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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: 11:00 A.M.

November 24, 2020

1 State Board of Social Workers,
2 Marriage and Family Therapists,
3 and Professional Counselors
4 November 24, 2020

5
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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 Heather J. McCarthy, Esquire, Board Prosecution
26 Liaison
27 James Ritchie Espino Ostman, Esquire, Board Prosecutor
28 Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution
29 Division
30 Kayla Bolan, Esquire, Board Prosecution
31 Sandra E. Matter, Board Administrator
32 Theodore Stauffer, Executive Secretary, Bureau of
33 Professional and Occupational Affairs
34 Andrew LaFratte, MPA, Policy Fellow, Department of
35 State
36 Marc Farrell, Deputy Policy Director, Department of
37 State
38

39 ALSO PRESENT:

40
41 Johanna Byrd, ACSW, IOM, CAE, Executive Director,
42 National Association of Social Workers, Pennsylvania
43 Chapter
44 Jerry J. Livingston, Executive Director, Senate
45 Consumer Protection & Professional Licensure
46 Committee
47 Stephen Bliven
48 Victoria Slobodian, BSW Student/MSW Applicant
49 MSW Student at Marywood University
50

1 ***

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

5 November 24, 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 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, November 24, 2020. Joy E. Corby, Ph.D.,
19 LMFT, Chair, called the meeting to order at 11:00 a.m.

20 ***

21 Introduction of Board/Public Members
22 [Chair Corby requested Board members and the public
23 introduce themselves.]

24 ***

25 [Theodore Stauffer, Executive Secretary, Bureau of

1 Professional and Occupational Affairs, noted the
2 meeting was being recorded, and those who remained on
3 the line were giving their consent to being recorded.]

4 ***

5 Approval of minutes of the October 13, 2020 meeting

6 CHAIR CORBY:

7 Revisions were sent to Sandy for the
8 October 13 draft minutes.

9 I am going to ask for those in
10 favor of accepting the minutes with
11 revisions. Do I hear a motion?

12 DR. ELBERFELD:

13 So moved.

14 DR. KRAUS:

15 Second.

16 CHAIR CORBY:

17 All in favor? Opposed? Abstentions?

18 [The motion carried unanimously.]

19 ***

20 Approval of minutes of the July 15, 2020 meeting

21 CHAIR CORBY:

22 For the minutes for July, are there any
23 revisions or corrections? If not, do I
24 hear a motion for their approval?

25 DR. JORDAL:

1 So moved.

2 COMMISSIONER JOHNSON:

3 Second.

4 CHAIR CORBY:

5 All in favor? Opposed? Abstentions?

6 [The motion carried. Ms. Keisling and Dr. Evans
7 abstained from voting on the motion.]

8 ***

9 Report of Board Prosecutorial Division

10 [Heather J. McCarthy, Esquire, Board Prosecution
11 Liaison, presented the VRP Consent Agreements for Case
12 No. 19-69-013435 and Case No. 20-69-009291.]

13 ***

14 [James Ritchie Espino Ostman, Esquire, Board
15 Prosecutor, presented the Consent Agreement for Case
16 No. 18-69-000645.]

17 ***

18 Report of Board Counsel

19 [Dana M. Wucinski, Esquire, Board Counsel, noted the
20 Board discussed the Consent Agreements presented
21 during the Executive Session, along with agenda items
22 7 through 13, 15, and 19 through 23 in Executive
23 Session.]

24 ***

25 Report of Board Counsel - Matters for Deliberation

1 MS. WUCINSKI:

2 Agenda item 6 is listed as a vote to
3 ratify Act 53 of 2020, our list of
4 criminal offenses. This was on our
5 agenda at the October 13 meeting. We
6 had a full discussion with the
7 Commissioner, discussing the crimes of
8 violence, sexual crimes, and crimes
9 related to the profession.

10 The Board discussed and agreed to
11 add additional crimes to the list, which
12 I did add following the Board meeting.
13 I emailed those to the Board members and
14 received responses back, the majority of
15 which was to approve it as amended. I
16 have it on here today to have a vote to
17 ratify this list so the Commissioner
18 could then publish.

19 CHAIR CORBY:

20 May I have a motion, please?

21 [Ms. McCarthy expressed a concern regarding sexual
22 offenses, where social work licensees are not
23 considered, according to case law, health care
24 practitioners or practitioners of the healing arts and
25 requested sexual offenses be categorized as directly

1 related to the profession. She also requested violent
2 crimes be added to the list of crimes directly related
3 to the practice of social work.

4 Ms. Wucinski noted prior discussion at the last
5 Board meeting and her review of sexual offenses and
6 violent crimes directly related to the profession.
7 She reminded Board members that even if there was not
8 a rebuttable presumption, if an applicant comes before
9 the Board with a conviction for a sexual offense
10 related to the profession, that would not bar the
11 Commonwealth from moving forward or the Board denying
12 the application.

13 Dr. Santiago questioned whether there were any
14 drawbacks to not having the wording "directly related
15 to the profession."

16 Ms. McCarthy explained that it would benefit the
17 Commonwealth to have the presumption if an offense is
18 on the list and would benefit the licensee to have the
19 presumption that it was not directly related if it was
20 not on the list.

21 Chair Corby commented that Act 53 will change §
22 48.12, § 47.12, and § 49.12, where the Board is to
23 consider specific offenses and not good moral
24 character and moral turpitude.

25 Ms. Wucinski stated Act 53 will replace moral

1 character, and the Board is not supposed to determine
2 whether an individual is a good person in their
3 private life but focus on whether the individual is
4 fit to hold a license and whether they have committed
5 a crime related to the profession.

6 Dr. Jordal questioned whether any unintended
7 consequences may be perceived when case law is
8 established to support all professions, including
9 social work as a healing art.

10 Ms. Wucinski expressed a concern with cases being
11 overturned when defending the Board and their
12 decisions in front of the Commonwealth Court when
13 asked how the crime is related to the profession.

14 Dr. Kraus also expressed a concern with shifting
15 the burden of proof that automatically eliminates the
16 potential for an individual to have been rehabilitated
17 and did not want to add barriers or create a list that
18 was prohibitive.

19 Commissioner Johnson reminded everyone that the
20 lists are not exclusionary, and the Board would still
21 review all convictions. He explained that the issue
22 was the level of work needed to make the case against
23 the individual and whether the Board wanted to shift
24 that burden to the individual or the Commonwealth.

25 Ms. McCarthy wanted to make it clear, as far as

1 the prosecution's understanding, that sex offenses
2 would not be presented as being on the list at this
3 moment. She also wanted to present their position for
4 the Board's consideration that sex offenses and some
5 violent offenses should be considered directly
6 related.]

7 ***

8 CHAIR CORBY:

9 Could we have a motion to either accept
10 the list as we had agreed to or to alter
11 it and change it?

12 DR. JORDAL:

13 I move to accept the list as we
14 previously discussed.

15 CHAIR CORBY:

16 Is there a second?

17 DR. EVANS:

18 Second.

19 CHAIR CORBY:

20 All in favor, say aye. Those opposed?
21 Abstentions?

22 [The motion carried unanimously.]

23 ***

24 Report of Board Counsel - Miscellaneous

25 [Dana M. Wucinski, Esquire, Board Counsel, addressed

1 an email from Board members voicing a concern
2 regarding the teletherapy waiver during the declared
3 state of emergency. She addressed concerns with
4 teletherapy regarding the abandonment of clients if
5 the waiver abruptly end. She noted a good expectation
6 that the ability to provide teletherapy is not
7 something that will abruptly end and that it would
8 extend at least through the declared state of
9 emergency. It is on the radar of the Department's
10 policy office and will be further reviewed towards the
11 end of the emergency declaration to determine the best
12 course of action.

13 Marc Farrell, Deputy Policy Director, Department
14 of State, commented that the waivers granted to date
15 to prevent people from being cut off from care and
16 losing continuity of treatment would carry through the
17 entire pandemic and beyond. He noted a telehealth
18 group working to get some common-sense legislation
19 passed and a mental health group working on getting
20 insurance companies to cover the same as physical
21 health. He expects the COVID waiver to soon be
22 renewed for another 90 days and probably for several
23 more after that.

24 Dr. Jordal noted being in support of continuing
25 the extension for telehealth but would be more

1 comfortable with a clear expiration date.

2 Ms. Wucinski reported the telehealth waiver to be
3 one of the earliest waivers and believed it could be
4 amended if necessary.]

5 ***

6 Report of Board Chair

7 [Joy E. Corby, Ph.D., LMFT, Chair, addressed her and
8 Dr. Jordal's attendance at the Association of Marriage
9 & Family Therapy Regulatory Boards (AMFTRB) Conference
10 in October. She reported on a reduction in the number
11 of questions on the licensing exam showing positive
12 results with an increase in the pass rates. She noted
13 AMFTRB was now capable of providing online live
14 proctoring exams in the future. AMFTRB also reported
15 that the exam was up to the new role delineation study
16 that would be done in the near future. She noted
17 AMFTRB also provided a matrix for sanctions of crimes.

18 Dr. Jordal commented that the reduction in total
19 questions and the higher pass rate was also in the
20 context that over recent years AMFTRB reported an
21 increase in the number of applicants seeking
22 accommodation and believed the reduction was helpful.

23 Dr. Jordal will be participating in a workgroup
24 at AMFTRB looking at revising the test.

25 Chair Corby commented that this pertains only to

1 the marriage and family therapy (MFT) licensure exam.
2 She noted AMFTRB reported on a research study of
3 complaints against licensed marriage and family
4 therapists (LMFTs), finding that most complaints were
5 for LMFTs in practice 10 years or less. She mentioned
6 more states participated in this online conference
7 than ever in person.

8 Dr. Elberfeld addressed her attendance at the
9 Association of Social Work Boards (ASWB) Delegate
10 Assembly, where there was mostly discussion concerning
11 elections to the board and committees.]

12 ***

13 CHAIR CORBY:

14 Dr. Santiago has a request before us to
15 attend the American Association of State
16 Counseling Boards (AASCB) Conference in
17 January.

18 DR. KRAUS:

19 So moved.

20 CHAIR CORBY:

21 Kurt has made the motion. Do I have a
22 second?

23 DR. JORDAL:

24 Second.

25 CHAIR CORBY:

1 All in favor, say aye. Those opposed?
2 Abstentions?

3 [The motion carried unanimously.]

4 ***

5 Report of Commissioner - No Report

6 ***

7 [Johanna Byrd, ACSW, IOM, CAE, Executive Director,
8 National Association of Social Workers, Pennsylvania
9 Chapter, announced Dr. Elberfeld was recognized as
10 their social worker of the year at the National
11 Association of Social Workers (NASW) Annual
12 Conference.

13 Chair Corby and Commissioner Johnson
14 congratulated Dr. Elberfeld.]

15 ***

16 Report of Board Administrator

17 [Sandra E. Matter, Board Administrator, requested the
18 Board ratify a vote for attendance at the AASCB
19 Conference in October for Dr. Santiago and Dr. Kraus.]

20 ***

21 CHAIR CORBY:

22 Do I hear a motion?

23 DR. SANTIAGO:

24 I make a motion.

25 CHAIR CORBY:

1 Do I have a second?

2 DR. JORDAL:

3 Second.

4 CHAIR CORBY:

5 All in favor, say aye. Any opposed?

6 Abstentions?

7 [The motion carried unanimously.]

8 ***

9 MOTIONS

10 MS. WUCINSKI:

11 I believe the Board would entertain a
12 motion to approve the VRP Consent
13 Agreement at the following cases: Case
14 No. 19-69-013435 and Case No. 20-69-
15 009291.

16 DR. ELBERFELD:

17 So moved.

18 DR. JORDAL:

19 Second.

20 CHAIR CORBY:

21 All in favor? Opposed? Abstentions?

22 [The motion carried unanimously.]

23 ***

24 MS. WUCINSKI:

25 I believe the Board would entertain a

1 motion to approve the Consent Agreement
2 at Case No. 18-69-000645.

3 CHAIR CORBY:

4 Do I have a motion?

5 DR. JORDAL:

6 So moved.

7 DR. SANTIAGO:

8 Second.

9 CHAIR CORBY:

10 All in favor? Opposed? Abstentions?

11 [The motion carried unanimously. The Respondent's
12 name is Siobhann Margaret Hall, LCSW.]

13 ***

14 MS. WUCINSKI:

15 I believe the Board would entertain a
16 motion to grant the Motion to Deem Facts
17 Admitted for Jared Joseph Ingros, LCSW,
18 Case No. 20-69-000635, and to direct
19 Board counsel to draft an Adjudication
20 and Order consistent with discussions in
21 Executive Session in due course.

22 I would also note that Amy Keisling
23 and Kurt Kraus are all recused.

24 DR. SANTIAGO:

25 I make a motion.

1 DR. JORDAL:

2 Second.

3 CHAIR CORBY:

4 All those in favor? Opposed?

5 Abstentions?

6 [The motion carried. Ms. Keisling and Dr. Kraus
7 recused themselves from deliberations and voting on
8 the motion.]

9 ***

10 MS. WUCINSKI:

11 I believe the Board would entertain a
12 motion to grant the Motion to Deem Facts
13 Admitted for Sarah Love Walton-Heughes,
14 LCSW, Case No. 20-69-007845, and to
15 direct Board counsel to draft an
16 Adjudication and Order consistent with
17 discussions in Executive Session in due
18 course.

19 I note that Amy Keisling and Kurt
20 Kraus are recused.

21 CHAIR CORBY:

22 Do I have a motion?

23 DR. JORDAL:

24 So moved.

25 DR. ELBERFELD:

1 Second.

2 CHAIR CORBY:

3 All in favor, say aye. Opposed?

4 Abstentions?

5 [The motion carried. Ms. Keisling and Dr. Kraus
6 recused themselves from deliberations and voting on
7 the motion.]

8 ***

9 MS. WUCINSKI:

10 I believe the Board would entertain a
11 motion to approve as final the draft
12 Adjudications and Orders for the
13 following: Jason Kamora, Case No. 20-
14 69-007699 and Erik Hansen, Case No. 20-
15 69-008624.]

16 MS. KEISLING:

17 So moved.

18 DR. JORDAL:

19 Second.

20 CHAIR CORBY:

21 All those in favor? Opposed?

22 Abstentions?

23 [The motion carried unanimously.]

24 ***

25 MS. WUCINSKI:

1 I believe the Board would entertain a
2 motion to grant the Application for a
3 License by Examination to Practice
4 Social Work of Nicole B. Rhinehart.

5 DR. SANTIAGO:

6 Motion.

7 DR. JORDAL:

8 Second.

9 CHAIR CORBY:

10 All those in favor? Opposed?

11 Abstentions?

12 [The motion carried unanimously.]

13 ***

14 MS. WUCINSKI:

15 I believe the Board would entertain a
16 motion to grant the Application for a
17 License by Examination to Practice
18 Social Work of Shawn Clavelle.

19 CHAIR CORBY:

20 Do I have a motion?

21 MS. KEISLING:

22 Motion.

23 DR. JORDAL:

24 Second.

25 CHAIR CORBY:

1 All those in favor? Opposed?

2 Abstentions?

3 [The motion carried unanimously.]

4 ***

5 MS. WUCINSKI:

6 I believe the Board would entertain a
7 motion to grant the Application for a
8 License by Examination to Practice
9 Professional Counseling of Elizabeth
10 Laughlin.

11 DR. KRAUS:

12 So moved.

13 DR. SANTIAGO:

14 Second.

15 CHAIR CORBY:

16 All those in favor? Opposed?

17 Abstentions?

18 [The motion carried unanimously.]

19 ***

20 MS. WUCINSKI:

21 I believe the Board would entertain a
22 motion to grant a three-month extension
23 for Norman Stovall, LCSW, to pay the
24 cost of investigations and to complete
25 the remedial education imposed at Case

1 No. 17-69-04983, noting that Mr. Stovall
2 will still have to meet the
3 administrative requirements for renewal
4 in a timely manner.

5 CHAIR CORBY:

6 Do I have a motion?

7 DR. ELBERFELD:

8 So moved.

9 CHAIR CORBY:

10 Second?

11 COMMISSIONER JOHNSON:

12 Second.

13 CHAIR CORBY:

14 All those in favor? Opposed?

15 Abstentions?

16 [The motion carried. Dr. Santiago opposed the
17 motion.]

18 ***

19 Review of Applications

20 MS. WUCINSKI:

21 I believe the Board would entertain a
22 motion to approve the request of Stephen
23 Bliven relating to supervised clinical
24 experience.

25 DR. SANTIAGO:

1 Motion.

2 DR. JORDAL:

3 Second.

4 CHAIR CORBY:

5 All those in favor? Those opposed?

6 Abstentions?

7 [The motion carried unanimously.]

8 ***

9 MS. WUCINSKI:

10 I believe the Board would entertain a
11 motion to provisionally deny the
12 education of Cindy Bello.

13 DR. JORDAL:

14 So moved.

15 DR. KRAUS:

16 Second.

17 CHAIR CORBY:

18 All those in favor? Opposed?

19 Abstentions?

20 [The motion carried unanimously.]

21 ***

22 MS. WUCINSKI:

23 I believe the Board would entertain a
24 motion to provisionally deny the request
25 of Silvana Loka to accept 2400 hours of

1 supervised clinical experience instead
2 of 3000 hours, noting that 1500 hours
3 must be completed under the supervision
4 of an LPC.

5 DR. JORDAL:

6 So moved.

7 DR. KRAUS:

8 Second.

9 CHAIR CORBY:

10 All those in favor? Opposed?

11 Abstentions?

12 [The motion carried unanimously.]

13 ***

14 MS. WUCINSKI:

15 I believe the Board would entertain a
16 motion to grant a provisional license
17 under Act 41 to the following: Cecilia
18 Garcia and Bianca Benson.

19 DR. SANTIAGO:

20 So moved.

21 CHAIR CORBY:

22 Do I have a second?

23 DR. KRAUS:

24 Second.

25 CHAIR CORBY:

1 All those in favor? Those opposed?
2 Abstentions?

3 [The motion carried unanimously.]

4 ***

5 Correspondence

6 MS. WUCINSKI:

7 I believe the Board would entertain a
8 motion to approve the request of Brooke
9 Rawls, LCSW under 49 Pa. Code
10 47.12c(b)(6) relating to supervisee
11 limits.

12 CHAIR CORBY:

13 Do I have a motion?

14 DR. ELBERFELD:

15 So moved.

16 DR. JORDAL:

17 Second.

18 CHAIR CORBY:

19 All those in favor? All those opposed?
20 Abstentions?

21 [The motion carried unanimously.]

22 ***

23 Miscellaneous

24 [Dana M. Wucinski, Esquire, Board Counsel, noted
25 correspondence from Daniel Logsdon, Director of the

1 National Center for Interstate Compacts at the Council
2 of State Governments (CSG), regarding counseling
3 compact stakeholder review and correspondence from the
4 National Board for Certified Counselors (NBCC)
5 regarding Congress passing major Department of
6 Veterans Affairs legislation for the Board's review.]

7 ***

8 [Joy E. Corby, Ph.D., LMFT, Chair, noted the next
9 scheduled meeting date is February 9, 2021, and wished
10 everyone a wonderful Thanksgiving and holidays.]

11 ***

12 Adjournment

13 CHAIR CORBY:

14 Do I have a motion for adjournment?

15 DR. SANTIAGO:

16 I make a motion.

17 COMMISSIONER JOHNSON:

18 Second.

19 CHAIR CORBY:

20 All those in favor, say aye.

21 [The motion carried unanimously.]

22 ***

23 [There being no further business, the State Board of
24 Social Workers, Marriage and Family Therapists, and
25 Professional Counselors Meeting adjourned at

1 12:14 p.m.]

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CERTIFICATE

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Evan Bingaman,

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Minute Clerk

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Sargent's Court Reporting

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Service, Inc.

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

November 24, 2020

	TIME	AGENDA
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11	???	Executive Session
12	11:00	Return to Open Session
13		
14	11:00	Official Call to Order
15		
16	11:01	Introduction of Board/Public Members
17		
18	11:05	Approval of Minutes
19		
20	11:07	Report of Prosecutorial Division
21		
22	11:12	Report of Board Counsel
23		
24	11:56	Report of Board Chair
25		
26	12:03	Report of Board Administrator
27		
28	12:04	Motions
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30	12:13	Miscellaneous
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