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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**

TIME: 9:39 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room C
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

February 11, 2020

1 State Board of Social Workers,
2 Marriage and Family Therapists,
3 and Professional Counselors
4 February 11, 2020

5
6
7 BOARD MEMBERS:

8
9 Renee J. Cardone, MSW, LCSW, Chair
10 K. Kalonji Johnson, Acting Commissioner, Bureau of
11 Professional and Occupational Affairs
12 Joy E. Corby, Ph.D., LMFT, Vice Chair
13 Jeanne Elberfeld, M.D., LSW
14 Christian Jordal, Ph.D., LMFT
15 Amy K. Keisling, LCSW
16 Kurt L. Kraus, Ed.D., NCC, ACS, LPC
17 Linda A. Martin, LCSW, RN
18 Marilyn L. Painter, Public Member - Absent
19 Michelle Santiago, Psy.D., LPC
20

21
22 BUREAU PERSONNEL:

23
24 Dana M. Wucinski, Esquire, Board/Regulatory Counsel
25 Tara J. Wikhian, Esquire, Board Prosecutor
26 J. Karl Geschwindt, Esquire, Board Prosecutor
27 Colby B. Widdowson, Esquire, Board Prosecutor
28 Bridget K. Guilfoyle, Esquire, Board Prosecutor
29 Andrea L. Costello, Esquire, Board Prosecutor
30 Sandra E. Matter, Board Administrator
31 Marc Farrell, Deputy Policy Director, Department of
32 State
33

34
35 ALSO PRESENT:

36 Johanna Byrd, ACSW, IOM, CAE, Executive Director,
37 PA Chapter National Association of Social Workers
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2 State Board of Social Workers,
3 Marriage and Family Therapists
4 and Professional Counselors

5 February 11, 2020

6 ***

7 The regularly scheduled meeting of the State
8 Board of Social Workers, Marriage and Family
9 Therapists, and Professional Counselors was held on
10 Tuesday, February 11, 2020. Renee J. Cardone, MSW,
11 LCSW, Chair, called the meeting to order at 9:39 a.m.

12 ***

13 Approval of minutes of the November 19, 2019 meeting

14 CHAIR CARDONE:

15 Can we have approval of the draft
16 minutes? Are there any revisions?

17 [The Board discussed corrections to the minutes.]

18 CHAIR CARDONE:

19 Any other additions or corrections? Can
20 we have a motion to approve the minutes
21 with the revisions?

22 DR. SANTIAGO:

23 I make a motion to approve the minutes
24 with revisions.

25 CHAIR CARDONE:

1 Second to the motion?

2 DR. JORDAL:

3 Second.

4 CHAIR CARDONE:

5 All in favor? All opposed?

6 [The motion carried. Ms. Martin and Mr. Johnson
7 abstained from voting on the motion.]

8 ***

9 Report of Board Prosecutorial Division

10 [Tara J. Wikhian, Esquire, Board Prosecutor, withdrew
11 Item No. 2 until the next Board meeting. She
12 presented the Consent Agreements for Case No. 16-69-
13 14427 and Case No. 19-69-013332.]

14 ***

15 [J. Karl Geschwindt, Esquire, Board Prosecutor,
16 presented the Consent Agreement for File No. 16-69-
17 02225 and VRP Consent Agreement File No. 19-69-
18 014493.]

19 ***

20 [Colby B. Widdowson, Esquire, Board Prosecutor,
21 withdrew the Consent Agreement for File No. 19-69-
22 014375.]

23 ***

24 [Bridget K. Guilfoyle, Esquire, Board Prosecutor,
25 withdrew the Consent Agreement for Case No. 15-69-

1 02644.]

2

3 [Andrea L. Costello, Esquire, Board Prosecutor, on
4 behalf of Heather J. McCarthy, Esquire, Board
5 Prosecution Liaison, presented the Consent Agreement
6 for File No. 18-69-012400.]

7

8 Report of Board Counsel

9 [Dana M. Wucinski, Esquire, Board Counsel, noted the
10 Board will be discussing consent agreements presented
11 today, along with agenda items 10 through 17 and 20
12 through 24 in executive session.

13 Ms. Wucinski referred to House Bill 2110
14 regarding implicit bias and cultural competence in
15 continuing education. She stated House Bill 2110 was
16 referred to the House Professional Licensure Committee
17 on November 9, 2019 and applies to all health-related
18 Boards. She noted the bill will require continuing
19 education for those applying for a license or a
20 certificate to complete training regarding implicit
21 bias and cultural competency in accordance with
22 continuing education (CE) requirements.

23 Chair Cardone commented that anybody who has
24 opinions about the bill could make those known through
25 legislators.]

1 ***

2 Report of Regulatory Counsel

3 [Dana M. Wucinski, Esquire, Board Counsel, addressed
4 16A-6922 regarding the Licensed Bachelor Social Worker
5 regulation. Ms. Wucinski stated the regulatory
6 package was placed on the Independent Regulatory
7 Review Commission's February 20, 2020 agenda.

8 Marc Farrell, Deputy Policy Director, Department
9 of State, explained that the Legislative Reference
10 Bureau publishes every Saturday, but there is usually
11 a 10-day delay between submission to the Legislative
12 Reference Bureau (LRB) and publication. He commented
13 that if it was approved by the Independent Regulatory
14 Review Commission (IRRC) on February 20, 2020, and the
15 Office of the Attorney General (OAG) approved it,
16 there would be 30 days before going to LRB for 10
17 days.

18 Ms. Matter questioned whether bachelor social
19 workers would be allowed to take the ASWB Bachelor's
20 Examination while they are in their final semester the
21 same as the applicants for licensure as a social
22 worker.

23 Chair Cardone stated there have not been any
24 problems and would allow bachelor social workers to
25 take the exam while in their final semester.]

1

2 CHAIR CARDONE:

3 Can we have a motion to that affect,
4 please?

5 DR. KRAUS:

6 So moved.

7 MR. JOHNSON:

8 Second.

9 CHAIR CARDONE:

10 All those in favor? All those opposed?
11 Abstentions?

12 [The motion carried unanimously.]

13

14 Report of Board Chair

15 [Renee J. Cardone, MSW, LCSW, Chair, mentioned her
16 term expires in March and would like to step down as
17 Board Chair, but she will continue to sit on the Board
18 for six months, hoping the Governor will appoint
19 someone within that time.

20 Ms. Matter explained that since Chair Cardone
21 would like to step down as Board Chair, election of
22 officers will take place at the March Board meeting.

23 Chair Cardone thanked the Board members for their
24 hard work, noting the tremendous amount of reading for
25 this meeting.

1 Chair Cardone informed the Board that she will be
2 attending the 2020 Association of Social Work Boards
3 (ASWB) Education Meeting in Chicago, IL, April 23-25.]

4 ***

5 Report from Other Board Members - No Report

6 ***

7 Report of Acting Commissioner

8 [K. Kalonji Johnson, Acting Commissioner, Bureau of
9 Professional and Occupational Affairs, addressed
10 Governor Wolf's new campaign Reach Out PA: Your
11 Mental Health Matters. He stated it was an
12 interagency approach to cataloging the resources
13 currently available to help awareness and resources
14 for mental health support services.

15 Acting Commissioner Johnson encouraged licensees
16 who work in mental health areas to engage in the
17 survey received from the bureau because it was an
18 important tool to try to gauge where the Commonwealth
19 stands in terms of readiness and support. He also
20 encouraged organizations in the audience to encourage
21 their members to participate.

22 Acting Commissioner Johnson addressed license
23 navigators for the Pennsylvania Licensing System
24 (PALS), which help potential applicants through the
25 application process. He noted the addition of LSWs to

1 the navigator guides at the end of this month,
2 bachelor social work sometime in April, marriage and
3 family therapists in the summer, and professional
4 counselors possibly between October and December.

5 Chair Cardone questioned whether someone would be
6 able to create or research the breakdown of LSWs,
7 LCSWs, LPCs, and LMFTs by who were being disciplined
8 and the cause of the discipline.

9 Acting Commissioner Johnson noted to be careful
10 on the presentation of the information, because the
11 law states that individuals are subject to discipline
12 for acts that constitute unprofessional conduct. He
13 noted a hesitancy to create a connection between the
14 actions that these individuals undertook.

15 Dr. Corby noted the state keeps track of the kind
16 of discipline that has been given for whatever but
17 questioned whether they also attach the license. She
18 mentioned that the Association of Marriage & Family
19 Therapy Regulatory Boards (AMFTRB) Meeting two years
20 ago presented information about marriage and family
21 therapists (MFT), but the information was gleaned from
22 state websites and questioned whether the state has
23 that.

24 Acting Commissioner Johnson noted the state does
25 not have the resources to track that information. He

1 mentioned that organizations could run through the
2 license verification link and cross reference that to
3 licensees subject to discipline. He commented that
4 the state does not cross reference them with license
5 type or cross reference them with who was disciplined.

6

7 [Christian Jordal, Ph.D., LMT, exited the meeting at
8 10:07 a.m. and reentered the meeting at 10:09 a.m.]

9

10 [Acting Commissioner Johnson stated that it would be
11 difficult to maintain a level of objectivity when
12 tying in discipline with a particular license class,
13 and the propensity to misuse that information or
14 create an inherent bias was not worth the risk of
15 making that connection.

16 Chair Cardone commented that it was in the
17 Board's best interest to protect the public and to
18 some extent the public would be protected by how well
19 they are educated and supervised. There might be a
20 benefit from information on the discipline. She noted
21 it would be an avenue to informing better practice if
22 the information was accessible.

23 Acting Commissioner Johnson mentioned that other
24 Boards have a partnership with the prosecutorial
25 division where they have attended schools and provided

1 information on what is often seen in their profession.
2 He believed it would be enough to inform individuals
3 of what they should not do under any situation, noting
4 license class does not matter.]

5 ***

6 Report of Board Administrator - No Report

7 ***

8 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
9 10:13 a.m. the Board entered into Executive Session
10 with Dana M. Wucinski, Esquire, Board Counsel, for the
11 purpose of conducting quasi-judicial deliberations on
12 a number of matters that are currently pending before
13 the Board and to receive the advice of Counsel. The
14 Board returned to open session at 12:24 p.m.]

15 ***

16 [K. Kalonji Johnson, Acting Commissioner, Bureau of
17 Professional and Occupational Affairs, exited the
18 meeting at 12:24 p.m.]

19 ***

20 MOTIONS

21 MS. WUCINSKI:

22 I believe the Board will entertain a
23 motion to adopt the following Consent
24 Agreements: Case No. 16-69-14427, Case
25 No. 19-69-013332, Case No. 16-69-02225,

1 Case No. 18-69-012400.

2 CHAIR CARDONE:

3 Do we have a motion?

4 MS. KEISLING:

5 So moved.

6 DR. JORDAL:

7 Second.

8 CHAIR CARDONE:

9 All those in favor? All those opposed?

10 Abstentions?

11 [The motion carried unanimously. The names in those
12 cases are Joseph F. Dubak, LPC; James Kevin Holt, LPC;
13 Joanne M. Palmer, LPC; and Michael Edward McEvoy,
14 LSW.]

15 ***

16 MS. WUCINSKI:

17 I believe the Board will entertain a
18 motion to approve the VRP Consent
19 Agreement at Case No. 19-69-014493.

20 CHAIR CARDONE:

21 Do we have a motion?

22 DR. KRAUS:

23 So moved.

24 DR. CORBY:

25 Second.

1 CHAIR CARDONE:

2 All those in favor? All those opposed?
3 Abstentions?

4 [The motion carried unanimously.]

5 ***

6 MS. WUCINSKI:

7 Agenda items 2, 7, and 8 have been
8 tabled.

9 ***

10 MS. WUCINSKI:

11 I believe the Board will entertain a
12 motion to grant the Application for a
13 License by Examination to Practice
14 Professional Counseling of Sasha D'my
15 Jones.

16 DR. CORBY:

17 So moved.

18 MS. KEISLING:

19 Second.

20 CHAIR CARDONE:

21 All those in favor? All those opposed?
22 Abstentions?

23 [The motion carried. Dr. Santiago opposed the
24 motion.]

25 ***

1 MS. WUCINSKI:

2 I believe the Board will entertain a
3 motion to provisionally deny the
4 Application for a License by Examination
5 to Practice Social Work of Brian Leslie
6 Fruchtman.

7 DR. KRAUS:

8 So moved.

9 DR. SANTIAGO:

10 Second.

11 CHAIR CARDONE:

12 All those in favor? All those opposed?
13 Abstentions?

14 [The motion carried unanimously.]

15 ***

16 MS. WUCINSKI:

17 I believe the Board will entertain a
18 motion to approve as final the draft
19 Adjudication and Order of Barak J. Rush,
20 LPC, Case No. 19-69-005473.

21 DR. KRAUS:

22 So moved.

23 CHAIR CARDONE:

24 Second?

25 DR. JORDAL:

1 Second.

2 CHAIR CARDONE:

3 All those in favor? All those opposed?

4 Abstentions?

5 [The motion carried unanimously.]

6 ***

7 MS. WUCINSKI:

8 I believe the Board will entertain a
9 motion to approve as proposed

10 Adjudications and Orders as final for
11 the following: Sarah Ullman, LPC, Case
12 No. 18-69-00272 and Margo Leona Lewis-
13 Jah, LCSW, Case No. 19-69-005259.

14 DR. CORBY:

15 So moved.

16 CHAIR CARDONE:

17 Second?

18 DR. KRAUS:

19 Second.

20 CHAIR CARDONE:

21 All those in favor? All those opposed?

22 Abstentions?

23 [The motion carried unanimously.]

24 ***

25 MS. WUCINSKI:

1 I believe the Board will entertain a
2 motion to direct Board counsel to draft
3 an Adjudication and Order specific with
4 discussions in executive session for
5 Norman Leandra Stovall III, LCSW, Case
6 No. 17-69-04983.

7 DR. CORBY:

8 So moved.

9 DR. ELBERFELD:

10 Second.

11 CHAIR CARDONE:

12 All those in favor? Opposed?

13 Abstentions?

14 [The motion carried unanimously.]

15 ***

16 MS. WUCINSKI:

17 I believe the Board will entertain a
18 motion to adopt the Proposed
19 Adjudication as final and to substitute
20 an order as discussed in executive
21 session for Evan J. Maclusky, LPC, Case
22 No. 18-69-01524.

23 DR. SANTIAGO:

24 Motion.

25 DR. JORDAL:

1 Second.

2 CHAIR CARDONE:

3 All those in favor? Opposed?

4 Abstentions?

5 [The motion carried unanimously.]

6 ***

7 MS. WUCINSKI:

8 I believe the Board will approve the
9 draft Adjudication and Order as final
10 for Jill L. Zikmund, LPC, N/K/A Jill L.
11 Rogers, LPC, Case No. 15-69-09391.

12 CHAIR CARDONE:

13 Motion?

14 DR. SANTIAGO:

15 Motion.

16 DR. ELBERFELD:

17 Second.

18 CHAIR CARDONE:

19 All those in favor? All those opposed?

20 Abstentions?

21 [The motion carried unanimously.]

22 ***

23 MS. WUCINSKI:

24 I believe the Board will entertain a
25 motion to grant Ana Karen Guzman a

1 provisional license to practice
2 professional counseling under Act 41.
3 CHAIR CARDONE:
4 Motion?
5 DR. CORBY:
6 So moved.
7 DR. KRAUS:
8 Second.
9 CHAIR CARDONE:
10 All those in favor? All those opposed?
11 Abstentions?
12 [The motion carried unanimously.]
13 ***
14 MS. WUCINSKI:
15 I believe the Board will entertain a
16 motion to grant Alla Leybinsky a
17 provisional license to practice
18 professional counseling under Act 41.
19 DR. CORBY:
20 So moved.
21 DR. KRAUS:
22 Second.
23 CHAIR CARDONE:
24 All those in favor? Opposed?
25 Abstentions?

1 [The motion carried unanimously.]

2 ***

3 MS. WUCINSKI:

4 Agenda Item No. 22, the Board has
5 directed the Board administrator to send
6 a letter to Fe Esperanza Candelario
7 regarding education.

8 ***

9 MS. WUCINSKI:

10 I believe the Board will entertain a
11 motion to grant the request of Stephen
12 David Shafer to waive verification of
13 supervised clinical experience and to
14 grant his application for a License by
15 Examination to Practice Professional
16 Counseling.

17 CHAIR CARDONE:

18 Motion?

19 DR. KRAUS:

20 So moved.

21 DR. JORDAL:

22 Second.

23 CHAIR CARDONE:

24 All those in favor? All those opposed?

25 Abstentions?

1 [The motion carried. Dr. Santiago opposed the
2 motion.]

3 ***

4 MS. WUCINSKI:

5 I believe the Board will entertain a
6 motion to grant Amy Bergstrom a
7 provisional license to practice
8 professional counseling under Act 41.

9 DR. CORBY:

10 So moved.

11 DR. KRAUS:

12 Second.

13 CHAIR CARDONE:

14 All those in favor? All those opposed?
15 Abstentions?

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

18 ***

19 Adjournment

20 CHAIR CARDONE:

21 We need a motion to adjourn.

22 MS. KEISLING:

23 Move to adjourn.

24 MS. MARTIN:

25 Second.

1 CHAIR CARDONE:

2 All those in favor? All those opposed?

3 Abstentions?

4 [The motion carried unanimously.]

5 ***

6 [There being no further business, the State Board of

7 Social Workers, Marriage and Family Therapists, and

8 Professional Counselors Meeting adjourned at

9 12:30 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.



Evan Bingaman,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF SOCIAL WORKERS,
MARRIAGE AND FAMILY THERAPISTS,
AND PROFESSIONAL COUNSELORS
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TIME	AGENDA
9:39	Official Call to Order
9:41	Approval of Minutes
9:41	Report of Prosecutorial Division
9:48	Report of Board Counsel
9:50	Report of Regulatory Counsel
9:54	Report of Board Chair
9:56	Report of Acting Commissioner
10:13	Executive Session
12:24	Return to Open Session
12:24	Motions
12:30	Adjournment