

TENNESSEE BOARD OF SOCIAL WORKER LICENSURE MINUTES

DATE: October 24, 2019
TIME: 9:00 a.m. CDT
LOCATION: Iris Room, Ground Floor
665 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS

PRESENT: Robert Zylstra, LCSW, Chair
Rachel Horton, LBSW
Kenneth J. White, LAPSW
Tara Watson, LCSW
Ann-Marie Buchanan, LMSW
Jennifer Williams, LAPSW
Ashley Childers, LCSW
BJ Olivas, LBSW

BOARD MEMBERS

ABSENT: Karen A. Armstrong, Citizen Member
Kenya Anderson, LMSW Secretary
Kim Mallory, LAPSW

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

Robert Zylstra, board chair called the meeting to order at 9:04 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 introduced Ms. Debbie Pruitt; the new licensing tech for the Social Work Board.

Minutes

The minutes from the August 8, 2019 meeting were reviewed and a motion to approve was made by Ms. Williams seconded by Ms. Buchanan. The motion carried.

Investigative Report

Ms. Lori Leonard, disciplinary coordinator for the board gave the summary of currently monitored practitioners. Currently monitoring one (1) under a reprimand, seven (7) licensees under probation, four (4) license under suspension one (1) under a revocation.

Ms. Leonard stated that investigations had received a total of twelve (12) new complaints in the year 2019. Of the twelve complaints the allegations regarding one (1) for falsification, one (1) regarding drugs, two (2) for criminal charges, four (4) for unprofessional conduct, one (1) lapsed license, one (1) criminal conviction, one (1) practice beyond the scope, and one that was outside of the investigative scope. Investigations closed a total of thirteen (13) complaints to date. Four (4) were closed and sent to the office of general counsel for formal discipline, five (5) were closed with no action, three (3) were closed with a letter of concern, 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 discipline. Currently there are seven (7) open complaints regarding licensed master's social workers that are being investigated or reviewed. There have received no new complaints against licensed advanced practice social workers in the year 2019. One complaint had been closed and sent to the office of investigations for discipline, and no open complaints for licensed advanced practice social workers. There were no new complaints for licensed baccalaureate social workers for the year 2019. There was one (1) that had closed for insufficient evidence to discipline, and no open complaints. For the licensed clinical social workers there were twelve (12) new complaints for the 2019; of those complaints one (1) was for unlicensed practice, eight (8) for unprofessional conduct, one (1) lapsed license, and two (2) outside of the investigative scope. Investigations had closed a total of eighteen (18) complaints; three (3) were closed with insufficient evidence to formally discipline, seven (7) were closed in investigations and sent to the office of general counsel for formal discipline, seven (7) were closed with no actions, and one (1) was closed with a letter of warning. Currently there are six (6) open complaints that are being reviewed and or investigated

Financial Report

Mr. Butch Jack presented the midyear Financial Report fiscal year end of 2019, stating the board's total of Payroll Expenditures as \$109,143.12. Total "Other" Expenditures of 44,074.71. Giving the board's total of Direct Expenditures of \$153,217.83. The boards Allocated Expenditures break down as; Administration \$55,039.33, Investigations \$54,536.95, Legal \$12,846.11, and Cash Office \$3,294.51, for a total Allocated Cost of \$125,716.90. Total Expenditures for the year \$278,934.73. Investigations had a significant increase due to the increase of reported cases, additional work, and time in which is given to each case.

The report for Board Fee Revenue came to \$419,889.55, giving the board a current year net of \$140,954.82. The board's share of the LARS Improvements cost were \$11,632.81, bringing the Cumulative Carryover balance to \$1,616,846.43.

Mr. Jack then presented the board with the line graph of the comparison of direct expenditures for fiscal year 2015- 2019 showing that consistency in which the board tracks, the 5-year review of allocated expenditures, comparison chart of expenditures and revenues for fiscal year 2015 – 2019,

net revenue in relation to total revenue, and pie chart of fiscal revenue sources and the percentages it receives for the board of social workers. He also gave explanation of the administrative policies and procedures for the board of social work which basically states that if your carried forward balance exceeds more than two times the three year average of your operating expenditures that initiates discussion in regards to fee adjustments/reductions. The board's cumulative balance for 2019, (for the two consecutive years) far exceeds the two times the three year average. Mr. Jack then suggested that for the mid-year report he would put together some fees reduction scenarios for the board to review. The mid-year report would give the board an anticipated closing for fiscal year 2020, with the fee reduction ensure the board still retains the operating revenue needed to continue to close in the black and fully fund all of the operating expenditures.

Office of General Counsel

Mr. Flinchbaugh reminded the board of the conflict of interest policy and its purpose as they had two consent orders to consider during the meeting today. If there is a conflict they are required to let the board know and recuse themselves.

Consent Orders / Disciplinary Activity

Mr. Flinchbaugh presented the Consent Order for **Michael Wentworth, LCSW #6124**

Facts:

Mr. Wentworth was providing counseling at Better Brain in Knoxville Tennessee from April 2018 until October 2019. The respondent admitted to asking patients about oral sex, anal sex and sending naked pictures via cellular phone. Discipline will be a suspension of a month, until the respondent submits proof of successful completion of a "live" boundary education course. Once the suspension is lifted the license will be probated for a one year period which requires a practice monitor with weekly reviews. The report will be submitted by the practice monitor to the disciplinary coordinator by the fifth of each month. With restrictions on who is the practice monitor; no business partners, supervisors, or employee. There will be three (3) Type A Civil Penalties in the amount of five hundred dollars (\$500.00) each, for a total of fifteen hundred dollars (\$1,500.00) to be paid within twenty-four (24) months, and the respondent will be charged cost not to exceed five hundred dollars (\$500.00) also payable within twenty-four months.

Motion was made to accept the citation by Ms. Buchanan, seconded by Mr. White.

Motion carried

Mr. Flinchbaugh presented the Consent Order for **Leyla Haverlock, LMSW #9905**

Facts:

While employed at Harmony Family Center in Knoxville Tennessee, Ms. Haverlock admitted to using the title of LMSW title for sixteen (16) months after the expiration of her license. Ms. Haverlock license will be reprimanded with fourteen (14) Type C Civil Penalties in the amount of one hundred dollars \$100.00 each, totaling fourteen hundred dollars (\$1,400) payable within twenty-four (24) months from the effective date of the order. Each Type C Civil Penalty represents a month the licensee used the LMSW title without being properly licensed beyond the grace period. Respondent will also be charged costs not to exceed five hundred dollars (\$500.00) also payable

within twelve (12) months. Motion was made to accept the citation by Ms. Watson, seconded by Ms. Buchanan.
Motion carried

Agreed Order

Tennessee Department of Health vs Joo-Sim Ahn, LMSW #5817, Docket Number 17.40-191088A. Licensee was respondent to a CE (continuing education) Audit for 2013/2014 renewal period. Respondent was found to have failed to complete the CE hours required to maintain a licensure. Ms. Ahn has chosen to voluntarily surrender her license and she will be charged costs not to exceed five hundred dollars (\$500.00) also payable within twelve (12) months. She will not be charged a Civil Penalty due to surrendering the license.
Ms. Buchanan made the motion to accept the agreed order seconded by Mr. White.
Motion carried.

Update on Chapter rewrite

Mr. Flinchbaugh gave an update on the Chapter rewrite and it’s progression through the Attorney General’s Office. He also asked the board to review the Lapsed License Policy and presented the amendment to change the policy. He explained that it would change the six (6) month time frame to twelve (12) months in which a license could be renewed with an agreed citation, before it would go to investigations and a formal case hearing. The grace period would still remain at 60 days, but would allow administration to continue with an agreed citation through the twelve (12) months.
Ms. Buchanan made the motion to change the six (6) month period to a twelve (12) months seconded by Ms. Childers. Motion carried.

The policy also stated under (5B) that the assessment of the civil penalty in the amount “which may exceed \$200.00 per month”, but the type C civil penalty in the rules states maximum may not exceed one hundred (\$100.00) a month. Mr. Flinchbaugh wanted to update the policy to reflect the actual rule.

Ms. Buchanan made the motion to accept the updates to the policy, seconded by Ms. Williams to update the policy to reflect the rules. Motion carried.

Administrative Report

Ms. Stacey stated that as of October 23, 2019, there were 588 Licensed Baccalaureate Social Workers; 2,964 Licensed Master Social Workers; 267 Licensed Advanced Practice Social Workers; and 2,891 Licensed Clinical Social Workers.

Licensed Baccalaureate Social Workers	Licensed Master Social Workers	Licensed Advanced Practice Social workers	Licensed Clinical Social Workers
New Licenses - 4	New Licenses - 120	New Licenses - 1	New Licenses - 65
Renewed - 84	Renewed - 332	Renewed - 34	Renewed - 370
Online - 38	Online - 208	Online - 17	Online - 182
Retired License - 0	Retired License - 28	Retired License - 0	Retired License - 11
Expired - 8	Expired - 48	Expired - 2	Expired - 28

Ms. Stacy said from August 5, 2019 thru October 23, 2019 that no (0) LBSW licensee, twenty eight (28) LMSWs, no (0) LAPSW's and eleven (11) LCSWs had retired their licenses.

Ms. Stacey said from August 5, 2019 thru October 23, 2019 that eight (8) LBSWs, forty eight (48) LMSWs, two (2) LAPSW and twenty-eight (28) LCSWs license had expired.

Ms. Stacey also stated that from August 5, 2019 thru October 23, 2019 there were four (4) LBSWs licensed; one hundred twenty (120) LMSWs were licensed; one (1) LAPSW was licensed; and sixty-five (65) LCSW's were licensed.

Dates for the 2020 Social Work Board meetings are:

02/06/200

05/07/2020

08/06/2020

11/05/2020

Agreed Citation

The board reviewed an Agreed Citation for **Marilyn D. Hooker LAPSW #372** who was audited and found to be deficient of thirty total continuing education credits for the 2015 and 2016 calendar year. Ms. Hooker was fined one hundred dollars (\$100.00) per board policy. She paid the fine and completed make-up hours for the deficient hours. Motion to accept the agreement was made by Ms. Buchanan, seconded by Ms. Watson. Mr. White and Ms. Horton recused. The motion carried.

The board reviewed an Agreed Citation for **Brenda J. Mintze-Coleman LMSW #7346** had unknowingly worked on an expired license at employment that did require her to be licensed. She paid the agreed citation fine for practicing two (2) months past the 60-day grace period. Submitted reinstatement application, fees, and continuing education certificates required immediately. Motion to accept the agreement was made by Ms. Buchanan, seconded by Ms. Horton. The motion carried.

Review, approve/deny and ratify new licensure files

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

Debra L. Davis

Takeya L. Wall

The motion carried.

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

Ms. Childers recused * / Ms. Watson recused**

Ann Agbiak-Para
Anne Beach
Stephan Belasco
Kendra Aisha Black
Brittney McKinley Boggs
Julia Brandt
James Browder III
Morgan Buchhammer *
Erin Callahan
Emily Carroll
Caitlin Caswell
Lori Leann Chaney *
Taylor Clark
Lumbria Lerece Collier
Joseph H. Cooper
Shandie Crow
Anika Smith Dawson
Abigail Ewing Dixon
Elizabeth Diana Edwards *
Whitney Brooke Freeman
Nicole Gilly
Rachel Elizabeth Harrison
Elizabeth Megan Helton
Leeann High
Marketa Hudson
Jasmine Angelina James
Mollie L. Lancaster
Meagan Joy Lefebvre
Larisa K. Lewis *
Stephanie Lovins
Jessica Mary Lyszczasz
Kellie Mayes
Megan McCoy
Sheila K. McGinty *
Timothy Meeks *
Jessica Kay Oldham *
Kimberlee Ann Owen
Meredith Parrott *
Samantha Paul
Alyssa Phillips
Daniel James Pruss
Rachel Marie Ripepi

Jillian C. Balsler *
Emily Bechham
Jeremiah Berry
Emily Michelle Blumenthal
Verzi Andrea Nicole Brady
Shamiah Brewster
Sarah Bruck
Nakisha Bullock
Aijahlon B. Carden
Molly Katherine Carroll
Brittany E. Chandler
Hannah Harriger Clark
Janet R. Cleckner-Mattingly
Jeffrey Adam Cook
April Crenshaw *
Erin Elizabeth Dalrymple *
Rebecca Lyn Delaney
Kendria Elizabeth Driver *
Elizabeth Calton Faulks*
Margaret E. Fuson
Taylor L. Hall
Ashley Elizabeth Hayes */**
Marguerite Higbee*
Paige Kathryn Hoffman *
Ashley Elizabeth Hux
Elyse Jones
Robin Marie Ledford
Rebecca Lesesne
Shannon Rebecca Locke
Creshaunda T. Lynn
Camie Marlow
Denise Marcelle Mayo Moore
Katelyn Elizabeth McFall
Paige S. McNichols
Randall Morrison
Amy Marie Oomens-Lozano
Jenna Parker
Alyson Kate Patton
Rachel Elaine Peterson
Mary D. Priesmeyer
Laura Ann Rich
Margaret Rivers

**Nicole Monica Robinson
Michelle Schwartz
Demeshia L. Shannon
Amber Smith
David Zachary Smith
Stephanie Marie Smith
Amber Lee Sudzius
Melissa S. Taylor
Melissa Maria Torres
China Brenna Tully
Sherricka L. Vance
Jordon Paige Waterfield
Alyson West
Elisha Williams
Whitney Morgan Yarbrough**

**Kathleen M. Rolman
Rachel Sexton
Christina Shelley
Breanca Lockhart Smith
Sarah Lynn Smith
Rachel Michelle Stafford
Kristen M. Summers
John Jay Thurman
Alaina Townsend
Vicki J. Underwood
Nicole D. Ward
Kristen Lynn Watson
Mara Noel White
Tonie Brenee' Williams *
Misty York**

The motion carried.

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

**Jessica L. Baddorf
Bridget M. Bearer
Rebecca M. Bruner
Jonathan P. Buffington
Jessica Nicole Cortez
Dona Davis
Ekinia M. Dillard-Cole
Mary Rebekah Evans
Janice Marie Foehring
Katie Lynn Fox
Marie S. Gilland
Melissa Gurka-Ndanyi
Julia Jane Henshaw
Melissa Hirschi
Lakenya Humphrey
Brenda Kathleen Joseph
Danielle Rose Lacoss
Joelle Marlin
Caitlin Maxie *
Ashley Nicole McMeen
Matthew J. Orphanides
Erika J. Panek
Christine Marie Rossi
Lindsay Sechser**

**Thom E. Barry
John B. Boatner Jr.
Bethany Brunett
Lauren G. Caldwell
Heather Cupp
Amyliza M. De Jesus
Tonya Letitia Edmond
Mary A. Fisher
Rebecca Fout
Rebekah Garcia
Ashleigh Guerin
Leigh Abbie Hammond
Dr. Barbara V. Hessel *
Jill J. Howlett
Cynthia Jackson
Julie Anne M. Joy
Amber D. Mahan
Allison Maust
Jessica Rae Mayo-Schwab
Corey S. Olson
Adrian E. Osborn
Christine M. Pellenz
Kristel Scoresby
Louanna Rae Seely**

**Jennifer Cecile Shaffern
Louise D. Smith
Hillary Vance
Natalie Grace Wigle
Danielle N. Williams-Omoruyi**

**Nina Smalls
Lisa Deniese Twiggs
Erica Walker
Leah J. Wilburn
Amanda M. Young**

The motion carried

Approve LCSW applicants to sit for written exam

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

Ms. Childers recused* / Ms. Buchanan recused**

**Phylicia Alexander
Darren Anderson
Victoria Baker
Eileen Bowman
Molly Cameron
Andrew Chapman
Marlenny Franco-Johnson
Lillie Dancer
Darna Davis
Felicia Fields
Taylor Gautier*
Mary Grant
Erica Hazelhurst*
Brittany Jones*
Gloria Lee**
LaVera McCaskill
Danielle McDonough
Cassandra Patterson
Laurel Proulx
Cynthia Runions
Chesney Ward**

**Tangela Allison
Starlett Armstrong
John Barsotti
Aaron Brakhane
Pamela Carroll
Coralotta Cromer
Amy Green
Hollie Davenport
Claire DePriest
Corinne Freeman
Stephany Gleadall
Stephanie Hayslett
Anishia Holman
Stacy Jones
Hillary Martin
Angela McCasland
Allison Offutt*
Cynthia Poole*
Amber Reece
Jessica Schwerin Danner
Taylor Worley**

The Motion Carried

Approve/deny reinstatement applications.

Upon review Ms. Watson made a motion, seconded by Ms. Childers, to approve the following LBSW reinstated license:

Krystal P. Ross

Margaret Wolf

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

Asalmah Abdulbaaqee
Indira Maharaj-Walls
Julie E. Moran Webb

Kenyada Clark
Brenda J. Mintze-Coleman
Jeremy A. Page

The motion carried.

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

Ms. Williams recused

Vickie Blair Fleming

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

Stacey Braund
Sandra E. Halsey
Holly S. Montgomery

Vivol E. Catchot
Sandra Lee Hallene

The motion carried.

Ms. Karen Franklin with NASW Tennessee Chapter gave updates on some of the projects that NASW had been working on for the board. The NASW is working on a questions and answer project with the board for commonly asked questions. She had asked for input from Melissa West, Program Manager for NASW in gathering the information and several of the questions have already been developed. NASW is working on the final draft to include some additional detail and will coordinate with the board members, and board staff. NASW is also working on a survey for the universities related to educational information about social work licensure. They have a graduate intern that is developing the survey as a graduate project and hope to have the results data back to share with the board.

Ms. Franklin also wanted to reflect back to the rule hearing meeting in August on a few items that were not directly related to the rules.

1. Whether or not an LMSW could practice under LCSW supervision in a private practice? NASW rules committee thought they could, based upon a private practice could be considered an agency or organization but could not direct bill; based upon the scope of practice.
2. In reviewing information regarding our requirements for clinical experience here in Tennessee in comparing to other states. Tennessee is unique in that all of the hours must all be in direct contact while that is not the case in many other states. If confirmed to be correct through ASWB, it would mean that Tennessee has one of the most stringent programs in the nation for licensure for an LCSW. Other states allow a mixture of what is considered to be direct client contact to include activities as working with referral agencies, and other services on behalf of the client. This makes gaining a license in Tennessee as a

LCSW much harder here than other states in the nation. Ms. Franklin urged the board to contact ASWB to see how we compare with other states. To inquire what do other states recognize as the 3000 clinical contact hours/clinical experience. Other states major focus is on client contact, but it also recognizes the variety of things you do as a clinician such as working with other providers, coordinating with other providers providing client services, working with other agencies in terms of linking that client with services in communities. Not solely face-to-face. Direct contact only as one-to-one with a client and excluding the in-direct contact that other states allow on a client's behalf.

3. When we reviewed the rules we did not look at the ASWB's mobility initiative, but referred it to other board discussion that may need to be revisited.

Mr. Flinchbaugh addressed the first concern Ms. Franklin brought up. The reimbursement to the LMSW cannot be directly related to the client providing client care. The board needs be sure the rules reflect what the interpretation is. The history of the rule was that the board, at the time was trying to prevent that direct billing of occurring and the way they did that was to require an LMSW gaining clinical supervision hours to be done within an agency or organization.

Reading from the rule 1365-01-.01 (12):

Private Practice - Those practitioners who, on either a full or part-time basis, establish their own conditions of exchange with their clients, receive direct fees, and are solely responsible for the services they provide to clients, without supervision, regardless of the organization structure. Only an L.C.S.W. or an L.A.P.S.W. may engage in, respectively, private clinical practice or private practice. (See Rules 1365-01-.01(13)(c), (d) and 1365-01-.02).

A solo practitioner regardless of organizational structure is considered private practice under the rules, and therefore would not allow an LMSW to work for someone who operates a solo practice.

Motion was made AT 10:45 to adjourn by Ms. Buchanan seconded by Ms. Williams.