

**JOINT EXAMINING BOARD MEETING
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING
AND SOCIAL WORK JOINT EXAMINING BOARD
MEETING MINUTES
JANUARY 12, 2010**

PRESENT: Arlie Albrecht, Eric Alvin, LaMarr Franklin (joined the meeting at 11:17 a.m.), George Kamps, Bruce Kuehl, Leslie Mirkin, Evelyn Pumphrey (connected via phone, left the meeting at 11:05 a.m.), Mary Jo Walsh

EXCUSED: Alice Hanson-Drew, Charles Lindsey, Ann Marie Starr, Daryl Wood

STAFF: Jeff Scanlan, Bureau Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant and other DRL Staff

GUESTS: Joseph D'Costa, Department of Workforce Development – Division of Vocational Rehabilitation (DWD/DVR); Marc Herstand, National Association of Social Workers (NASW) WI Chapter; Kathy Markeland, Wisconsin Association of Family and Children's Agencies (WAFCA)

CALL TO ORDER

Mary Jo Walsh, Chair, called the meeting to order at 9:11 a.m. A quorum of seven (7) members was present.

APPROVAL OF AGENDA

Amendment to the Agenda:

- Item "F" (open session) "Division of Enforcement – Status Update on Enforcement Issues for Marriage and Family Therapy, Professional Counseling & Social Work – 10:00 a.m. Appearance by Marvin Robinson & DOE Staff" - defer to next meeting.

MOTION: George Kamps moved, seconded by Eric Alvin, to approve the January 12, 2010 agenda as amended. Motion carried unanimously.

SEATING OF THE CHAIR, VICE CHAIR AND SECRETARY OF THE MPSW JOINT BOARD FOR 2010

Mary Jo Walsh, Chair; Leslie Mirkin, Vice Chair; and Arlie Albrecht, Secretary, were seated as the Board's Officer for 2010. George Kamps discussed the Board Chair and Vice Chair Training, noted the timeliness of this training and stated that it was an excellent session.

APPROVAL OF THE MPSW JOINT BOARD MINUTES OF OCTOBER 27, 2009

MOTION: Eric Alvin moved, seconded by Evelyn Pumphrey, to approve the MPSW Joint Board Minutes of October 27, 2009 as published. Motion carried unanimously.

APPROVAL OF GOAL SETTING COMMITTEE MINUTES OF OCTOBER 27, 2009

MOTION: George Kamps moved, seconded by Eric Alvin, to approve the Goal Setting Committee Minutes of October 27, 2009 as published. Motion carried unanimously.

ADMINISTRATIVE REPORT

Jeff Scanlan advised the Board of the recent appointment of Alice Hanson-Drew, public member, to the Marriage and Family Therapy Section and to the MPSW Joint Board. Alice Hanson-Drew was not available to attend today's meeting due to prior commitments. Mr. Scanlan reported that the appointment of a public member is still needed for the Professional Counselor's Section as LaMarr Franklin's term is long expired and he has been appointed to the Medical Examining Board. Additionally noted was the professional member vacancy in the Social Worker Section. Jeff Scanlan informed the Board that he has requested that Hector Colon, DRL Executive Assistant, work to initiate legislative change that would change the requirement for a independent certified social worker member to a master's level social worker.

The Board was informed that Jeanette Lytle and Jeff Scanlan recently presented to the Bureau of Milwaukee Child Welfare regarding reporting requirements per s. 457.25 Wis. Stats. The Board discussed the need to disseminate this information to Wisconsin license holders, supervisors and to employers. Methods of communicating the reporting requirements were discussed. The Board made a request to Marc Herstand, National Association of Social Work (NASW) – WI Chapter, and Kathy Markeland, Wisconsin Association of Family and Children's Agencies (WAFCA), that they distribute the s. 457.25 Wis. Stats. reporting requirements to the members of their respective organizations.

MOTION: George Kamps moved, seconded by Eric Alvin, to designate Jeff Scanlan to compose a letter to Department of Health Services and Department of Children and Family Services identifying the responsibilities regarding reporting under s. 457.25 Wis. Stats. of disciplinary measures and request distribution to all the licensed and/or regulated agencies. Motion carried unanimously.

Jeff Scanlan advised the Board about the Secretary's outreach initiative and a proposal for the Joint Board to conduct an outreach meeting in Milwaukee. He suggested that there are a number of subjects being considered for discussion including the Joint Board's intent for repeal of AODA provisions and reporting requirements under s. 457.25 Wis. Stats. Venues and additional topics relating to this outreach session were discussed by the Board. Marc Herstand, NASW, and Kathy Markeland, WAFCA, provided comments and suggested topics during discussion of this outreach meeting.

Jeff Scanlan then advised the Board of a number of staffing changes which have occurred as a result of reorganization within the Department. The Nursing Board and Nursing Home Administrators Board has been assigned a dedicated enforcement team which is similar to the dedicated enforcement team for the Medical Examining Board.

The Department currently has approximately eight (8) attorney vacancies and is in the process of hiring. Division of Enforcement – Administrator, Marvin Robinson, Jr. has tendered his resignation. His last day will be January 15, 2010. Additionally, Division of Board Services – Administrator, Gail Sumi is stepping down and will assume the position of bureau director. Finally, Gil Lubcke, Division of Enforcement – Attorney, is retiring effective January 15, 2010.

Arlie Albrecht posed a question about the difference in licensure fees for the professions under the Joint Board. The Board referenced the published fees for the Department. Jeff Scanlan and Gail Sumi, provided general information about the Department's methodology regarding fee setting. The Board requested that this issue be discussed at its next meeting.

2010 Meeting Dates

The Board's proposed 2010 meeting dates were not discussed but have been included below.

- January 12, 2010
- April 13, 2010
- July 27, 2010
- October 26, 2010

ANNUAL POLICY REVIEW WITH THE BOARDS

Jeff Scanlan conducted an annual review of Department policies with the MPSW Joint Board. The Board's attention was directed to information within their agenda packet relating to the following Department policies:

- Quorum Policy and Procedure
- Agendas and Addendums
- Hotel Policy and Reservations
- Travel Vouchers and Per Diems
- Out-of-State Travel Policy
- State of Wisconsin Pocket Travel Guide
- Checked Bag Policy

SUMMARY REPORTS ADMINISTRATIVE RULES AND PRESS RELEASES

Jeff Scanlan informed the Board that the psychometric testing rule will go before the Small Business Review Advisory Committee. He indicated that no objections are anticipated to result from this review as this rule eases regulations which may adversely affect small businesses. Following the Small Business Review Advisory Committee the rule will be sent to the Legislative Clearinghouse and then subsequently returned to the Board.

DIVISION OF ENFORCEMENT – STATUS UPDATE ON ENFORCEMENT ISSUES FOR MARRIAGE & FAMILY THERAPY, PROFESSIONAL COUNSELING & SOCIAL WORK

This item was deferred to a future meeting.

DISCUSSION – BILLING FOR MENTAL HEALTH SERVICES BY QUALIFIED TREATMENT TRAINEES IN HFS 35 CLINICS – WHEN MAY A TRAINEE BE REIMBURSED FOR SERVICES BY INSURANCE PROVIDERS – REVIEW OF EMAIL CORRESPONDENCE

The Board reviewed e-mail correspondence from Dan Zimmerman, Department of Health Services. This correspondence referenced the ability of trainees working in DHS certified clinic to receive reimbursement by insurance providers. The Board identified that insurance reimbursement is not available to the trainees under its jurisdiction if they work outside of DHS certified clinics and discussed the ability to obtain reimbursement.

REVIEW OF SCOPE STATEMENT REQUEST TO AMEND MPSW 20.02 UNPROFESSIONAL CONDUCT TO INCLUDE A PROVISION THAT DEFINES A LICENSE HOLDER'S FAILURE TO REPORT AN ACTION PURSUANT TO S. 457.25 STATS (REPORTING REQUIREMENTS) IS UNPROFESSIONAL CONDUCT. ALSO FAILURE TO HAVE GRIEVANCE PROCEDURE DEFINED AS UNPROFESSIONAL CONDUCT

The Board discussed its scope statement regarding the amendment of MPSW 20.02 and took the following action.

MOTION: Eric Alvin moved, seconded by George Kamps, to authorize the Mary Jo Walsh, Chair of the Joint Board, to review and approve the scope statement on behalf of the Board. Motion carried unanimously.

(Evelyn Pumphrey disconnected at 11:10 a.m. and LaMarr Franklin was connected by phone at 11:17 a.m.)

MPSW JOINT BOARD PLANNING ON BOARD GOALS FOR 2010

The Board discussed the pursuit of its prioritized goals and how to pursue these initiatives.

1. Amendment of Wis. Stat. 457.02 regarding repeal of provision which restrict board license holders from providing treatment of substance abuse and substance use disorders

George Kamps, Mary Jo Walsh, and Ann Marie Starr met between to initiate the development of talking points and to lay the ground work for Board pursuit of this legislation. Jeff Scanlan advised the Board of the need to obtain legislative sponsorship. The Board discussed its options for legislative introduction for the repeal of provisions which prohibit licensees of the Board from providing of substance abuse and substance abuse disorders. Mary Jo Walsh, George Kamps and Ann Marie Starr will continue their work in the development of their legislative approach. The Board will discuss this matter further at a future meeting.

2. Create Supervisory Guidelines and Address Disparity of Supervisor Regulations Across Regulations of the 3 Professions of the MPSW Joint Board.

George Kamps, Evelyn Pumphrey and Bruce Kuehl have been in discussion with Kathy Markeland, WAFCA, regarding supervisory requirements for each of the Sections of the Joint Board. George Kamps indicated that they will meet again to analyze and compare the supervisory requirements of the Section of the Board in an effort to identify the disparities therein. Once the analysis of the Section's supervisory requirements has been completed this topic will be brought to the Joint Board for discussion of the benefit and/or downfalls of more closely aligning these requirements.

3. DHS Mental Health Provider Status Letter Holders – Discussion on What Actions Should Be Taken by MPSW Joint Board in Terms of Recognizing Unlicensed DHS-Recognized Mental Health Providers.

The Board discussed what action to pursue regarding the regulation of DHS Mental Health Provider Status letter holders by the Joint Board. Jeff Scanlan informed the Board that his attempts to arrange a meeting of Dan Zimmerman and Mark Hale, Department of Health Services (DHS), specified members of the Board and himself have been unsuccessful. He indicated that the Board should develop a plan of approach and then work with the Department and DHS to refine the proposed plan. The Board decided that each Section will devise its own approach to regulation for discussion at a future Joint Board meeting. The Board further discussed the possibility of combining its legislative efforts to repeal AODA provisions in Wis. Stat. 457.02 with any legislative efforts they pursue with respect to the regulation of DHS authorized psychotherapists. The Board requested that Dan Zimmerman and Mark Hale, Department of Health Services (DHS), be invited to future Joint Board and Section's meeting agendas.

DISCUSSION ON OPTIONS FOR ADDRESSING DHS AUTHORIZED PSYCHOTHERAPIST (A.K.A. UNLICENSED “3RD PARTY PROVIDER LETTER HOLDERS”) ISSUES – BARRIERS TO LICENSURE, EFFECTS OF HFS 35

The Board addressed this topic during item # 3 for the item titled “MPSW Joint Board Planning on Board Goals for 2010”.

WAFCA WEBINAR RE: SUPERVISION RULES (KAMPS, PUMPHREY, KUEHL)

Kathy Markeland, WAFCA, provided a handout and informed the Board that the WAFCA supervisory training session via webinar is scheduled for February 4, 2010. George Kamps, Evelyn Pumphrey and Bruce Kuehl will work in collaboration with WAFCA on the execution of the webinar. Kathy Markeland indicated that there will be no fee required attend the supervisory training but indicated that a \$15 fee will be assessed to non-association members that wish to obtain a certificate of attendance. Kathy Markeland was commended by the Board for her efforts in facilitating this supervisor training.

REPORT OF MARRIAGE & FAMILY THERAPY SECTION

Arlie Albrecht reported that the Section last met by teleconference on November 13, 2009 and advised the Board that there is nothing to report.

REPORT OF PROFESSIONAL COUNSELOR SECTION

Leslie Mirkin reported that the Professional Counselor Section was scheduled to meet the day prior (1/11/10) but the meeting was cancelled due to lack of quorum.

REPORT OF SOCIAL WORKER SECTION

George Kamps reported two highlights from the Social Work Section meetings. He indicated that the Social Work Training Certificate (SWTC) Taskforce is examining the SWTC requirements in an effort to align equivalence for the SWTC with that of the requirements for a certified social work. In line with the supervisory requirements George Kamps has been keeping track of denials for LCSW to identify barriers which are keeping individuals from obtaining this credential.

REVIEW OF INQUIRIES RECEIVED BY LEGAL COUNSEL

Colleen Baird, Legal Counsel, advised the Board that there are no practice questions to be addressed by the Board at today's meeting.

PUBLIC COMMENTS

None.

OTHER BOARD BUSINESS

Jeff Scanlan informed the Board that the Department of Health Services (DHS) has indicated its desire for Substance Abuse Counselors to conduct treatment of gambling addiction issues. Secretary Jackson has indicated that she is not in favor of this proposal as the substance abuse credential holders are not intended to handle this treatment.

ADJOURNMENT

MOTION: Arlie Albrecht moved, seconded by Eric Alvin, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 12:26 p.m.