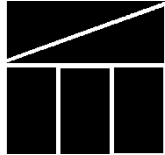


Adverse impact notification sent to Joint Commission on Administrative Rules, House Committee on Appropriations, and Senate Committee on Finance (COV § 2.2-4007.04.C): Yes<sup>1</sup>  Not Needed

If/when this economic impact analysis (EIA) is published in the *Virginia Register of Regulations*, notification will be sent to each member of the General Assembly (COV § 2.2-4007.04.B).



## Virginia Department of Planning and Budget Economic Impact Analysis

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**18 VAC 140-20 Regulations Governing the Practice of Social Work**  
**Department of Health Professions**  
**Town Hall Action/Stage: 5191 / 8486**  
March 27, 2019

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### **Summary of the Proposed Amendments to Regulation**

The Board of Social Work (Board) proposes amendments to: 1) clarify that the definition of “face-to-face” includes the contact a supervisee and a client must have, 2) reduce the number of hours of continuing education (CE) required to become an approved supervisor, 3) and eliminate the requirement that those hours must be repeated every five years to remain an approved supervisor.

### **Result of Analysis**

The benefits likely exceed the costs for all proposed changes.

### **Estimated Economic Impact**

Among the requirements to become a licensed clinical social worker, applicants must complete a minimum of 3,000 hours of supervised post-master's degree experience in the delivery of clinical social work services and in ancillary services that support such delivery. Supervisees must obtain throughout their hours of supervision a minimum of 1,380 hours of supervised experience in face-to-face client contact in the delivery of clinical social

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<sup>1</sup> Adverse impact is indicated if there is any increase in net cost for any entity, even if the benefits exceed the costs for all entities combined.

work services. The remaining hours may be spent in ancillary services supporting the delivery of clinical social work services.

The Board proposes to amend the definition “face-to-face” to clarify that the requirement may be met by the physical presence of the individuals or by the use of technology that provides real-time, visual contact among the individuals involved. To the extent that some supervisees did not know that the use of technology that provides real-time, visual contact would count toward this requirement, the clarification may reduce their burden in fulfilling the face-to-face client contact requirement.

“Supervision” is defined in the regulation as “professional relationship between a supervisor and supervisee in which the supervisor directs, monitors and evaluates the supervisee's social work practice while promoting development of the supervisee's knowledge, skills and abilities to provide social work services in an ethical and competent manner.” The current regulation requires that the supervisor has received professional training in supervision, consisting of a three credit-hour graduate course in supervision or at least 14 contact hours of CE offered by an approved provider. These hours can be part of the 30 contact hours of CE required for license renewal every two years.

The Board proposes that the required hours of CE that are dedicated to supervision training be reduced from 14 to 12. The Board believes that 12 hours are sufficient for competence, and are easier to obtain in a two-day conference. This would not reduce the total amount of CE required for license renewal, but would enable licensees to spend two hours of training in coursework that they may find more useful and potentially less costly. Thus, this proposed amendment would likely produce a net benefit.

Additionally, the current regulation specifies that the graduate course or hours of continuing education in supervision be obtained by a supervisor within five years immediately preceding registration of supervision. Removal of this restriction would also likely enable supervisors to spend their CE time more productively without significantly affecting their competence as supervisors.

**Businesses and Entities Affected**

The proposed amendments affect the 2,039 registered clinical social worker supervisees and their supervisors.

**Localities Particularly Affected**

The proposed amendments do not disproportionately affect particular localities.

**Projected Impact on Employment**

The proposed amendments are unlikely to significantly affect total employment.

**Effects on the Use and Value of Private Property**

The proposed amendments are unlikely to significantly affect the use and value of private property.

**Real Estate Development Costs**

The proposed amendments would not affect real estate development costs.

**Small Businesses:****Definition**

Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

**Costs and Other Effects**

The proposed amendments may moderately reduce costs for small firms that employ clinical social workers.

**Alternative Method that Minimizes Adverse Impact**

The proposed amendments do not adversely affect small businesses.8523

**Adverse Impacts:****Businesses:**

The proposed amendments do not adversely affect businesses.

**Localities:**

The proposed amendments do not adversely affect localities.

**Other Entities:**

The proposed amendments do not adversely affect other entities.

**Legal Mandates**

**General:** The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 14 (as amended, July 16, 2018). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

**Adverse impacts:** Pursuant to Code § 2.2-4007.04(C): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.