

Kentucky Board of Social Work
Monthly Board Meeting
September 11, 2023

Board Members Present:

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

Staff Present:

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

Call to Order

Hank Cecil, Chair

Hank Cecil called the meeting to order at 11:30 am ET. He welcomed all and started the meeting with a moment of silence for all affected by 9/11/2001.

Board Minutes:

Laura Guffey, Secretary

Laura noted a quorum is present for today's meeting and asked if there were any corrections to the minutes sent to members before the meeting. A motion was made by Whitney Cassity-Caywood and seconded by Santosh Adhikary to approve the minutes from the August 14, 2023, meeting—the motion was carried by unanimous voice vote.

Operations Report:

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

Applications-114
LSW licenses 2
CSW Licenses-71
LCSW Licenses-36
Renewals-161
Temp permits-11 clinical
Supervision Contracts- 67 approved; 2 deferred but have been corrected and approved.
CEUs- 4 providers; 1 sponsor

Laura Guffey made a motion to accept the Operations report. Whitney Cassity-Caywood seconded. The motion was carried by unanimous voice vote.

Committees

Finance Committee

Whitney Cassity-Caywood discussed the comparison spreadsheets related to prior expenditures and revenues. She shared that board expenditures looked good for this month and that there was over \$600,000 available in the cash balance. She shared that the Board's allotment for this fiscal year is \$384,400. She shared that the budget is being completed by staff to submit for the same allotted amount and the ability to request additional monies during the fiscal year.

Whitney Cassity-Caywood motioned to approve the Board's per diem and travel for today's (9/11/23) meeting. Santosh Adhikary seconded. The motion was carried by unanimous voice vote.

Application Committee

Laura Guffey, LSW & Lori Vogel, LCSW

Applicant 1 –The Committee recommends that this applicant's application be approved for the Master exam. The motion was carried by unanimous voice vote.

Applicant 2 –The Committee recommends denying this applicant's request for reinstatement due to the license expiring over ten years. Still, this applicant is approved to retake the Master exam if they agree. The motion was carried by unanimous voice vote.

Applicant 3 - The Committee recommends denial of this applicant's application due to the degree not being equivalent to the required degree regulation. The motion was carried by unanimous voice vote.

Complaint Committee

Santosh Adhikary, LCSW

The Committee recommended and motioned to issue a cease-and-desist letter to complainant and settlement agreement authority given to the Board Counsel based on the complaint committee's stipulation on **Complaint No. 23-27**. The motion was carried by unanimous voice vote.

The Committee recommended and motioned to refer **Complaint No. 23-29** to the Board investigator for further investigation. The motion was carried by unanimous voice vote.

The Committee recommended and motioned to refer **Complaint No. 23-39** to the Board investigator for further investigation. The motion was carried by unanimous voice vote.

The Committee made a recommendation and motion to dismiss **Complaint No. 23-42** as there is insufficient evidence to support the initiating complaint. The motion was carried by unanimous voice vote.

The Committee made a recommendation and motion to dismiss **Complaint No. 23-43** as there is insufficient evidence to support the initiating complaint. The motion was carried by unanimous voice vote.

The Committee made a recommendation and motion to dismiss **Complaint No. 23-45** as there is insufficient evidence to support the initiating complaint. The motion was carried by unanimous voice vote.

The Committee recommended and motioned to issue a cease-and-desist letter to the respondent, and settlement agreement authority is given to the Board Counsel based on the complaint committee's stipulation on **Complaint No. 23-47**. The motion was carried by unanimous voice vote.

The Committee recommended and motioned to issue a cease-and-desist letter to the complaint and refer this complaint to the Board investigator for further investigation in **Complaint No. 23-49**. The motion was carried by unanimous voice vote.

Santosh Adhikary reminded everyone that if a specific complaint case was not discussed at a board meeting, the case is still being investigated. He also stated that the Committee does not always report on every case and only reports on the cases that require board action, including dismissals.

Operations Committee

Hank Cecil, LCSW

Operations Manual - Hank Cecil stated there is not much to report except that things are moving forward. He said he will work with Marc Kelly and will be able to add to the manual on how to get technology back up and running and how to do remote work when needed. He stated that the last two articles, six and seven, relate to staff functions and tasks.

Old Business

ASWB updates-

PSI testing center – Hank Cecil shared that ASWB is changing their testing vendor from Pearson to PSI on January 1, 2024. Test takers can access the ASWB website for details, and a handout was given to members about the change. PSI is known for its diversity, inclusion, and equity focus for testing. ASWB will offer scholarships to those who must retake the exam, but no details are available. Hank Cecil also shared that it would be helpful if some type of scholarship were available for test-takers in KY.

Delegate Assembly – Hank Cecil shared that the assembly will be in Memphis, TN, on Nov 2-4 this year. He, Whitney Cassity-Caywood, and Marc Kelly will attend. He asked for a motion for them to attend and reimburse costs that ASWB does not cover. Santosh Adhikary made a motion to approve; Lori Vogel seconded. The motion was carried by unanimous voice vote.

Whitney Cassity-Caywood shared that the research committee met last week. She shared that Western KY University was chosen for a research project on testing. As a committee member reviewing the research applications, she did not know what universities were applying for research grants.

Social Work Compact– Hank Cecil stated there were no new updates. He reminded all that one state has passed the compact, and six states are in the process of passing the compact. It takes seven states to pass the compact and activate the commission to implement it. He shared that KY has a sponsor for the Social Work Compact bill that will be filed in January for the 2024 General Assembly.

IT updates –

Hank Cecil provided an update on office IT. He stated that since the staff now has Office 365, emails for Board members can be pursued.

He shared that the website needs an update, and he is working with the state's contractor to redesign it at no cost to the Board. He shared some handouts of example websites and an example of a potential new one for the Board. He suggested using color and making pages specific to topics with clickable links to find the user's desired information. Laura Guffey made a motion to approve the website updates. Whitney Cassity-Caywood seconded. The motion was carried by unanimous voice vote.

Hank Cecil shared that he has measured the large conference room. He stated that the Board could proceed to purchase a large screen and the OWL system of cameras and microphones for hybrid meetings and public visitors. He noted the cost to be around \$5,000, which the Board has approved. The items will be purchased after the office has been re-painted and re-carpeted, which is currently in progress.

SB 150- Lori Vogel shared a draft resolution with the disclaimer for the board members to review. She reported it has three essential parts: first, the Board understands the challenges with SB 150; second,

that ethics and law collide at times; however, social workers have to adhere to the law and ethics at the same time; and third, if there is a complaint, the Board will process the complaint the same as any complaint. School social workers should follow the law and keep things confidential except for things that are mandated to be reported, which now includes telling parents information their child shares about human sexuality unless the social worker is concerned for the child's welfare and wellbeing. If a licensee is reported to the Board for not disclosing that a student has told them something about their sexuality, KBSW will fairly and impartially review the case, considering whether the licensee was doing what was best for the child's welfare and wellbeing. Lori shared that many school social workers are unsure about the new law and how it impacts their practice. She stated that they mainly need to know what they can and cannot do. Whitney Cassity-Caywood noted that these are the laws, and the Board has to apply the regulations/laws but understand the situation. Santosh Adhikary stated that the Board will look at the complaints (if received) individually and review them using the complaint process. He noted that all social workers need to document, document, and document their decision-making process. The board was advised by legal counsel not to adopt the proposed resolution.

Regulations update – Hank Cecil shared that Marc Kelly will attend the ARRS meeting for the temporary permit emergency regulation tomorrow. He stated that comments from the Children's Alliance for the emergency and the ordinary temporary permit regulations. There will be technical changes to be accepted to the ordinary regulation since it will replace the emergency regulation in due time. He stated that a Statement of Consideration (SOC) will be submitted for the ordinary regulation when that comment period ends on September 30. He shared that 055, inactive status, and 170, telehealth, both ordinary regulations, have comment periods until the end of September. Hank Cecil then shared that the Inactive status regulation (055) expires on 9/21/2023 and that the certification letter has been sent to keep it in effect until it is replaced by the new amended regulation that was filed. He then shared initial drafts of two sections of 080, the Code of Ethical Conduct. He suggested that the Board revise this regulation by sections and in a measured manner. He suggested that the board survey licensees and draft questions be presented. Hank Cecil motioned to have Whitney Cassity-Caywood prepare a questionnaire for inclusion in a research project as part of revising 201 KAR 23:080. Laura Guffey seconded. The motion was carried by unanimous voice vote.

Job performance

Hank Cecil asked the Board to take the job performance review be moved up on the agenda due to the time constraints for some members. With no objections he asked for a motion to move into the closed session. Whitney Cassity-Caywood made a motion to move into closed session for staff job performance review under KRS 61.810(f) "Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee, member, or student without restricting that employee's, member's, or student's right to a public hearing if requested. This exception shall not be interpreted to permit discussion of general personnel matters in secret." Lori Vogel seconded. The motion was carried by unanimous voice vote. The Board moved into a closed session at 12:57 pm.

Whitney Cassity-Caywood made the motion to move out of the closed session at 1:56 pm. Santosh Adhikary seconded. The motion was carried by unanimous voice vote.

Hank Cecil shared that the job performances were completed for Vanessa Jones and Marc Kelly. All went well, and no discipline had to be taken on either employee.

Lori Vogel had left the meeting at 1:30pm during the closed session, however, a quorum of four members remained.

Student Intern Q&A listening session and importance of CEU– Whitney Cassity-Caywood shared that Invitations for the videoconference on September 15 have been sent out to students, advisors, and clinical supervisors. It has been added to the Board's website and Facebook page. Marc Kelly shared that a meeting link has been sent to over 60 people so far, and if anyone would like to attend, please request the link by Wednesday, 9/13/23. Whitney Cassity-Caywood said it will start at 11:30 CT/12:30 ET. She shared that they will give an introduction, where to get information, share questions they have received, and provide answers to them and the questions they have composed. She stated that all that attend will be there to listen to answers to the questions.

New Business

Communication with licensees – Hank Cecil stated the Board needs to update contact information for all licensees and be able to use emails for contact with licensees. He says that Office 365 can be used for individual emails so that other recipients' emails are not displayed. The other option is subscribing to a bulk email vendor like MailChimp or Constant Contact. He stated that if the Board receives an open records request, these emails may have to be disclosed; however, there will be a fee for a list of licensees for physical mailing addresses set at \$50. He and Marc Kelly will continue to work on this project and ask for clarification from legal counsel.

Announcements – Hank Cecil shared that September 10-16th is suicide prevention week. He then shared that he would sponsor a workshop on artificial intelligence in Lexington on October 20. If you would like to attend, you can contact him.

Adjournment - Whitney Cassity-Caywood made a motion to adjourn the meeting at 2:27 pm. Santosh Adhikary seconded it. The motion was carried by unanimous voice vote. Meeting adjourned.

Next meeting: MONDAY, October 9, 2023, at 11:30 am at the Board of Social Work Office, 125 Holmes Street, 3rd Floor, Suite 310, Frankfort, and via Zoom. (Note: The meeting link can be requested by email to Marc.Kelly@ky.gov on the Friday before the meeting or the morning of the meeting.)

Rauna Shuffey, Secretary MSW LSW