TENNESSEE BOARD OF SOCIAL WORKER LICENSURE MINUTES

DATE:	November 5, 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 Kimberly Mallory, LAPSW Ashley Childers, LCSW Karen A. Armstrong, Citizen Member
BOARD MEMBERS	

ABSENT:	Jennifer Williams, LAPSW BJ Whitsitt, LBSW
STAFF PRESENT:	Christi Stacey, Board Administrator Teddy Wilkins, Unit Director

Robert Zylstra, board chair, called the meeting to order at 9:15 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 Governor's 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.

Nathaniel Flinchbaugh, Senior Associate General Counsel

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

Ms. Wilkins then asked the board to confirm they had received all board related documents prior to the meeting sent to each board member via TN Cloud. The board, by roll call, confirmed they had access to the board documents.

Board Attorney Nathaniel Flinchbaugh shared the WebEx etiquette before beginning: Please mute yourself if you have background 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 August 6, 2020 meeting were reviewed and a motion to approve was made by Ms. Buchanan seconded by Ms. Mallory. Ms. Buchanan noted minor grammatical errors to be corrected. A roll call vote was made, and all voted in the affirmative. Motion carried.

Investigative Report

Ms. Courtney Lilly, filling in for disciplinary coordinator (Lori Leonard) gave the summary of currently monitored practitioners for the board. Currently we are monitoring one (1) under a board order reprimand, six (6) licensees under probation, five (5) licensees under suspension and two (2) under a revocation.

Ms. Lilly stated that investigations had received and opened eleven (11) new complaints for LMSW's in the year 2020. Of the eleven complaints the allegations are regarding one (1) for falsification of records, one (1) for substance abuse, five (5) for unprofessional conduct, one (1) regarding medical records request, two (2) for practicing beyond the scope, and one (1) for practicing outside of scope. Investigations closed a total of five (5) complaints to date. Two (2) were closed and sent to the Office of General Counsel for formal discipline, two (2) were closed with no action, and one (1) with a letter of warning. Ms. Lily 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 ten (10) 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 (1) 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 twenty-one (21) new complaints; of those twenty-one complaints, one (1) was for fraud/false billing, one (1) for an action in another state, fifteen (15) were for unprofessional conduct, one (1) regarding medical record request, two (2) regarding failure to

supervise, and one (1) was regarding mental and or physical impairment. Investigations has closed a total of nineteen (19) complaints; three (3) were closed with insufficient evidence to formally discipline, twelve (12) were closed with no actions, and two (2) were closed with a letter of warning, and two (2) were closed with letters of concern.

Financial Report

Alicia Grice, fiscal director for Health Licensing and Regulations presented the financial report for fiscal year end 2020 which runs July 1, 2019 through June 30, 2020. She presented the yearend figures ending June 30, 2020 with comparison charts from the two previous years. The report showed the board had revenue that exceeded expenditures with a current year net of \$154,319.92. She presented the comparison charts of the revenue source, comparison of allocated expenditures, and a five (5) year comparison of expenditures and revenue. A substantial amount of revenue collected coming from renewal, and reinstatement fees. The expenditures over the five years comparison shows the board has stayed well below the revenue. Fiscal is required to do an analysis of the operating expenditures and carryover reserve balance, calculating the average of the last three years of operating expenditures multiplied by two and compare that number to the current carryover reserve balance. For the current report that comes to \$539,684.58 with a cumulative carryover balance exceeding that amount (\$1,704,941.55) Fiscal is not recommending at this time to make any changes to the fee structure due to the uncertainty the global pandemic will have the board. However, Ms. Grice did inform the board that she was aware of previous discussion regarding a fee reduction and had included the fee reduction scenario charts to present if the board. She reminded the board that this report only covered three months of the pandemic and fiscal could not know at this point the long-term effects of finances on the board the pandemic will have. She reminded the board to keep in mind possible upcoming changes that could impact the boards financial expenditures e.g., administrative positions that have been previously vacant being appointed, administration cost changing and the possibility of legal actions, all which could impact the board financially. After review of the fee reduction charts, the board made the decision to move forward with the fee reduction on the LBSW and LMSW application fees. The reduction amounts approved at the previous meeting on the Licensed Baccalaureate initial application fee to \$25.00 (a reduction of \$25.00) and on the Licensed Masters initial application fee to \$50.00 (also a \$25.00) reduction) Motion was made by Ms. Buchanan to move forward with the reduction changes on the LBSW and LMSW application fees. Seconded by Ms. Childers, motion carried.

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 had two (2) open cases, against one (1) licensee in the Office of General Counsel.

Update to Rule rewrite: The chapter re-write on our rules is still in the Attorney General's Office for the final review. The office did apologize for the unforeseeable delays due to COVID pandemic but has made this a priority to get any alterations completed but did not want to give a confirmed date at his time. Mr. Flinchbaugh will continue to follow-up with Attorney General's Office and let the board know when completed.

Administrative Report

Ms. Stacey stated that as of November 2, 2020 there were 573 Licensed Baccalaureate Social Workers; 3,064 Licensed Master Social Workers; 259 Licensed Advanced Practice Social Workers; and 3,049 Licensed Clinical Social Workers.

Listed below are license statuses for all professionals regulated by the Board of Social Work from the period reporting from August 1, 2020 through November 2, 2020.

Licensed Baccalaureate Soc Workers	ial	Licensed Master Social Workers		Licensed Advance Practice Social workers	ed	Licensed Clinical Social Workers	
New Licenses -	4	New Licenses -	130	New Licenses -	2	New Licenses -	93
Renewed -	79	Renewed -	333	Renewed -	42	Renewed -	377
Online -	47	Online	272	Online -	29	Online -	284
Retired License -	1	Retired License -	60	Retired License -	1	Retired License -	5
Expired -	12	Expired -	85	Expired -	3	Expired -	44

Ms. Wilkins gave the board the *tentative* dates 2021:

02/11/2021 05/06/2021 08/05/2021 11/04/2021

Application Review

Joseph Dabbs was present via phone/telephonically, he had applied to sit for the ASWB Clinical exam for licensure here. Mr. Dabbs application was brought before the board due to criminal background results that included felonies. Mr. Flinchbaugh recommended the board review the application and background with consideration to the "Fresh Start" Act. Mr. Dabbs presented his letter of explanation and spoke with the board of his past. He explained he had a history that included substance abuse which he changed in 2009. He stated that he had been clean and sober for twelve (12) years in December of 2020. He stated he is a licensed drug and alcohol counselor in Tennessee and had served as president of the middle Tennessee Association on Drug and Alcohol Counsels from 2016 - 2018. He has been working in the state of Kentucky for "Journey Pure", also the treatment courts of Nashville e.g., drug court program, mental health court program, and helped start the veterans court program. He is also currently licensed in Kentucky as an CSW

(equal to Tennessee's LMSW) and has been working toward his clinical license there. However, due to health problems his mother was going through, he had to move home to Tennessee to care for her. He then sent in his application here in Tennessee to apply for his clinical license.

There was much discussion between the board and Mr. Dabbs, a recap of his life, a brief overview about choices he made that led to his felony charges and his rehab story. Motion was made to approve the application allowing Mr. Dabbs to sit for the ASWB Clinical exam. Motion was made by Ms. Buchanan, Ms. Watson added an addendum thanking Mr. Dabbs for the courage of pursuing his license, the difficult process of coming before the board explaining his past and what he is doing to help his community. Motion was seconded by Ms. Childers. Ms. Mallory recused. A roll call vote was made, and all voted in the affirmative. Motion carried.

Agreed Citations

The board reviewed an Agreed Citation for **Peggy A. Willingham LMSW #3432** who was audited and found to be deficient on her continuing education hours. Ms. Willingham was fined one hundred dollars (\$100.00) per board policy. She paid the fine and chose to retire the license. Should Ms. Willingham decide to reinstate the license at a later date, it is understood she will have to complete the deficient hours stated in the audit and the continuing education required to reinstate. Motion to accept the agreement was made by Ms. Childers, seconded by Ms. Buchanan. 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. Anderson made a motion, seconded by Ms. Buchanan, to approve the following **LBSW** applicant for licensure:

Gibbs Lawanda Denise	Martin Gracyn
Golden-Rhodes Tyesha M.	Swinney Melinda Joyce

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

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

Apa Laurie Arts Anna Victoria *AC/KM Attmore Wendy Anderson *KM Bailey Rachael Leigh *AC/KM Baker Evan Chase Basler Leslie K. Bevels Brian Neal Jr Bivens Jordan Ryan Bobbitt Doris Kay Boggan Neil Boyles Stephanie Smith Brooks Jeremy Ryan Brown Jackie D Bryant Caroline Gray Burton Timothy Bush Lautaura Latrice Byrn Cambron Carter Jessica Renee

Clark Eboni L. **Clark Regina C Clark Sarah Cohen Emily Bridgette Coleman Brittany N. Cullum Emily Curtiss Kristina S. Deese Carrie Grace *KM Dixon Makia Angela Donaldson Laswanna Downey Brennan Joseph Durrant Nicole Ebberts Taneka** Eidson Emma *KA **Finkey Jesse Hannah Foster Braxton *KM** Fout Lori Fuchs Andrea *RZ **Garcia Michele** Gati Paula Michelle **Gaushell Katherine Forsyth** Geelan Kelly **Gibson Sarriah Goins Jenny Ann Gordon Tequita Melissa Gothard Caitlin Grant Sharen Renee Griffin Katherine Macgregor Haas Brittany** Hammond Kathryn Hansen Mary Harker Brittany Harrison Jessica Renee Hayes Brianna Nicole Hodge Kristin *AC Hoffacker Kiersen *AC/KM **Hogan Elizabeth Sharon Horn Catrina Hove Tiffany Isabel Hull Bethany Ibrahim Anna Irvin Joylyn Rose** Jackson Kimberly

Jaggers Claire Elizabeth Johnson Marquetta Jordan Alisa Michelle *AC Jordy Jeffrey Lee **Keinath Kaitlin Chritton** Kellenberger Megan **Kirsch Felicia Corin Kiser Christine Lynn** Kizziah Danielle Hope *AC **Krager Julie Anne Krell Daniel Lavigne Bethany** Leclaire Madelyn Blake Lee Sarah E **London-Terry Charae** Lowe Amber Marshall Amanda Kay **Mashburn Cameron Maynard Hilarie Mcclurkan Amber Mcconaghie Anna Serene Mccullough Emmie Nicole Mcleod Taylor Miller Eva Mitchell Amber Moenning Natalie Moore-Price Kyle Munoz Savannah Josette Neel Natalie Neely Hannah Belinda O'Donova Fiorella Ghiggo *KM Oliver Emily Paine Lucy** Palone Crystal M Parker Molly K. Partee Sarah *AC **Payne Shelby Penney Erin Emily *KM Prichard Elora Hamlin Randolph Ashley Brooke Reyes Katie Beth Robbins Sarah B. Sanders Heather**

Scharcklet Lakreasha	Uebelhor Ryan Phillip *км
Sims India	Villanueva James
Smith Caitlin Marie *AC/KM	Vingan Brigid Elizabeth Bresnihan
Stangarone Ellyn Nicole	Walker Lajeanna Nicole
Steele Meghan Elizabeth	Walker Raekenya
Stewart Ashley	Walker Rhonda Lea
Stridde Amy Cross	Wallace Kathleen Ann
Stubblefield Leah *AC	White Kathelene Marie
Swart Megan Elizabeth	Whitten Detris Felecia
Taylor Casey Ann	Williams Holly
Thomas Tamiah	Wolters Amy
Tonche Ho Bianca Jazmin	Wood Samantha Erin
Turner Shay Reagan	Woody Rachel Burkhart

A roll call vote was made, and all voted in the affirmative with exception; for (*AC) Ms. Childers recused / (*KM) Ms. Mallory recused / (*KA) Ms. Anderson recused / *(RZ) Robert Zylstra recused. Motion carried.

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

Hanna Mira *км

Smith Catherine *KM

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

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

Abston Regina D.	Blackmon Ashley N.
Adams Brittany	Bolanos Isabel C
Akerlund Mark	Boyd Heather Nicole *AC
Allen Ashley E.	Brantley Susan Elizabeth
Alvarez Julie	Bryant Kattina D.
Anderson Laurel Elise	Cameron Jessica M *AC
Avila-Lopez Claudia	Cannon Katherine
Bagwell Cassandra Mittica	Carney Jeremy M.
Barr Patricia	Chaney Tiyana Kia
Barron Jessica S.	Clayton Bradley
Belt Leslie Marie	Cline Melissa B.
Bermes Michael Shane	Collier Shannon
Biggs-Parker Rebecca Ann	Colton Jacob

Cook Amy L. **Davis-Moore Denise Defrieze Deborah Kay Dillard De'Andrea** Elliott Elizabeth J. Field Elissa **Fletcher Megan Flores Amy A Foodman Benjamin Gallo Anna Lynn Goodrich Sonya C. Grimes Cornelius Grinn Extasy Hagopian Janet Suzanne** Harris Jamieka Jefferson Hart Thomas Hawkins Kimberly N. Hay Megan S. **Hines Sandra L** Hoffman Janet Holman Anishia L. **Holmes Benjamin Howell Christina Trammell** Jackson Brittney R. Jones Brittany E. *AC Jones Melanie W. Jones Susan T. Lewis Christy M. **Lindback Lauren** Livesay Stephanie B. *AC Long Teresa K. *AC **Mccown Donald Keith Mcdonald Lajoya Mcdonough Danielle M**

Moore Julie K. Moton Shelia E. **Murphy Amanda Naiburg Suzanne O'Connell Lindsey C. Ogletree Kathryn Grace Page Patricia Pankau Natalie Allison Patterson Cassandra Jonelle Pierce-Lunderman Cursha N Porter Courtney Lashea Porter Gina Booth Praete Diana Katherine Ragin Brittney Marie Jordan Reed Lauren E. Reeves Lindsev Meagan** Samis Michael U. *AC **Schuster David Seargeant Cherub Ruth Sharomi Sherian Alecia** Shelton Elizabeth A. **Siders Mayme H. Singer Katherine M** Smith Amber N. **Smith Jenna Pemberton Smith Nacole** Switalska Kaja **Taggart Kyle S. Thomas Jennifer L. Tinava Rachel Smith Troxell Sharon K. Umhoefer Anna Paige** Woodruff Jennifer L. **Young Mandy**

A roll call vote was made, and all voted in the affirmative with exception; for (*AC) Ms. Childers recused / (*KM) Ms. Mallory recused / (*KA) Ms. Anderson recused / *(RZ) Robert Zylstra recused. Motion carried.

Approve LCSW applicants to sit for written exam

Upon review of the initially approved, Mr. White made a motion, seconded by Ms. Childers, to approve the following LCSW applicants to sit for the written exam with exception; for (*AC) Ms. Childers recused / (*KM) Ms. Mallory recused

Alexander, Shauntay **Bailey**, Brandon **Barry**, Jessica **Bradley**, Connie **Brown**, Tina **Buford**, Mary Cannon, John Cherry-Jackson, Shemeka Cook, Jacy Crawford, Kace Dabbs, Joseph W. *KM Day, Stephanie Durda, Natalie **Eddington, Shawndell Ericson**, Kamrie Frye, Amanda Havcraft, Marv Herron, Lakesha Ikeorha, Morgan **Ingros**, Caitlan Jackson, Carla Jones, Megan E. Jones, Victoria Kelch, Krysten

Lesense. Rebecca Maniscalco, Christopher *KM McElvenny, Caitlin McSweeney, Jennie *KM Moody, Anneke*TW Munoz, Erika Nichols, Courtney Postlewaite, Roslyn **Roden**, Bethany Saslawsky, Stephanie Shaffer, Norman Sievers, Leah Stark. Lorinda **Steele, Sherrell** Stice, Kristen Strober, David Sweatt, Marissa Thomas, Jill **Thomas**, Latrice Townsend, Chanel **Turner**, Marion Wagoner-Angelin, Marv Webb, Maria *AC

(*TW) Ms. Watson recused

Approve/deny reinstatement applications

Upon review Ms. Anderson 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.

Powell, Norma L.

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

Buchanan Rebekah Bush Nicole Compton Allyson R King Twyla Mountz Elizabeth A. Tryon Heather Upon review Ms. Buchanan made a motion, seconded by Mr. White, to approve the following **LCSW** reinstated license:

Barron-Millan Shanta T. Hancock Christopher James Hudson Perry Lee Murray Pamela G. Sparacio Stephanie M.

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

Discussion

The board was contacted by the ASWB for clarification of who was representing Tennessee at the Assembly Meeting November 16-20. Ms. Anderson reminded the board the meeting would be held virtually and encouraged them to attend, especially if they'd never had the opportunity before. Ms. Anderson and Ms. Buchanan volunteered for Ms. Anderson to serve as delegate, and Ms. Buchanan as alternate.

Question from WebEx attendee: Alex Kempf speaking on behalf of his sister LMSW Lauren Cobb who has been working to gain and complete her clinical contact hours for clinical licensure. He read Ms. Cobb's statement letter to the board; Ms. Cobb expressed her concern with an LCSW that had been providing clinical supervision for her. She began working at a private practice organization and had no previous issues over a two-year period working within the practice as supervisor/supervisee initially, later she worked with the LCSW in what had changed to a group practice. Due to disagreements between the LMSW licensee and clinical supervisor that were negative and not a conducive approach to the practice things cantered to a point where I had to stand up and express my concerns. I was hoping to employ change, growth and positivity that could be implemented. I was met with ridicule and a write-up from the supervisor. When I wrote my rebuttal to the write-up that I felt was centered around baseless acquisitions, I was given a notice to leave the practice within thirty (30) days. After meeting with an attorney and receiving clinical consultation I was advised to leave the practice. After calling the board office I was advised to request that she complete the verification of supervision form before leaving the practice, and to provide her a copy of her CE for supervision I requested this of my supervisor. The LCSW supervisor refused to complete the form and give it to Ms. Cobb. Upon research Ms. Cobb found that with holding this paperwork she was in violation of Rule 1365-01-.08(4) and 1365-01-.08(8)

Ms. Cobbs letter went on to state that she would not be able to submit this with her clinical application because the supervisor was refusing to release it to her. Ms. Cobb felt that was an unfair act especially since she had compensated the LCSW for two years to fulfill this requirement for licensure. Ms. Cobb was greatly worried that this may cost her 1500 clinical hours completed over two years, and thousands of dollars in supervision fees.

Mr. Flinchbaugh stated that what was described could be a practice act violation and the board could not provide any guidance with that. Ms. Cobb could file a complaint with the office of investigations and appear before the board when ready to submit her clinical application.

Question from WebEx attendee: Chenobia Wester-Hill had two questions for the board. One, was a follow up from a previous board discussed subject (October 24, 2019) to allow a portion of non-clinical contact hours to be counted toward the 3000-hour requirement. In the new rule approved revisions, the board broadened the definition of what is defined as countable hours of the "Clinical Experience" but did not feel it appropriate to include non-clinical logged work as true therapeutic clinical contact. Ms. Franklin of the NASW addressed the question in regards of how other states were now allowing some of the non-clinical application. The board asked Ms. Franklin to prepare a comparison chart of other states and their requirements for clinical supervision for the board to review at the February meeting.

Ms. Anderson recalled the October meeting also, and that Ms. Foster had presented the NASW perspective which was taken into consideration when making the rule revisions with the recommendations in the definitions of clinical practice. There was not a change in the total number of hours, but it broadens the definition to include more work e.g., assessments. The board had taken into consideration that to include too much non-clinical work into the clinical hours would spill over into the LAPSW licensure requirements.

Ms. Franklin offered to gather additional information on specific requirements of inclusion to non-clinical hours other states allow, and for Ms. Franklin and Ms. Foster to report back to the board at the February meeting 2021.

<u>Adjourn</u>

11:30 AM - 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 November 5, 2020 minutes was made by Ms. Buchanan; motion was seconded by Ms. Williams. Motion carried. February 11, 2021