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1	COMMONWEALTH OF PENNSYLVANIA	
2	DEPARTMENT OF STATE	
3	BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS	
4		
5	FINAL MINUTES	
6		
7	MEETING OF:	
8		
9	STATE BOARD OF SOCIAL WORKERS,	
10	MARRIAGE AND FAMILY THERAPISTS	
11	AND PROFESSIONAL COUNSELORS	
12		
13	TIME: 9:30 A.M.	
14		
15	PENNSYLVANIA DEPARTMENT OF STATE	
16	Board Room C	
17	One Penn Center	
18	2601 North Third Street	
19	Harrisburg, Pennsylvania 17110	
20		
21	October 24, 2017	
22		
23		
24		
25		

State Board of Social Workers, Marriage and Family Therapists and Professional Counselors October 24, 2017

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BOARD MEMBERS:

9 Dr. James K. Matta Sr., LPC, NCC, Chair 10 Ian J. Harlow, Commissioner of Professional 11 and Occupational Affairs 12 Renee J. Cardone, MSW, LCSW, Vice Chair 13 Dr. Joy E. Corby, LMFT 14 David E. Gallick, MSW, LSW, LMFT 15 Janet R. Hess, NCC, LPC 16 Amy K. Keisling, LCSW 17 Dr. Kurt L. Kraus, LPC 18 Dr. Teniola Osundeko, LCSW 19 Marilyn L. Painter, Public Member

20 21 22

BUREAU PERSONNEL:

23 24 25

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Dana Wucinski, Esquire, Board Counsel Kenneth J. Suter, Esquire, Board Prosecution Liaison

27 J. Karl Geschwindt, Esquire, Board Prosecutor 28 Heather McCarthy, Esquire, Board Prosecutor 29 30

Andrea L. Costello, Esquire, Board Prosecutor Sandra E. Matter, Board Administrator

31 32

ALSO PRESENT:

33 34 35

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42 43 Janelle Hawthorne, Intern, Department of State, Counsel Division

37 Johanna Byrd, NASW-PA Becca Zelner, NASW-PA 38

Madeleine Sowders, NASW-PA

Jacqueline A. Weinberger, LMFT, Respondent

Athena O. Pappas, Esquire, Counsel for Respondent, Jacqueline A. Weinberger

Velis Natali Fleurys Sanchez, Respondent

Alexander Reyes, Interpreter Sean Flood, Respondent

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3 * * * 1 2 State Board of Social Workers, 3 Marriage and Family Therapists and Professional Counselors 4 October 24, 2017 5 * * * 6 7 The regularly scheduled meeting of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors was held on 10 Tuesday, October 24, 2017. Dr. James K. Matta Sr., 11 LPC, NCC, Chair, called the meeting to order at 9:30 12 a.m. 13 * * * Introduction of Board Members/Staff 14 15 [Chair Matta requested the introduction of Board 16 members and staff in attendance. 1 17 18 Approval of Minutes of the September 12, 2017 meeting 19 [The Board discussed corrections to the Minutes.] 20 CHAIR MATTA: 21 Our first order of business is the 22 approval of the last Minutes from 23 September 12, 2017. Can I get a motion

to pass the Minutes, please?

24

25

MS. CARDONE:

I move to adopt the Minutes with 1 2 changes. MS. HESS: 3 4 Second. 5 CHAIR MATTA: 6 Any other discussion about the Minutes? If not, all those in favor, say aye. 8 Those that oppose? Abstain? [The motion carried. Mr. Gallick abstained from 10 voting on the motion.] * * * 11 Report of the Prosecutorial Division 12 13 [Kenneth J. Suter, Esquire, Board Prosecutor Liaison, 14 informed the Board of his reassignment to the Counsel 15 Division. Chair Matta, on behalf of himself and the Board 16 17 members, thanked Mr. Suter for his time and 18 professionalism.] * * * 19 20 [Heather McCarthy, Esquire, Board Prosecutor, 21 presented a Consent Agreement for File No. 16-59-2.2 11176. 2.3 Athena O. Pappas, Esquire, Counsel for 24 Respondent, as well as the Respondent, were present 25 for the discussion. Ms. Pappas provided a statement

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   to the Board on behalf of the Respondent.]
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3
   [Andrea L. Costello, Esquire, Board Prosecutor,
   presented a VRP Agreement for File No. 17-69-07975 and
5
   File No. 17-69-09218.]
                              * * *
6
   [J. Karl Geschwindt, Esquire, Board Prosecutor,
   presented a Consent Agreement for File No. 15-69-
   14925.1
10
11
   FYI-Case Status Report
12
   [Chair Matta referred Board members to the August 2017
13
   and September 2017 Case Status Report.]
14
15
   Report of Board Counsel
16
   Matters for Deliberation
   [Dana Wucinski, Esquire, Board Counsel, noted matters
17
18
   for deliberation during Executive Session as well as
19
   two scheduled hearings.]
20
                              * * *
   Report of Commissioner
21
22
   [Ian J. Harlow, Commissioner of Professional and
23
   Occupational Affairs, updated the Board regarding
24
   placeholders on the executive nominations calendar.
25
   There have been no actual appointments.
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Commissioner Harlow noted the PALS project as on budget at \$2.5 million with recently authorized additional change orders still within budget.

2.0

Commissioner Harlow informed the Board of the resignation of Secretary Pedro Cortez. Robert Torres will be serving as Acting Secretary of the Commonwealth. He further stated Governor Wolf will be issuing an Executive Order directing the Commissioner to conduct an assessment of this Board in comparison to other states.

Commissioner Harlow stated the report as designed will determine each professional license type issued by a Board or Commission, including the training requirements, licensing, registration, renewal fees, continuing education requirements and additional requirements as stipulated by the Practice Act or regulations for that Board. A one-for-one comparison will then be conducted with every state to assess each State Board within its profession.

The Commissioner explained the Executive Order allows for the appointment of a Commission that would consist of a representative from the Governor's Office, a representative from the Policy Office of the Department of State, two individuals from the business-related boards and two individuals from the

health-related boards, a consumer protection rep from the Office of Attorney General, one Democrat and one Republican from the Senate Oversight Committee and the House Oversight Committee. Public members will also participate.

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Commissioner Harlow asked for nominations from Chairs and peers to vote for two people from the business side and two people from the health side to represent the committee. The data collection will be presented in a final report form within 180 days.

Each Board will then decide whether or not to make revisions to statutes, as well as regulatory and policy changes, based on the factual data.

Commissioner Harlow stated state-by-state statistical data will be collected, including impact of criminal histories on licensure, as well as assessing the statistics on approval and denials, interstate compacts in relation to a particular profession, as well as disciplinary actions taken by boards.

Commissioner Harlow stated the Executive Order report will capture the demographic information of all Board members and our licensing community. The data will be used to identify Board members from the community including race, ethnicity, gender, and

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1 regional statistics. The Board will receive a copy of
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2 | the press release once Governor Wolf signs the

3 Executive Order.

Chair Matta offered the Board's services during
this process. It was stated the Association of Social
Work Boards (ASWB) may also be helpful in this

7 matter.]

* * *

9 Report of Regulatory Counsel - No Report

10 ***

11 Report of Board Chair - No Report

12 ***

13 Report of Other Board Members

14 Qualifications for Supervisors

15 | [Dr. Joy E. Corby, LMFT, addressed qualifications for

16 approved clinical supervisors. She indicated that

17 | Marriage and Family Therapy is the only profession

18 that has its own supervisor regulations and

19 certifications. She referred Board members to a

20 handout for further discussion regarding proposed

21 changes of qualifications for supervisors and

22 | suggested that the Commonwealth of Pennsylvania adopt

23 the same.

Dr. Corby reported on attending the recent

25 | Association of Marriage & Family Therapy Regulatory

Boards (AMFTRB) meeting. She addressed the adequacy of regulations and certifications and asked the Board to consider adopting the language.

1.3

2.4

Dr. Kraus urged the Board to take a careful look at the national performance of the Approved Clinical Supervisor (ACS) credential. He noted the difficulty in finding people to supervise would be challenged by raising that bar.

Dr. Corby commented that certain states will not need to adopt this regulation based on their own regulations.

Dr. Corby stated a key point noted at the meeting is that all states have regulatory boards whose standards are adequate "so why allow equivalency to say that we're better than them."

Dr. Kraus discussed adequacy versus equivalency and mentioned finding an adequate level for supervisors just below the ACS credential.

Chair Matta suggested devising a committee with one individual from each profession to be a representative. It was suggested that the committee look at adequacy for portability as well. Dr. Kraus, Dr. Corby, and Ms. Cardone volunteered for the committee. It was also suggested that supervisory and mobility issues be kept separate for the committee.

Due to conflict, Dr. Kraus offered to volunteer 1 2 for the supervisory issue only. Whether or not committee discussion would need to be public session 3 will be ascertained.] * * * 5 [Ian J. Harlow, Commissioner of Professional and 6 Occupational Affairs, exited the meeting at 10:27 a.m.] 10 ASWB Member Board Contributions to Mobility Strategy 11 [Renee J. Cardone, MSW, LCSW, Vice Chairperson, 12 informed the Board that she will be attending the 13 ASWB Delegate Assembly meeting in Atlanta. 14 Cardone noted ASWB is promoting mobility across states 15 and requesting endorsement from members of ASWB. 16 Cardone stated that ASWB is not asking states to 17 standardize but wants more mobility across states to 18 harmonize licensure eligibility criteria. 19 indicated that ASWB will create a secure databank in 2.0 order to locate all information in one place. 21 Ms. Cardone reviewed the ASWB Member Board 22 Contributions to Mobility Strategy document. 23 mentioned identifying barriers that would prohibit 24 participation in the ASWB mobility strategy and 25 minimum essential adequacy.

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Ms. Cardone will research whether information is
1
2
   voluntary and if there are registry fees.
                                                She will
3
   provide additional information to the Board at a
 4
   future meeting.
5
        Ms. Cardone informed the Board that some
6
   hospitals are designating their social workers as
7
   clinical social workers. Ms. Cardone recommended
   reporting it to investigations and talking to people
   personally.]
10
11
   Report of Board Administrator - No Report
                              * * *
12
   [Pursuant to Section 708(a)(5) of the Sunshine Act, at
13
14
   10:44 a.m. the Board entered into Executive Session
15
   with Dana Wucinski, Esquire, Board Counsel, for the
16
   purpose of conducting quasi-judicial deliberations in
17
   a number of matters that are currently pending before
   the Board and to receive the advice of Counsel.
18
19
   Board returned to open session at 11:04 a.m.]
                              * * *
20
21
   [Dr. Joy E. Corby, LMFT, requested approval to attend
2.2
   the AMFTRB meeting on January 27, 2018, in Colorado.]
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Any other questions for Dr. Corby? If not, can I get a motion?

2.3

2.4

25

CHAIR MATTA:

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12
   DR. KRAUS:
1
2
                  So moved.
3
   MS. PAINTER:
 4
                  Second.
5
   CHAIR MATTA:
6
                  Any other discussion? If not, all those
                  in favor, say aye. Those that oppose?
                  Abstained?
8
   [The motion carried unanimously.]
10
   [Dr. Joy E. Corby, LMFT, announced an offer to become
11
12
   an item writer for the national exam, but due to the
13
   possible conflict of interest, she needs to speak with
14
   Ms. Wucinski.
                              * * *
15
16
   [The Board recessed from 11:04 a.m. until 11:19 a.m.]
                              * * *
17
18
   [Dana Wucinski, Esquire, Board Counsel, noted that
19
   with regard to the hearing scheduled In the Matter of
20
   the Application for a License to Practice Social Work
   and to take the ASWB Master's Examination of Sean
21
22
   Flood; File No. 16-69-12502, Docket No. 0830-69-17, an
23
   order scheduling the hearing was issued on May 5th,
24
   2017, with the corrected order on June 9th, 2017,
25
   scheduling the hearing for today's date at 11:00 a.m.
```

She stated that at 11:00 a.m., the prosecutor for the Commonwealth was present; however, the Applicant was not present.

A 15-minute break was taken and attempts were made to contact the Applicant with no success. Ms. Wucinski noted for the record that she did receive a call from him within the last two weeks verifying the date and time. She stated an email reminder was sent to the Applicant yesterday and she also tried to contact him today. There was no response to the email yesterday and no response to the phone call today.

Ms. Wucinski stated that because the Applicant does have the burden of proof, the Board is unable to go forward in this matter.]

15 **

[Pursuant to Section 708(a)(5) of the Sunshine Act, at 11:19 a.m. the Board entered into Executive Session with Dana Wucinski, Esquire, Board Counsel, for the purpose of conducting quasi-judicial deliberations in a number of matters that are currently pending before the Board and to receive the advice of Counsel. The Board returned to open session at 1:08 p.m.]

* *

24 [A Formal Hearing was held from 1:08 p.m. until 1:46 p.m. In the Matter of the Application for a License by

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Examination to Practice Professional Counseling of
1
2
   Velis Natali Fleurys Sanchez, File No. 17-69-05043,
3
   Docket No. 0868-69-17.1
                              * * *
 4
   [Dana Wucinski, Esquire, Board Counsel, reopened the
5
6
   Matter of the Application for a License to Practice
   Social Work and to take the ASWB Master's Examination
   of Sean Flood, File No. 16-69-12502, Docket No. 0830-
   69-16. Ms. Wucinski explained that Mr. Flood did not
10
   appear at the 11:00 scheduled hearing, but both he and
11
   Counsel for the Commonwealth are present and ready to
12
   proceed.]
                              * * *
13
14
   [A Formal Hearing was held from 1:51 p.m. until 2:30
15
   p.m. In the Matter of the Application for a License to
   Practice Social Work and to take the ASWB Master's
16
17
   Examination of Sean Flood; File No. 16-69-12502,
   Docket No. 0830-69-16.]
18
                              * * *
19
20
   [Pursuant to Section 708(a)(5) of the Sunshine Act, at
21
   2:30 p.m. the Board entered into Executive Session
22
   with Dana Wucinski, Esquire, Board Counsel, for the
23
   purpose of conducting quasi-judicial deliberations in
2.4
   a number of matters that are currently pending before
25
   the Board and to receive the advice of Counsel.
                                                      The
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15
   Board returned to open session at 2:47 p.m.]
1
                               * * *
2
3
   MOTIONS
4
   MS. WUCINSKI:
5
                  Having returned from Executive Session,
6
                  I believe the Board will entertain a
                  motion to adopt the Consent Agreement at
                  16-69-11176, the name of that case being
9
                  Jacqueline A. Weinberger, LMFT. I would
10
                  note that would be with the typo
11
                  corrected.
   MS. HESS:
12
                  So moved.
13
14
   MS. CARDONE:
15
                  Second.
16
   CHAIR MATTA:
17
                  Any further discussion? If not, those
18
                  in favor, say aye. Those that oppose?
19
                  Abstain?
20
   [The motion carried unanimously.]
21
                               * * *
22
   MS. WUCINSKI:
2.3
                  I believe the Board will entertain a
2.4
                  motion to adopt the Consent Agreement
25
                  agenda items 3 and 4, both VRP
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16
                  Agreements, File No. 17-69-07975 and 17-
1
2
                  69-09218.
3
   DR. CORBY:
4
                  So moved.
5
   MS. PAINTER:
                  Second.
6
7
   CHAIR MATTA:
                  Any further discussion? If not, those
9
                  in favor, say aye. Those that oppose?
10
                  Abstain?
11
   [The motion carried unanimously.]
                               * * *
12
   MS. WUCINSKI:
13
                  I believe the Board will entertain a
14
15
                  motion to adopt the Consent Agreement
16
                  with the typo corrected at File No. 15-
                  69-14925, the name of that case being
17
18
                  John William Green, LCSW.
19
   MR. GALLICK:
20
                  So moved.
21
   MS. KEISLING:
22
                  Second.
2.3
   CHAIR MATTA:
24
                  Any further discussion? If not, those
25
                  in favor, say aye. Those that oppose?
```

17 Abstain? 1 2 [The motion carried unanimously.] 3 MS. WUCINSKI: 4 5 I believe the Board will entertain a 6 motion to approve the Application for a License by Endorsement without Examination as a Clinical Social Worker 9 of Margaret P. Rose and withdraw the 10 provisional denial letter in this matter 11 of August 26, 2016. 12 DR. KRAUS: So moved. 13 14 MS. CARDONE: 15 Second. CHAIR MATTA: 16 17 Any further discussion? If not, those 18 in favor, say aye. Those that oppose? 19 Abstain? 20 [The motion carried unanimously.] * * * 21 22 MS. WUCINSKI: 2.3 I would note that the Board has directed 2.4 the Board Administrator to send a 25 letter, consistent with discussions in

18 executive session, to the applicants at 1 2 agenda items 8 and 10. 3 I believe the Board will entertain 4 a motion to approve the Application for 5 a License by Examination to Practice Social Work of Rhonda Mariah Bates. 6 7 DR. OSUNDEKO: So moved. 9 MS. HESS: 10 Second. 11 CHAIR MATTA: 12 Any further discussion? If not, those 13 in favor, say aye. Those that oppose? Abstain? 14 15 [The motion carried unanimously.] 16 17 MS. WUCINSKI: I believe the Board will entertain a 18 motion to direct Board Counsel to draft 19 20 a proposed Adjudication and Order for 21 Kelly Sheridan Magee, LPC, File No. 14-69-08746. 22 2.3 MS. KEISLING: 24 So moved. DR. KRAUS: 25

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19
                  Second.
1
2
   CHAIR MATTA:
3
                  Any further discussion? If not, those
 4
                  in favor, say aye. Those that oppose?
5
                  Abstain?
6
   [The motion carried unanimously.]
                               * * *
7
   MS. WUCINSKI:
9
                  I believe the Board will entertain a
10
                  motion to approve the supervised
11
                  clinical experience of Melissa Ann
12
                  Nedza.
13
   DR. CORBY:
14
                  So moved.
15
   MR. GALLICK:
                  Second.
16
17
   CHAIR MATTA:
18
                  Any further discussion? If not, those
19
                  in favor, say aye. Those that oppose?
20
                  Abstain?
21
   [The motion carried unanimously.]
                               * * *
22
2.3
   MS. WUCINSKI:
24
                  I believe the Board will entertain a
25
                  motion to provisionally deny the
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20 education of Jennifer J. Riley, Stefanos 1 2 Kosmas Papadopoulos and Durriya Nazli. 3 I just wanted to note that the Board has directed the Board Administrator to send 4 5 a letter to Charlotte M. Test consistent 6 with discussions in Executive Session. 7 CHAIR MATTA: Can I get a motion? 9 DR. OSUNDEKO: 10 So moved. 11 MS. CARDONE: 12 Second. CHAIR MATTA: 13 14 Any further discussion? If not, those 15 in favor, say aye. Those that oppose? 16 Abstain? 17 [The motion carried unanimously.] * * * 18 19 MS. WUCINSKI: 20 I believe the Board will entertain a 21 motion to approve the education of Henry 22 Joseph Hirsch, Jr. 2.3 DR. CORBY: 24 So moved. 25 MS. HESS:

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21
                  Second.
1
2
   CHAIR MATTA:
3
                  Any further discussion? If not, those
 4
                  in favor, say aye. Those that oppose?
5
                  Abstain?
6
   [The motion carried unanimously.]
                               * * *
7
   MS. WUCINSKI:
                  I believe the Board will entertain a
10
                  motion to approve the education of Maria
11
                  Soledad Retamar.
12
   DR. OSUNDEKO:
                  So moved.
13
   MR. GALLICK:
14
15
                  Second.
16
   CHAIR MATTA:
17
                  Any further discussion on this item?
18
                  Those in favor, say aye. Those that
19
                  oppose? Abstain?
20
   [The motion carried unanimously.]
                               * * *
21
22
   MS. WUCINSKI:
2.3
                   I believe the Board will entertain a
24
                  motion to approve the request of Timothy
25
                  Patrick Manley.
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22
1
   DR. CORBY:
2
                  So moved.
3
   MS. CARDONE:
 4
                  Second.
5
   CHAIR MATTA:
6
                  Any further discussion? If not, those
7
                  in favor, say aye. Those that oppose?
8
                  Abstain?
   [The motion carried unanimously.]
                               * * *
10
11
   MS. WUCINSKI:
12
                  I believe the Board will entertain a
13
                  motion to approve the application for
14
                  approval as a preapproved provider of
15
                  continuing education of the Housing
16
                  Alliance of Pennsylvania and of the
                  Association for Addiction Professionals.
17
   MR. GALLICK:
18
19
                  So moved.
20
   DR. CORBY:
21
                  Second.
22
   CHAIR MATTA:
2.3
                  Any further discussion on either of
24
                  these items? If not, those in favor,
25
                  say aye. Those that oppose? Abstain?
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23
   [The motion carried unanimously.]
1
2
3
   MS. WUCINSKI:
                  I believe the Board will entertain a
 4
5
                  motion to approve the application of
6
                  Stephanie Anne Omens.
7
   DR. KRAUS:
                  So moved.
9
   DR. CORBY:
10
                  Second.
11
   CHAIR MATTA:
12
                  Any further discussion. If not, those
13
                  in favor, say aye. Those that oppose?
                  Abstain?
14
15
   [The motion carried unanimously.]
                               * * *
16
17
   MS. WUCINSKI:
                  I believe the Board will entertain a
18
19
                  motion to grant the Application for a
20
                  License to Practice Social Work and to
21
                  take the ASWB Master's Examination of
22
                  Sean Flood, File No. 16-69-12502, Docket
23
                  No. 0830-69-16.
2.4
   MS. HESS:
25
                  So moved.
```

24 1 MS. KEISLING: 2 Second. 3 CHAIR MATTA: 4 Any further discussion? If not, those 5 in favor, say aye. Those that oppose? Abstain? 6 [The motion carried unanimously.] [Sandra E. Matter, Board Administrator, noted that Ms. 10 Hess's last meeting will be the December meeting and 11 Ms. Cardone would like to step down from reviewing CE 12 applications. She asked for at least two volunteers 13 to review the CE applications. 14 Chair Matta offered to review the applications in 15 December and February only. The matter will be 16 addressed again at the December meeting.] * * * 17 18 Adjournment 19 CHAIR MATTA: 20 Can I get a motion for adjournment? 21 DR. CORBY: 2.2 So moved. 2.3 CHAIR MATTA: 24 Can I get a second? MR. GALLICK: 25

25 Second. 1 * * * 2 3 [There being no further business, the State Board of 4 Social Workers, Marriage and Family Therapists, and 5 Professional Counselors' meeting adjourned at 2:58 6 p.m.] * * * [The next meeting is scheduled for December 5, 2017.] * * * 10 11 CERTIFICATE 12 13 I hereby certify that the foregoing summary 14 minutes of the State Board of Social Workers, Marriage 15 and Family Therapists and Professional Counselors 16 meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize 17 the substance of the State Board of Social Workers, 18 19 Marriage and Family Therapists and Professional 20 Counselors meeting. 2.1 2.2 Adam Beck, 2.3 Minute Clerk 2.4 Sargent's Court Reporting

Service, Inc.

25

1 2 3 4 5 6 7 8 9 10 11 21 3 14 5 16 17 18 19 20 21 22 22 22 22 23 23 23 23 23 23 23 23 23		STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS REFERENCE INDEX October 24, 2017
	TIME	AGENDA
	9:30	Official Call to Order
	9:30	Introduction of Board Members/Staff
	9:31	Approval of Minutes
	9:33	Report of the Prosecutorial Division
	9:43	Report of Board Counsel
	9:43	Report of Board Commissioner
	9:59	Report of Other Board Members
	10:44 11:04	
		Recess Executive Session Return to Open Session
	1:08	Formal Hearing - Velis Natali Fleurys Sanchez
	1:51	Formal Hearing - Sean Flood
34 35	2:30	Executive Session
36 37 38	2:47	Return to Open Session
39 40	2:48	Motions
41 42	2:58	Adjournment
43 44 45 46 47 48 49		
50		