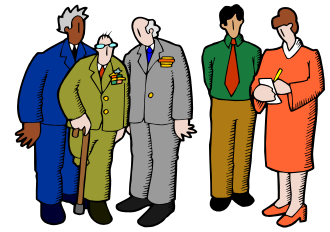


Tennessee Board of Social Work Certification and Licensure



Newsletter



Vol. 1, No. 1

A Regulatory Agency of the State of Tennessee

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Cordell Hull Building, First Floor, 425 Fifth Avenue North, Nashville, TN 37247-1010

• Tennessee.gov

DISCIPLINARY ACTIONS FROM 2000 – 2004

**Morley Cowan, CMSW – License No. 4067,
LCSW – License No. 3246**

Conduct reflecting unfavorably upon profession of social work, felony conviction for aggravated sexual battery. License revoked.

Sherry Paige, CMSW – License No. 5659

Failure to conduct the professional practice of social work in conformity with the standards promulgated by the board. Two year probation, must acquire ten (10) continuing education hours in ethics and supervised by a licensed LCSW during probation period.

Lisa Ragan, CMSW – License No. 5645

Failure to report alleged abuse for several weeks. Letter of reprimand.

**Cathy Weedman, CMSW – License No. 3500
LCSW – License No. 3631**

Violation of T.C.A. §63-23-106(a)(1), (8), (11) and (12). Conviction of a felony under federal or state law involving the use, misuse, possession or sale of any controlled substance. Conviction of a felony in the courts of this state. License revoked and \$1,000 civil penalty.

Batya Winninger, CMSW, License No. 4990

Counseled clients in a private practice setting without licensure to do so. Agreed Order. Cease

independent practice of social work until receipt of appropriate licensure. Probation for six months, obtain five (5) continuing education hours in jurisprudence and ethics.

Arnold Brav, LCSW – License No. 3941

Engaged in a relationship with a former patient within two months of the cessation of the therapist/client relationship. Letter of reprimand.

Eleanor Hampton, LCSW – License No. 699

Submitted an altered copy of license to obtain a Medicare enrollment. Reprimanded.

Barbara Henegar-Roy, LCSW – License No. 3329

Unprofessional or unethical conduct, failure to make every effort to avoid dual relationships with clients and/or relationships which might impair independent professional judgment or increase the risk of client exploitation. Two year probation, must acquire 12 hours of continuing education in the areas of ethics and boundaries.

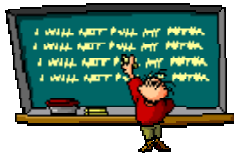
Rebecca MacLeod, LCSW – License No. 3252

Unprofessional or unethical conduct, addiction to the habitual use of intoxicating liquors, narcotics or other stimulants to such an extent as to incapacitate the applicant or holder from the performance of one's professional obligations and duties. Agreed Order to self-report prior substance abuse and a prior marital relationship with a former client to the Wisconsin board of Social Work.

Kathleen McCracken, LCSW – License No. 891
Violation of T.C.A. §63-23-106(a)(1), (7), (8) and rule 1365-1-.13(3)(b), unprofessional or unethical conduct, or engaging in practices in connection with the practice of social work which are in violation of the standards of professional conduct, engaging in unprofessional activities with clients. Two year probation.

Patricia Mogridge, LCSW – License No. 1055
Unprofessional conduct, substance abuse, formed a dual relationship with client, failed to timely terminate professional relationship with client. Agreed Order. Three year probation, quarterly reports from employer/supervisor regarding practice of social work, quarterly progress reports from aftercare sponsor.

Yvonne Robertson, LCSW – License No. 3557
Formed dual relationship with client. License revoked. May apply for reinstatement after two years upon entry of order, must obtain six (6) hours of continuing education in ethics in addition to the regular continuing education requirements and submit proof to the board. Must appear before the board before reinstatement shall be granted. Chancery court stayed the action pending appeal.



RULE AMENDMENTS

An amendment to Rule 1365-1-.21, pertaining to free health clinic and volunteer practice requirements, was approved by the board at the February 4, 2005 board meeting.

A new rule regarding mandatory criminal background checks for all new applicants was approved for rulemaking hearing by the board at the February 4, 2005 board meeting.

You may download a copy of the rules at <http://Tennessee.gov/health> and follow the prompts.

ON LINE RENEWALS AND INFORMATION UPDATES

Practitioners may access the online service at <http://Tennessee.gov/health> to renew their licenses up to 120 days prior to the expiration of

their license or update addresses or other information at any time in a secured environment.

How to renew online

-Step 1: Login - Select our board and your profession and enter your license number.

-Step 2: Update your Information - Change your home and/or office address.

-Step 3: Enter your renewal information - Answer all necessary questions, as if you were completing your hard-copy form.

-Step 4: Payment - Enter your credit card information through the secure site and choose "submit".

What happens next?

If you have met all of the criteria necessary, your renewal certificate will be mailed to you in approximately one week. Information will be available on the department's Web site within two business days.



TELEPHONE SYSTEM KEY TO VERIFY CREDENTIALS OF EMPLOYEES

The Department of Health's automated telephone system is a useful and inexpensive tool to verify whether or not your employees' licenses are active and in good standing. The telephone number is toll free and the only information needed is the employees (or applicant's) social security number and your facsimile number. Here's how:

- Dial toll-free 1-800-778-4123 or 741-5748
- Listen to the entire first message. Listen for the "pause". Then, listen to the **second** message
- To obtain information regarding a health professional, such as ...licensed social worker [Press 1]
- To search our database, you will need the social security number of the health professional.
- Please enter the person's social security number

- Verify SSN and Press 1, if correct
- Press 1 to ask for a fax. Enter your area code and fax machine number.

Note: Modifiers or “qualifications” are only provided on the facsimile copy, which will be faxed to you the same business day by following the above steps.

BOARD’S OFFICE FIELDS COMPLAINTS: Patients, Practitioners, & Medical Records

What do you do when a patient requests a copy of their medical record? Simply, comply with T.C.A. § 63-2-101 and 102. These statutes regulate, for all health-related boards, what the patient’s and practitioners’ rights and duties are.

Here’s a summary: 1) The patient (or patient’s authorized representative) must furnish a written request for the medical records; 2) The practitioner shall furnish the medical records within ten (10) working days; 3) The practitioner may charge a reasonable copying fee, as follows:

- <40 pages = not more than \$20
- >40 pages = \$20 up to 40 pages, then, .25¢ per page.

4) The practitioner may charge the actual cost of mailing the records; and 5) The practitioner may require that the patient, or patient’s representative, pay the costs of copying prior to the “records being furnished.” The patient then has the right to his or her medical records **without delay**.

Failure to comply with this statute may result in disciplinary action against your license.

OFFICE OF INVESTIGATIONS

The Office of Investigations is responsible for receiving and processing all complaints for the licensure boards. To file a complaint, please contact the Office of Investigations at 1-800-852-2187 or you may download a complaint form from the Web site and follow the directions on submission. Complaints may be filed anonymously.



RENEWAL NOTICES AND ADMINISTRATIVE REVOCATIONS

The Board has, in the past, ratified the “administrative” revocation of licenses that had exceeded the grace period for renewal and had not been renewed.

Renewal notices will continue to be mailed during the month *preceding* the month in which the license/registration was due to expire. No other notice will be sent to the licensee. By operation of law, the license or registration expires on the designated expiration date and the licensee/registrant cannot practice past this date. The law allows a grace period in which the licensee can renew without paying additional fees and filing a reinstatement application.

The language on the revised renewal application, which was mailed in January to those whose licenses expired in February, alerted the licensee/registrant that the renewal form is the **only** notice to renew that the Board will send. The expired licensee will no longer receive a “reminder letter” to renew, which is customarily mailed during the grace period, or a notice of expiration.

Each profession offers the option of licensure retirement. An Affidavit of Retirement is available on the Board’s Web site or by requesting a form from the Board’s Office.

If you believe you will want to return to practice in Tennessee, please read your profession’s rules regarding reactivation procedures of a retired license/registration, as certain restrictions do apply for reactivation

POLICY STATEMENTS

The Board has adopted the following policy statements:

Renewal for Licensees Called to Active Duty

A licensee who had an active license at the time he/she was called to active duty in the military and was unable to renew that license shall submit a letter to the board stating the reason for non-renewal of the license was active duty in the U. S. Military, including dates and proof of service. Upon receipt of these documents the licensee is allowed to renew the license with no late renewal or penalty fees. A licensee whose license has been expired for one year or less is not required to complete the required continuing education for renewal of the license at that time. A licensee whose license has been expired over one year is required to obtain

one-half of the required continuing education in order to renew their license.

Continuing Education

A social worker licensed in Tennessee is required to complete 30 hours of continuing education biennially. Failure to comply with the continuing education requirements results in a civil penalty of \$100 to be paid within 30 days upon notification from the board and the licensee must obtain the number of deficient hours within the following calendar year.

Licensees Working on an Expired License

Upon recognition that his/her license has expired, the individual must stop practicing immediately and contact the board office to request a reinstatement application. The individual must complete the reinstatement in its entirety along with a detailed work history from the date the license expired. The application must be signed and notarized and returned to the board's administrative office along with proof of documentation of continuing education requirements taken within the previous twelve (12) months, as well as all applicable fees. Once the completed reinstatement application and all required documentation are received the board administrator may immediately reinstate the license only if the license has been in an expired status for three (3) months or less. If the reinstatement application received indicates in the work history that the individual has worked more than three (3) months on an expired license, the licensee will be assessed a penalty in the amount of \$100 for each month worked in excess of the three (3) months from the expiration date of the license.



HOMELAND SECURITY

Health Related Boards (HRB) is assisting the Tennessee Office of Homeland Security and Department of Health in preparing the State for emergency or crisis situations. Whether the crisis is the result of an act of bio-terrorism or the rapid spread of a communicable disease such as SARS, it is imperative that our healthcare community have a mechanism in place to organize and address the situation in a reasonable and timely manner.

It is the task of Health Related Boards to obtain and record email addresses and/or fax numbers for individual health care professionals. This data will then be used in a crisis or emergency situation to immediately alert health care providers throughout the State of Tennessee of the situation and plan of action. The information gathered will not be shared outside state government.

Please contact your HRB profession office today and provide this vital information for the health, safety and welfare of the citizens of the State of Tennessee. You may utilize the on-line Change of Address option at the board Web site at <http://tennessee.gov/health>, fax it to 615/532-5369, or email it to james.a.hill@state.tn.us, Board Administrator for the Board of Social Worker Certification and Licensure. If you choose to mail, fax or email the information, please include your name as it appears on your license, your profession, and your license number. Thank you for assisting us in this important project.

HIPAA

The Department of Health is required by a new federal law entitled Health Insurance Portability and Accountability Act (HIPAA) to safeguard the Protected Health Information (PHI) of practitioner's patients. PHI is individually identifiable information about the past, present, or future health or condition, the provision of health care to your patients, or payment for health care. Practitioners are required to give patients a notice of their privacy practices for the information collected and maintained about them.

Most patients have healthcare data stored in some systems or at a health plan or provider. Implementing the privacy and security rules ensures that patient's healthcare data is not used or disclosed (intentionally or accidentally) to persons or agencies that have no reason to see their healthcare data.

Patients have the following rights regarding medical information practitioners obtain about them:

- Right to inspect and copy.
- Right to amend.
- Right to know what health information you have released.
- Right to request restrictions.
- Right to confidential communications.
- Right to authorize release of information.
- Right to a paper copy of this notice.

CONSUMER RIGHT-TO-KNOW

The Health Care Consumer Right-to-Know Act of 1998, T.C.A. §63-51-101 et seq. requires designated licensed health professionals to furnish certain information to the Tennessee Department of Health. The information for public dissemination includes: (1) A description of any criminal convictions for felonies within the most recent ten (10) years. (2) A description of any final disciplinary actions of licensing boards in other states within the most recent ten (1) years. (3) A description of revocation or involuntary restriction of hospital privileges for reasons related to competence or character that has been taken by the hospital's governing body or any other official action of the hospital after procedural due process has been afforded, or the resignation from or non-renewal of medical staff membership or the restriction of privileges at a hospital taken in lieu of or in settlement of a pending disciplinary case related to competence or character in that hospital. Only cases which have occurred within the most recent ten (10) years shall be disclosed by the Department to the public. (4) All medical malpractice court judgments, all medical malpractice arbitration awards in which a payment is awarded to a complaining party and all settlements of medical malpractice claims in which a payment is made to a complaining party beginning with reports for 1998 and each subsequent year; provided, such reports shall not be disseminated beyond the most recent ten-year period, but shall include the most recent ten-year period for which reports have been filed.

From the information submitted, the Department will compile a practitioner profile, which is required to be made available to the public via the Internet and toll-free telephone line after May 1, 1999. **Each practitioner who has submitted information must update that information in writing by notifying the Department of Health, Healthcare Provider Information Unit, within 30 days after the occurrence of an event or an attainment of a status that is required to be reported by the law.**

A copy of your initial or updated profile will be furnished to you for your review prior to publication. That opportunity will allow you to make corrections, additions and helpful explanatory comments. **Failure to comply with the requirement to submit and update profiling information constitutes a ground for disciplinary action against your license.**

A blank copy of the profile may be obtained from our Web site address at <http://Tennessee.gov/health>. Click on "Forms & Publications"; click on the appropriate board; and click on "Mandatory Practitioner Profile Questionnaire for Licensed Health Care Providers".

HRB CUSTOMER SURVEY

Health Related Boards (HRB) is conducting a customer survey to assist in determining ways to improve services provided to licensees, applicants, and the public.

If you want to help us in this endeavor, please print the survey from the Noteworthy section of the board's Web site or call the board's administrative office at 1-800-778-4123 ext. 25088 for one to be mailed to you. Completed surveys should be mailed to the address listed on the form.

CONTINUING EDUCATION

Following are the results of the 2001/2002 continuing education audit:

Certified Masters Social Worker:

Audited	205
Compliant	49
Noncompliant	75
Exempt	38
No response	30
Retired	4

Licensed Clinical Social Worker:

Audited	207
Compliant	91
Noncompliant	86
Exempt	3
No response	14
Retired	6

BOARD MEETING DATES

August 5, 2005	9:00 a.m. Tennessee Room
November 4, 2005	9:00 a.m. Tennessee Room

The board meeting rooms are located on the Ground Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN.

Tennessee Board of Social Work Certification and Licensure
First Floor, Cordell Hull Building
425 Fifth Avenue North
Nashville, TN 37247-1010



Tennessee Board of Social Work Certification and Licensure Board Members

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CMSW
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CMSW

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