

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

MINUTES

Friday, April 11, 2008

The Regulatory Committee of the Virginia Board of Social Work ("Board") meeting convened at 9:30 a.m. on Friday, April 11, 2008 at the Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia. Mr. Wayne Martin called the meeting to order.

COMMITTEE MEMBERS

PRESENT:

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

COMMITTEE MEMBERS

ABSENT:

Jill Smeltzer

OTHER BOARD MEMBERS

PRESENT:

David Boehm, Chair, Board of Social Work
Dolores Paulson, Board Member

STAFF PRESENT:

Emily Wingfield, Chief Deputy Director
Evelyn B. Brown, Executive Director
Elaine Yeatts, Senior Policy Analyst
Catherine Chappell, Administrative Assistant
Howard Casway, Senior Assistant Attorney General

OTHERS PRESENT:

Alice Kassabian, LCSW, Chair, Virginia
Legislation and Advocacy Committee of Greater
Washington Society for Clinical Social Work
Albert Kassabian
Joseph Lynch, LCSW
Debra Riggs, NASW-VA
Mark O'Shea, LCSW, Virginia Society of Clinical
Social Workers

ORDERING OF AGENDA

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

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES

Susan Horne-Quatannens moved that the minutes from the January 10, 2008 Regulatory Committee be approved as written. The motion was seconded and carried.

REVIEW OF PUBLIC COMMENT ON PROPOSED REGULATIONS AND PROPOSED RESPONSES

Mr. Martin referred the Committee to the public comments received regarding the proposed regulations and the drafted proposed responses.

Ms. Horne-Quatannens asked Mr. Casway to provide clarification of the rationale behind the proposed standards of conduct language prohibiting any sexual contact with a former client for five years, in light of the public comment received requesting that no such time frame be prescribed.

Mr. Casway noted that the proposed changes to 18VAC140-20-150 extends the time frame for prohibition from two years to five years. He stated that the Board's statutory language is separate from any voluntary association's code of ethics. While an absolute prohibition of sexual contact with a former client can be imposed, it could be subject to challenge in court. He suggested that the Board adopt the less restrictive alternative. Additionally, he noted that the change in time frame from two years to five years was consistent with other regulatory boards' statutory language.

He recommended that the Board adopt the proposed regulations as presented and that any further change in time frame be presented to the General Assembly for consideration as a statutory requirement.

Ms. Yeatts presented the draft responses to the public comment for the Committee's consideration. She noted that she would add language to the responses to include Mr. Casway's clarification that a permanent prohibition would not be defensible and to note the differences between aspirational standards for professionalism set by a voluntary association as opposed to regulatory standards for which a practitioner could be disciplined and possibly lose his or her right to practice. She would revise the responses and present the updated version at the upcoming Board meeting.

Ms. Yeatts also referenced the draft response to comments regarding a registry of supervisors and number of hours of continuing education required. Mr. Boehm added that ASWB is currently drafting language on supervisor training which will be helpful in this regard.

Mr. Greene moved to recommend that the Board adopt the draft public comment responses, to include discussed revisions by Ms. Yeatts. The motion was seconded and carried.

DISCUSSION OF “CLINICAL COURSE OF STUDY”

Dr. Paulson presented an updated draft of educational courses necessary for an applicant to qualify to sit for the LCSW examination. She stated that the draft reflected the Committee’s discussions with representatives of the Virginia schools of social work and was prepared in response to the Board’s need to establish a definition of the critical elements of a “clinical course of study”.

Ms. Wingfield proposed revisions to the first paragraph of the draft for clarity and suggested incorporating references to Masters and Doctoral programs in both the first paragraph and last paragraph. She offered to revise the draft accordingly, and present it at the upcoming Board meeting for consideration.

CONSIDERATION OF GUIDANCE DOCUMENT ON “CLINICAL COURSE OF STUDY”

Ms. Yeatts stated that a Notice of Intended Regulatory Action was in process regarding proposed revisions to the definition of “Clinical Course of Study”. In the meantime, she advised that, while a guidance document in this regard could not be used in denying an applicant, it would be a helpful tool to both students and schools in preparing for clinical social work licensure.

Ms. Horne-Quatannens recommended submission of Dr. Paulson’s draft document, with revisions by Ms. Wingfield, to the Board, with the recommendation that the Board adopt it as a guidance document. The motion was seconded and carried unanimously.

ADJOURNMENT

There being no further business to come before the Regulatory Committee Meeting adjourned at 11:10 a.m.

Wayne Martin, Chair

Evelyn B. Brown, Executive Director