

**THE VIRGINIA BOARD OF SOCIAL WORK  
REGULATORY COMMITTEE MEETING**

**MINUTES**

**Thursday, July 16, 2009**

The Regulatory Committee of the Virginia Board of Social Work ("Board") convened at 1:20 p.m. on Thursday, July 16, 2009 at the Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia. Mr. Wayne Martin called the meeting to order.

**COMMITTEE MEMBERS**

**PRESENT:**

Charles R. Chambers, Jr.  
Willie T. Greene, Sr.  
Susan Horne-Quatannens  
Wayne Martin  
Dolores Paulson

**COMMITTEE MEMBERS**

**ABSENT:**

None

**OTHER BOARD MEMBERS**

**PRESENT:**

Catherine Moore

**STAFF PRESENT:**

Elaine Yeatts, Senior Policy Analyst  
Evelyn B. Brown, Executive Director  
Patricia Larimer, Deputy Executive Director  
Howard Casway, Senior Assistant Attorney General  
Catherine Chappell, Operations Manager

**OTHERS PRESENT:**

Debra Riggs, NASW-VA

**ORDERING OF AGENDA**

Mr. Martin opened the floor to any changes in the order of the Agenda. The Agenda was accepted.

**PUBLIC COMMENT**

There was no public comment.

**APPROVAL OF MINUTES**

Mr. Greene moved that the minutes from the April 17, 2009 Regulatory Committee be approved as amended. The motion was seconded and carried.

### **PETITION FOR RULE-MAKING – Carol Gauzens**

Mr. Martin referred the Committee to the Petition for Rule-making submitted by Ms. Carol Gauzens in which she asked the Board to consider amending Regulation 18VAC140-20-50.C.2. to require supervisors to obtain supervision training one time only (or renewable every ten years, or renewed if the supervisor has been inactive as a supervisor for five or more years) rather than within five years immediately preceding registration of supervision.

Ms. Horne-Quatannens moved that the Committee recommend to the Board that the Petition be denied because the requirement for 14 hours of continuing education relating to supervision within a five-year period was not unreasonable and was necessary to ensure supervisors remain current with practice and professional standards. The Committee discussed that there were a number of professional courses that would enable a licensee to fulfill the required hours as part of the 75 hours of continuing education required during a five-year period. The motion was seconded and carried.

### **PETITION FOR RULE-MAKING – Shirley Johnson**

Mr. Martin referred the Committee to the Petition for Rule-making submitted by Ms. Shirley Johnson in which she asked the Board to amend the eligibility requirements of Regulation 18VAC140-20-60.A. to include applicants with a degree from an accredited university in a related field (with ten or more years as a licensed social worker in another state with no disciplinary actions against the licensed social worker).

Mr. Chambers moved that the Committee recommend to the Board that the Petition be denied to ensure that substantially equivalent education for social workers be maintained. The Committee discussed the variety of educational requirements in other jurisdictions and that some social workers have been “grandfathered” into licensure with different educational backgrounds. The motion was seconded and carried.

### **PROPOSED REGULATIONS ON “CLINICAL COURSE OF STUDY”**

Ms. Yeatts presented proposed regulations on “Clinical Course of Study” for consideration. She noted that the guidance document language, adopted on April 17, 2009, had been incorporated into proposed regulations in the form of Regulation 18VAC140-20-49. Regulations 18VAC140-20-40, 18VAC140-20-45, and 18VAC140-20-50 would be amended to reference the new regulation.

Ms. Paulson moved that the Committee recommend to the Board that the proposed regulations on “Clinical Course of Study” be adopted. The motion was seconded and approved.

## **FAST TRACK PROPOSED REGULATIONS ON CE CHANGES, SUPERVISION, AND EXAM SCHEDULE**

Ms. Yeatts presented proposed regulations to clarify language relating to supervision, examination, and continuing competency requirements, which were deemed nonsubstantive. She noted that the following changes would be fast tracked:

- Include a maximum number of hours of supervision to be achieved each week as part of a 40 hour work experience in Regulation 18VAC140-20-50.B.2 and 18VAC140-20-60.C.1.
- Define hours of supervised post-bachelor's degree experience in Regulation 18VAC140-20-60.C.1. to be consistent with supervised post-master's degree experience in Regulation 18VAC140-20-50.B.2
- Clarify that an applicant must "pass" rather than "take" the examination by the end of the two year period in Regulation 18VAC140-20-70.C.
- Delineate that continued competency courses or activities required in Regulation 18VAC140-20-105.A. be directly related to the practice of social work or another behavioral health field.
- Clarify that the required hours of continued competency in Regulation 18VAC140-20-105 must pertain to ethics or the standards of practice for the behavioral health profession or to laws governing the practice of social work in Virginia.
- Require that requests for exemptions from continued competency requirements under Regulation 18VAC140-20-105.A.2. be received in writing prior to renewal date.
- Update list of approving national organizations for continued competency activities in Regulation 18VAC140-20-105.B.d.
- Add to the approved Category II activities in Regulation 18VAC140-20-105.B.2.f. serving as a member of a state social work licensing board.
- Clarify that individual or group study in Regulation 18VAC140-20-150.B.2.h. is acceptable towards Category II activities.

Mr. Greene moved that the Committee recommend to the Board that the fast track changes to supervision, exam schedule, and continued competency be adopted. The motion was seconded and approved.

## **SUPERVISION WHILE IN PRIVATE PRACTICE**

Ms. Brown stated that the Board office has received requests for registration of supervision from MSW trainees who propose to work in private practice. She noted that only Licensed Clinical Social Workers may work independently and requested that proposed language be added to the Regulations to specifically prohibit such activity by trainees. She noted that the Boards of Psychology and Counseling regulations currently included language that addresses the practice of residents.

Ms. Paulson moved that the Board add the definition of “Supervisee” to Regulation 18VAC140-20-10 and add new section 18VAC140-20-50.E. to provide that

*Supervisees may not directly bill for services rendered or in any way represent themselves as independent, autonomous practitioners or licensed clinical social workers. During the supervised experience, supervisees shall use their names and the initials of their degree, and the title “Supervisee in Social Work” in all written communications. Clients shall be informed in writing of the supervisee’s status and the supervisor’s name, professional address, and phone number.*

The motion was seconded and passed. Ms. Yeatts noted that these nonsubstantive changes would be added to the fast tracked proposed regulations.

### **NEXT MEETING**

Mr. Martin requested that the next meeting of the Regulatory Committee be scheduled for Friday, October 16, at 9:00 a.m.

### **ADJOURNMENT**

There being no further business to come before the Regulatory Committee Meeting adjourned at 4:00 p.m.

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Wayne Martin, Chair

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Evelyn B. Brown, Executive Director