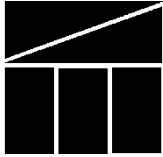


Adverse impact notification sent to Joint Commission on Administrative Rules, House Committee on Appropriations, and Senate Committee on Finance (COV § 2.2-4007.04.C): Yes Not Needed

If/when this economic impact analysis (EIA) is published in the *Virginia Register of Regulations*, notification will be sent to each member of the General Assembly (COV § 2.2-4007.04.B).



Virginia Department of Planning and Budget Economic Impact Analysis

18 VAC 140-20 Regulations Governing the Practice of Social Work
Department of Health Professions
Town Hall Action/Stage: 5010/8404
November 15, 2018

Summary of the Proposed Amendments to Regulation

The Board of Social Work (Board) proposes to reallocate continuing education (CE) hours to the required ethics or standards of practice for the behavioral health professions, or the laws governing the practice of social work (ethics) for Licensed Clinical Social Workers (LCSWs) and Licensed Social Workers (LSWs).

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

Currently, LCSWs must devote a minimum of two hours to ethics every two years out of the total 30 hours of CE required for renewal of a license. Similarly, LSWs are required to devote a minimum of two hours every two years for ethics out of the total 15 hours of CE.

The Board proposes to increase the hours for ethics from two to six hours for LCSWs and from two to three hours for LSWs with no change to the total CE hours required for either profession. According to the Board, the purpose of adding hours in ethics is to address a concern about complaints against social workers, almost all of which stem from an ethical issue or a failure to adhere to professional standards of practice. According to the Department of Health Professions (DHP), while the rate of complaints against LCSWs is similar to or lower than other

behavioral health professions (13.52 per 1,000 licensees for LCSWs; 15.75 per 1,000 for licensed professional counselors; 16.45 per 1,000 for licensed clinical psychologists in the 2014-2016 biennium), the nature of the complaints indicates a lack of understanding of ethics or standards of practice. Therefore, the Board believes a higher percentage of the total hours of continuing education should be devoted to those topics in order to protect the health, welfare and safety of clients receiving social work services.

Because there would be no change to the total continuing education hours required, the proposed change should not have any significant economic impact on licensees. However, the proposed change may necessitate an adjustment in continuing education provider curriculum and may add to their costs by a small amount. Since the number of current complaints received by the Board is likely to decrease with implementation of the proposed change, the regulatory package would likely produce a net benefit.

Businesses and Entities Affected

There are 6,985 licensed clinical social workers and 795 licensed social workers. DHP does not track the number of continuing education providers.

Localities Particularly Affected

The proposed regulation does not affect any particular locality more than others.

Projected Impact on Employment

No significant impact on employment is expected.

Effects on the Use and Value of Private Property

No significant impact on the use and value of private property is expected.

Real Estate Development Costs

No impact on real estate development costs is expected.

Small Businesses:

Definition

Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

Costs and Other Effects

Most continuing education providers are likely small businesses. However, having to adjust their curriculum to emphasize ethics/standards issues is not anticipated to have significant costs and other effects on them.

Alternative Method that Minimizes Adverse Impact

The proposed amendments would not have a significant adverse effect on continuing education providers.

Adverse Impacts:

Businesses:

The proposed amendments would not adversely affect businesses.

Localities:

The proposed amendments would not adversely affect localities.

Other Entities:

The proposed amendments would not adversely affect other entities.

Legal Mandates

General: The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 14 (as amended, July 16, 2018). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

Adverse impacts: Pursuant to Code § 2.2-4007.04(C): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.