



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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**18 VAC 140-20 – Regulations Governing the Practice of Social Work**  
**Department of Health Professions**  
September 28, 2009

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### **Summary of the Proposed Amendments to Regulation**

The Board of Social Work (Board) proposes to: 1) allow more flexibility for licensure candidates in obtaining face-to-face supervision, 2) specify that a candidate must reapply for approval if he has not passed the required examination within two years, 3) clarify that supervisees may not directly bill for services rendered or in any way represent themselves as independent, autonomous practitioners or licensed clinical social workers, 4) allow more flexibility for licensees to meet continuing education requirements, and 5) specify that a request for an exemption from continuing education compliance must be made prior to the license renewal date.

### **Result of Analysis**

The benefits likely exceed the costs for all proposed changes.

### **Estimated Economic Impact**

Under both the current and proposed regulations applicants for the clinical social worker license must complete a minimum of 3,000 hours of supervised post-master's degree experience in the delivery of clinical social work services, with at least 100 of those hours being face-to-face supervision. The current regulations require that there be at least one hour of face-to-face supervision every week. The proposed regulations require that there be a minimum of one hour and a maximum of four hours of face-to-face supervision per 40 hours of work experience. This will enable greater flexibility for licensure candidates in obtaining face-to-face supervision in that the 40 hours allows for breaks due to illness or vacation. The increased flexibility should not detract from assurance of supervised work.

Currently, regulations require that a candidate take an examination within 2 years; but this could allow someone to remain an active applicant indefinitely and require the board to maintain the application file if he attempts passage of the examination once every two years. According to the Department of Health Professions (Department), a candidate who has not passed an examination within two years is unlikely to ever pass unless he obtains some additional education and/or experience to make up deficiencies in knowledge and/or skills. Under the proposed language a candidate can still take an examination once every 90 days; so within a two-year period, he can attempt the exam 8 times.

The Board proposes to specify that continuing education courses used to satisfy the licensure renewal requirement be directly related to the practice of social work or another behavioral health field. Also, the Board proposes to allow additionally flexibility in obtaining ethics training. The proposed amendments will allow for more flexibility in meeting the continuing education requirements by generally allowing courses related to any behavioral health field and by allowing the two hours to pertain to ethics or standards of practice for the behavioral health professions.

The current regulations allow up to 2 hours of continuing education credit for serving as an officer or committee member of a national professional social work association. The Board proposes to grant the same two credit hours for membership on a state social work licensing board, which according to the Department is an activity more likely to educate one in the laws and standards of the profession. Thus this proposed change will produce a net benefit.

Lastly, the Board proposes to specify that a request for an exemption from continuing education compliance must be made prior to the renewal date. The requirement is necessary to ensure the circumstances are legitimate and not used as an excuse to avoid compliance with an audit of continuing education two years after a renewal date.

## **Businesses and Entities Affected**

The proposed amendments potentially affect the 4855 licensed clinical social workers and 302 licensed social workers in Virginia, candidates for licensure, firms and government agencies that employ licensed clinical social workers and licensed social workers, and providers of continuing education.

## **Localities Particularly Affected**

The proposed amendments do not disproportionately affect particular localities.

## **Projected Impact on Employment**

The proposal amendments are not expected to significantly affect total employment.

## **Effects on the Use and Value of Private Property**

The proposals to allow more flexibility for licensees to meet continuing education requirements and for license candidates to obtain face-to-face supervision may allow staff of some firms to use their time more efficiently.

## **Small Businesses: Costs and Other Effects**

The proposals to allow more flexibility for licensees to meet continuing education requirements and for license candidates to obtain face-to-face supervision may allow staff of some small firms to use their time more efficiently. This may moderately reduce costs.

## **Small Businesses: Alternative Method that Minimizes Adverse Impact**

The proposed amendments are not expected to adversely affect small businesses.

## **Real Estate Development Costs**

The proposed amendments are unlikely to significantly affect real estate development costs.

## **Legal Mandate**

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small

businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.