

Spring  
2008

# News Link



*Paragraph (A) of Ethics rule 4757-5-02 of the Administrative Code states:  
(2) Licensees and registrants shall practice only within the competency areas for which they are qualified by education and training...  
(3) While developing new skills in specialty areas, a counselor, social worker, or marriage and family therapist shall take steps to ensure the competence of their work and to protect the clients from possible harm....*

## Counselor, Social Worker & Marriage and Family Therapist Board



My name is Paula and as the CSWMFT Board's receptionist, I take many of your calls. I find I am answering a lot of questions about our website. Since I have been given this wonderful opportunity to write to our licensees, I would like to give you the web address and explain a little about license verification.

The Board's web site is [www.cswmft.ohio.gov](http://www.cswmft.ohio.gov)

The CSWMFT Board has a staff of 12 and over 30,000 licensees, not counting applicants or trainees. We have a big job!

Therefore, the website is a tool that can work for both the staff and for our licensees. The Board's website address is now listed on the back of your wallet cards. Please use it for the following:

- **License Verification** is a **primary source** of verification that is updated daily from this office. Your license verification lists all license numbers connected to your name, your original licensure date and expiration dates, as well as any formal discipline.
- **ACTIVE IN RENEWAL** means the renewal packet has been mailed. It can also mean that the licensee has passed their renewal date without renewing their license. Check the expiration date to be sure.
- **ACTIVE IN RENEWAL- PAID** means you have renewed your license. Please note: your **expiration date** will change before your status. Once your wallet/renewal cards have been mailed, your status will change to **ACTIVE**.

## House Bill 427

HB 427 is legislation that will finally allow Marriage and Family Therapists (MFTs) to use their education and training for the benefit of Ohio families. Unfortunately, a glitch in state law (HB 374 in the 124<sup>th</sup> General Assembly) has prevented them from doing so. While there is a demand for their services, which uniquely incorporate the family systems approach, many Ohioans are denied access. HB 427 would clarify that diagnosing and treating mental and emotional disorders is within the scope of practice of MFTs by amending the definition of the practice (see Sec. 4757.01 (G) and (H)). If the General Assembly passes HB 427 into law, MFTs will no longer have to leave the state to practice. Instead, many provider agencies, such as non-profits funded by federal, state and county funds, will have the option of employing MFTs to provide services to children and families in Ohio (and bill Medicaid for their services). Authorizing MFTs to diagnose and

treat, which the General Assembly intended in 2003, is especially important in rural counties of Ohio due to a shortage of qualified mental health providers.

In many publicly funded agencies serving children, we have a waiting list for children and their families who are seeking services that can range from 100 to 200 children waiting to get in at any time. Because psychiatric hours are limited, one of the best ways we can serve these youth is to have them start therapy with a trained clinician while receiving medication from their family doctor until they can see the psychiatrist. However, because there is a shortage of mental health clinicians, it is often difficult to get consumers in even for therapy, as there are not enough providers for those who are in need of services. Agencies would welcome qualified and trained MFTs to join them and help decrease the waiting list, so they can begin helping children and families heal. Please support passage of H.B. 427.

## CSWMFT Board Office Hours & Customer Service



*Renew online and save postage, waiting time and have an immediate receipt showing you have renewed your license!*

*Following is one of the many comments the board has received:*

*"I don't think renewing my license could have been any easier. I completed the process in minutes. "Two thumbs up" - 100% Satisfied - Overall Rating Excellent. Take your pick. I will always renew online. Thank you."*

Governor Strickland has directed that all state agencies meet new "Customer service hours" defined as inflexible hours of the day and week during which an agency must be functionally staffed. The State of Ohio has elected to adopt customer service hours of 8:00 am to 5:00 pm, from Monday through Friday. The board will comply with this requirement starting May 5, 2008 with receptionist and others scheduled to work from 8:00 to 5:00 daily.

Governor Strickland is very interested in improving customer service as is the board. The board has added a new page to the web site requesting comments to the board and addressing some issues that are before the

professional standards committees for discussion.

One issue before the SWPSC is discussion about a possible change to rule 4757-19-02 to require LSWs to obtain at least 1500 hours in a clinical setting to be eligible for a LISW. Effectively, administrative MSWs would need some level of clinical training and experience to be eligible for a LISW. The other option being considered is distinguishing between the licenses for LISW as being clinical or administrative. The intent is to protect the public and ensure LISWs do not practice beyond their training as required in rule 4757-5-02. We welcome your comments on any issues, please let us know!

## LISW Supervision Designation for Training Supervision needed 9/1/2008

Rule 4757-23-01 was changed on September 20, 2007, to require training supervision to be provided by a LISW with a supervision designation after 9/1/2008. All licensed LISWs are eligible to apply now through 9/1/2008 without additional training. All LISWs applying after 9/1/2008 will need to provide proof of a master's level supervision course or nine CEUs in supervision.

Training supervision applies to all LSWs being supervised for their two years of supervised practice to qualify to apply for their LISW license. Training supervision will also apply to all MSW students who hold a Social Worker Trainee designation while diagnosing and treating mental and emotional disorders. The rule specifies in paragraph (D) the following training requirements:

(b) The coursework shall contain content that satisfies the following learning objectives.  
(i) The participant will become familiar with the major models of supervision for social

work;

- (ii) Gain skills to develop a personal model of supervision, drawn from existing models of supervision;
- (iii) Understand the co-evolving dynamics of licensee-client and supervisor-licensure-client relationships;
- (iv) Explore distinctive issues that arise in supervision;
- (v) Address the contextual variables in practice such as culture, gender, ethnicity, power and economics;
- (vi) Become familiar with the ethical, legal and regulatory issues of supervision; and
- (vii) Understand the role of evaluation in supervision.

LISWs can apply for the supervision designation online via the board's web site. Go to forms on the left side, social work forms and then LISW - Supervision Designation Application - Online.

## Ethics, Definitions & Scope of Practice Rule Changes

The board has adopted rule changes for ethics rules, which separates the previous ten major paragraphs of rule 4757-5-01 into ten separate rules. The board strongly encourages that each licensee take the time to peruse these new rules especially 4757-5-03 on multiple relationships. This rule now states that licensees shall not have a multiple relationship unless it is in the best interest of the client....and shall be documented in the client's record as to why that is so. Bartering is also defined as a form of multiple relationship, which requires the

same documentation.

The board added supervisory designations to the definition rule 4757-3-01 and abbreviations rule 4757-3-02. Definitions were changed/ added for "private practice, "supervision designations", "independent contractors" and "peer supervision".

The independent social worker, professional counselor and clinical counselor scopes of practice were modified to add supervision.

## Disciplinary Action Taken Against Licensees

### Social Workers:

**Robin Rivera** (LSW) Inaccurate records. Reprimand and 2-years of supervision.

**Marilyn Hallowell** (LISW) Improper billing. Reprimand, additional CEUs, and 2 years of supervision.

**Debbie Heuser** (LSW). Improper renewal. Revoked.

**Victoria Pantoja** (LSW) Confidentiality breach. Additional CEUs.

**Yvonne Gray** (LISW) Non-sexual multiple relationship. Additional CEUs.

**Dianna Wallace** (LSW) Improper renewal. Indefinite suspension.

**Derek Whitmore** (LSW) Improper Renewal. Revoked

**Pamella Douglas** (LSW) Improper Renewal. Revoked.

**Fred Albertine** (LSW) Inaccurate records. 2 years of mandated supervision.

**Molly Geesaman** (LSW) improper renewal. Indefinite suspension until renewal complete. Completed.

**Donna List** (LSW) improper renewal. Indefinite suspension until renewal complete.

**Debra Sorensen** (LISW) Non-sexual boundary violation. One year supervision and additional CEU's.

**Olivia Hester** (LSW). Non-sexual boundary violation. Reprimand and additional CEU's.

**Ira Jean Warmack-Rucker** (LSW) Billing irregularities. Ethics course & 2 years

Counseling.

**Jill White** (LSW) Failure to report. Reprimand and Ethics course.

**Rhonda Feldman** (LSW) Improper Renewal. Revoked.

**Orlando Wimberly** (LSW) Improper Renewal. Indefinite Suspension.

**Social Workers & Counselors:**

**Victoria Kepler Didato** (LSW) and (LPC) Non-sexual boundary violation. Suspension, Supervision and ethics.

**Shirley Crockett** (LISW and PCC) Alleged violation of ORC 2151.421. Suspension, supervision, and additional CEU's.

**Counselors:**

**Cecil Bergen** (PCC) Made a diagnosis of a non-client. Supervision and additional CEUs.

**James Heckman** (PCC) Improper renewal. PCC surrendered.

**Christopher Meacham** (PCC) Failure to go to Board mandated evaluation. Suspended.

**Merle Rhodes** (LPCC) Competency. Suspension and supervision.

**Melvin Johnson** (LPC) Failure to comply with Board Consent Agreement. Supervision, suspension and ethics course.

**Lauren Goodnow** (LPC) Practice on a lapsed license. Additional CEUs.

**Jani Wanner-McWilliams** (LPC) Inappropriate visitation recommendation. Supervision and additional CEU's.



*Please make sure you have completed your continuing education requirements before you renew.*

*Too many people are getting in trouble for issues easily avoided!*

*Several licenses have been revoked and other disciplinary actions taken!*

## Counselor Supervision & Endorsement Rule Changes

Rule 4757-17-01 has been changed in a number of areas.

1. Applicants for supervision designation after 8/31/2008 will need 24 hours of CEUs that meet the requirement in the rule.
2. Applicants for supervision designation after 8/31/2008 will need at least one "supervision of supervision" experience, which has been supervised for a minimum of five hours and consists of the applicant providing ten hours of supervision to at least one supervisee.
3. Counselors holding the supervision designation may meet three of the six required CEU hours in supervision through a minimum of six hours of peer supervision, which shall address one or more core supervision content requirements and shall be with other licensed mental health providers, and shall be documented as such, including participants' names, topics discussed and dates met.

4. Supervisors may have up to six training supervisees at one time.

Rule 4757-13-06 has been changed to be more in concert with the statute in section 4757.18, which states: "...the board may, by endorsement, issue the appropriate license or certificate of registration to a resident of a state..." The licensing review will look at the education, training, supervision, examination and other factors in light of the applicants substantial equivalence to Ohio licensure requirements.

A recent example was an applicant from Missouri who had a 50 hour degree and eight years of experience including clinical supervision. He signed a consent agreement for licensure as a PC, but is not eligible for a PCC without completing two additional diagnosis and treatment courses.



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COUNSELOR, SOCIAL  
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AND FAMILY  
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*The Board  
regulates the  
practice of  
counseling, social  
work and marriage  
and family  
therapy for the  
State of Ohio.*

## Meet Bill Hegarty, Deputy Director

**William L. Hegarty** is originally from Haganan, New York and lived all over the East Coast as his father was in the US Marine Corps. In 1984 Bill was named as a Parliamentary Intern in the British House of Commons, London, England where he was the principle assistant to a Member of Parliament working on European Union issues. Bill graduated in 1986 from The Catholic University of America in Washington, D.C. with a bachelor of arts in International Relations. He earned his Juris Doctorate from Emory University School of Law in Atlanta, Georgia in 1990. Bill is licensed to practice law in Georgia, in all US military courts and the United States Court of Military Review.

Upon graduating law school, Bill was commissioned in the United States Air Force where he served as a Judge Advocate General. He was stationed for three years in Oxfordshire, Great Britain where he was responsible for criminal litigation, administrative actions, and environmental compliance. He also served as an official U.S. Trial Observer in the British Magistrates Court. He currently is a Major in the US Air Force Reserves.

Bill moved to Columbus in December 1994 and began working for the Ohio Department of Administrative Services as a Minority Business Contract Compliance Officer where he was responsible for working with all state agencies to meet statutory requirements with regards to their contracts and hiring, editing an agency newsletter, and helping plan the 1996 Governor's Challenge Conference. Bill became the Investigative Supervisor of the Ohio Counselor and Social Worker Board in August 1996 where he is responsible for a staff of two investigators. Bill manages the numerous complaints the Board receives, assigns investigations to individual staff, carries his own caseload, routinely makes presentations to national associations, educational institutions and private agencies with regard to ethics in the fields of counseling, social work and marriage and family therapy, and, working with the Assistant Attorney General, prepares cases for administrative hearings. He also is responsible for all public records requests and answers questions with regards to ethical concerns. He was promoted to Deputy Director in December 2003.

The board and executive director rely greatly on Bill's experience and expertise in legal matters.

### Ethics Issues – The Board has a complaint against me, yikes!

When a complaint occurs against a social worker, counselor, or marriage and family therapist, the licensee under investigation may feel dismay and stress. Complaints and/or investigations are not public information. When an investigation starts, an investigator may subpoena records, conduct interviews with the licensee, complainant, and employer(s), as needed. The investigation may take as little as a few weeks or up to several months, and varies case by case. Many licensees ask if they need an attorney and/or other potential witnesses. Some licensees obtain legal counsel; some do not, but keep in mind that the board cannot interpret legal issues for you.

If a case is unsubstantiated and closed, or substantiated and closed with a caution, the complaint and investigation will remain confidential and not part of the licensee's record. The licensee and complainant receive notice of the outcome in writing.

If the facts warrant and the board decides formal discipline is appropriate, the board will offer to settle the matter with a "Consent Agreement." A consent agreement may require

additional ethics, suspension, supervision, or other disciplinary action. Consent agreements become part of the public record and are available on the board's website as well as reported to the National Practitioners Data Bank. The licensee and the board mutually agree to consent agreements.

In cases where a consent agreement is not acceptable to either party, the board will issue the licensee "A Notice of Opportunity for Hearing." If the licensee requests a hearing, the information resulting is public. Board hearings occur per O.R.C. 119. These hearings are "Administrative Hearings" and allow the licensee and the board to present evidence and testimony. Very few cases result in a hearing. Last year the board investigated more than 250 cases while only 20% of the cases resulted in formal disciplinary action. Currently, the most common complaints are issues with renewal audits, record keeping, custody matters, and non-sexual boundaries.

Please send questions you would like to see addressed under the "Ethics Issues" column to:

[Tracey.Hosom@cswb.state.oh.us](mailto:Tracey.Hosom@cswb.state.oh.us)