

1 State of Alaska
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATION, BUSINESS AND PROFESSIONAL LICENSING
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5 BOARD OF SOCIAL WORK EXAMINERS
6 Minutes of the meeting September 11, 2023
7

8 By the authority of AS 08.01.070(2) and AS 08.95.020, and in compliance with the provisions of AS 44.62, Article
9 6, a scheduled meeting of the Board of Social Work Examiners originated from Juneau, 333 Willoughby Ave.; this
10 meeting was held via Zoom.
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15 Monday, September 11, 2023
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17 The Chair brought the meeting to order at 9:00 am.
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19 **Board Members Present Constituting a Quorum**

20 Ann Applebee, Licensed Clinical Social Worker
21 Anne Wells, Licensed Clinical Social Worker
22 Amber Taylor, Licensed Master Social Worker
23 Sharon Woodward, Licensed Baccalaureate Social Worker
24 Stacey Stone, Public Member
25

26 **Board Members Absent**

27 None
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28 **Staff Members Present**

29 Renee Carabajal, Program Coordinator II
30 Jeanne Pace, Program Coordinator I
31 Rebecca Clay, Occupational Licensing Examiner
32 Jasmin Bautista, Investigator
33 Stefanie Davis, Regulations Specialist II
34 Marylin Zimmerman, Paralegal II
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33 **Members of the Public Present**

34 Tennille Limer
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36 **Agenda Item - Call to Order/Roll Call/Introductions**

37 Ann Applebee, board chair, called the meeting to order and did roll call with everyone present except Amber Taylor
38 who arrived at 9:15 am. The chair welcomed the newest member, Anne Wells and asked that the other board
39 members introduce themselves. After introductions were made the chair moved that they approve the agenda.
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41 **Agenda Item - Review/Approve Agenda**

42 There were no objections to the agenda.
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In a motion duly made by Stacey Stone, seconded by Anne Wells with unanimous consent, it was resolved to approve the September 11, 2023, agenda as presented.

Agenda Item - Ethics Disclosures

All members said they had no potential ethical conflicts to disclose.

Agenda Item - Administrative Business / Correspondence

Three email correspondences from the public were presented to the board for discussion. The first correspondence related to insurance and S. Stone voiced that insurance questions could not be answered by the board and the individual would need to ask the insurance company. A. Applebee asked if anyone had any further insights. It was concluded that the question is not something the board would be able to answer.

The second correspondence related to LCSWs who provide developmental disability testing with some additional training in testing practices. A. Applebee reasoned that if the LCSW were trained and approved by the employer to conduct such a test, it would have board support. S. Woodward affirmed the statement by noting the individual was only administering the test and not diagnosing. A. Wells stated that if the testing was done in their scope of practice, and they had the proper training, and the agency supports the testing, it would be fine. It was determined by the board that if the LCSW had the appropriate training and approval from their place of employment, they could provide the developmental disability testing.

The third correspondence related to obtaining supervision hours with a temporary LMSW working as a 1099 contractor. A. Applebee stated that practicing clinical level care as their own business entity would be inappropriate should anything go south. S. Stone confirmed the comment by stating the individual should not be operating on their own while being supervised. The board decided that would not be allowed.

Agenda Item - Supervisor Questions

A question was submitted to A. Applebee about an inappropriate comment made by a LPC who supervises LCSW candidates, which led to a formal complaint within their place of employment. The LPC self-reported the situation and wanted to ask the board if they believed she is capable to continue supervising after the comment. The board concluded that with the LPC's employer additional supervision, ability to self-report, and the frustration a mental health provider may experience, it was decided to allow the LPC to continue supervising LCSWs.

Agenda Item - Public Comment

There were no members of the public present for public comment. The board moved forward with the agenda.

Agenda Item – Tabled Application

In a motion duly made by Stacey Stone, seconded by Sharon Woodward with unanimous consent, it was resolved to move the Tabled Application discussion from 2:00 pm to 9:32 am

Discussion regarding an application, related to having more than one supervisor listed on the application, but only one supervisor submitted a reference. It was determined that due to how the statutes and regulations were written, the applicant's submission was sufficient. No further references were needed.

In a motion duly made by Sharon Woodward, seconded by Stacey Stone with unanimous consent, it was resolved to approve application for, License #210785.

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Agenda Item – Teletherapy

The board discussed the definition of teletherapy and how it is written under 12 AAC 18.210 Continuing Education requirement. Board members tabled the discussion until old business.

Agenda Item – Compact Presentation

Kaitlyn Bison, policy analyst and Dan Logsdon, Director, from the Council of State Government’s National Center Interstate compacts presented about the social work licensure compact. K. Bison went over the compact’s history, use by other professions, and the specifics of the social work compact. D. Logsdon gave an overview of the non-partisan, non-profit organization stationed in Lexington, KY. He noted, the organization does not lobby, rather, they provide technical assistance to the States. He stated that the compact was to support regulatory certainty, especially among military personnel and their spouses. K. Bison, resumed the presentation and explained the compact was defined as “a legal contract between states.” Much like a driver’s license. The compact would not take away existing licensing systems, rather, provide an additional pathway. The compact does not govern scope of practice and the State would maintain control over a single state licensing process. A. Applebee inquired about accreditation among universities and D. Logsdon stated they would need guidance from the Department of Education. He elaborated on accreditation stating states in the compact would be required to take the Association of Social Work Board exam. Next, K. Bison explained the process for disciplinary actions taken against a license and the rules for when an applicant agrees to a compact. The rest of the presentation went over requirements, exam exemptions, accredited social work degrees, 3000 hours of post graduate clinical practice, 2 years experience. Any actions taken against a license would mean the licensee is prohibited from the compact until they are reinstated. The states would set the fees for the compact and K. Bison mentioned there would be continuing education requirements but only that for the home state and the licensee does not have to meet the requirements across states. K. Bison continued the presentation highlighting areas of investigations, how to change your home state, taking adverse actions, the compact commission, and state withdrawal of the compact. A. Applebee expressed concern about licensees who have joined the compact practicing in the State of Alaska without any registration. She also wondered how the compact may affect licensing fees for the department. K. Bison further explained that agreeing to a compact would need to go through the legislature, not through the board. The Board of Social Work Examiners should reach out to their legislator, should they want to be part of the compact. Currently, only the state of Missouri has enacted the compact and it will take six more states in order for it to be recognized nationally. The presentation ended. A. Applebee thanked K. Bison and D. Logsdon for giving the presentation. The board discussed the effects the compact would have on the State of Alaska, such as fees, federal licensing, and military personnel and spouses. S. Stone pointed out that this seemed to be trending nationally to have a compact and A. Applebee agreed. S. Woodward asked how the fees worked within the compact. A. Applebee explained Alaska may take a hit financially because of all the out-of-state licenses issued. A. Wells mentioned the federal system and its similarities to the compact. A. Applebee elaborated stating that even some agencies would allow a licensee to work across states. A. Taylor mentioned the burden of not having a compact has on military spouses, stating it is very difficult to plan for a career. The board decided to take a ten minute break and return to revisit the teletherapy discussion before investigations.

Off the record at 10:35

On the record at 10:46

Agenda Item – Teletherapy

Discussions on teletherapy resumed about the definition and its clarity. During the break the board chair, A. Applebee looked up another agency’s definition. National Association of Social Workers defined teletherapy as ‘Telemental health is the practice of delivering clinical health care services via technology assisted media or other electronic means between a practitioner and a client who are located in two different locations.’ A. Applebee asked how they could align the State of Alaska’s definition with the NASW. Division staff R. Clay stated the board

118 would need a regulation’s project in order to update the regulation. S. Woodward wanted clarification on which
119 regulation would need revision. A. Applebee stated the actual definition of teletherapy would need revision and
120 that would help when interpreting which CEU to take. The discussion of teletherapy was determined to go into
121 December’s meeting where regulation updates would be discussed.

122
123 Discussion turned to the definition of nonmedical social worker. A question was asked by a member of the public
124 about the definition of nonmedical and its meaning. A. Applebee read Sec. 08.95.990. Definitions (2) "clinical social
125 work" means the diagnosis of psychiatric disorders and the use of techniques of applied psychotherapy of a
126 nonmedical nature while practicing social work. The chair researched its meaning and stated that nonmedical
127 means clinical social workers do not prescribe medications. The board conducted conversation about the meeting
128 of nonmedical and resolved to discuss further at a future meeting.

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130 **Agenda Item – Investigations**

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132 **In accordance with the provisions of Alaska Statute 44.62.310(c) and Alaska Constitutional Right to Privacy**
133 **Provisions, Stacey Stone moved that the State Board of Social Work Examiners go into executive session for**
134 **the purpose of discussing matters which by law, municipal charter, or ordinance are required to be confidential.**
135 **Board staff excused for the session. Sharon Woodward seconded the motion. Motion passed via unanimous**
136 **consent.**

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82 Off record at 11:01 am.

83 On the record at 11:34 am.

84

85 **On a motion duly made by Stacey Stone, seconded by Sharon Woodward, via roll call vote, it was RESOLVED to**
86 **accept the surrender of license as discussed in case # 2021 - 000751. Motion passed.**

87

Board Member	Approve	Deny	Recuse	Absent
Ann Applebee	X			
Ann Wells	X			
Amber Taylor	X			
Sharon Woodward		X		
Stacey Stone		X		

88

89 **Agenda Item- Regulations Discussion**

90 S. Davis, Regulations Specialist II joined the meeting to answer any questions from the board about a
91 regulations project. J. Pace informed the board about the process for starting a regulations project. She stated the
92 board would need to take a look at all the items they wanted to potentially change in the regulations and earmark
93 those changes. She discussed the frequently asked questions worksheet which highlights the reasons for the
94 change and if there may be unintended consequences to anyone and what the board is hoping to accomplish or if
95 it is simply a clarification of language. Further, she let the board know that the position statements on the website
96 did not hold any legal weight and identifying the topics in a regulations project would help clean up the question-
97 able wording and project what the board really intended the regulations to mean. She mentioned it would be a
98 good idea to address as many ideas as possible because regulation projects have a cost attached, so it would be
99 cost effective to have as many ideas as possible addressed before completing the project. A. Applebee thanked J.
100 Pace and asked about the status of adding the ASWB exam date to the application and suicide education. S. Davis
101 remarked the suicide education had already been added to the regulations and the applications should have been
102 updated at the same time. She went on further to say that when the board adopts new regulations, it is sent to the
103 Lieutenant Governor and then once signed it goes to a 30-day waiting period. During that period, it is a time for the

104 board to have clarification and clean-up any misinterpreted information. She mentioned they would not need a
105 new regulations project for that. She also mentioned the frequently asked questions worksheet had been updated,
106 so that it will look a little different. A. Applebee stated they did not have any questions. R. Clay stated that all the
107 applications and forms were in the process of being updated to reflect the suicide education update as well as the
108 ASWB exam date added to the online form. A. Applebee proposed the board break for lunch at 11:45 until 12:30.
109 There were no objections.

110

111 Off the record at 11:45

112 On the record at 12:30

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115 **Agenda Item – Executive Session Consent Agreements**

116 M. Zimmerman with the legal joined the meeting to discuss consent agreements.

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118 **In accordance with the provisions of Alaska Statute 44.62.310(c) and Alaska Constitutional Right to Privacy**
119 **Provisions, Amber Taylor moved that the State Board of Social Work Examiners go into executive session for**
120 **the purpose of discussing consent agreements. The following subjects may be considered in executive session: •**
121 **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public**
122 **entity; • subjects that tend to prejudice the reputation and character of any person, provided the person may**
123 **request a public discussion; • matters which by law, municipal charter, or ordinance are required to be**
124 **confidential; • matters involving consideration of government records that by law are not subject to public**
125 **disclosure. Sharon Woodward seconded the motion. Motion passed via unanimous consent.**

126

127 Off the record at 12:32

128 On the record at 12:44

129

130 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**
131 **resolved to approve consent agreement for case number 2022-001037**

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133 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**
134 **resolved to approve consent agreement for case number 2022-001068**

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136 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**
137 **resolved to approve consent agreement for case number 2022-000956**

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139 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**
140 **resolved to approve consent agreement for case number 2022-000950**

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142 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**
143 **resolved to approve consent agreement for case number 2022-000959**

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145 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**
146 **resolved to approve consent agreement for case number 2022-000954**

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148 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**
149 **resolved to approve consent agreement for case number 2022-001038**

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151 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**

152 **resolved to approve consent agreement for case number 2022-000949**

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154 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**
155 **resolved to approve consent agreement for case number 2022-001026**

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157 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**
158 **resolved to approve consent agreement for case number 2022-001039**

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160 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**
161 **resolved to approve consent agreement for case number 2022-001073**

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163 **Agenda Item – Application Review**

164 S. Stone wanted to review a supervision request that was incomplete. The board went into executive session to
165 discuss the supervision request.

166

167 **In accordance with the provisions of Alaska Statute 44.62.310(c) and Alaska Constitutional Right to Privacy**
168 **Provisions, Stacey Stone moved that the State Board of Social Work Examiners go into executive session for**
169 **the purpose of discussing a supervision request. The following subjects may be considered in executive session:**
170 **Subjects that tend to prejudice the reputation and character of any person, provided the person may request a**
171 **public discussion. Amber Taylor seconded the motion. Motion passed via unanimous consent.**

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173 Off record at 12:55

174 On record at 13:15

175

176 **Agenda Item – Old Business**

177 A. Applebee highlighted old business items to discuss. First was the approval of the May 8th, 2023 Board of
178 Social Work Examiners meeting minutes and mission statements.

179

180 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**
181 **resolved to approve the May 8th, 2023, Board of Social Work Examiners meeting minutes.**

182

183 A. Applebee discussed the mission statement for the Board of Social Work Examiners. Other board members
184 were in agreement that a mission statement would be a good idea to clarify for the public the board's purpose.

185 S. Stone stated it would be beneficial for the lay person. S. Woodward asked if other boards had mission
186 statements. A. Applebee stated she believed other boards did and asked R. Clay if she could reach out to other
187 boards for mission statements.

188

189 **Agenda Item – New Business**

190 A. Applebee announced the dates for the next Board of Social Work Examiners meeting scheduled for December
191 11-12, 2023. They discussed approval for having the meeting in person due to the board's desire to discuss
192 regulations changes and fill out the division worksheets. Everyone agreed that an in-person meeting would be
193 beneficial to the board and everyone would be able to make those dates. Next, A. Applebee inquired about the
194 ASWB New Board Member training. S. Stone stated she would attend the October meeting. A. Applebee wanted A.
195 Wells to attend the next available meeting and R. Clay stated she would make the board aware when those dates
196 were available. A. Applebee drew attention to the position statements for revision and S. Stone agreed that the
197 regulations project could help address some of the confusion around them. S. Stone stated the position statements
198 were meant to clarify the regulations, but it is the regulations that need clarification. She went on to say its
199 important to make it easy for the applicant to provide what is needed, but to not oversimplify, but to make sure all

200 the boxes are check and everyone is aware. A. Taylor brought up issues with continuing education certificates and
201 how they are verified as valid. S. Stone agreed that it needs to be very clear on what is being approved. She stated
202 that because of the Open Meetings Act, they were limited on what they could talk about, but that they needed to
203 come to an agreement on what they are wanting and how that could be approved. A. Applebee valued S. Stone's
204 comment as she is the public member and sometimes being in the field were more familiar with the requirements
205 as opposed to someone who may not be. She also stated that familiarization with centralized regulations would
206 also help clarify intent. With that it was decided to open a regulations project.

207

208 **A motion made by Stacey Stone, seconded by Anne Wells, and approved by unanimous consent, was:**
209 **open a regulatory project to address the 8 position statements of the board, to discern where**
210 **regulatory changes are reasonable or necessary, address the definition of tele-therapy, and clarify the**
211 **definition of nonmedical.**

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213 **Agenda Item – Adjourn**

214 There was no further business to discuss, and the meeting adjourned.

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216 **In a motion duly made by Stacey Stone, seconded by Amber Taylor with unanimous consent, it was**
217 **resolved to adjourn the meeting.**

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219 Off the record at 14:00

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Date final minutes approved by the board:	10/10/2023
<input type="checkbox"/> Board Meeting <input checked="" type="checkbox"/> Onboard	

Agenda Item - Adjourn