

**THE VIRGINIA BOARD OF SOCIAL WORK
MINUTES
Friday, March 25, 2016**

The Virginia Board of Social Work ("Board") meeting convened at 10:10 a.m. on Friday, March 25, 2016, at the Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia. Bernadette Winters, Chair called the meeting to order.

BOARD MEMBERS PRESENT: Maria Eugenia del Villar, L.C.S.W.
Yvonne Haynes, L.C.S.W.
Dolores Paulson, L.C.S.W., Ph.D.
John Salay, L.C.S.W.
Joseph Walsh, L.C.S.W., Ph.D.
Bernadette Winters, L.C.S.W., Ph.D.
Kristi Wooten

BOARD MEMBERS ABSENT: Jamie Clancy, L.C.S.W.
Angelia Allen

STAFF PRESENT: Sarah Georgen, Licensing Manager
Lisa Hahn, Chief Deputy Director of DHP
Jaime Hoyle, Executive Director
Jennifer Lang, Deputy Executive Director
Charlotte Lenart, Licensing Specialist
Elaine Yeatts, Senior Policy Analyst

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

ESTABLISHMENT OF A QUORUM:

With seven members of the Board present, a quorum was established.

MISSION STATEMENT:

Ms. Haynes read the mission statement of the Department of Health Professions, which was also the mission statement of the Board.

EMERGENCY EGRESS:

Ms. Haynes announced the Emergency Egress Procedures.

ADOPTION OF AGENDA:

The agenda was accepted as written.

PUBLIC COMMENT:

Debra Riggs, Executive Director of the National Association of Social Workers, Virginia Chapter provided public comment.

APPROVAL OF MINUTES:

Ms. Wooten motioned to approve the October 30, 2015 meeting minutes as written. The motion was seconded and carried.

DIRECTOR'S REPORT:

Ms. Hahn provided the Director's report stating that DHP's Healthcare Workforce Data Center is actively participating in outreach efforts to high school and career counselors to raise interest in the healthcare field.

REGULATORY/LEGISLATIVE UPDATE:

Ms. Yeatts reviewed a report of bills presented to the 2016 General Assembly. Ms. Yeatts indicated that the Board will need to address House Bill 319 at the next full Board meeting for continuing education for certain individuals.

EXECUTIVE DIRECTOR'S REPORT:

Ms. Hoyle thanked the staff for their hard work and dedication and acknowledged that the Behavioral Science Boards are currently short staffed with two licensing managers on leave. She reported that Ms. Lang, Ms. Georgen and Ms. Lenart continue to provide coverage for the other Behavioral Sciences Boards during the staffing shortage.

Ms. Hoyle announced that Ms. Georgen was participating in a DHP Licensing Workgroup which shares best practices among Boards and identifies licensing process resolutions to areas of concern. Ms. Hoyle acknowledged Ms. Georgen's leadership in the creation of the Social Work Licensure Process Handbook which is now utilized by the Board of Counseling.

Ms. Hoyle announced that Ms. Lang was participating in a DHP Discipline Workgroup and a DHP Compliance Workgroup which helps identify efficient case processes.

Ms. Hoyle stated that she and Ms. Georgen recently provided a presentation to Virginia Commonwealth University students as a form of outreach to help emerging students obtain licensure. They plan to continue this particular outreach each semester.

Ms. Hoyle stated that Peggy Woods, with the Health Practitioners' Monitoring Program, and Dr. Elizabeth Carter, with Healthcare Workforce Data Center, will provide a presentation to the Board at the next meeting.

DEPUTY EXECUTIVE DIRECTOR'S REPORT:

Ms. Lang referred to the agency's statistics for discipline cases and noted that the Board's data for the past quarter showed significant improvement. She thanked board members for their time in reviewing disciplinary matters but acknowledged that that backlog of cases for review continues. She specifically thanked Dr. Paulson and Mr. Salay for their participation in a recent informal conference and noted that following the conference they were able to review ten cases for probable cause.

Ms. Lang discussed further review of discipline processes and noted that in an effort to ensure more consistent Board decisions, Mr. Salay and Dr. Paulson have agreed to hear the majority of informal conferences as a dedicated Special Conference Committee. Additional Committees will also be appointed

as needed but this process will make the process easier when attempting to ensure a panel of board members at formal hearings. Ms. Lang also noted that she is working on a process to allow an Agency Subordinate to hear credentials matters, in order to allow board members the opportunity to preside over discipline cases. Following a review by an Agency Subordinate, the decision will be presented to the Board as a Recommended Decision, which will require a majority vote before a final order is entered. It is hopeful that this process will allow applicant appeals to be heard more quickly.

LICENSING MANAGER’S REPORT:

Ms. Georgen announced that for Quarter 2 of the 2016 Fiscal Year, the Board of Social Work regulated 6,690 licensees and licensed 125 individuals. Ms. Georgen stated that the satisfaction rate for the Board was 94.4%. She also stated that the updated forms were implemented and have been received positively by the public and applicants.

REGULATORY COMMITTEE REPORT:

Dr. Winters announced that the Sub-Committee and Regulatory Committee had met in February. She provided the Board with a recommendation to consider three types of licensure for consideration: Bachelors of Social Work (“BSW”), Masters of Social Work (“MSW”), and Clinical Social Work (“LCSW”). Dr. Winters recommended that the Regulatory Committee discuss and identify the scope of practice and define the requirements for BSW and MSW licensure. Additionally, Dr. Winters identified exemptions from licensure as a continued topic of discussion.

Dr. Winters reviewed the highlights from the Regulatory Committee meeting and announced the next meeting for April 29, 2016.

Ms. del Villar requested to be appointed to the Regulatory Committee. Ms. Hahn reminded the Board of possible budgetary concerns of the Regulatory Committee consisting of all nine Board members. Ms. Hoyle and Ms. Haynes would review the budget of the Board and will provide a decision to Ms. del Villar.

CREDENTIALS COMMITTEE REPORT:

No report.

SPECIAL CONFERENCE COMMITTEE REPORT:

This report was included in the Deputy Executive Director’s report.

BOARD OF HEALTH PROFESSIONS REPORT:

Ms. Haynes reported that Dr. Elizabeth Carter continues to refine the Healthcare Workforce data and provided a presentation of the interactive program on the Board of Health Professions website which provided current profession-based information for the public.

Ms. Haynes announced that the Board of Health Professions approved the recommendation of the Regulatory Committee that a letter be sent to Senator Alexander explaining findings, to date, and advise of the availability of the Board’s standard policies and procedures process for evaluating the need to regulate any new profession. Inherent in this action is the request for the new classification of ‘funeral counselor’.

Ms. Haynes reported that Mr. Robert Patron, Citizen Member, was elected Board Chair and Dr. Helene Clayton-Jeter, Board of Optometry was elected, Vice Chair of the Board of Health Professions.

Lastly, Ms. Haynes reported that a presentation was provided regarding the Wilder School of Government and Public affairs, capstone project. The deliverable was a comprehensive review of the literature and insights into current best practices in the regulation of telehealth practice. The final report will be submitted to the various boards for review and placement on the web site when completed.

BREAK:

At 11:03 a.m., the Board took a 5 minute break. At 11:08 a.m., the Board reconvened.

NEW BUSINESS:

Ms. Yeatts discussed the adoption of Proposed Regulations pursuant to the Notice of Intended Regulatory Action (“NOIRA”) published on January 11, 2016. When the Board adopted regulatory changes pursuant to a periodic review by a fast-track action, the Department of Planning and Budget determined that 3 of the proposed amendments did not qualify for fast-track. Therefore, this NOIRA was published to identify those changes through the normal Administrative Process Act. The comment period for the NOIRA closed on February 10, 2016. There were no public comments. Mr. Salay motioned to approve the proposed Regulatory changes. The motion was seconded and carried.

The Regulatory Committee recommended issuing a NOIRA to require of those applying for reinstatement or reactivation of licensure to complete a minimum of one hour of face-to-face supervision per 40 hours of work experience. After a lengthy discussion Dr. Winters made a motion to amend the general language for the supervision experience for reinstatement and reactivation of licensure, and refer the issue back to the Regulatory Committee for further discussion. The motion was seconded and carried.

The Regulatory Committee also recommended issuing a NOIRA to amend and broaden the current definition of clinical social work services to include the addition of “psychosocial interventions”. Dr. Walsh motioned to accept the recommendation of the Regulatory Committee. The motion was seconded and carried.

The Board discussed the Petition for Rule-Making that requested to amend section 18VAC140-20-70 to allow persons who have failed the licensing examination to count their supervision hours beyond the 2 years currently prescribed. The amendment would grandfather those applicants who do not meet current requirements for registration of supervision. Ms. Wooten motioned to deny the Petition for Rule-Making as the section reference in the petition was not applicable. The motion was seconded and carried.

NEXT MEETING:

Ms. Haynes announced that the next full Board meeting would occur on July 29, 2016.

ACTION ITEMS:

For the Regulatory Committee:

- Discuss the requirements for supervision and reinstatement

For the Full Board:

- Discuss House Bill 319 for continuing education for certain individuals
- Receive a presentation from Peggy Woods with the Health Practitioners' Monitoring Program
- Receive a presentation from Dr. Elizabeth Carter with Healthcare Workforce Data Center

ADJOURNMENT:

There being no further business to come before the Committee, the meeting was adjourned at 11:34 p.m.

Yvonne Haynes, Chair

Jaime Hoyle, Executive Director