

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: John Salay, MSW, LCSW, Committee Chair

COMMITTEE MEMBERS PRESENT: Maria Eugenia del Villar, MSW, LCSW
Michael Hayter, MSW, LCSW, CSAC
Gloria Manns, MSW, LCSW
Dolores Paulson, PhD, LCSW

BOARD STAFF PRESENT: Latasha Austin, Licensing & Operations Manager
Jaime Hoyle, J.D., Executive Director
Jennifer Lang, Deputy Executive Director- Discipline
Charlotte Lenart, Deputy Executive Director- Licensing
Sharniece Vaughan, Licensing Specialist

DHP STAFF PRESENT: Matt Treacy, Conferencing & Video Specialist, Department of Health Professions
Henry Fisher, Video Conference Specialist, Department of Health Professions
Rebecca Schultz, Policy Specialist, Department of Health Professions
Elaine Yeatts, Senior Policy Analyst, Regulatory Compliance Manager, Department of Health Professions

VIRTUAL PUBLIC ATTENDEES: none

CALL TO ORDER: Mr. Salay called the virtual regulatory committee meeting to order at 1:01 p.m.

ROLL CALL/ESTABLISHMENT OF A QUORUM: Mr. Salay requested a roll call by Ms. Austin. Ms. Austin announced that five members of the committee were present at roll call; therefore, a quorum was established.

Ms. Austin conducted a roll call of staff.

MISSION STATEMENT: Ms. Austin read the mission statement of the Department of Health Professions, which is also the mission statement of the Committee and Board.

APPROVAL OF MINUTES: Ms. Manns made a motion, which Mr. Hayter properly seconded, to approve the meeting minutes from the Regulatory Committee Meeting held on September 24, 2020 as written. Ms. Austin conducted a roll call vote. With five members present at the time of roll call, the motion passed with five unanimous votes in favor.

PUBLIC COMMENT: The Association of Social Work Boards (ASWB) provided public comment related to the Petition for Rulemaking. The Committee would later address the comment under new business on the agenda. No other public comment was provided.

UNFINISHED BUSINESS: I. The Committee revisited the training requirement for supervisors. Currently, the regulations require that a supervisor must have received professional training in supervision, consisting of a three credit-hour graduate course in supervision or at least 14 hours of continuing education offered by a provider approved under 18VAC140-20-105 and that the professional training in supervision must be completed every 5 years. The Committee reviewed and discussed a comparison of other state requirements for training for supervisors that staff included in the agenda packet.

Motion: Dr. Paulson made a motion, which Ms. del Villar properly seconded, to recommend to the full Board to reduce the amount of professional training hours in supervision that a supervisor must complete every five years from 14 hours to seven hours.

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

To receive Board approval as a supervisor, the Regulations still require supervisor applicants initially to complete 14 hours of supervision training, but the Board only requires seven hours every five years to remain a board approved supervisor.

NEW BUSINESS:

I. Petition for Rulemaking

Ms. Yeatts discussed with the Committee a Petition for Rulemaking submitted to the Board by Florine Edmunds requesting to extend the requirement for passage of the licensing examination and allow an additional one to three years for remediation, training and equitable opportunities. Additionally, Ms. Edmunds requested the reduction in the passing score by 10 points and provided study sheets for retaking examination.

There was one comment on the petition from the ASWB, the body that owns the licensing examination. After discussion, the Committee made the following recommendations:

Motion: Dr. Paulson made a motion, which Mr. Hayter properly seconded to recommend to the full Board to decline to initiate rulemaking in response to the petition.

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

The consensus was that lowering the cut score for passage of the national examination would jeopardize acceptance of Virginia applicants for licensure in other states. Additionally, an analysis by experts and the ASWB determine the passing score for all candidates, and no basis exists for Virginia choosing a different score.

Motion: Dr. Paulson made a motion, which Ms. del Villar properly seconded, to recommend to the full Board to decline to initiate rulemaking in response to the petition to extend further the period during which the Board can approve someone to sit for the examination.

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

In its comment, ASWB noted that Virginia is more generous than many other states in the number of times someone can attempt passage and the amount of time given to do so.

II. Recommendation for adoption of Advisory Board on Music Therapy Notice of Intended Regulatory Action (NOIRA)

Ms. Yeatts discussed with the Committee the recommendation that the Advisory Board on Music Therapy made at their first meeting held on February 19, 2021.

Motion: Dr. Paulson made a motion, which Ms. del Villar properly seconded, to recommend to the full Board to adopt a Notice of Intended Regulatory Action (NOIRA) for Chapter 30, Regulations Governing the Licensure of Music Therapist.

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

III. Aligning LMSW to clinical LCSW track

The Committee discussed aligning the LMSW to the LCSW track. After much discussion, the Committee decided to conduct more research on the matter for clarity. Specifically, the Committee decided to research if there is another state (s) that has regulations similar to what alignments the Committee suggests and to discuss any changes the Committee needs to make at the next meeting.

IV. Amending the Bylaws

Ms. Hoyle reviewed the Virginia Board of Social Work Bylaws with the Committee.

Motion: Ms. Manns made a motion, which Mr. Hayter properly seconded, to recommend to the full Board to amend Article IV (5) under the General Delegation of Authority section of the bylaws as follows:

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.

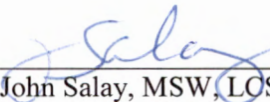
Ms. Austin conducted a roll call vote. With five members present at the time of roll call, the motion passed with five unanimous votes in favor.

NEXT MEETING:

Mr. Salay announced that the next Regulatory Committee Meeting would occur on July 22, 2021 at 1:00pm.

ADJOURNMENT:

Mr. Salay adjourned the March 11, 2021 Regulatory Committee meeting at 3:10p.m.



John Salay, MSW, LCSW, Committee Chair



Jaime Hoyle, Executive Director