



Janet T. Mills
Governor

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
Board of Social Worker Licensure
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035

Anne L. Head
Commissioner

Minutes
Maine Board of Social Worker Licensure
October 13, 2023 Board Meeting

MEMBERS PRESENT

Linda Butler, Board Chair
Lee-Andra D'Attilio, Vice Chair (in-person)
Benjamin Strick, Complaint Officer
Angela Fileccia
Karen Lemoine
Christopher Leighton, Public Member (in-person)

STAFF PRESENT

Samantha Morgan, Assistant Attorney General
Lisa Wilson, Assistant Attorney General
Rebekah Smith, Hearing Officer
Kristina Halvorsen, Board Administrator
George Morgan, Board Investigator
Jessica Cirello, Professional Licensing Supervisor

CALL TO ORDER

Board Chair, Linda Butler, called the meeting to order at 9:06 a.m.

MINUTES REVIEW AND APPROVAL

Review and approval of the September 8, 2023 minutes.

A motion was made by Linda Butler and seconded by Angela Fileccia to accept the minutes with a minor change: 2023-SOC-18937's vote should only have 1 abstained: Linda Butler (not listed as 2 abstained).

Vote: 4 in favor, 2 abstained: Karen Lemoine and Christopher Leighton.

ADJUDICATORY HEARING

2022-SOC-18703 Jamie Hussey
Hearing started at 9:14 a.m.

AAG, Lisa Wilson, withdrew allegation 1 (pursuant to 10 M.R.S. § 8003(5-A)(A)(3), 5 M.R.S. § 5302(1), and 5 M.R.S. § 5301(2)(A) for the conviction of a crime which

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involves dishonesty or false statement;) and allegation 2 (pursuant to 10 M.R.S. § 8003(5-A)(A)(3), 5 M.R.S. § 5302(1), and 5 M.R.S. § 5301(2)(B) for the conviction of a crime which directly relates to the trade or occupation for which the license or permit is sought;).

A motion was made by Linda Butler and seconded by Angela Fileccia that allegation 3 (pursuant to 10 M.R.S. § 8003(5-A)(A)(3), 5 M.R.S. § 5302(1), and 5 M.R.S. § 5301(2)(0) for the conviction of a crime for which incarceration for one year or more may be imposed;) was proven by the preponderance of the evidence.

Vote: 5 in favor, 1 recused: Benjamin Strick.

A motion was made by Lee-Andra D'Attilio and seconded by Angela Fileccia that allegation 4 (pursuant to 10 M.R.S. § 8003(5-A)(A)(2) for violation of an applicable code of ethics as adopted in Board Rules, Chapter 16 § I (4), specifically the National Association of Social Workers Code of Ethics § 4.04: *Social workers should not participate in, or be associated with dishonesty, fraud, or deception* between January 2014 and September 2016, while she was licensed as a master social worker;) was proven by the preponderance of the evidence.

Vote: 5 in favor, 1 recused: Benjamin Strick.

A motion was made by Karen Lemoine and seconded by Lee-Andra D'Attilio that allegation 5 (pursuant to 10 M.R.S. 8003(5-A)(A)(I) for the practice of fraud or deceit in connection with services rendered as a social worker, as defined in Board Rules, Chapter 16 § (I)(I)(B)(3), by committing fraud, deceit or corruption in billing, payment or insurance reimbursement procedures between January 2014 and September 2016, while she was licensed as a master social worker.) was not proven by the preponderance of the evidence.

Vote: 5 in favor, 1 abstained: Benjamin Strick.

A motion was made by Angela Fileccia and seconded by Lee-Andra D'Attilio to issue a decision and order in response to allegation 4, with a reprimand, and 3 years of probation which will include monthly supervision with a Board-approved Maine LCSW consultant, who will submit quarterly and final typed reports to the Board, and will focus on the licensee's own mental health awareness and management, the licensee's own self-care, upholding the ethical codes of honesty and the commitment to clients and living an ethical life as a convicted felon and being aware of implications this has. The licensee will also provide the approved consultant with copies of this decision and order and pages 22-23 of the staff exhibits.

Vote: 4 in favor, 1 opposed: Linda Butler, 1 abstained: Benjamin Strick.

A motion was made by Angela Fileccia and seconded by Christopher Leighton that the licensee has been sufficiently rehabilitated to warrant the public trust based on the preponderance of the evidence.

Vote: 1 in favor, 4 opposed: Lee-Andra D’Attilio, Karen Lemoine, Christopher Leighton and Linda Butler, 1 abstained: Benjamin Strick.

A motion was made by Christopher Leighton and seconded by Karen Lemoine that the licensee hasn’t been sufficiently rehabilitated to warrant the public trust based on the preponderance of the evidence and the Board will not be imposing further sanctions with this finding.

Vote: 4 in favor, 1 opposed: Angela Fileccia, 1 abstained: Benjamin Strick.

A motion was made by Karen Lemoine and seconded by Christopher Leighton that the decision and order can be signed by Board Chair, Linda Butler, outside of a regularly scheduled Board meeting.

Vote: 5 in favor, 1 abstained: Benjamin Strick.

Hearing ended at 1:51 p.m.

COMPLAINT PRESENTATIONS

2023-SOC-18937

A motion was made by Christopher Leighton and seconded by Angela Fileccia to dismiss this complaint case, due to the lack of evidence of a violation of Board laws or rules, and offer a letter of guidance referencing Code of Ethics 3.01 B (appropriate and culturally sensitive boundaries) to remain in the licensee’s file for 5 years.

Vote: 3 in favor, 1 abstained: Benjamin Strick, 2 recused: Linda Butler and Karen Lemoine.

2023-SOC-19527

A motion was made by Linda Butler and seconded by Christopher Leighton to offer an interim Consent Agreement with an immediate suspension of license, which will remain suspended until the licensee’s criminal case is resolved, and to table the issue of the licensee not reporting his conviction to the Board until this matter is brought back to the Board.

Vote: 5 in favor, 1 abstained: Benjamin Strick

COMPLAINT COMPLIANCE ITEMS

2021-SOC-17975 July, Aug, Sept Reports

A motion was made by Karen Lemoine and seconded by Benjamin Strick to accept the reports as written.

Vote: 6 in favor.

2022-SOC-18742 First Reports

A motion was made by Linda Butler and seconded by Benjamin Strick to accept the report as written.

Vote: 6 in favor.

2022-SOC-18709 Request for Reconsideration

A motion was made by Linda Butler and seconded by Angela Fileccia to reject the request for reconsideration and reject the request to change the initial Consent Agreement.

Vote: 5 in favor, 1 abstained: Benjamin Strick.

APPLICATION REVIEW

Erik Alonso – Initial Application

A motion was made by Christopher Leighton and seconded by Lee-Andra D’Attilio to preliminarily deny this application.

Vote: 6 in favor.

ADMINISTRATOR’S REPORT

Board Administrator, Kristina Halvorsen, shared Maine’s current licensure statistics and trends with Board members. Maine legislators have discussed removing the examination requirement for all social worker licenses, except for the clinical level. There have not been any bills proposed for this change yet. Kristina also discussed recent Board staff turnover and current staff shortages. Kristina is actively recruiting for new staff and plans on reorganizing staff to have one office specialist devoted to the social worker Board.

ADJOURNMENT

A motion was made by Karen Lemoine and seconded by Linda Butler to adjourn the meeting at 3:36 p.m.

Vote: 6 in favor.