

State of Alaska  
Department of Commerce, Community and Economic Development  
Division of Corporations, Business and Professional Licensing

Alaska State Board of Social Work Examiners  
February 15, 2022

By Authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, a regularly scheduled meeting of the Alaska State Board of Social Work Examiners was held February 15, 2022. The meeting was held via Zoom.

**February 15, 2022**

Agenda item #1 Call to order/Roll Call

This meeting was called to order by Occupational Licensing Examiner **Stefanie Davis** at **9:01am**.

Board Members present, constituting a quorum:

Mindy Swisher, Licensed Clinical Social Worker, Board Chairperson  
Brandon Ercanbrack, Licensed Clinical Social Worker  
Sharon Woodward, Licensed Baccalaureate Social Worker  
Gabriel King, Public Member

Board Members absent:

Geoffry McCormick, Licensed Master Social Worker – noted as excused on record

Division Staff present were:

Lacey Derr, Records and Licensing Supervisor  
Stefanie Davis, Occupational Licensing Examiner

Agenda Item #2 Review/Approve Agenda

*A motion duly made by Brandon Ercanbrack, seconded by Sharon Woodward, and approved by unanimous consent, was:*

*Resolved to approve the agenda as it appears.*

Agenda item #3 Ethics Disclosures

There were no ethics conflicts to report.

Agenda item #4 Review Minutes

The board reviewed the meeting minutes from December 20, 2021.

*A motion duly made by Gabriel King, seconded by Sharon Woodward, and approved by unanimous consent, was:*

*Resolved to approve the minutes.*

Agenda item #5 Investigative Report

*Investigator III Josh Hardy joined the meeting at 8:59am*

Josh Hardy joined the meeting to deliver the investigative report. The report covered December 3, 2021 through February 2, 2022. There are currently 17 open cases in various statuses, and 10 were closed.

Brandon Ercanbrack noted the increase in complaints that was previously noted in the December 20, 2021 meeting. He is interested in the percentage of increase in complaints that the Division is receiving. Investigator Hardy noted that he would need to run the specific numbers to find the increase, but that investigative complaints have indeed increased. Many of these complaints are in regards to high contention divorce cases where a Social Worker is involved in the care of children involved in a high contention case. That is not the entirety of cases, but it is the largest outlier seen in the last year of investigative reports. Board Chair Mindy Swisher is interested in re-discussing creating a Disciplinary Matrix for the Social Work board. This was noted to be discussed during New Business.

Investigator Hardy thanked the board for their hard work in completing the increased number of reviews they have been receiving.

*Josh Hardy left the meeting at 9:11 am*

## **Agenda item #6                      Old Business**

### **A. Regulation Discussion**

During the last two board meetings, the board has discussed the Continuing Education (CE) requirements for initial licensure vs. the CE requirements for renewals, and the benefit of requiring teletherapy CEs for initial licensure.

The current CE requirements are as follows:

- Initial Licensure:** 45 hours of Continuing Education received within the five years before the date the application is received that include a minimum of: 6 hours in Substance Abuse Education, and 3 in Professional Ethics.
- First Biennial Renewal:** 45 hours of Continuing Education earned during the 2 years before the expiration date of the person's license that include a minimum of: 6 hours in Substance Abuse Education, 6 hours in Cross-Cultural education relating to Alaska Native, 3 hours in Professional Ethics, 3 hours in Teletherapy Practice.
- After first Biennial Renewal:** 45 hours of Continuing Education earned during the 2 years before the expiration date of the person's license that include a minimum of: 6 hours in Substance Abuse Education, 6 hours in Cross-Cultural (of which, three hours include issues relating to Alaska Natives), 3 hours in Professional Ethics, 3 hours in Teletherapy Practice.

To make an informed decision while reviewing and possibly updating the CE requirements, the board wanted to know the initial reasonings for requiring less specific CEs for initial Social Work licensure vs. renewal. They also wanted to review what all other mental health boards currently require for initial licensure vs. renewals. OLE Davis attempted to find past minutes from meetings where Social Work board members updated regulations specifying CEs for renewals. Unfortunately, these minutes were unable to be located as they occurred prior to the year 2000, therefore the discussion was unable to be presented to the board. However, the board was presented with a table showing the CE requirements for initial licensure and renewals for the various mental health boards.

Mindy Swisher pointed out that the Social Work board has more nuanced CEs for initial licensure than other mental health boards. RLS Derr informed the board that the Psychology board is currently in the process of updating regulations to include CE requirements when receiving initial licensure and is basing said regulations off the Social Work regulations. Professional Counselors are also looking at more specific CEs for their supervisor license type.

Discussion was had regarding why Alaska Native CEs are not included in initial licensure. Various reasons may have gone into this decision, such as Alaska Native specific CE courses being few and far between, as well as the previously mentioned possibility that out of state applicants would not have yet been required to receive those CEs in the past if applying for initial licensure.

Since telehealth is so widespread, adding this requirement to the total 45 required initial licensure CEs would be beneficial, as those credentialing into Alaska will be providing services via telehealth. Brandon notes that there has been a huge increase in telehealth in general, therefore it makes sense to keep the regulations up to date with what Social Workers are currently dealing with. Gabriel King sees the benefit of the public feeling more confident knowing Social Workers providing telehealth are required to take course work regarding telehealth to gain initial licensure. Sharon Woodward sees telehealth being used on a regular basis on long-term care. She notes that she believes telehealth is used across all levels of licensure, so adding this CE requirement would make sense for all license types.

*A motion duly made by Brandon Ercanbrack, seconded by Sharon Woodward, and approved by unanimous consent, was:*

*Resolved to approve a regulation change to 12 AAC 18.112(2)(B) to add telehealth CEs as a requirement for initial licensure*

### **B. Regulation Change Updates**

The regulation changes for SB21 (Temporary Military Courtesy Licenses 12 AAC 18.108) and 12 AAC 18.115 (Supervision of Experience for Clinical Social Work License) have gone out for public notice. The written comments deadline ends on February 23, 2022. Few comments have been received at this time, most of which were not for nor against the regulation changes, but were instead general comments made. Once the written comment period ends, the regulations will go before the board to be adopted on the record. This will happen at the next scheduled board meeting.

### **C. Right Touch Regulation Project**

The Board of Social Work Examiners originally began the Right Touch Regulation Project in early 2020. This project was put on hold due to COVID-19 and will not be able to be addressed with legislators during this Legislative Session. However, due to multiple outgoing board members, the board had a thorough discussion regarding which changes they still would like to see made to the statutes and regulations, and which changes previously marked are no longer necessary. These notes were added to the Right Touch Regulation document with previous board member comments and will be re-reviewed in full once new board members are added to the board to point them in the right direction. These changes can be addressed during the next Legislative Session if the board so chooses. If so, the changes will need to be re-reviewed and solidified prior to spring 2023. Mindy notes that once new board members attend regulation trainings, they will be better versed to move forward with this project. Once those trainings are attended, this agenda topic will be added to a subsequent board meeting.

### **Agenda item #7                      Public Comment**

*Public comment period opened at 10:15am*

No persons present for public comment.

*Public comment period closed at 10:31am*

### **Agenda item #9                      BREAK**

*The board took a recess at 10:32am*

*The board returned from recess and went back on record at 10:44am*

The board completed Old Business prior to the break and did not need to re-discuss for Agenda Item #8. With additional time, the board moved forward with the Division Update.

**Agenda item #10**                      **Division Update**

*Administrative Operations Manager Melissa Dumas joined the meeting at 10:44am*

**A. Division Update**

Melissa Dumas reminded the board of the Board Member Resources page on the Division's website ([commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardMemberResources.aspx](https://commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardMemberResources.aspx)). This page includes refreshers of trainings the Division has available for board members. She also showed the board where the Division Reports are centrally located ([commerce.alaska.gov/web/cbpl/DivisionReports.aspx](https://commerce.alaska.gov/web/cbpl/DivisionReports.aspx)). This page includes Annual Reports, Fiscal Reports, Division Statistics, etc. The statistics provided show that the Board of Social Work Examiners had a significant growth of 22% in licensees from FY2020 to FY2021.

**B. Legislative Update**

There were no updates regarding HB193, and no other updates were known.

**C. 2<sup>nd</sup> Quarter Report FY2022**

Melissa Dumas presented the board's financial report for the second quarter of FY2022. The revenue for the board through September of 2021 was \$80,702.00, of which \$37,564.00 was received from the general fund\*, the direct expenditures for the board were \$79,026.00. The board's total expenditures were \$116,285.00, with a carry-over of \$42,590.00 in surplus from the prior year. Currently the surplus for the board is \$7,006.00. A fee analysis is recommended once fee increases are reinstated.

\*General funds are requested as supplemental funds from the Legislature as the Division is unable to increase fees due to a mandate from the Governor. The general funds help offset the lost revenue due to the inability to increase fees. Additional general fund dollars will not be received for the board for FY2022, however the Division is requesting additional fees for FY2023.

*Melissa Dumas left the meeting at 11:00am*

Mindy brought up a subject that has been previously discussed by the board. The board is seeing an increase in investigations, and therefore in investigative costs. The board would like to be proactive as a board in preventing these incidents from happening. She posed the question: is there anything the board can do to assist in this area? RLS Derr notes that this is an issue across many boards, not only the Social Work board. She states that we have access to a Listserv, where all licensees with an email in our system can be contacted. The board would like to send out a letter using the Listserv for transparency. They would like to remind Social Workers to practice ethically, to send out a link to the Code of Ethics to be reviewed, and to remind licensees that if they are diligent in providing ethical practice, investigative costs will be down which may help avoid dramatic fee increases in the future. The board will need to prepare a letter and approve in OnBoard prior to being sent out.

With additional time before the ASWB CE Broker presentation, the board elected to move on to New Business.

**Agenda item #11**                      **ASWB - CE Broker Presentation**

*Don Oliva from CE Broker joined the meeting at 11:30am*

CE Broker recently partnered with ASWB to simplify and automate the process for continuing education requirements for Social Work boards throughout the country. ASWB manages the communication/administrative side, and CE Broker is the platform for the stakeholders involved. Information comes to CE Broker from license holders, CE providers/course instructors, and state boards. CE Broker customizes their platform for each state. They currently assist with CE tracking for 130+ boards and have a presence in 22 states. CBPL has an existing

agreement with CE Broker. A handful of boards in our Division are in the implementation stage of using CE Broker. Licensees are not able to use this account if the state is not signed up with CE Broker.

CE Broker reviews the statutes and regulations of the board in full to find all requirements and approved Continuing Education activities to learn what the board sees as an acceptable form of continuing education. They then create a directory of approved CEs that meets the board's requirements. CE Broker does not provide continuing education, they are a neutral platform to work with third party providers. Licensees can see their course history. Large providers such as PESI can also upload attendance on a licensee's behalf. The system will let licensees know what is outstanding, which regulation has not yet been met, and will also provide course options that meet the missing requirement.

The Board Suite section is for staff members (OLE, RLS, etc.). Administrative staff can pull reports seeing how many licensees have completed all CEs, and additional reports as well.

With audits, if a list is pulled from our own system, this can be uploaded directly to CE Broker. Email notices will go out to those selected for the audit that will include a link which will take them directly to a CE Broker account where they can respond and upload any documentation. If a licensee had previously created an account and uploaded and completed all courses, they would not have a waiting period. This would be directly sent to the board. The final audit will still come down to the board staff. The board will still need to review all certificates to ensure the audit is passed.

Gabriel inquired about how they keep information confidential and safe. Mr. Oliva noted that no confidential information is kept on their site, such as social security numbers, etc. The only information on their site could be found on a public license verification page. Any data they do touch is encrypted.

Brandon inquired about the cost, and if CEs can be assigned to specific licensees where there is discipline necessary. There is no cost for the state board. There are three different levels and costs for licensees. Disciplinary CEs can be assigned on a case-by-case basis.

Mindy inquired about the timeline. It takes 90-120 days from having a contract in place and having a system live and ready for license holders. CE Broker does most of the work, but the board staff would be required to confirm all information is correct. It is up to the board to decide if this is required or optional. CE Broker will supply the board with any content needed to let licensees know of a new roll-out, board staff are not expected to do this alone.

Mindy asked how beneficial this would be for administrative staff. OLE Davis noted that it could possibly double up work in some ways, as the OLE would still be required to upload all documents to the Portal. However, it could be helpful for licensees to have a central area to upload CEs as they go. It was also noted that often, licensees from other states will send in a transcript only from CE Broker for their CEs. The board requires certificates, so this would be something to ensure certificates are received for the board. The board made a regulation change during this board meeting, so it would not be beneficial to begin this process until after the regulation change is completed. The board will want to rediscuss this after the regulation change goes into effect.

Mindy states that ongoing board members should reach out to current boards who use this to see how beneficial it has been for them. RLS Derr and OLE Davis will reach out to Melissa to see who is on the list from Alaska using CE Broker. Brandon would like to send out a listserv to the license base to receive input on using CE Broker, and the general thoughts.

*Don Oliva remained on the line for the remainder of the meeting*

**Agenda item #12**                      **LUNCH**

*The board took a recess for lunch at 12:04pm*

*The board returns from recess and is back on record at 1:02pm*

**Agenda item #13**                      **New Business**

**A. Priorities for New Board Members**

OLE Davis asked the board for a list of their priorities that they would like to state on the record that can be passed down to new board members.

-RLS Derr stated that this would be a good time to rediscuss projects that were happening before COVID-19 disruptions occurred, and to keep the Social Work compact in mind. The Social Work compact is in the beginning stages.

-Right Touch Regulation project should be re-reviewed by the new board members, using the updated notes from current board members. This should be ready to bring to legislators in the spring of 2023.

-Mindy and Brandon state that a Disciplinary Matrix being created for the board would be helpful. They recall that another mental health board currently has a Disciplinary Matrix and would like to see this as an example. OLE Davis will reach out to that examiner to present their matrix as an example at an upcoming board meeting.

-Investigative training proved extremely helpful to board members. This should be presented to new board members as soon as possible.

-Legislative training should also be presented to new board members.

-OLE Davis let the board know that a previous Board Chair, Danielle LaFon, emailed a reminder that the previous board approved a change to the renewal form for Continuing Education to make it more understandable. This in process has been sent to the publications team to be updated prior to the renewal. In addition to this change, all renewal forms will also state that CEs used to gain initial licensure may not be used towards renewals. Renewal applications are being reviewed currently. Once completed, all initial applications will be reviewed and corrections will be sent forward to the publication team as well.

-Additional CE clarifications the board would like addressed: licensees cannot use the same CE course twice to count toward different subjects. This will be added to the website when the renewal is uploaded. The position statement clarifying Substance Abuse definition will also be linked on the website.

-The in-person audit went smoothly and should be replicated in the future. In addition to being in-person, the pre-organization by Division staff prior to CEs being sent to the board for review should continue if possible.

-Possibly adding a new board member, due to the growth of the license base.

**B. Board Member Updates - *Elect Board Chair***

Board Chair Mindy Swisher and board member Geoffry McCormick will be leaving the board on March 1, 2022. There have not been any notifications of new appointees to the board, which will leave three board members after said date. Until new appointees are assigned, all board members will be required to vote on each application to reach quorum. If a board member must abstain due to conflict of interest, they will be asked if they are able to vote based on their professional opinion and not that of the issue when abstaining. If they are unable to do so, the application will be unable to reach quorum until new board members are assigned.

Board members are encouraged to reach out to those they feel would be a good fit for the board to let them know how to apply. The board would like a notification added to the Social Work website to announce the board vacancies. OLE Davis will have this added to the website.

Discussion was had on electing a new board chair, as Mindy will be leaving on March 1, 2022. Much of the board was hesitant to volunteer, no nominations were made. Mindy explained her duties and the differences between being a board chair and a board member. She offered to provide the new board chair with some templates she has, one of which includes the annual report, to assist with the transition. RLS Derr discussed the additional legislative duties that occur for the board chair. After discussion, Brandon discussed the possibility of stepping in as board chair. He is hesitant due to being the only LCSW on the board due to the number of Clinical complaints received. He is willing to step in for the one-year term that is listed in statute 08.95.010(b) at this time. This is recognized, and the term length or election of a new board chair can be addressed at a later board meeting.

*A motion duly made by Sharon Woodward, seconded by Gabriel King, and approved by unanimous consent, was:*

*Resolved to approve Brandon Ercanbrack as the newly elected Board Chair for the Board of Social Work Examiners, to take effect on March 1, 2022.*

### **C. Application Review for New Board Members**

During the previous board meeting, the board discussed the various ways they could prepare an application review for incoming board members. One of the options discussed was pre-filing an application for review which would then be passed on to the new board member. The board has reconsidered this idea. If regulations changed, the existing video would need to be redone to account for the change.

Mindy noted that it would be helpful for a new board member to have a ‘mentorship’ of sorts with an existing board member. The new board member could reach out to the existing board member to ask questions if they came up. If no more than two board members total are discussing, this would be acceptable. Mindy also noted that reviewing an application during a board meeting from top to bottom would be beneficial for all new board members. Going through a more complex application (such as by Credentials) would be the best use of time. Existing board members can explain their processes to the new board member, and any questions can be answered. The board has decided that during the “new board member introduction” agenda item that occurs with each new board member, an application review will be added.

Brandon created a flowchart for the LCSW application that assists in processing applications. Sharon noted that this flowchart was extremely helpful for her when she first started. OLE Davis will create a similar flowchart for each license type to be presented at the next board meeting.

## **Agenda item #14                      Administrative Business**

### **A. Correspondence – Naloxone Response**

The board discussed the email presented by Lakeshia Hasten, National Project Coordinator with the SW PACT Staffing Program during the December 20, 2021 board meeting. The email asks the following:

The Veteran’s Health Administration National Social Work Program Office is seeking information from State Licensing Boards on the ability of licensed social workers within the State’s jurisdiction to carry and administer Narcan/Naloxone. During the ASWB 2021 Administrators Forum it was highly suggested that each board answer this email so there is a response from each jurisdiction. The board can choose one of three responses:

1. The State of Alaska Social Work Licensing Board concurs, social workers in this state can carry and administer Narcan/Naloxone.
2. The State of Alaska Social Work Licensing Board concurs, social workers in this state can carry and administer Narcan/Naloxone, only if the social worker has completed education and training in order to do so.
3. The State of Alaska Social Work Licensing Board does not concur social workers in this state can carry and administer Narcan/Naloxone under any circumstances.

The board had two questions for Ms. Hasten from the last board meeting, and received the following answers:

1. Where will the board's response to this statement live once it is received by you? **All responses are being stored on an internal platform.**
2. What happens after each state makes a statement/response? **Once a state responds, we store the response internally and provide guidance to social work leaders in each state on next steps. For those who are able to carry and administer, there are training and competency requirements that will be met.**

The board found that the answers provided led to additional questions. The answers reference social work leaders. Who are the social work leaders referenced? What are the next steps envisioned after a response is received, what is the end objective? Does the training become a CE requirement? Is this optional for carriers? Have they reached out to national organizations such as ASWB/NASW for their input as well? Rather than respond to this email with one of the choices provided, the board would like to inquire if someone from this agency would be able to attend the upcoming April board meeting to answer the board's questions. This way, the board will feel confident in their answer, and there will be less back and forth. OLE Davis will reach out to Ms. Hasten to see if this is possible and will report back to the board.

### **B. ASWB Spring Education Conference – Travel Request Update**

Sharon is currently scheduled to attend the ASWB Spring Education Meeting in Chicago, IL on April 29-30, 2022. This request has been sent to our travel desk. Sharon has applied for a scholarship, which she will hear back on in the beginning of March. The request will likely be pending until we hear if the scholarship has been awarded.

Gabriel is signed up for the virtual New Board Member Training with ASWB taking place in June. No travel is required.

Brandon inquired about the ASWB Delegate Assembly in November. We will apply for a scholarship again at that time, and will send in a travel request prior to that meeting taking place. A delegate will need to be assigned at a future board meeting. Brandon is interested in ASWB Board Chair training, or what ASWB would have to offer for a new board chair. OLE Davis will reach out to ASWB for input on this and will send the information on to Brandon.

### **C. Schedule Meetings – In-person Meeting**

The next board meeting will take place on April 26, 2022. This is scheduled to take place via Zoom and may be a half-day meeting.

The board agrees that a two-day in-person meeting in Anchorage should take place for reviewing the audits. This means the travel will take place in the next fiscal year. The audit meeting will take place on September 13-14, 2022 in Anchorage, if approved.

**Agenda item #15**                      **Application Review**

OLE Davis explained that Application Review will continue to be put on all agendas. This way if a tabled application becomes ready for review in the interim between the agenda being completed and the board meeting occurring, review of said application can take place. There were no tabled applications that provided missing documentation for this meeting. The board inquired about how often tabled applicants are being contacted. Tabled applicants are sent an email, status letter, and have their MyLicense account updated with a notification email sent alerting them of missing documents requested by the board. They may be contacted a second time after the initial forms of contact. After a year of no response, the application then goes into “Abandoned” status.

**Agenda item #13**                      **Adjourn**

*A motion duly made by Mindy Swisher and approved by unanimous consent, was:*

*Resolved to adjourn the Alaska State Social Work Board Meeting at 2:32 PM*

**Adjourned at 2:32 PM**

Respectfully Submitted By:

DocuSigned by:  
  
C80A28A0A555413...

Stefanie Davis  
Occupational License Examiner  
State of Alaska, DCCED, CBPL

4/26/2022

Date

DocuSigned by:  
  
7363C9FD3B614F8

Brandon Ercanbrack for Mindy Swisher  
Board Chairperson  
Alaska State Board of Social Work Examiners

4/26/2022

Date