

TENNESSEE BOARD OF SOCIAL WORKER LICENSURE MINUTES

DATE: May 7, 2020
TIME: 9:00 a.m. CDT
LOCATION: WebEx
Virtual Meeting Online

BOARD MEMBERS

PRESENT: Robert Zylstra, LCSW, Chair
Kenya Anderson, LMSW, Secretary
Rachel Horton, LBSW
Kenneth J. White, LAPSW
Tara Watson, LCSW
Ann-Marie Buchanan, LMSW
Jennifer Williams, LAPSW
Kimberly Mallory, LAPSW
Ashley Childers, LCSW

BOARD MEMBERS

ABSENT: Karen A. Armstrong, Citizen Member

STAFF PRESENT: Christi Stacey, Board Administrator
Teddy Wilkins, Unit Director
Nathaniel Flinchbaugh, Senior Associate General Counsel

Robert Zylstra, board chair, called the meeting to order at 9:11 a.m. A roll call was conducted and a quorum was present. The board staff introduced themselves: Christi Stacey, Board Administrator, Teddy Wilkins, Unit Director, and Nathaniel Flinchbaugh, Advisory Attorney. Ms. Wilkins explained the necessity of the telephonic meeting due to COVID-19 and the Governors recommendations on gatherings for the next several weeks to the board. In order to proceed with the meeting telephonically a roll call vote was required for approval to proceed by the board. All motions, and each decision voted upon in this meeting would require a roll call response from the board individually.

Ms. Buchanan made the motion to continue virtually, and Ms. Childers seconded the motion. A roll call vote was made and all voted in the affirmative. Motion carried.

Board Attorney Nathaniel Flinchbaugh shared the WebEx etiquette before beginning: Please mute yourself if you have back ground noise. If you have patient information in the background, please cover it. Please be mindful that you are in an official board meeting and should not be working non-board business. Please do not log out during a break, you can mute your mic and stop your video. The board chair will call on everyone individually so that everyone has a chance to speak. Please do not speak over each other. There will be a roll call vote after each motion.

Minutes

The minutes from the February 6, 2020 meeting were reviewed and a motion to approve was made by Ms. Buchanan seconded by Ms. Mallory. Ms. Childers noted one correction to be made; she had recused on Shanna R. Kraai newly clinical licensee. A roll call vote was made and all voted in the affirmative. Motion carried.

Investigative Report

Ms. Lori Leonard, disciplinary coordinator for the board gave the summary of currently monitored practitioners. Currently we are monitoring two (2) under a board order/reprimand, six (6) licensees under probation, five (5) license under suspension and two (2) under a revocation.

Ms. Leonard stated that investigations had received and opened three (3) new complaints for LMSW's in the year 2020. Of the three complaints the allegations are regarding one (1) for falsification of records, one (1) for substance abuse, and one (1) for unprofessional conduct. Investigations closed a total of three (3) complaints to date. Two (2) were closed and sent to the Office of General Counsel for formal discipline, and one (1) with a letter of warning. Ms. Leonard reminded the board that letters of concern and letters of warning are not reportable to the national practitioner data bank because they are not considered as formal discipline. Currently there were four (4) open complaints regarding licensed master's social workers that are being investigated and or reviewed. For licensed advanced practice social workers investigations opened two (2) new complaints so far in the year 2020. Of the two complaints; one (1) was for substance abuse, and one (1) for unprofessional conduct. They have not closed any investigations regarding any complaints, and have three (3) open complaints that are being reviewed and or investigated at this time. For the licensed baccalaureate social workers so far in the year 2020, there was one (1) new complaint which was regarding drug diversion. One complaint was closed, and was sent to the Office of General Counsel for formal discipline. There are no open complaints currently being reviewed and or investigated at this time. For licensed clinical social workers so far in the year 2020 has received and opened a total of six (6) new complaints; of those six complaints, one (1) was for an action in another state, four (4) were for unprofessional conduct, one (1) was regarding mental and or physical impairment. Investigations has closed a total of seven (7) complaints; one (1) were closed with insufficient evidence to formally discipline, four (4) were closed with no actions, and two (2) was closed with a letter of warning. Currently investigations have six (6) complaints open being investigated and or reviewed.

Office of General Counsel

Mr. Flinchbaugh reminded the board of the conflict of interest policy, if anyone has a conflict of interest they are required to let the board know and recuse themselves. He also reminded the board about the open meetings act; any communications between two board members in any type of medium whether it is electronic, or in person if it is about board business it must be sunshined and properly noticed for the public to attend.

Mr. Flinchbaugh noted he currently has four (4) cases open in his office; one (1) set for approval today:

Agreed / Consent Orders / Disciplinary Activity

Mr. Flinchbaugh presented an Agreed Order for **James Stanton, LMSW #8651**

The board had copies of the consent order sent to them and proper time to review.

Facts: Respondent falsified home visit documentation. Respondent documented having completed client home visits without actually seeing the client.

Discipline:

- a. Probation of no less than one (1) year
- b. Practice monitor with monthly reports
- c. Five (5) Type B Civil Penalties of \$100 each, for a total of \$500, payable within 24 months (\$100 each / for the five documented visits he did not complete)
- d. Costs not to exceed \$500.00, payable within 24 months

Motion was made to accept the citation by Ms. Buchanan, seconded by Mr. White. A roll call vote was made and all voted in the affirmative. Motion carried.

Update: The chapter re-write for our rules is currently in the Attorney General's Office for the final review for legality. The Governor's Office has requested that if approved we wait before the board files it so not to conflict with the currently existing executive orders. Once Mr. Flinchbaugh has received notice from their office to continue with the filing, it will be filed with the Secretary of State's Office. The Secretary of State then has seven days to get it published for everyone in the public to see, and will be effective ninety (90) days from the date of that publication.

Mr. Flinchbaugh presented two drafted policies based on direct wording of the pending/approved rule changes. Policy Reason: The Board wanted to immediately implement the increase in allowable tele-supervision hours. The policy regarding the percentage of allowed Tele-Supervision and the Stop-Gap Policy on Non-Clinical/Clinical hours for applicants.

Question from the public: Was the Board making any allowances for continuing education requirements for the "in person/face-to-face" portion of required CE due to many of the seminars and conferences being canceled. Mr. Flinchbaugh reminded the board that the Governor did not want any "new" policies or changes during this time while trying to finalize the executive orders, he also reminded the board the section in the new rules packet that allows LIVE Webinars to count as in person hours.

Mr. Flinchbaugh presented a Consent Order for **Pam Wolf, LCSW #3268**

Facts: Respondents license expired May 31, 2014. Respondent advertised as an LCSW until September 2019. Discipline is voluntary surrender of license. Motion was made to accept the citation by Ms. Buchanan, seconded by Ms. Childers. A roll call vote was made and all voted in the affirmative except for Ms. Williams who recused. Motion carried.

Senate Bill 1655 Sunset extension for the Board of Social Work, based on legislation the board has been extended until June 30, 2026.

Rule Activity The chapter re-write for our rules have been sent to the Attorney General's Office. Once approved in the Attorney General's Office, it then goes to the Secretary of State's office who will give us the effective date of the revised rules.

Administration requested Mr. Flinchbaugh possibly drafting a "Stop gap" policy regarding the time/year's period that is allowed in clinical logged hours that changes from six (6) years to eight (8) years and on the percentage of allowed Telehealth supervisory hours to apply until the revised rules go into effect. The board agreed to adopt the language made at rule change, and approved Mr. Flinchbaugh to draft the stop-gap policy on the six (6) to eight (8) year change and to define the percentage on the telehealth allowances. The six (6) to eight (8) year change would be effective immediately, February 6, 2020. Ms. Buchanan made motion to accept, seconded by Mr. White. A roll call vote was made and all voted in the affirmative. Motion carried.

Financial Report

Ms. McCormick presented the midyear financial report showing a charted timeline of fiscal years ending June 2017, 2018, 2019 and estimated June 2020 for the board to review.

Beginning with actual amounts from July 1, 2019 – March of 2020; Payroll expenditures through March were \$85,136.16, total of "other" expenditures \$22,468.97, and total of direct expenditures \$107,605.13. They are projecting the board to have a total other expenditures of \$30,369.20, and a total direct expenditures of \$143,884.08 which includes the salary, wages and employee benefits in this projection amount. The projection is a conservative projection, as we could see less travel expenditures for the projected year due to the effects of COVID-19 pandemic. The actual salary and wages based upon performance evaluations that are likely to occur may be anywhere from 3% to 5% increases as seen in the actual projection amount.

The allocated expenditures through March of 2020 (total) were \$103,900.48 with a projection of total allocated expenditures totaling \$138,533.97, and the total projection of expenditures for the fiscal year of 2020 is \$282,418.06. The board collected \$318,655.00 through March of 2020, and has the potential to collect \$394,737.55 through fiscal year 2020. Current year net through March was \$107,149.39 with the projection that this board will have a current year net of \$112,319.49. The cumulative carryover through March was \$1,712,532.63 and the projected cumulative carryover to close at \$1,717,702.74. Fiscal year is July through June; this mid-year report reflects July through March. The year-end report will include the three additional months April, May and June. Ms. McCormick then covered the other expenditure and direct expenditures comparison charts of 2018, 2019 and 2020 as well as the revenue fees. The last fee reduction occurred 12/22/2015 (FY 2016) her report included the amount each level decreased their fees. The board was reminded that a fee reduction discussion was to occur at this meeting, to reduce the

cumulative carryover which is required when the cumulative carryover is three times the two year average. Ms. McCormick then presented the board with three different fee reduction amount scenarios with projected change it would create in the total fiscal year revenue. Much discussion on reducing initial application fees or renewal fees and possibly both followed.

Ms. Karen Franklin (NASW) gave the total fee amounts getting initially licensed cost to include the ASWB test fees to give the board an idea of the financial burden applicants just graduating college face. After much discussion Mr. Zylstra made suggestion that Ms. McCormick prepare a fee reduction report showing reduced fees of \$25.00 on initial application fees across the board, and reduce LMSW renewal fees down by \$20.00. Ms. Buchanan suggested a more significant reduction on the initial application of an LMSW amount by \$50.00. Ms. McCormick offered to prepare reports to show additional scenarios and comparisons of amounts to present at the next board meeting.

Ms. Buchanan made a motion (to get things started) to decrease the Masters social work initial application fee by \$50.00 and the Baccalaureate initial application fee by \$25.00. Ms. Mallory seconded the motion. Mr. Flinchbaugh assured the board they could change the dollar amount in this motion should the reports Ms. McCormick gives at the next meeting. Mr. Zylstra asked Ms. McCormick to prepare comparison charts on all the given suggested amounts. Ms. McCormick said she would get those numbers for the board.

Administrative Report

Ms. Stacey stated that as of May 5, 2020 there were 579 Licensed Baccalaureate Social Workers; 3,043 Licensed Master Social Workers; 258 Licensed Advanced Practice Social Workers; and 2,943 Licensed Clinical Social Workers.

Listed below are license statuses for all professionals regulated by the Board of Social Work from the period reporting from February 4, 2020 through May 5, 2020.

Licensed Baccalaureate Social Workers	Licensed Master Social Workers	Licensed Advanced Practice Social workers	Licensed Clinical Social Workers
New Licenses - 5	New Licenses - 71	New Licenses - 0	New Licenses - 45
Renewed - 59	Renewed - 298	Renewed - 24	Renewed - 331
Online - 42	Online 246	Online - 15	Online - 235
Retired License - 0	Retired License - 14	Retired License - 1	Retired License - 10
Expired - 8	Expired - 33	Expired - 8	Expired - 29

Ms. Stacy stated from February 4, 2020 thru May 5, 2020 that no (0) LBSW licensee, fourteen (14) LMSWs, one (1) LAPSW’s and ten (10) LCSWs retired their licenses.

Ms. Stacey said from February 4, 2020 thru May 5, 2020 that eight (8) LBSWs, thirty three (33) LMSWs, eight (8) LAPSW and twenty nine (29) LCSWs license expired.

Ms. Stacey also stated that from February 4, 2020 thru May 5, 2020 there were five (5) LBSWs licensed; seventy one (71) LMSWs were licensed; no (0) LAPSW was licensed; and forty five (45) LCSW’s were licensed.

Dates of the remaining 2020 Social Work Board meetings are:

08/06/2020

11/05/2020

Application Review

Amber Hake appeared before the board via WebEx to discuss her application here in Tennessee. Ms. Amber Hake LMSW applied with ASWB exam results (by exam) rather than reciprocity, as she does not have a current license from Minnesota. The application was brought before the board due to a license reprimand from the license held in Minnesota. While in her master's program Ms. Hake allowed her LSW to expire because she did not have the money for the testing and license fees as she was unemployed at the time. Once she regained employment Ms. Hake experienced a period of catching up on her financial responsibilities bills due to being unemployed for an extended amount of time. She continued to work unlicensed until she could financially afford to pay for the testing and then the actual license fees. She appealed the practice because many of her coworkers at the practice where she was working were not social workers and did not have license. The Minnesota board placed the reprimand on the license for practicing post graduate without a license, but did not require any other action e.g. suspensions and or fines. Ms. Hake did for a period of time have an active LMSW license in Minnesota, but had since left her employment there and allowed the license to there to expire. She stated that she was not currently practicing, and had not since leaving that job October of 2018. After discussion with Ms. Hake over the reprimand and questions regarding the time period in which she was licensed, motion was made by Ms. Whitsitt with conditional terms; that she must complete a three (3) hour continuing education course in social work ethics within the next three months to grant the license here. Ms. Watson seconded the motion. A roll call vote was made and all voted in the affirmative. Motion carried.

Michael Lazar appeared before the board via WebEx to discuss his application here in Tennessee. Mr. Lazar applied for the LMSW by reciprocity. He applied here for his LMSW/Masters license to complete his supervised hours working toward his clinical license. He began his supervised hours in North Carolina. He was licensed there as a "LCSW-A" license (Licensed Clinical Social Worker – Associate) He took the ASWB Clinical exam and passed, and began his hours there. He has relocated here and is requesting to be licensed here as an LMSW in order to complete his supervisory hours. He is requesting to "use" his clinical ASWB test scores to be licensed here as a LMSW and not take the ASWB masters level exam. Once he has completed his 3000/100 hours he will then apply at clinical level. He will not have to retest, but submit an application, and his clinical logged hours for review before receiving his LCSW license. After the board's review of his application and supporting documentation of credentialed work in North Carolina, a motion was made to accept Mr. Lazars request by Ms. Buchanan seconded by Ms. Watson. A roll call vote was made and all voted in the affirmative. Motion carried.

Review, approve/deny and ratify new licensure files

Upon review Ms. Buchanan made a motion, seconded by Ms. Whitsitt, to approve the following LBSW applicants for licensure:

**Amanda Dawn Ashcroft
Kayla Lynn Casey
Sarah Lynne Longey-Hassell
Alexis Mcgough
Jessica Kaye Smith**

A roll call vote was made and all voted in the affirmative. Motion carried.

Upon review Ms. Buchanan made a motion, seconded by Ms. Whitsitt, to approve the following LMSW applicants for licensure:

**Tara Nicole Andies
Kristina Ashwell
Ian Daniel Barry
Mary Ashley Baxley
Ashley Latrice Beard*
Brittany Bickelman
Mary B. Bragg*
Caleb S. Brooks**
Erica Brown
Morgan Brown
Tirah Brown
Erica Broyles
Kirstie Leigh Caiza
Courtney Clardy*
Chandler Collins
Kendra Cotton*/**
Melanie Catherine Curry
Teresa Ann Duggan
Jennifer Leigh Egan***
Megan Evans
Tylencia Faulkner
Thomas C. Favale Jr.
Mattie L. Fly
Makayla George***
Jacqueline Givens
Tiffany Monique Gordon
Haley Greenwell
Hannah Gregory
Jordan Elise Haag-Langston
Alisha Renschler**

**Melissa Hand
Jamie Michelle Harvey
Thomas Hesson
Emily Humphreys
Stacey Hurst*
Laura Anne Jones
Pamela Denise Jowers
Keefer Hannah
Melissa Kirschbaum
Marilza LaRose
Danielle Audrey Leggett
Haley Lightsey
Amani Loggins
Cade Long
Alyssa Mallia
Janet Elizabeth Manley
Sarah Elizabeth Matthews
Hannah May
Hailey Hope Mercer
Carrie Miller
Harlee M. Milligan
Joi Mosley
Elizabeth Nelson
Chisha Nwobilor
Christine Marie Pagano
Lastacia Janay Peele
Renee Kayla Petit
Alexis Petrak
Erin P. Pipes
Bret E. Schlisner**

**Abby Elizabeth Smith
Rebecca Lynne Stewart
Anne Uhrman**
Laura Lynnette West
Alicia Willis
Stephanie Cornett Wright**

**Jennifer Smith
Victoria Elizabeth Strickland*
Allyson Ann Viger
Taylor Rae Whitworth
Alexander Gary Witzgall**

A roll call vote was made and all voted in the affirmative except for Ms. Childers recused * / Ms. Anderson recused** / Ms. Mallory***
Motion carried.

Upon review Ms. Buchanan made a motion, seconded by Mr. White, to approve the following LCSW applicants for licensure:

**Starlett R. Armstrong
Eileen Bowman
Elaine Capobianco
Courtney Cheek*
Matthew Chingren
Lillie A. Dancer
Ann Elizabeth Darby
Nicholas B. Deslattes
Karina Fernandez
Wendi Susan Forbes
Melody A. Fryling
Erika Fugere
Stephany L. Gleadall
Gena Golden
Mary Cecilla Grice
Debra Irene Hauptman
Christy Lee Hinerman
Alicia Marie Hirt
Theba Suzette Huggins
Zander Keig
Teresa Marie Keith
Allison M. Knack
Haley Lichtenfels**

**Latoya A. Mcleod
Molly Meyers
Doretha J. Myers
Shannon O'Donnell
Brynn Obermeier
Heather A. Osborne
Makenzie K. Parks
Brittany Louise Peery
Fidencia Perez
Betsy Petersen
Tara Elisabeth Quick*
Kristen Beckstrom Radcliffe
Lisa Kay Reyes
David Kenton Sallee
Angela Dawn Serritella
Samuel Baxter Steinbrugge
Angela D. Vance
Nicole M. Wells-Cimmino
Heather Williams
Shaneika L. Williams
William Isaac Wilson
Kathryn Yaffee**

A roll call vote was made and all voted in the affirmative except for Ms. Childers recused *.
Motion carried.

Approve LCSW applicants to sit for written exam

Upon review of the initially approved, Ms. Buchanan made a motion, seconded by Ms. Childers, to approve the following LCSW applicants to sit for the written exam.

Ms. Childers recused* / Ms. Mallory recused**/ Mr. White***

Regina Abston
Sonya Applewhite
LaDella Austin
Angela Branch
Lydia Burris
Tyler Clemmons
Melissa Cline
Elaine J. Dadarria
Amy Denton
Daniel Dumont**
Jennifer Harris**
Ramon Harris
Molly Heiss-Locum
Tiffany Hillsman
Lacey Jackson***

Chandra Jones
Melanie Jones
Lauren Lindback
Teresa Long*
Benjamin Marlow
Martha McCallie
David McCown
John Midgley
Shanae Pietrzycki
Katherine Reynolds**
Sierra Rozmenoski
Miguelina Santana
David Schuster
Catherine Smith**
Stephanie Willie

The Motion Carried

Approve/deny reinstatement applications.

Upon review Ms. Mallory made a motion, seconded by Ms. Buchanan, to approve the following LBSW reinstated license. A roll call vote was made and all voted in the affirmative. Motion carried.

Rosie Caroline Washburn

Upon review Mr. White made a motion, seconded by Ms. Whitsitt, to approve the following LMSW reinstated license.

Andrew M. Akridge
Megan O. Bennett
Marcia A. Bryant
Kimberly High Calhoun**
Marshall L. Coffman
Melissa Hall

Lennie Y. Miranda
Florence Paquet
Jennifer Rae Perkins
Martha Grace Reynolds
Michelle Leigh Ruse
Lillian Shea Stoffregen

A roll call vote was made and all voted in the affirmative. Ms. Mallory recused**. Motion carried.

Upon review Ms. Buchanan made a motion, seconded by Ms. Whitsitt, to approve the following LCSW reinstated license:

Joy B. Musick

A roll call vote was made and all voted in the affirmative. The motion carried.

Discussion

Mr. Zylstra requested that discussion of an “Outreach Program” be brought to the board for discussion. He expressed a concern of how to more educational and clarification out in the community regarding the multi-level licensure. The board discussed different options of how to offer encouragement to students in the LBSW and LMSW license, possibly partnering with the Tennessee NASW and the funding the opportunities. Possibly to include a website that summarizes the process, or a Q & A on the NASW website.

Paula Foster with NASW stated that NASW and TCSW provide a three hour training course on a regular basis with information focused around licensure and ethics. She suggested that a link could be added to the Boards website that would link to those trainings with NASW and TCSW for information on the dates.

Karen Franklin, of NASW stated that they would be drafting frequently asked questions that would be sent to the board for input and possibly the board members that once completed would be on their website. Proposal for a three tier program of a Q&A of frequently asked questions, an outreach page that would assist University students, and a series of webinars related directly to licensure with board members being the presenters. The series would consist of three parts; a basic orientation to social work licensure, specific licensure levels, and clinical and advanced practice licensure via live webinars. Mr. Zylstra requested of board staff to do a little research into the funding for these types of programs, and hopefully give a report summary of dollar amounts at the next meeting in order for a justification to be prepared.

Other Board Business

Ms. Franklin gave an update how NASW is dealing with the pandemic and COVID and changing operations. They have moved all training events to online; they canceled social work “Day on the Hill” and have been at the legislature. They are keeping in touch with their members electronically, sending out information of the changes, and continuing to be a major resource to social workers. NASW has also put a summary of the executive orders from the governor on their website that relates directly to social work in Tennessee. Mr. Flinchbaugh gave a brief overview on all the executive orders that are directly affecting social work.

There was much discussion on a possible board meeting before the next regular meeting in August, and if there would be availability of a board meeting room, and or if the WebEx agreement gets extended. Ms. Wilkins reminded the board that the fiscal unit has approximately thirty five midyear reports for the other health boards to prepare and consideration should be given for them to have the proper amount of time to prepare the proposed fee reductions.

Ms. Anderson asked how soon after the board voted on the fee reduction it would be enacted. Mr. Flinchbaugh stated it would have to go through the standard rulemaking procedures, fee reductions goes into effect once they are effective with the secretary of state office, a fee increase doesn't go into effect until July 1st of the year after its effective date. So fee reductions would become effective as soon as the rule becomes official. The board had many concerns and questions regarding the change in the fees and the amount of time it would take to become effective.

12:55 PM - Motion to adjourn was made by Ms. Buchanan, seconded by Ms. Mallory. A roll call vote was made and all voted in the affirmative. Motion carried.

Motion to approve the May 7, 2020 minutes with two correction noted was made by Ms. Buchanan; motion was seconded by Ms. Mallory. Motion carried. August 6, 2020