

July 23, 2021

Quarterly Board Meeting Minutes

Virginia Board of Social Work



Virginia Department of
Health Professions
Board of Social Work

Virginia Board of Social Work
Quarterly Board Meeting Minutes
Friday, July 23, 2021 at 10:00 a.m.
9960 Mayland Drive, Henrico, VA 23233
Board Room 2

PRESIDING OFFICER: Dolores Paulson, PhD, LCSW, Chair

BOARD MEMBERS PRESENT: Canek Aguirre, Citizen Member
Angelia Allen, Citizen Member (*arrived at 10:55am*)
Maria Eugenia del Villar, MSW, LCSW
Michael Hayter, MSW, LCSW, CSAC
Gloria Manns, MSW, LCSW
Teresa Reynolds, MSW, LCSW
John Salay, MSW, LCSW

BOARD MEMBERS ABSENT: Jamie Clancey, MSW, LCSW

BOARD STAFF PRESENT: Latasha Austin, Licensing & Operations Manager
Jaime Hoyle, J.D., Executive Director
Jennifer Lang, Deputy Executive Director- Discipline
Charlotte Lenart, Deputy Executive Director- Licensing
Sharniece Vaughan, Licensing Specialist

DHP STAFF PRESENT: David Brown, D.C., Director, Department of Health Professions
Elaine Yeatts, Senior Policy Analyst, Department of Health Professions

BOARD COUNSEL PRESENT: James Rutkowski, Assistant Attorney General

PUBLIC ATTENDEES: Joseph G. Lynch, LCSW, Virginia Society for Clinical Social Work

CALL TO ORDER: Dr. Paulson called the board meeting to order at 10:05 a.m.

ROLL CALL/ESTABLISHMENT OF A QUORUM: Dr. Paulson requested a roll call. Ms. Austin announced that seven members of the Board were present at roll call; therefore, a quorum was established.

MISSION STATEMENT: Ms. Hoyle read the mission statement of the Department of Health Professions, which was also the mission statement of the Board.

ADOPTION OF AGENDA: The Board adopted the agenda as presented.

PUBLIC COMMENT: Mr. Lynch provided public comment. A copy of the public comment provided was included in the agenda packet. Mr. Lynch expressed public comment regarding the three following concerns:

1. LMSW definition in the Code- The need to change the definition of “Masters Social Worker” in the Code of Virginia.
2. LMSW as requirement for LCSW supervisees- The need to bring Virginia into alignment with the majority of US jurisdictions that require social workers under supervision toward the ASWB clinical exam to be licensed while under such supervision.
3. Interconnectedness between unlicensed social workers, LBSW & LMSW, the QMHP and the Licensed Resident in Counseling.

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APPROVAL OF MINUTES:

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The Board approved the meeting minutes from the Board Meeting held on March 12, 2021 as written.

AGENCY REPORT:

Dr. Brown informed the Board that the declaration of emergency ended on June 30, 2021 and that the agency would be seeking legislation to allow the agency to conduct some of its board meetings virtually. He also informed the Board that the building would be re-opening to the public on August 2, 2021 and that staff would be returning to the office October 4, 2021 with options to telework at least 2 days a week.

Dr. Brown also informed the Board about the legislation passed by the General Assembly requiring all agencies to submit a strategic plan regarding Diversity Equity and Inclusion. Dr. Brown informed the Board that DHP has submitted their plan and has taken the following actions; DHP has established a DEI Counsel, has identified a lack of diversity in upper management, and is taking measures to ensure hiring pools are more diverse by expanding hiring advertisements to minority organizations.

BOARD CHAIR REPORT:

Dr. Paulson welcomed new board member, Teresa Reynolds, and informed the Board of the anticipation of another new board member soon that would be replacing Mr. Salay. Dr. Paulson thanked Mr. Salay for all his years of service on the Board and for his dedication and leadership.

Dr. Paulson informed the Board that Ms. del Villar has volunteered to serve as the next Regulatory Chair.

Dr. Paulson also informed the Board about the work the Board has accomplished and the progression of the levels of licensure for social work over the years.

LEGISLATION & REGULATORY ACTIONS:

Ms. Yeatts discussed the chart of regulatory actions. Ms. Yeatts informed the Board that the Governor's office has approved the notice of intended regulatory action for licensure of music therapists since the distribution of the agenda packet.

Ms. Yeatts also discussed with the Board the action on proposed regulatory changes to the endorsement requirements, reinstatement requirements, and standards of practice as presented in the agenda packet. Ms. Yeatts informed the Board that no public comment was made.

Motion: Mr. Aguirre made a motion, which Ms. del Villar properly seconded, to adopt the proposed regulations as presented in the agenda package.

After discussion by the Board, Mr. Aguirre amended his motion.

Amended Motion: to strike "*such as cradling, caressing, kissing, and groping*" from 18VAC140-20-150(D)(6) of the proposed regulatory changes as indicated below:

6. *Not engage in physical contact (~~such as cradling, caressing, kissing, and groping~~) with a client when there is a likelihood of psychological harm to the client. Social workers who engage in physical contact are responsible for setting clear and culturally sensitive boundaries.*

Motion: Mr. Aguirre made a motion, which Ms. del Villar properly seconded, to adopt the proposed regulations with the amendment. The motion passed

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unanimously.

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Additionally, Ms. Yeatts discussed with the Board the action on proposed regulations for reduction of CE requirements for supervisors.

Motion: Mr. Salay made a motion, which Mr. Aguirre properly seconded, to adopt the proposed regulations as presented in the agenda package. The motion passed with seven in favor and one opposed.

REGULATORY COMMITTEE REPORT:

Mr. Salay informed the Board that the regulatory committee met yesterday and had four recommendations to bring before the Board.

Recommendation 1:

The recommendation from the Regulatory Committee was to amend § 54.1-3705 of the Code of Virginia to license as residents persons proposing to obtain supervised post-degree experience in the practice of social work required by the Board for licensure as a clinical social worker. The recommended motion passed with five in favor and three opposed.

During the discussion, Ms. Manns expressed concerns about the little information the Board has regarding the practice of the LMSW. While the LMSW is a non-clinical license, the Board has no way of knowing if in fact the LMSW is practicing clinically outside of their licensure. Dr. Brown shared in her concerns and agreed in order to protect the public we must have information on the LMSW. The Board recommended that a survey be conducted at licensure renewal for the LMSW license. Dr. Brown agreed that a survey was essential and should be conducted promptly.

The Board took a break at 12:05pm. The meeting reconvened at 12:17pm.

Recommendation 2:

The recommendation from the Regulatory Committee was to have staff develop a Board of Social Work guidance document on emotional support animals. The recommended motion passed unanimously.

Recommendation 3:

The recommendation from the Regulatory Committee was to publish a Notice of Periodic Review. The recommended motion passed unanimously.

Recommendation 4:

The recommendation from the Regulatory Committee was to amend the licensure by endorsement requirements in the regulations to accept licenses who have taken another exam for state licensure other than the ASWB exam at the same level for licensure. The recommended motion passed unanimously.

The Board recommended that Board staff come to the next Board meeting with information from ASWB on when each states started requiring the ASWB clinical exam for licensure at the clinical level.

BOARD OF HEALTH PROFESSIONS REPORT:

Mr. Salay gave a recap of the last meeting from the Board of Health Professions. A copy of the minutes from the last meeting was included in the agenda packet.

EXECUTIVE DIRECTOR'S REPORT:

Ms. Hoyle reported on the finances of the Board. A copy of the report provided was

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included in the agenda packet.

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Ms. Hoyle also provided updates from ASWB. Ms. Hoyle informed the Board about Association of Social Work Board's (ASWB's) upcoming New Board Member Training in August and the Annual meeting in New Orleans in November. Any board members wishing to attend either should inform Ms. Hoyle. Ms. Hoyle also informed the Board that she has been nominated for a director position for ASWB.

Ms. Hoyle also recognized outgoing Board member John Salay and presented him with a plaque for his service on the Board. She also recognized Ms. Lang for 10 years of state service.

DISCIPLINE REPORT:

Ms. Lang reported on the disciplinary statistics for the Board of Social Work from February 26, 2012- July 7, 2021. A copy of the report given was included in the agenda packet.

BOARD OFFICE REPORT:

Ms. Austin reported on the licensure statistics for the Board from March 1, 2021- June 30, 2021. A copy of the report given was included in the agenda packet.

LICENSING UNIT REPORT:


Ms. Lenart recognized Ms. Vaughan for 1 year of state service and Ms. Austin for 10 years of state service.


NEXT MEETING DATES:

Dr. Paulson announced that the Regulatory Committee would hold its next meeting on Thursday, September 9, 2021 and the Board would hold its next meeting on Friday, September 10, 2021.

ADJOURNMENT:

Dr. Paulson adjourned the July 23, 2021 Board meeting at 1:06p.m.

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 Dolores Paulson, Ph.D., L.C.S.W., Chair

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 Jaime Hoyle, Executive Director