

**THE VIRGINIA BOARD OF SOCIAL WORK  
MINUTES  
FRIDAY, JANUARY 23, 2009**

The Virginia Board of Social Work ("Board") meeting convened at 10:25 a.m. on Friday, January 23, 2009 at the Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia. David Boehm, Chair, called the meeting to order.

**BOARD MEMBERS PRESENT:** David R. Boehm  
Charles R. Chambers, Jr.  
Willie T. Greene, Sr.  
Susan Horne-Quatannens  
Wayne A. Martin  
Catherine L. Moore  
Francis N. Nelson, Jr.  
Dolores S. Paulson  
Patricia Smith-Solan

**BOARD MEMBERS ABSENT:** None

**STAFF PRESENT:** Emily Wingfield, Chief Deputy Director  
Howard Casway, Sr. Assistant Attorney General  
Evelyn B. Brown, Executive Director  
Elaine Yeatts, Senior Policy Analyst  
Patricia L. Larimer, Deputy Executive Director  
Catherine Chappell, Administrative Assistant

**ORDERING OF AGENDA**

Mr. Boehm opened the floor to any changes in the order of the Agenda. Mr. Casway requested that an update regarding ongoing litigation be added to the Agenda.

Mr. Chambers moved to accept the Agenda as amended. The motion was seconded and carried.

**PUBLIC COMMENT**

Mark O'Shea with the Virginia Society of Clinical Social Workers thanked the Board for its efforts in preparing the HB1146 report. He also commented that Alice Kassabian of the Greater Washington Chapter expressed her appreciation in this regard.

Debra Riggs, director of NASW-VA, thanked the Board as well for their work on the HB1146 report.

## **APPROVAL OF MINUTES**

Ms. Moore moved to accept the minutes of the October 3, 2008 Board meeting. The motion was seconded and carried.

## **CHIEF DEPUTY DIRECTOR'S REPORT**

2009 Legislation Update. Ms. Wingfield provided an update on the Agency's legislative activity and noted that none of the legislation for this session specifically named the Board of Social Work.

Health Practitioner Intervention Program (HPIP). Ms. Wingfield advised that the Agency was introducing legislation relating to the HPIP program, in an effort to reshape the program's policy to provide monitoring services rather than serve as a treatment program.

Virginia Performs. Ms. Wingfield presented data on patient care disciplinary case processing times and noted that the Board of Social Work continues to meet and exceed the goals established under Virginia Performs.

Budget. Ms. Wingfield referenced the State budget concerns and noted that the Agency continues to monitor all expenses closely.

## **HB1146 UPDATE**

Mr. Boehm announced that public comment had been received on the HB1146 report and suggested that the HB1146 Committee reconvene to analyze the comments received.

Mr. Martin moved that the Board refer the public comment to the HB1146 Committee for review and that the Committee provide a final report at the April board meeting. The motion was seconded and carried.

## **ONGOING LITIGATION**

Mr. Casway reported that tentative steps had been taken by Lori Kochanski Mandeville, LCSW Reinstatement Applicant, to appeal the denial of her application to the Richmond Circuit Court. He would update the Board of any further activity as warranted.

## **CHAIR'S REPORT – David Boehm**

### Board of Health Professions

Mr. Boehm advised that he attended the quarterly Board of Health Professions meeting. He noted that BHP welcomed six new members and that he continues to serve as the BHP chair.

### ASWB Annual Meeting

Mr. Boehm advised that he attended the ASWB Annual Meeting in Rhode Island in November. He participated in a supervision task force and presented the report for the Board's review.

He advised that ASWB was in negotiations with the California Social Work Board in anticipation of their joining the Association. He noted that all 10 providences of Canada have now joined ASWB.

Questionnaires are forthcoming to update the examinations to reflect current social work practice. He noted that ASWB is now offering examinations to schools of social work to be used as part of their curriculum.

Because of the need to increase the reserve fund due to examination security concerns, the individual examination cost is anticipated to be increased.

### **EXECUTIVE DIRECTOR'S REPORT**

Ms. Brown advised that staff need clarification of the examination rules of Regulation 18VAC140-20-70. She asked that the Board consider revising the regulations to indicate that a candidate must "pass" rather than "take" the examination after a certain number of attempts or within a time frame. Additionally, she sought the Board's guidance on staff response to requests for waiver of the ASWB's 90 day requirement before retesting.

Dr. Paulson moved that staff's testing concerns be referred to the Regulatory Committee for consideration and action. The motion was seconded and carried.

Ms. Brown announced that staff continues to receive many questions on the supervision training requirements and continuing education in general. Updated information has been added to the Board's website to address the frequently asked questions.

Ms. Larimer asked for clarification of the requirements of Regulation 18VAC140-20-105.A. regarding the required minimum of two hours pertaining to the standards of practice and laws governing the profession of social work in Virginia, or the Code of Ethics of one of the social work professional associations as listed in the regulations. Mr. Casway indicated that the regulations are to be broadly interpreted and suggested that the section be amended if that is not the Board's intention.

## **COMMITTEE REPORTS**

### **Discipline Committee Report – David Boehm**

Mr. Boehm reported that two complaints are currently in investigation and three cases at the Board level are under probable cause review. He added that one formal hearing is scheduled for February and that one consent order had been presented and ratified.

### **Regulatory Committee Report –Elaine Yeatts**

Ms. Yeatts noted that proposed regulations relating to “Clinical Course of Study” continue under review. Because clarification of “advanced standing” issues has been requested, she suggested that the Regulatory Committee revisit the proposed regulations. Dr. Paulson agreed to review and draft language to clarify the concerns and present the information to the Regulatory Committee for consideration.

### **Continuing Education Committee Report – Catherine Moore**

Ms. Moore reported that a total of 88 licensees were audited and that of those 88 individuals, 11 were sent warning letters, 12 were offered confidential consent agreements, and two are to be scheduled for informal conferences.

Discussion followed as to possible resources to assist licensees in maintaining and documenting continuing education hours. Ms. Horne-Quatannens moved to request that the Regulatory Committee review the existing continuing education regulations in this regard and consider clarification of distance and online learning. The motion was seconded and carried.

## **PROCESSES – FORMAL HEARINGS**

Mr. Casway provided an overview of the processes for administrative law proceedings. He offered to provide an additional presentation on the Administrative Process Act at the next Board meeting.

## **NEW BUSINESS:**

None

## **OLD BUSINESS**

Mr. Boehm commented that the Board’s annual meeting with the four Virginia graduate schools of social work needed to be scheduled.

Mr. Martin announced that the Regulatory Committee meeting would be scheduled for 8:30 a.m. on April 17, with the Board meeting to follow.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 1:20 p.m.

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David Boehm, Chair

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Evelyn B. Brown, Executive Director