

THE VIRGINIA BOARD OF SOCIAL WORK
MINUTES
Friday, January 24, 2014

The Virginia Board of Social Work ("Board") meeting convened at 10:15 a.m. on Friday, January 24, 2014 at the Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia. Susan Horne-Quatannens, Chair called the meeting to order.

BOARD MEMBERS PRESENT: Jennifer Blosser
Yvonne Haynes
Susan Horne-Quatannens, Chair
John Salay
Joseph Walsh
Bernadette Winters
Kristi Wooten

BOARD MEMBERS ABSENT: Arthur Mayer
Nettie Simon-Owens

DHP STAFF PRESENT: Elizabeth Carter, Director – Workforce Healthcare Data Center
Catherine Chappell, Executive Director
Justin Crow, Deputy Director – Workforce Healthcare Data Center
Sarah Georgen, Licensing Manager
Dianne Reynolds-Cane, DHP Director
Elaine Yeatts, Senior Policy Analyst

ESTABLISHMENT OF A QUORUM: With seven members of the Board present, a quorum was established.

ORDERING OF AGENDA

Ms. Chappell asked that a discussion of how to document and track supervision breaks be discussed during New Business. The agenda was accepted as amended.

PUBLIC COMMENT

Debra Riggs, Executive Director of the NASW, Virginia Chapter thanked the Board for its efforts and stated that she would be in attendance on April 25, 2014.

APPROVAL OF MINUTES

Upon a motion by Ms. Wooten and properly seconded by Ms. Blosser, the Board voted to accept the minutes of October 25, 2013 Board meeting. The motion was passed unanimously.

DIRECTOR'S REPORT

Dr. Reynolds-Cane reported that the 2014 General Assembly was in session and eight bills affecting DHP were under consideration.

She reported that Arne Owens, DHP's Deputy Director had not been reappointed and had left the agency on January 10, 2014. She recognized Mr. Owens for his four-years of contribution and guidance.

HEALTH WORKFORCE DATA CENTER SURVEY RESULTS

Dr. Elizabeth Carter presented the Healthcare Workforce Data Center report which was developed from responses to the 2013 online renewal survey. The report provided baseline information on the working population of Licensed Clinical Social Workers (LCSW). Dr. Carter requested comments regarding this report to be sent to her by January 31, 2014.

REGULATORY/LEGISLATIVE UPDATE

Ms. Yeatts reported that proposed regulations to consider an increase in fees and a change from biennial to annual renewal continued to await approval from the Governor's office. Ms. Yeatts added that the Board's typical budget shortfall due to biennial renewals had been the motivating factor for these regulation changes.

She provided a handout regarding a report of bills presented to the General Assembly for 2014. She also provided a summary of HB 890 "Social worker; family-services specialists & qualified equivalent workers allowed to perform tasks" for board member review.

Ms. Yeatts said that a Petition for Rule-making was submitted to the Board on January 23, 2014. The petitioner's request asked for amendment to continuing education requirements for clinical supervisors. The petition was filed with the Registrar of Regulations and would be published with a request for comment to be received by March 24, 2014. She stated that the Board will consider this petition at the next Board meeting.

EXECUTIVE DIRECTOR'S REPORT

Ms. Chappell thanked the Board members for their continued support and attendance at meetings. She stated that attendance was critical to ensure that a quorum be established so that decisions could be rendered. Two members were unable to attend the meeting, so with seven members in attendance, a quorum was established. Each Board member held a key role on the Board and while each had one vote, the Board spoke as one with respect to decisions.

She distributed two documents regarding board member conduct, specifically related to the formal hearing to be held immediately following the meeting that day.

Ms. Chappell also distributed a report of the Board's finances for the past quarter in an effort to provide transparency and for Board member information. As of December 31, 2013, the ending cash balance was \$241,541 and sufficient cash flow existed. Typically, with renewals taking place every two years,

the Board anticipates a cash shortfall, which has been an ongoing trend around the 18th month of each renewal cycle for the Board for several years.

Ms. Chappell said that she had recently been in contact with the Board's former counsel, Howard Casway. She reported that he retired from state services effective January 1, 2014. She reported that he intended to attend a Board meeting in the near future. She asked for suggestions from Board members as to how to honor Mr. Casway's past contributions and dedication to the Board.

Ms. Chappell provided clarification regarding the recent Credentials Committee process change. She noted that there may have been misunderstanding in the community as to the change in the role of the committee. She noted that at the October 25, 2013 Board meeting, the Board implemented a process change through the bylaws relating to the Credentials Committee. After a thorough evaluation by staff and expert reviewers, if an application cannot be approved, the applicant is advised that they can appeal to the credentials committee for an informal fact-finding conference.

Ms. Chappell reported that staff had received numerous inquiries regarding breaks in supervision. Supervisees are requesting clarification of how to record supervision that stops temporarily due to medical leave or financial difficulties. She referenced the discussion of this topic to be held during New Business.

Ms. Chappell noted that staff had also received multiple calls regarding possible unlicensed practice in non-exempt settings. She said that the Code of Virginia requires that anyone providing social work services in a non-exempt setting be licensed or under supervision at the appropriate level. As a result of staff discussions with callers, there had been an increase in new applications for LSW licensure. Some applications submitted often describe their duties as clinical tasks, and therefore, more information was being requested to determine scope of practice. She noted that staff was monitoring this situation closely.

DISCIPLINE DEPUTY EXECUTIVE DIRECTOR'S REPORT

In Ms. Larimer's absence, Ms. Georgen provided the Discipline Deputy Executive Director's report.

Ms. Georgen stated that there were 64 open, active cases for the Board of Social Work. Out of those 64 cases, seventeen (17) cases were being investigated by the Enforcement Division; seventeen (17) cases were with the Administrative Proceedings Division to draft disciplinary documents; nine (9) cases were at the informal conference stage; two (2) cases were to be scheduled for formal hearings; seventeen (17) cases were at Board level; and three (3) cases needed to be scheduled for formal hearings.

She said that two licensees were being monitored for compliance in accordance with their Board Orders. She noted that one licensee was not in compliance, therefore a Consent Order had been offered for surrender of his license.

Ms. Georgen reported that a web based system was being developed to facilitate probable cause review. This change in process would allow each member of a special conference committee to review selected disciplinary cases at a secured online site. The process was expected to be implemented in the next couple of months and should streamline the probable cause review process.

Ms. Georgen reported that continuing education audit letters were sent to 53 licensees. She reported that approximately 15 licensees had responded to date. The audit requests were sent to 1% of licensees, as well as, to licensees previously audited who did not fully comply with CE requirements at the last renewal period, in accordance with the Board's guidance document. She said that Ms. Larimer would provide an update at the next Board meeting.

BOARD STAFF UPDATE

Ms. Georgen reported that there were approximately 232 pending applications. Staff attempts to stay in email contact with each applicant regarding their file and routinely emails or calls applicants to remind them of their incomplete pending applications. She reported that contacting the applicant regularly promoted a faster turnaround time and said that the agency policy was to keep applications pending for one year from the date that it was submitted.

Ms. Georgen said that there were 263 approved files that have not yet passed the bachelors or clinical examination.

She reported that the Board is responsible for 6,099 licensees and approximately 1,487 active and approved registrations towards licensure. Board staff licensed 99 new licensees since the last Board meeting and approved 128 applications for Registration of Supervision.

After each applicant is licensed, an applicant satisfaction survey is sent to the licensee. Ms. Georgen announced that the approval rating for the Board ending on September 30, 2013 was 86.6%. She said of the licensees recently surveyed, many had reported that their application was processed promptly and were provided accurate information; however the application and website were not clear or easy to complete. As a form of outreach, Ms. Georgen contacted several of these licensees to inquire about additional feedback. Ms. Georgen noted that she would provide further information at the next Board meeting regarding changes to the website and application.

Ms. Georgen provided information, at the request of Dr. Simon-Owens, regarding the recent accreditation of the social work program at Virginia State University by the CSWE. VSU underwent a rigorous, four-year review process to ensure the program met CSWE standards to ensure that students are adequately prepared for professional practice.

CREDENTIALS COMMITTEE

Ms. Blosser reported that the Credentials Committee met on October 25, 2013, prior to the bylaws change, and considered 25 supervision, licensure and training requests, along with one request for a waiver of the requirements for group supervision.

Ms. Blosser shared the following Committee decisions with the Board:

- Six (6) applications were approved;
- One (1) application was denied due to professional conduct concerns;
- One (1) application was denied due to conviction concerns;
- One (1) application was denied due to past disciplinary action in another state;

- Two (2) applications were denied for education waiver requests;
- Two (2) applications were denied due to educational concerns;
- Twelve (12) applications were denied due to deficient clinical experience;
- One (1) request for a waiver for more than six persons in group supervision was denied.

BOARD OF HEALTH PROFESSIONS REPORT

Ms. Haynes commented that the Board of Health Professions had not met since the last Board meeting. She anticipated providing an update from the BHP at the next board meeting.

WORKFORCE PLANNING MEETING REPORT

Dr. Winters reported that the Workforce Ad Hoc Committee met on January 3, 2014 to discuss the focus and direction of a future summit meeting relating to workforce concerns. She noted that the summit offered opportunity to include stakeholders in collegial discussions with the board relating to the challenges facing the social work profession.

At the planning meeting, DHP's Workforce Data Center staff, Dr. Elizabeth Carter and Justin Crow, provided a brief overview of available information pertaining to Virginia's current workforce. The Committee members then discussed several possible summit discussion items including the aging population, supply and demand in rural areas, scope of practice, and access to providers, among others.

Dr. Winters reported that the Committee decided to hold the summit on the morning of the April 25, 2014 Board meeting, to begin at 9 a.m. and conclude by 12:00 p.m.

Dr. Winters said that a "save the date" email was sent to interested parties on January 14, 2014 and staff had received several positive responses regarding attendance. She encouraged Board members to attend the summit meeting as it promised to be very productive and informative for the Board, stakeholders, and ultimately students and practitioners.

NEW BUSINESS

Ms. Horne-Quatannens requested that the Regulatory Committee review regulations regarding supervision breaks and consider amending the Regulations to provide clarity to applicants.

EXECUTIVE SESSION

Mr. Salay moved that the Board of Social Work convene in closed meeting pursuant to §2.2-3711(A) (27) of the Code of Virginia in order to consider a recommended decision from the Credentials Informal Conference Committee. He further moved that Catherine Chappell, Sarah Georgen and Charlotte Lenart attend the closed meeting because their presence in the closed meeting was deemed necessary and they would aid the Board in its consideration of the matters. The motion was seconded and carried.

Reconvene:

Mr. Salay moved that pursuant to §2.2-3712 of the Code of Virginia, that the Board heard, discussed, or considered only those public business matters lawfully exempted from open meeting requirements under

the Freedom of Information Act and only such public business matters as identified in the original motion. The Committee agreed unanimously.

Stephanie Brown: The IFC Credentials Committee concluded that Stephanie Brown, LCSW applicant, failed to satisfy the requirements of §18 VAC 140-20-50(A)(2)(a) of the Regulations and recommended that her application by examination be denied. Ms. Blosser made a motion to accept the recommendation as presented. The motion was seconded by Ms. Wooten and carried unanimously.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:50 p.m.

Susan Horne-Quatannens, Chair

Catherine Chappell, Executive Director