

**KENTUCKY BOARD OF SOCIAL WORK
BOARD MEETING MINUTES**

Tuesday, July 14, 2020 | 11:30 a.m. ET

The board meeting was held by Zoom Conference Call, in accordance with Gov. Beshear's EO 2020-243 Social Distancing during COVID-19 state of emergency. The meeting link was posted at bsw.ky.gov.

Board Members Present:

Jay Miller, Ph.D., CSW, Chair
Anne Adcock, DSW, CSW, Vice Chair
Jene Hedden, LCSW
James Haggie, LSW
Megan Hanser, CSW
Whitney Cassity-Caywood, Ph.D., LCSW
Lisa Johnson, Consumer Member, was unable to attend.

Staff Present:

Florence Huffman, Executive Director
Lisa Turner, Executive Coordinator

Nicole Bearse, Board Counsel

Oath of Office

Nicole Bearse, Board Counsel, administered the *Oath of Office* to Anne Adcock, CSW; and James Haggie, LSW, upon their reappointment by Governor Andy Beshear for a 4-year term on the board.

Call to order

Dr. Jay Miller, Board Chairman, called the meeting to order at 11:35 a.m. EST and welcomed the board members, staff and guests in attendance by Zoom.

Guests

Guests attended by Zoom.

Consent Agenda

Approved: A motion was made by James Haggie and a second by Jene Hedden to approve the minutes from the June 9th, 2020 board meeting. The motion carried by unanimous voice.

Per Diem Compensation: The vote on board members' total per diem compensation for meetings from March to July 2020 was tabled by consent until the August 11, 2020 meeting. Note: Travel reimbursement may be separated from per diem compensation.

Executive Director's Report, Florence Huffman, Executive Director

Operations Report – June 1-30, 2020 attached.

Financial Report – Fiscal Year 2019/2020

June 2020:

- Sum of Revenues: \$15,310
- Sum of Expenditures: \$34,957
- Cash Balance: \$365,281

Committees

Complaint Committee

Jay Miller, CSW; Anne Adcock, CSW; and Jene Hedden, LCSW

Approved: A recommendation was made by the committee to offer an Agreed Order in case no. 20-23, with the terms to require completion of 6 hours of CEUs pertaining HIPPA and/or confidentiality of client records, 2 hours of CEUS on Social Work Ethics, a minimum of 6 hours of targeted supervision by the social worker's LCSW board-approved supervisor on the topics ethics and confidentiality of records; no more violations.

Motion carried by unanimous vote, no opposed and no abstentions.

Application Committee

James Haggie, LSW; and Megan Hanser, CSW

Nothing to report.

Old Business

Dr. Jay Miller, CSW, Board Chairman

Proposed amendment to 201 KAR 23:070 qualifying experience for clinical social work supervision.

Dr. Miller commented that the board is continuing to collect and collate comments made during the Public Hearing (held by Zoom) and written comments submitted after the hearing (over a thousand). In response, the board has withdrawn the original proposed amendment and it will be refiled after the board votes on final revisions. The general tone of the comments support addressing the issue of clinical supervision, and most gave feedback as to what that should be. The board will arrive at a consensus and decide upon a revised amendment at the August 11, 2020 board meeting. No action was taken.

Complaint for Declaratory Judgment

Nicole Bearse, Board Attorney, reported the briefs from both parties have been filed and we are awaiting the Judge's decision (or the Judge may issue an order for oral arguments).

Medicaid Regulations / State Licensure

Nicole Bearse, Board Attorney, reported that the case management function can fall within the purview of social work practice, subject to licensure, but it may also be conceptualized in other regulations like the the Dept. of Medicaid Services. As a scope of practice issue, many people across the state are involved, and there is confusion. Dr. Miller commented that the board understands and acknowledges the sheer magnitude of the issue (similar to telehealth for example), and will invite questions and input about the issues at hand in an effort to arrive at a place of agreement. Dr. Adcock remarked that it was time to bring the issue to a rest, and bring clarity to social work regulation particularly because of the vulnerable populations receiving those services. Ms. Hanser said that she works with case managers and the services should be regulated.

Ms. Bearse recommended that the board request an opinion from the Office of the Attorney General; she will draft the opinion and submit for a vote to the board in August 2020. Dr. Miller concluded by inviting interested agencies and individuals to participate, provide input, and help arrive at a solution.

New Business

Dr. Jay Miller, CSW, Board Chairman

HR Administrative Services and Support: The KY Personnel Cabinet has informed the board that it will stop providing HR services to independent licensure boards as of January 1, 2021; an answer was requested by August 1, 2020. The options are for the board to hire staff to provide the HR services, or to enter into a memorandum of agreement with the Public Protection Cabinet, Department of Professional Licensing (DPL) for those services. Ms. Huffman reported she had spoken with DPL and they estimated the cost for two employees would be \$2,000 annually (\$500 per quarter). Board staff will provide additional details at the August 2020 board meeting. No action was taken.

In closing, Dr. Miller stated the board will be considering what aspects of the temporary regulatory relief granted by the board during the state of emergency should become permanent. The board will think more long term. He referred to telehealth and how it allows services to those who would not otherwise get access to them, and concluded by saying the board would not be doing its part for the profession if we didn't look at its social work practice regulations post COVID-19.

Announcements

There were no announcements.

Adjournment

Approved: A motion was made by Anne Adcock and a second by Jene Hedden to adjourn the meeting at 12:36 p.m. The motion carried by unanimous voice.

Respectfully submitted,

/s/ Jay Miller

J. Jay Miller, PhD., CSW, Chairman