

Call to Order – Dolores Paulson, Ph.D., LCSW, Board Chairperson

- Welcome and Roll Call
- Mission of the Board
- Adoption of Agenda

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Public Comment

The Board will receive public comment related to agenda items at this time. The Board will not receive comment on any pending regulation process for which a public comment period has closed or any pending or closed complaint or disciplinary matter.

Approval of Minutes

- Board Meeting –December 4, 2020*
- Music Therapy Advisory Board Meeting – February 19, 2021 (For Informational Purposes Only)

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Agency Director Report - David E. Brown, DC

Chairperson Report – Dr. Paulson

Legislation and Regulatory Report – Elaine Yeatts, DHP, Sr. Policy Analyst and Regulatory Manager

- Report on 2021 General Assembly
- Report on Status of Regulatory Actions
- Advisory Board on Music Therapy Bylaws*

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Board Counsel Report – James Rutkowski, Assistant Attorney General

Staff Reports

- Executive Director’s Report – Jaime Hoyle, JD., Executive Director, Boards of Counseling, Psychology, and Social Work Page 13
- Discipline Report – Jennifer Lang, Deputy Executive Director, Boards of Counseling, Psychology, and Social Work Page 22
- Board Office Report – Latasha Austin, Licensing and Operations Manager, Board of Social Work Page 24
- Licensing Unit Report – Charlotte Lenart, Licensing Deputy Director, Boards of Counseling, Psychology and Social Work Page 34

Committee Reports

- Regulatory Committee – Mr. Salay
 - Recommendations from Regulatory Committee* - Ms. Yeatts
 - Petition for Rulemaking* Page 36
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New Business

- Amending the Bylaws – Ms. Hoyle Page 75
-

Next Meeting Dates:

- Regulatory: July 22, 2021
 - Full Board: July 23, 2021
-

Meeting Adjournment

*Indicates a Board vote is required.

This information is in **DRAFT** form and is subject to change. The official agenda and packet will be approved by the Board at the meeting. One printed copy of the agenda and packet will be available for the public to view at the meeting pursuant to Virginia Code Section 2.2-3707(F).

Virginia Board of Social Work

Instructions for Accessing March 12, 2021 Virtual Board Meeting and Providing Public Comment

- **Access:** Perimeter Center building access is closed to the public due to the COVID-19 pandemic. To observe this virtual meeting, use one of the options below. Participation capacity is limited and is on a first come, first serve basis due to the capacity of CISCO WebEx technology.
- **Public comment:** Comments will be received during the public comment period from those persons who have submitted an email to jaimе.һoуle@dһp.virginia.gov **no later than 9:00 am on March 12, 2021** indicating that they wish to offer comment. Comment may be offered by these individuals when their names are announced by the Chairperson. Comments must be restricted to 3-5 minutes each.
- Public participation connections will be muted following the public comment periods.
- Please call from a location without background noise and ensure your line is muted.
- Dial (804) 938-6243 to report an interruption during the broadcast.
- FOIA Council *Electronic Meetings Public Comment* form for submitting feedback on this electronic meeting may be accessed at <http://foiacouncil.dls.virginia.gov/sample%20letters/welcome.htm>

JOIN WEBEX MEETING

<https://virginia-dhp.my.webex.com/virginia-dhp.my/j.php?MTID=m056fb3b2e6fc34c6d145534f0fa7d5bb>

Meeting number (access code): 132 459 0595

Meeting password: b9NwRNJje64 (29697655 from phones and video systems)

JOIN BY PHONE +1-408-418-9388 United States Toll.



Virginia Department of
Health Professions
Board of Social Work

MISSION STATEMENT

Our mission is to ensure safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to health care practitioners and the public.



Virginia Board of Social Work
Quarterly Board Meeting Minutes
Friday, December 4, 2020 at 10:00 a.m.
9960 Mayland Drive, Henrico, VA 23233
Virtual WebEx Meeting

Due to the COVID-19 declared state of emergency and consistent with Amendment 28 to HB29 (Budget Bill for 2018-2020) and the applicable provisions of § 2.2-3708.2 in the provisions of Freedom of Information Act, the Board convened a virtual meeting to consider such regulatory and business matters as presented on the agenda necessary for the board to discharge its lawful purposes, duties and responsibilities.

PRESIDING OFFICER: Dolores Paulson, Ph.D., L.C.S.W., Chair

BOARD MEMBERS PRESENT: Canek Aguirre, Citizen Member
Angelia Allen, Citizen Member (*joined the virtual meeting at 10:50am*)
Jamie Clancey, L.C.S.W.
Maria Eugenia Del Villar, L.C.S.W.
Michael Hayter, L.C.S.W., C.S.A.C.
Gloria Manns, L.C.S.W.
John Salay, L.C.S.W.

BOARD MEMBERS ABSENT: Joseph Walsh, Ph.D., L.C.S.W.

BOARD STAFF PRESENT: Latasha Austin, Licensing & Operations Manager
Christy Evans, Discipline Case Specialist
Jaime Hoyle, J.D., Executive Director
Jennifer Lang, Deputy Executive Director- Discipline
Charlotte Lenart, Deputy Executive Director- Licensing
Jared McDonough, Administrative Assistant
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

VIRTUAL PUBLIC ATTENDEES: Joseph G. Lynch, L.C.S.W., Virginia Society for Clinical Social Work
Jerry Gentile
Sue Rowland

CALL TO ORDER: Dr. Paulson called the virtual board meeting to order at 10:02 a.m.

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

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

ADOPTIONS OF AGENDA: Ms. Clancey made a motion, which Mr. Aguirre properly seconded, to adopt the agenda as presented. Ms. Hoyle conducted a roll call vote. With seven members present at the time of roll call, the motion passed with seven unanimous votes in favor of the motion.

APPROVAL OF MINUTES:

Ms. del Villar made a motion, which Ms. Clancey properly seconded, to approve the meeting minutes from the Virtual Board Meeting held on September 25, 2020.

Ms. Hoyle conducted a roll call vote. With seven members present at the time of roll call, the motion passed with seven unanimous votes in favor of the motion.

PUBLIC COMMENT:

There was no public comment.

AGENCY REPORT:

Dr. Brown informed the Board about the rapidly changing landscape of marijuana in Virginia. The Department of Health Professions has been a part of several workgroups regarding these changes. One led by the Secretary of Agriculture on adult use recreational marijuana, the second led by the Secretary of Health on medical marijuana and the third led by the Joint Legislative Audit and Review Committee. The Board of Pharmacy has the ability to issue up to five permits for Pharmaceutical Processors to allow medical marijuana products to be distributed in Virginia. Three of the facilities have opened, a fourth facility is getting ready to open, and a fifth permit is currently available for facilities to apply for. Dr. Brown informed the Board that the Governor has endorsed moving Virginia forward with legalizing the adult recreational use of marijuana and that he expects that there will be several bills this upcoming legislative session related to laying the framework for movement.

Dr. Brown also provided the Board with updates on the upcoming Legislative short session which will be conducted virtually and last 30 days. Dr. Brown informed the Board no bills presented by the Department of Health Professions were approved by the Governor to move forward for the upcoming session as they were not deemed urgent.

Lastly, Dr. Brown informed the board that vaccines are on the horizon and that Dr. Allison-Bryant has been working with Department of Health on how to administer the vaccine once it is available.

BOARD CHAIR REPORT:

Dr. Paulson reported that as the new chair she is looking forward to a very productive year. For the year 2021, the Board is tasked with review of Code and Regulations. She would like the Board to continue to review questions related to the LMSW and would like to revisit the issue regarding LMSW rather than Registration be the prerequisite for LCSW licensure.

BOARD COUNSEL REPORT:

There was no report from Board Counsel.

LEGISLATION & REGULATORY ACTIONS:

Ms. Yeatts reported on the three on-going regulatory actions for the Board of Social Work. A copy of the current actions were included in the agenda packet. Ms. Yeatts advised that the action to changes to the supervision requirements is now in the Secretary's office.

Ms. Yeatts discussed with the Board the action needed on the Final Regulations for Conversion Therapy. Ms. Yeatts explained that the Board could adopt the final amendments to prohibit conversation therapy or they could amend the draft regulations as provided in the agenda packet.

Mr. Aguirre made a motion, which Ms. Clancey properly seconded, to adoption final regulations as amended on conversion therapy.

Quarterly Board Meeting Minutes Virginia Board of Social Work
Ms. Hoyle conducted a roll call vote. With seven members present at the time of roll call, the motion passed with seven unanimous votes in favor of the motion.

Ms. Yeatts also discussed with the Board the Petition for Rule Making that was provided in the agenda packet to toll or pause the time limit on completion of supervised experience during the emergency declaration.

Under current regulations, an individual who is unable to complete the supervision requirements within four consecutive years is able to request an extension of up to 12 months. In the past few months, the Board has received 10-12 such requests and all have been granted. A supervisee should be able to complete supervision within two years, so the Board believes the 12-month extension in addition to four years should be sufficient.

Ms. Clancey made a motion, which Mr. Hayter properly seconded, to take no action on the petition at this time.

Ms. Hoyle conducted a roll call vote. With seven members present at the time of roll call, the motion passed with seven unanimous votes in favor of the motion.

EXECUTIVE DIRECTOR'S REPORT:

Ms. Hoyle reported on the finances of the Board. A copy of the report provided was included in the agenda packet. Over all Ms. Hoyle reported that the Board has saved money by going virtual.

Ms. Hoyle reported that she attended the ASWB Annual Conference, which was held the week before Thanksgiving and the meeting was held virtually. After the meeting ASWB sent a questionnaire to all Boards wanting to know if jurisdictions are interested in pursuing a Compact.

Ms. Hoyle also informed the Board that appointments and re-appointments to the Board have not officially been announced at this time and hopes to hear soon.

DISCIPLINE REPORT:

Ms. Lang reported on the disciplinary statistics for the Board of Social Work from September 4, 2020 - November 26, 2020. A copy of the report given was included in the agenda packet. Ms. Lang informed the Board that Informal Conferences are currently being held virtually. Respondents are being given the option for their Conference to be held virtually or in-person and that virtual conferences are required to be recorded and posted on the Board's website. As of date, all respondents have opted for their conferences to be held virtually.

BOARD OFFICE & LICENSING REPORT:

Ms. Austin reported on licensure and examination statistics for the Board through November 30, 2020. A copy of the report given was included in the agenda packet.

REGULATORY COMMITTEE REPORT:

Mr. Salay informed the Board that there was no report from the Regulatory Committee.

BOARD OF HEALTH PROFESSIONS REPORT:

Mr. Salay informed the Board that there was no report from the Board of Health Professions.

I. Draft of Supervisory Contract

The Board reviewed the sample contract provided in the agenda packet. After review and much discussion, the Board suggested the following changes to the sample contract:

1. Personal Goals section should be deleted from the sample
2. Under the Responsibilities of the Supervisor section header add; “The following responsibilities may include but are not limited to”
3. Under Supervisor Duties Section, the area that addresses videotaping should be removed from contract or word-smithed
4. Under Responsibilities of the Supervisee, #8 should be changed from will refrain from directly billing to will not directly bill
5. Under Supervisee Duties Section, entire section should be word-smithed and the area that addresses videotaping should be removed from contract or word-smithed
6. Emergency Procedure section should be optional
7. Under Duration and Termination Section, language should be added indicating that supervisee must remain under supervision until licensed by the Board.
8. Supervisor Scope of Competence section should be optional
9. Additional Provisions, Agreement and/or Clarifications section should be optional

The Board also suggested that a disclaimer be added to the sample template Contract indicating that the Laws and Regulations still must be followed even if the sample provided is altered and does not list all the specific laws and regulations in the contract.

The Board suggested that the watermark should be removed from the sample contract when posted to the Board’s website and the title to the link of the document should be listed as “Sample Supervisee in Social Work Supervisory Contract”.

Ms. delVillar made a motion, which Ms. Clancey properly seconded, to accept the Sample Supervisee in Social Work Supervisory Contract with the suggested changes.

Ms. Hoyle conducted a roll call vote. With eight members present at the time of roll call, the motion passed with eight unanimous votes in favor of the motion.

II. Update on Supervisory Registry

Ms. Lenart provided the Board an update on the Supervisory Registry. Ms. Lenart indicated that the agencies I.T. Department has the registry ready to go. Staff has suggested that we wait until after the first of the new year to launch it. It was also suggested that information be provided on the Board’s website and via an email blast to licensee about the Supervisory Registry and the Sample Supervisee in Social Work Supervisory Contract at the same time.

III. Update on Advisory Board on Music Therapy and Reciprocity Report

Ms. Hoyle informed the Board that members of the Advisory Board on Music Therapy have been appointed. The Advisory Board on Music Therapy will hold its first meeting in February 2021.

Provided in the agenda packet was a copy of the Reciprocity Report that was submitted to Senator Stanley. Report was submitted with the help of Dr. Allison-Bryant and Ms. Yeatts. Ms. Hoyle informed the Board that no feedback has been provided at this time regarding the report that was submitted.

NEXT MEETING DATES:

Dr. Paulson announced that the next Regulatory Committee would be held on Thursday, March 11, 2021 and the next Board Meeting would be held on Friday, March 12, 2021.

ADJOURNMENT:

Dr. Paulson adjourned the December 4, 2020 virtual Board meeting at 12:10 p.m.

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

Jaime Hoyle, Executive Director

DRAFT

**Advisory Board on Music Therapy****Board Meeting Minutes**

**Friday, February 19, 2021 at 3:00 p.m.
9960 Mayland Drive, Henrico, VA 23233
Virtual WebEx Meeting**

Due to the COVID-19 declared state of emergency and consistent with Amendment 28 to HB29 (Budget Bill for 2018-2020) and the applicable provisions of § 2.2-3708.2 in the provisions of Freedom of Information Act, the Advisory Board convened a virtual meeting to consider such regulatory and business matters as presented on the agenda necessary for the Advisory Board to discharge its lawful purposes, duties and responsibilities.

ADVISORY BOARD MEMBERS**PRESENT:**

Anna McChesney, MS, LPC, MT-BC
Anthony Meadows, PhD, MT-BC, FAMI
Linda Rae Stone, Citizen Member
Gary Verhagen, MM MT-BC, LCAT
Michelle Westfall, MS, MT-BC

ADVISORY BOARD MEMBERS**ABSENT:**

none

BOARD STAFF PRESENT:

Latasha Austin, Licensing & Operations Manager
Jaime Hoyle, J.D., Executive Director
Charlotte Lenart, Deputy Executive Director- Licensing
Jared McDonough, Administrative Assistant
Sharniece Vaughan, Licensing Specialist

DHP STAFF PRESENT:

Elaine Yeatts, Senior Policy Analyst, Department of Health Professions

VIRTUAL PUBLIC ATTENDEES:

none

CALL TO ORDER:

Ms. Hoyle called the virtual advisory board meeting to order at 3:04 p.m.

**WELCOME/INTRODUCTIONS/
ESTABLISHMENT OF A QUORUM:**

Ms. Hoyle welcomed Advisory Board members and staff. After completing introductions, Ms. Hoyle indicated that with five members of the Advisory Board present 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 Advisory Board.

ADOPTIONS OF BYLAWS:

Ms. Yeatts informed the Advisory Board of their role, responsibilities and structure to ensure the protection of the public.

Ms. Yeatts discussed and answered questions related to the statutory provision to Regulate Music Therapy and for the Advisory Board on Music Therapy.

Ms. Yeatts reviewed the full Board of Social Work Bylaws and discussed the proposed Bylaws for the Advisory Board on Music Therapy.

Ms. McChesney made a motion, which Ms. Stone properly seconded, to recommend to the full Board to approve the adoption of the Bylaws for the Advisory Board on Music Therapy with changes to correct Section 3(a)(3) from Board of Counseling to Board of Social Work. Upon a roll call vote conducted by Ms. Hoyle, the motion passed unanimously.

ELECTION OF OFFICERS:

Ms. Westfall made a motion, which was properly seconded, to nominate Mr.

Verhagen as Chair for the Advisory Board on Music Therapy. Upon a roll call vote conducted by Ms. Hoyle, the motion passed unanimously.

Ms. Stone made a motion, which was properly seconded, to nominate Ms. McChesney as Vice-Chair for the Advisory Board on Music Therapy. Upon a roll call vote conducted by Ms. Hoyle, the motion passed unanimously.

PUBLIC COMMENT:

There was no public comment.

NEW BUSINESS:

Ms. Yeatts briefly discussed and gave an overview of the Study into the need to regulate music therapist.

Ms. Yeatts gave an overview and answered general questions about the American Music Therapy Association (AMTA) Education requirements and examples of state licensure for Music Therapist in other states.

Ms. Yeatts gave an overview and answered general questions about the Regulations Governing the Practice of Social Work.

Ms. Yeatts gave an overview of the standard regulatory process.

Ms. Westfall made a motion, which Ms. McChesney properly seconded, to recommend to the full Board to approve the adoption a Notice of Intended regulatory Action (NOIRA) to begin the process of developing regulations for the licensure of Music Therapists. Upon a roll call vote conducted by Mr. Verhagen, the motion passed unanimously.

NEXT MEETING DATES:

Ms. Hoyle will poll the Advisory Board members to schedule the next meeting.

ADJOURNMENT:

Ms. Stone made a motion, which Ms. McChesney properly seconded, for the chair to adjourn the meeting. Upon a roll call vote conducted by Mr. Verhagen, the motion passed unanimously. Mr. Verhagen adjourned the February 19, 2021 virtual Advisory Board meeting at 4:57 p.m.

Gary Verhagen, MM MT-BC, LCAT, Chair

Jaime Hoyle, Executive Director

BYLAWS

THE ADVISORY BOARD ON MUSIC THERAPY VIRGINIA BOARD OF SOCIAL WORK

Article I - Members of the Advisory Board

The appointments and limitations of service of the members shall be in accordance with Section 54.1-3709.3 of the Code of Virginia.

Article II - Officers

Section 1. Titles of Officers - The officers of the advisory board shall consist of a chair and a vice-chair elected by the advisory board.

Section 2. Terms of Office - The chair and the vice-chair shall serve for a one-year term and may not serve for more than two consecutive terms in each office. The election of officers shall take place at the first meeting after July 1, and officers shall assume their duties immediately thereafter.

Section 3. Duties of Officers.

a. Chair

- (1) The chair shall preside at all meetings when present, make such suggestions as the chair may deem calculated to promote and facilitate its work, and discharge all other duties pertaining by law or by resolution of the advisory board. The chair shall preserve order and conduct all proceedings according to and by parliamentary rules and demand conformity thereto on the part of the members.
- (2) The chair shall appoint members of all committees as needed.
- (3) The chair shall act as liaison between the advisory board and the Board of Counseling on matters pertaining to certification, discipline, legislation and regulation of music therapy.

b. Vice-Chair

The vice-chair shall preside at meetings in the absence of the chair and shall take over the other duties of the chair as may be made necessary by the absence of the chair.

Article III - Meetings

Section 1. There shall be at least one meeting each year in order to elect the chair and vice-chair and to conduct such business as may be deemed necessary by the advisory board.

Section 2. Quorum - Three members shall constitute a quorum for transacting business.

Section 3. Order of the Agenda - The order of the agenda may be changed at any meeting by a majority vote.

Article IV - Amendments

Amendments to these bylaws may be proposed by presenting the amendments in writing to all advisory board members prior to any scheduled advisory board meeting. If the proposed amendment receives a majority vote of the members present at that regular meeting, it shall be presented for consideration and vote to the Board of Social Work at its next regular meeting.

Virginia Department of Health Professions
Cash Balance
As of January 31, 2021

	<u>110- Social Work</u>
Board Cash Balance as June 30, 2020	\$ 1,331,348
YTD FY21 Revenue	194,000
Less: YTD FY21 Direct and Allocated Expenditures	<u>404,947</u>
Board Cash Balance as January 31, 2021	<u><u>\$ 1,120,401</u></u>

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 11000 - Social Work
For the Period Beginning July 1, 2020 and Ending January 31, 2021

Account Number	Account Description	Amount	Budget	Amount	
				Under/(Over) Budget	% of Budget
4002400	Fee Revenue				
4002401	Application Fee	162,680.00	141,075.00	(21,605.00)	115.31%
4002406	License & Renewal Fee	20,670.00	653,767.50	633,097.50	3.16%
4002407	Dup. License Certificate Fee	1,570.00	850.00	(720.00)	184.71%
4002409	Board Endorsement - Out	4,775.00	4,625.00	(150.00)	103.24%
4002421	Monetary Penalty & Late Fees	4,305.00	780.00	(3,525.00)	551.92%
4002432	Misc. Fee (Bad Check Fee)	-	35.00	35.00	0.00%
	Total Fee Revenue	<u>194,000.00</u>	<u>801,132.50</u>	<u>607,132.50</u>	<u>24.22%</u>
	Total Revenue	<u>194,000.00</u>	<u>801,132.50</u>	<u>607,132.50</u>	<u>24.22%</u>
5011110	Employer Retirement Contrib.	8,061.23	13,874.95	5,813.72	58.10%
5011120	Fed Old-Age Ins- Sal St Emp	4,595.68	7,340.48	2,744.80	62.61%
5011140	Group Insurance	783.21	1,285.78	502.57	60.91%
5011150	Medical/Hospitalization Ins.	7,900.50	29,868.00	21,967.50	26.45%
5011160	Retiree Medical/Hospitalizatn	656.46	1,074.68	418.22	61.08%
5011170	Long term Disability Ins	357.08	585.32	228.24	61.01%
	Total Employee Benefits	<u>22,354.16</u>	<u>54,029.22</u>	<u>31,675.06</u>	<u>41.37%</u>
5011200	Salaries				
5011230	Salaries, Classified	57,024.69	95,954.00	38,929.31	59.43%
5011250	Salaries, Overtime	4,849.06	-	(4,849.06)	0.00%
	Total Salaries	<u>61,873.75</u>	<u>95,954.00</u>	<u>34,080.25</u>	<u>64.48%</u>
5011300	Special Payments				
5011340	Specified Per Diem Payment	850.00	-	(850.00)	0.00%
5011380	Deferred Compnstn Match Pmts	210.00	1,056.00	846.00	19.89%
	Total Special Payments	<u>1,060.00</u>	<u>1,056.00</u>	<u>(4.00)</u>	<u>100.38%</u>
5011600	Terminatn Personal Svce Costs				
5011660	Defined Contribution Match - Hy	462.08	-	(462.08)	0.00%
	Total Terminatn Personal Svce Costs	<u>462.08</u>	<u>-</u>	<u>(462.08)</u>	<u>0.00%</u>
5011930	Turnover/Vacancy Benefits				
	Total Personal Services	<u>85,749.99</u>	<u>151,039.22</u>	<u>65,289.23</u>	<u>56.77%</u>
5012000	Contractual Svs				
5012100	Communication Services				
5012110	Express Services	-	537.00	537.00	0.00%
5012120	Outbound Freight Services	10.38	-	(10.38)	0.00%
5012140	Postal Services	3,500.49	4,411.00	910.51	79.36%
5012150	Printing Services	2.79	67.00	64.21	4.16%
5012160	Telecommunications Svcs (VITA)	212.47	550.00	337.53	38.63%
5012190	Inbound Freight Services	19.21	-	(19.21)	0.00%
	Total Communication Services	<u>3,745.34</u>	<u>5,565.00</u>	<u>1,819.66</u>	<u>67.30%</u>
5012200	Employee Development Services				
5012210	Organization Memberships	-	1,500.00	1,500.00	0.00%
	Total Employee Development Services	<u>-</u>	<u>1,500.00</u>	<u>1,500.00</u>	<u>0.00%</u>

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 11000 - Social Work
For the Period Beginning July 1, 2020 and Ending January 31, 2021

Account Number	Account Description	Amount	Budget	Amount	
				Under/(Over)	% of Budget
			Budget	Budget	
5012400	Mgmnt and Informational Svcs	-			
5012420	Fiscal Services	6,585.56	5,500.00	(1,085.56)	119.74%
5012440	Management Services	119.10	212.00	92.90	56.18%
	Total Mgmnt and Informational Svcs	6,704.66	5,712.00	(992.66)	117.38%
5012500	Repair and Maintenance Svcs				
5012510	Custodial Services	205.70	-	(205.70)	0.00%
5012530	Equipment Repair & Maint Srvc	1,014.28	-	(1,014.28)	0.00%
	Total Repair and Maintenance Svcs	1,219.98	-	(1,219.98)	0.00%
5012600	Support Services				
5012630	Clerical Services	-	62,208.00	62,208.00	0.00%
5012640	Food & Dietary Services	-	480.00	480.00	0.00%
5012660	Manual Labor Services	188.30	2,188.00	1,999.70	8.61%
5012670	Production Services	176.00	2,405.00	2,229.00	7.32%
5012680	Skilled Services	2,593.24	24,297.00	21,703.76	10.67%
	Total Support Services	2,957.54	91,578.00	88,620.46	3.23%
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	-	3,809.00	3,809.00	0.00%
5012850	Travel, Subsistence & Lodging	-	3,107.00	3,107.00	0.00%
5012880	Trvl, Meal Reimb- Not Rprtbl	-	2,417.00	2,417.00	0.00%
	Total Transportation Services	-	9,333.00	9,333.00	0.00%
	Total Contractual Svcs	14,627.52	113,688.00	99,060.48	12.87%
5013000	Supplies And Materials				
5013100	Administrative Supplies				
5013110	Apparel Supplies	12.49	-	(12.49)	0.00%
5013120	Office Supplies	893.84	276.00	(617.84)	323.86%
5013130	Stationery and Forms	-	41.00	41.00	0.00%
	Total Administrative Supplies	906.33	317.00	(589.33)	285.91%
5013400	Medical and Laboratory Supp.				
5013420	Medical and Dental Supplies	1.75	-	(1.75)	0.00%
	Total Medical and Laboratory Supp.	1.75	-	(1.75)	0.00%
5013500	Repair and Maint. Supplies				
5013510	Building Repair & Maint Materl	4.60	-	(4.60)	0.00%
5013520	Custodial Repair & Maint Matr	0.64	-	(0.64)	0.00%
	Total Repair and Maint. Supplies	5.24	-	(5.24)	0.00%
5013600	Residential Supplies				
5013620	Food and Dietary Supplies	-	21.00	21.00	0.00%
5013630	Food Service Supplies	-	82.00	82.00	0.00%
	Total Residential Supplies	-	103.00	103.00	0.00%
	Total Supplies And Materials	913.32	420.00	(493.32)	217.46%
5015000	Continuous Charges				
5015100	Insurance-Fixed Assets				

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 11000 - Social Work
For the Period Beginning July 1, 2020 and Ending January 31, 2021

Account Number	Account Description	Amount	Budget	Amount	
				Under/(Over)	% of Budget
			Budget		
5015160	Property Insurance	-	26.00	26.00	0.00%
	Total Insurance-Fixed Assets	-	26.00	26.00	0.00%
5015300	Operating Lease Payments				
5015340	Equipment Rentals	348.81	540.00	191.19	64.59%
5015350	Building Rentals	9.60	-	(9.60)	0.00%
5015390	Building Rentals - Non State	7,247.76	11,888.00	4,640.24	60.97%
	Total Operating Lease Payments	7,606.17	12,428.00	4,821.83	61.20%
5015500	Insurance-Operations				
5015510	General Liability Insurance	-	97.00	97.00	0.00%
5015540	Surety Bonds	-	6.00	6.00	0.00%
	Total Insurance-Operations	-	103.00	103.00	0.00%
	Total Continuous Charges	7,606.17	12,557.00	4,950.83	60.57%
5022000	Equipment				
5022100	Computer Hrdware & Sftware				
5022170	Other Computer Equipment	106.20	-	(106.20)	0.00%
	Total Computer Hrdware & Sftware	106.20	-	(106.20)	0.00%
5022200	Educational & Cultural Equip				
5022240	Reference Equipment	-	43.00	43.00	0.00%
	Total Educational & Cultural Equip	-	43.00	43.00	0.00%
5022600	Office Equipment				
5022610	Office Appurtenances	-	21.00	21.00	0.00%
	Total Office Equipment	-	21.00	21.00	0.00%
5022700	Specific Use Equipment				
5022740	Non Power Rep & Maint- Equip	1.03	-	(1.03)	0.00%
	Total Specific Use Equipment	1.03	-	(1.03)	0.00%
	Total Equipment	107.23	64.00	(43.23)	167.55%
	Total Expenditures	109,004.23	277,768.22	168,763.99	39.24%
Allocated Expenditures					
20100	Behavioral Science Exec	55,376.41	92,066.00	36,689.59	60.15%
30100	Data Center	40,125.39	83,092.99	42,967.60	48.29%
30200	Human Resources	9,200.69	8,985.15	(215.54)	102.40%
30300	Finance	33,662.64	56,353.91	22,691.27	59.73%
30400	Director's Office	11,740.84	20,248.44	8,507.60	57.98%
30500	Enforcement	67,387.99	105,678.88	38,290.88	63.77%
30600	Administrative Proceedings	62,450.55	32,147.18	(30,303.37)	194.26%
30700	Impaired Practitioners	286.05	1,600.94	1,314.89	17.87%
30800	Attorney General	1,142.87	761.48	(381.39)	150.09%
30900	Board of Health Professions	9,640.61	15,241.40	5,600.79	63.25%
31100	Maintenance and Repairs	246.88	1,542.21	1,295.34	16.01%
31300	Emp. Recognition Program	4.79	603.84	599.05	0.79%
31400	Conference Center	(72.94)	223.45	296.39	32.64%

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 11000 - Social Work

For the Period Beginning July 1, 2020 and Ending January 31, 2021

Account Number	Account Description	Amount	Budget	Amount Under/(Over)	
				Budget	% of Budget
31500	Pgm Devlpmnt & Implimentn	4,750.30	9,078.26	4,327.96	52.33%
	Total Allocated Expenditures	<u>295,943.06</u>	<u>427,624.13</u>	<u>131,681.06</u>	<u>69.21%</u>
	Net Revenue in Excess (Shortfall) of Expenditures	<u>\$ (210,947.29)</u>	<u>\$ 95,740.16</u>	<u>\$ 306,687.45</u>	<u>220.33%</u>

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 11000 - Social Work

For the Period Beginning July 1, 2020 and Ending January 31, 2021

Account Number	Account Description	July	August	September	October	November	December	January	Total
4002400	Fee Revenue								
4002401	Application Fee	22,745.00	26,070.00	24,555.00	24,590.00	19,510.00	20,485.00	24,725.00	162,680.00
4002406	License & Renewal Fee	13,160.00	2,385.00	960.00	1,835.00	605.00	760.00	965.00	20,670.00
4002407	Dup. License Certificate Fee	475.00	260.00	255.00	125.00	190.00	130.00	135.00	1,570.00
4002409	Board Endorsement - Out	825.00	500.00	725.00	825.00	375.00	675.00	850.00	4,775.00
4002421	Monetary Penalty & Late Fees	915.00	585.00	780.00	915.00	390.00	135.00	585.00	4,305.00
	Total Fee Revenue	38,120.00	29,800.00	27,275.00	28,290.00	21,070.00	22,185.00	27,260.00	194,000.00
	Total Revenue	38,120.00	29,800.00	27,275.00	28,290.00	21,070.00	22,185.00	27,260.00	194,000.00
5011000	Personal Services								
5011100	Employee Benefits								
5011110	Employer Retirement Contrib.	1,014.42	692.10	1,603.21	1,088.72	1,088.72	1,088.72	1,485.34	8,061.23
5011120	Fed Old-Age Ins- Sal St Emp	693.35	652.27	615.71	667.05	652.75	666.99	647.56	4,595.68
5011140	Group Insurance	100.75	67.68	146.64	107.16	107.16	107.16	146.66	783.21
5011150	Medical/Hospitalization Ins.	1,030.50	1,374.00	1,374.00	1,374.00	1,374.00	-	1,374.00	7,900.50
5011160	Retiree Medical/Hospitalizatn	86.10	56.56	122.56	89.56	89.56	89.56	122.56	656.46
5011170	Long term Disability Ins	46.45	30.80	66.75	48.78	48.78	48.78	66.74	357.08
	Total Employee Benefits	2,971.57	2,873.41	3,928.87	3,375.27	3,360.97	2,001.21	3,842.86	22,354.16
5011200	Salaries								
5011230	Salaries, Classified	9,047.61	7,996.18	7,996.18	7,996.18	7,996.18	7,996.18	7,996.18	57,024.69
5011250	Salaries, Overtime	254.99	841.46	369.74	1,019.96	832.97	764.97	764.97	4,849.06
	Total Salaries	9,302.60	8,837.64	8,365.92	9,016.14	8,829.15	8,761.15	8,761.15	61,873.75
5011340	Specified Per Diem Payment	-	-	-	-	100.00	550.00	200.00	850.00
5011380	Deferred Compnstn Match Pmts	42.00	28.00	28.00	28.00	28.00	28.00	28.00	210.00
	Total Special Payments	42.00	28.00	28.00	28.00	128.00	578.00	228.00	1,060.00
5011600	Terminatn Personal Svce Costs								
5011660	Defined Contribution Match - Hy	57.06	38.04	67.50	67.50	67.50	67.50	96.98	462.08
	Total Terminatn Personal Svce Costs	57.06	38.04	67.50	67.50	67.50	67.50	96.98	462.08

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 11000 - Social Work

For the Period Beginning July 1, 2020 and Ending January 31, 2021

Account Number	Account Description	July	August	September	October	November	December	January	Total
	Total Personal Services	12,373.23	11,777.09	12,390.29	12,486.91	12,385.62	11,407.86	12,928.99	85,749.99
5012000	Contractual Svcs								-
5012100	Communication Services								-
5012120	Outbound Freight Services	-	-	-	-	-	10.38	-	10.38
5012140	Postal Services	661.12	289.62	374.26	540.07	232.78	1,027.77	374.87	3,500.49
5012150	Printing Services	-	-	-	-	-	2.79	-	2.79
5012160	Telecommunications Svcs (VITA)	28.39	28.78	30.52	30.90	30.79	34.31	28.78	212.47
5012190	Inbound Freight Services	0.20	-	0.37	-	3.20	15.20	0.24	19.21
	Total Communication Services	689.71	318.40	405.15	570.97	266.77	1,090.45	403.89	3,745.34
5012400	Mgmnt and Informational Svcs								
5012420	Fiscal Services	6,213.50	257.98	40.61	18.85	-	32.98	21.64	6,585.56
5012440	Management Services	60.05	-	29.31	-	13.98	-	15.76	119.10
	Total Mgmnt and Informational Svcs	6,273.55	257.98	69.92	18.85	13.98	32.98	37.40	6,704.66
5012500	Repair and Maintenance Svcs								
5012510	Custodial Services	-	29.38	29.38	-	88.16	-	58.78	205.70
5012530	Equipment Repair & Maint Svc	-	2.20	-	1,009.88	2.20	-	-	1,014.28
	Total Repair and Maintenance Svcs	-	31.58	29.38	1,009.88	90.36	-	58.78	1,219.98
5012600	Support Services								
5012660	Manual Labor Services	-	108.35	-	-	10.93	69.02	-	188.30
5012670	Production Services	11.10	-	-	-	-	-	164.90	176.00
5012680	Skilled Services	287.55	287.55	389.82	414.14	412.18	388.76	413.24	2,593.24
	Total Support Services	298.65	395.90	389.82	414.14	423.11	457.78	578.14	2,957.54
	Total Contractual Svcs	7,261.91	1,003.86	894.27	2,013.84	794.22	1,581.21	1,078.21	14,627.52
5013000	Supplies And Materials								
5013100	Administrative Supplies								-
5013110	Apparel Supplies	3.81	-	4.25	-	-	-	4.43	12.49
5013120	Office Supplies	87.54	101.35	101.02	-	189.03	268.49	146.41	893.84

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 11000 - Social Work

For the Period Beginning July 1, 2020 and Ending January 31, 2021

Account Number	Account Description	July	August	September	October	November	December	January	Total
	Total Administrative Supplies	91.35	101.35	105.27	-	189.03	268.49	150.84	906.33
5013400	Medical and Laboratory Supp.								
5013420	Medical and Dental Supplies	-	-	-	-	-	1.75	-	1.75
	Total Medical and Laboratory Supp.	-	-	-	-	-	1.75	-	1.75
5013500	Repair and Maint. Supplies								
5013510	Building Repair & Maint Materl	-	4.60	-	-	-	-	-	4.60
5013520	Custodial Repair & Maint Matrl	-	0.64	-	-	-	-	-	0.64
	Total Repair and Maint. Supplies	-	5.24	-	-	-	-	-	5.24
	Total Supplies And Materials	91.35	106.59	105.27	-	189.03	270.24	150.84	913.32
5015000	Continuous Charges								
5015300	Operating Lease Payments								
5015340	Equipment Rentals	51.40	48.70	48.70	2.51	97.40	48.70	51.40	348.81
5015350	Building Rentals	-	-	-	4.80	-	4.80	-	9.60
5015390	Building Rentals - Non State	1,072.80	1,091.93	1,047.75	995.97	1,056.70	995.12	987.49	7,247.76
	Total Operating Lease Payments	1,124.20	1,140.63	1,096.45	1,003.28	1,154.10	1,048.62	1,038.89	7,606.17
	Total Continuous Charges	1,124.20	1,140.63	1,096.45	1,003.28	1,154.10	1,048.62	1,038.89	7,606.17
5022000	Equipment								
5022170	Other Computer Equipment	-	-	96.49	(37.66)	47.37	-	-	106.20
	Total Computer Hrdware & Sftware	-	-	96.49	(37.66)	47.37	-	-	106.20
5022740	Non Power Rep & Maint- Equip	-	-	-	-	-	-	1.03	1.03
	Total Specific Use Equipment	-	-	-	-	-	-	1.03	1.03
	Total Equipment	-	-	96.49	(37.66)	47.37	-	1.03	107.23
	Total Expenditures	20,850.69	14,028.17	14,582.77	15,466.37	14,570.34	14,307.93	15,197.96	109,004.23

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 11000 - Social Work

For the Period Beginning July 1, 2020 and Ending January 31, 2021

Account Number	Account Description	July	August	September	October	November	December	January	Total
Allocated Expenditures									
20100	Behavioral Science Executive Director	10,768.24	7,247.75	7,292.72	7,591.50	7,646.62	6,960.25	7,869.34	55,376.41
20200	Opt\Vet-Med\ASLP Executive Director	-	-	-	-	-	-	-	-
20400	Nursing / Nurse Aide	-	-	-	-	-	-	-	-
20600	Funeral\LTCA\PT Executive Director	-	-	-	-	-	-	-	-
30100	Technology and Business Services	6,699.39	4,836.15	5,511.40	4,231.99	3,311.52	7,677.20	7,857.75	40,125.39
30200	Human Resources	40.87	48.00	56.66	8,658.64	84.00	152.61	159.90	9,200.69
30300	Finance	5,615.21	4,349.26	4,591.83	7,314.07	2,313.82	4,475.69	5,002.74	33,662.64
30400	Director's Office	2,056.73	1,541.32	1,547.37	1,561.27	1,781.00	1,480.64	1,772.50	11,740.84
30500	Enforcement	16,123.19	11,980.00	11,700.80	9,669.37	6,658.18	5,344.68	5,911.78	67,387.99
30600	Administrative Proceedings	13,979.84	635.66	7,581.71	5,241.92	9,904.27	12,648.80	12,458.35	62,450.55
30700	Health Practitioners' Monitoring Program	35.89	240.03	1.91	2.49	2.13	2.00	1.60	286.05
30800	Attorney General	159.28	-	-	359.32	-	-	624.26	1,142.87
30900	Board of Health Professions	1,653.52	1,040.74	1,882.22	974.11	2,096.71	868.11	1,125.20	9,640.61
31000	SRTA	-	-	-	-	-	-	-	-
31100	Maintenance and Repairs	-	-	246.88	-	-	-	-	246.88
31300	Employee Recognition Program	-	3.09	-	-	1.05	0.65	-	4.79
31400	Conference Center	2.17	10.39	78.18	(2.12)	(7.75)	(156.42)	2.60	(72.94)
31500	Program Development and Implementation	796.95	535.80	654.96	514.90	739.52	754.83	753.34	4,750.30
98700	Cash Transfers	-	-	-	-	-	-	-	-
Total Allocated Expenditures		57,931.27	32,468.19	41,146.62	46,117.48	34,531.09	40,209.03	43,539.38	295,943.06
Net Revenue in Excess (Shortfall) of Expenditures		\$ (40,661.96)	\$ (16,696.36)	\$ (28,454.39)	\$ (33,293.85)	\$ (28,031.43)	\$ (32,331.96)	\$ (31,477.34)	\$ (210,947.29)

Staff Discipline Reports

11/27/2020 to 02/25/2021

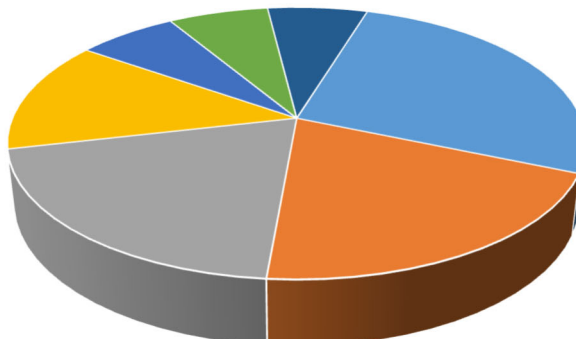
NEW CASES RECEIVED IN BOARD 11/27/2020 TO 02/25/2021				
	Counseling	Psychology	Social Work	BSU Total
Cases Received for Board review	62	31	16	109

OPEN CASES (as of 02/25/2021)				
Open Case Stage	Counseling	Psychology	Social Work	BSU Total
Probable Cause Review	89	72	4	
Scheduled for Informal Conferences	13	2	1	
Scheduled for Formal Hearings	5	1	0	
Other (on hold, pending settlement, etc)	27	9	10	
Cases with APD for processing (IFC, FH, Consent Order)	2	5	14	
TOTAL CASES AT BOARD LEVEL	136	89	29	254
OPEN INVESTIGATIONS	81	32	19	132
TOTAL OPEN CASES	217	121	48	386

UPCOMING CONFERENCES AND HEARINGS	
Informal Conferences	Conferences Held: ----- Scheduled Conferences: TBD
Formal Hearings	Hearings Held: ----- Scheduled Hearings: Following scheduled board meetings, as necessary

CASES CLOSED (11/27/2020 to 02/25/2021)	
Closed – no violation	13
Closed – undetermined	1
Closed – violation	1
Credentials/Reinstatement – Denied	0
Credentials/Reinstatement – Approved	0
TOTAL CASES CLOSED	15

Closed Case Categories



- No jurisdiction (4)
- Business Practice Issues (3)
- Standard of Care (Diagnosis/Treatment) (3)
- Inability to Safely Practice (2)
- Fraud, Non-patient Care (1)
- Abuse/Abandonment/Neglect (1)
- Inappropriate Relationship (1)

AVERAGE CASE PROCESSING TIMES (counted on closed cases)	
Average time for case closures	167
Avg. time in Enforcement (investigations)	127
Avg. time in APD (IFC/FH preparation)	175
Avg. time in Board (includes hearings, reviews, etc).	27
Avg. time with board member (probable cause review)	5

2020 STATISTICAL LICENSURE INFORMATION (January 1, 2020- December 31, 2020)

- Number of Social Work Licenses/Registrations Issued in 2020

2020 (Jan 1- Dec 31)	Licensed Clinical Social Workers	Endorsement	375
		Examination	304
		Reinstatement	298
		COVID19 Temp	474
	Licensed Master's Social Worker	Endorsement	81
		Examination	89
		Reinstatement	3
	Licensed Baccalaureate Social Worker	Endorsement	6
		Examination	4
		Reinstatement	0
	LCSW Registration of Supervision	Add/Change	505
		Initial Application	509
Total # of Social Work Licenses/Registrations Issued:		2,358	

- 2020 Online Applications Received

(Jan 1- Dec 31)	By Endorsement	By Examination	Total
LCSW	413	412	825
LMSW	106	230	336
LBSW	11	40	51

(Jan 1- Dec 31)	Initial Application	By Add/Change	Total
LCSW Registration of Supervision	595	598	1,193

Total # of online applications received in 2020: 2,405

- Current active & current inactive Social Work Licenses/Registrations as of 12/31/2020:

	Current Active	Current Inactive	Total
Associate Social Worker	1	0	1
Licensed Clinical Social Worker	7,479	191	7,670
Licensed Masters Social Worker	861	19	880
Licensed Baccalaureate Social Worker	25	0	25
LSW Supervision	7	0	7

Registered Social Worker	8	0	8
Registration of Supervision	2,732	0	2,732
			Total 11,323

Social Work 2020 Total Count- all license types (January 1, 2020- December 31, 2020)

New Applications (initial, add/change, exam & endorsement- paper & online)	2,530
Duplicate License Request (LCSW- 173; LMSW- 14; LBSW- 0)	187
Duplicate Wall Certificate Request (LCSW- 24; LMSW- 3; LBSW- 0)	27
Verification of VA License Request (LCSW- 247; LMSW-47; LBSW- 0)	294
Inactive Renewal (LCSW- 189; LMSW- 19; LBSW- 0)	208
Inactive to Active (LCSW- 12; LMSW- 1; LBSW- 0)	13
Reinstatement Applications (LCSW- 31; LMSW- 4; LBSW- 0)	35
Renewals (LCSW- 6,869; LMSW- 713; LBSW- 16; Registered SW- 8; Associate SW-1)	7,607
Late Renewals (LCSW- 18; LMSW- 9; LBSW- 0)	27
Address Changes	571

2020 STATISTICAL EXAMINATION INFORMATION

(January 1, 2020- December 31, 2020)

- Number of Social Work Applicants approved to test

2020 (Jan 1- Jan 31)	Licensed Clinical Social Worker Applicants	Clinical Exam	41
	Licensed Master Social Worker Applicants	Masters Exam	16
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	0
Total # of Social Work Applicants Approved to test:			57

2020 (Feb 1- Feb 29)	Licensed Clinical Social Worker Applicants	Clinical Exam	26
	Licensed Master Social Worker Applicants	Masters Exam	7
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	0
Total # of Social Work Applicants Approved to test:			33

2020 (Mar 1- Mar 31)	Licensed Clinical Social Worker Applicants	Clinical Exam	50
	Licensed Master Social Worker Applicants	Masters Exam	15
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	0
Total # of Social Work Applicants Approved to test:			65

2020 (Apr 1- Apr 30)	Licensed Clinical Social Worker Applicants	Clinical Exam	26
	Licensed Master Social Worker Applicants	Masters Exam	6
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	1
Total # of Social Work Applicants Approved to test:			33

2020 (May 1- May 31)	Licensed Clinical Social Worker Applicants	Clinical Exam	28
	Licensed Master Social Worker Applicants	Masters Exam	19
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	4
Total # of Social Work Applicants Approved to test:			51

2020 (June 1- Jun 30)	Licensed Clinical Social Worker Applicants	Clinical Exam	13
	Licensed Master Social Worker Applicants	Masters Exam	9
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	2
Total # of Social Work Applicants Approved to test:			24

2020 (Jul 1- Jul 31)	Licensed Clinical Social Worker Applicants	Clinical Exam	3
	Licensed Master Social Worker Applicants	Masters Exam	33
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	5
Total # of Social Work Applicants Approved to test:			41

2020 (Aug 1- Aug 31)	Licensed Clinical Social Worker Applicants	Clinical Exam	44
	Licensed Master Social Worker Applicants	Masters Exam	6
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	1
Total # of Social Work Applicants Approved to test:			51

2020 (Sept 1- Sept 30)	Licensed Clinical Social Worker Applicants	Clinical Exam	69
	Licensed Master Social Worker Applicants	Masters Exam	32
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	5
Total # of Social Work Applicants Approved to test:			106

2020 (Oct 1- Oct 31)	Licensed Clinical Social Worker Applicants	Clinical Exam	66
	Licensed Master Social Worker Applicants	Masters Exam	21
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	3
Total # of Social Work Applicants Approved to test:			90

2020 (Nov 1- Nov 30)	Licensed Clinical Social Worker Applicants	Clinical Exam	21
	Licensed Master Social Worker Applicants	Masters Exam	12
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	3
Total # of Social Work Applicants Approved to test:			36

2020 (Dec 1- Dec 31)	Licensed Clinical Social Worker Applicants	Clinical Exam	52
	Licensed Master Social Worker Applicants	Masters Exam	13
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	2
Total # of Social Work Applicants Approved to test:			67

GRAND TOTAL 2020 (Jan 1- Dec 31)	Licensed Clinical Social Workers Applicants	Clinical Exam	439
	Licensed Master Social Worker Applicants	Masters Exam	189
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	26
Total # of Social Work Applicants Approved to test:			654

2021 STATISTICAL LICENSURE INFORMATION (January 1, 2021- January 31, 2021)

- Number of Social Work Licenses/Registrations Issued in January 2021

2021 (Jan 1- Jan 31)	Licensed Clinical Social Workers	Endorsement	28
		Examination	42
		Reinstatement	2
	Licensed Master's Social Worker	Endorsement	6
		Examination	14
		Reinstatement	1
	Licensed Baccalaureate Social Worker	Endorsement	0
		Examination	0
		Reinstatement	0
	LCSW Registration of Supervision	Add/Change	28
		Initial Application	29
	Total # of Social Work Licenses/Registrations Issued:		

- 2021 Online Applications Received

(Jan 1- Jan 31)	By Endorsement	By Examination	Total
LCSW	48	36	84
LMSW	12	27	39
LBSW	5	4	9

(Jan 1- Jan 31)	Initial Application	By Add/Change	Total
LCSW Registration of Supervision	42	56	98

Total # of online applications received in January 2021: 230

Social Work 2021 Total Count- all license types (Jan 1, 2021- Jan 31, 2021)

New Applications (initial, add/change, exam & endorsement- paper & online)	241
Duplicate License Request (LCSW- 4; LMSW- 40; LBSW- 0)	4
Duplicate Wall Certificate Request (LCSW- 3; LMSW- 0; LBSW- 0)	3
Verification of VA License Request (LCSW- 32; LMSW-1; LBSW- 0)	33
Inactive Renewal (LCSW- 0; LMSW- 0; LBSW- 0)	0
Inactive to Active (LCSW- 0; LMSW- 0; LBSW- 0)	0

Reinstatement Applications (LCSW- 3; LMSW- 0; LBSW- 0)	3
Renewals (LCSW- 10; LMSW- 1; LBSW- 0; Registered SW- 0; Associate SW-0)	11
Late Renewals (LCSW- 0; LMSW- 0; LBSW- 0)	0
Address Changes	42

2021 STATISTICAL LICENSURE INFORMATION (February 1, 2021- February 28, 2021)

- Number of Social Work Licenses/Registrations Issued in February 2021

2021 (Feb 1- Feb 28)	Licensed Clinical Social Workers	Endorsement	25
		Examination	37
		Reinstatement	1
	Licensed Master's Social Worker	Endorsement	4
		Examination	10
		Reinstatement	0
	Licensed Baccalaureate Social Worker	Endorsement	1
		Examination	0
		Reinstatement	0
	LCSW Registration of Supervision	Add/Change	41
		Initial Application	30
	Total # of Social Work Licenses/Registrations Issued:		

- 2021 Online Applications Received

(Feb 1- Feb 28)	By Endorsement	By Examination	Total
LCSW	49	50	99
LMSW	10	24	34
LBSW	0	3	3

(Feb 1- Feb 28)	Initial Application	By Add/Change	Total
LCSW Registration of Supervision	51	50	101

Total # of online applications received in February 2021: 237

Social Work 2020 Total Count- all license types (Feb 1, 2021- Feb 28, 2021)

New Applications (initial, add/change, exam & endorsement- paper & online)	244
Duplicate License Request (LCSW- 5; LMSW- 0; LBSW- 0)	5
Duplicate Wall Certificate Request (LCSW- 0; LMSW- 0; LBSW- 0)	0
Verification of VA License Request (LCSW- 24; LMSW-5; LBSW- 0)	29
Inactive Renewal (LCSW- 0; LMSW- 0; LBSW- 0)	0
Inactive to Active (LCSW- 1; LMSW- 0; LBSW- 0)	1
Reinstatement Applications (LCSW- 3; LMSW- 0; LBSW- 0)	3

Renewals (LCSW- 3; LMSW- 1; LBSW- 0; Registered SW- 0; Associate SW-0)	4
Late Renewals (LCSW- 0; LMSW- 0; LBSW- 0)	0
Address Changes	33

- **Current** active & **current** inactive Social Work Licenses/Registrations as of 03/04/2021:

	Current Active	Current Inactive	Total
Associate Social Worker	1	0	1
Licensed Clinical Social Worker	7,709	190	7,899
Licensed Masters Social Worker	913	19	932
Licensed Baccalaureate Social Worker	27	0	27
Registered Social Worker	8	0	8
Registration of Supervision	2,761	0	2,761
			Total 11,625

2021 STATISTICAL EXAMINATION INFORMATION

(January 1, 2021- February 28, 2021)

- Number of Social Work Applicants approved to test

2021 (Jan 1- Jan 31)	Licensed Clinical Social Worker Applicants	Clinical Exam	23
	Licensed Master Social Worker Applicants	Masters Exam	13
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	0
Total # of Social Work Applicants Approved to test:			36

2021 (Feb 1- Feb 28)	Licensed Clinical Social Worker Applicants	Clinical Exam	39
	Licensed Master Social Worker Applicants	Masters Exam	14
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	3
Total # of Social Work Applicants Approved to test:			56

GRAND TOTAL 2021 (Jan 1- Feb 28)	Licensed Clinical Social Workers Applicants	Clinical Exam	62
	Licensed Master Social Worker Applicants	Masters Exam	27
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	3
Total # of Social Work Applicants Approved to test:			92

DEPUTY EXECUTIVE DIRECTOR OF LICENSING REPORT

Satisfaction Survey Results:

- With 102 respondents, Board staff achieved 97% satisfaction for the Q2 of FY21.

Renewals:

- The Board granted a one-year extension for continuing education (CE) to all licensees. Each licensee will have until June 30, 2021 to complete the required CEs. This extension did not apply to those individuals who must complete CEs as part of a Board order.
- Staff has updated the [Renewal FAQs](#) and [Renewal Explanation Chart](#) which can be found on the Board's website.

Supervisory Registry:

- Supervisors are not required to register with the Board; however it is recommended. Supervisors wishing to be listed on the [Approved Supervisor Registry](#), must complete and submit to the Board an [Application to be a Board-Approved Supervisor](#). Being list on the [Approved Supervisor Registry](#) prevents the Board from having to review the supervisor's credentials and training in supervision every time a supervisee submits an application for Registration of Supervision.

Supervisor Information tab added to the website:

- The Supervisor Information tab includes links to the [supervisory registry](#), [Application to be a Board-Approved Supervisor](#), [Supervisor FAQs](#), Guidance Document 140-9 [Content for Training on Supervision for Clinical Social Work, effective May 13, 2020](#) and the [Template of a Supervisee in Social Work Supervisory Contract](#).

Supervisory Contract:

- The [Template of a Supervisee in Social Work Supervisory Contract](#) can be found on the Board's website under the Application & Forms and Supervisory Information tabs.

Changes to the supervision requirements:

- Staff has developed a document outlining the changes to the supervision requirements effective March 18, 2021 which can be

found on the announcement page of the website.

Updated applications and instructions:

- Prior to the changes to the regulations on March 18, 2021, Board staff will update the website, FAQs, online application and instruction to align with the new requirements.

Staffing and Building Information:

- The Board currently has two full time staff members to answer phone calls, emails and to process applications. The Board also utilizes a part-time employee for the BSU unit who provides 5 to 10 hours of support per week. We are hopeful that we will be able to hire an additional part-time staff to support the Board of Social Work in the near future.
- The Department of Health Professions reception areas remain closed for walk-in services; however, Board staff retrieves the mail each day from the office so that the mail can be processed in a timely manner.
- Board staff continues to work primarily from home, which has caused a slight delay in the processing of applications, but the Board is still within the 30-day process guidelines established by the Agency.

Outreach:

- In January, Ms. Austin provided a Social Work licensure process presentation to students at George Mason University.
- In January, Ms. Lenart provided a QMHP and Social Work presentation to bachelor level students at Norfolk State University.
- In February, Ms. Lenart provided a presentation on the QMHP and Supervisee in Social Work requirements to master level students at Norfolk State University.

Request for Comment on Petition for Rulemaking

Promulgating Board: **Board of Social Work**

Elaine J. Yeatts
Regulatory Coordinator: (804)367-4688
elaine.yeatts@dhp.virginia.gov

Jaime Hoyle
Agency Contact: Executive Director
(804)367-4406
jaime.hoyle@dhp.virginia.gov

Department of Health Professions
Contact Address: 9960 Mayland Drive
Suite 300
Richmond, VA 23233

Chapter Affected:
18 vac 140 - 20: Regulations Governing the Practice of Social Work

Statutory Authority: State: Chapter 37 of Title 54.1

Date Petition Received 01/26/2021

Petitioner Florine Edmunds

Petitioner's Request

To extend the requirement for passage of the licensing examination and allow an additional one to three years for remediation, training and equitable opportunities. To reduce the passing score by 10 points and provide study sheets for retaking examination.

Agency Plan

The petition will be published on February 15, 2021 with a comment period ending March 10, 2021. The Board will consider the petition and any comment received at its meeting on March 12, 2021.

Publication Date 02/15/2021 *(comment period will also begin on this date)*

Comment End Date 03/10/2021



COMMONWEALTH OF VIRGINIA

DHP - MAILROOM

Board of Social Work

JAN 21 2021

9960 Mayland Drive, Suite 300
Richmond, Virginia 23233-1463

(804) 367-4441 (Tel)
(804) 527-4435 (Fax)

Petition for Rule-making

The Code of Virginia (§ 2.2-4007) and the Public Participation Guidelines of this board require a person who wishes to petition the board to develop a new regulation or amend an existing regulation to provide certain information. Within 14 days of receiving a valid petition, the board will notify the petitioner and send a notice to the Register of Regulations identifying the petitioner, the nature of the request and the plan for responding to the petition. Following publication of the petition in the Register, a 21-day comment period will begin to allow written comment on the petition. Within 90 days after the comment period, the board will issue a written decision on the petition. If the board has not met within that 90-day period, the decision will be issued no later than 14 days after it next meets.

Please provide the information requested below. (Print or Type)		
Petitioner's full name (Last, First, Middle initial, Suffix) Edmunds, Florine Marie Davis		
Street Address 433 Riverside Drive	Area Code and Telephone Number 540 850-3872	
City Danville,	State Virginia	Zip Code 24540
Email Address (optional) Florine.edmunds8@gmail.com	Fax (optional) 434 797-4989	

Respond to the following questions:

1. What regulation are you petitioning the board to amend? Please state the title of the regulation and the section/sections you want the board to consider amending. *I am petitioning the board to amend the requirements for a licensure in § 54.1-3701 to include persons who render services continually and have completed necessary 3000 hours. However, have not passed licensure test, but continue to complete necessary trainings with qualified courses of study, CEU's and remediation provided by the state of VA or other qualifying entities to provide endorsement or special provisions.*
2. Please summarize the substance of the change you are requesting and state the rationale or purpose for the new or amended rule. *18 VAC 146-20-70-100 ALL applications for licensures will receive extensions based on amendments due to COVID 19 and the Restorative Justice efforts. There shall be an additional one to three years for remediation, training and equitable opportunities. (The scores on exams will reduce 10pts. and all questions (totaling 130) will count on exams. Due to COVID 19 and high anxiety for most individuals all applicants will be provided same test, with study sheets if failing scores. Fees will be minimal through 2023 to allow qualified social workers the opportunity for licensure.*
3. State the legal authority of the board to take the action requested. In general, the legal authority for the adoption of regulations by the board is found in § 54.1-2400 of the Code of Virginia. If there is other legal authority for promulgation of a regulation, please provide that Code reference.

RECEIVED

JAN 21 2021

Behavioral Sciences

Signature:

Florine Edmunds, MSW

Date: 1/13/21



Association of Social Work Boards

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March 9, 2021

Jaime Hoyle

Executive Director

Board of Social Work

9960 Mayland Drive, Suite 300

Richmond, VA, 23233

RE: Initial petition for rulemaking from Florine Edmunds related to 18VAC140-20. Regulations Governing the Practice of Social Work

Dear Ms. Hoyle:

The Association of Social Work Boards submits these comments in response to the notice in the Virginia Register, Volume 37, Issue 13 regarding Ms. Florine Edmunds's petition for rulemaking changes to 18VAC140-20. Regulations Governing the Practice of Social Work.

As the owner and administrator of the social work licensing exams and as the membership organization of the 64 social work regulatory boards in the United States and Canada, ASWB appreciates the opportunity to address Ms. Edmunds's requests related to the administration of the licensing exams in Virginia.

Ms. Edmunds's petition can be delineated into two areas of focus: permission to sit for the exam and pass point. We have addressed each section separately below.

To extend the requirement for passage of the licensing examination and allow an additional one to three years for remediation, training, and equitable opportunities.

Virginia regulation 18 VAC 140-20-10 et seq., Virginia Regulations Governing the Practice of Social Work, Part III, Examinations, 18VAC140-20-70. Examination requirement, part B establishes a two-year time frame within which an applicant for any category of licensure is granted permission to sit for the licensing exam from date of initial board approval. Should the applicant not pass the exam within that time frame, part B grants the applicant permission to reapply, providing another two-year time frame for sitting for the exam.

If an applicant for clinical licensure does not pass the exam within the second two-year approval period, part C of the regulation requires that the individual attain additional supervision before the board considers granting a third two-year approval period.

The petitioner appears to be asking that part C be modified to extend the one-year supervisory time frame to allow up to a three-year period of supervision.

(continues)

In comparing Virginia regulations to other U.S. jurisdictions, ASWB finds the following:

- Virginia is one of six states that provide a two-year approval period; 29 states provide a one-year or less approval period; the remaining 19 states/territories have varying approval periods from never expiring to three or five years, to set by the board at the time of application.
- Virginia is one of eight jurisdictions that require remediation after a prescribed number of failed attempts.

In both comparisons, Virginia's regulations appear to align with other U.S. jurisdictions. Further, Virginia regulations requiring remediation prior to the granting of a third two-year approval period for clinical licensure appear to be consistent with the Model Social Work Practice Act, a document developed and continually updated by ASWB member boards to provide model guidelines related to best practices in regulation. The model law provides the following:

Article III. Licensing

Section 307. Examinations

- c) The Board shall have the authority to limit the number of attempts on the Examination in order to protect the integrity and security of the Examination and to ensure minimum competence.

Pursuant to Article III, Section 307 (c), the Board has the authority to limit Examination re-takes. The Board requires the parameters to be as follows:

- (1) Applicants shall be allowed a maximum of three (3) attempts to successfully pass the Examination.*
- (2) After the third attempt, if the applicant has not achieved a passing score, the applicant must request in writing to the Board to re-take the Examination. The Board may require the applicant to complete a preapproved remediation plan prior to additional Exam administrations.*

The model law is silent regarding the type of remediation plan that the board might require of an applicant after a failed attempt. ASWB supports the Virginia Board of Social Work's current regulations requiring an additional one-year supervisory period as remediation prior to granting a third two-year approval cycle for the clinical license.

Should the Virginia Board of Social Work wish to consider the petitioner's request for extending the supervision time frame, this decision would be in keeping with the model law. In making this comparison, we want to emphasize that the model law was developed as a guide to help member boards and their legislative partners create and revise regulations. Part of the model law's purpose is to increase consistency of regulation from jurisdiction to jurisdiction, not to dictate specific language for any member board. ASWB supports the individuality of each state to determine regulatory language that best meets the needs of its consumers and the board's mandate to protect the public.

To reduce the passing score by 10 points and provide study sheets for retaking examination.

ASWB's exam development program is guided by testing industry standards set by the American Psychological Association, the Joint Commission on Standards for Educational and Psychological Testing, the American Educational Research Association, and the National Council on Measurement in Education. The social work licensing exams that ASWB develops and administers are validated for use in the United States

(continues)

and Canada based on a practice analysis conducted every five to seven years to ensure that the exams reflect current practice. The pass/fail cut score—the point on which pass-fail determinations are made—is similarly established during the practice analysis process and is validated for the United States and Canada.

Making a change to the pass point in Virginia as the petitioner suggests is not as simple as the petitioner believes and, if adopted, would limit Virginia licensees' ability to practice outside the state or use electronic practice modalities with clients residing outside the state.

ASWB does not advise Virginia taking this step without full knowledge of the consequences of such action. Some background about how the exams are created may be useful to the board's consideration of the petitioner's request.

As noted above, the foundation of the social work licensing exams is a practice analysis, or survey of social work practice in a wide variety of settings and geographic locations. The practice analysis survey lists a series of tasks common to social work and then asks participants to rate how often they perform each task, how critical knowledge of the task is regardless of how often it's performed, and whether the ability to perform the task is a necessary entry-level skill at their particular level of practice (performance, importance, and frequency). The results give ASWB a highly accurate profile of social work practice and help the association to establish the levels of examinations offered.

The most recent practice analysis was conducted in 2015–2016. A passing score study panel comprising 54 licensed social workers selected for demographic and practice diversity met in 2017 to establish the cut score for the exams. The panel followed a complex and thoroughly vetted process that included taking the exam, rating each test question for probability that it would be answered correctly, and discussing minimum competence in the content measured by the exams. Judgments were discussed and averaged, and averages were used to compute the cut score on the anchor exam. The process was carried out for each of ASWB's exam categories. Following the cut score determination for the anchor exams, additional exam forms were assembled and calibrated to reflect the same overall difficulty level. The current exams were released in January 2018.

Changing the pass point at the state level in essence creates an alternative pathway for an applicant to get a license. ASWB would not be able to validate those results as a passing score for any other jurisdiction. As a consequence, the licensee would lose one of the greatest benefits of the exam: practice mobility. Given the expanding use of electronic methods of practice to reach clients outside state borders via electronic modalities, a licensee's mobility would be even further restricted.

Another concern: How to protect clients residing outside the state who might receive services illegally from a Virginia practitioner licensed using this alternative path. If the pass point was changed, Virginia would most likely develop a system for identifying individuals licensed under this alternative path. We know, however, that under the current emergency orders related to COVID-19, other jurisdictions are allowing electronic practice without verifying a licensee's status in the state where the practitioner is licensed. And some jurisdictions have taken a hands-off approach in an attempt to lower barriers to practice in general. Florida, for example, uses a registration system for electronic practice and requires only that licensees attest to their license status. In this hypothetical situation, should a licensee not understand the limits that the alternative pathway establishes and provide services electronically to clients outside the state of Virginia, the clients served are potentially at risk. Moreover, this situation poses potential liability for the licensee and possibly the state.

All these discussion points bear the Virginia Board of Social Work's consideration.

To address the petitioner's request for study sheets for retaking the exam, ASWB recommends that the petitioner access resources available through the ASWB website, including the *ASWB Guide to the Social Work Exams* and the online practice test. Both resources provide in-depth information about how the exams are constructed, what areas will be covered in the exams, and how to develop a self-study program. These are the only test preparation materials developed and endorsed by ASWB. Courses offered through NASW or other test prep companies are not affiliated with or endorsed by ASWB.

The Virginia Board of Social Work is responsible for protecting the public, which includes ensuring that applicants for licensure are competent to practice. It would seem to be a conflict of interest for the board to provide study sheets to help applicants pass the exam.

We hope the Virginia Board of Social Work finds this information helpful as it considers the petition for rulemaking related to 18VAC140-20. Regulations Governing the Practice of Social Work. Once again, thank you for allowing ASWB to comment. We would be pleased to consult with the board and provide additional support as requested.

Sincerely,

A handwritten signature in black ink, appearing to read "Dwight J. Hymans". The signature is fluid and cursive, with a large initial "D" and "H".

Dwight J. Hymans, MSW, LCSW, ACSW
ASWB Chief Executive Officer

**Agenda Item: Adoption of a Notice of Intended Regulatory Action (NOIRA)
for Licensure of Music Therapists**

Included in the agenda package:

- Copy of legislation passed in the 2020 General Assembly
- Copy of information on accreditation of educational programs and board certification
- Copy of samples requirements from other states
- Copy of the agenda background document for a NOIRA

Staff note:

The newly constituted Advisory Board on Music Therapy met on Feb. 19th to become oriented about the duties and responsibilities of advisory boards. The Advisory Board recommends adoption of a NOIRA for a new chapter of regulations.

Action:

Motion to adopt a Notice of Intended Regulatory Action for Chapter 30,
Regulations Governing the Licensure of Music Therapists

Code of Virginia
Title 54.1. Professions and Occupations
Chapter 37. Social Work

§ 54.1-3709.1. Definitions.

As used in this article, unless the context requires a different meaning:

"Music therapist" means a person who has (i) completed a bachelor's degree or higher in music therapy, or its equivalent; (ii) satisfied the requirements for licensure set forth in regulations adopted by the Board pursuant to § 54.1-3709.2; and (iii) been issued a license for the independent practice of music therapy by the Board.

"Music therapy" means the clinical and evidence-based use of music interventions to accomplish individualized goals within a therapeutic relationship through an individualized music therapy treatment plan for the client that identifies the goals, objectives, and potential strategies of the music therapy services appropriate for the client using music therapy interventions, which may include music improvisation, receptive music listening, songwriting, lyric discussion, music and imagery, music performance, learning through music, and movement to music. "Music therapy" does not include the screening, diagnosis, or assessment of any physical, mental, or communication disorder.

2020, cc. 103, 233.

Code of Virginia
Title 54.1. Professions and Occupations
Chapter 37. Social Work

§ 54.1-3709.2. Music therapy; licensure.

A. The Board shall adopt regulations governing the practice of music therapy, upon consultation with the Advisory Board on Music Therapy established in § 54.1-3709.3. The regulations shall (i) set forth the educational, clinical training, and examination requirements for licensure to practice music therapy; (ii) provide for appropriate application and renewal fees; and (iii) include requirements for licensure renewal and continuing education. In developing such regulations, the Board shall consider requirements for board certification offered by the Certification Board for Music Therapists or any successor organization.

B. No person shall engage in the practice of music therapy or hold himself out or otherwise represent himself as a music therapist unless he is licensed by the Board.

C. Nothing in this section shall prohibit (i) the practice of music therapy by a student pursuing a course of study in music therapy if such practice constitutes part of the student's course of study and is adequately supervised or (ii) a licensed health care provider, other professional registered, certified, or licensed in the Commonwealth, or any person whose training and national certification attests to his preparation and ability to practice his certified profession or occupation from engaging in the full scope of his practice, including the use of music incidental to his practice, provided that he does not represent himself as a music therapist.

2020, cc. 103, 233.

American Music Therapy Association

Professional Requirements for Music Therapists

Educational Requirements for Music Therapists

Bachelor's Degree (or higher) in Music Therapy

A professional music therapist holds a bachelor's degree or higher in music therapy from one of over 80 AMTA-Approved college and university programs. The curriculum for the bachelor's degree is designed to impart entry level competencies in three main areas: musical foundations, clinical foundations, and music therapy foundations and principles as specified in the AMTA Professional Competencies. In addition to the academic coursework, the bachelor's degree requires 1200 hours of clinical training, including a supervised internship. Graduate degrees in Music Therapy focus on advanced clinical practice and research.

Board Certification Credential

Upon completion of the bachelor's degree, music therapists are eligible to sit for the national board certification exam to obtain the credential MT-BC (Music Therapist - Board Certified) which is necessary for professional practice. The credential MT-BC is granted by a separate, accredited organization, the Certification Board for Music Therapists (CBMT), to identify music therapists who have demonstrated the knowledge, skills and abilities necessary to practice at the current level of the profession. The purpose of board certification in music therapy is to provide an objective national standard that can be used as a measure of professionalism by interested agencies, groups, and individuals.

Music Therapy – Board Certification (MT-BC) Requirements

To earn and maintain the MT-BC credential, you must meet these requirements:

- Successful completion of an academic and clinical training program for music therapy (programs must be approved by the American Music Therapy Association)
- Successful completion of a written CBMT examination demonstrating current skills in the profession of music therapy
- Recertification every five years through the successful completion and documentation of 100 recertification credits, and completion of the CBMT Application for Recertification
- Payment of an annual certification maintenance fee

In addition, any person representing himself or herself as a Board Certified Music Therapist shall practice within the **CBMT Board Certification Domains** and adhere to the **CBMT Code of Professional Practice**. It is unlawful for any person not meeting the criteria set forth by the Certification Board for Music Therapists to use or display in connection with his or her name or place of business the words Board Certified Music Therapist or the letters MT-BC or similar designations; or to represent in any way, orally, in writing, in print, electronic communication, or by sign, directly or by implication that he or she is a Board Certified Music Therapist qualified to provide music therapy services.

Examples of State Licensure Requirements

California: Beginning July 31, 2019, an individual who provides music therapy shall not refer to oneself using the title of "Board Certified Music Therapist" unless the individual is an MT-BC.

Connecticut: As of October 2016, music therapy services can only be provided by those who hold the MT-BC credential, and only an MT-BC can call themselves a music therapist or a Certified Music Therapist.

Georgia: Music therapists are required to be licensed in the state of Georgia. Visit the Georgia Secretary of State's website for more information and an application. Contact info@cbmt.org to have verification of your MT-BC certification electronically sent to the Georgia Professional Licensing Board.

New Jersey: The Music Therapist Licensing Act was signed into law by Governor Phil Murphy on January 21, 2020 requiring licensure for music therapists to practice in the state of New Jersey. Procedures for applying for licensure are currently being developed and will be posted when complete.

New York: For Music Therapists to practice Creative Arts Therapy and use the titles, Creative Arts Therapist, Licensed Creative Arts Therapist or any derivative thereof within New York State, they must obtain licensure as a Creative Arts Therapist, unless otherwise exempt under the law. Visit their website for an application. To apply for the music therapy board examination for NY State Licensure or to have your examination scores mailed to the NY State Education Department of the Professions, contact CBMT at info@cbmt.org or by telephone at 800.765.2268.

Nevada: Music therapists are required to be licensed according to the Nevada State Health Division, Bureau of Health Care Quality and Compliance. Obtain an application from their website.

North Dakota: A bill to license music therapists was passed into law on April 26, 2011 under the State Board of Integrative Health Care. Music Therapists are required to be licensed. Obtain an application from their website.

Oklahoma: As of November 2016, music therapy licensure is managed under the State Board of Medical Licensure and Supervision. An application is available from their website.

Oregon: Music therapy licensure in Oregon is managed through the Health Licensing Office. More information is available on their website, including the application.

Rhode Island: A State License for music therapists was signed into law in 2014. Obtain an application.

Utah: State Certification was signed into law in 2014. Obtain an application.

Virginia: On Tuesday, March 3, 2020, Governor Ralph Northam signed HB1562 into law creating a music therapy license. This license must be obtained to call oneself a music therapist and to practice music therapy in the state of Virginia. Application procedures are being developed and will be posted here when available.

Wisconsin: Wisconsin requires Music Therapists to be registered with the Wisconsin Department of Regulations and Licensing. Obtain an application.



townhall.virginia.gov

Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	Board of Social Work, Department of Health Professions
Virginia Administrative Code (VAC) Chapter citation(s)	18VAC140-30
VAC Chapter title(s)	Regulations Governing the Licensure of Music Therapists
Action title	New regulations
Date this document prepared	3/12/21

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of the subject matter, intent, and goals of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation).

SB633 and HB1562 of the 2020 General Assembly required the Board of Social Work to promulgate regulations governing the practice of music therapy. The Code specifies the requirements for board certification offered by the Certification Board for Music Therapists or any successor organization will be considered as qualification for licensure as a licensed music therapist. The Board will adopt additional requirements similar to other licensed professions for a fee structure, renewal or reinstatement, continuing competency, supervision of persons in training, and standards of practice.

Acronyms and Definitions

Define all acronyms or technical definitions used in this form.

CBMT = Certification Board for Music Therapists

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in Executive Order 14 (as amended, July 16, 2018), "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

Chapters 103 and 233 of the 2020 Acts of the Assembly mandate that the Board promulgate regulations for the licensure of music therapists: *The Board shall adopt regulations governing the practice of music therapy, upon consultation with the Advisory Board on Music Therapy established in § 54.1-3709.3. The regulations shall (i) set forth the educational, clinical training, and examination requirements for licensure to practice music therapy; (ii) provide for appropriate application and renewal fees; and (iii) include requirements for licensure renewal and continuing education. In developing such regulations, the Board shall consider requirements for board certification offered by the Certification Board for Music Therapists or any successor organization. To do so, the Board will adopt a new chapter, 18VAC140-30-10 et seq., Regulations Governing the Licensure of Music Therapists.*

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

Regulations are promulgated under the general authority of Chapter 24 of Title 54.1 of the Code of Virginia, Section 54.1-2400, which provides the Board of Social Work the authority to promulgate regulations to administer the regulatory system:

§ 54.1-2400 -General powers and duties of health regulatory boards

The general powers and duties of health regulatory boards shall be:

- 1. To establish the qualifications for registration, certification, licensure, permit, or the issuance of a multistate licensure privilege in accordance with the applicable law which are necessary to ensure competence and integrity to engage in the regulated professions.*
- 2. To examine or cause to be examined applicants for certification, licensure, or registration. Unless otherwise required by law, examinations shall be administered in writing or shall be a demonstration of manual skills.*
- 3. To register, certify, license, or issue a multistate licensure privilege to qualified applicants as practitioners of the particular profession or professions regulated by such board.*

4. To establish schedules for renewals of registration, certification, licensure, permit, and the issuance of a multistate licensure privilege.

5. To levy and collect fees for application processing, examination, registration, certification, permitting, or licensure or the issuance of a multistate licensure privilege and renewal that are sufficient to cover all expenses for the administration and operation of the Department of Health Professions, the Board of Health Professions, and the health regulatory boards.

6. To promulgate regulations in accordance with the Administrative Process Act (§ 9-6.14:1 et seq.) which are reasonable and necessary to administer effectively the regulatory system. Such regulations shall not conflict with the purposes and intent of this chapter or of Chapter 1 (§ 54.1-100 et seq.) and Chapter 25 (§ 54.1-2500 et seq.) of this title.

Regulations on licensure of music therapists are promulgated in accordance with:

Article 2.
Music Therapy.

§ 54.1-3709.1. Definitions.

As used in this article, unless the context requires a different meaning:

"Music therapist" means a person who has (i) completed a bachelor's degree or higher in music therapy, or its equivalent; (ii) satisfied the requirements for licensure set forth in regulations adopted by the Board pursuant to § 54.1-3709.2; and (iii) been issued a license for the independent practice of music therapy by the Board.

"Music therapy" means the clinical and evidence-based use of music interventions to accomplish individualized goals within a therapeutic relationship through an individualized music therapy treatment plan for the client that identifies the goals, objectives, and potential strategies of the music therapy services appropriate for the client using music therapy interventions, which may include music improvisation, receptive music listening, songwriting, lyric discussion, music and imagery, music performance, learning through music, and movement to music. "Music therapy" does not include the screening, diagnosis, or assessment of any physical, mental, or communication disorder.

§ 54.1-3709.2. Music therapy; licensure.

A. The Board shall adopt regulations governing the practice of music therapy, upon consultation with the Advisory Board on Music Therapy established in § 54.1-3709.3. The regulations shall (i) set forth the educational, clinical training, and examination requirements for licensure to practice music therapy; (ii) provide for appropriate application and renewal fees; and (iii) include requirements for licensure renewal and continuing education. In developing such regulations, the Board shall consider requirements for board certification offered by the Certification Board for Music Therapists or any successor organization.

B. No person shall engage in the practice of music therapy or hold himself out or otherwise represent himself as a music therapist unless he is licensed by the Board.

C. Nothing in this section shall prohibit (i) the practice of music therapy by a student pursuing a course of study in music therapy if such practice constitutes part of the student's course of study and is adequately supervised or (ii) a licensed health care provider, other professional registered, certified, or licensed in the Commonwealth, or any person whose training and national certification attests to his preparation and ability to practice his certified profession or occupation from engaging in the full scope of his practice, including the use of music incidental to his practice, provided that he does not represent himself as a music therapist.

§ 54.1-3709.3. Advisory Board on Music Therapy; membership; terms.

A. The Advisory Board on Music Therapy (Advisory Board) is hereby established to assist the Board in formulating regulations related to the practice of music therapy. The Advisory Board shall also assist in such other matters relating to the practice of music therapy as the Board may require.

B. The Advisory Board shall have a total membership of five nonlegislative citizen members to be appointed by the Governor as follows: three members shall be licensed music therapists, one member shall be a licensed health care provider other than a music therapist, and one member shall be a citizen at large.

C. After the initial staggering of terms, members shall be appointed for a term of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. All members may be reappointed. However, no member shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

Purpose

Describe the specific reasons why the agency has determined that this regulation is essential to protect the health, safety, or welfare of citizens. In addition, explain any potential issues that may need to be addressed as the regulation is developed.

The Board will promulgate regulations to establish qualifications for education, examination, and experience that will ensure minimal competency for issuance or renewal of licensure as music therapists to protect the health and safety of clients or patients who receive their services. Amendments are also necessary to ensure there are standards for confidentiality, patient records, dual relationships, and informed consent to protect public health and safety.

Substance

Briefly identify and explain the new substantive provisions that are being considered, the substantive changes to existing sections that are being considered, or both.

Chapters 103 and 233 of the 2020 General Assembly require the Board to promulgate regulations governing the practice of music therapy. The Board will adopt requirements similar to other licensed professions for a fee structure, renewal or reinstatement, continuing competency, supervision of persons in training, and standards of practice.

Subsection A of § 54.1-3709.2 of the Code mandates that "the regulations shall (i) set forth the educational, clinical training, and examination requirements for licensure to practice music therapy; (ii) provide for appropriate application and renewal fees; and (iii) include requirements for licensure renewal and continuing education. In developing such regulations, the Board shall consider requirements for board certification offered by the Certification Board for Music Therapists or any successor organization." While not mandated to do so, the Advisory Board concurred that the credential cited in the Code (Music Therapist – Board Certified) is the best measure of minimal competency for the profession because it requires a national board certification examination. The Advisory Board also concurred that graduation from a music therapy program accredited by the American Music Therapy Association should be a requirement for licensure because it includes 1200 hours of clinical training, including a supervised internship.

Alternatives to Regulation

Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.

There are no viable alternatives because the Code of Virginia requires the Board to adopt regulations. The Board can only enforce licensing and renewal qualifications, fees, and standards of practice that are set forth in regulation. There is no alternative to regulation.

Periodic Review and Small Business Impact Review Announcement

This NOIRA is not being used to announce a periodic review or a small business impact review.

Public Participation

Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below. In addition, as required by § 2.2-4007.02 of the Code of Virginia describe any other means that will be used to identify and notify interested parties and seek their input, such as regulatory advisory panels or general notices.

The Board of Social Work is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal, (ii) any alternative approaches, and (iii) the potential impacts of the regulation.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: <https://townhall.virginia.gov>. Comments may also be submitted by mail, email or fax to Elaine Yeatts, 9960 Mayland Drive, Suite 300, Richmond, VA 23233; phone (804) 367-4688; fax (804) 527-4434; Elaine.yeatts@dhp.virginia.gov. In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

A public hearing will be held following the publication of this stage, and notice of the hearing will be posted on the Virginia Regulatory Town Hall website (<https://townhall.virginia.gov>) and on the Commonwealth Calendar website (<https://commonwealthcalendar.virginia.gov/>). Both oral and written comments may be submitted at that time.

DRAFT



Board of Health Professions
VIRTUAL - Full Board Meeting
 January 21, 2021 at 10:00 a.m.

DRAFT

An audio file of this meeting may be found here

<https://www.dhp.virginia.gov/audio/BHP/FullBoardMeeting01212021.mp3>

CALL TO ORDER - Dr. Jones, Jr.

Dr. Jones, Jr. called the virtual meeting to order at 10:00 a.m. Quorum was established with 17 members in attendance.

EMERGENCY EGRESS - Dr. Carter

Dr. Carter provided evacuation procedures for members in physical attendance.

ROLL CALL

VIRTUAL ATTENDEES: BOARD OF HEALTH PROFESSIONS

Dr. Alison King, Board of Audiology & Speech-Language Pathology
 Dr. Kevin Doyle, Board of Counseling
 Dr. Sandra Catchings, Board of Dentistry
 Derrick Kendall, Board of Long-Term Care Administrators
 Dr. Brenda Stokes, Board of Medicine
 Louise Hershkowitz, Board of Nursing
 Dr. Helene Clayton-Jeter, Board of Optometry
 Ryan Logan, Board of Pharmacy
 Dr. Herb Stewart, Board of Psychology
 John Salay, Board of Social Work
 Dr. Steve Karras, Board of Veterinary Medicine
 Sheila Battle, Citizen Member
 Sahil Chaudhary, Citizen Member
 Dr. Martha Rackets, Citizen Member
 Carmina Bautista, Citizen Member
 James Wells, Citizen Member

BOARD MEMBERS ABSENT:

Louis Jones, Board of Funeral Directors and Embalmers

VIRTUAL ATTENDANCE: DHP STAFF & GUESTS

Dr. Allison-Bryan, Agency Chief Deputy Director
 Elaine Yeatts, Agency Senior Policy Analyst
 Dr. Yetty Shobo, Deputy Executive Director for the Board
 Rajana Siva, Research Analyst for the Board
 Dr. William Harp, Executive Director for the Board of Medicine
 Kim Small, VisualResearch, Inc.
 Neal Kauder, Visual Research, Inc.
 Sandra Reen, Executive Director for the Board of Dentistry

VIRTUAL ATTENDANCE: DHP STAFF & GUESTS cont'd

Corie Tillman-Wolf, Executive Director for the Boards of Funeral Directors & Embalmers, Long-Term Care Administrators and Physical Therapy

PHYSICAL ATTENDANCE AT PERIMETER CENTER:

Dr. Elizabeth Carter, Executive Director for the Board
 Dr. Allen Jones, Jr., Board of Physical Therapy
 Laura Jackson, Operations Manager for the Board
 Matt Treacy, Media Production Specialist

VIRTUAL ATTENDANCE: PUBLIC

Christina Barrille
 Jetty Gentile
 Karen Winslow

WELCOME NEW BOARD MEMBERS - Dr. Jones, Jr.

Dr. Jones, Jr., welcomed Dr. Catchings, Dr. Stokes and Carmina Bautista to the Board.

THANK YOU TO OUTGOING BOARD MEMBERS - Dr. Jones, Jr.

Dr. Jones, Jr., thanked outgoing board members Dr. Watkins
 Dr. O'Connor and Maribel Ramos.

MEETING AGENDA - JANUARY 21, 2021

The Meeting agenda was approved as presented. A motion was made and properly seconded with all member in favor, none opposed.

PUBLIC COMMENT - Dr. Jones, Jr.

Ms. Cindy Warriner provided comment on her concern of potential Board of Pharmacy censure.

APPROVAL OF AUGUST 20, 2020 FULL BOARD MEETING MINUTES - Dr. Jones, Jr.

The meeting minutes from the August 20, 2020 Full board meeting were approved as presented. A motion was made and properly seconded with all members in favor, none opposed.

DIRECTOR'S REPORT- Dr. Allison-Bryan

Dr. Allison-Bryan provided Dr. Brown's remarks as he was at a General Assembly committee meeting. The Board of Health Professions prepared two major studies in 2020, Diagnostic Medical Sonographers and Naturopathic Doctors. As of today, the naturopathic doctor House bills presently have been "passed by" at the General Assembly. Two Senate bills are pending. Dr. Allison-Bryan provided an update on the research she gathered for the follow-up on "keepsake" sonography. She advised that the research reflects that fetal ultrasounds, performed by non-sonography licensed individual poses little harm to the fetus. The practice of "keepsake" sonography is discourage by the FDA and several professional medical organizations.

LEGISLATIVE & REGULATORY REPORT - Ms. Yeatts

Assembly that directly impact DHP. This information is provided in the agenda meeting documents. (Attachment 1)

SANCTION REFERENCE POINTS UPDATE - Mr. Kauder

Mr. Kauder provide a presentation on the Sanctioning Reference Point system updates. The presentation is included in the agenda meeting documents.

BREAK 11:20 -11:30 a.m.

BOARD CHAIR REPORT - Dr. Jones, Jr.

Dr. Jones, Jr. stated how much of an honor it was to serve as Chair for two consecutive years. He thanked those who attended in person and those who attended virtually for being such a wonderful team. He thanked the Board for their vote of confidence in his leadership and is looking forward to new leadership and how the next Chair will lead the Board through this pandemic.

NOMINATING COMMITTEE REPORT - Ms. Hershkowitz

Ms. Hershkowitz, Chair of the Nominating Committee, provided the Board with the slate of officers that was adopted at the 9:00 a.m. Nominating Committee meeting.

Chair: James Wells, RPh, Citizen Member

Dr. Steve Karras, Board of Veterinary Medicine

1st Vice Chair: Sahil Chaudhary, Citizen Member

2nd Vice Chair: Dr. Brenda Stokes, Board of Medicine

ELECTION OF OFFICERS - Dr. Jones, Jr.

The Board approved the slate of officers as presented and the vote was opened for Mr. Wells as Board Chair. Roll call voting provided 16 members in favor of Mr. Wells, with one member voting for Dr. Karras. With the majority vote, Mr. Wells was announced as Chair.

The Board agreed with the slate of officers provided by the Nominating Committee for Mr. Chaudhary to serve as 1st Vice Chair and Dr. Stokes to serve as 2nd Vice Chair.

Dr. Jones, Jr. congratulated the newly appointed officers of the Board.

EXECUTIVE DIRECTOR'S REPORT - Dr. Carter

Dr. Carter provided an overview of the Board's budget, along with the agencies statistics and performance measures. A link was provided in the meeting agenda for board members to review the agencies 2019-2020 Biennial Report.

HEALTHCARE WORKFORCE DATA CENTER - Dr. Shobo

Dr. Shobo provided an update of the workforce profession reports that were finalized in 2020, as well as ways that the Center is assisting various entities with workforce data.

INDIVIDUAL BOARD REPORTS

Board of Audiology & Speech-Language Pathology (Attachment 2)

Board of Counseling - Dr. Doyle

The Board will be considering the conversion therapy regulations at the next meeting, which is scheduled for February 15, 2021. A compact is emerging for counseling that is in the roll out phase. The Board is working on a guidance document for telehealth as many have moved their services online during the pandemic. Current regulations will need additional language to guide safe and ethical practice.

Board of Dentistry - Dr. Catchings

Due to COVID-19 dental students preparing for graduation and licensure by the Board of Dentistry were unable to perform a live patient exam. The Board came up with a way to allow students to perform an exam involving artificial teeth that would qualify them for licensure. The Board also arranged for graduating students to be trained on giving COVID-19 injections.

Formal hearings have been held virtually, while informal meetings are still in person. The Board is now in the beginning phase of developing emergency plans that will address how to function in a state of emergency. Such as the COVID-19 pandemic.

Board of Medicine - Dr. Stokes

Requests for waivers for electronic transmission of opioid prescriptions: As of July 1st, 2020, the regulations stated that all opiate prescriptions had to be transmitted electronically, with a stipulation that people could apply for a waiver for up to 1 year. There were 2,000 requests for waivers with some needing additional information. The statute does not allow the waiver to go past July 1, 2021.

A new licensed profession for the Board is surgical assistants. A surgical assistant advisory board has been created to develop regulations.

Every three years, the Board of Medicine is required to provide a list of professionals to the Supreme Court for malpractice panels. A big thank you to the executive directors and their staff that helped provided the names of professionals to be added to the list.

Reciprocity with continuous jurisdictions is currently under review. State boards were contacted by the executive directors with North Carolina, Tennessee, Kentucky and West Virginia showing no interest, while Maryland and D.C. we're open to the idea. Ongoing discussions continue.

Dr. Kevin O'Connor has been nominated for a leadership award that is given by the Federation of State Medical Boards.

The Board has held virtual board meetings, but the informal and formal hearings are still in person.

Board of Nursing - Ms. Hershkowitz

Ms. Hershkowitz provided an overview of the Board of Nursing's activities. (Attachment 3)

Board of Optometry - Dr. Clayton-Jeter

Dr. Clayton-Jeter provided an overview of the Board of Optometry activities. (Attachment 4)

Board of Pharmacy - Mr. Logan

Mr. Logan stated that the Board of Pharmacy voted to adopt language on the cultivation and production of cannabis oil to prohibit the production of an oil intended to be inhaled from containing vitamin E acetate. The board also voted to adopt final regulations of cannabidiol scheduled 5 that by default places into schedule 6 for consistency. He stated that the next board meeting is scheduled on February 22, 2021.

Board of Physical Therapy - Dr. Jones, Jr.

The Board of Physical Therapy met virtually on November 7, 2020. The board updated its telehealth guidance document based upon some questions and concerns identified during the pandemic. Physical therapy licensure compact implementation has been smooth for the board and the compact became effective January 1, 2021.

Board of Psychology - Dr. Stewart

The Board of Psychology board brief is available on the agencies website. Following are a few highlights: Psychology licensee total is roughly 5,700, of which three quarters are clinical psychologist, with the remaining spread among school psychology, sex offender treatment providers, applied psychologists and trainees.

Dr. Stewart provided an update on PsyPact, noting that 15 states are participating with another nine on board. He stated that about half of the states, including most of the surrounding states around Virginia, will be on board.

There has also been a periodic review of regulations governing the practice of psychology. These regulations are in the final stage and under review by the Office of the Governor. Similarly, the Board is updating the certification of sex offender treatment provider regulations which are on the fast track for authorization.

Board of Veterinary Medicine (Attachment 5)

NEW BUSINESS - Dr. Jones, Jr.

There was no new board business brought forward.

NEXT FULL BOARD MEETING

The next Full Board meeting will be held March 4, 2021 at 10:00 a.m.

ADJOURNMENT

The meeting adjourned at 12:36 p.m.

CHAIR

SIGNATURE _____

James Wells, RPh

_____/_____/_____

BHP EXECUTIVE DIRECTOR

SIGNATURE _____

Elizabeth A. Carter, PhD

_____/_____/_____

Report of Regulatory Actions

January, 2021

Board		Board of Counseling
Chapter		Action / Stage Information
[18 VAC 115 - 20]	Regulations Governing the Practice of Professional Counseling	<u>Unprofessional conduct - conversion therapy</u> [Action 5225] Proposed - Register Date: 8/31/20 [Stage 8743]
[18 VAC 115 - 20]	Regulations Governing the Practice of Professional Counseling	<u>Periodic review</u> [Action 5230] Proposed - At Governor's Office [Stage 8872]
[18 VAC 115 - 20]	Regulations Governing the Practice of Professional Counseling	<u>Resident license</u> [Action 5371] Proposed - Register Date: 9/14/20 [Stage 8897]
[18 VAC 115 - 40]	Regulations Governing the Certification of Rehabilitation Providers	<u>Periodic review</u> [Action 5305] Proposed - Register Date: 9/14/20 [Stage 8908]
[18 VAC 115 - 90]	Regulations Governing the Licensure of Art Therapists (under development)	<u>New chapter for licensure</u> [Action 5656] NOIRA - At Governor's Office [Stage 9145]
Board		Board of Dentistry
Chapter		Action / Stage Information
[18 VAC 60 - 21]	Regulations Governing the Practice of Dentistry	<u>Training and supervision of digital scan technicians</u> [Action 5600] NOIRA - At Governor's Office [Stage 9069]
[18 VAC 60 - 21]	Regulations Governing the Practice of Dentistry	<u>Amendment to restriction on advertising dental specialties</u> [Action 4920] Proposed - At Governor's Office [Stage 8500]
[18 VAC 60 - 21]	Regulations Governing the Practice of Dentistry	<u>Waiver for e-prescribing</u> [Action 5382] Proposed - At Governor's Office [Stage 9068]
[18 VAC 60 - 21]	Regulations Governing the Practice of Dentistry	<u>Technical correction</u> [Action 5198] Fast-Track - At Governor's Office [Stage 8622]
[18 VAC 60 - 21]	Regulations Governing the Practice of Dentistry	<u>Administration of sedation and anesthesia</u> [Action 5056] Final - Register Date: 2/15/21 [Stage 9177]

[18 VAC 60 - 25]	Regulations Governing the Practice of Dental Hygiene	Protocols for remote supervision of VDH and DBHDS dental hygienists [Action 5323] Final - At Governor's Office [Stage 9176]
[18 VAC 60 - 30]	Regulations Governing the Practice of Dental Assistants	Training in infection control [Action 5505] NOIRA - At Governor's Office [Stage 8932]
[18 VAC 60 - 30]	Regulations Governing the Practice of Dental Assistants	Education and training for dental assistants II [Action 4916] Final - At Governor's Office [Stage 9067]

Board		Board of Funeral Directors and Embalmers
Chapter		Action / Stage Information
[18 VAC 65 - 20]	Regulations of the Board of Funeral Directors and Embalmers	Licenses for funeral directors and embalmers [Action 5635] Emergency/NOIRA - Register Date: 2/1/21 [Stage 9107]
[18 VAC 65 - 20]	Regulations of the Board of Funeral Directors and Embalmers	Results of periodic review [Action 5165] Final - Register Date: 2/1/21 [Stage 9020]
[18 VAC 65 - 30]	Regulations for Preneed Funeral Planning	Periodic review 2018 [Action 5220] Final - Register Date: 2/1/21 [Stage 9021]
[18 VAC 65 - 40]	Regulations for the Funeral Service Intern Program	Periodic review 2019 [Action 5221] Proposed - At Governor's Office [Stage 8787]

Board		Board of Long-Term Care Administrators
Chapter		Action / Stage Information
[18 VAC 95 - 15]	Regulations Governing Delegation to an Agency Subordinate [under development]	Replacement of section from Chapter 20 on delegation to an agency subordinate [Action 5465] Fast-Track - Register Date: 2/15/21 [Stage 8873]
[18 VAC 95 - 30]	Regulations Governing the Practice of Assisted Living Facility Administrators	Recommendations of RAP on qualifications for licensure [Action 5471] NOIRA - At Governor's Office [Stage 8883]

Board		Board of Medicine
Chapter		Action / Stage Information
[18 VAC 85 - 20]	Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic	Conversion therapy [Action 5412] Proposed - Register Date: 2/15/21 [Stage 9121]

[18 VAC 85 - 21]	Regulations Governing Prescribing of Opioids and Buprenorphine	<u>Waiver for e-prescribing of an opioid</u> [Action 5355] Final - At Governor's Office [Stage 9156]
[18 VAC 85 - 50]	Regulations Governing the Practice of Physician Assistants	<u>Practice with patient care team physician</u> [Action 5357] Final - Register Date: 2/15/21 [Stage 9158]
[18 VAC 85 - 160]	Regulations Governing the Licensure of Surgical Assistants and Registration of Surgical Technologists	<u>Amendments for surgical assistants consistent with a licensed profession</u> [Action 5639] NOIRA - At Governor's Office [Stage 9122]
Board	Board of Nursing	
Chapter		Action / Stage Information
[18 VAC 90 - 19]	Regulations Governing the Practice of Nursing	<u>Unprofessional conduct - conversion therapy</u> [Action 5430] Proposed - Register Date: 2/15/21 [Stage 9119]
[18 VAC 90 - 19]	Regulations Governing the Practice of Nursing	<u>Registration of clinical nurse specialists</u> [Action 5306] Final - Register Date: 2/1/21 [Stage 9023]
[18 VAC 90 - 26]	Regulations for Nurse Aide Education Programs	<u>Implementing Result of Periodic Review</u> [Action 5157] Final - At Governor's Office [Stage 9157]
[18 VAC 90 - 27]	Regulations Governing Nursing Education Programs	<u>Use of simulation</u> [Action 5402] Proposed - At Governor's Office [Stage 9024]
[18 VAC 90 - 30]	Regulations Governing the Licensure of Nurse Practitioners	<u>Unprofessional conduct/conversion therapy</u> [Action 5441] Proposed - Register Date: 2/15/21 [Stage 9120]
[18 VAC 90 - 40]	Regulations for Prescriptive Authority for Nurse Practitioners	<u>Waiver for electronic prescribing</u> [Action 5413] Proposed - At Governor's Office [Stage 9038]
Board	Board of Optometry	
Chapter		Action / Stage Information
[18 VAC 105 - 20]	Regulations of the Virginia Board of Optometry	<u>Waiver for e-prescribing</u> [Action 5438] Proposed - At Governor's Office [Stage 9108]
Board	Board of Pharmacy	
Chapter		Action / Stage Information
[18 VAC 110 - 20]	Regulations Governing the Practice of Pharmacy	<u>Reporting of immunizations to VIIS</u> [Action 5598] Emergency - Register Date: 10/12/20 [Stage 9064]

[18 VAC 110 - 20]	Regulations Governing the Practice of Pharmacy	<u>Implementation of legislation for pharmacists initiating treatment</u> [Action 5604] Emergency/NOIRA - Register Date: 2/1/21 [Stage 9074]
[18 VAC 110 - 20]	Regulations Governing the Practice of Pharmacy	<u>Use of medication carousels and RFID technology</u> [Action 5480] NOIRA - Register Date: 9/14/20 [Stage 8892]
[18 VAC 110 - 20]	Regulations Governing the Practice of Pharmacy	<u>Handling fee</u> [Action 5519] Fast-Track - Register Date: 2/1/21 [Stage 8953]
[18 VAC 110 - 20]	Regulations Governing the Practice of Pharmacy	<u>Prohibition against incentives to transfer prescriptions</u> [Action 4186] Final - At Governor's Office [Stage 7888]
[18 VAC 110 - 20]	Regulations Governing the Practice of Pharmacy	<u>Brown bagging and white bagging</u> [Action 4968] Final - At Governor's Office [Stage 8947]
[18 VAC 110 - 20]	Regulations Governing the Practice of Pharmacy	 <u>Scheduling of chemicals in Schedule I</u> [Action 5666] Final - Register Date: 2/1/21 [Stage 9167]
[18 VAC 110 - 20]	Regulations Governing the Practice of Pharmacy	 <u>De-scheduling of drug to conform to DEA</u> [Action 5667] Final - Register Date: 1/18/21 [Stage 9168]
[18 VAC 110 - 21]	Regulations Governing the Licensure of Pharmacists and Registration of Pharmacy Technicians	<u>Implementation of legislation for registration of pharmacy technicians</u> [Action 5603] Emergency/NOIRA - Register Date: 2/1/21 [Stage 9137]
[18 VAC 110 - 21]	Regulations Governing the Licensure of Pharmacists and Registration of Pharmacy Technicians	<u>CE credit for volunteer hours</u> [Action 5546] Fast-Track - Register Date: 2/1/21 [Stage 8986]
[18 VAC 110 - 30]	Regulations for Practitioners of the Healing Arts to Sell Controlled Substances	<u>Limited license for prescribing Schedule VI drugs in non-profit clinics</u> [Action 5605] Emergency/NOIRA - Register Date: 2/1/21 [Stage 9075]
[18 VAC 110 - 50]	Regulations Governing Wholesale Distributors, Manufacturers and Warehouse	<u>Delivery of Schedule VI prescription devices</u> [Action 5084] Final - Register Date: 2/1/21 [Stage 8950]
[18 VAC 110 - 60]	Regulations Governing Pharmaceutical Processors	<u>Amendments resulting from SB976 of the 2020 General Assembly</u> [Action 5629] Emergency/NOIRA - At Governor's Office [Stage 9100]

[18 VAC 110 - 60]	Regulations Governing Pharmaceutical Processors	<u>Response to petition for rulemaking</u> [Action 5611] NOIRA - <i>At Governor's Office</i> [Stage 9081]
[18 VAC 110 - 60]	Regulations Governing Pharmaceutical Processors	<u>Registered agents and wholesale distribution</u> [Action 5398] Proposed - <i>At Governor's Office</i> [Stage 8948]
[18 VAC 110 - 60]	Regulations Governing Pharmaceutical Processors	<u>Prohibition of products for vaping or inhalation with vitamin E acetate</u> [Action 5452] Proposed - <i>DPB Review in progress</i> [Stage 9166]
[18 VAC 110 - 60]	Regulations Governing Pharmaceutical Processors	<u>Acquisition of industrial hemp</u> [Action 5602] Fast-Track - <i>Register Date: 2/1/21</i> [Stage 9072]

Board**Board of Physical Therapy**

Chapter		Action / Stage Information
[18 VAC 112 - 20]	Regulations Governing the Practice of Physical Therapy	<u>Periodic review</u> [Action 5228] Final - <i>At Governor's Office</i> [Stage 9053]
[18 VAC 112 - 20]	Regulations Governing the Practice of Physical Therapy	<u>Implementation of the Physical Therapy Compact</u> [Action 5362] Final - <i>At Governor's Office</i> [Stage 9175]

Board**Board of Psychology**

Chapter		Action / Stage Information
[18 VAC 125 - 20]	Regulations Governing the Practice of Psychology	<u>Implementation of Psychology Interstate Compact</u> [Action 5567] Emergency/NOIRA - <i>Register Date: 2/1/21</i> [Stage 9019]
[18 VAC 125 - 20]	Regulations Governing the Practice of Psychology	<u>Unprofessional conduct/conversion therapy</u> [Action 5218] Proposed - <i>Register Date: 8/31/20</i> [Stage 8802]
[18 VAC 125 - 20]	Regulations Governing the Practice of Psychology	<u>Result of Periodic Review</u> [Action 4897] Final - <i>At Governor's Office</i> [Stage 8899]
[18 VAC 125 - 30]	Regulations Governing the Certification of Sex Offender Treatment Providers	<u>Amendments resulting from a periodic review</u> [Action 5660] Fast-Track - <i>DPB Review in progress</i> [Stage 9149]

Board**Board of Social Work**

Chapter		Action / Stage Information
[18 VAC 140 - 20]	Regulations Governing the Practice of Social Work	<u>Changes to endorsement and reinstatement; standards of practice</u> [Action 5631]

		NOIRA - At Governor's Office [Stage 9102]
[18 VAC 140 - 20]	Regulations Governing the Practice of Social Work	Changes to supervision requirements [Action 5632] Fast-Track - Register Date: 2/1/21 [Stage 9103]
[18 VAC 140 - 20]	Regulations Governing the Practice of Social Work	Unprofessional conduct/practice of conversion therapy [Action 5241] Final - Register Date: 2/15/21 [Stage 9159]

Report of the 2021 General Assembly

Bills	Committee	Last action	<u>Date</u>
<u>HB 1737</u> - <u>Adams, D.M.</u> - Nurse practitioners; practice without a practice agreement.	<u>(H) Committee on Health, Welfare and Institutions</u>	(H) Assigned HWI sub: Health Professions	01/13/21
<u>HB 1747</u> - <u>Adams, D.M.</u> - Clinical nurse specialist; licensure of nurse practitioners as specialists, etc.	<u>(H) Committee on Health, Welfare and Institutions</u>	(H) Read first time	01/15/21
<u>HB 1769</u> - <u>Freitas</u> - Health care providers, certain; licensure or certification by endorsement.	<u>(H) Committee on Health, Welfare and Institutions</u>	(H) Assigned HWI sub: Health Professions	01/13/21
<u>HB 1795</u> - <u>Cole, M.L.</u> - Counseling, Board of; licensure of professional counselors without examination.	<u>(H) Referral Pending</u>	(H) Committee Referral Pending	01/04/21
<u>HB 1815</u> - <u>Heretick</u> - Marijuana; legalization of cultivation, manufacture, sale, possession, and testing, penalties.	<u>(H) Referral Pending</u>	(H) Committee Referral Pending	01/06/21
<u>HB 1817</u> - <u>Adams, D.M.</u> - Certified nurse midwives; practice.	<u>(H) Committee on Health, Welfare and Institutions</u>	(H) Assigned HWI sub: Health Professions	01/13/21
<u>HB 1913</u> - <u>Hope</u> - Career fatigue and wellness in certain health care providers; programs to address, civil immunity.	<u>(H) Committee on Health, Welfare and Institutions</u>	(H) Referred to Committee on Health, Welfare and Institutions	01/10/21
<u>HB 1953</u> - <u>Gooditis</u> - Licensed certified midwives; definition of practice, licensure, report.	<u>(H) Committee on Appropriations</u>	(H) Assigned App. sub: Health & Human Resources	01/15/21
<u>HB 1959</u> - <u>Fowler</u> - Medication abandonment and increasing patient medication adherence; options for reducing rates.	<u>(H) Committee on Rules</u>	(H) Referred to Committee on Rules	01/11/21
<u>HB 1987</u> - <u>Adams, D.M.</u> - Telemedicine; coverage of telehealth services by an insurer, etc.	<u>(H) Committee on Health, Welfare and Institutions</u>	(H) Assigned HWI sub: Health	01/15/21
<u>HB 1988</u> - <u>Adams, D.M.</u> - Cannabis oil; processing and dispensing by pharmaceutical processors.	<u>(H) Committee on Health, Welfare and Institutions</u>	(H) Assigned HWI sub: Health Professions	01/15/21
<u>HB 2005</u> - <u>Sickles</u> - Disposition of the remains of a decedent; persons to make arrangements for funeral.	<u>(H) Committee on Health, Welfare and Institutions</u>	(H) Assigned HWI sub: Health Professions	01/15/21

HB 2039 - Rasoul - Physician assistant; eliminates certain requirement for practice.	(H) Committee on Health, Welfare and Institutions	(H) Assigned HWI sub: Health Professions	01/15/21
HB 2044 - Rasoul - Naturopathic doctors; Board of Medicine to license and regulate.	(H) Committee on Health, Welfare and Institutions	(H) Assigned HWI sub: Health Professions	01/15/21
HB 2061 - Willett - VIIS; any health care provider in the Commonwealth that administers immunizations to participate.	(H) Committee on Health, Welfare and Institutions	(H) Assigned HWI sub: Health	01/15/21
HB 2079 - Rasoul - Pharmacists; initiation of treatment with and dispensing and administering of drugs and devices.	(H) Committee on Health, Welfare and Institutions	(H) Assigned HWI sub: Health Professions	01/15/21
HB 2116 - Mugler - Declared states of emergency, certain; funeral service licensees designated as essential workers.	(H) Committee on Health, Welfare and Institutions	(H) Referred to Committee on Health, Welfare and Institutions	01/12/21
HB 2218 - Hayes - Pharmaceutical processors; permits processors to produce & distribute cannabis products.	(H) Committee on Health, Welfare and Institutions	(H) Assigned HWI sub: Health Professions	01/15/21
HB 2220 - Hayes - Surgical technologist; certification, use of title.	(H) Committee on Health, Welfare and Institutions	(H) Assigned HWI sub: Health Professions	01/15/21
HB 2241 - LaRock - Unborn child protection from dismemberment abortion; penalties.	(H) Referral Pending	(H) Committee Referral Pending	01/13/21
HB 2259 - Scott - Governor; issuance of licenses to persons denied by regulatory board.	(H) Committee on General Laws	(H) Referred to Committee on General Laws	01/13/21
HB 2272 - Fowler - Naturopathic doctors; Department of Health Professions to amend its regulations.	(H) Committee on Health, Welfare and Institutions	(H) Referred to Committee on Health, Welfare and Institutions	01/14/21
HJ 531 - Helmer - Study; Joint Commission on Health Care.	(H) Referral Pending	(H) Committee Referral Pending	01/09/21
SB 1107 - Stanley - Medical malpractice; limitation on recovery.	(S) Committee on the Judiciary	(S) Referred to Committee on the Judiciary	12/02/20
SB 1115 - Peake - Industrial hemp; increases maximum THC concentration.	(S) Committee on Agriculture, Conservation and Natural Resources	(S) Referred to Committee on Agriculture, Conservation and Natural Resources	12/21/20

SB 1167 - Kiggans - Board of Nursing; licensure or certification by endorsement for members of the U.S. military.	(S) Committee on Education and Health	(S) Assigned Education sub: Health Professions	01/13/21
SB 1178 - Ebbin - Genetic counseling; conscience clause.	(S) Committee on Education and Health	(S) Assigned Education sub: Health Professions	01/13/21
SB 1187 - Hashmi - Department of Health Professions; practice of physical therapy.	(S) Committee on Education and Health	(S) Assigned Education sub: Health Professions	01/13/21
SB 1189 - Hashmi - Licensure of occupational therapists; Occupational Therapy Interjurisdictional Licensure Compact.	(S) Committee on Education and Health	(S) Assigned Education sub: Health Professions	01/13/21
SB 1192 - Kiggans - Naturopathic doctors; Department of Health Professions to amend its regulations.	(S) Committee on Education and Health	(S) Senate subcommittee amendments and substitutes offered	01/15/21
SB 1205 - Barker - Programs to address career fatigue and wellness in certain health care providers; civil immunity.	(S) Committee on Education and Health	(S) Assigned Education sub: Health Professions	01/13/21
SB 1218 - Petersen - Naturopathic doctors; license required.	(S) Committee on Education and Health	(S) Senate subcommittee amendments and substitutes offered	01/15/21
SB 1268 - Deeds - Disposition of the remains of a decedent; persons to make arrangements for funeral and disposition.	(S) Committee on General Laws and Technology	(S) Referred to Committee on General Laws and Technology	01/11/21
SB 1320 - Lucas - Licensed certified midwives; licensure; practice.	(S) Committee on Education and Health	(S) Referred to Committee on Education and Health	01/12/21
SB 1333 - Lucas - Pharmaceutical processors; permits processors to produce & distribute cannabis products.	(S) Committee on Education and Health	(S) Referred to Committee on Education and Health	01/12/21
SB 1408 - Barker - Joint Commission on Health Care; sunset.	(S) Committee on Rules	(S) Referred to Committee on Rules	01/13/21
SB 1424 - Cosgrove - Funeral service establishments; manager of record.	(S) Committee on General Laws and Technology	(S) Referred to Committee on General Laws and Technology	01/13/21

Virginia Board of Audiology and Speech-Language Pathology
Board of Health Professions Meeting
January 21, 2021

Statistics

Last board meeting held on February 25, 2020. The next board meeting is scheduled for February 9, 2021.

Complaints

FY2017 Received - 30	FY2018 Received - 17	FY2019 Received - 43	FY2020 Received - 12
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Licenses

Audiologist	546
SLP	4556
School SLP	405
Total	5,507

Activities of the Board:

- Board staff is mostly teleworking and coming into the office as needed.
- Professional association now has a certification for assistants, but the Board does not have authority to license, register or certify assistants at this time.
- Board continues in a holding position with the licensure compact. There has been no response to requests for how the compact commission will be funded. This is problematic because the compact states that the members of the compact will be responsible for ensuring that the compact is fully funded. There are currently not enough states that have signed onto the compact to activate it.

Virginia Board of Nursing
Report to the Board of Health Professions Meeting
January 21, 2021

The Board of Nursing continues to move forward despite the complications of the COVID-19 pandemic and the obstacles it has provided. The Board resumed its many disciplinary hearings in July 2020 in person, with noteworthy staff management of the infection control and social distancing requirements to keep all participants safe. Since October 2020, Business Meetings have been conducted virtually and disciplinary hearings are moving to the virtual WebEx platform effective January 2021. The Board staff has continued with the work of the Board through largely virtual means, supporting in-person meetings as required. This has created many challenges through the past year and the staff has, as always, risen to the many challenges with strength and efficiency.

A number of issues were raised during the December 2020 Board meeting of interest to the Board of Health Professions, including the following:

1. The Board of Nursing has had, since the early 1990s, a scholarship fund for RN and LPN students called the “Mary Marshall Scholarship” to which Virginia students may apply. It is funded through \$1.00 from each licensure fee and pays out up to \$65,000.00 per year. That number is the original cap that was placed upon creation of the fund. The Scholarship, though funded by fees paid to and through the Board of Nursing, is administered by the Virginia Department of Health.

As a result of the current financial hardships for students created by the pandemic, the Board of Nursing voted to request an increase in the cap on scholarship funds available each year and also to seek to develop a Task Force (with VDH) that would consider expanding eligibility for funding to Nurse Aide students.

2. The Board received the report on the proposed revisions to the Sanction Reference Points for Certified Nurse Aides. Two areas of concern were raised:

a. The “failure to participate with DHP” was listed for scoring. Since the respondent has no obligation to participate, although it is their due process right to do so, it was requested that that item be removed from the scoring.

b. The issue of patient injury included a statement “for instance a patient injury resulting from a fall would not be scored.” The Board requested that that modifier be removed.

It should be noted that the SRPs for Certified Nurse Aides, as presented to the BHP today, have both those items removed.

3. The Final Regulations for Nurse Aide Educational Programs were presented, as part of a periodic review. Two major revisions are highlighted:

- a. The number of hours required for approval was increased from 120 to 140, including at least 20 additional hours for clinical education.
- b. Instructor training of at least 12 hours is required for all Nurse Aide instructors.

The Board of Nursing staff participated in a number of significant efforts during the last quarter of 2020. Included, among many others, were:

1. Project First Line – an initiative, with DHP and VDH, to expand and ensure infection control education to all health care providers.
2. The Clinicals Workgroup, convened with the Governor’s staff, to discuss the impact of COVID-19 on educational programs.
3. Adding APRNs to NURSYS, the national licensure and disciplinary database, which already lists RNs and LPNs. This system centralizes the information sources required.
4. As part of its approval process for pre-licensure educational programs, the Board staff participated in the provision of waivers related to licensure and education by making recommendations to the Director of DHP. These waivers posted on the BON website and communicated to stakeholders provided relief and increased flexibility while maintaining educational standards and work to assure adequate workforce in the Commonwealth.

It is difficult to overstate the accomplishments of the staff of the Board of Nursing during the last difficult year. While handling increasing numbers of licensees, educational programs and disciplinary actions, they have continued to adapt through serious challenges to serve the needs of the Department and of the citizens of the Commonwealth. Board Members, many of whom are involved in the delivery of care, have remained available for meetings and hearings and continued to carry out their duty to protect the public during an unprecedented and difficult time.

Respectfully submitted,

Louise Hershkowitz, CRNA, MSHA

**Virginia Board of Optometry
Board of Health Professions Meeting
January 21, 2021**

Statistics

Last board meeting held on October 16, 2020. The February 12, 2021, board meeting is cancelled. The next board meeting is scheduled for July 16, 2021.

Complaints

FY2018 Received - 42	FY2019 Received - 29	FY2020 Received - 35	July – November FY2021 Received - 18
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Licenses

Y-T-D as of 02/20/19

Total – 2,023	TPA – 1,676	DPA – 87
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Activities of the Board:

- Board staff is mostly teleworking and coming into the office as needed.
- Regulatory action to repeal Professional Designations became effective on 10/29/2020.
- Regulatory action for e-prescribing waiver is in the Governor’s office awaiting review. To date only six waiver requests have been received and granted. The waivers expire on June 30, 2021.
- During the Board’s October meeting, the following actions were taken:
 - o Voted to adopt Proposed Regulations for Waiver of Electronic Prescribing.
 - o Voted to adopt Exempt Action on Addition to the TPA-Formulary.
 - o Discussed the issue of continuing education and took no action to make any changes because there are numerous opportunities for licensees to attend online courses where the licensee and the lecturer may communicate with one another as required by regulations.
- Amendments to the Federal Contact Lens Rule became effective on October 16, 2020. After discussion, the Board took no regulatory action, but will continue to monitor for possible regulatory changes.

**Virginia Board of Veterinary Medicine
Board of Health Professions Meeting
January 21, 2021**

Statistics

Last board meeting held on July 28, 2020. The October 29, 2020, board meeting was cancelled. The next board meeting is scheduled for March 11, 2021.

Complaints

FY2018 Received - 217	FY2019 Received - 247	FY2020 Received - 463	1 st QTR FY2021 Received – 82
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Licenses

Type of Licensee	Total # of Licensees
Veterinarian	4,647
Faculty Veterinarian	93
Intern/Resident Veterinarian	57
Veterinary Technician	2,448
Equine Dental Technician	24
Veterinary Establishment – Ambulatory	300
Veterinary Establishment - Stationary	890

Activities of the Board:

- Board staff is mostly teleworking and coming into the office as needed.
- Board held several informal conferences virtually.
- Veterinary Establishment Inspection Committee met virtually on 9/30/20 and 12/17/20 to discuss possible changes to the regulations related to veterinary establishments.
- Board recently sent out a mass emails with information from the U.S. Fish and Wildlife Service regarding stolen falcons a federally protected bird and information from VDH about the first confirmed Virginia cat testing positive for SARS-CoV-2.

VIRGINIA BOARD OF SOCIAL WORK BYLAWS

ARTICLE I: AUTHORIZATION

A. Statutory Authority

The Virginia Board of Social Work (“Board”) is established and operates pursuant to §§ 54.1-2400 and 54.1-3700, et seq., of the *Code of Virginia*. Regulations promulgated by the Virginia Board of Social Work may be found in 18VAC140-20-10 et seq., “Regulations Governing the Practice of Social Work”.

B. Duties

The Virginia Board of Social Work is charged with promulgating and enforcing regulations governing the licensure and practice of social work and clinical social work in the Commonwealth of Virginia. This includes, but is not limited to: setting fees; creating requirements for and issuing licenses, certificates, or registrations; setting standards of practice; and implementing a system of disciplinary action.

C. Mission

To ensure the delivery of safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to healthcare practitioners and the public.

ARTICLE II: THE BOARD

A. Membership

1. The Board shall consist of nine (9) members, appointed by the Governor as follows:
 - a. Seven (7) shall be licensed social workers in Virginia, who have been in active practice of social work for at least five years prior to appointment and,
 - b. Two (2) shall be citizen members.
2. The terms of the members of the Board shall be four (4) years.
3. Members of the Board of Social Work holding a voting office in any related professional association or one that takes a policy position on the regulations of the Board shall abstain from voting on issues where there may be a conflict of interest present.

B. Officers

1. The Chairperson or designee shall preserve order and conduct all proceedings according to parliamentary rules, the Virginia Freedom of Information Act, and the Administrative Process Act. Roberts Rules of Order will guide parliamentary procedure for the meetings. Except where specifically provided otherwise by the law or as otherwise ordered by the Board, the Chairperson shall appoint all committees, and shall sign as Chairperson to the certificates authorized to be signed by the Chairperson.

2. The Vice-Chairperson shall act as Chairperson in the absence of the Chairperson and assume the duties of Chairperson in the event of an unexpired term.
3. In the absences of the Chairperson and Vice-Chairperson, the Chairperson shall appoint another board member to preside at the meeting and/or formal administrative hearing.

C. Duties of Members

1. Each member shall participate in all matters before the Board.
2. Members shall attend all regular and special meetings of the Board unless prevented by illness or similar unavoidable cause. In the event of two (2) consecutive unexcused absences at any meeting of the Board or its committees, the Chairperson shall make a recommendation to the Director of the Department of Health Professions for referral to the Secretary of Health and Human Resources and Secretary of the Commonwealth.
3. The Governor may remove any Board member for cause, and the Governor shall be sole judge of the sufficiency of the cause for removal pursuant to §2.2-108.

D. Election of Officers

1. The Nomination Committee shall present a slate of officers for Chairman and Vice-Chairman at the meeting scheduled prior to July 1. The election of officers shall occur at the first scheduled Board meeting following July 1 of each year, and elected officers shall assume their duties at the end of the meeting.
2. Officers shall be elected at a meeting of the Board with a quorum present.
3. The Chairperson shall ask for additional nominations from the floor by office.
4. Voting shall be by voice vote, roll call, or show of hands. A simple majority shall prevail with the current Chairperson casting a vote only to break a tie.
5. Special elections shall be held in the same manner in the event of a vacancy of a position to fill the unexpired term.
6. The election shall occur in the following order: Chairperson, Vice-Chairperson.
7. All officers shall be elected for a term of one year, and may serve no more than two consecutive terms.

E. Meetings

1. The full Board shall meet quarterly, unless a meeting is not required to conduct Board business.
2. Order of Business at Meetings:
 - a. Period of Public Comment
 - b. Approval of Minutes of preceding regular Board meeting and any called meeting since the last regular meeting of the Board.
 - c. Reports of Officers and staff
 - d. Reports of Committees
 - e. Election of Officers (as needed)

- f. Unfinished Business
- g. New Business
- 3. The order of business may be changed at any meeting by a majority vote.

ARTICLE III: COMMITTEES

A. Duties and Frequency of Meetings.

- 1. Members appointed to a committee shall faithfully perform the duties assigned to the committee.
- 2. All standing committees shall meet as necessary to conduct the business of the Board.

B. Standing Committees

Standing committees of the Board shall consist of the following:

Regulatory/Legislative Committee
Special Conference Committee
Credentials Committee
Nomination Committee
Any other Standing Committees created by the Board.

1. Regulatory/Legislative Committee

- a. The Regulatory/Legislative Committee shall consist of at least two (2) Board members appointed by the Chairperson of the Board.
- b. The Chairperson of the Committee shall be appointed by the Chairperson of the Board.
- c. The Committee shall consider all questions bearing upon state legislation and regulation governing the professions regulated by the Board.
- d. The Committee shall recommend to the Board changes in law and regulations as it may deem advisable and, at the direction of the Board, shall take such steps as may further the desire of the Board in matters of legislation and regulation.
- e. The Chairperson of the Committee shall submit proposed changes in applicable laws and regulations in writing to the Board prior to any scheduled meeting.

2. Special Conference Committee

- a. The Special Conference Committee shall consist of two (2) Board members.
- b. The Special Conference Committee shall conduct informal conferences pursuant to §§2.2-4019, 2.2-4021, and 54.1-2400 of the *Code of Virginia* as necessary to adjudicate cases in a timely manner in accordance with the agency standards for case resolution.
- c. The Special Conference Committee shall hold informal conferences at the request of the applicant or licensee to determine if Board requirements have been met.
- d. The Chairperson of the Board shall designate another board member as an alternate on this committee in the event one of the standing committee members becomes ill or is unable to attend a scheduled conference date.

- e. Should the caseload increase to the level that additional special conference committees are needed, the Chairperson of the Board may appoint additional committees.

3. Credentials Committee

- a. The Credentials Committee shall consist of at least two (2) Board members appointed by the Chairman of the Board, with the Chairman of the Committee to be appointed by the Chairman of the Board.
- b. The members of the committee shall review non-routine licensure applications to determine the credentials of the applicant and the applicability of the statutes and regulations.
- c. The Committee member who conducted the initial review shall provide guidance to staff on action to be taken.
- d. The Credentials Committee shall not be required to meet collectively to conduct initial reviews.

4. Nomination Committee

- a. The Nomination Committee shall be composed of at least two members of the Board appointed by the Chairman of the Board, with the Chairman of the Committee to be appointed by the Chairman of the Board.
- b. The Nomination Committee shall consult with Bard members and staff to recommend nominee(s) for the Board positions of Chairman and Vice-Chairman.
- c. Sitting officers shall not serve on the Nomination Committee.

ARTICLE IV: GENERAL DELEGATION OF AUTHORITY

The Board delegates the following functions:

1. The Board delegates to Board staff the authority to issue and renew licenses, certificates, or registrations and to approve supervision applications for which regulatory and statutory qualifications have been met. If there is basis upon which the Board could refuse to issue or renew the license or certification or to deny the supervision application, the Executive Director may only issue a license, certificate, or registration upon consultation with a member of the Credentials Committee, or in accordance with delegated authority provided in a guidance document of the Board.
2. The Board delegates to Board staff the authority to develop and approve any and all forms used in the daily operations of Board business, to include, but not be limited to, licensure and registration applications, renewal forms, and documents used in the disciplinary process.

3. The Executive Director shall be the custodian of all Board records. He/she shall preserve a correct list of all applicants and licensees, shall manage the correspondence of the Board, and shall perform all such other duties as naturally pertain to this position.
4. The Board delegates to the Executive Director the authority to grant an accommodation of additional testing time or other requests for accommodation to candidates for Board-required examinations pursuant to the Americans with Disabilities Act, provided the candidate provides documentation that supports such an accommodation.
5. The Board delegates to the Executive Director authority to grant an extension for good cause of up to one (1) ~~year~~ renewal cycle for the completion of continuing education requirements upon written request from the licensee prior to the renewal date.
6. The Board delegates to the Executive Director authority to grant an exemption for all or part of the continuing education requirements due to circumstances beyond the control of the licensee or certificate holder, such as temporary disability, mandatory military service, or officially declared disasters.
7. The Board delegates to the Executive Director the authority to reinstate a license or certificate when the reinstatement is due to the lapse of the license or certificate rather than a disciplinary action and there is no basis upon which the Board could refuse to reinstate.
8. The Board delegates to the Executive Director the authority to sign as entered any Order or Consent Order resulting from the disciplinary process or other administrative proceeding.
9. The Board delegates to the Executive Director, who may consult with a member of the Special Conference Committee, the authority to provide guidance to the agency's Enforcement Division in situations wherein a complaint is of questionable jurisdiction and an investigation may not be necessary.
10. The Board delegates authority to the Executive Director to close non-jurisdictional cases and fee dispute cases without review by a Board member.
11. The Board delegates to the Executive Director the authority to review alleged violations of law or regulations with a Board member to make a determination as to whether probable cause exists to proceed with possible disciplinary action.
12. In accordance with established Board guidance documents, the Board delegates to the Executive Director the determination of probable cause, for the purpose of offering a confidential consent agreement, a pre-hearing consent order, or for scheduling an informal conference.

13. The Board delegates to the Executive Director the selection of the agency subordinate who is deemed appropriately qualified to conduct a proceeding based on the qualifications of the subordinate and the type of case being convened.
14. The Board delegates to the Executive Director the convening of a quorum of the Board by telephone conference call, for the purpose of considering the summary suspension of a license or for the purpose of considering settlement proposals.
15. The Board delegates to the Chairperson, the authority to represent the Board in instances where Board “consultation” or “review” may be requested where a vote of the Board is not required and a meeting is not feasible.
16. The Board delegates authority to the Executive Director to issue an Advisory Letter to the person who is the subject of a complaint pursuant to Virginia Code § 54.1-2400.2(F), when it is determined that a probable cause review indicates a disciplinary proceeding will not be instituted.
17. The Board delegates authority to the Executive Director to delegate tasks to the Deputy Executive Director, as necessary.

ARTICLE V: AMENDMENTS

Proposed amendments to these bylaws shall be presented in writing to all Board members, the Executive Director of the Board, and the Board’s legal counsel prior to any scheduled Board meeting. Amendments to the bylaws shall become effective with a favorable vote of at least two-thirds of the members present at that regular meeting.

Adopted: 12/17/96

Revised: 10/3/2008; 4/17/2009; 10/25/2013; 10/27/2017; 6/15/2018