

DRAFT
THE VIRGINIA BOARD OF SOCIAL WORK
MINUTES
Friday, October 14, 2015

The Virginia Board of Social Work ("Board") meeting convened at 10:08 a.m. on Friday, October 14, 2016 at the Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia. Yvonne Haynes, Board Chair called the meeting to order.

BOARD MEMBERS PRESENT: Jamie Clancey, L.C.S.W.
Yvonne Haynes, L.C.S.W.
Dolores Paulson, L.C.S.W., Ph.D.
Gloria Manns, L.C.S.W.
John Salay, L.C.S.W.
Joseph Walsh, L.C.S.W., Ph.D.

BOARD MEMBERS ABSENT: Canek Aguirre
Maria Eugenia del Villar, L.C.S.W.
Angelia Allen

DHP STAFF PRESENT: David Brown, D.C., DHP Director
Sarah Georgen, Licensing Manager
Anne Joseph, Deputy Director, Administrative Proceedings
Division ("APD")
Jaime Hoyle, Executive Director
Jennifer Lang, Deputy Executive Director
Elaine Yeatts, Senior Policy Analyst

BOARD COUNSEL: James Rutkowski

OTHERS PRESENT: David Ryczko, Association of Social Work Boards ("ASWB")
Jennifer Henkel, Association of Social Work Boards

CALL TO ORDER:

Ms. Haynes called the meeting to order.

ROLL CALL:

Ms. Haynes requested a roll call. Ms. Georgen announced that six members of the Board were present; therefore a quorum was established.

WELCOME OF NEW BOARD MEMBERS

Ms. Haynes welcomed Ms. Manns to the Board.

PUBLIC HEARING:

Ms. Haynes announced the public hearing of the Board to receive public comment on proposed regulations for amended regulations. Copies of the proposed regulations were provided for the public.

No public comment was received.

Ms. Haynes closed the meeting by stating that written comments on the proposed action should be directed to Elaine Yeatts, Senior Policy Analyst, Board of Social Work, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, VA 23233-1463 or by email to Elaine.Yeatts@dhp.virginia.gov. She also stated that electronic comment could be posted to the Virginia Regulatory Town Hall at www.townhall.virginia.gov. Ms. Haynes stated that the comment period will close on December 2, 2016.

ADOPTION OF AGENDA:

Ms. Hoyle requested that New Business take place following the Director’s Report. Upon a motion by Ms. Clancey which was properly seconded, the agenda was accepted as amended. The motion passed.

PUBLIC COMMENT ON AGENDA ITEMS:

Debra Riggs, Executive Director of the National Association of Social Workers (“NASW”) Virginia Chapter read and provided the board with written public comment.

Joseph Lynch of the Virginia Society for Clinical Social Work (“VSCSW”) provided the board with an additional page to his submitted written public comment. Mr. Lynch introduced Craijetta Lewis with the VSCSW.

APPROVAL OF MINUTES OF JULY 1, 2016:

Dr. Paulson requested that the minutes from July 1, 2016 be amended to read “After a lengthy discussion *with legal counsel*, Dr. Paulson made a motion in concept for Ms. Yeatts to draft legislation to add two additional licenses, definitions and registration persons under supervision obtaining practice experience required for a LCSW to be added to § 54.1-3705 of the Code of Virginia and that the Board be provided the authority to license a Licensed Bachelor Social Worker (“LBSW”), Licensed Master Social Worker (“LMSW”), and a Licensed Clinical Social Worker (“LCSW”) in accordance with regulations promulgated by the Board.”

Upon a motion by Dr. Walsh which was properly seconded, the meeting minutes from July 1, 2016 were approved as amended.

DIRECTOR’S REPORT

Dr. Brown welcomed Ms. Manns as a new Board member. Dr. Brown reminded the board that the Department of Health Professions had scheduled Board Member Training for October 24, 2016 and encouraged all Board members to attend.

Dr. Brown announced that the recommended legislation submitted by the Board regarding mid-level licensure was not approved by the Department of Health Professions. Generally non-controversial legislation moves forward, but because there was not unanimous support amount the associations and the legislation was not a demonstrated public need, the Board needed to continue its discussion about mid-level licensure for possible legislation at the 2018 General Assembly. Dr. Brown asked the board to focus on aligning legislation with the Association of Social Work Boards (“ASWB”) Model Act and determine if there is a difference of how the Board labels and determines responsibilities of social workers from surrounding states for portability. He requested that the Board have an earlier timetable for draft legislation to allow for discussion.

ADMINISTRATIVE PROCEEDINGS DIVISION PRESENTATION

Ms. Joseph provided a brief presentation on probable cause review.

ASWB CONTINUING EDUCATION AUDIT OVERVIEW

Mr. Ryczko provided a brief presentation on the Continuing Education Audit Overview offered by the ASWB.

REGULATORY/LEGISLATIVE UPDATE

Ms. Yeatts reported the Notice of Intended Regulatory Action (“NOIRA”) submitted by the Board at the last meeting is being processed by the Department of Planning and Budget. She said that the NOIRA should be available at the next meeting for Board review.

Ms. Yeatts reported that the final adoption of the Regulations Governing the Practice of Social Work will occur at the next meeting, as there was no public comment received a the public hearing.

Ms. Yeatts answered questions of the timeline regarding draft legislation of mid-level licensure. She reiterated Dr. Brown’s statements of why the legislation was not moving forward at this time.

Ms. Clancey requested clarification on the Board’s authority to create licenses. Mr. Rutkowski stated that the Board must have the authority under the Code of Virginia to issue licenses.

Ms. Yeatts requested action from the Board in regards to House Bill 319 which required promulgation of regulations to allow volunteer service time to count towards meeting continuing education requirements. Upon a motion by Dr. Walsh which was properly seconded, the Board accepted the language as drafted as fast-track action.

EXECUTIVE DIRECTOR’S REPORT

Ms. Hoyle provided a staffing update and reported that Charlotte Lenart has been hired as the Licensing Manager for the Board of Counseling effective August 10, 2016. She thanked Ms. Lenart for her service to the Board of Social Work.

Ms. Hoyle reported that she and Ms. Georgen had recently provided a presentation to the Virginia Commonwealth University School of Social Work regarding licensure. Ms. Hoyle reported that Ms. Clancey had recently attended the New Board Member Training offered by the Association of Social Work Boards (ASWB). She also reported that she and Ms. Haynes are scheduled to attend the ASWB Annual meeting in November 2016, where Ms. Hoyle will also attend an Administrators Forum that allows networking with other executive directors across the country. Ms. Hoyle noted that travel expenses for the ASWB meetings were fully funded by the ASWB, but must be approved by the Secretary of Health and Human Services due to state travel requirements.

Ms. Clancey provided a brief statement of her ASWB New Board Member Training. Ms. Clancey requested clarification on how the Board ratifies decisions of the staff regarding application and case decisions. Ms. Hoyle and Ms. Yeatts noted that the Board provides certain delegation of authority functions to Board staff.

DEPUTY EXECUTIVE DIRECTORS REPORT

Ms. Lang noted that the quarterly reporting statistics from the last quarter were included in the agenda packet, but also reported the statistics of quarter four which were released shortly before the meeting. Ms. Lang noted that the Board closed 62 cases last quarter, reported that there were 78 cases open, 16 new cases in investigation with three cases at the Administrative Proceedings Division level. She noted that a formal hearing was to occur following the Board meeting, and two informal conferences were taking place on October 28, 2016.

LICENSING MANAGER'S REPORT

Ms. Georgen reported that the quarterly reporting statistics from the last quarter were included in the agenda packet. She reiterated Ms. Hoyle's staffing report and thanked Charlotte Lenart for her nearly five years of service to the Board of Social Work.

Ms. Georgen reported that it has been difficult to maintain the standards for processing applications, telephone calls and emails without other board staff, but reported that the 30 day agency standard continues to be met regardless.

COMMITTEE REPORTS

Regulatory/Legislative Committee Report: Ms. Haynes announced that she had appointed Dr. Walsh to chair the Regulatory Committee following the departure of Dr. Winter's seat on the Board. Ms. Haynes requested that Dr. Walsh reduce the size of the Committee for budget and collaboration efforts. Ms. Haynes requested that Board members interested in serving on the Committee contact her or Ms. Hoyle prior to the next Board meeting. Dr. Walsh announced that the next Regulatory Committee meeting would take place on February 2, 2017. Additionally, Dr. Walsh suggested that the Regulatory Committee meet again between February and May of 2017 to collaborate on the points of disagreements, agreements and ASWB Model Law for possible legislation on mid-level licensure.

Credentials Committee Report: Mr. Salay noted that there was nothing to report.

Special Conference Committee Report: Ms. Haynes noted that there was nothing to report.

Board of Health Professions Report: Ms. Haynes reported that her report and draft meeting minutes of the Board of Health Professions was included in the agenda packet.

Ms. Haynes requested that Ms. Georgen a complete Committee list to the Board members to allow opportunity for Board members to express interest in any Committees.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

Ms. Haynes opened discussion for the Board to discuss the letter received from Justin Grotelueschen regarding a request for an alternative supervisor and location of Registration of Supervision towards a Licensed Clinical Social Worker based on an undue burden due to geography.

Following discussion, the Board requested staff to draft a response letter approving Mr. Grotelueschen to receive supervision through a federal facility outside of United States jurisdiction; however denying the request to receive supervision from a licensed Psychologist.

NEXT MEETING:

Ms. Haynes announced that the next regularly scheduled full Board meeting would occur on February 4, 2017.

ADJOURNMENT:

Upon a motion by Ms. Clancey which was properly seconded, the meeting was adjourned at 1:15 p.m.

Yvonne Haynes, LCSW, Chair

Jaime Hoyle, Executive Director