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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: 11:02 A.M.

October 13, 2020

1 State Board of Social Workers,
2 Marriage and Family Therapists,
3 and Professional Counselors
4 October 13, 2020

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7 BOARD MEMBERS:

8
9 Joy E. Corby, Ph.D., LMFT, Chair
10 K. Kalonji Johnson, Commissioner, Bureau of
11 Professional and Occupational Affairs
12 Michelle Santiago, Psy.D., LPC, Vice Chair
13 Jeanne Elberfeld, M.D., LSW
14 Erika Evans, Ph.D., LMFT
15 Christian Jordal, Ph.D., LMFT
16 Amy K. Keisling, LCSW
17 Kurt L. Kraus, Ed.D., NCC, ACS, LPC
18 Linda A. Martin, LCSW, RN
19

20
21 BUREAU PERSONNEL:

22
23 Dana M. Wucinski, Esquire, Board Counsel
24 Dean F. Picarella, Esquire, Senior Board Counsel
25 J. Karl Geschwindt, Esquire, Board Prosecutor, on
26 behalf of Heather J. McCarthy, Esquire, Board
27 Prosecution Liaison
28 James Ritchie Espino Ostman, Esquire, Board Prosecutor
29 Andrea L. Costello, Esquire, Board Prosecutor
30 Sandra E. Matter, Board Administrator
31 Cynthia K. Montgomery, Esquire, Deputy Chief
32 Counsel/Regulatory Counsel, Department of State
33 Theodore Stauffer, Executive Secretary, Bureau of
34 Professional and Occupational Affairs
35 Andrew LaFratte, MPA, Policy Office, Department of
36 State
37 Marc Farrell, Deputy Policy Director, Department of
38 State
39 Kraig R. Kiehl, Deputy Secretary for Regulatory
40 Programs, Department of State
41

42
43 ALSO PRESENT:

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45 Athena O. Pappas, Esquire, Deasey, Mahoney,
46 & Valentini
47 Cara Sanner, Regulatory Support Services Coordinator,
48 Association of Social Work Boards
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State Board of Social Workers,
Marriage and Family Therapists,
and Professional Counselors
October 13, 2020

ALSO PRESENT: (cont.)

Johanna Byrd, ACSW, IOM, CAE, Executive Director,
National Association of Social Workers, Pennsylvania
Chapter
Lisa Casler Haun, Manager of Continuing Competence and
Continuing Education Services, Association of Social
Work Boards
Peter M. Good, Esquire, Caldwell & Kerns, P.C.

1 ***

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

5 October 13, 2020

6 ***

7 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
8 9:30 a.m. the Board entered into executive session
9 with Dana M. Wucinski, Esquire, Board Counsel, for the
10 purpose of conducting quasi-judicial deliberations on
11 a number of matters that are currently pending before
12 the Board and to receive the advice of counsel. The
13 Board returned to open session at 11:00 a.m.]

14 ***

15 [Dana M. Wucinski, Esquire, Board Counsel, noted the
16 meeting was being recorded, and those who remained in
17 the meeting were consenting to being recorded.]

18 ***

19 The regularly scheduled meeting of the State
20 Board of Social Workers, Marriage and Family
21 Therapists, and Professional Counselors was held on
22 Tuesday, October 13, 2020. Joy E. Corby, Ph.D., LMFT,
23 Chair, called the meeting to order at 11:02 a.m.

24 ***

25 Introduction of Board Members and Public

1 [Chair Corby requested Board members and the public
2 introduce themselves.]

3 ***

4 Approval of minutes of the September 1, 2020 meeting

5 CHAIR CORBY:

6 We need to approve the minutes from the
7 September 1, 2020 meeting.

8 I believe members of the Board let
9 Sandy know about the corrections. I am
10 thinking we can vote for approval of the
11 minutes with those corrections.

12 Do I hear a motion?

13 DR. KRAUS:

14 So moved.

15 DR. JORDAL:

16 Second.

17 CHAIR CORBY:

18 All in favor? Opposed? Abstained?

19 [The motion carried unanimously.]

20 ***

21 Report of Board Prosecutorial Division

22 [J. Karl Geschwindt, Esquire, Board Prosecutor, on
23 behalf of Heather J. McCarthy, Esquire, Board
24 Prosecution Liaison, presented the Consent Agreement
25 for Case No. 20-69-004592 and No. 20-69-007326.]

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2 [James Ritchie Espino Ostman, Esquire, Board
3 Prosecutor, presented the Consent Agreement for Case
4 No. 18-69-007255.]

5 ***

6 [Andrea L. Costello, Esquire, Board Prosecutor,
7 presented the Consent Agreement for Case No. 19-69-
8 015683.]

9 ***

10 [Andrea L. Costello, Esquire, Board Prosecutor,
11 presented the Consent Agreement for Case No. 16-69-
12 01423.]

13 Athena O. Pappas, Esquire, Deasey, Mahoney, &
14 Valentini, Counsel for the Respondent, was present and
15 participated in the discussion]

16 ***

17 Report of Board Counsel

18 [Dana M. Wucinski, Esquire, Board Counsel, noted the
19 Board discussed Consent Agreements presented today,
20 along with agenda items 7 through 10 and 17 through 22
21 in executive session.

22 Ms. Wucinski also noted one hearing scheduled
23 today and a presentation by Commissioner Johnson and
24 Ms. Montgomery to review the Act 53 of 2020 list of
25 crimes.

1 Ms. Wucinski referred to the Sunshine Act and
2 Recusal Guidelines on the agenda for the Board's
3 review and offered her assistance concerning any
4 questions.

5 Ms. Wucinski addressed the Probable Cause
6 Screening Committee and the need to vote in an
7 alternate member since Ms. Painter is temporarily off
8 the Board.]

9 ***

10 MS. WUCINSKI:

11 Since Marilyn is still temporarily off
12 the Board, we will need to vote on
13 alternate member.

14 Are there any nominations?

15 DR. SANTIAGO:

16 I nominate myself.

17 DR CORBY:

18 The motion is Michelle. Do I have a
19 second on that?

20 DR. JORDAL:

21 Second.

22 CHAIR CORBY:

23 All those in favor? Opposed?

24 Abstentions?

25 [The motion carried unanimously.]

1
2 Report of Regulatory Board Counsel
3 [Dana M. Wucinski, Esquire, Regulatory Board Counsel,
4 referred to 16A-6923 regarding the general revisions
5 and electronic supervision proposed rulemaking
6 package. She mentioned receiving comments from the
7 Association of Social Work Boards (ASWB) on the
8 exposure draft. She advised the Board that the
9 preamble was on their agenda for review today and that
10 she will be requesting a vote from the Board today to
11 approve the preamble draft, so that the draft
12 regulation could be sent out as proposed.

13 Ms. Wucinski addressed ASWB comments suggesting
14 the deletion of § 47.16a (a) (1) and reworking the
15 endorsement provision to better promote social work
16 practice mobility. She stated that ASWB points out
17 that the Act 41 language relating to substantial
18 equivalence is unduly burdensome.

19 Ms. Wucinski explained that the statutory
20 language of "substantial equivalence" as outlined in
21 Act 41 must be included. She noted the Board was
22 initially concerned about it being unduly burdensome
23 as well, which is why they already determined that the
24 licensure requirements in any other U.S. state or
25 territory has been deemed by the Board to be

1 substantially equivalent. As such, there will not be
2 an independent analysis into each the licensure
3 requirements for each U.S. state or territory when
4 determining substantial equivalence. She mentioned
5 the Board will be doing an independent analysis of
6 other countries to determine substantial equivalence.

7 Ms. Wucinski addressed the second comment from
8 ASWB asking the Board to reconsider § 47.71 and the
9 incorporation of the NASW Code of Ethics by reference
10 in favor of standards that are enforceable, pointing
11 out that the NASW Code of Ethics are aspirational in
12 nature.

13 Ms. Wucinski commented that reworking a whole
14 code of ethics to restate what the Board already
15 reviewed and adopted should not be part of the general
16 revision because that would be a lengthy revision.
17 She noted the importance of reviewing which version of
18 the code of ethics the Board wants to adopt and
19 specify which year. She stated, even though it is
20 aspirational on the part of ASWB, the Board will be
21 adopting it and working it into their regulations as
22 mandatory.

23 Ms. Wucinski explained that instead of the Board
24 drafting their own code of ethics, they would be
25 incorporating a national organization's code of ethics

1 and adopting it as their own regarding social workers,
2 licensed professional counselors (LPCs), and licensed
3 marriage and family therapists (LMFTs).

4 Ms. Martin commented that the NASW Code of Ethics
5 have both aspirational regulations written into it as
6 well as standards, and the Board would be able to
7 identify the difference between which ones are
8 aspirational and more of a standard of practice.

9 Dr. Elberfeld noted ethics to be important, where
10 every licensee is required to have courses in ethics
11 and continuing education units (CEUs) in ethics for
12 rich education and experience.

13 Dr. Kraus stated the Board is well-positioned to
14 determine aspiration versus mandatory and believes
15 this proposes the Board look at new ethics as they are
16 published by these organizations and keeps this a
17 current alive standard, which is very valuable for all
18 of the citizens of Pennsylvania.

19 Dr. Wucinski will update the preamble with the
20 Board's responses.

21 Chair Corby recommended changing the wordage of
22 "1 semester course" to "1 semester credit course."
23 She asked how the Board would go about adopting a new
24 code of ethics.

25 Ms. Wucinski explained that the Board would need

1 to stay on top of the new code of ethics of the
2 various organizations and go through the regulatory
3 process, clarifying which ones the Board would be
4 adopting to articulate clearly to the public.

5 Dr. Kraus expressed his concern with the
6 regulatory process due the amount of time it may take.

7 Ms. Wucinski noted that to be the downside of not
8 having their own code of ethics and looking to the
9 national organizations, where the Board may want to
10 consider creating their own regulation in the future.
11 She also noted that the Board would still have the
12 same problem when updates are required.

13 Ms. Wucinski noted that updating the code of
14 ethics is relatively easy and shouldn't take a long
15 time to promulgate. She will address the comments
16 discussed today and add the two changes Chair Corby
17 mentioned.

18 Dr. Elberfeld referred to 47.12c (b) (5), where
19 the supervisor or one to whom supervisor
20 responsibility has been delegated shall meet with the
21 supervisee for a minimum of 2 hours for every 40 hours
22 of supervised clinical experience. She expressed her
23 concern that this could allow the supervisor to
24 delegate someone who may not have qualifications.

25 Ms. Martin noted that being placed there to give

1 some guidance for the supervisees and the supervisors
2 of what to do in situations where the designated
3 supervisor is not available.

4 Ms. Wucinski mentioned that it is still the
5 supervisor who must sign off and take responsibility
6 but questioned whether the Board would want to change
7 it to where it could never be delegated or address the
8 issue in the future in their supervisor regulations.

9 Dr. Elberfeld stated an individual must have at
10 least 1500 hours of supervision by an LCSW to become a
11 licensed clinical social worker (LCSW) and being able
12 to delegate responsibilities and just sign off is not
13 being a supervisor.

14 Ms. Wucinski suggested addressing the supervisory
15 standards and delegated responsibilities in the next
16 more comprehensive supervision package, as she is
17 aware of the concerns and agrees it needs to be
18 addressed but not in this package.

19 Chair Corby stated the issue is noted and will be
20 discussed when reviewing the supervision regulations.]

21 ***

22 MS. WUCINSKI:

23 Are there any other comments on the
24 preamble or the annex? Do you want to
25 work on a vote to promulgate as

1 proposed?

2 CHAIR CORBY:

3 We have a motion. Do I hear somebody?

4 DR. KRAUS:

5 So moved.

6 CHAIR CORBY:

7 Kurt, you moved it. Who is going to
8 second it?

9 MS. KEISLING:

10 I'll second.

11 CHAIR CORBY:

12 All in favor? Opposed? Abstained?

13 [The motion carried unanimously.]

14 ***

15 [A Formal Hearing was held from 11:42 a.m. until
16 12:50 p.m. in the matter of the Application for a
17 License to Practice Professional Counseling of Erik
18 Hansen, Case No. 20-69-008642.]

19 ***

20 [The Board recessed from 12:51 a.m. until 1:01 p.m.]

21 ***

22 Appointment - Act 53 of 2020 List of Offenses Directly
23 Related to the Profession

24 [K. Kalonji Johnson, Commissioner, Bureau of
25 Professional and Occupational Affairs, thanked the

1 Board for allowing him to present the list of
2 actionable items. He also thanked members of the
3 public and stakeholders in attendance.

4 Commissioner Johnson stated Act 53 was signed
5 into law by Governor Wolf and was a major upheaval in
6 terms of the way licensing entities consider the use
7 of criminal history when determining suitability for
8 licensure.

9 Commissioner Johnson commented that legislature
10 and its wisdom laid out a very cohesive and
11 comprehensive roadmap for each of the boards and
12 commissions within the department's auspices to help
13 create a system that clearly articulates to the public
14 and regulated communities the use of criminal history.

15 Commissioner Johnson introduced Deputy Chief
16 Counsel Cynthia Montgomery who has been instrumental
17 in coordinating all of the massive effort around
18 implementing the functionality of this task within the
19 Pennsylvania Licensing System (PALS) and also with
20 creating the structure by which the Office of Chief
21 Counsel evaluates and analyzes the existing laws,
22 statutes, and regulatory frameworks within each of the
23 boards and commissions to help licensees and
24 applicants navigate the process.

25 Commissioner Johnson noted being tasked with

1 creating and administrating public forums by which the
2 Board and members of the business communities have the
3 opportunity to provide comment and feedback. He noted
4 the nature of the meeting is to finalize the list of
5 criminal offenses.

6 Commissioner Johnson noted it to be his
7 responsibility to create a best practices guide for
8 perspective and active licensees and the public to
9 better understand the relationship between criminal
10 history and its effect on one's own pursuit of a
11 license.

12 Ms. Montgomery mentioned it to be the
13 Commissioner's duty under § 3117 of Act 53 of 2020 to
14 publish a schedule of criminal convictions after
15 consultation with the licensing boards and
16 representative of the business community with
17 knowledge of the respective professions.

18 Ms. Montgomery referred to the proposed list
19 compiled by representatives' counsel and prosecution
20 who have knowledge of the Board's precedent and what
21 crimes the Board considers to be directly related to
22 the profession. She provided a definition of
23 "directly related."

24 Ms. Montgomery referred to crimes that may be
25 relevant based on other sections of Act 53, including

1 § 3113(d)-(f) dealing with sexual offenses, crimes of
2 violence, and drug trafficking crimes.

3 Ms. Montgomery addressed the proposed list of
4 offences, which are categorized as a crime of
5 violence, crimes directly related to the profession or
6 a sexual offense, and drug trafficking.

7 Dr. Jordal questioned whether the Board is to
8 presume that an applicant who has something on their
9 record knowingly and intentionally did something or if
10 there is any type of supposition the Board should make
11 in interpreting the reading.

12 Ms. Montgomery explained that the criminal court
13 would have made a finding that it was knowingly or
14 intentionally done, and the Board could presume that
15 since they have been convicted of it.

16 Dr. Jordal referred to making false reports,
17 false indications, and false swearing. He questioned
18 whether this applies to existing licensees and
19 requested more information regarding the concept of
20 falsification.

21 Ms. Wucinski mentioned removing those crimes,
22 noting that there could be circumstances where those
23 crimes could potentially be related to the practice of
24 the profession but does not know if it should be a
25 rebuttable presumption that they are related.

1 Ms. Montgomery provided a two-stage analysis,
2 where crimes on the list of offenses directly related
3 to the profession have a rebuttable presumption, and
4 the individual has the ability to present evidence.
5 She referred to the list of criteria in § 3113(c) that
6 would need to be considered.

7 Ms. Montgomery addressed criminal convictions not
8 determined to be directly related, where the
9 prosecution division would have to prove that the
10 individual does pose a substantial risk to the health
11 and safety of the individual's patients, clients, or
12 public or a substantial risk of further criminal
13 convictions.

14 Ms. Montgomery noted the list should be limited
15 to those crimes, which the Board believes the fact of
16 conviction should raise the presumption that they
17 would be a substantial risk to the safety of their
18 clients or the public or a substantial risk of further
19 criminal convictions.

20 Chair Corby commented that applicants who make a
21 false statement on an application would be directly
22 related to the profession because it happened in your
23 application material.

24 Ms. Wucinski advised everyone to look at Dezen v.
25 Commonwealth of Pennsylvania Bureau of Professional

1 and Occupational Affairs (BPOA), which specifically
2 holds social work as not a profession that falls
3 within the healing arts.

4 Chair Corby noted not seeing the crime of
5 extortion. Ms. Wucinski will make a note of that.

6 Ms. Martin suggested keeping false swearing,
7 unsworn falsification, and false reports due to
8 possible character disorders that are very concerning.

9 Commissioner Johnson stated the legislative
10 intent behind Act 53 is to find a more articulate
11 balance between protecting public safety and health
12 and creating a system that imposes discipline based on
13 actions more so than character.

14 Commissioner Johnson commented that by attaching
15 the action to the offense and allowing mitigating
16 evidence, they have allowed a platform of
17 communication between the perspective applicant or the
18 licensee and the Board so they can communicate on the
19 same wave length.

20 Ms. Montgomery stated the Commissioner has a duty
21 to publish the list by December 27, 2020, but must
22 follow up within 2 years with regulation. She noted
23 being tasked with drafting the regulation to include
24 the schedules and how they are going to be used in
25 making preliminary determinations. She mentioned the

1 opportunity for public comment and going through the
2 whole regulatory process in the following 2 years.

3 Ms. Montgomery explained that if a crime is on
4 the list, it is presumed that they do pose a risk and
5 the individual would need to prove they do not pose a
6 risk through a hearing. She also explained that if a
7 crime is not on the list, it could still be used, but
8 it would have to be proven that they pose a risk based
9 on the specific circumstances of the crime that they
10 committed.

11 Ms. Montgomery addressed crimes of violence under
12 § 3113(e) of Act 53, where an individual convicted of
13 a crime of violence may be granted a license if they
14 have been conviction-free for at least 3 years, have
15 had no further crimes, and demonstrate rehabilitation.
16 She stated the Board also has to find that the
17 individual does not pose a substantial risk to the
18 health and safety of the public, patients, and
19 clients.

20 Dr. Jordal commented that the Board should
21 consider keeping the list at a minimum, noting his
22 concern with this having a direct implication on
23 people of color across all licensure because they
24 typically have less access to resources.

25 Ms. Wucinski addressed crimes directly related to

1 the profession regarding neglect of a care-dependent
2 person, abuse of a care-dependent person, interfering
3 with the custody of children, and custody of a
4 committed person. She noted keeping those narrow
5 because if a crime is not on the list, it changes the
6 presumption but does not mean it cannot be considered.

7 Commissioner Johnson addressed implicit bias,
8 noting the legislative intent to address collateral
9 effects of inequities. He explained that Act 53 is
10 designed to look at the context of the action and to
11 provide a platform for the individual to mitigate on a
12 one-to-one basis and then allow the Board within the
13 auspices of its authority under the practice act to
14 review that individual circumstances upon their own
15 standing.

16 Dr. Santiago wanted to know who determined the
17 Board is not under the healing arts and why.

18 Ms. Wucinski referred to Dezen v. BPOA for the
19 Board's review.

20 Ms. Martin noted a multitude of non-physicians
21 who are included as practitioners of the healing arts,
22 emphasizing that it is something that has been highly
23 disputed and politicized in their profession.

24 Ms. Keisling questioned whether the list will
25 change their duties or responsibilities and if they

1 are micromanaging the list because they will not be
2 doing the initial assessment.

3 Ms. Wucinski stated it will not affect the
4 Board's day-to-day work because they already consider
5 convictions on a case-by-case basis.

6 Ms. Wucinski referred to § 3113(d) of Act 53
7 regarding sexual offenses. She explained that if the
8 Board finds any crimes to be related to the profession
9 as discussed in the definition, then it can remain on
10 the list but not be categorized necessarily as a
11 sexual offense but an offense directly related to the
12 profession, which would raise the rebuttable
13 presumption.

14 Ms. Wucinski noted crimes not on the list does
15 not mean the Board cannot consider it, meaning they
16 cannot assume or presume this person is a risk to the
17 public or their patients or clients or a risk of
18 repeat offenses. She stated the burden is on
19 prosecution to demonstrate they pose a significant
20 risk.

21 Ms. Wucinski noted that if a crime is on the
22 list, the Board is entitled to a presumption that they
23 do pose a substantial risk and up to the applicant or
24 respondent to prove they are not.

25 Ms. Wucinski explained that the schedule is to be

1 used by the licensing Board when preparing preliminary
2 determinations under § 3115 regarding which criminal
3 convictions may result in discipline of a licensee and
4 determining whether a criminal conviction may result
5 in refusing to issue a license, certificate,
6 registration, or permit.

7 Ms. Wucinski addressed preliminary
8 determinations, where somebody with a criminal
9 background want to know if it is going to be an
10 impediment to my becoming licensed as a social worker,
11 marriage and family therapist, or professional
12 counselor. She explained that if the crime is on the
13 list, the Board would notify the individual that there
14 is a presumption that they would pose a risk; however,
15 they would have the ability to rebut that presumption
16 based on the individualized assessment required, which
17 has a list of 11 factors that could be considered.

18

19 [Erika Evans, Ph.D., LMFT, exited the meeting at
20 1:56 p.m.]

21

22 [Ms. Wucinski mentioned the need to decide whether to
23 put sexual offenses on as related to the profession
24 and which ones, noting there could be some serious
25 sexual offenses that could be determined to be related

1 to the practice. She suggested prostitution-related
2 offenses, which would encompass all of those. She
3 again emphasized that everything is going to be on a
4 case-by-case basis.

5 Dr. Kraus commented that less on the list is more
6 equitable, noting the complexity of the language in
7 determining whether or not something should be on the
8 list.

9 Commissioner Johnson stated the list is being
10 publicly disseminated within PALS and creating this
11 within the context of a best practices guide for the
12 public. He noted it to benefit the public if they
13 know what offenses are directly related to the
14 profession and it implicates them, so they can prepare
15 mitigating evidence and prepare themselves for the
16 process.

17 Commissioner Johnson noted the preliminary
18 determinations are designed to engage the individual
19 early in the process and provide them with a navigable
20 solution or at least a glimpse into how the Board
21 perceives the information they provided, which is why
22 it is important to make the list as comprehensive as
23 possible.

24 Ms. Wucinski will update the actual citations,
25 make sure all of the sexual and violent offenses are

1 included, and circulate the comprehensive list of
2 everything.

3 Ms. Montgomery stated the Commissioner has an
4 ongoing duty to update the list, which is in the
5 statute. She mentioned it will also be promulgated as
6 a regulation, so there will be additional opportunity
7 for public comment during that process as well.

8 Ms. Matter addressed moving the December 1, 2020
9 Board meeting date to November 24, 2020, at 9:30 a.m.
10 and the Board agreed.

11 Johanna Byrd, ACSW, IOM, CAE, Executive Director,
12 National Association of Social Workers, Pennsylvania
13 Chapter, agreed with keeping the list as minimal as
14 possible in order to ensure everyone is abiding by the
15 intent of the law to reduce barriers to licensure.

16 Ms. Montgomery stated the next step is for Ms.
17 Wucinski to finalize the list with the Board and
18 forward that to the Commissioner to be included as
19 part of the publication in the bulletin as well as
20 part of the best practices guide. She noted the
21 statute also requires that it be incorporated into the
22 application, so individuals understand the process
23 when they apply for the Board considering criminal
24 history record information.

25 Commissioner Johnson noted working concurrently

1 with technical developers to ensure PALS functionality
2 is up and ready to go by the end of December to ensure
3 the act is comprehensibly effectuated and implemented
4 through all of the bureau's policies and procedures.]

5 ***

6 MOTIONS

7 MS. WUCINSKI:

8 I believe the Board would entertain a
9 motion to approve the Consent Agreement
10 at Case No. 20-69-004592.

11 CHAIR CORBY:

12 Could I have a motion?

13 DR. ELBERFELD:

14 So moved.

15 DR. JORDAL:

16 Second.

17 CHAIR CORBY:

18 All in favor? Opposed? Abstentions?

19 [The motion carried unanimously. The Respondent's
20 name is Sara D. Gieraltowski.]

21 ***

22 MS. WUCINSKI:

23 I believe the Board would entertain a
24 motion to approve the VRP Consent
25 Agreement at Case No. 20-69-007326.

1 recused themselves from deliberations and voting on
2 the motion. The Respondent's name is Samantha Rae
3 Bartsch.]

4 ***

5 MS. WUCINSKI:

6 I believe the Board would entertain a
7 motion to approve the Consent Agreement
8 at Case No. 19-69-015683.

9 CHAIR CORBY:

10 Do we have a motion?

11 DR. SANTIAGO:

12 So moved.

13 DR. KRAUS:

14 Second.

15 CHAIR CORBY:

16 All in favor? Opposed? Abstentions?

17 [The motion carried. Dr. Jordal abstained from voting
18 on the motion. The Respondent's name is Stacy Yvette
19 Haynes.]

20 ***

21 MS. WUCINSKI:

22 I believe the Board would entertain a
23 motion to approve the Consent Agreement
24 at Case No. 16-69-01423.

25 DR. JORDAL:

1 and Order of the hearing examiner and
2 substitute the final Board order for
3 Marika N. Handakas, LCSW, at Case No.
4 20-69-007144.

5 DR. JORDAL:

6 So moved.

7 DR. SANTIAGO:

8 Second.

9 CHAIR CORBY:

10 All in favor? Opposed?

11 [The motion carried. Dr. Kraus and Ms. Keisling
12 recused themselves from deliberations and voting on
13 the motion.]

14 ***

15 MS. WUCINSKI:

16 I believe the Board would entertain a
17 motion to direct Board counsel to draft
18 the final Adjudication and Order upon
19 receipt of the transcript consistent
20 with discussions in executive session
21 for Jason Kamora, Case No. 20-69-007699.

22 DR. JORDAL:

23 So moved.

24 DR. ELBERFELD:

25 Second.

1 CHAIR CORBY:

2 All in favor? Opposed? Abstentions?

3 [The motion carried unanimously.]

4 ***

5 MS. WUCINSKI:

6 I believe the Board would entertain a
7 motion to approve the request of Norman
8 Stovall, LCSW, Case No. 17-69-04983 to
9 complete his remedial education via home
10 studies.

11 DR. JORDAL:

12 So moved.

13 DR. SANTIAGO:

14 Second.

15 CHAIR CORBY:

16 All in favor? Opposed? Abstentions?

17 [The motion carried unanimously.]

18 ***

19 MS. WUCINSKI:

20 At agenda item 17, the Board has
21 directed the Board administrator to send
22 a letter to Josefina Villamar regarding
23 her education.

24 At agenda item 18, the Board has
25 directed the Board administrator to send

1 a letter to Silvana Loka regarding her
2 education.

3 I believe the Board would entertain
4 a motion to provisionally deny the
5 education and supervised clinical
6 experience of Huma Raja.

7 DR. JORDAL:

8 So moved.

9 DR. KRAUS:

10 Second.

11 CHAIR CORBY:

12 All in favor? Opposed? Abstentions?

13 [The motion carried unanimously.]

14 ***

15 MS. WUCINSKI:

16 I believe the Board would entertain a
17 motion to provisionally deny the request
18 of Kimberlee Joy Kaercher to waive her
19 supervised clinical experience.

20 DR. SANTIAGO:

21 Motion.

22 DR. JORDAL:

23 Second.

24 CHAIR CORBY:

25 All in favor? Opposed? Abstentions?

1 [The motion carried. Dr. Kraus opposed the motion.]

2 ***

3 MS. WUCINSKI:

4 I believe the Board would entertain a
5 motion to approve the education of
6 Jeanne M. Bozich.

7 DR. JORDAL:

8 So moved.

9 DR. KRAUS:

10 Second.

11 CHAIR CORBY:

12 All in favor? Opposed? Abstentions?

13 [The motion carried unanimously.]

14 ***

15 MS. WUCINSKI:

16 I believe the Board would entertain a
17 motion to grant a provisional license
18 under Act 41 to Jessica Rae Kurczewski
19 and to Heather McPaul.

20 DR. JORDAL:

21 So moved.

22 DR. ELBERFELD:

23 Second.

24 CHAIR CORBY:

25 All in favor? Opposed? Abstentions?

1 [The motion carried unanimously.]

2 ***

3 Report of Board Chair

4 [Joy E. Corby, Ph.D., LMFT, Chair, mentioned that she
5 and Dr. Jordal will be reporting on the Association of
6 Marriage & Family Therapy Regulatory Boards (AMFTRB)
7 Conference at the next meeting.]

8 ***

9 Report from Other Board Members - No Report

10 ***

11 Report of Commissioner - No Report

12 ***

13 Report of Board Administrator - No Report

14 ***

15 Miscellaneous

16 [Dana M. Wucinski, Esquire, Board Counsel, noted
17 correspondence from the National Board of Certified
18 Counselors for the Board's review. She also noted
19 correspondence from Daniel Logsdon, Director of the
20 National Center for Interstate Compacts at the Council
21 of State Governments, regarding the counseling compact
22 stakeholder review for the Board's review.]

23 ***

24 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
25 2:31 p.m. the Board entered into executive session

1 with Dana M. Wucinski, Esquire, Board Counsel, the
2 Board reentered executive session to deliberate on a
3 matter that is currently pending before the Board and
4 to receive the advice of counsel. The Board returned
5 to open session at 2:45 a.m.]

6 ***

7 Adjournment

8 CHAIR CORBY:

9 I am open for somebody to make a motion
10 for adjournment.

11 DR. JORDAL:

12 So moved.

13 DR. SANTIAGO:

14 Second.

15 CHAIR CORBY:

16 All those in favor?

17 [The motion carried unanimously.]

18 ***

19 [There being no further business, the State Board of
20 Social Workers, Marriage and Family Therapists, and
21 Professional Counselors Meeting adjourned at
22 2:45 p.m.]

23 ***

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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.


Patrick Troy,

Minute Clerk
Sargent's Court Reporting
Service, Inc.

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

October 13, 2020

| TIME | AGENDA |
|-------|---|
| 9:00 | Executive Session |
| 10:30 | Return to Open Session |
| 11:02 | Official Call to Order |
| 11:03 | Introduction of Board Members and Public |
| 11:08 | Approval of Minutes |
| 11:09 | Report of Prosecutorial Division |
| 11:15 | Report of Board Counsel |
| 11:18 | Report of Regulatory Counsel |
| 11:42 | Formal Hearing - Erik Hansen |
| 12:50 | |
| 12:51 | Recess |
| 1:01 | Return to Open Session |
| 1:01 | Appointment - K. Kalonji Johnson and Cynthia K. Montgomery |
| 2:21 | Motions |
| 2:30 | Miscellaneous |
| 2:31 | Executive Session |
| 2:45 | Return to Open Session |
| 2:45 | Adjournment |