

**THE VIRGINIA BOARD OF SOCIAL WORK
QUARTERLY BOARD MEETING MINUTES
Friday, December 6, 2019**

The Virginia Board of Social Work ("Board") convened a meeting at 10:00 a.m. on Friday, December 6, 2019 at the Department of Health Professions, 9960 Mayland Drive, Henrico Virginia, in Board Room 1.

PRESIDING OFFICER: John Salay, L.C.S.W., Chair

COMMITTEE MEMBERS PRESENT: Canek Aguirre, Citizen Member (*joined meeting at 10:18am*)
Maria Eugenia del Villar, L.C.S.W.
Michael Hayter, L.C.S.W., C.S.A.C.
Dolores Paulson, L.C.S.W., Ph.D.
Joseph Walsh, L.C.S.W., Ph.D.

COMMITTEE MEMBERS ABSENT: Angelia Allen, Citizen Member
Jamie Clancey, LC.S.W.
Gloria Manns, L.C.S.W.

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

OTHERS PRESENT: Elaine Yeatts, Senior Policy Analyst, Department of Health Professions
David E. Brown, D.C., Director, Department of Health Professions
Barbara Allison-Bryan, M.D., Chief Deputy Director, Department of Health Professions

BOARD COUNSEL PRESENT: James E. Rutkowski, Assistant Attorney General

IN THE AUDIENCE: Dwight Hymans, Chief Operating Officer, Association of Social Work Boards (ASWB)
Sue Klaas, Department of Medical Assistance Services (DMAS)

CALL TO ORDER:
Mr. Salay called the meeting to order at 10:03 a.m.

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

MISSION STATEMENT:
Mr. Salay read the mission statement of the Department of Health Professions, which was also the mission statement of the Committee and Board.

EMERGENCY EGRESS:
Mr. Salay announced the Emergency Egress procedures.

ADOPTIONS OF AGENDA:
Upon a motion by Dr. Walsh, which was properly seconded by Mr. Hayter, the agenda was adopted as received. The motion passed unanimously.

APPROVAL OF MINUTES:

Upon a motion by Dr. Walsh, which was properly seconded by Mr. Hayter, the meeting minutes from the Quarterly Board Meeting held on September 20, 2019 were approved as written. The motion passed unanimously.

PUBLIC COMMENT:

No public comment was provided.

AGENCY REPORT:

Dr. Brown reported that the Board member training held in October was successful. He reported that the survey conducted regarding the training indicated that the training was well received.

Dr. Brown informed the Board that the Agency continues to work on updating the Agency website, which will make it easier for new applicants and renewals to navigate. The Board's website should be one of the next to be updated. Dr. Brown solicited the Board Members help to review the website and provide suggestions and feedback to Board staff.

Dr. Allison-Bryan informed the Board about the new enhanced and improved security measures for the building. The Agency has implemented new security measures in response to recent assessments by the Henrico County Police and the Virginia State Police. All visitors now entering the building must show identification and must sign-in at the security desk in the front lobby. The Agency has issued all Board members temporary badges that will give them access to the Conference Center level of the building. More changes and updates to improve security in the building are forthcoming.

BOARD CHAIR REPORT:

Mr. Salay reported on the ASWB annual meeting. Mr. Salay reported that former Board chair; Yvonne Hayes ran for an office but unfortunately did not win. Mr. Salay also reported that ASWB has taken new security measure for the tests that they administer.

Mr. Salay requested that Mr. Hymans share with the Board information that was provided at the Annual Meeting regarding Board consolidation. Mr. Hymans informed the Board that there is an on-going trend for Board consolidation. As an example, in some states the Boards of Counseling and Psychology may consolidate as one Board instead of two independent Boards. Mr. Hymans indicated that ASWB's preference is that Boards of Social Work remain as an independent Board. ASWB feels Boards work better when they have subject matter experts on their Boards.

LEGISLATION & REGULATORY ACTIONS:*Status of Regulatory Action*

- Ms. Yeatts informed the Board that there have been some updated to the Regulatory Actions since the November 20th chart that was provided in the agenda packet.
 - The action related to Conversion Therapy is now at the Secretary's Office.
 - The action to change the return check fee will become effective February 6, 2020.
- Ms. Yeatts informed the Board that as of date one bill relating to the Board of Social Work has been introduced to the 2020 General Assembly Session, Senate Bill No. 53. At this time Ms. Yeatts is not sure of the intent of the bill as the Board already has requirements for licensure by endorsement. Ms. Yeatts informed the Board that Senator Stanley's office has been contacted, but as of date no response has been received (See Attachment 1)

BOARD COUNSEL'S REPORT:

Mr. Rutkowski informed the Board about a case currently in Federal Court in Maryland regarding Conversion Therapy. Mr. Rutkowski advised the Board that the decision on this matter may have some effect on how Virginia handles matters regarding Conversion Therapy.

COMMITTEE REPORTS:

- *Board of Health Professions Report*

Mr. Salay shared with the Board how at the recent meeting held, a PowerPoint presentation was presented on the Sanction Reference Point (SRP) Worksheets and how Board Members should use them

- *Regulatory Committee Report*

Dr. Walsh informed the Board that the Committee convened on Thursday, December 5, 2019 and that the Committee had no recommendation at this time. Dr. Walsh informed the Board that there was a lot of discussion regarding the scope of practice for a LMSW and if the LMSW license should be a prerequisite for licensure as a LCSW. Dr. Walsh informed the Board that the Committee feels that the scope of practice for a LMSW needs to be better defined and that there should be a clearer pathway to licensure. Dr. Walsh also informed the Board that the Committee has been discussing providing better resources to supervisors for supervision training. The Committee also continues to work on clarifications within the regulations as well as expansion of regulations related to boundary issues.

Mr. Salay requested that Mr. Hymans provide some insight about what the ASWB Model Laws regarding the Scope of Practice for a LMSW. Mr. Hymans advised the Board that the ASWB Model Law was not created by ASWB but was created by a Committee of representatives from different jurisdictions and Boards. Mr. Hymans also advised that ASWB recognizes that not every state will be able to comply with the Model Law.

Dr. Walsh added that the Committee is struggling with the issue that a LMSW can work independently as a generalist, but cannot if they are practicing clinically. The question was asked what would be the purpose to require a LMSW as a prerequisite for licensure as a LCSW? What would be gained by requiring them to have this license and be required to take an additional exam? Dr. Brown pointed out that the Board needs to make sure they are not looking at creating barriers that would make it harder for persons to enter into the workforce.

Dr. Walsh informed the Board that at the next Regulatory Committee Meeting, the Committee will discuss Exceptions in the Code and suggested adoptions from 301 of the Model Code.

EXECUTIVE DIRECTOR'S REPORT:

Ms. Hoyle gave the financial report for the Board of Social Work. A copy of the report given was included in the agenda packet. Ms. Hoyle also reported that Charlotte Lenart has been promoted from the Licensing Manager for the Board of Counseling to the Deputy Executive Director for the Boards of Counseling, Psychology and Social Work.

DISCIPLINE REPORT:

Ms. Lang reported on the disciplinary statistics for the Board of Social Work. A copy of the report given was included in the agenda packet.

LICENSING MANAGER'S REPORT:

Ms. Austin reported on the licensing and examination statistics for the Board of Social Work. A copy of the report given was included in the agenda packet.

LICENSING UNIT REPORT:

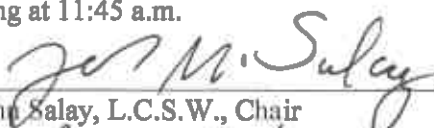
Ms. Lenart informed the Board that she will be looking at the application process for Registration of Supervision by Initial Registration and by Add/Change to see what updates and changes can be made to streamline the process. Ms. Lenart reported that she will have an update on what changes have been made at the next meeting. Ms. Lenart also updated the Board on the actions currently underway for the Boards of Counseling and Psychology. (See Attachment 2)


NEXT MEETING:

Mr. Salay announced that the next Quarterly Board Meeting would occur on March 13, 2020 at 10:00am.

ADJOURNMENT:

Mr. Salay adjourned the December 6, 2019 Quarterly Board meeting at 11:45 a.m.


John Salay, L.C.S.W., Chair


Jaime Hoyle, Executive Director

2020 SESSION

INTRODUCED

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SENATE BILL NO. 53
Offered January 8, 2020
Filed November 18, 2019

A BILL to amend the Code of Virginia by adding a section numbered 54.1-3707.2, relating to Board of Social Work; licensure by endorsement.

Patron—Stanley

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Referred to Committee on Rehabilitation and Social Services

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Be it enacted by the General Assembly of Virginia:
1. That the Code of Virginia is amended by adding a section numbered 54.1-3707.2 as follows:
§ 54.1-3707.2. Licensure by endorsement.
The Board may issue a license by endorsement to an applicant to practice social work if the applicant has been licensed to practice social work under the laws of another state, the District of Columbia, or a United States possession or territory, and, in the opinion of the Board, the applicant meets the qualifications required of licensed social workers in the Commonwealth. The Board shall establish in regulations the requirements for licensure by endorsement.

INTRODUCED

SBS3



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Members of the Board of Counseling
From: Charlotte Lenart, Deputy Executive Director Report
RE: Deputy Director Licensing Report
Date: December 6, 2019

In my new role as the Deputy Executive Director for Licensing, I will provide support to Ms. Hoyle for the Boards of Counseling, Psychology and Social Work by managing and coordination licensing processes and staff, providing support and suggestions for the regulatory processes and represent the Boards at outside conferences and meeting when Ms. Hoyle has a conflict. For those who do not know, I was with the Board of Social Work for approximately 5 years before becoming the licensing manager for the Board of Counseling.

I would like to share a quick snap shot of issues and items from Psychology and Counseling.

Psychology: 14 actions underway with 1 scheduled to be published

1. Exam changes – the ASPPB recently added a part 2 to the examination to assess competency. Currently the EPPP Part 1 tests knowledge whereas part 2 will test and assess competency. The Board decided not be an early adopter of the part 2 exam but will revisit this next year.
2. Master's Level Psychology licensure – APA is studying a move toward accrediting master level psychology programs. The Board agreed to research and to conduct a stakeholders meeting with graduate and doctorate programs to discuss this issue and the EPPP part 2 exam.
3. Renewal fee reduction for 2020.
4. Discussion on the PSYPACT which was created to help facilitate telehealth and temporary in-person, face-to-face practice of psychology across jurisdictional boundaries. The Board will move forward with being a member of the PSYPACT in the future.
5. Utilize and implement the ASPPB PLUS system which is an online management system. This system will allow applicants to bank their information and help in the pursuit of mobility.
6. Regulations regarding conversion therapy – same as SW
7. Proposed Periodic Reviews of the regulations are ongoing and the Board will adopt



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Counseling: (10 current action 1 scheduled to be published and 4 actions that became effective within the last 90 days)

1. QMHP and PEER Regulations changed on November 13, 2019. Allowing for foreign degrees to be considered, amending the definition of QMHP-C (up to the age of 22) requiring NPDB, reducing requirements for licensed occupational therapist and providing other clarifications. PEER changes included the required renewal ethics requirement from 1 to 2, requiring the NPDB and adding a provider for CE.
2. The Counseling Board now has clear authority to regulate QMHP-Trainees and recently adopted exempt action to reduce the fees for QMHP-Trainees and adopted fast track regulations to provide specific educational requirements for QMHP-trainees
3. Regulations allowing residents in counseling, marriage and family therapy and substance abuse treatment to hold a residency license will go into effect on 12/23/2019. I would be happy to answer any questions you may have on this change.
4. Periodic review for all LPC, LMFT, LSATP, CRP are underway
5. CSAC regulations updating requirements are pending at the Governor's office
6. CACREP requirements for LPC education requirements will be withdrawn
7. Conversion therapy – same as stage as Social Work
8. Adoption of final regulations to allow the acceptance of foreign degrees for LPC, LMFT and LPC.
9. Regulations were recently amended to allow doctoral practicum/Internship hours to be counted toward residency without being registered with the Board.
10. Denied petitioners request for residents to bill directly for services.