

Kentucky Board of Social Work  
Monthly Board Meeting

April 11, 2023

**Board Members Present:**

Hank Cecil, LCSW  
Santosh Adhikary, LCSW  
Whitney Cassity-Caywood, Ph.D., LCSW  
Lori Vogel, LCSW  
James Haggie, CSW  
Laura Guffey, LSW

**Staff Present:**

Marc Kelly, Executive Director  
Vanessa Jones, Executive Assistant  
Mark Brengelman, Board Attorney

**Call to Order**

Whitney Cassity-Caywood called the meeting to order at 11:31 a.m. ET.

**Operations Report:**

Marc Kelly, Executive Director, reported the following for the operations report:

Applications-75  
LSW licenses-4  
CSW Licenses-39  
LCSW Licenses-29  
Reinstatements-3  
Renewals-132  
Temp permits-8  
Supervision Contracts- 46 approved; 2 deferred but now approved  
CEUs- 5 providers; and 1 sponsorship renewal

Hank Cecil made a motion to accept the Operations report. Santosh Adhikary seconded. Motion carried by unanimous voice vote.

**Financial Report**

James Haggie reported that there is nothing unusual to report. He shared Marc Kelly requested to access our revenues to continue to operate for the remainder of this fiscal year and he received notice that we will be receiving what was requested and should get it sometime this month. He stated we will use what we need and if there is anything left; it will go back into the cash balance. James Haggie shared we are expecting more money in the next year budget since what we have received previously does not cover us for the whole year.

**Board Members Travel and Per Diem:**

Hank Cecil's per diem and travel to attend the mediation on March 29<sup>th</sup> at the Board office in Frankfort. James Haggie made a motion to approve Hank Cecil's per diem and travel on March 29, 2023. Laura Guffey seconded. All approved by a unanimous voice vote.

Board members per diem and travel for today's (4/11/23) meeting – James Haggie made a motion to approve the Board's per diem and travel for today. Hank Cecil seconded. All approved by a unanimous voice vote.

### **Board Minutes:**

March 13, 2023 board meeting minutes – a motion was made by Hank Cecil and seconded by James Haggie to approve the minutes from the March 13<sup>th</sup> meeting. All approved by a unanimous voice vote.

### **Committees**

#### **Application Committee**

**James Haggie, CSW**

Applicant 1 – Lori Vogel reported this applicant is a May graduate and is requesting to sit for the Master exam. They have a history of addiction but completed probation in 2016 and has been moving forward since then. The Committee recommends this applicant be approved to sit for the Master exam. All approved the committee's recommendation for applicant 1.

Applicant 2 – Lori Vogel reported this applicant is a May graduate and is requesting to sit for the Master exam. This applicant has been through a lot but is now working at a mental health agency and is working on their drug and alcohol certification. The Committee recommends this applicant be allowed to sit for the Master exam and be issued a temporary permit once the official transcript showing their Master degree is awarded and the board receives their official ASWB score report showing they passed. All approved the Committee's recommendation for applicant 2.

Applicant 3 – James Haggie reported this applicant is requesting their license be reinstated. He shared this is one the committee reviewed last month. It is related to a complaint on the applicant and the completion of the complaint items; as well as, the length of time their license has been expired. He stated the applicant requested them review everything again and after this second review; the committee is still recommending that Applicant 3 must re-take their exam due to their license being expired almost 5 years and 201 KAR:050. Therefore, the Committee recommends this applicant not be allowed to reinstate their license, but instead be allowed to sit for the exam. All approved the Committee's recommendation for applicant 3.

Applicant 4 – Laura Guffey reported this applicant is requesting to be licensed in Kentucky and join a compact. She reported, at this time, unfortunately, Kentucky is not in the compact at this time, so she is welcome to apply for her license here as a new applicant. So, the committee recommends this applicant be approved to apply for a Kentucky license and send in all needed documents. All approved the Committee's recommendation for applicant 4.

#### **Complaint Committee**

**Santosh Adhikary, LCSW**

A recommendation and motion was made by the committee to dismiss **Complaint No. 22-51** as there is insufficient evidence to support the initiating complaint. Motion carried by unanimous voice vote.

A recommendation and motion was made by the committee to enter an Assurance of Voluntary Compliance in **Complaint No. 22-75**. Motion carried by unanimous voice vote.

A recommendation and motion were made by the committee to file a Notice of Administrative Hearing and Order. Recommend settlement authority was given to Board counsel in **Complaint No. 22-79** due to an alleged dual relationship. Motion carried by unanimous voice vote.

A recommendation and motion were made by the committee to dismiss **Complaint No. 23-03** as there was a clerical error on the supervision contract; therefore, the clinical hours earned by the supervisee shall count toward their LCSW hours from 7/26/2021, the date of the approval of the contract. Motion carried by unanimous voice vote.

A recommendation and motion were made by the committee to dismiss **Complaint No. 23-08** as there is insufficient evidence to support the initiating complaint. Motion carried by unanimous voice vote.

A recommendation and motion were made by the committee to approve the Agreed Order as written in **Complaint No. 20-49**. Motion carried with 5 votes of approval and 1 abstention.

#### Operations Committee

**Hank Cecil, LCSW**

Operations Manual - Hank Cecil provided an update on the operations manual. The committee has a draft of chapters 2 and 3 provided to the board packet. He stated that at this time, he used “chapters and articles” but is unsure what we should call them. Laura Guffey stated she likes the “articles” instead of chapters and sections. All agreed. Hank then walked through each article and sections with the Board. James Haggie has sent information in for the application and financial committees. Hank Cecil and Santosh Adhikary will work on the complaints committee. The articles will have staff and committee roles as well.

#### **Old Business**

ASWB updates- Whitney Cassity-Caywood reported that the education meeting is this month. She, Hank Cecil, and Marc Kelly will attend. She will attend the regulation research committee, and they will discuss the RFP for exam options. This is all due by the 31<sup>st</sup>. She then shared that we will have a link for the ASWB video soon and will share it at the May meeting. She requested that Vanessa Jones add this to the May agenda and allow for at least 60 minutes to view it.

Compact Licensing updates– Hank Cecil reported that, unfortunately, it did not pass in this year’s legislative session in Kentucky, but that the bill will be considered during the interim and be presented in January 2024 for passage. He shared that New Jersey, South Carolina, Missouri, Kentucky, and Utah had proposed laws to enact the compact, which is 5 of the required 7 states to activate the compact. Each state would have a delegate to the compact commission. If Kentucky can be one of the first seven, it would allow us to help set parameters for the compact nationwide.

Regulations update – Marc Kelly reported that the temporary permit regulation 23:016 is still being worked on. We will defer until it is complete and ready to file. The telehealth regulation is in draft form. Hank Cecil went over the sections within it, including definitions; standards of practice; competence; limits; continuing education; compliance with laws; and representation of services sections. A discussion

was held to change the wording in section 2 to comply with KRS 211.336. Hank Cecil stated that the Compiler will assign a regulation number, and the draft will be reviewed again at the May board meeting before submitting it to LRC. Marc Kelly then reported on the inactive status regulation 23:055 and that if the board makes any changes, even one letter, we will have to submit a new regulation and complete the full regulation process.

### **New Business**

**Board meeting date changes-** Whitney Cassity-Caywood shared that the discussion on moving the Board meeting dates from Tuesday's to Monday's was held at the March meeting, so she requested Vanessa Jones put together a list of the potential new Board meeting dates and it is in your packets. She asked all to review the dates. She stated they are all on the 2<sup>nd</sup> Monday of each month until the end of the year. Then she shared the new dates will be: May 8; June 12; July 10; August 14; September 11; October 9; November 13; and December 11 at the regular time 11:30 am. Santosh Adhikary made a motion to accept the new Board meeting dates for the remainder of the 2023 year. Hank Cecil seconded. All approved by unanimous voice vote.

**MSW students/exam/licensure-**Marc Kelly reported that the office has received a number of calls about MSW students and what they can and cannot do. A discussion was held by the Board. Hank Cecil stated they could not do any clinical work; however, they can shadow and do assessments, but not diagnose. He shared that his concern is that they may be doing clinical services without being properly licensed and billing for the services. Santosh Adhikary stated that the board needs to have policies in place to help clarify what students can and cannot do. He stated they should not just be filing; they need to learn and gain knowledge of social work areas. Hank Cecil suggested the board host some listening sessions or surveys of the students and educators to see what they need. Whitney Cassity-Caywood stated that the board could do the listening sessions and invite the universities to join us; to come and speak; and so we can provide guidelines and documents to them. Hank Cecil stated he will look into the practicum license, which is done in other states, and report back at the May meeting. Whitney Cassity-Caywood stated we could have a Zoom listening session in the middle of September and provide an hour or hour and a half Q&A. She stated we could even get the questions out beforehand that they may want answers on. Brenda Rosen shared that KASWE is having their meeting in Morehead this Friday. Whitney Cassity-Caywood requested Marc Kelly attend. Marc Kelly accepted and stated he will develop a one page handout to provide to students attending the meeting.

**IT Update:** Hank Cecil reported that he and Marc Kelly met with Mark Hendrickson, our IT person, about IT and emails for all the Board members. Mark Hendrickson said it is possible and referred them to the person that can help get those set up and etc. However, they have yet to hear from him. Hank Cecil then shared that Mark Hendrickson shared that we will buy into the email system. He stated the cost is \$6 per email account and it will allow us to send things encrypted to each other safely. Hank Cecil shared that staff are currently using 2011 software and they need updates as well. He stated that once he or Marc Kelly hear from the IT person; they will provide an update.

**Announcements** – Hank Cecil shared that the public health emergency ends May 11, 2023; however, Kentucky ended our emergency order already. He stated that HIPAA rules will come back into place.

Mark Brengelman shared that he was doing research on our regulations and wanted to share that we need to develop a regulation on ASWB exams. He stated that this will ensure that the statute that says

we require an examination is specified in regulation as it is not where it should be at this time. He stated he will work on this regulation and report back at the May meeting.

Brenda Rosen shared that the Social Work Associations are active in seeking applicants for the board with an emphasis on diversity.

**Adjournment** - A motion was made by Santosh Adhikary to adjourn the meeting at 1:06 pm. Seconded by James Haggie. Motion carried by unanimous voice vote. Meeting adjourned.

**Next meeting: MONDAY**, May 8<sup>th</sup>, 2023 at 11:30am at the Board of Social Work Office, 125 Holmes Street, 3<sup>rd</sup> Floor, Suite 310, Frankfort.