Meeting Minutes IOWA BOARD OF SOCIAL WORK

Lucas State Office Building, 5th Floor Conference Room #526

Des Moines, Iowa

August 12, 2013

Call to Order:

The meeting was called to order by Tony Alden, Board Executive at 9:00a.m. The Board introduced themselves to the public in attendance, and the guests present introduced themselves to the Board.

Roll Call:

Dana McCarthy, LBSW Neil Nelsen, Public Member Amy Courneya. LISW Jody Weigel, LMSW Valerie Huntley, LISW

Members Absent: Mark Hudson, Public Member Mark Hillenbrand, LISW

Staff Present:

Tony Alden, Board Executive Laura Cathelyn, AAG Barb Huey, Bureau Chief Barb Christiansen, Administrative Assistant Sara Scott, AAG Deborah Thompson, IDPH Marcia Spangler, APL Division Director

Guests Present: Mark Smith, State Representative Kelli Soyer, NASW

Review Agenda:

Neil will serve as Chairperson today in the absence of Mark Hudson and Mark Hillenbrand.

Approval of Minutes:

A motion was made by Huntley to approve the meeting minutes of May 13 and June 18, 2013. A second was received from McCarthy. All ayes, opposed none, motion carried.

Public Comment: None

Reports:

Board Executive: Tony Alden reported on the new applications received during fiscal year 2013. The population of SW is aging and there are some concerns about falling numbers. The numbers in the report encompass all of the Social Work licensing levels. There were 4,112 total active licensees at the end of fiscal year 2013 versus 4,346 total active licensees at the end of fiscal year 2013.

AAG: No report

Bureau Chief: Barb is working on an actual close out fiscal year report by board. The report will be published soon. AMANDA software is targeted to go live at the end of October. Members will access all confidential information in a "board meet" folder. Secure mail will no longer be used after AMANDA goes live.

Old Business:

Representative Mark Smith is here to discuss the letter he recently sent to the board. Representative Smith is concerned about the confidentiality section of the Board's enabling statute. Specifically Iowa Code section 154C.5. He expressed concerns that the current wording conflicts with court rulings and federal statutes and could cause social workers to violate confidentiality standards. Representative Smith is looking for a collaborative effort between himself, the AAG's Office, the associations, and the board to review the law and discuss possible changes that would make the code current and provide clarification to licensees. Representative Smith asked the Board if there was consensus among the Board members that the code section 154C.5 needed review. Sara Scott, AAG discussed the Board's ability to promulgate rules and explained some of the legal distinctions regarding confidentiality. AAG Scott thought looking at other states and reviewing the statute would be a good place to start. The Code was written in the 1980's and it is a positive thing to look at the code for any updates that may bring the board into line with current standards. Representative Smith is asking for consensus that this is a problem and that an ad-hoc committee be formed to look into the issue. Ms. Huey suggested that it is usually the associations that bring issues like this forward to the legislature as the board is not able to lobby on law changes.

The board had a consensus in support of looking into the issue. Neil suggested involving some of the lawmakers who are social workers to participate in the ad-hoc committee. Kelli Soyer, will take the lead in setting up the committee. Valerie Huntley indicated she would be willing to serve on the committee. The Board felt two members who are social workers would be best to represent the Board. Tony will ask Mark Hillenbrand if he would be able to serve on the committee.

New Business:

Susan Bakker, correspondence regarding 645-280.6 (3) f. 5: Acceptance of professional responsibility for the social work services provided by the supervisee. Ms. Bakker is concerned about her liability while supervising an individual. The Board discussed that risk is a part of being a supervisor. The Board discussed notifying Ms. Bakker that there are various continuing education training opportunities for social work supervisors that may help Ms. Bakker. The consensus of the Board was to have the Board Executive draft a response to Ms. Bakker stating the intent of the rule is for the supervisor to be responsible for providing appropriate supervision and guidance to the master's level licensee across all aspects of their social work practice.

Petition of Waiver: Carmen White asked to waive administrative rule 645-280.6(3)c. Would like a plan approved that includes post training hours. She currently has a plan submitted and approved. This plan will be completed in a year. This waiver is a post-plan from past training.

A motion was made by Courneya to deny Carmen White's Petition for Waiver. A second was received from Weigel. All ayes, opposed none, motion carried.

Petition of Waiver: Katherine Petefish asked to waive administrative rule 645-280.6(3)c.

A motion was made by Courneya to deny Katherine Petefish Petition of Waiver. A second was received from Huntley. All ayes, opposed none, motion carried.

Complaints:

A motion was made by Nelsen to move into closed session at 10:09 a.m. to discuss confidential material related to applications and complaints according to Iowa Code Chapter 21.5(1) a, d, and f Nelsen/McCarthy all ayes, opposed none, roll call taken

McCarthy – aye

Nelsen – aye

Huntley – aye

Courneya – aye

Weigel – aye

Motion carried.

Board returned to open session at 11:35a.m.

Follow up from closed session:

A motion was made by Huntley to close Case #08-017. A second was received from McCarthy. All ayes, opposed none motion carried.

A motion was made by Huntley to approve the Settlement Agreement and Final Order for Case #11-031. A second was received from McCarthy. All ayes, opposed none, motion carried.

A motion was made by Huntley to close Case #11-043. A second was received from McCarthy. All ayes, opposed none, motion carried.

A motion was made by Huntley to close Case #11-044. A second was received from McCarthy. All ayes, opposed none, motion carried.

A motion was made by Huntley to approve the Notice of Hearing and Statement of Charges for Case #12-034. A second was received from McCarthy. All ayes, opposed none, motion carried.

A motion was made by Huntley to close the following cases #13-005, #13-009, #13-010, #13-013, #13-014, #13-017, #13-018, #13-019, #13-021, #12-017, and #12-033. A second was received from McCarthy. All ayes, opposed none, motion carried.

Future Board Meetings:

December 2, 2013 February 10, 2014 May 12, 2 014 August 11, 2 014 November 10, 2014

Adjournment:

A motion was made by McCarthy to adjourn the meeting at 11: 42a.m. A second was received from Nelsen. All ayes, opposed none. Motion carried.