

TENNESSEE BOARD OF SOCIAL WORKER LICENSURE MINUTES

DATE: August 8, 2019
TIME: 9:00 a.m. CST
LOCATION: Iris Room, Ground Floor
665 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS

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

BOARD MEMBERS

ABSENT: BJ Olivas, LBSW
Karen A. Armstrong, Citizen Member
Jennifer Williams, 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 9:06 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 April 25, 2019 meeting were reviewed and motion to approve was made by Ms. Buchanan seconded by Ms. Mallory. The motion carried.

Rule Making Hearing

A rulemaking hearing was conducted by Nathaniel Flinchbaugh, advisory attorney to the board, to amend the Rules and Regulations for Social Workers – Chapter 1365-01. This is a complete chapter re-write. A summary of the amendments to the rules was read into the record. Comments were received by the board and some were acted upon and changes to the proposed amendments were made. After all comments were heard, the board voted to accept the amended rules. The rules will now be sent to the Attorney General's office for legal review.

Investigative Report

Ms. Lori Leonard, disciplinary coordinator for the board gave the summary of currently monitored practitioners. Currently the report showed that three (3) were being monitored under their suspension, eight (8) licensees placed on probation, one (1) license had been revoked, and one (1) under a board order reprimand.

Ms. Leonard stated so far for the year 2019 there were eleven (11) new complaints against an LMSW, of the eleven; one (1) was for falsification of records reports, one (1) was drug related, one (1) was for criminal charges, four (4) were for unprofessional conduct, one (1) lapsed license, one (1) criminal conviction, one (1) for practice beyond the scope of practice, and one (1) outside of their investigative scope. The closed complaints for LMSW's so far in 2019 were seven (7), two (2) of which went to the office of general counsel for formal discipline, two (2) were closed without any action, two (2) were closed with a letter of concern, and one (1) was closed with a letter of warning. Letters of warning and letters of concern are not reportable to the national data bank, and therefore are not considered as formal discipline. With twelve (12) open complaints for LMSW's for 2019 currently that were being investigated or reviewed.

LAPSW's for so far for 2019 has received no new complaints, closed no complaints, and have one (1) complaint currently open being investigated or reviewed.

LBSW's currently for year 2019 there have been no new complaints received, one closed insufficient evidence to discipline. Currently there are no open complaints being investigated or reviewed.

LCSW's for 2019 has received nine (9) new complaints. One (1) for unlicensed practice, six (6) for unprofessional conduct, one (1) for lapsed license, and one (1) was outside of their investigative scope. For the year of 2019 there have been fifteen (15) complaints closed, three (3) were closed with insufficient evidence to discipline, six (6) were closed and sent to the office of general counsel for formal discipline, five (5) were closed with no action, one (1) was closed with a letter of warning. There were six (6) open complaints being investigated or reviewed to date.

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 is a conflict they are required to let the board know and recuse themselves.

Consent Orders / Disciplinary Activity

As of July 30, 2019, the Office of General Counsel has cases against six (6) of the Board's licensees. One (1) case is set for resolution today: Mr. Flinchbaugh presented the Consent Order for **Lee Cavender LCSW #6451**

Facts: Respondent worked for a peer-based residential recovery program. Respondent had a romantic relationship with a former client and self-reported to the Board.

Disciplinary Activity: Mr. Cavender license will be under suspension until he submits proof of successful completion of a boundary education course. There are two approved specific listed boundary courses he can take, or if he chooses one that he has received approval from the board on. Once he completes the course he will have to submit that certificate of successful completion, and the license will be on probation for a year. Ms. Buchanan made a motion to accept the Consent Order for **Lee Cavender, LCSW** seconded by Mr. White. The motion carried. Ms. Watson recused herself.

Public Chapter 243

This act mandates that an agency that requires a person applying for a license to engage in an occupation, trade, or profession in this state to take an examination must provide appropriate accommodations in accordance with the Americans with Disabilities Act (ADA). Any state agency that administers a required examination for licensure (except for examinations required by federal law) shall promulgate rules in regard to eligibility criteria. This legislation was introduced to assist individuals with dyslexia.

This act took effect May 2, 2019 for the purpose of promulgating rules, and for all other purposes, takes effect July 1, 2020.

Mr. Flinchbaugh needed a board vote that would allow the Health Related Boards director to promulgate rules to comply with public chapter 243. Ms. Buchanan mad motion to approve the request, Ms. Watson seconded. Motion carried.

Legislative Wrap-Up

Sara Warner with the Office of Legislative Affairs gave a brief overview of the bills that had recently passed that could affect the board of social work:

Legislative Update 2019: Board of Social Workers

Public Chapter 61

This act states that an entity responsible for an AED program is immune from civil liability for personal injury caused by maintenance or use of an AED if such conduct does not rise to the level of willful or wanton misconduct or gross negligence.

This act took effect on March 28, 2019.

Public Chapter 131

This act requires social workers, marriage and family therapists, professional counselors, pastoral counselors, alcohol and drug abuse counselors and occupational therapists to complete a suicide prevention training at least once every 4 years (instead of every 5 years under current law) beginning January 1, 2020.

This act was signed by the governor on April 9, 2019.

Public Chapter 144

This act amends the Prevention of Youth Access to Tobacco and Vapor Products Act by limiting the places in which one may use vapor products. The act defines vapor products and prohibits the use of such products in a number of locations including child care centers, group care homes, healthcare facilities (excluding nursing homes), residential treatment facilities, school grounds, and several other areas. Several locations have specific exceptions set forth in the statute.

This act took effect on April 17, 2019.

Public Chapter 195

The majority of this act pertains to boards governed by the Department of Commerce and Insurance. One small section applies to the health related boards. Currently, the health related boards have an expedited licensure process for military members and their spouses. Previously, a spouse of an active military member had to leave active employment to be eligible for this expedited process. This act removes that requirement. This section applies to all health related boards. The Commissioner of Health is permitted to promulgate rules, but rules are not needed to implement the act. This act takes effect July 1, 2019.

Public Chapter 229

This act allows healthcare professionals to accept goods or services as payment in direct exchange of barter for healthcare services. Bartering is only permissible if the patient to whom services are provided is not covered by health insurance. All barter accepted by a healthcare professional must be submitted to the IRS annually. This act does not apply to healthcare services provided at a pain management clinic.

This act took effect April 30, 2019.

Public Chapter 243

This act mandates that an agency that requires a person applying for a license to engage in an occupation, trade, or profession in this state to take an examination must provide appropriate accommodations in accordance with the Americans with Disabilities Act (ADA). Any state agency that administers a required examination for licensure (except for examinations required by federal law) shall promulgate rules in regard to eligibility criteria. This legislation was introduced to assist individuals with dyslexia.

This act took effect May 2, 2019 for the purpose of promulgating rules, and for all other purposes, takes effect July 1, 2020.

Public Chapter 359

This act creates civil liability for the unlicensed practice of psychotherapy. A provider must have a license under Title 63 in order to treat a mental health disorder and practice without a license is illegal (though some exemptions are listed in the act). The act does not expand or restrict the scope of practice for any person holding a license under Title 63.

This act goes into effect July 1, 2019.

Public Chapter 421

This act requires LEAs and public charter schools to adopt a trauma-informed discipline policy to address adverse childhood experiences (ACEs). The goal of this legislation is to enforce good behavior while still taking into account how ACEs may have affected a child’s behavior when determining a punishment. The department of education is directed to develop guidance on trauma-informed discipline practices for use by the LEAs when creating policy on the above. This act took effect May 21, 2019.

Public Chapter 447

This act permits law enforcement agencies to subpoena materials and documents pertaining to an investigation conducted by the Department of Health prior to formal disciplinary charges being filed against the provider. This bill was brought by the Tennessee Bureau of Investigation. This act went into effect May 22, 2019.

Public Chapter 474

This act is known as the “Elderly and Vulnerable Adult Protection Act of 2019.” The act adds definitions of abuse, sexual exploitation, financial exploitation, and neglect. Convictions for the preceding offences are required to be reported to the Abuse Registry. Penalties for these offenses are also increased for aggravated abuse of an elderly or vulnerable adult. In addition, this act requires any relative conservator, agent, employee of the Tennessee Commission on Aging and Disability, or guardian ad litem to be mandatory reporters if they have knowledge that an elderly or vulnerable adult is a victim of any of the offenses listed above. This act became effective May 24, 2019 for the purpose of promulgating rules. For all other purposes, this act will go into effect January 1, 2020.

Administrative Report

Ms. Stacey stated that as of August 5, 2019, there were 593 Licensed Baccalaureate Social Workers; 2,922 Licensed Master Social Workers; 268 Licensed Advanced Practice Social Workers; and 2,865 Licensed Clinical Social Workers.

Ms. Stacy said from April 22, 2019 thru August 5, 2019 that one (1) LBSW, forty nine (49) LMSWs, no (0) LAPSW’s and eight (8) LCSWs had retired their licenses.

Ms. Stacey said from April 22, 2019 thru August 5, 2019 that six (6) LBSWs, forty four (44) LMSWs, one (1) LAPSW and fourteen (14) LCSWs license had expired.

Ms. Stacey stated from April 22, 2019 thru August 5, 2019 there were nine (9) LBSWs licensed; one hundred and five (105) LMSWs were licensed; no (0) LAPSWs were licensed; and eighty eight (88) LCSW’s were licensed.

The remaining board meeting for 2019 would be October 24, 2019.
The 2020 dates for the board of Social Work meetings are:

02/06/2020
05/07/2020
08/06/2020
11/05/2020

Ms. Wilkins informed the board of the upcoming delegate assembly meeting taking place November 7-9th in Orlando Florida. Asking if anyone from the board was interested in going; the board is allowed to send three (3) members.

Agreed Citation

The board reviewed an Agreed Citation for **Alexandria Bauerle LMSW #9691** 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 Mr. Watson. The motion carried.

Review, approve/deny and ratify new licensure files

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

**Hannah Blackburn
Bethany Hull
Karley Olen
Jasmine Janay Travis
Jeannie Yonkee**

**Jonai Raechele Cooks
Ashley Konstant
Jessica Jo Smith
Lashayla White**

The motion carried.

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

**Patricia Anosike
Keibreona Bobo
Jamie Dee Bowers
Sandra L. Brazzell
Lee A. Bryant
Tiyana Kia Chaney
Lanita Monique Conley
Erika Cordle
Kristen Nicole King Davis
Tara Marie Day**

**Charles D. Baker
Elizabeth C. Boley
Kerry M. Bowling
Kyleigh Shae Bright
Holly Elizabeth Butler
Janet Clayton
Arlene Susan Connor
Alicia Nicole Danley
Molly Dee Davis
Candice Noel Deguira**

**Stephanie Demay
Alexandra Sims
Emily Brookr Donovan
Amanda Fisher
Melinda Fondren
Georgianna Giampietro
Nicci Cheri Grigsby
Regina Hammond
Kimberly Shavonne Harrison
Tammie Lashun Hedgeman
Linda D. Hinkle
Mellita N. Hollis
Catherine M. Jones
Erin J. Kenny
Ginger Ketron
Mary Murphy King
Ashley Konstant
Elizabeth Davidson Ledford
Carolina Lira
Rachel N. Lovely
Amber Lyn Makela
Marguerite Earp McGowan
Theresa Mills
Melissa Gascon Moore
Stefani Mundy
Audrie M. Nicholson
Meredith A. O'Neill
Kelly Ann Olsen
Amber Rae Owens
Alysha Profeta
Emily Renfroe
Joanna Sussman Roberts
Kristen Rusnok
Bonnie L. Schuster
Bailey Smith
Tiffany Marie Smith
Jennifer D. Stanford
Gavyn Michael Stys
Victoria Tucker
Victoria Wells
Claire Whitman
Dreassha Smith Williams
Amy Elizabeth Woerner**

**Jenna Elizabeth Desveaux
Natalie Dodd
Laura Kathleen Eggleton
Alex Neil Fletcher
Amanda Marie Garren
Melissa Joyce Grant
Jessica Groce
Sarah Hargrave
Mary Elizabeth Hearn
Brittany Hill
Kristy Erin Hogan
Brittany Shae Johnson
Jennifer Latrice Jones
Kristen Reeves Kessler
Kase Lee King
Nawal Zahid-Khan Kirmani
Amber Kowing
Tiffany Nicole Lester
Kimberly Lovelady
Ashley Lucas
Mackenzie Victoria Mayer
Margaret Dianne McNally
Deborah Sue Moore
Jennifer Moore
Megan Naiser
Taylor Ross O'Connor
Emma Olsen
Ashley Coleen Ortiz
Candra Pennington
Jennifer L. Reason
Lesley Rickman
Stefanie Rumao
Ivan Sarabia
Nina Smalls
Christopher Ray Smith
Carlie Lynn Snoap
Leigh Ann Frances Stephens
Aimee Leigh Sullivan
Dorian Wade
Shelby White
Brittany Kathryn Wilhelm
Dava R. Wilson**

Ms. Childers recused from the following licensee's: Natalie Dodd, Regina Hammond, Sara Hargrave, Elizabeth Ledford, Ashley Lucas, and Victoria Wells. The motion carried.

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

Renita Anderson
Hayley J. Barnes
Kelly Blanchard
Vanessa Brown
Elizabeth J. Burton
Donna J. Cherry
Devon J. Crisman
Elizabeth Dick
Richelle-Ann Direny
Tiffany Nicole Douglas
Catherine Ann Faulkner
Paula Fowler
Sarah E. Fritsch
Amy L. Green
William J. Grove
Laurie Ruth Hackett-McGaffigan
Isaiah Daniel Dav Hamler
Timothy L. Hook
Amanda Joy Howell
Venee Marie Hummel
Ashlee Cobb Hyatt
Elizabeth Ruth Johnson Jones
Deborah I. Kelley
Amy Elizabeth Kersten
Christina m. Kunisch
Jessica Kelly Lucason-Leckner
Melissa Lyons
Lisa Ann Masri
Caitlin E. McGinnis
Jennifer Rene' McKinney
Zephaniah Mukendi
Jenny S. Nash
Elsa Perez
Elizabeth A. Porter
Misty Reinecke
Lynde E. Ross
Kristen Janeen Santos-Silva
Jessica M. Seebeck
Charlotte Maria Shyne
Andrea R. Stackpole
Julie A. Venis
Sarah Wise

Angela Arnold
Margaret Bell
Priscilla Broussard
Alicia Ann Bunch Vargas
John A. Caldwell
Georgiana Coffman
Stefanie L. Dedman
Kathryn Dickerson
Rachel M. Disney
Allison Dowsley
Amber R. Fortenberry
Marlenny E. Franco-Johnson
Jan Londra Gay
Milagros Grinion
April Guzman
Laura Haisten
Marshall S. Hendrix
Stacey Horn
Amy D. Hulings
Robyn Amanda Husak
Kristine Jackson
Shyrnada A. Jones
Kisha D. Kelly
Stacey Boyd Khalifa
Amye Lewis
Sonya Ann Lynch
Megan E. Malis
Rebecca C. Matlock
Megan McIntyre
Maria C. McLaughlin
Mary J. Mullinix
Sarah Allison Newman
Anne M. Pirtle
Ceola M. Price
Rhonda Bailey Roper
Lisa Sanders
Paul Scheppf
Adrian T. Shields
Carrie A. Spradlin
Kathleen A. Sullivan
Linda S. Walters
Diane Kristina Witmer

**Cynthia Wright
Tobi Young**

**Julie L. Wright
Emily Erin Zimmerman**

Ms. Childers recused from the following licensee's: Amy Green, Timothy Hook, and Ashlee Hyatt. The motion carried

Approve LCSW applicants to sit for written exam

Upon review of the initially approved, Ms. Buchanan made a motion, seconded by Mr. White, to approve the following LCSW applicants.

**Jessica Baddorf
Beth Barber
Jocelyn Barton
Ashley Blackmon
Bethany Brunett
Turquious Byrd
Corrie Cecil
Timothy Clouse
Matthew Crescenzi
Amanda Flacker
Mary Fisher
Kimberly Hawkins
April Hibdon
Sandra Hines
Donna Jones
Joelle Marlin
Christopher McGee
Ashley McMean
Shelia Moton
Corey Olson
Erika Panek
Jacqueline Payne
Gayle Resneck
Lindsay Sechser
Leah Sheldon
Angela Vance
Meredith Wilson
Amanda Young
Charissa Youssi**

**Margaret Banks
Thom Barry
Sharon Battle
Derek Bowers
Jonathan Buffington
Jeremy Carney
Courtney Cheek
Angela Cote
Shannon Doss
Karina Fernandez
Rebecca Fout
Barbara Hessel
Dalya Hill
Quotia Holland
Christy Lewis
Caitlin Maxie
Latoya McLeod
Shawnn Moore
Lauren Mourier
Matthew Orphanides
Marguerite Parris
Nicole Pinkney
Joanna Rosenblum
Shamelia Shaw
Monica Simmons
Scott Vink
Caitlin Wright**

The motion carried.

Approve/deny reinstatement applications.

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

Rosemary F. Grice

The motion carried.

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

Alexandria Bauerle
Karina Garcia
Martha S. McCallie
Brandon Crishaun Ousley
Jenna Williams

Cameron Clark
Rachel B. Hill
Joyce S. Noto
Laura L. Rice

Ms. Anderson recused from Brandon Ousley. Ms. Childers recused from Cameron Clark. The motion carried

Upon review Ms. Watson made a motion, seconded by Ms. Horton, to approve the following LCSW reinstated licenses:

Darla J. Bousselet
Brian A. Edwards
Juliaana Foster
Melissa R. Routh

Tamieka D. Donnell Simmons
Meaghan E. Fitzgerald
Kathryn Dorough Veit

The motion carried.

Correspondence

Pilar Hackman, LMSW submitted correspondence stating she is a military spouse in the process of gaining clinical contact hours toward clinical license. She was requesting that the board postpone the six year time limit on completing her hours. Ms. Hackman explained that her family had to make a military ordered move cross country which coincided with the delivery of their second child. The child's delivery and infancy was met with multiple major health issues, and surgeries. She had to quit her job and provide full time care for her daughter over the 2017-2018 time periods as insurance would not pay for full time care. She is asking that the board allow hours that were completed over six years ago to be countable, then added to newly acquired hours she would be attaining with locating a new employer and resuming logging hours again.

Mr. White made a motion to grant her an additional two years in accordance with the adoption of the new rule which allows an eight year period in which to complete the clinical hours. Ms. Buchanan seconded the motion.

Motion carried.

Leisha Foster, LMSW submitted correspondence to the board requesting permission to receive a portion of her supervision hours with her LCSW via secure online video. She explained the distance she had to drive, also that she was a single parent which made it difficult to meet weekly. Ms. Foster explained if granted the video supervision, she and her clinical supervisor would continue to meet in person once a month. In accordance with the rule change regarding telehealth the board agreed to allow her to complete up to 75% of her supervision (not counseling) online, and wanted to be clear she understand that this is to be face-to-face and must have the online video component. Ensuring confidentiality Ms. Foster should fully review the rules related to telehealth in completing the supervision.

With no other board business to conduct Ms. Buchanan made a motion, seconded by Mr. White to adjourn at 10:43 am. The motion carried.

Minutes ratified October 24, 2019