) the license is required by employer for licensed clinical social work. The amounts will be changed in section four (4) from a thousand (\$1000.00) dollars a month to one hundred (\$100.00) dollars a month. Section 5B will be changed to; Assessment of civil penalties in an amount which may exceed \$200.00 and change to the sixty (60) day grace period

A motion to accept the policy with the noted corrections made by Mr. Pinckley was made by Ms. Buchanan and seconded by Ms. Williams. None opposed and the motion carried.

Telecounseling Draft Rules

Mr. Pinckley with Ms. Wilkins input prepared a draft copy of telecounseling rules for review/revision for the board. This would require a Tennessee licensee to obtain a license in each state in which they practice telehealth and requires those licensed in another state to obtain a Tennessee license to practice telehealth in Tennessee.

Discussion of the proper wording when referencing this was also touched on, e.g. telecounseling, telehealth, teleconferencing, telemedicine, distance counseling... Ms. Newman stated it would be good to decide on which terminology would be used by the board.

The board reviewed the draft rules, noting changes, corrections and discussed questions they had. Amendments to the language were noted throughout the draft. To include guidelines per jurisdiction, e.g. telecounseling to clients domiciled in any jurisdiction other than Tennessee

unless meeting the guidelines in that jurisdiction. Concern was expressed in the wording of “insuring proper disposal” of confidential electronic data.

Karen Franklin, TN Chapter of NASW gave information pertaining to the terminology and guidelines the NASW was currently setting forth. Referring to the telecounseling as “Electronic Social Work Services” which was favored by the board as it specifically includes “social work”. Ms. Franklin stated that Public Chapter 261 allowing anyone licensed under Chapter 63, Health Related Professions, to perform services through telehealth became effective July 1, 2015.

Ms. Newman proposed that the board await ASWB recommendations on telecounseling until they could combine ASWB/NASW standards to be interjected into our current draft.

Ms. Axley made a recommendation to “table” this until the next board meeting when the board could be presented with a “new draft” that would include all levels of licensure as applies, and their scope of practice.

Mr. Pinckley stated he would check any rulemaking already in progress to govern this, so the board wouldn’t be making a separate/duplicate set of rules.

Mr. Pinckley would make changes and amendments, follow up on general rules and report back to the board at the next meeting, and new draft if feasible in attaining decisions from the ASWB.

Ms. Stacey should currently respond when asked about telecounseling; “there’s been a law passed that says as a professional you can offer telehealth, but there have been no rules promulgated regarding how you do that.” They should follow all the licensure rules, and statutes that are in effect.

Correspondence

The Board reviewed continuing education waiver requests from the following licensees who were licensed in 2015:

- 1. Ashley Petty – LMSW #10509 Waived for 2015**
- 2. Alyssa C. Johnson – LMSW #10544 Waived for 2015**
- 3. Hope N. Crowder – LMSW #10512 Waived for 2015**
- 4. Bethany Brunett – LMSW #10340 Waived for 2015**
- 5. Crista Bautzmann – LMSW #10285 Waived for 2015**
- 6. Jennifer Christian – LMSW #10607 Waived for 2015**
- 7. Kevin J. Cuchia – LMSW #10629 Waived for 2015**
- 8. Brittany E. Jones – LMSW #10495 Waived for 2015**
- 9. Jennifer Campbell – LMSW #10482 Waived for 2015**

Ms. Buchanan made a motion to approve the continuing education requirement to be waved for the 2015 period. Ms. Axley seconded the motion. None opposed, motion carried.

Policy on deadline for applications being submitted

Discussion was made to draft a “30 day deadline” policy on submitting applications before the next upcoming board meeting. Applicants are under the impression that they can overnight their application as late as the day before a board meeting, and still have it go before the board. Ms. Wilkins went over the deadline policies currently in place other boards are using as examples of what we are asking. Ms. Wilkins thought 30 days was a reasonable amount of time to request, and reiterated by Ms. Newman stating that should be strictly adhered too. To have the application date stamped when it arrives at Ms. Stacey’s desk. Noting that our meeting schedule is posted on our website, and Ms. Newman’s suggestion that it would include: “Reference the dates of the meetings, and everything is due in the office thirty days (30) before the board meets. Applications that are received less than thirty (30) days before the dates of these meetings will not be processed until the next meeting.”

A motion for Mr. Pinckley to draft a “Deadline Policy” to be presented at the next board meeting was made by Ms. Buchanan and seconded by Ms. Smith. The motion carried.

Karen Franklin, TN Chapter of NASW

Ms. Franklin made a verbal request to the board of social work that they be involved at the “Social Work Day on the Hill” and inquired of the board wanted if they wanted to be represented again this year. She stated that the sponsorship level last year for the licensure board was \$500.00, and that it was very beneficial to the public and students inquiring information about social work.

Mr. Zylstra made a motion that the board sponsor the “Day on the Hill” again for the amount of \$500.00 Ms. Buchanan seconded, none opposed. Motion passed.

Adjourn

With no other Board business to conduct Ms. Buchanan made a motion, seconded by Mr. Axley to adjourn. The time was 1:08 p.m. The motion carried.