

TENNESSEE BOARD OF SOCIAL WORKER LICENSURE MINUTES

DATE: May 10, 2018

TIME: 9:00 a.m. CDT

LOCATION: Iris Room, Ground Floor
665 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS

PRESENT: Julia Axley, LBSW, Chair
Vicki Gardine Williams, LAPSW, Secretary
Robert Zylstra, LCSW
Tara Watson, LCSW
Kenya Anderson, LMSW
Ann-Marie Buchanan, LMSW
Jennifer Williams, LAPSW
Elizabeth Randall, LCSW
BJ Nesler LBSW
Karen A. Armstrong, Citizen Member

BOARD MEMBERS

ABSENT: Kimberly Mallory, LAPSW

STAFF PRESENT: Christi Stacey, board Administrator
Teddy Wilkins, Unit Director
Nathaniel Flinchbaugh, Assistant General Counsel

Ms. Axley, board chair called the meeting to order at 9:05 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.

Minutes

The minutes from the February 1, 2018 meeting were reviewed and motion to approve was made by Ms. Buchanan seconded by Mr. Zylstra. The motion carried.

Investigative Report

Ms. Lori Leonard, disciplinary coordinator for the board gave the summary of currently monitored practitioners. Currently the report showed that four (4) had been suspended, four (4) licenses that have been placed on probation, one (1) license had been revoked, six (6) under a board order reprimand, and one (1) under a TSAC (Tennessee Student Assistance Corporation) suspension.

Ms. Wilkins requested of Ms. Leonard that in future reports would she add a column to the report that reflects where they are in the payment of their civil penalties to show if they had been paid, and Ms. Leonard said she would include that for the July meeting.

Ms. Leonard stated in the year 2018 thus far there was one (1) new complaint against an LMSW, with four (4) currently open pending review, they had closed two (2) complaints; one with no action, one closed with a warning letter and being monitored. The one (1) new complaint involved criminal charges. LAPSW's had no new complaints, none closed, and one (1) open that was currently pending review/investigations. LBSW's had one (1) new complaint, none open and one (1) currently pending review/investigations regarding unprofessional conduct. LCSW's had five (5) new complaints this year, sixteen (16) closed. Four of which were closed with sufficient evidence to turn over to the Office of General Counsel for discipline. Twelve were closed with a letter of warning. She is currently monitoring twelve (12) open cases pending investigations and or review; of the five (5) new complaints that have been received one is regarding sexual misconduct, three (3) are for unprofessional conduct, and one (1) is for a failure to supervise.

Mr. Flinchbaugh, board advisory attorney, requested Ms. Leonard remain to give testimony on contested case #201401535 - Cynthia J. Black-Finch, LMSW License #999 with petition for an order of compliance. Mr. Flinchbaugh upon realizing that he had not received an affidavit from Ms. Leonard asked Ms. Leonard if Ms. Black-Finch had satisfied all the requirements set forth under the board order to which Ms. Leonard stated yes, that the requirements had been met by Ms. Black. Mr. Flinchbaugh then asked the board if they had any questions for Ms. Leonard, they did not.

Financial Report

Ms. Noranda French informed the board that she would presenting a new type of report that would give them a more efficient and accurate report. Each quarter they would be putting together workbooks for each unit to give the boards to increase communications between the offices. She presented her charts of comparison, expenditures and year end projected totals.

Ms. French presented the midyear Financial Report for fiscal year of 2018, stating the board had total direct expenditures of \$129,089.27 and allocated expenditures of \$141,766.32 for total expenditures of \$270,855.59. Ms. French said the board had generated the projected revenues for the year end 2018 of \$201,529.00The report showed a current midyear net of \$125,144.41. LARS improvements for the year totaled \$40,301.02 for a total cumulative carryover of \$1,450,982.08 for midyear 2018. These are the projections based on the current numbers they had.

Office of General Counsel

Mr. Flinchbaugh reminded the board of the conflict of interest policy and its purpose as they would be voting on a consent order and an order of compliance during the meeting today. If there were a conflict to let the board know and recuse themselves.

Consent Orders

Mr. Flinchbaugh presented the Consent Order for **David Dia, LCSW #4736**. Case number #2017012001 - Mr. Dia is voluntarily surrendering his license. Mr. Dia married a former client. The order allows him three months to close his current practice. The cost assessment shall not exceed \$1000.00 to be paid within twelve (12) months. Ms. Anderson recused herself. Ms. Buchanan made a motion to accept the Consent Order for **David Dia, LCSW** seconded by Ms. Jennifer Williams. The motion carried.

Mr. Flinchbaugh presented an Order of Compliance for **Cynthia Black-Finch, LMSW #75**. Case number #201401535 – Ms. Black-Finch requested an order of compliance which will return her license to an unencumbered status. Ms. Leonard previously gave her statement that Ms. Black-Finch had met all of the qualifications and requirements under the board order that was issued May of 2016. Ms. Nesler made a motion to accept the Compliance Order for **Cynthia Black-Finch, LMSW** seconded by Ms. Watson. The motion carried.

Mr. Flinchbaugh presented a Petition for an Order Modification for **Valerie Hayden, LBSW #695**. Case number **#201604924** – Mr. Flinchbaugh worked with one of the consultants to assist Ms. Hayden in getting the continuing education requirement she needed to complete her order modification.

Rule Activity, Policy Statements and Other Recent Activity

The board's chapter rewrite is still in internal review but progressing.
The board's telehealth, ethics, and suicide rules are in internal review.

Legislation

SB2196/HB2272- requires LEAs to employ one licensed social worker in each school that conducts classes in any grade from kindergarten through grade 12.
This has passed and been sent to Governor for action, signature or veto.

SB2404/HB2605- requires the Department of Children's Services to develop instructional guidelines for child safety training programs for members of professions that frequently deal with children who may be at risk of abuse; requires the board of social worker licensure to create child safety training programs; requires licensees of the board of social worker licensure to complete the appropriate child safety training program prior to license renewal. Did not pass.

SB1797/Concerning the PTSD treatment for public safety employees has passed, and has been sent to the Governor for his signature. There will be a legislative update at the next board meeting that will be more in depth, also two new laws to be discussed.

Administrative Report

Ms. Stacey stated that as of May 7, 2018, there were 630 Licensed Baccalaureate Social Workers; 2,788 Licensed Master Social Workers; 274 Licensed Advanced Practice Social Workers; and 2,708 Licensed Clinical Social Workers.

Ms. Stacy said from January 29, 2018 thru May 7, 2018 that one (1) LBSW, twenty nine (29) LMSWs, four (4) LAPSW's and seven (7) LCSWs had retired their licenses.

Ms. Stacey said from January 29, 2018 thru May 7, 2018 that eight (8) LBSWs, forty eight (48) LMSWs, two (2) LAPSW and twenty four (24) LCSWs license were expired.

Ms. Stacey stated from January 29, 2018 thru May 7, 2018 there were four (4) LBSWs licensed; one hundred, and two (102) LMSWs were licensed; one (1) LAPSWs were licensed; and forty two (42) LCSW's were licensed.

For informational purposes only the 2017 ASWB Examination Pass Report was presented.
The remaining dates for the board of Social Work meetings:

July 26, 2018
October 25, 2018

Agreed Citation

The board reviewed an Agreed Citation for **Amanda Perry LCSW #4834** who practiced in excess of two months on an expired license in a job position that required her to be licensed. Ms. Perry was fined two hundred dollars (\$200.00), which is one hundred dollars (\$100.00) per month pass the grace period per board policy. She paid the fine and completed the requirements for reinstatement of her license. Motion to accept the agreement was made by Mr. Zylstra, seconded by Ms. Buchanan. The motion carried.

The board reviewed an Agreed Citation for **Julie Droese LMSW #6183** who practiced in excess of four months on an expired license in a job position that required her to be licensed. Ms. Droese was fined four hundred dollars (\$400.00), which is one hundred dollars (\$100.00) per month pass the grace period per board policy. She paid the fine and completed the requirements for reinstatement of her license. Motion to accept the agreement was made by Ms. Buchanan, seconded by Ms. Watson. The motion carried.

The board reviewed an Agreed Citation for **Shantel Winkfield LMSW #8287** who was audited and found to be deficient on her continuing education hours. Mr. Winkfield was fined one hundred dollars (\$100.00) per board policy. She paid the fine and chose to retire the license. Should Ms. Winkfield decide to reinstate the license at a later date, 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. Buchanan, seconded by Ms. Nesler. The motion carried.

The board reviewed an Agreed Citation for **Jennifer M. Smith LBSW #1014** who was audited and found to be deficient on her continuing requirement of six (6) hours of ethics, three for 2014 and three for 2015. Mr. Smith was fined one hundred dollars (\$100.00) per board policy. She paid the fine and completed the continuing education ethics hours required. Motion to accept the agreement was made by Ms. Nesler, seconded by Ms. Watson. The motion carried.

File Review

Ms. Jocelyn Barton appeared before the board in response to the board extending her the opportunity to come before the board, and further explain her clinical application. Her file was considered previously at the February meeting, at which time the board concluded that some of her hours were no longer applicable. Ms. Stacey presented each board member with a copy of her entire application, and communications that had transpired between the board staff and Ms. Barton since the February meeting. Ms. Barton's legal representation of Merritt Webb Attorneys at Law responded to the board's decision by letter to the board Commissioner, Mr. Flinchbaugh, board attorney, and administrator director Ms. Wilkins after the February meeting requesting reconsideration. Mr. Flinchbaugh told the board that if they had any questions for Ms. Barton that she was present, and they could address her directly as she was no longer represented by an attorney. The board took considerable time reading and reviewing Ms. Barton's file. Mr. Flinchbaugh for clarity, reminded the board what had occurred at the last board meeting explaining to the board that some of the hours were in question because of an application based on clinical hours that were older, and whether or not the policy clearly states that those hours are not permissible. Ms. Barton stated that she had brought her application into the board office in person December 29, 2017. The date that administration received it on their desk was January 3, 2018. After much discussion with Ms. Barton the board made a decision to allow her a contingency license, allowing the hours completed from January 3, 2012 forward are stayed, with no additional hours dropping off. All hours completed in 2011 (637) would need to be made-up, as they are no longer countable.

The board determined to grant Ms. Barton a clinical social worker license contingent upon her completing the following requirements:

1. Six hundred thirty seven (637) clinical hours by May 10, 2019.
2. Twenty-two (22) clinical supervision hours by May 10, 2019.
3. Successfully pass the association of social work board's clinical licensing exam within one (1) year of approval to sit for the exam.

With the new clinical supervised hours to take place in a similar manner that she had done previously and recorded on the clinical log forms to correctly document the hours.

Ms. Anderson made a motion to accept the contingency license as outlined, Mr. Zylstra seconded the motion. Motion passed.

Review, approve/deny and ratify new licensure files

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

**Heide Rene' E Huff
Jessica Lovell**

**Dorothy Ann Juergensen
Veronica Lynn Stout**

The motion carried.

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

**Audrey Flynn Anthony
Dawn G. Bradley
Laura Leigh Burpo
Jenna Conway
Sydney Myles Crockrell
Wendy G. Davenport
Jessica Dixon
Karen A. Flynn
Jennifer L. George
Samuel E. Gray
Claire K. Harris-Kramer
Caitlin Haynes
Lee-Ann Higgins
Daniel Horn
Tawanna Yvette Ivey
Erin Marie Kelly
Amanda P. Kindred
Anna Marie Lahrs
Anna M. Larouche
Janessa Leach
Andrea D. Mahan
Catherine Mart
Anne McKenzie McEntire
Cynthia Conn McKinney
Kelsey Marie Mcnamara
Brittanay Moore
Brianna Murray
Jasmyne Nelson
Kristen Pearson
Robyn Perkins
Mary Elizabeth Phillips
Alexa Lynn Regina
Martha Reilly Saab
Natalie Nicole Schwartz**

**Jacy Marie Boyd
Rachel Whitney Britton
Jessica R. Bush
Julie Courtney
Neshea Yvonne Cundiff
Danita L. Davis
Erin Donato
Ashley Franklin
Anna Webber Gildemeister
Brandon Haney
Julie K. Hayes
Monika Hicks
Marissa R. Hill
Shannon Janae Hurst
Alea Nicole Johnson
Jessica Marks Kerr
Chelsea Elizabeth Konzen
Miriam Faith Langford
Treneane Lawrence
Meghan Echols Lee
Jessica S. Malone
Amanda Danielle Matthews
MELISSA Anne McGuire
StephanMclaughlin
Audra Montgomery
Travis Murrah
Christopher Nicholas Myers
Casey M. Pagliarulo
Ashley Stevenson Pelham
Brittany R. Perry
Grace Reeve
Martha Grace Reynolds
Treva Sands
Ann Marie Scruggs**

**Kate D. Shuppert
Claudette Sims
Rebekah Keese Smith
Donald Wayne Spainhoward Jr.
Shanae Love Stock
Katherine C. Sturgis
Kelsey Taylor
Brittany Tyler
Lynne Elizabeth Vaughn
Kevin J. Walker
Fierra Serie Warren
Laura Winberry
Carissa Woods**

**Lauren Siegel
Melissa Peterson Smith
Megan N. South
Thaddeus Jon Stidham
Joseph A. Strawser
Rebecca D. Tarleton
Rebecca Thompson
Courtney Anneke Valk
Robert Mark Wade
Ursula Elise Walker
Jami Rae Wilson
Mary Elizabeth Winchester**

The motion carried.

Upon review Ms. Buchanan made a motion, seconded by Ms. Watson, to approve the following LAPSW applicant for licensure:

Marijo Cooper Bond

The motion carried.

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

**Laura Lee Anderson-Rice
Earl S. Avant
Christopher Barrett
Ashley Cofield
Graciela Duarte De Baker
Hannah K. Falls
Benjamin Garland
Brian Gill
Marianna Higgins
Arnie A. Johnson
Anna W. Juneau
Katherine Averitt Walls Lindsay
Barbara Marquez
Heather S. Monroe
Amanda R. Nist
Courtney Phillips Parrish
Mary Anne Severino
Brittany Y. Sullivan
Erin E. Turner
Claudia Rae Welborn**

**Hortencia Denise Arizpe
Kimberly Baird
Lauren Byrd
Sarah Juliette Darish
Amanda Dunn
Mary E. Gabbert
Jackson Gardner
Denise H. Goin
Nora G. Honeyman
Christopher M. Johnson
Kathryn M. Ledbetter
Cherie A. Long
Debra McCullough
Vanessa S. Neri
Stephan Wayne Osborn
Ingrid Ransom
Camelia K. Smith
Kari R. Tate
Jamila J. Walker
Lisa A. Winkle**

Jennifer E. Yates

Janel D. Zimmerman

The motion carried

Approve LCSW applicants to sit for written exam

Upon review of the initially approved, Ms. Nesler made a motion, seconded by Ms. Buchanan, to approve the following LCSW applicants, and one *LAPSW applicant to sit for the written exam. Ms. Jennifer Williams recused herself.

**Renita Adams
Faranak Alviri
April Armstrong
Nancy Bandel
Maegan Berfeld
Rebecca Brewer
Katherine Bryant
Emily Connell
Nakeesha Davidson
Shawndell Eddington
Catherine Furbish
Cynthia Handcock
Janet Heilbronn
Laurie Jackson
Serena Jones
Tawanda Lauderdale-Dickerson
Korlu McCainster
Amber Nichols
Donna Pyle
Charles Shivley**

**Tangela Allison
Matthew Andrews
Angela Arnold
Sharon Battle
Jill Blount-Clarks
Vanessa Brown
Monica Carney
Lillie Dancer
Darna Davis
Karina Fernandez
Rebecca Greenway
Julie Hartung
Quotia Holland
April James
Shyranda Jones
Patricia Marsh
David Neal
Crystal Parker *
Kandice Robinson**

The motion carried.

Approve/deny reinstatement applications.

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

**Jeffery A. Beaty
Julie A. Droese
Kenya Anderson
Rachel B. Smith**

**Jeanne L. Hux
Steven Boyd Grindstaff
Harold Greenman
Arte'Sia R. Hart**

The motion carried. Ms. Anderson recused herself.

Upon review Ms. Buchanan made a motion, seconded by Mr. Zylstra, to approve the following **LAPSW** reinstated license:

Dennis R. Fleming

Ragan D. Schriver

The motion carried. Ms. Watson recused herself.

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

Peg Ann Alen
Alexander L. Mangindin
Rebecca Mims Morris

Pamela K. Gentry
Katherine Rae Morris
Amanda L. Perry

The motion carried.

Correspondence

Catie Bowels, LMSW, submitted correspondence inquiring from the board if work done telephonically, and or non-face-to face would be countable as clinical contact hours. The board stated they could not make a definite decision on hours until an application had been submitted for review. Ms. Bowels letter stated that she had struggled to find a position that did not have a significant amount of telephonic or non-face to face intervention simply because the advancements of technology and the fact that we have so many counties here in Tennessee that are rural and don't have mental health clinics readily available to serve them. The board in discussion did clarify that the rules specifically require that supervision must be face-to-face, but that the clinical contact hours did not. The board concluded that they couldn't make a decision on the hours until the application was received and reviewed, but did say the decision would be based on the nature of the clinical hours as the board's rules and telehealth guidelines do not address the modality at this time. The logged hours would be determined acceptable based if the hours were indeed "of clinical nature/clinical content" meeting the clinical requirements.

Phylicia Alexander, LMSW submitted correspondence to the board requesting to be allowed to continue her clinical supervision via tele-health web-based for the remainder of her needed hours. Ms. Alexander explained that she had been offered a job opportunity that required traveling to several hospitals across the country, moving at three months intervals. Ms. Alexander explained to the board that she would already have 2505 clinical hours, and 73 hours of supervision when the job starts in July. Rather than try and locate an LCSW in every location, she would like to finish her hours with the current LCSW via tele-health. Ms. Alexander also stated in her letter that she would be willing to purchase an encrypted software to meet with her supervisor face-to-face securely, that she would email her notes to her supervisor prior to the online meeting in order to more accurately discuss her hours, and to meet with her in person quarterly as outlined in a previous board meeting from November 2016. The board agreed that she could continue as stated

in the manner described in the previous decision and in her letter. The board was not making a decision on her actual hours, but giving her guidance in how to collect them for approval later on.

Other board business

Mr. Flinchbaugh gave the board some insight to upcoming legislation coming, and things that would be further discussed at the next board meeting. He encouraged the board to research online for the “Fresh Start Act” which has already been signed into law in preparation for the July meeting. This law prevents the board from denying a license strictly based on criminal convictions, restricting the authority of the board. The department is working with administration how this will be processed, which will require a lot of input from the Office of General Counsel.

Ms. Karen Franklin informed the board that NASW was not successful in getting legislation passed to place a social worker in every public school across the state. However what did pass in the bill was legislation to create a calibration to look at school social workers, school counselors, school nurses, and school psychologist; their roles and responsibilities in the schools and resources to support them. The Basic Education Program (BEP) formula will also be reviewed in terms of its funding for school social workers.

Ms. Franklin also stated the importance as a public reminder that the scope of practice of a Licensed Master Social Worker (LMSW) only allows someone to practice clinical social work under the supervision of a Licensed Clinical Social Worker (LCSW) while they are working towards their LCSW license, and the importance of that phrase. She expressed that she didn’t think that was the public understands. She perceives the public thinks that an LMSW can practice clinical social work under the supervision on an LCSW without including the stipulation of “working toward clinical licensure”.

With no other board business to conduct Ms. Buchanan made a motion, seconded by Ms. Nesler to adjourn at 11:40 pm. The motion carried.