

RECORD OF PROCEEDINGS

STATE BOARD OF SOCIAL WORK EXAMINERS PUBLIC MINUTES

July 8, 2011

Notice of this meeting was given in accordance with Division of Registrations Policy Number 80-17

CONVENE

The meeting of the State Board of Social Work Examiners was convened in the Civic Center Plaza Building, 1560 Broadway, Conference Room 1250A, Denver, Colorado 80202, at 9:00 AM, by Heather Piernik, Professional Member, Board Chair.

Present, in addition to Heather Piernik, LCSW, Professional Member, Board Chair, were Board members:

Cindy Musil, Public Member, Vice Chair
John Black, Public Member
Yoko Felter, Professional Member
Mary A. Mehees, Professional Member

The following Board member was unable to attend:

Rondell Swope, Public Member

Staff present:

Ronne Hines, Program Director
Vaña Montgomery, Administrative Assistant III
Anne Holton, Assistant Attorney General
Corey Everett, Continued Competency Specialist
John Steele, Expedited Settlement Director
Cindy Reinhardt, Office of Investigation
Carla Spence, Office of Investigation
Adam String, Office of Investigation

Presenters:

Healthcare Professions Profiling Program (HPPP) presentation by Jacqueline Arcelin.

ANNUAL ELECTION OF OFFICERS

A motion was made, seconded and carried to re-elect Heather Piernik as the Chair.
A motion was made seconded and carried to re-elect Cindy Musil as the Vice-Chair.

APPROVAL OF MINUTES

The Board approved the minutes from the May 13, 2011 meeting as amended.

RECORD OF PROCEEDINGS

State Board of Social Work Examiners
July 8, 2011 Minutes
Page 2 of 6

REPORTS

Ronne Hines, Program Director

- Provided update on bill SB-187.
- Provided update on the Health Service/Health Care Complaint form.
- Provided update on the move to paperless board meetings.

Corey Everett, Continued Competency Specialist

- Continuing Professional Competence Delegation of Authority.
- Update on the military service exemption.

ADDITIONS

All agenda additions have been incorporated into these meeting minutes.

DISCUSSION ITEMS

- **POLICIES**

- Continuing Professional Competence Delegation of Authority Policy
A motion was made, seconded, and carried to approve the policy.
- Delegation of Authority Policy
A motion was made, seconded, and carried to approve the policy.
- Process for Handling Complaints Involving a Board Member Policy
A motion was made, seconded, and carried to approve the policy with Cindy Musil and Ronne Hines delegated to amend language.

FYI

- Directive Concerning Court Appointments of Child and Family Investigators Pursuant to C.R.S. 12-14-116.5
- Change in Colorado Law Regarding the Reporting of Child Abuse in the Past.

LICENSING – ADMINISTRATIVE ISSUES

RATIFICATIONS

A motion was made, seconded and carried to ratify the report of licenses from 05/08/11 through 06/08/11.

<u>Agenda Item #1</u>	<u>DA</u>	<u>Pending Application</u>
The Board reviewed the application and supporting documents. A motion was made seconded and carried to approve the application.		

<u>Agenda Item #2</u>	<u>DC</u>	<u>Pending Application</u>
The Board reviewed the application and supporting documents. A motion was made seconded and carried to approve the application.		

RECORD OF PROCEEDINGS

State Board of Social Work Examiners
July 8, 2011 Minutes
Page 3 of 6

Agenda Item #3 **BF** **Pending Application**

The Board reviewed the application and supporting documents.

A motion was made seconded and carried to refer the case to executive session for discussion and potential discipline.

In open session, a motion was made seconded and carried to table the application pending additional information.

In open session, a motion was made seconded and carried to refer to the Office of Investigations.

Agenda Item #4 **BK** **Pending Application**

The Board reviewed the application and supporting documents.

A motion was made seconded and carried to deny supervision and direct applicant to provide additional information.

Agenda Item #5 **RO** **Pending Application**

The Board reviewed the application and supporting documents.

A motion was made seconded and carried to table application pending additional information.

Agenda Item #6 **KR** **Pending Application**

The Board reviewed the application and supporting documents.

A motion was made seconded and carried to approve the application.

REINSTATEMENTS

Agenda Item #7 **HM** **Reinstatement Application**

The Board reviewed the application and experience documentation.

A motion was made seconded and carried to approve the application

A motion was made seconded and carried to refer the case to executive session for discussion and potential discipline.

In open session, a motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

OLD BUSINESS

RECONSIDERATIONS:

Agenda Item #8 **CC** **Case #2011-001224**

The Board reviewed complaint, response, and request

A motion was made seconded and carried to refer the case to executive session for legal guidance.

In open session, a motion was made seconded and carried to deny the petition for Declaratory Order.

Agenda Item #8a **KM** **Reinstatement Application**

The Board reviewed the application and experience documentation.

A motion was made seconded and carried to approve the application.

RECORD OF PROCEEDINGS

State Board of Social Work Examiners
July 8, 2011 Minutes
Page 4 of 6

MONITORING REPORTS/ACTIVE STIPULATIONS

Agenda Item #8b **FL** **Case #2006-002281**

The Board reviewed report.
A motion was made seconded and carried to deny report.

Agenda Item #8c **SN** **Case #2009-001350**

The Board reviewed report.
A motion was made seconded and carried to refer the case to executive session for legal advice on matters required to be kept confidential by federal law or rules or state statutes.
In open session, a motion was made seconded and carried to notify SN that terms of the stipulation remain in place and unchanged.

Agenda Item #8d **RP** **Case #2008-002416**

The Board reviewed evaluator applications.
A motion was made seconded and carried to approve the evaluator applications for JB and GG with a directive that RP must notify the Board of choice.
A request was made and accepted for an amendment of the motion.
A motion was made seconded and carried to approve JB.

Agenda Item #8e **JS** **Case #9602-000018**

The Board reviewed report.
A motion was made seconded and carried to toll the stipulation effective February 2010.

INVESTIGATIVE REPORTS

Agenda Item #9 **SL** **Case #2011-003579**

The Board reviewed the Report of Investigation.
A motion was made seconded and carried to dismiss the case as being without merit.

Agenda Item #10 **DT** **Case #2010-004632**

The Board reviewed the Report of Investigation.
A motion was made seconded and carried to refer the case to executive session for discussion and potential discipline.
In open session, a motion was made seconded and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Agenda Item #11 **JW** **Case #2010-001308**

The Board reviewed the Report of Investigation.
A motion was made seconded and carried to refer the case to executive session for further legal advice based on the Report of Investigation.
In open session, a motion was made seconded and carried to refer BB to the State Board of Licensed Professional Counselor Examiners.

RECORD OF PROCEEDINGS

State Board of Social Work Examiners
July 8, 2011 Minutes
Page 5 of 6

NEW BUSINESS

INITIAL REVIEW

Agenda Item #12 **NA** **Case #2011-003997**

The Board reviewed the complaint and response
A motion was made, seconded, and carried to dismiss the case as being without merit.
A motion was made, seconded, and carried to reconsider the case.
A motion was made, seconded, and carried to table the case pending additional information.

Agenda Item #13 **MD** **Case #2011-003986**

The Board reviewed the complaint and response
A motion was made, seconded, and carried to dismiss the case as being without merit.

Agenda Item #14 **JW** **Case #2011-004218**

The Board reviewed the complaint and response.
A motion was made, seconded, and carried to dismiss the case as being without merit.

CASE CONSIDERATIONS:

Agenda Item #15 **RB** **Case Consideration**

The Board reviewed the complaint.
A motion was made, seconded, and carried not to open a case.

MOTION TO MOVE INTO EXECUTIVE SESSION (In Open Session)

At 12:11 PM, Board Chair Heather Piernik asked for a motion that the Board enter into Executive Session. A motion was made, seconded and carried unanimously to enter into executive session pursuant to Section 24-6-402(3)(a)(III) of the Colorado Revised Statutes for the purpose of discussing with counsel disputes that are the subject of pending or imminent court action, discussing specific claims or grievances, and receiving legal advice on specific legal questions, pursuant to Colorado Revised Statutes section 24-6-402(3)(a)(II) including agenda item #3 BF application, agenda item #7 HM reinstatement application, agenda item #8 case number 2011-001224, agenda item #10 case number 2010-004632, and agenda item #11 case number 2010-001308;

Settlement, counteroffers and other legal questions pertaining to open cases referred to the Expedited Settlement Program, specifically case numbers 2011-001224, 2011-002822, and 2010-003760;

Counteroffers, settlement issues and other legal questions pertaining to cases with the Attorney General's Office, specifically case numbers 2011-003480, 2011-002204, 2011-000084, 2010-003744, 2010-001308, and 2011-002869; and

Matters required to be kept confidential by federal law or rules or state statutes pursuant to Colorado Revised Statutes Section 24-6-402(3) (a)(III), specifically case number 2009-001350.

RECORD OF PROCEEDINGS

State Board of Social Work Examiners
July 8, 2011 Minutes
Page 6 of 6

EXECUTIVE SESSION

The legal basis for potential disciplinary action, and where warranted, recommended settlement guidance and/or legal advice/guidance:

- Agenda item #3 BF application,
- Agenda item #7 HM reinstatement application
- Agenda item #8 case number 2011-001224
- Agenda item #10 case number 2010-004632
- Agenda item #11 case number 2010-001308

Settlement, counteroffers and other legal questions pertaining to open cases referred to the Expedited Settlement Program, specifically:

- Case number 2011-001224
- Case number 2011-002822
- Case number 2010-003760

Counteroffers, settlement issues and other legal questions pertaining to cases with the Attorney General's Office, specifically:

- Case number 2011-003480
- Case number 2011-002204
- Case number 2011-000084
- Case number 2010-003744
- Case number 2010-001308
- Case number 2011-002869

Matters required to be kept confidential by federal law or rules or state statutes pursuant to Colorado Revised Statutes Section 24-6-402(3)(a)(III) , specifically:

- Case number 2009-001350

By unanimous agreement, the Board exited Executive Session at 12:59 PM.


Returned to Open Session at 12:59 PM.

Motions made upon returning to open session are noted above, as applicable.

ADJOURN

The Board formally adjourned the meeting at 1:05 PM. The Board will reconvene on Friday, September 9, 2011 at the Civic Center Plaza Building, 1560 Broadway, Conference Room 1250A, Denver, CO 80202, at approximately 9:00 AM.

As Board Chair/Vice-Chair, I attest that these minutes of the open public meeting of the Colorado State Board of Social Work Examiners substantially reflect the substance of the discussions and actions taken related to matters under the authority of the Board, pursuant to §12-43-203, C.R.S. and in compliance with §24-6-402, C.R.S.


Board Chair

Vice-Chair