

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

Alaska State Board of Social Work Examiners
April 26, 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 April 26, 2022. The meeting was held via Zoom.

April 26, 2022

Agenda item #1 **Call to order/Roll Call**

This meeting was called to order by Chairperson **Brandon Ercanbrack** at **8:54am**.

Board Members present, constituting a quorum:

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

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 Sharon Woodward, seconded by Gabriel King, and approved by unanimous consent, was:

Resolved to approve the agenda as written.

Agenda item #3 **Ethics Disclosures**

There were no ethics conflicts to report.

Agenda item #4 **Review Minutes**

The board reviewed the meeting minutes from February 15, 2022.

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

Resolved to approve the minutes from the last meeting, February 15, 2022.

A member of the public, Niki Knowlton, joined the meeting at 8:58am

With additional time before the Investigative Report, Records and Licensing Supervisor Lacey Derr brought the board up to speed with a current project that the Board of Professional Counselors (PCO) and the Board of Marital and Family Therapy (MFT) have been working on together. They have been in discussions with the administrator of the Florida omnibus board that consists of PCO, MFT, and Social Workers (CSW). At this time, the MFT and PCO boards are in the beginning talks of what an omnibus board would look like. They are currently experiencing an increase of applicants and board business and are looking at ways to streamline their processes. If the social work

board has any questions they would like RLS Derr to pass on to the Florida administrator, the board should email these questions to OLE Davis.

Chairperson Brandon Ercanbrack can see the rationale if they are struggling to meet quorum, or if a board has fewer applicants and therefore financially they are needing to combine. He would like to know: what is the structure of their board? Do meetings last longer since they have three license types? What is the day-to-day operation like? How long is the process of application approvals?

RLS Derr states that the biggest difference in these jurisdictions is delegatory power. Staff can issue licenses to credentialed applicants that have no issues with their applications, no yes answers, etc. Looking at assigning that delegatory power rather than combining to an omnibus board may be a good first step. The reported turn-around time is 1-2 weeks if delegatory powers are given to staff. Lacey will see if this is a regulation or statutory change and get back to Brandon. He would be interested in giving staff that ability.

With additional time before the Investigative Report, the board elected to move on to Old Business.

Agenda item #5 Investigative Report

Investigator III Josh Hardy, and Paralegal II Marilyn Zimmerman joined the meeting at 9:08am

Paralegal II Brian Suprise joined the meeting at 9:11am

Josh Hardy joined the meeting to deliver the investigative report. The report covered February 2, 2022 through April 11, 2022. There are currently 13 open cases in various statuses, and 5 were closed.

Brandon noted there are few cases with a case number beginning with 2022. He is curious if there has been any reduction this year. Investigator Hardy stated that at least in the very beginning of 2022, there has been a reduction of cases.

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

Resolved that the Alaska State Board of Social Work Examiners enter into executive session in accordance with Alaska Statute 44.62.310(c), and the Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion. Board staff to remain present: Stefanie Davis, Lacey Derr, Josh Hardy, Marilyn Zimmerman, and Brian Suprise.

The board went off record into Executive Session at 9:17am

Back on the record at 9:22am

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

Resolved to approve the Consent Agreement for Case No. 2021-001138 as presented

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

Resolved to approve the Consent Agreement for Case No. 2021-001035 as presented

Josh Hardy, Marilyn Zimmerman, and Brian Suprise left the meeting at 9:22am

Agenda item #6 **Application Review**

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

Resolved that the Alaska State Board of Social Work Examiners enter into executive session in accordance with Alaska Statute 44.62.310(c), and the Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion. Board staff to remain present: Stefanie Davis, Lacey Derr.

*The board went off record into Executive Session at 9:26am
Back on the record at 10:14am*

The board required additional time to discuss the applications, and continued discussions after lunch.

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

Resolved that the Alaska State Board of Social Work Examiners enter into executive session in accordance with Alaska Statute 44.62.310(c), and the Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion. Board staff to remain present: Stefanie Davis, Lacey Derr.

*The board went off record into Executive Session at 12:47pm
Back on the record at 1:20pm*

After discussion, the board voted on the following motion by roll call vote: Move to approve the application for LMSW by Examination, License Number 187146 for K. Green:

	APPROVE	DENY	ABSTAIN	ABSENT
Brandon Ercanbrack		X		
Gabriel King		X		
Sharon Woodward		X		

MOTION DID NOT PASS in accordance with 12 AAC 18.140(c): The board will deny an application for licensure under AS 08.95 if the board determines that the applicant provided false or misleading statements or information on the application that relates to the applicant's qualifications for licensure under AS 08.95

After discussion, the board voted on the following motion by roll call vote: Move to approve the application for LCSW by Credentials, License Number 188024 for L. Driver:

	APPROVE	DENY	ABSTAIN	ABSENT
Brandon Ercanbrack	X			
Gabriel King	X			
Sharon Woodward	X			

MOTION PASSES

Agenda item #7 **Public Comment**

Public comment period opened at 10:15am

No persons present for public comment.

The board took a brief at ease.

Agenda item #8 **L. Hasten Discussion/Presentation – Naloxone Response**

Lisa Wootton joined the meeting at 10:16am; Jennifer Silva joined the meeting at 10:26am; Lakeshia Hasten joined the meeting at 10:25am; Angela Giles joined the meeting at 10:26am; Quinn Kiger-Good joined the meeting at 10:37am

In September of 2021, an email was sent to and all state boards by the National Social Work Program Office with the Department of Veteran’s Affairs. The email required a response to the following: the ability of licensed social workers within the State’s jurisdiction to carry and administer Narcan/Naloxone. The Alaska board has previously discussed this during their two most recent meetings. The board requested the attendance of the National Social Work Program Office to gain additional information prior to responding to the email. A presentation was given by Jennifer Silva.

They have started working at the national level to standardize their oversight of Naloxone carry and administration as they are becoming acutely aware of the need of social workers to be able to have clear guidance from their state board on their stance on carrying Naloxone. There has not been much guidance provided in the past, and many social workers are not sure if they are able to be involved in the process. The Department of Veteran’s Affairs requires the following for VA social workers to carry and administer Naloxone: the state board in which the VA social worker is licensed has in writing that they are authorized to carry and administer Naloxone. VA Social Workers who have written authorization from their state must meet specific training requirements and have specific competencies verified and reviewed annually by the Department of Veteran’s Affairs. Currently, ten states have approved this in writing. In these ten states, each of the VA facilities has a social work leader who is responsible for professional practice. They work with each of the social workers to ensure they have specific competencies related to Naloxone carry and administration, that they have met very specific training related to this, and that it is updated on an annual basis. The social workers are required to take many trainings prior to beginning the Naloxone process.

The National Social Work Program has a goal of a 100% response rate. They are not providing a recommendation, they feel it is up to the boards. States that have appropriate written concurrence should work with the SW Chief/Executive in their state to ensure appropriate training and competencies are in place.

The “social work leaders” referenced are the social work chiefs and executives at every facility as the lead subject matter expert. Their role in this is to work with any program manager/supervisor/social workers in the VA to ensure that the training and competencies are up to date. They will ensure that the appropriate scope of practice documents are updated to include Naloxone carry and administration. The training does not become a CE requirement, however social workers can receive CEs for some of the required trainings. ASWB and NASW are aware of the efforts and have been informed of this process and are updated quarterly. They have indicated support, however no stance has been provided in writing. The Narcan/Naloxone is nasal only in the VA. They see this as a lifesaving treatment, such as CPR. This is something that is mostly necessary for social workers involved in the community. This may also be beneficial for those in rural areas where there may not be other options, such as getting to a hospital in a timely manner.

Brandon inquires if the statement is only for those in the VA system or if this is for the general licensing body. Lisa Wootton confirms that this statement is only regarding those social workers that work for the VA. She states if the board would like to change the statement to ensure it is specific enough to VA social workers only, that would be something she would be willing to discuss. Jennifer Silva notes that the ten other states that have responded have made this statewide for all social worker licensees, not just those in the VA. Some of the boards inquire about the good Samaritan law. If someone is working as a social worker, they are not covered under the good Samaritan law. The Ohio board has written in their regulations that the good Samaritan law covers workers as well, which is another route to take.

Several states have this in regulation, depending on how involved their social workers are involved in the community, however that is not required for this statement. They state that there is not a rush, and if there are more questions, they are willing to answer them.

TASK for RLS Derr/OLE Davis: reach out to NASW Alaska Chapter, EMS people from all over the state, other stakeholders etc., present to board. Board will review to consider a licensee wide statement rather than a VA based statement. If the board has any additional stakeholders/questions they would like to ask, board should reach out to OLE Davis to let her know. Staff will discuss with Director Chambers or Deputy Director Hoskinson to get feedback from the Department of Law since it sounds like they are wanting the board to absolve professional liability. Lacey wants to see if that is in our wheelhouse or something that we can do.

Quinn Kiger-Good left the meeting at 10:54am; Lisa Wootton, Jennifer Silva, Lakeshia Hasten, and Angela Giles left the meeting at 10:58am

Agenda item #9 Division Update

Administrative Operations Manager Melissa Dumas joined the meeting at 10:59am

A. 3rd Quarter Report FY2022

Melissa Dumas presented the board's financial report for the third quarter of FY2022. The revenue for the board through March of 2022 was \$98,712.00, of which \$37,564.00 was received from the general fund*, the direct expenditures for the board were \$127,019.00. The board's total expenditures were \$182,907.00, with a carry-over of \$42,590.00 in surplus from the prior year. Currently the deficit for the board is -\$41,606.00. 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 be received for the board for FY2023, however the legislature has not yet made any determinations on this.

Melissa Dumas left the meeting at 11:09am

With additional time before the Regulation Review/Update, the board elected to move on to Administrative Business

Agenda item #10 Regulation Review/Update

Jun Maiquis joined the meeting at 11:26am

The board reviewed the proposed changes to 12 AAC 18.108 for the Temporary Military Courtesy License as publicly noticed.

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

Resolved that in considering public comments received and cost to private persons, adopt the proposed regulations for 12 AAC 18.108 Temporary Military Courtesy Licenses as amended.

The board reviewed 12 AAC 18.115 for the supervision of experience for clinical social work as publicly noticed.

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

Resolved to adopt the proposed regulations for 12 AAC 18.115 Supervision of Experience for Clinical Social Work license as proposed and publicly noticed.

Jun Maiquis left the meeting at 11:40am

During the last board meeting, the board made a motion to require 3 telehealth CEs for initial licensure. Drafted language was prepared, presented to the board, and reviewed. Proposed language is as follows:

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 18.112(2)(B) is amended to read:

12 AAC 18.112. Continued competency. Proof of continued competency satisfactory to the board includes

(1) successful passage of the applicable examination in 12 AAC 18.105 within the two years immediately before the application; or

(2) verification of completion within the five years immediately preceding application of

(A) 1,500 hours of work as a social worker while holding a license similar to that for which application has been made; and

(B) the continuing education requirements described in

12 AAC 18.210(a)(1), [AND] (3), **and (4)**. (Eff. 10/14/99, Register 152; am 8/29/2003, Register 167; am 3/26/2020, Register 233; am ___/___/_____, Register _____)

Authority: AS 08.95.030 AS 08.95.120

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

Resolved to approve the draft language to add three teletherapy hours for initial licensure to 12 AAC 18.112 Continued Competency regulations.

Agenda item #11 **LUNCH**

The board took a recess for lunch at 11:46am

The board returns from recess and is back on record at 12:45pm

Agenda item #12 **Old Business**

A. Application Flowcharts/Decision Trees

During the last meeting, the board discussed a flowchart/decision tree created by Brandon that assisted the board in processing LCSW applications. The board expressed interest in receiving one for each application type. OLE Davis created a flowchart for each application type based on the document prepared by Brandon. These were presented to the board. The board approved the drafted forms, and noted that it would be helpful to have as a PDF version. OLE Davis will adjust the forms to be fillable PDFs, and will distribute both the PDF and Word versions to the board via email.

Agenda item #13 **New Business**

A. Disciplinary Matrix – Florida review

During the February 15, 2022 board meeting, the board expressed their aspiration to create a Disciplinary Matrix and listed this as a priority for new board members. The board recalled hearing that another mental health board currently had a Disciplinary Matrix, and was interested in having this presented at the next board meeting as an example. OLE Davis reached out to RLS Derr and the other mental health boards, and found that no Disciplinary Matrix currently exists for these boards. The PCO board has received a copy of Florida's Disciplinary Matrix. This was presented to the board. Board members are asked to review this over the upcoming months, particularly when reviewing investigative cases, to further discuss creating a matrix for the board at an upcoming meeting.

Sharon Woodward inquired about the current fines the Social Work board upholds for disciplinary actions. OLE Davis will reach out to our paralegal and our investigator for this information, and will pass the information on.

B. FY2022 Annual Report

The FY2022 Annual Report is due by June 30, 2022. The Division's recommendation is to build off what the board has from the previous year.

Sharon will complete the Narrative section. Gabriel will assist with description of travel and all travel the board is asking for (Budget Recommendations), and the Goals and Objectives. Brandon will complete the Proposed Legislative Recommendations and the Regulatory Recommendations. All sections will be sent to OLE Davis by May 31st. The combined sections will be put on OnBoard for initial review. Any changes to be made will be sent to OLE Davis. The board will have a one-hour meeting to approve the annual report on the record.

Agenda item #14 **Administrative Business**

A. Correspondence

There is no correspondence to present to the board. This will remain on each agenda in order to address any correspondence that may be received between the finalization of the agenda and the next meeting date.

B. Examiner Update

-Renewal Update: The Social Work renewal applications are live online as of April 26, 2022. The paper application has also been posted on the website. Letters were sent out to all licensees alerting them of the renewal going live.

-Letters sent to licensees (ethics/investigative costs, continuing education): The Continuing Education (CE) letter sent out clarified the valid dates for CE credits to be earned before renewal, directed licensees to the board's Position Statement on the clarification of Substance Abuse, clarified CEs used to gain initial licensure cannot be used towards renewals, and directed licensees to the CE regulations. These clarifications were also posted to the

Respectfully Submitted By:

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

9/14/2022

Date

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Brandon Ercanbrack
Board Chairperson
Alaska State Board of Social Work Examiners

9/14/2022

Date