

**CALIFORNIA
BOARD OF BEHAVIORAL SCIENCES
FULL BOARD
MEETING MINUTES**

MAY 19, 2000
(Approved August 25, 2000)

**DEPARTMENT OF CONSUMER AFFAIRS
400 R STREET, SUITE 1030
SACRAMENTO, CA**

MEMBERS PRESENT

Selma Fields, MFT Member, Board Chair
Judy Brislain, LEP Member
Christina Chen, Public Member
Virginia Laurence, LCSW Member
Karen Pines, MFT Member

MEMBERS ABSENT

Howard Stein, Public Member
Marsena Buck, LCSW Member, Vice Chair

STAFF PRESENT

Sherry Mehl, Executive Officer
LaVonne Powell, Legal Counsel
Julie McAuliife, Administrative Analyst

GUEST LIST ON FILE

Christine Hagan, Project Coordinator
Distance Education
California State University, Long Beach

The meeting was called to order at 9:30 a.m.

Ms. Fields stated there was not a quorum and the Board could not take action on any items.

1. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Roll was called.

2. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 11126(C)(3) TO DELIBERATE ON DISCIPLINARY DECISIONS

The Board did not meet in closed session.

3. APPROVAL OF MINUTES

Due to lack of a quorum, the approval of the February 4, 2000 Board meeting minutes were moved to the August Board meeting.

4. APPROVAL OF MARCH 10, 2000 LCSW SUPERVISION AND TRAINING COMMITTEE MINUTES

Due to lack of a quorum, the approval of the March 10, 2000 minutes were moved to the August Board meeting.

5. CHAIRPERSON'S REPORT

Ms. Fields stated that she thought the Board is presently in a state of researching various issues as opposed to taking action on issues.

6. EXECUTIVE OFFICER'S REPORT

a. Budget Update

Included in the meeting materials was the latest Expenditure Report and Analysis of Fund Condition. The latest projections indicate that we will be coming in at budget for the fiscal year. We were successful in getting a Budget Change Proposal (BCP) of almost \$300,000 and this money will assist us in our examination costs. The oral examination costs have increased because we continue to improve the examination and now offer it four times a year. This money will also be used for our newsletter. This BCP went through the process with very few questions from legislative staff and no questions from the Department of Finance.

Enforcement costs are staying below the budget projections. The amount of work has not reduced, but staff is continuing to fine tune the process in the office by identifying the most important cases to send to Attorney General's Office, being successful in the discipline, and having very few issues that result in large amounts of money being spent. Money designated for enforcement has been used for examination preparation and administration. The examination and enforcement line items of the budget are now realigned to more accurately reflect the costs incurred. Enforcement staff reviews the Attorney General bills monthly and compares them with their cases to make sure that the amount of billings are appropriate with the case costs. These bills provide a clear indication of where the enforcement budget is going and allows Ms. Mehl to plan accordingly. Occasionally there are cases that cost an extraordinary amount of money. Our program is an excellent program and is used as a model within the Department of Consumer Affairs.

Our fund balance continues to grow. A regulation package to reduce the license renewal fees to \$25.00 for two complete renewal cycles is in the final stages and will become effective January 1, 2001.

b. Miscellaneous Matters

There have been 188,646 hits on our website so far this year. This figure does not include duplicative hits or hits that do not go anywhere. We are able to track the pages that are being used. The online verifications are averaging over 3,000 a month. Our website is updated weekly. LaVonne Powell, Legal Counsel for the Board, reviews all materials before it is entered on the site. Our site has many links to other relative agencies. People can also e-mail the Board through the website. Staff receives 25-50 e-

mails a day and responses are returned within one to two days. If staff receives a lot of calls on the same question, this information is then added to the site. We will soon be adding the renewal notices to the site to allow licensees to download the notice, complete it, and mail it to the Board.

David Fox, Marriage and Family Therapist, complimented the Board on the website. He found it to be very helpful and refers people to it instead of calling the Board.

Christina Chen indicated she thought the "Professional Therapy Never Includes Sex" booklet was an excellent handbook. Ms. Fields stated that this booklet includes a patients bill of rights and was discussed at the Consumer Services/Consumer Protection Committee meeting on May 18, 2000. Ms. Mehl stated that this booklet is available on the website.

Geraldine Esposito, Executive Director of the California Society for Clinical Social Work, stated that as a continuing education provider she has found it to be extremely helpful to go to our website and verify a license.

7. UPDATE BY MARSENA BUCK ON THE MARCH 10, 2000 LCSW SUPERVISION AND TRAINING COMMITTEE MEETING

Due to Ms. Buck's absence, Ms. Mehl provided the Board with an overview of the meeting. She stated that one of the first things the Committee decided was to change their Committee name. Ms. Mehl read the following from the Committee minutes:

Dean Marilyn Flynn reported that the Deans and Directors of the Schools of Social Work would like to maintain contact with the board and they feel that a lot of progress has been made in working together. They are interested in a collaborative research project with the board. The deans and directors met and reviewed four main possible research areas: 1) A study of test outcomes and validity. *While this is an important area of study, this should be one of the last areas of study not the first.* 2) A study of supervisory practices, settings, and characteristics. *The deans and directors want to determine if students are de-educated after they get their masters degree. This would require external funding.* 3) A study of the test takers- GPA, ethnic background, experiences in test taking, etc. *This also would require external funding.* 4) A study that would review in house methods and models of post masters training and learning. Their decision was to focus on the review of in house methods and models of post masters training and learning. They have hired someone to review what models for post master's education should look like.

Ms. Mehl stated that the Committee was very excited to be working on collaborative efforts with the schools of social work and anticipated these research projects would begin soon.

She then briefly updated the Board on the October report that was submitted to the Legislature, reported that Christine Hagan provided distance learning information to the Committee, and indicated that the Committee would be changing their name in the future and will continue to meet with schools of social work on at least an annual basis. Ms. Fields commented that these meetings were originally arranged in compliance with the Legislature's direction and have now become an important focus for the Board.

8. DISCUSSION AND POSSIBLE ACTION REGARDING DEGREES AWARDED FROM MARRIAGE AND FAMILY THERAPIST SCHOOLS THAT MAY NOT MEET BOARD QUALIFICATIONS

Ms. Fields stated that the requirements for licensure are set in law by the Legislature. The social work law names only one acceptable degree, therefore there is a relationship in place among these schools. There is commonality in their undergraduate and graduate work. This is different than the marriage and family therapist (MFT) schools. Over time some schools have offered degrees that do not meet the requirements set by the Legislature.

Ms. Mehl explained that at one point the Board accepted some seventeen types of degrees. In 1988, the law was amended to standardize the degrees and set the core curriculum. The core curriculum has been the basis for the degree titles named in law. The Board cannot accept a degree that varies from the core curriculum or if the degree title is not exactly as it is named in law. Staff has found that some of the schools have become very creative with the degree title and have added an emphasis in various subjects. Lately, schools have been changing their core curriculum and degree titles and staff has been unable to accept these degrees. We have notified three schools that we will not accept their degrees. In response, one school has changed their degree title to meet the law. She feels that this is an issue that needs input and policy from the Board. Schools need to be aware that the Board is carefully monitoring them and feels that this is important. Ms. Mehl suggested that a subcommittee be formed to meet with the MFT schools. This subcommittee can begin to take an active role in auditing schools, monitoring the education and making sure that schools are in compliance with the law.

Ms. Pines questioned how often a school is reviewed and what would initiate a review. Ms. Mehl explained that suspicious transcripts, a complaint from a student, or a low pass rate on the examination would initiate a review. For the most part, the focus for the past two years has been on the LCSW law and meeting with the schools. Therefore, there is no formal process to review a MFT school curriculum. Also, since the degree titles and core curriculum are set so stringently in law, staff did not suspect that schools were straying from the requirements. After reviewing some of the schools websites, it was determined that some could be offering degrees that would not meet the educational requirements for licensure.

Jose Luis Flores from Phillips Graduate Institute explained that the Marriage and Family Therapist Consortium meets throughout the year and is open to all schools who offer a degree acceptable for MFT licensure. Fifteen of the seventeen schools invited attend these meetings. Ms. Fields thought that the subcommittee could meet in conjunction with the consortium.

Ms. Mehl clarified that there are very few schools who offer a degree or curriculum that does not meet the requirements of law. She thought by forming this subcommittee it would establish a means of communication, let the schools know that the Board does care about the educational issues, and maybe review the current requirements and determine if they are still appropriate for licensure.

Ms. Fields stated that she would like to chair this subcommittee. She thought that Dr. Brislain could act as a professional liaison. Ms. Rice had also indicated that she would like to be involved with this

subcommittee. Ms. Fields indicated that the Board would talk further about this and determine when they would be able to meet with the consortium.

9. APPROVE/ NOT APPROVE COMMITTEE RECOMMENDATIONS

a. Consumer Services / Consumer Protection Committee

Ms. Fields provided the Board with an overview of the Committee meeting. The Committee recommended approval of the February 3, 2000 minutes, reviewed the current Patient Bill of Rights information included in the “Professional Therapy Never Includes Sex” booklet and suggested that an association, as a service, add referral numbers and reprint this document in their magazines and newsletters. They then reviewed the current Record Retention Policy and set timeframes for citation and fine files, reviewed the enforcement statistics, and reviewed their current strategic planning performance measures.

Ms. Fields stated that the Committee also addressed the issue brought up by David Fox regarding mandating a continuing education course in law and ethics. The Committee indicated that the Board may want to suggest in a newsletter that licensees take it upon themselves to take this course but did not think it was necessary to mandate this course.

b. Legislation Committee

Dr. Brislain updated the Board on the Committee meeting. The Committee recommended approval of the February 3, 2000 minutes, approved the proposed amendment to Section 4980, reviewed the legislation that may impact the Board, and reviewed their strategic plan performance measures.

c. Examination Committee

In Ms. Buck’s absence, Ms. Mehl provided the Board with an overview of the Committee meeting. The Committee recommended approval of the February 3, 2000 minutes, reviewed the five-year pass rates by school examination statistics, then discussed limiting the number of times a candidate can participate in an examination. A graph reflecting all the people who have taken the oral examination in the last ten years was included in the meeting materials. This graph clearly indicated that most people pass the examination within 3 times. After that, the pass rate drops dramatically. After discussion, the Committee asked that staff prepare additional studies, research other boards laws related to this issue, and prepare different proposed legislation language based on the different scenarios. Another issue discussed was regarding the Board issuing indefinite intern and associate registrations. These issues will be discussed at the meeting in August. The Committee then reviewed their strategic plan performance measures.

d. Licensing/Education Committee

Ms. Pines provided the Board with an overview of the Committee meeting. The Committee recommended approval of the February 3, 2000 meeting minutes and reviewed their strategic plan performance measures.

Ms. Fields asked Karen Pines to chair the subcommittee on the distance learning issue that was to be discussed later in the meeting.

Ms. Fields informed the audience that, due to her term expiring, this was Dr. Brislain's last meeting. She stated that Dr. Brislain has been a very important part of the Board for a long time and was pivotal in turning the Board around in troubled times. Ms. Fields presented Dr. Brislain with a declaration for her service on the Board.

Dr. Brislain congratulated the Board on being such an effective consumer protection, consumer responsive agency. She thanked Ms. Mehl for her leadership, stated that she has done a fantastic job, and appreciated her dedication to the Board.

Ms. Esposito stated that during troubled times with the Board, Dr. Brislain has always been a real model of decorum and openness, and kept a process alive that allowed for public comment and kept it to a very professional level. She will remember this about Dr. Brislain as well as her graciousness and sincerity.

Mr. Luis-Flores appreciated the continuity Dr. Brislain brought to the Board and thanked her for her focus and participation.

Ms. Mehl stated that Dr. Brislain was the chair when she first starting working for the Board and they worked very closely together during the period of time when the Board was in financial trouble. Because of Dr. Brislain's professionalism, she and Ms. Mehl were able to successfully turn the Board around.

Mr. Fox thanked Dr. Brislain for her wisdom, integrity, and her tremendous service to the Board.

The meeting recessed at 10:35 a.m.

The meeting reconvened at 12:30 p.m.

10. DISTANCE LEARNING

Ms. Fields stated that Christina Chen and Judy Brislain had to leave the meeting.

a. Presentation by Christine Hagan from the California State University, Long Beach Department of Social Work Regarding Distance Learning Program

Ms. Fields introduced Christine Hagan, Project Coordinator of Distance Education at the California State University Long Beach. She explained that Ms. Hagan provided the LCSW Supervision and Training Committee with an overview of the distance education program offered by CSU Long Beach at their last meeting in March and asked Ms. Hagan to provide the information to the full Board. She stated that Ms. Pines would chair the subcommittee to be formed to discuss and take action on distance learning related issues.

Ms. Pines stated that Board staff is beginning to see school curriculum that has been gained through distance learning. The presentation today is an introduction related to distance learning programs. From this, the Board can integrate this knowledge into how the Board looks at other applicants, other models, and ultimately comes to some kind of consensus in relation to the technology available and the educational requirements identified in law.

Ms. Hagan stated that she is a Licensed Clinical Social Worker and teaches in the Master of Social Work (MSW) program at CSU Long Beach. She has also taught at the MFT program at Pepperidge University.

The MSW program offered statewide by CSU Long Beach is a three-year part time model distance learning program. This model was chosen because they have found that there is a severe shortage statewide of public welfare workers. They went to rural areas where public welfare workers were lacking and performed a needs assessment. The outcome of the assessment was that waivers were being issued by state agencies to allow non-service background people to fill these positions. CSU Long Beach decided that their mission would be to go into these rural areas where the need was so great and increase the number of public welfare workers.

The first class began in 1995. Students went to school all day on Saturday and worked in public welfare full time during the week. In years two and three, students cut their work hours in half and did twenty hours a week in field placement. At the end of the program, twenty students graduated from Chico State University and twenty graduated from Humboldt State University with MSW degrees. A year and a half ago, the program was expanded to include Bakersfield and Channel Island. The program currently includes four sites with approximately twenty students per site.

Some of these rural communities felt they really had an ongoing need to develop their own MSW program. CSU Long Beach has assisted them in identifying field placement sites, training field instructors, and really making a social work presence in the community. Ms. Hagan announced that CSU Bakerfield and Chico State University will open their own MSW programs next year. Schools that feel that there is a population base and are able to open their MSW have found that distance education is a springboard to do that. For schools in rural areas who have found that they do not have the population base, CSU Long Beach will repeat the distance education cycle until they get sufficient numbers of trained MSW students and then move on to other rural areas in need. In terms of business education, CSU Long Beach has reached out to students who geographically are too distant to MSW programs and reached out to students who are committed to their community. In demographic terms, most students are married, over forty years old, and have full time jobs.

The technology for distance learning is through interactive television. CSU Long Beach feels that this is the best technology for delivering human service oriented information and is the most like face to face. When Ms. Hagan is in her classroom in Long Beach she can ask a question and students in these rural areas can raise their hands and she can call on them to answer the question and respond back. There is a site coordinator who is in the room with the students at all times and acts as an assistant instructor. This coordinator holds either an MSW or Ph.D. and assists the students with role play, vignette review, and small group discussions and exercises.

The key ingredient Ms. Hagan feels is important for best distance learning practices is that students come to a location such as a classroom environment. The students act as a support group for each other and they are mentored by the site coordinator. In addition to acting as an assistant instructor, the site coordinator acts as an academic advisor and as a link to the University.

In distance education, the University is very concerned about the self-awareness aspect. Faculty fly to each location to meet with students, monitor development of skills, and networking with social workers and the human services community.

Each site has a site advisory committee. This committee is made up of human service professionals in the community. Regional input is received from the committees and the site advisor is the link to the University. This committee is critical to assist the University in critiquing the program to the needs of the community.

In terms of student interaction, most students are technologically linked. All students are on e-mail and communicate directly with the University through this process.

Ms. Pines asked which types of curriculum offered through distance learning works best and what parts of distance education have been modified. Ms. Hagen explained that about one-third of the degree is obtained through face to face learning, not distance learning. Students are required to take field seminar where they are grouped ten students per instructor. They discuss what is happening in their field work placement, discuss cases, and discuss their growth as professionals. Local faculty are hired to teach this class. One hundred percent of the field instruction is delivered in the local communities. Students are placed in sites within their community, their supervisors are part of the community, and their supervision is one hundred percent face to face. These components are parallel to the CSU Long Beach campus requirements and cannot be obtained through distance learning education. In terms of coursework, each course is evaluated to determine if it is appropriate for distance learning or if it must be taught face to face. Field faculty from CSU Long Beach go to each community where the distance education program is offered and train the field instructors. The site instructors are mentored by the teaching faculty at CSU Long Beach. All of the same curriculum and text books are used for distance learning and teaching at the University. Based on the evaluations performed by the University, there are no differences in the grades between distance learning students and on campus students and small differences in terms of the student's perceptions.

Ms. Laurence asked Ms. Hagan to explain the admissions criteria for distance education students. Ms. Hagan explained that there are no differences in the admission standards. Distance education applicants apply the same as on campus students and the faculty do not know whether a student is going to be taught through distance education. A major piece of the application is a personal statement that reflects a persons social work values and their understanding of the profession. GPA is of importance as well as number of experience years. Since most distance education students are already working in the field, most students have many years of experinece. The Council on Social Work Education sets the standards for admission into a MSW program, therefore there are no graduation differences between distance learning students and on campus students. Also, there is no indication on a transcript that a student earned their MSW on campus or through distance education.

Ms. Mehl asked about things that definitely do not work with distance learning. Ms. Hagan offered her opinion on this issue. She indicated that one of the key components of distance education is how a program is professionally preparing a student. CSU Long beach feels that they do a good job of this through the site advisory committee, the site coordinators, and the faculty travel. She would question the preparedness of a student if the university offering a distance education program did not have these essential components. Monitoring the growth of a student and their necessary skills is vital to the professional outcome of the student. She feels that the MSW program requires a great amount of personal awareness and if the student is not meeting in a group of peers and coordinators, she would be concerned about self awareness and relationship skills.

Ms. Powell stated that since how the degree was obtained, either through on campus or distance education, was not delineated on the transcript, the Board would be unable to track people through the examination cycle to determine how they do on the examinations. Ms. Hagan stated that she has surveyed their 1998 graduates to determine their work settings and a huge percentage of students are in the public welfare work environment. She indicated that she plans to survey these graduates again in a few years to determine how they did on the examinations. They currently have a twenty page evaluation tool from the field instructors that is used on all MSW students. This tool evaluates their diagnosis skills, assessment skills, treatment plan skills, and oral communication skills.

Ms. Pines asked Ms. Hagan if she could provide the Board with her professional assessment in the future regarding the differences in the curriculum of the MFT and the MSW programs where it may change her recommendations on distance education. This will be an issue that the Board will need to research at length. Ms. Hagan stated she did feel that most of the curriculum requirements for either degree could be obtained through distance education so long as the program is run through interactive television and there are site coordinators in the room with the students. The one thing that she thought did not work through interactive television was the face to face supervision. She would encourage that the field placements and the supervisors be in the same area as the student.

Ms. Mehl asked Ms. Hagan to speak about the cost issues related to running a distance education program. Ms. Hagan explained that this is a grant funded program that is subsidized by 4E money. In comparison, distance education is the least expensive model from the standpoint that the alternative is to build twenty-three additional MSW programs within the California State University system. Faculty is used from existing universities to teach distance learning students. This is a very cost effective process and allows students the opportunity to obtain an MSW without traveling to a large university. One of the highest costs of the program is faculty salary. Faculty is paid to teach at the university as well as teaching through interactive television. Also, site coordinators are paid a salary. One way programs have been able to cut costs is by eliminating the site coordinator but she did not suggest this because there are twenty students in a classroom without any oversight. Another way she has seen costs cut is by not having technicians in the distance education room to set up and maintain the necessary technology. She felt that she had her hands full with teaching forty students, presenting her overheads, and teaching the course content and would not want to be responsible for setting up the necessary technology.

Ms. Laurence asked if the core content of the curriculum is modified to address specific rural community issues and if so, who mandates the content, and is it different than the MSW program offered at CSU

Long Beach. Ms. Hagan explained that the Council on Social Work Education does not mandate anything about rural content. They have many standards that must be covered and include social work practice, human behavior, and social policy. They do have a lot of new standards related to diversity. CSU Long Beach has gone into the rural communities and had speakers address resources in the local community and necessary information about specific groups in the community. These experts provide insight on the specific population for that community. Ms. Hagan stated that each school throughout the nation addresses their diversity issues for their location.

Ms. Mehl asked if Ms. Hagan saw this program expanding to other states where CSU Long Beach would have students from other states obtaining an MSW through distance education. Ms. Hagan stated that there is the capability to offer this program in the future but at this point the University is concentrating on California and determining where public welfare workers are needed the most. Ms. Hagan stated that what she is most concerned about regarding other states offering distance education to California students is the quality of the education and the professional preparedness of the students.

Ms. Mehl thanked Ms. Hagan for the presentation and appreciated her broad base of knowledge on the subject. She indicated that the Board would continue to communicate with her and use her as a resource in the future.

Ms. Fields stated that the Board would continue to discuss this issue at future meetings. Ms. Mehl stated that it was extremely important for the Board to be proactive and continue to look at this issue especially since this issue is beginning to be discussed in the Legislature.

b. Correspondence Regarding Distance Learning Programs

Correspondence received from Chapman University regarding the Board policy on correspondence degree programs was included in the meeting binder. This policy was rescinded at the February 4, 2000 Board meeting.

11. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

David Fox, MFT, asked that the minutes reflect that there were only two Board members present. He indicated that as far as he was concerned, the greatest current need for increased consumer protection is to ensure a better compliance with the legal and ethical requirements. To his best knowledge, there is lack of adequate awareness and compliance with legal and ethical standards among licensees and thought this should be one of the Board's highest priorities. He asked that the Board look into requiring legal and ethical coursework in the mandatory continuing education requirements. He stated that other boards do require this mandatory coursework. He asked that this issue be included in the next agenda and asked that staff research what other boards and states are requiring. He then asked that his comments be accurately reflected in the minutes.

The meeting adjourned at 1:40 p.m.