

**THE VIRGINIA BOARD OF SOCIAL WORK
REGULATORY COMMITTEE MEETING MINUTES
Friday, January 4, 2012**

The Regulatory Committee of the Virginia Board of Social Work ("Board") convened at 10:44 a.m. on Monday, June 25, 2012, at the Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia. Yvonne Haynes, Chair called the meeting to order.

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

BOARD MEMBERS ABSENT: Kristi Wooten

STAFF PRESENT: Howard Casway, Sr. Attorney General
Catherine Chappell, Executive Director
Patricia Larimer, Deputy Director – Discipline
Charlotte Lenart, Administrative Assistant
Elaine Yeatts, Senior Policy Analyst

ORDERING OF AGENDA

Ms. Haynes asked if there were any changes in the order of the agenda. Ms. Chappell requested that she have a few minutes at the beginning of the agenda to provide a review of the goals for the meeting. The agenda was accepted as amended.

GOALS FOR REGULATORY MEETING

Ms. Chappell thanked the Committee for their ongoing support and assistance with the regulatory issues of the Board. She stated that the primary goal for the meeting was to review regulations drafted in response to the Governor's Regulatory Reform Initiative, with the draft to be presented at the January 25, 2013 meeting. As time permitted, discussion on distance therapy and mid-level license would continue.

She commented that the Committee had the opportunity to propose changes to the regulations to reduce the burden on applicants and licensees. She pointed out that provisions relating to administrative processes might be revised in light of the current use of online applications and computerized testing. Likewise, because of trends seen in endorsement applications relating to increased movement between jurisdictions as well as individuals returning to the workforce after a hiatus, consideration of practice in exempt settings might be contemplated toward "active practice." Likewise, commensurate qualifications of supervisors in other jurisdictions might be acceptable.

With respect to minimum education requirements for clinical licensure, she asked the Committee to revisit 18VAC140-20-49 in light of significant public comment requesting removal of "unnecessary barriers" that the 2011 education provisions had imposed upon social workers. To provide historical perspective, Ms. Chappell commented that the Board had proposed regulations in 2007 and 2008 to clarify the "clinical course of study" due to the broad range of coursework taken by students who graduated from CSWE accredited graduate programs and who sought clinical licensure. While a matrix had been developed by staff in order to evaluate applicants' transcripts, staff continued to see programs that offer varying tracts of

study with a variety of elective courses in the second year. For example, some programs offered one graduate credit hour of psychopathology, while others offered three graduate credit hours in the subject. She acknowledged that the reviewers often found significant overlap in explanatory theory and practice theory coursework.

She reminded the Committee members that each had an equal voice in the decisions of the Committee but that the Committee would speak as one body in presenting their proposed regulatory language to the Board.

PUBLIC COMMENT

There was no public comment

APPROVAL OF MINUTES – June 25, 2012 Regulatory Committee Meeting

Ms. Horne-Quatannens moved that the minutes of the June 25, 2012 and the October 15, 2012 meetings be approved as written. The motion was seconded by Ms. Blosser and passed.

DISCUSSION OF PROPOSED REGULATORY REFORM – Elaine Yeatts, Sr. Policy Analyst

Ms. Yeatts presented a draft of regulatory changes for consideration by the Committee. Public comment that had been received during the comment period was included in the agenda packet and incorporated into the draft changes. Ms. Yeatts indicated that the Board approved regulatory reform amendments would be fast tracked.

The Regulatory Committee considered the following changes:

18VAC140-20-10 – Definitions. The definition of “Ancillary counseling services” had been added to clarify those words as used in 18VAC140-20-50.A.2.b. relating to experience requirements. The Committee agreed that the word “counseling” should be deleted from the defined term. Additionally, the Committee contemplated whether “case management” was appropriately referenced within the definition of “Ancillary services” as it was indeed an important part of social work services. However, the Committee agreed that “case management” falls within “ancillary services” and applicants for clinical licensure must provide clinical social work services in order to prepare for independent licensure.

The Committee considered revision to the “Face-to-Face supervision” definition to recognize changes in communication by electronic means. However, Ms. Blosser recommended that a guidance document be drafted to address the Board’s security and confidentiality concerns. Ms. Chappell referenced the Board of Counseling’s Guidance Document which specifically addresses Technology-Assisted Supervision, noting that in their document, the Board of Counseling indicated that supervision was optimal in the traditional face-to-face sense.

Ms. Horne-Quatannens moved that the Committee accept the changes made to 18VAC140-20-10. The motion was seconded by Dr. Winters, and unanimously approved.

18VAC140-20-30 – With respect to Fees, the Committee reviewed the deleted phrases relating to a one-time fee reduction and accepted the changes.

18VAC140-20-40 – With respect to Licensure by Examination as a Clinical Social Worker, the Committee reviewed the changes in process to lessen the documentation requirements due to the use of online applications and accepted those changes.

18VAC140-20-45 – With respect to Licensure by Endorsement, the Committee reviewed the changes in process to lessen the documentation requirements due to the use of online applications. Additionally, the Committee reviewed language to allow the use of practice in an exempt setting at the level for which licensure was sought as one of the ways to satisfy requirements for active practice. The changes were accepted as presented.

18VAC140-20-49 – The Committee discussed the proposed changes to the Educational Requirements for a Licensed Clinical Social Worker and noted that the Counsel on Social Work Education (CSWE) does not accredit Doctor of Social Work Programs and that the proposed changes would need to reflect the correct accrediting organization for a doctorate program.

The Committee discussed in detail whether the requirements for a specific number of hours of graduate credit for Explanatory Theory, Practice Theory, Psychopathology and Research should be eliminated or maintained in the regulations. Ms. Horne-Quatannens moved that the Board continue to maintain the specific credit hours for each category, but expand the definition for Explanatory Theory to include coursework in diversity issues, social justice, culture and at-risk populations as shown in line 5 of that section. The motion was seconded by Dr. Winters and carried.

The Committee further agreed that amendment to Guidance Document 140-6 was needed in order to reflect this change.

18VAC140-20-50 – With respect to Experience Requirements for a Licensed Clinical Social Worker, the Committee reviewed the deleted phrase relating to the November 26, 2008 requirement, which may be confusing to applicants. Additionally, they considered changes to clarify that client contact hours are based on 40 hours of work rather than “per week” of a supervised experience which would allow for part-time practice. Additionally, changes to allow the Board to consider supervisors with commensurate qualifications who provided clinical supervision in another jurisdiction were considered. The Committee agreed to accept the changes as presented.

18VAC140-20-51 – With respect to Licensure by Examination as a Licensed Social Worker, the Committee reviewed the changes in process which reduced the amount the documentation requirements due to the use of online applications and accepted the changes.

18VAC140-20-60 – With respect to Education and Experience Requirements for Licensed Social Worker, the Committee reviewed the deleted phrase relating to the November 26, 2008 requirement, which may be confusing to applicants, and accepted the changes.

18VAC140-20-70 – With respect to Examination Requirements, the Committee reviewed the changes to clarify which examinations are required for each license and accepted those changes.

18VAC140-20-100 – With respect to Licensure Renewal, the Committee accepted the changes to remove a phrase specific to 2003 renewal, which may have been confusing to licensees.

18VAC140-20-106 – With respect to Documenting Compliance with Continuing Education Requirements, the Committee considered language to reduce the requirements for documentation of Category II activities and accepted said changes.

Staff agreed to prepare the proposed regulations based upon the Regulatory Committee's review and present the document to the January 25, 2013 Board meeting for approval.

DISTANCE THERAPY AND MID-LEVEL LICENSURE

Due to time constraints, discussion on Distance Therapy and Mid-Level Licensure was tabled until the next Regulatory Committee Meeting.

NEXT MEETING

Ms. Haynes suggested that another Regulatory Committee Meeting be scheduled as soon as possible.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:30 p.m.

Yvonne Haynes, Chair

Catherine Chappell, Executive Director