

Kentucky Board of Social Work
Special Board Meeting – Via Zoom

TOPIC: Temporary Permit Regulation

September 30, 2022

Board Members Present:

Anne Adcock, DSW, CSW, Chairperson
James Haggie, CSW
Whitney Cassity-Caywood, Ph.D., LCSW
Lori Vogel, LCSW
Hank Cecil, LCSW
Laura Farris, Citizen At Large

Staff Present:

Marc Kelly, Executive Director
Vanessa Jones, Staff Assistant
Nicole Bearse, Board Attorney

Call to Order

Anne Adcock, board chairperson, called the meeting to order at 11:32 a.m. ET. She let all participants know this meeting is about the Board's Temporary Permit Regulation.

We became aware that our Temporary Permit Regulation is expired, so we are using this meeting to address this and get things in place for the emergency regulation and the new regular regulation related to the Temporary Permits.

With the Governor's office and the help of the legislative research commission (LRC) we have a plan in place. She thanked both offices for being so helpful with this process.

Nicole Bearse, Board attorney, explained the regulation and the expiration dates for them. Once they go into filed and in place they last for 7 years and the temporary permit regulation expired in August of 2021. She stated the email notices from LRC and Regulation personnel were going to prior director, Florence, due to the email not being changed, so we were not aware it had expired.

A team's meeting was done with Laura from the Governor's office and Matt from LRC office to go over our statement of emergency and the process. Nicole drafted the emergency temporary permit regulation and it has been reviewed and approved by LRC and sent to the Governor for his signature. Once it is received, Marc or Vanessa, will take to LRC to officially file it. Once it is filed and stamped in at LRC, we can move forward.

Nicole stated she also drafted the regular Temporary Permit Regulation and it will be filed at the same time as the emergency one. With the emergency regulation, you do not have to go through the whole process prior to it being put in place, but with the regular regulation we do. So, we will use the emergency regulation until the regular regulation goes through the process. Then once it is approved and put in place, the emergency regulation will end.

Nicole let all know that the Board members have received the statutes and the emergency order for review prior to this meeting. She shared the 3 documents on this zoom call and went over each and allowed participants to review and read as well. The 3 documents included, the statement of emergency; the emergency temporary permit regulation; and the regular temporary permit regulation that will be good for 7 years once approved and filed. She stated we will need votes for all 3 documents.

- Anne Adcock made a motion to approve the Statement of Emergency. Whitney Cassity-Caywood seconded. James made a third. Approved with 5 yes votes and 1 abstention;
- Anne Adcock made a motion to approve the Emergency Temporary Permit Regulation. Whitney Cassity-Caywood seconded. Laura Farris made a third. Approved with 5 yes votes and 1 abstention;
- Anne Adcock made a motion to approve the new regular Temporary Permit Regulation as it stands right now with no changes. But to note that there is a public comment meeting period, so if there are any modifications to this regulation we will revise during the comment period. Laura Farris seconded. James Haggie made a third. Approved with 5 yes votes and 1 abstention.

She noted that 7C in the emergency regulation states we will reissue a temporary permit to persons holding one now that was issued from August 2021 until today and will not expire for 8 months.

Nicole then discussed the process that we have to answer questions and etc. Several participants asked questions about the public comment period. Nicole let all know that the emergency order does not have a public comment prior to going into effect and if all is approved it will take effect today. The emergency regulation acts as a bridge to continue until we get the regular regulation in effect. So, once the Board votes to approve the 3 documents, they will be signed and sent to Governor's office and LRC to officially file. She did state that the new regulation will have a public comment period in December.

A participant asked what implications, if any, will be taken on current temporary permit holders. Anne Adcock, Board chair, let all know that we are not going to reprimand any of them. Hank Cecil stated we have an obligation to help the licensees.

Brenda Rosen stated they told the Board back in December of 2021 and nothing has been done about it. They even sent in a letter. She stated this is a serious issue and that the letter she sent be seen and transparent.

Hank Cecil made a motion to share the letter. Anne Adcock asked for a 2nd. No 2nd was given. Anne stated she cannot bring it to a vote without a 2nd. Sally Rhoads asked if their concerns were not going to be addressed. Anne Adcock let her know that is what we are trying to do today and then we can discuss other things later.


Nicole Bearse let all know the next step is related to liability issues and that can be discussed in an executive closed session per KRS 61.810 section 1(c). A few participants had some concerns about actions taking place in a closed session. Nicole let all know that no actions are done in a closed session and if they have any, they will be one once out of the closed session.

Anne Adcock made a motion to move into an Executive Closed Session. Whitney Cassity-Caywood seconded. Laura Farris made a third. All participants were removed from the Zoom call and the Board members, Board staff and the staff attorney went into closed session.

Once back in the open public meeting via zoom, all participants that were waiting to come back were let back into the zoom call. Anne Adcock then made a motion to move out of the executive closed session at 1:03 pm. James Haggie seconded. Hank Cecil made a third. All approved by unanimous voice vote.

Anne Adcock discussed the closed session and the possible liability to the Board; issues for the temporary permit holders, supervisors and employers. Anne stated all cannot be resolved today, but we will handle on case by case basis as they come up. Once the order is signed, the 58 temporary permit holders and the supervisor-employer will get notices sent with a letter and a new temporary permit that will be good for 8 months from the day of issuance or until they obtain their LSW/CSW license. Vanesa and Marc Kelly will get all these sent out as soon as they get notice of the approval from LRC.

Anne Adcock made a motion to adjourn at 1:06 pm. Hank Cecil seconded. All approved by unanimous voice vote. Meeting adjourned.

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and curves.

10/17/2022