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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF SOCIAL WORKERS,  
MARRIAGE AND FAMILY THERAPISTS,  
AND PROFESSIONAL COUNSELORS  
VIA VIDEOCONFERENCE

TIME: 11:27 A.M.

March 8, 2022

1                   State Board of Social Workers,  
2                   Marriage and Family Therapists,  
3                   and Professional Counselors  
4                               March 8, 2022

5  
6  
7 BOARD MEMBERS:

8  
9 Joy E. Corby, Ph.D., LMFT, Chair  
10 Arion R. Claggett, Acting Commissioner, Bureau of  
11 Professional and Occupational Affairs  
12 Michelle Santiago, Psy.D., LPC, Vice Chair  
13 Eric DeCriscio, MA, LPC, ACS  
14 Kimberly Early, LSW  
15 Erika Evans, Ph.D., LMFT - Absent  
16 Christian Jordal, Ph.D., LMFT  
17 Linda A. Martin, LCSW, RN  
18 Cindy Moyer, LCSW  
19 Marilyn L. Painter, Public Member  
20 Mayte Redcay, LCSW, LCADC, SAP, CEAP  
21  
22

23 BUREAU PERSONNEL:

24  
25 Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution  
26 Division  
27 Jaime D. Black, Esquire, Board/Regulatory Counsel  
28 Steven A. Mimm, Esquire, Office of General Counsel  
29 Nathan C. Giunta, Esquire, Board Prosecution Liaison  
30 Kelsey Ashworth, Esquire, Board Prosecutor  
31 J. Karl Geschwindt, Esquire, Board Prosecutor  
32 Sarah E. McNeill, Board Administrator  
33 Lisa M. Burns, Division Chief for Health Licensing,  
34 Bureau of Professional and Occupational Affairs  
35  
36

37 ALSO PRESENT:

38  
39 Johanna Byrd, ACSW, IOM, CAE, Executive Director,  
40 National Association of Social Workers, Pennsylvania  
41 Chapter  
42 Katie Merritt, LSW, Director of Policy and Planning,  
43 Pennsylvania Insurance Department  
44 David Buono, Deputy Insurance Commissioner, Office of  
45 Market Regulation, Pennsylvania Insurance Department  
46 Sandy Ykema, Esquire, J.D., Senior Health Insurance  
47 Counsel, Pennsylvania Insurance Department  
48 Amber Garbinski  
49  
50

1 \*\*\*

2 State Board of Social Workers,  
3 Marriage and Family Therapists  
4 and Professional Counselors

5 March 8, 2022

6 \*\*\*

7 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
8 9:00 a.m., the Board entered Executive Session with  
9 Jaime D. Black, Esquire, Board Counsel, for the  
10 purpose of conducting quasi-judicial deliberations on  
11 a number of matters before the Board this date and to  
12 receive advice of counsel. The Board entered public  
13 session at 11:00 a.m.]

14 \*\*\*

15 The regularly scheduled meeting of the State  
16 Board of Social Workers, Marriage and Family  
17 Therapists, and Professional Counselors was held on  
18 Tuesday, March 8, 2022. Joy E. Corby, Ph.D., LMFT,  
19 Chair, called the meeting to order at 11:27 a.m.

20 \*\*\*

21 Introduction of Board Members

22 [Chair Corby requested an introduction of Board  
23 members.]

24 \*\*\*

25 [Jaime D. Black, Esquire, Board Counsel, informed

1 Board members that she is leaving the Department of  
2 State and announced Steven Mimm would be replacing her  
3 as Board Counsel.]

4 \*\*\*

5 [Chair Corby reminded everyone that the meeting was  
6 being recorded, and those who continued to participate  
7 were giving their consent to be recorded.

8 Chair Corby also reminded everyone to keep their  
9 microphones muted unless they need to speak.]

10 \*\*\*

11 Approval of minutes of the January 11, 2022 regulatory  
12 meeting/January 25, 2022 Board meeting

13 CHAIR CORBY:

14 I believe that the Board sent  
15 corrections to the Board administrator  
16 for the regulatory meeting minutes of  
17 January 11 and January 25 regular Board  
18 meeting.

19 I would ask for a motion to accept  
20 the minutes with the corrections.

21 DR. JORDAL:

22 So moved.

23 CHAIR CORBY:

24 Do I hear a second?

25 DR. SANTIAGO:

1 Second.

2 CHAIR CORBY:

3 All in favor, raise your hand. Opposed?

4 Abstentions?

5 [The motion carried unanimously.]

6 \*\*\*

7 Report of Board Prosecutorial Division

8 [Nathan C. Giunta, Esquire, Board Prosecution Liaison,  
9 congratulated Ms. Black on her next adventure and Mr.  
10 Mimm on his new adventure.

11 Mr. Giunta introduced Kelsey Ashworth as a new  
12 Board prosecuting attorney.

13 Mr. Giunta presented the Consent Agreements for  
14 Case No. 21-69-014883 and Case No. 21-69-020059.]

15 \*\*\*

16 [J. Karl Geschwindt, Esquire, Board Prosecutor,  
17 presented the Consent Agreement for Case No. 17-69-  
18 03025.]

19 \*\*\*

20 Appointment - Prosecution Division Annual Report  
21 Presentation

22 [Carolyn A. DeLaurentis, Esquire, Deputy Chief  
23 Counsel, Prosecution Division, welcomed new Board  
24 members. She provided a summary of the prosecution  
25 division's caseload during 2021.

1 Ms. DeLaurentis informed the Board that 587 cases  
2 were opened in 2021, which is an increase from 2020 at  
3 307 for the State Board of Social Workers, Marriage  
4 and Family Therapists, and Professional Counselors.  
5 She reported closing 498 cases in 2021 and 234 cases  
6 in 2020.

7 Ms. DeLaurentis noted 390 cases remained open for  
8 the Board as of January 1, 2022, which could be  
9 spanning different years and could be in various  
10 stages.

11 Ms. DeLaurentis discussed enforcement actions,  
12 noting 18 cases resulted in discipline in 2021 with 12  
13 fines, 3 suspensions, 3 reprimands, 5 revocations or  
14 voluntary surrenders, and 5 probationary cases. She  
15 also reported 68 warning letters in 2021, which was up  
16 from 32 in 2020.

17 Dr. Santiago requested a breakdown of how many  
18 social workers, LMFTs, and professional counselors  
19 there are across Pennsylvania. She also requested a  
20 breakdown of the total number of cases from 2021 by  
21 license.

22 Ms. DeLaurentis offered to provide the  
23 information by license type to Board Counsel. She  
24 informed Dr. Santiago of an annual report containing a  
25 breakdown of complaint categories and the number of

1 licensees would be sent to the General Assembly and  
2 made available publicly once it is completed.

3 Dr. Jordal requested more information concerning  
4 the increase in the overall numbers year to date.

5 Mr. Giunta explained that there is usually an  
6 increase during renewal years. He also mentioned the  
7 numbers across other boards when everything was  
8 through telemedicine during COVID had a slowdown in  
9 the numbers as far as how business and therapy  
10 counseling was being conducted, which led to not as  
11 many complaints during that period. He noted there  
12 would be an influx when things get back to normal.

13 Ms. DeLaurentis addressed COVID-19 cases, noting  
14 one complaint may result in more than one case being  
15 opened. She reported 1,223 cases were opened  
16 regarding COVID complaints in 2020 with 3 of those  
17 cases for the State Board of Social Workers, Marriage  
18 and Family Therapists, and Professional Counselors.  
19 She reported a significant decrease in COVID-related  
20 complaints in 2021, mostly for business-related  
21 boards, but an increase in healthcare-related boards  
22 with 543 COVID-related cases and 7 of those for this  
23 Board.

24 Ms. DeLaurentis addressed the prosecutorial  
25 division numbers, noting the total case count does not

1 include charities, corporations, or the Pennsylvania  
2 State Athletic Commission. She noted a record number  
3 of cases opened last year and thanked the  
4 administrative assistants for processing so many  
5 files. She reported 18,363 cases were opened in 2021,  
6 which is an increase from 2020 at 13,394.

7 Ms. DeLaurentis reported 15,994 cases were closed  
8 in 2021 and 13,274 in 2020. She thanked the Board,  
9 prosecution, and Board Counsel for their collaborative  
10 effort. She noted 15,141 open cases as of January 1,  
11 2022.

12 Ms. DeLaurentis offered to return to the Board to  
13 answer any prosecution questions the Board may have  
14 throughout the year.]

15 \*\*\*

16 Appointment - Pennsylvania Insurance Department - No  
17 Surprises Act

18 [Katie Merritt, LSW, Director of Policy and Planning  
19 Pennsylvania Insurance Department (PID), informed  
20 everyone that the No Surprises Act went into effect on  
21 January 1, 2022. She stated Governor Wolf charged the  
22 Pennsylvania Insurance Department with being the lead  
23 agency in implementing the act.

24 David Buono, Deputy Insurance Commissioner,  
25 Office of Market Regulation, Pennsylvania Insurance



1 Department, informed the Board that material presented  
2 was prepared by the Commonwealth of Pennsylvania  
3 Insurance Department based on the law, regulations,  
4 and guidance as of December 1, 2021.

5 Mr. Buono addressed the No Surprises Act (NSA),  
6 noting that the disclosure requirement applies to all  
7 health care providers, the provider directory  
8 requirement applies to all healthcare providers  
9 applicable only to providers in-network for major  
10 medical insurance policies, and the Good Faith  
11 Estimate requirement applies to all health care  
12 providers.

13 Mr. Buono commented that health plans covering  
14 any benefits for emergency services, including air  
15 ambulance, under the No Surprises Act, requires  
16 emergency services to be covered without any prior  
17 authorization regardless of whether a provider or  
18 facility is in-network.

19 Mr. Buono also commented that the No Surprises  
20 Act requires patients with little or no control over  
21 who provides their care to be protected when health  
22 plans cover any benefits for nonemergency services  
23 related to a visit in an in-network facility.

24 Mr. Buono stated ancillary providers, such as  
25 labs or doctors, involved in a surgery that the

1 patient does not select may not balance bill. He  
2 noted cost-sharing for ancillary providers is treated  
3 as in-network. He commented that the No Surprises Act  
4 protects people from unexpected bills for emergency  
5 services, air ambulance services, and certain  
6 nonemergency services related to a visit to a  
7 facility. He mentioned that emergency ground  
8 ambulance services are not included and deferred to  
9 further study at the federal level.

10 Mr. Buono stated No Surprises Act billing  
11 protection applies if coverage is through an employer,  
12 state-based marketplace Pennie, or directly through an  
13 individual market health insurance company. He  
14 mentioned that the act does not apply to Medicare,  
15 Medicaid, Indian Health Services, Veterans Affairs, or  
16 TRICARE.

17 Mr. Buono addressed plans that do not have the  
18 balance billing protection, including indemnity or  
19 accepted benefit plan enrollees, because it is not  
20 individual market coverage and does not typically have  
21 a network. He noted short-term limited duration plan  
22 enrollees, health care sharing ministries, the Amish,  
23 or uninsured are not individual market coverage.

24 Mr. Buono addressed uninsured individuals noting  
25 providers are required to provide a Good Faith

1 Estimate upon request or when scheduling an item or  
2 service. He stated uninsured and self-pay patients  
3 must receive a Good Faith Estimate at least 72 hours  
4 before services.

5 Mr. Buono also noted that a Good Faith Estimate  
6 must be given at least 3 hours ahead of time if a  
7 service is scheduled within three days. He noted the  
8 act does require that a Good Faith Estimate be  
9 provided to a patient's plan in advance of service but  
10 stated the federal government and Pennsylvania is  
11 taking a non-enforcement approach to this provision  
12 due to the technological challenges affecting this  
13 provision.

14 Mr. Buono stated providers are encouraged to  
15 coordinate with co-providers to present a single Good  
16 Faith Estimate, but the Department of Health and Human  
17 Services (HHS) is exercising enforcement discretion  
18 and flexibility to allow for technological  
19 coordination.

20 Mr. Buono provided a summary of providers who may  
21 not balance bill. He stated providers and facilities  
22 must have a business process to give provider  
23 directory and network information to plans anytime  
24 there is a material change. He commented that  
25 providers and facilities may, by contract, impose on

1 plans the duty to keep the directory current in the  
2 event of contract termination. He noted that the  
3 provider or facility must reimburse the patient plus  
4 interest if a provider or facility bills a patient  
5 more than the in-network cost-sharing amount and the  
6 patient pays the bill.

7 Mr. Buono addressed continuity of care, where a  
8 contract with a plan terminates and the provider or  
9 facility is no longer in-network and the patient is a  
10 continuing care patient, the provider or facility must  
11 accept payment, including cost-sharing calculated on  
12 an in-network basis for the duration of the continuity  
13 of care.

14 Mr. Buono stated providers with complaints about  
15 a plan should contact the Pennsylvania Insurance  
16 Department because this department has a process to  
17 quickly review the complaint. He mentioned HHS is  
18 also establishing a complaint process with the  
19 acknowledgement of the complaint possibly taking 60  
20 days. He mentioned that providers with complaints  
21 about a patient should first make sure the patient  
22 understands the act and are encouraged to contact the  
23 Pennsylvania Insurance Department.

24 Mr. Buono noted that patients who do understand  
25 the act should be handled as before with the

1 understanding in the case of a surprise medical bill  
2 that the provider may not collect more than the in-  
3 network cost-sharing.

4 Ms. Ykema addressed disclosure requirements,  
5 noting a one-page disclosure notice must be available  
6 to patients with the requirements and prohibitions  
7 regarding balance billing and must identify how a  
8 patient may contact the appropriate state and federal  
9 agencies if the patient believes the provider or  
10 facility violated the requirements of the law.

11 Ms. Ykema stated the information must be publicly  
12 available from the provider and facility as well as  
13 being posted. She mentioned the Pennsylvania  
14 Insurance Department has a model notice and  
15 information on their website, along with the federal  
16 government website at [www.cms.gov/nosurprises](http://www.cms.gov/nosurprises)  
17 containing NSA information.

18 Ms. Ykema addressed notice and consent, which  
19 allows a provider to balance bill if notice is given  
20 and a written consent is received from the patient at  
21 least 3 days before the service, not later than 1  
22 business day after scheduling, or 3 business days in  
23 advance if the service is scheduled 10 days in  
24 advance. She noted it may not be used in an  
25 emergency. She explained that the notice and consent

1 have to be on a separate form, signed, retained for  
2 seven years, and a copy given to the patient.

3 Ms. Ykema explained that the notice and consent  
4 must provide notice that the provider does not  
5 participate in the consumer's health insurance plan,  
6 have a Good Faith Estimate amount that the provider  
7 may charge for all of the services, explain that there  
8 may need to be prior authorization or other approval,  
9 and be clear that a person does not have to consent to  
10 an out-of-network provider.

11 Ms. Ykema emphasized that a person must be able  
12 to obtain services from an available in-network  
13 provider, but if there is no available in-network  
14 provider, then notice and consent may not be used to  
15 allow the provider to balance bill.

16 Ms. Ykema addressed payment, where the provider  
17 will need to confirm the patient's coverage. She  
18 explained that an out-of-network provider who  
19 furnished a surprise medical service may collect cost-  
20 sharing from the patient at the in-network level and  
21 then the provider may bill the patient's plan directly  
22 for all remaining charges.

23 Ms. Ykema noted a provider and plan may negotiate  
24 if the provider is not satisfied with the amount  
25 directly through a federally administered Independent

1 Dispute Resolution process. She mentioned there is  
2 litigation on the qualifying payment amount and the  
3 Independent Dispute Resolution process at the federal  
4 level.

5 Ms. Ykema addressed disputes with uninsured and  
6 self-pay individuals, where the provider may bill the  
7 patient. She stated the patient may access the  
8 Patient-Provider Dispute Resolution process if there  
9 is a difference in the Good Faith Estimate of at least  
10 \$400. She noted that the patient must start the  
11 process within 120 days and pay a small administrative  
12 fee to start the process but will recoup it if the  
13 patient prevails.

14 Ms. Ykema addressed enforcement, noting that the  
15 Pennsylvania Insurance Department had been tasked with  
16 coordinating implementation and enforcement with all  
17 the state agencies and facilities, including the  
18 Department of State, Department of Health, and  
19 Department of Drug and Alcohol Programs.

20 Ms. Ykema noted that the state law applies unless  
21 it prevents the application of the federal law. She  
22 mentioned the Pennsylvania Insurance Department has  
23 laws to regulate insurers to deal with professional  
24 conduct and licensure. The Department of State,  
25 Department of Health, and Drug and Alcohol Programs

1 will use both professional conduct and licensure laws.  
2 She explained that state agencies that receive a call  
3 related to balance billing and the No Surprises Act  
4 can go to the Pennsylvania Insurance Department's  
5 website for guidance.

6 Ms. Ykema stated complaints are assigned to a  
7 consumer services representative after a complaint is  
8 received for tracking to identify issues in  
9 educational opportunities and enforcement needs. She  
10 noted the consumer services representative works with  
11 the patient, provider, or health plan and with other  
12 state agencies and collaborates with the federal  
13 agency if the issue cannot be addressed.

14 Ms. Ykema noted the Department of Health and  
15 Human Services has oversight over the insurance plans,  
16 providers, and facilities; Department of Labor has  
17 oversight over self-funded plans; and the Office of  
18 Personnel Management has oversight over the Federal  
19 Employees Health Benefits (FEHB) program. She stated  
20 Pennsylvania Insurance Department is prepared to enter  
21 into collaborative enforcement agreements with any of  
22 those agencies as needed to address concerns.

23 Ms. Ykema encouraged everyone to visit the  
24 Pennsylvania Insurance Department at  
25 [www.insurance.pa.gov/nosurprises](http://www.insurance.pa.gov/nosurprises) for further



1 information.

2 Ms. Martin stated the No Surprises Act is  
3 confusing and requested more information concerning  
4 self-employed therapists in private practice and their  
5 requirements as far as in-network and out-of-network  
6 insurance plans and Medicare and Medicaid.

7 Ms. Ykema explained that the disclosure notice  
8 and provider directory is good practice for everybody.  
9 She stated Medicare and Medicaid have their own  
10 balance billing laws, and therapists would need to  
11 look at what Medicare and Medicaid say about balance  
12 billing. She noted therapists would want to have the  
13 disclosure notice and the Good Faith Estimate of what  
14 the services would be for insured and uninsured  
15 patients.

16 Ms. Martin also asked for clarification regarding  
17 the provider directory component and whether she is  
18 required to do anything else as a provider who gives  
19 information to in-network insurance companies.

20 Ms. Ykema explained that anyone in-network should  
21 be listed in the insurance plan's directory of all the  
22 providers in-network so the patient can see the  
23 provider is in the network. She noted to make sure  
24 the insurance company has an up-to-date directory.

25 Ms. Martin asked whether not available or to be

1 determined could be put on the form under diagnosis  
2 when a provider does not have a diagnosis yet. She  
3 also asked for clarification as to whether she would  
4 need signed consent.

5 Ms. Ykema noted the question had been raised to  
6 HSS, particularly in the mental health arena, where it  
7 may take an initial visit to identify what the issue  
8 is to be able to give the Good Faith Estimate. She  
9 stated the initial Good Faith Estimate is going to be  
10 for a first visit to assess the situation.

11 Ms. Ykema explained that the notice and consent  
12 requirement is for non-emergency services in  
13 connection with a visit to a facility, and the notice  
14 and consent is not applicable for providers dealing  
15 with a patient in the office.

16 Ms. Ykema further explained the notice and  
17 consent provision is not applicable for providers in  
18 an office; but the disclosure requirement, Good Faith  
19 Estimate, and provider directory requirements are all  
20 applicable.

21 Dr. Jordal requested confirmation on the  
22 disclosure for individuals who are out-of-network and  
23 working in private practice, where disclosure is their  
24 rates and amount of time for assessment and treatment  
25 on average, but if a client is self-submitting to

1 their own insurance company for coverage, the notice  
2 from the practitioner or provider does not need to  
3 include any type of estimate of the level of  
4 reimbursement the client would be getting from their  
5 insurance provider.

6 Ms. Ykema commented that the Good Faith Estimate  
7 will apply in time whether the individual is uninsured  
8 or self-pay or insured. She explained that  
9 individuals not identifying their insurance to a  
10 provider and is self-pay is treated as an uninsured  
11 individual. She noted a provider would be able to  
12 submit to the insurance plan whether it is in-network  
13 or out-of-network.

14 Ms. Merritt encouraged Board members to submit  
15 any questions to Board Counsel or the policy office.

16 Chair Corby thanked the Pennsylvania Insurance  
17 Department for their presentation.]

18 \*\*\*

19 Adoption of the Agenda

20 CHAIR CORBY:

21 Motion to adopt this agenda. Would  
22 somebody say so moved and second it?

23 DR. JORDAL:

24 So moved.

25 DR. SANTIAGO:

1                   Second.

2 CHAIR CORBY:

3                   All in favor, raise your hand.

4 [The motion carried unanimously.]

5   \*\*\*

6 Report of Board Counsel

7 MS. BLACK:

8                   Pursuant to Section 708(a)(5) of the  
9                   Sunshine Act, prior to today's meeting,  
10                  the Board entered Executive Session for  
11                  the purpose of conducting quasi-judicial  
12                  deliberations on a number of matters  
13                  currently pending before the Board and  
14                  to receive the advice of counsel;  
15                  specifically, for items 2 through 6 and  
16                  12 through 24.

17                  I believe the Board would entertain  
18                  a motion to approve the Consent  
19                  Agreement at item 3, Case No. 21-69-  
20                  014883.

21 DR. JORDAL:

22   So moved.

23 MS. PAINTER:

24   Second.

25 CHAIR CORBY:

1 All in favor, raise your hand. Opposed?

2 Are there any abstentions? Recused?

3 [The motion carried. Michelle Santiago and Eric  
4 DeCriscio opposed the motion. Item 3 at Case No. 21-  
5 69-014883 is BPOA v. Darla Marie Cherrick, LCSW.]

6 \*\*\*

7 MS. BLACK:

8 I believe the Board would entertain a  
9 motion to approve the VRP Agreement at  
10 item 4, Case No. 21-69-020059.

11 MS. PAINTER:

12 So moved.

13 DR. SANTIAGO:

14 Second.

15 CHAIR CORBY:

16 All those in favor, raise your hand.

17 Opposed? Abstentions? Recused?

18 [The motion carried unanimously.]

19 \*\*\*

20 MS. BLACK:

21 I believe the Board would entertain a  
22 motion to accept the Consent Agreement  
23 at item 5, Case No. 17-69-03025.

24 MS. PAINTER:

25 So moved.

1 MS. EARLY:

2 Second.

3 CHAIR CORBY:

4 All those in favor, raise your hand.

5 All those opposed, raise your hand.

6 Abstentions? Recused?

7 [The motion carried. Joy Corby, Christian Jordal, and  
8 Michelle Santiago opposed the motion. Item 5 at Case  
9 No. 17-69-03025 is BPOA v. Pamela Davis, LCSW.]

10 \*\*\*

11 Report of Board Counsel - Matters for Hearing or  
12 Delegation

13 MS. BLACK:

14 Moving on to item 6, I believe the Board  
15 would entertain a motion to delegate to  
16 the Office of Hearing Examiners, Case  
17 No. 20-69-012585, Danielle M. Leach,  
18 LSW.

19 DR. JORDAL:

20 So moved.

21 MS. PAINTER:

22 Second.

23 CHAIR CORBY:

24 All those in favor, raise your hand.

25 Opposed? Abstentions? Recused?

1 [The motion carried. Michelle Santiago abstained from  
2 voting on the motion. Linda Martin recused herself  
3 from deliberations and voting on the motion.]

4

\*\*\*

5 Report of Board Counsel - Miscellaneous

6 [Jaime D. Black, Esquire, Board Counsel, provided a  
7 PowerPoint presentation of Sunshine Act guidelines for  
8 the Board's review. She noted the Sunshine Act was  
9 amended last summer through Act 65, where agencies  
10 must make meeting agendas public within 24 hours of a  
11 meeting, official action is prohibited on any item not  
12 on the agenda without first being amended during that  
13 meeting, and the Board cannot spend money without it  
14 being first approved at a public meeting.

15 Ms. Black addressed Recusal Guidelines. She  
16 informed Board members that mandatory recusals would  
17 be when a member has some sort of prosecutorial role  
18 in a matter or direct personal or financial interest  
19 in the outcome.

20 Ms. Black stated strongly suggested recusals  
21 would include a personal affection for someone  
22 directly involved in the issue. She noted that merely  
23 knowing a person or knowing of a person who is  
24 involved in a pending matter is not enough to warrant  
25 a recusal. She also noted strongly suggested recusals

1 would include having knowledge from outside of a case  
2 that cannot be set aside in order to make a fair and  
3 unbiased determination.

4 Ms. Black noted discretionary recusals to include  
5 a Board member not being able to hear and dispose of a  
6 case or participate in a decision on a subject fairly  
7 and without prejudice.

8 Ms. Black encouraged Board members to contact  
9 Board Counsel prior to a meeting if they are uncertain  
10 whether a recusal is appropriate.]

11 \*\*\*

12 Review of Applications

13 MS. BLACK:

14 I believe the Board would entertain a  
15 motion to provisionally deny the  
16 Application for Professional Counselor  
17 by Exam for Chelsea Ackerman.

18 DR. SANTIAGO:

19 Motion.

20 DR. JORDAL:

21 Second.

22 CHAIR CORBY:

23 All those in favor, raise your hand.

24 Opposed? Abstentions? Recused?

25 [The motion carried. Michelle Santiago opposed the



1 motion.]

2

\*\*\*

3 MS. BLACK:

4

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7

I believe the Board would entertain a motion to provisionally deny the Application at item 13, Professional Counselor by Examination for Mary Epps.

8 DR. SANTIAGO:

9

Motion.

10 MS. MOYER:

11

Second.

12 CHAIR CORBY:

13

All those in favor, raise your hand.

14

Opposed? Abstentions? Recused?

15 [The motion carried. Marilyn Painter opposed the  
16 motion. Christian Jordal recused himself from  
17 deliberations and voting on the motion.]

18

\*\*\*

19 MS. BLACK:

20

21

22

23

I believe the Board would entertain a motion to approve the Application at item 14, Professional Counselor by Exam for Maria Huber.

24 MS. PAINTER:

25

So moved.

1 DR. SANTIAGO:

2                               Second.

3 CHAIR CORBY:

4                               All those in favor, raise your hand.

5                               Opposed? Abstentions?

6 [The motion carried unanimously.]

7   \*\*\*

8 Review of Applications - Act 41 Review

9 MS. BLACK:

10                               Regarding item 15, I believe the Board  
11                               would entertain a motion to approve the  
12                               Act 41 Application for Clinical Social  
13                               Worker by Endorsement under Act 41 for  
14                               Michael Byck.

15 DR JORDAL:

16                               So moved.

17 DR. SANTIAGO:

18                               Second.

19 CHAIR CORBY:

20                               All in favor, raise your hand. Opposed?

21                               Abstentions?

22 [The motion carried unanimously.]

23   \*\*\*

24 MS. BLACK:

25                               I believe the Board would entertain a

1 motion to approve the Act 41  
2 Applications for item 16, Professional  
3 Counselor of Kelsea Pelletier; item 17,  
4 Professional Counselor of Malika Brown-  
5 Crosby; item 18, Professional Counselor  
6 of Manuella Lalwani; item 19,  
7 Professional Counselor of Shanell  
8 Sotilleo; and item 20, Professional  
9 Counselor of Susan Cahill.

10 MS. PAINTER:

11 So moved.

12 DR. SANTIAGO:

13 Second.

14 CHAIR CORBY:

15 All in favor, raise your hand. Opposed?  
16 Abstentions? Recused?

17 [The motion carried unanimously.]

18 \*\*\*

19 MS. BLACK:

20 I believe the Board would entertain a  
21 motion to approve the Act 41 Application  
22 for item 21, Marriage and Family  
23 Therapist of Kathleen Scheppe.

24 DR. JORDAL:

25 So moved.

1 MS. PAINTER:

2                   Second.

3 CHAIR CORBY:

4                   All in favor, raise your hand. Opposed?

5                   Abstentions? Recused?

6 [The motion carried unanimously.]

7   \*\*\*

8 MS. BLACK:

9                   Item 22 are Act 41 Provisional Orders  
10                   that were already issued to the  
11                   applications, so ratification is  
12                   required.

13                   I believe the Board would entertain  
14                   a motion to Ratify the Approval of the  
15                   Act 41 Provisional Orders for Morgan  
16                   Oakes, Professional Counselor; Anthony  
17                   Boyd, Professional Counselor; and  
18                   Brandon McQueen, Marriage and Family  
19                   Therapist.

20 MS. PAINTER:

21                   So moved.

22 DR. JORDAL:

23                   Second.

24 CHAIR CORBY:

25                   All in favor, raise your hand. Opposed?

1 Abstentions? Recused?

2 [The motion carried unanimously.]

3 \*\*\*

4 Review of Applications - Corporate/Fictitious Name  
5 Approval

6 MS. BLACK:

7 I believe the Board would entertain a  
8 motion to approve the  
9 Corporate/Fictitious Name for item 23,  
10 Hilary Burcell, LCSW, Integrative  
11 Psychotherapy and Wellness LLC.

12 MS. MOYER:

13 So moved.

14 CHAIR CORBY:

15 Do I hear a second?

16 DR. SANTIAGO:

17 Second.

18 CHAIR CORBY:

19 All in favor, raise your hand. Opposed?

20 Abstentions? Recused?

21 [The motion carried unanimously.]

22 \*\*\*

23 Correspondence

24 MS. BLACK:

25 I believe the Board would entertain a

1 motion to approve the Request for  
2 Special Accommodations to take the NCE  
3 Examination for Kierstyn Gunn at item  
4 24.

5 MS. PAINTER:

6 So moved.

7 MS. EARLY:

8 Second.

9 CHAIR CORBY:

10 All in favor, raise your hand. Opposed?  
11 Abstentions? Recused?

12 [The motion carried. Christian Jordal opposed the  
13 motion. Michelle Santiago abstained from voting on  
14 the motion.]

15 \*\*\*

16 Report of Acting Commissioner

17 [Arion R. Claggett, Acting Commissioner, Bureau of  
18 Professional and Occupational Affairs, informed  
19 everyone that all Board meetings moving forward will  
20 be held in a hybrid format providing the option of  
21 attending virtually through a Microsoft Teams platform  
22 instead of Webex or in person. He also noted that he  
23 and Ms. McNeill would be attending all Board meetings  
24 in person.

25 Acting Commissioner Claggett addressed Board

1 member questions and stated member would not have to  
2 notify anyone as to whether their attendance would be  
3 in person or virtually, except for travel  
4 requirements, but members are still required to notify  
5 the Board administrator if not attending the meeting  
6 either virtually or in person.

7       Acting Commissioner Claggett explained that  
8 Microsoft Teams would be similar to Webex, and the  
9 invitation and link would be provided to everyone.

10       Chair Corby requested clarification as to whether  
11 the legislature or somebody has decided that in person  
12 also includes virtual.

13       Acting Commissioner Claggett noted it to be part  
14 of Act 100, and Chair Corby requested more information  
15 regarding Act 100.

16       Ms. Black explained Act 100 provided virtual  
17 options and believed it was on a prior agenda but  
18 offered to send that information to everyone.

19       Acting Commissioner Claggett also addressed Owl  
20 technology, noting the state does not have the  
21 capability of offering that technology at the current  
22 time at Penn Center and would be communicating through  
23 a Polycom intercom.

24       Acting Commissioner Claggett discussed polling  
25 Board members before the meetings to see who would be

1 attending in person.]

2

\*\*\*

3 Report of Board Administrator - Amended 2023 Board  
4 Meeting Dates

5 [Sarah E. McNeill, Board Administrator, requested  
6 approval of amended 2023 Board meeting dates.]

7 DR. SANTIAGO:

8 I make a motion that we approve the  
9 proposed dates for the 2023 Board  
10 meetings.

11 MS. PAINTER:

12 Second.

13 CHAIR CORBY:

14 All in favor, raise your hand. Opposed?  
15 Abstentions?

16 [The motion carried unanimously.]

17

\*\*\*

18 Report of Board Administrator - Executive Session  
19 Start Time Discussion

20 [Sarah E. McNeill, Board Administrator, asked the  
21 Board whether it wished to make Executive Session from  
22 9:00 a.m. to 11:00 a.m. a permanent change.

23 Ms. Black noted prior discussion last year, where  
24 Board members decided to keep Executive Session at  
25 9:00 a.m. instead of 9:30 a.m. through March 2022 and



1 revisit the matter later, because it enables the Board  
2 to get through the agenda without having to go too  
3 late into public session.

4 Dr. Jordal suggested collecting more data because  
5 starting half an hour earlier can require a person to  
6 stay overnight and would cost more for the Board and  
7 state.

8 Ms. Black commented that the Board could keep the  
9 time at 9:00 and revisit the issue if necessary.]

10 DR. JORDAL:

11 So moved.

12 DR. SANTIAGO:

13 Second.

14 CHAIR CORBY:

15 All in favor, raise your hand. Opposed?

16 Abstentions?

17 [The motion carried unanimously.]

18 \*\*\*

19 Miscellaneous

20 [Joy E. Corby, Ph.D., LMFT, Chair, referred to the  
21 Department of Health correspondence regarding the  
22 Pennsylvania Donor Family Grief Counseling Program and  
23 Training.

24 Ms. McNeil noted an email blast was sent to all  
25 active licensees in Pennsylvania.]

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Adjournment

CHAIR CORBY:

Since there are no other items on our agenda, I believe that I am open for a motion to adjourn the meeting.

DR. SANTIAGO:

I make a motion we conclude the meeting.

DR. JORDAL:

Second.

CHAIR CORBY:

All in favor, raise your hand. Opposed?  
Abstentions?

[The motion carried unanimously.]

\*\*\*

[There being no further business, the State Board of Social Workers, Marriage and Family Therapists, and Professional Counselors Meeting adjourned at 12:59 p.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors meeting.



Amber Garbinski,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF SOCIAL WORKERS,  
MARRIAGE AND FAMILY THERAPISTS,  
AND PROFESSIONAL COUNSELORS  
REFERENCE INDEX

March 8, 2022

TIME	AGENDA
9:00	Executive Session
11:00	Return to Open Session
11:27	Official Call to Order
11:27	Introduction of Board Members
11:30	Approval of Minutes
11:31	Report of Prosecutorial Division
11:43	Appointment - Carolyn A. DeLaurentis, Esquire, Deputy Chief Counsel, Prosecution Division Annual Report Presentation
11:56	Appointment - Pennsylvania Insurance Department Presentation
12:32	Adoption of Agenda
12:34	Report of Board Counsel
12:40	Review of Applications
12:44	Correspondence
12:45	Report of Acting Commissioner
12:53	Report of Board Administrator
12:58	Miscellaneous
12:59	Adjournment