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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: 9:42 A.M.

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

March 10, 2020

1 State Board of Social Workers,
2 Marriage and Family Therapists,
3 and Professional Counselors
4 March 10, 2020

5
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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
19 Michelle Santiago, Psy.D., LPC
20

21
22 BUREAU PERSONNEL:

23
24 Dana M. Wucinski, Esquire, Board/Regulatory Counsel
25 Cynthia K. Montgomery, Esquire, Deputy Chief Counsel
26 Tara J. Wikhian, Esquire, Board Prosecutor
27 Andrea L. Costello, Esquire, Board Prosecutor
28 Sandra E. Matter, Board Administrator
29 Marc Farrell, Deputy Policy Director, Department of
30 State
31

32
33 ALSO PRESENT:

34
35 Johanna Byrd, ACSW, IOM, CAE, Executive Director,
36 PA Chapter, National Association of Social Workers
37 Kim Adams, Chief of Fiscal Management, Bureau of
38 Finance and Operations
39 Charles Hartwell, Esquire, Dethlefs-Pykosh Law Group
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1 ***

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

5 March 10, 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, March 10, 2020. Renee J. Cardone, MSW, LCSW,
11 Chair, called the meeting to order at 9:42 a.m.

12 K. Kalonji Johnson, Acting Commissioner, Bureau
13 of Professional and Occupational Affairs was not
14 present at the commencement of the meeting.

15 ***

16 [Board members were requested to introduce themselves
17 for the record.]

18 ***

19 Approval of minutes of the February 11, 2020 meeting

20 CHAIR CARDONE:

21 I'd like to look at the meeting minutes
22 from the last meeting, February 11.

23 Are there any additions or
24 corrections?

25 Do we have a motion to approve the

1 minutes with changes?

2 DR. KRAUS:

3 So moved.

4 DR. CORBY:

5 Second.

6 CHAIR CARDONE:

7 All those in favor? All those opposed?

8 [The motion carried. Marilyn Painter abstained from
9 voting.]

10 ***

11 [Audience members were requested to introduce
12 themselves for the record.]

13 ***

14 Report of Board Prosecutorial Division

15 [Andrea Costello, Esquire, Board Prosecutor, presented
16 a VRP Consent Agreement for File No. 19-69-013901.]

17 ***

18 [Tara J. Wikhian, Esquire, Board Prosecutor, presented
19 Consent Agreements for File No. 18-69-008367 and File
20 No. 15-69-03721.

21 Ms. Wikhian noted this was her last Board meeting
22 as she has accepted a new position with the
23 Department of Corrections.]

24 ***

25 [K. Kalonji Johnson, Acting Commissioner of

1 Professional and Occupational Affairs, entered the
2 meeting at 9:48 a.m.]

3 ***

4 Report of Board Counsel

5 [Dana M. Wucinski, Esquire, Board Counsel, noted the
6 Board would be discussing the Consent Agreements
7 presented, along with agenda items 5 through 7 and 10
8 through 15 in Executive Session.

9 Ms. Wucinski reported that she and Ms. Montgomery
10 attended the February 20, 2020 IRRC meeting, at which
11 time IRRC approved the regulation regarding bachelor
12 social work regulation which was now with the Office
13 of Attorney General for review.]

14 ***

15 Report of Regulatory Board Counsel

16 [Cynthia K. Montgomery, Esquire, Deputy Chief Counsel,
17 indicated a decision was made to hold off on child
18 abuse regulation updates until the first package to go
19 through the process by the State Board of Dentistry
20 was complete. Ms. Montgomery did not expect any
21 problems with the approval process.

22 Ms. Montgomery referred to the Child Protective
23 Services Law for further discussion of the child abuse
24 reporting requirements proposal-making identified in
25 16A-6919, the preamble which explains the rulemaking

1 and the annex which is the actual text of the
2 regulation as amended. She briefly discussed the
3 following sections: Section 4712, qualifications for
4 licensure, the addition of three hours of training in
5 child abuse recognition reporting. Section 4732
6 continuing education addition of two clock hours of CE
7 in child abuse recognition reporting, Section 4751,
8 amendments to the definitions of the Child Protective
9 Services Law. Instead of deleting the term
10 perpetrator, it was updated with the current
11 definition from the Child Protective Service's Law.
12 She indicated the definition of sexual abuse or
13 exploitation had been updated and Section 4752
14 regarding mandatory reporting requirements had been
15 updated with an electronic reporting portal.

16 Section 4753 was updated to add bachelor of
17 social worker. Section 4754 regarding suspected death
18 as a result of child abuse reporting to medical
19 examiner updated to coroner as well. Section 4754(a),
20 the mandatory requirement to report a child born
21 addicted to substances was removed. There were no
22 changes to the immunity from liability section or the
23 confidentiality section.

24 The section on noncompliance was amended as
25 criminal penalties were updated. There was the

1 addition of 4758, the mandatory training requirement
2 and 4759, the child abuse recognition and reporting
3 course approval process developed by the Department of
4 Human Services in conjunction with BPOA. Ms.
5 Montgomery answered questions regarding reporting
6 interpretations and the use of radiologic tests.

7 There was discussion concerning legislative
8 changes regarding the definition and diagnosis of a
9 serious mental injury. With the passage of Act 76,
10 the CPSL (Child Protective Services Law) should be
11 amended to include in its definition of serious mental
12 injury, as diagnosed by a physician, licensed
13 psychologist, clinical social worker marriage and
14 family therapists and professional counselors.
15 Commissioner Johnson explained that legislation should
16 be given a "gentle nudge" to continually provide
17 updates to CPSL.

18 There was discussion regarding a section in
19 Criminal Penalties concerning the definition and
20 interpretation of the word willful. Ms. Montgomery
21 explained the duty to report suspected child abuse and
22 being subject to criminal penalties if failure to
23 report was an intentional volitional choice.

24 Ms. Montgomery will make the changes as discussed
25 and the Board will vote at the next meeting to

1 promulgate as proposed followed by public comment.]

2

3 Report of Regulatory Board Counsel (Continued)

4 [Ms. Wucinski referred Board members to Proposed 16A-
5 6923 General Revisions to the Regulations for further
6 discussion. She noted that definition for Act 41,
7 Licensure by Endorsement, was added which she stated
8 was consistent with the other Boards. She noted that
9 applicants from another jurisdiction would need to
10 submit laws or regulations for licensure from their
11 jurisdiction to the Board in English. The language
12 with regard to professional corporations was added to
13 marriage and family therapists and professional
14 counselors, and the teachers of hearing impaired would
15 be deleted. The Board would need to adopt a version
16 of the code of Ethics and Practice Standards for the
17 draft regulation. The Board would have further
18 discussion regarding the revisions.

19 Board members had questions and comments
20 regarding the definition of direct client services,
21 including virtual client services. There was
22 discussion of language regarding qualifications for
23 supervisors and clinical supervision of those working
24 part time at 20 hours per week.]

25

1 [K. Kalonji Johnson, Acting Commissioner of
2 Professional and Occupational Affairs, exited the
3 meeting at 10:50 a.m.]

4

5 Report of Regulatory Board Counsel (Continued)

6 [There was discussion regarding clarification of the
7 example included in Section 47.12c (6) to state that a
8 supervisee, who accrues 20 hours of clinical
9 experience shall have at least one hour of individual
10 supervision, that for the second 20 hours of accrued
11 clinical experience supervisee shall have at least one
12 hour of individual or group supervision thereby
13 meeting the two hours for every 40 hours of clinical
14 experience. It was noted that the words in person
15 would be removed from the regulation.

16 There was discussion regarding clarification of
17 language at Section 47.12c(6) regarding supervision of
18 the clinical experience of no more than a total of 6
19 supervisees; Section 47.12d, Standards for
20 Supervisors; removal of Section 47.13b, Exemption from
21 Licensure Examination; and 47.16a, Licensure by
22 Endorsement Under Act 41 (a)(1).

23 Clarification of language was made with regard to
24 Section 47.21 (a), Professional Corporations; Section
25 47.32 (a), Continuing Education, Requirement for

1 Biennial Renewal; Section 47.33, Acceptable Continuing
2 Education Courses; Section 47.35, Standards for
3 Courses and Programs; Section 47.36 (a)(1) and (2),
4 Preapproved Providers of Continuing Education Courses
5 and Programs for Social Workers.

6 Ms. Wucinski noted additions and deletions of
7 language that would be made with regard to Section
8 47.71, Codes of Ethical Practice and Professional
9 Conduct.]

10 ***

11 [The Board recessed from 12:02 p.m. until 12:13 p.m.]

12 ***

13 Report of Regulatory Board Counsel (Continued)

14 [Additions and deletions were discussed regarding
15 Section 48.3, General Provisions. Clarification was
16 made regarding Section 48.13, the Licensed MFT.
17 Section 48.11 which concerns the licensure exam was
18 referred to for further discussion. Clarification was
19 made regarding Section 48.15, Exemption from Licensure
20 Examination.

21 There was discussion of possible accommodations
22 being made with regard to disruption in clinical
23 placements and academic programs for existing students
24 as it pertains to COVID-19.

25 The Board referred to Licensure of Professional

1 Counselors, General Provisions, Section 49.2,
2 Educational Requirements, and Section 49.13,
3 Conditions for Licensure language, for further
4 discussion. Counsel would make the changes as
5 requested.]

6

7 Report of Board Chairperson

8 [Renee J. Cardone, MSW, LCSW, noted that this would be
9 her last day as Board Chair and thanked Board members
10 for their hard work.

11 She requested that members decide whether or not
12 to pursue the supervision regs and further requested
13 that members make the trip to the ASWB meeting in
14 Philadelphia next spring to meet the other individuals
15 involved.]

16

17 Reports from Other Board Members - No Report

18

19 Report of Board Administrator

20 [Sandra E. Matter, Board Administrator, reminded Board
21 members that any outstanding 2019 expenses must be
22 turned in by the end of March for reimbursement.]

23

24 Correspondence

25 [Board members were referred to the letter from the PA

1 Association of Marriage and Family Therapists for
2 further discussion of its recommendation that
3 graduates have the option to take the AMFTRB during
4 the time between graduation or the completion of post
5 graduate requirements and acquiring the necessary
6 clinical hours. The Board is not opposed to the
7 recommendation. Ms. Matter will check to make sure
8 that applications may be submitted on-line.]

9

10 Election of Officers

11 CHAIR CARDONE:

12 We'll do election of officers for Chair
13 and Vice Chair.

14 DR. KRAUS:

15 I nominate the current Vice Chair to
16 move into the position of Chair.

17 DR. SANTIAGO:

18 I second the nomination.

19 CHAIRPERSON CARDONE:

20 Other nominations for Chair? We'll have
21 the vote. All those in favor? All
22 those opposed? Abstentions?

23 [The motion carried unanimously.]

24

25 CHAIR CARDONE:

1 Now I will entertain motions for Vice
2 Chair.

3 DR. SANTIAGO:

4 I make a motion to nominate myself if
5 Joy mentors me.

6 MS. KEISLING:

7 I'll second that.

8 CHAIR CARDONE:

9 Other nominations? All those in favor?
10 All those opposed?

11 [The motion carried unanimously.]

12 ***

13 FYI

14 [Board members were referred to email information from
15 the AASCB regarding ACA Interstate Compact for
16 Portability for further review.]

17 ***

18 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
19 1:28 p.m. the Board entered into Executive Session
20 with Dana M. Wucinski, Esquire, Board Counsel, for the
21 purpose of conducting quasi-judicial deliberations on
22 a number of matters that are currently pending before
23 the Board and to receive the advice of Counsel. The
24 Board returned to open session at 2:18 p.m.]

25 ***

1 [K. Kalonji Johnson, Acting Commissioner, Bureau of
2 Professional and Occupational Affairs, re-entered the
3 meeting at 2:18 p.m.]

4

5 Report of Acting Commissioner

6 [K. Kalonji Johnson, Acting Commissioner of
7 Professional and Occupational Affairs, discussed the
8 Department of Health's updated guidance of the COVID-
9 19 procedures. He urged the Board members to open all
10 upcoming emails regarding the matter to stay apprised
11 of the situation.

12 Acting Commissioner Johnson reached out to the PA
13 Insurance Department and the Department of Labor and
14 Industry regarding the Board's request to offer input
15 on the Governor's Mental Health Initiative. He
16 indicated that representatives were not able to make
17 this meeting, but he would continue inviting them to
18 attend a future meeting to answer questions.

19 Acting Commissioner Johnson was slated to speak
20 at an upcoming informational meeting in front of the
21 House Professional Licensure Committee regarding an
22 application that was filed relating to a Certified
23 Behavior Analysts Board solely dedicated to that
24 particular practice. He indicated House Bill 1900
25 with the House Professional Licensure Committee would

1 grant the provision for a Board-Certified Behavior
2 Analyst to practice in Pennsylvania. He noted those
3 professionals are currently under the Medical Board as
4 behavior health specialists.

5 Acting Commissioner Johnson stated the
6 Department's position is to oppose the bill. The
7 board members supported Acting Commissioner Johnson in
8 his opposition to the bill. He requested comments
9 from the Board, and there was further discussion
10 regarding the matter.]

11 ***

12 MOTIONS

13 MS. WUCINSKI:

14 I believe the Board will entertain a
15 motion to adopt the following Consent
16 Agreements: Case No. 18-69-008367 and
17 Case No. 15-69-03721.

18 DR. SANTIAGO:

19 I make a motion.

20 DR. CORBY:

21 Second.

22 CHAIR CARDONE:

23 All those in favor? All those opposed?
24 Abstentions?

25 [The motion carried unanimously. The names in those

1 cases are Joni A. Sefershayan, LCSW and Brent Harlan
2 Olean, LCSW.]

3 ***

4 MS. WUCINSKI:

5 I believe the Board will entertain a
6 motion to adopt the VRP Consent
7 Agreement at Case No. 19-69-013901.

8 DR. KRAUS:

9 So moved.

10 MS. KEISLING:

11 So moved.

12 CHAIR CARDONE:

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

15 [The motion carried unanimously.]

16 ***

17 MS. WUCINSKI:

18 I believe the Board will entertain a
19 motion to approve as final the draft
20 Adjudication and Order for Norman
21 Leandra Stovall, III, LCSW, Case No. 17-
22 69-04983.

23 DR. CORBY:

24 So moved.

25 DR. SANTIAGO:

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 grant the Motion to Deem Facts
10 Admitted and to direct Board Counsel to
11 draft an Adjudication and Order
12 consistent with discussion in Executive
13 Session for Jennifer Schickling, LCSW,
14 Case No. 19-69-008123.

15 MS. KEISLING:

16 So moved.

17 DR. CORBY:

18 Second.

19 CHAIR CARDONE:

20 All those in favor? All those opposed?

21 Abstentions?

22 [The motion carried unanimously.]

23 ***

24 MS. WUCINSKI:

25 I believe the Board will entertain a

1 motion to grant the application for
2 License by Examination to Practice
3 Professional Counseling for Sara
4 Struckman.

5 DR. KRAUS:

6 So moved.

7 DR. SANTIAGO:

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 The Board has directed the Board
16 Administrator to send a letter to Jorge
17 Acosta regarding his education for
18 Agenda Item 10.

19 Agenda Item 11 has been tabled.

20 I believe the Board would entertain
21 a motion to grant Rachel Elizabeth
22 Arledge a provisional license to
23 practice professional counseling under
24 Act 41.

25 DR. CORBY:

1 So moved.

2 DR. ELBERFELD:

3 Second.

4 CHAIR CARDONE:

5 All those in favor? All those opposed?

6 Abstentions?

7 [The motion carried. Dr. Santiago opposed the
8 motion.]

9 ***

10 MS. WUCINSKI:

11 I believe the Board will entertain a
12 motion to approve the education of
13 Cynthia Reed, an application for a
14 license by examination to practice
15 professional counseling.

16 DR. KRAUS:

17 So moved.

18 DR. JORDAL:

19 Second.

20 CHAIR CARDONE:

21 All those in favor? Opposed?

22 Abstentions?

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

24 ***

25 Adjournment

1 CHAIR CARDONE:

2 We need a motion to adjourn.

3 DR. CORBY:

4 Move to adjourn.

5 ACTING COMMISSIONER JOHNSON:

6 Second.

7 CHAIR CARDONE:

8 All those in favor? All those opposed?

9 Abstentions?

10 [The motion carried unanimously.]

11 ***

12 [There being no further business, the State Board of
13 Social Workers, Marriage and Family Therapists, and
14 Professional Counselors Meeting adjourned at 3:06
15 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
REFERENCE INDEX

March 10, 2020

	TIME	AGENDA
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11	9:42	Official Call to Order
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13	9:43	Approval of Minutes
14		
15	9:44	Report of Prosecutorial Division
16		
17	9:50	Report of Board Counsel
18		
19	9:52	Report of Regulatory Counsel
20		
21	12:02	Recess
22	12:13	Return to Open Session
23		
24	12:13	Report of Regulatory Counsel (Continued)
25		
26	1:18	Report of Board Chairperson
27		
28	1:22	Report of Board Administrator
29		
30	1:25	Correspondence
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32	1:27	Miscellaneous
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34	1:28	FYI
35		
36	1:28	Executive Session
37	2:18	Return to Open Session
38		
39	2:18	Report of Acting Commissioner
40		
41	2:55	Motions
42		
43	3:06	Adjournment
44		
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