
10:00 a.m. Call to Order – Dolores Paulson, Ph.D, LCSW, Board Chair

- Welcome and Roll Call
- Mission of the Board Page 1
- Adoption of Agenda

Approval of Minutes

- Board Meeting – September 25, 2020* Page 2
- Informal Conferences – October 30, 2020 (FOR INFORMATIONAL PURPOSES ONLY) Page 9

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.*

Agency Director Report – Department of Health Professions, Director, Dr. David Brown

Chair Report – Dr. Paulson

Board Counsel Report – James Rutkowski, Assistant Attorney General

Staff Reports

- Legislation and Regulatory Report – Elaine Yeatts, Department of Health Professions, Sr. Policy Analyst/Regulatory Compliance Manager
 - Report on Status of Regulatory Actions Page 10
 - Report on Legislation Introduced for the General Assembly 2021
 - Adopt Final Regulations on Ban on Conversion Therapy* Page 11
 - Petition for Rulemaking* Page 24
- Executive Director’s Report – Jaime Hoyle, JD., Executive Director, Boards of Counseling, Psychology, and Social Work Page 35
- Discipline Report – Jennifer Lang, Deputy Executive Director, Boards of Counseling, Psychology, and Social Work Page 43
- Board Office and Licensing Report – Latasha Austin, Licensing and Operations Manager, Board of Social Work Page 45

Committee Reports

- Regulatory Committee Report – John Salay, LCSW
- Board of Health Professions Report – Mr. Salay

Unfinished Business

- Update on Supervisory Registry and Supervisory Contract – Mr. Salay Page 56
 - Update on Advisory Board on Music Therapy – Ms. Hoyle Page 60
-

Next Meeting Dates:

- Regulatory: March 11, 2021
 - Full Board: March 12, 2021
-

Meeting Adjournment

*Indicates a Board vote is required.

This information is in **DRAFT** form and is subject to change. The Board at the meeting will approve the official agenda and packet. 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 the December 4, 2020 Virtual Quarterly 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 jaime.hoyle@dhp.virginia.gov **no later than December 4, 2020** 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.ht>

JOIN WEBEX MEETING

<https://virginia-dhp.my.webex.com/virginia-dhp.my/j.php?MTID=m5ac4cc745d26c230495b03b78069a2d7>

Meeting number (access code): 132 965 2735

Meeting password: YkPDAWPj234 (95732975 from phones and video systems)
JOIN BY PHONE +1-408-418-9388 United States Toll

Global call-in numbers <https://virginia-dhp.my.webex.com/virginia-dhp.my/globalcallin.php?MTID=m3d7497b1b028431dc6bc9277b1af6292>

Join by video system, application or Skype for business

Dial [1329652735@webex.com](tel:1329652735)

You can also dial 173.243.2.68 and enter your meeting number.



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.

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, L.C.S.W., Chair

BOARD MEMBERS PRESENT: Canek Aguirre, Citizen Member
Angelia Allen, Citizen Member (*joined virtual meeting @ 10:12 a.m.*)
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. (*joined virtual meeting @ 10:22 a.m.*)
Dolores Paulson, Ph.D., L.C.S.W.
Joseph Walsh, Ph.D., L.C.S.W.

BOARD MEMBERS ABSENT: none

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: Barbara Allison –Bryan, M.D., Deputy Director, Department of Health Professions
Yetty Shobo, Deputy Executive Director, Healthcare Workforce Data Center,
Department of Health Professions (*joined virtual meeting @ 12:19 p.m.*)
Elaine Yeatts, Senior Policy Analyst, Department of Health Professions

BOARD COUNSEL PRESENT: James Rutkowski, Assistant Attorney General

VIRTUAL PUBLIC ATTENDEES: Mindy Carlin, Virginia Association of Community Based Providers
Todd Gathje, Director of Government Relations, Family Foundation
Joseph G. Lynch, L.C.S.W., Virginia Society for Clinical Social Work
Adam Trimmer, Virginia Ambassador, Born Prefect

CALL TO ORDER: Mr. Salay called the virtual board meeting to order at 10:04 a.m.

ROLL CALL/ESTABLISHMENT OF A QUORUM: Mr. Salay 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 staff and virtual public attendees.

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.

ADOPTIONS OF AGENDA: Ms. Clancey made a motion, which Mr. Hayter properly seconded, to adopt the agenda as received. 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.

APPROVAL OF MINUTES:

Ms. Clancey made a motion, which Mr. Aguirre properly seconded, to approve the meeting minutes from the Board Meeting held on March 13, 2020 with the following changes requested by Mr. Aguirre:

1. To add a period between the L and C in Ms. Clancey's title on Page 1 of the minutes.
2. Under Agency Report, second paragraph change the word indicted to indicate on Page 2 of the minutes.
3. Under Regulatory Committee Report, strike out the word on before the word yesterday in the first sentence on Page 2 of the minutes.

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.

PUBLIC COMMENT:

Dr. Todd Gathje, Director of Government Relations for the Family Foundation, provided public comment. He expressed his objections to the conversion therapy regulations. He feels the regulations actually promote so-called conversion therapy, because it will permit a professional to encourage a boy or girl to explore their unnatural or often unwanted same-sex attraction, or undergo the process of changing their physical bodies.

Mindy Carlin, from the Virginia Association of Community Based Providers wanted to publicly congratulate Mr. Salay and express gratitude for his leadership as Chair of the Board of Social Work.

Adam Trimmer, from Born Perfect expressed his appreciation for everything the Board is doing.

AGENCY REPORT:

Dr. Allison-Bryan thanked the Board for all that their profession has done through the current pandemic and to all those who have been on the frontline. She informed the Board that while in the office all staff are required to wear masks and maintain social distancing and that about 75% of the Department of Health Professions staff are currently teleworking.

Dr. Allison-Bryan reminded the Board members that as they are reviewing cases to remember the Health Practitioner Monitoring Program as an alternative to disciplinary action for any licensee, registrant, or even applicants for whom substance use disorder or mental health or physical health maybe interfering with their abilities to practice safely.

Dr. Allison-Bryan informed the Board about several work groups that are meeting. One group is looking at encompassing all of telehealth and presenting a plan for the Commonwealth to the General Assembly. Another group is looking at long-term care staffing and several that are looking at workforce and healthcare workforce issues. Dr. Allison-Bryan informed that Board that one work group to examine micro and macro level social work in the Commonwealth has been delayed until next year due to the heavy workload.

Dr. Allison-Bryan informed the Board about three separate work groups that she knows of that are meeting to discuss marijuana in the Commonwealth of Virginia. The Virginia Department of Agriculture is leading one of these groups, Health and Human Resources are leading another group, and the Joint Legislative Audit and Review Committee are leading a third group.

BOARD CHAIR REPORT:

Mr. Salay expressed to the Board that it has been an honor to serve as Chair. He

Quarterly Board Meeting Minutes Virginia Board of Social Work
expressed his gratitude for the Board, staff and agency getting behind workforce issues in Social Work in the Commonwealth. One thing the Board can continue to do and has done is to make the regulations easier to understand.

Mr. Salay expressed his gratitude to Dr. Walsh for his service to the Board and as Chair of the Regulatory Committee as he rotates off the Board after having served for eight years. His departure off the Board will leave a gap in social work education representation on the Board. Mr. Salay continued to express that Dr. Walsh was one of the most sought after professors in the school of social work. He thanked him for his intelligence, thoughtfulness and insight.

BOARD COUNSEL REPORT:

There was no report from Board Counsel.

LEGISLATION & REGULATORY ACTIONS:

Ms. Yeatts provided a status update to the recommendations from the last Board meeting held in March 2020 and a status report to actions that are ongoing on Townhall. Action on conversion therapy is in the proposed stage and the Board held a hearing for that regulation today, prior to this meeting. Public comment will be open on this proposed stage until October 30, 2020. At next Board meeting in December, Board will be considering those comments and adopting a final regulation.

The Board had a leftover requirement that the Board needed to delete from the time the Board eliminated the supervision requirements for LBSW licensure. This regulatory change will become effective October 15, 2020.

Ms. Yeatts reminded the Board that at its last meeting, the Board took up four regulatory actions. Ms. Yeatts informed the Board that she has drafted the NOIRA for those, but they have not yet gone through executive branch review.

EXECUTIVE DIRECTOR'S REPORT:

Ms. Hoyle reported on some of the application statistics for the Board. A complete copy of the report was included in the agenda packet. Her report included the number of social work applications received year to year for the past 10 years. The chart provided showed a steady increase in applications. Ms. Hoyle's report also included the Board's current financials, which indicated that the Board has saved money because Board members and staff are not currently traveling. Additionally the Board has saved money because meals the Board has not had to provide meals for meetings.

Ms. Hoyle informed the Board purchased webcams and additional monitors for staff to be able to work from home. Ms. Hoyle informed the Board that up until July of this year there has only been one full time staff person for social work the entire past 10 years during the Boards growth. Ms. Hoyle informed the Board that the Director's office has approved another full time position for the Board. Sharniece Vaughan, who was a contract employee for the Board of Counseling has filled this second full time position for the Board of Social Work.

Ms. Hoyle also informed the Board that she has not received any information regarding appointments for the Board, but she has been in contact with the Secretary's' office and hopefully those appointments and reappointment would be made soon. Ms. Hoyle also informed the Board that the Governor should announce appointments to the Music Therapy Advisory Board soon.

DISCIPLINE REPORT:

Ms. Lang reported on the disciplinary statistics for the Board of Social Work

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through September 3, 2020. A copy of the report given was included in the agenda packet. Ms. Lang praised Dr. Paulson because Dr. Paulson has reviewed every case sent to her. Ms. Lang indicated that since January 2020, Dr. Paulson has received eighty-nine cases and her average review time per case was three days. Ms. Lang informed everyone that the Board scheduled Informal Conferences on October 30 that would be conducted virtually.

BOARD OFFICE REPORT:

Ms. Austin reported on licensure and examination statistics for the Board through September 15, 2020. A copy of the report given was included in the agenda packet.

LICENSING UNIT REPORT:

Ms. Lenart reported on the Board's satisfaction survey results for the Board through September 15, 2020 and indicated we hope to have those results increase with the addition of another full time staff person, helping us catch up on the backlog. Ms. Lenart gave an update on the temporary licenses and informed the Board that all the temporary licenses expired as of September 8, 2020. Ms. Lenart indicated that the top five states for persons applying for temporary licenses came from Maryland, North Carolina, District of Columbia, New York and Pennsylvania. Ms. Lenart also reminded the Board granted extensions for the completion of continuing education for the 2020 renewal period. Before licensee can renew in 2021 they will have to attest to having completed the continuing education requirements for 2020.

The Board took a break at 11:09 a.m. and reconvened at 11:17 a.m. Ms. Hoyle conducted a roll call. Ms. Hoyle announced that nine Board members were present.

REGULATORY COMMITTEE REPORT:

Dr. Walsh informed the Board that the Regulatory Committee met on yesterday and had three recommendations to present to the Board for proposed regulatory changes.

Recommendation #1: To make the below changes to 18VAC140-20-50 in the Regulations as provided below.

18VAC140-20-50. Experience requirements for a licensed clinical social worker.

A. Supervised experience. Supervised postmaster's degree experience without prior written board approval will not be accepted toward licensure, except supervision obtained in another United States jurisdiction may be accepted if it met the requirements of that jurisdiction.

1. Registration. An individual who proposes to obtain supervised post-master's degree experience in Virginia shall, prior to the onset of such supervision, or whenever there is an addition or change of ~~supervised practice, a supervisor, clinical social work services or location:~~

a. Register on a form provided by the board ~~and;~~

b. Submit a copy of a supervisory contract completed by the supervisor and the ~~supervised individual~~ supervisee; and

~~b.c.~~ Pay the registration of supervision fee set forth in 18VAC140-20-30.

Motion: Ms. Clancey seconded the recommendation from the Regulatory Committee, to make the above changes to section 18VAC140-20-50 of the Virginia

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Regulations Governing the Practice of Social Work. Ms. Hoyle conducted a roll
call vote. With nine members present at the time of roll call, the motion passed with
nine unanimous votes in favor.

Recommendations #2 & #3: To change the definition to “Face-to-face
supervision” as provided below and add a definition for supervisory contract as
provided below.

"Face-to-face ~~supervision~~" means the physical presence of the individuals involved
in the supervisory relationship during either individual or group supervision or in the
delivery of clinical social work services by a supervisee ~~or~~ and may include the use
of technology that provides real-time, ~~visual~~ interactive contact among the
individuals involved.

“Supervisory contract” means an agreement that outlines the expectations and
responsibilities of the supervisor and supervisee in accordance with regulations of
the board.

Motion: Ms. Clancey properly seconded Recommendations 2 and 3 brought forth
by the Regulatory Committee to make the above changes and additions to the
definition section of the Regulations. Ms. Hoyle conducted a roll call vote. With
nine members present at the time of roll call, the motion passed with nine
unanimous votes in favor

Dr. Walsh informed the Board that the Committee also discussed the consideration
of any changes needed to the Regulations that would prevent the need for a Waiver
request in future emergencies. The Committee asked that Board staff compile a list
of likely or possible future emergencies where a waiver request would be required
and the Board could later add. The Committee did not recommend formal action at
this time, but that staff would work on it and report to the Committee.

Dr. Walsh also informed the Board that the Committee discussed the consideration
of any waiver of experience requirements for spouse of active duty military or
veteran. The legislation that passed the 2020 General Assembly gives the Boards
the authority to waive certain experience requirements for someone applying for
licensure by endorsement for spouses of the military or someone who is a veteran
who recently left service. At the last meeting the Board voted to eliminate those
experience requirements altogether. The Committee informed the Board that they
could authorize the executive director to waive that requirement.

Motion: Ms. Clancey made a motion, which Mr. Aguirre properly seconded that the
Board authorize the Executive Director to waive all experience requirements in the
section for licensure by endorsement for spouses and veterans who left service
within the last year. Ms. Hoyle conducted a roll call vote. With nine members
present at the time of roll call, the motion passed with nine unanimous votes in
favor.

Lastly, Dr. Walsh informed the Board that the Committee reviewed the list of
entities approved to provide Continued Education currently outlined in the
Regulations. The Committee decided not to make any changes at this time.

The Board re-visited 18VAC140-20-50 in the Regulations to discuss additional
language that was suggested to be added to this section.

Motion: A motion was made by Dr. Walsh, which was properly seconded by Ms. del Villar, to make the below changes to section 18VAC140-20-50 of the Virginia Regulations Governing the Practice of Social Work. Ms. Hoyle conducted a roll call vote. With nine members present at the time of roll call, the motion passed with nine unanimous votes in favor.

18VAC140-20-50. Experience requirements for a licensed clinical social worker.

A. Supervised experience. Supervised post-master's degree experience without prior written board approval will not be accepted toward licensure, except supervision obtained in another United States jurisdiction may be accepted if it met the requirements of that jurisdiction. Prior to registration for supervised experience, a person shall satisfactorily complete the educational requirements of 18VAC140-20-49.

1. Registration. An individual who proposes to obtain supervised post-master's degree experience in Virginia shall, prior to the onset of such supervision, or whenever there is an addition or change of ~~supervised practice, a supervisor, clinical social work services or location:~~

a. Register on a form provided by the board ~~and;~~

b. Submit a copy of a supervisory contract completed by the supervisor and the supervised individual supervisee;

c. Submit an official transcript documenting a graduate degree and clinical practicum as specified in 18VAC140-20-49; and

~~b.d.~~ Pay the registration of supervision fee set forth in 18VAC140-20-30.

**BOARD OF HEALTH
PROFESSIONS REPORT:**

Mr. Salay provided a summary of the last Board of Health Profession Meeting. A copy of the minutes from that meeting were included in the agenda packet.

ELECTION OF OFFICERS:

Ms. Del Villar presented a slate of candidates from the Nominations Committee for Chair and Vice-Chair of the Board. The Nominations Committee nominated Dr. Paulson as chair and Ms. del Villar as Vice-Chair.

Ms. Hoyle conducted a roll call vote. The Board voted unanimously to elect Dr. Paulson as the new Chair of the Board of Social Work, with nine unanimous votes in favor.

Ms. Hoyle conducted a roll call vote. The Board voted unanimously to elect Ms. del Villar as the new Vice-Chair of the Board of Social Work, with nine unanimous votes in favor.

UNFINISHED BUSINESS:

I. Ms. Hoyle provided an updated on the case study for the Board to pursue reciprocity agreements with other states to allow more people to be able to come into Virginia more easily to practice. The study is due November 1, 2020.

II. Ms. Hoyle provided the Committee an update on what is going on with the Study on Mental Health needs for minors and summarized the issues. Ms. Hoyle also informed the Committee that she also needed their feedback as clinicians. Board members felt there should be a youth perspective considered in the study, persons, or organizations who advocate for youth such as Voices or Virginia Children. Board members also posed the following questions:

- What would be the implications on insurance companies? Would they then

have to reimburse for testifying and what would that look like?

- I the code of ethics in the regulations it says it is a violation to practice outside of your purview. What happens if the therapist saying working with families that have custody issues is outside of their scope of practice?

III. Ms. Lenart provided the Board an update on the Supervisor Registry. Staff created an application for supervisors to complete to submit to the Board to be on the registry. The registry will only list public information. Staff plans to send out an email blast to LCSWs, asking if they wish to be on registry. Data also created a separate email address for applicants to submit those applications to the Board.

NEW BUSINESS:

Dr. Shobo presented a PowerPoint Presentation to the Board on the 2020 survey findings for the licensed clinical social work workforce. The PowerPoint presented was included in the agenda packet. Dr. Shobo concluded that there has been an increase in female representation, the response rate for the survey were higher, the population for the social work workforce is getting younger and there were few changes to the top work establishments.

Board members wanted to know if survey could include questions related to languages such as; languages they speak, languages they are capable of providing services in and questions related to sign language. Board members also suggested that other Boards consider adding language questions to the survey for their Board. Ms. Salay added that he would bring the suggestion to the next Board of Health Professions Meeting. Board members also wanted to know if the survey could include a question related to telehealth.

Motion: Ms. Del Villar made a motion, Ms. Clancey properly seconded, to direct staff to develop a language question for the workforce survey. Ms. Hoyle conducted a roll call vote. With nine members present at the time of roll call, the motion passed with nine unanimous votes in favor.

Motion: Mr. Aguirre made a motion, which Ms. Clancey properly seconded to direct staff to develop a question related to telehealth for the workforce survey. 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.

NEXT MEETING DATES:

Ms. Hoyle announced that the next Regulatory Committee would be held on Thursday, December 3, 2020 and the next Board Meeting would be held on Friday, December 4, 2020.

Dr. Walsh reminded new Chair that new appointments would have to be made for sub-committees. Dr. Paulson requesting anyone wishing to serve a chair on any sub-committee to let herself or Ms. Hoyle know.

ADJOURNMENT:

The September 25, 2020 Board meeting at 12:58 p.m.

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

Jaime Hoyle, Executive Director

**VIRGINIA BOARD OF SOCIAL WORK
SPECIAL CONFERENCE COMMITTEE (VIRTUAL)
INFORMAL CONFERENCES – OCTOBER 30, 2020**

CALL TO ORDER: A virtual meeting of a Special Conference Committee ("Committee") of the Board of Social Work ("Board") convened on October 30, 2020 at 10:33 a.m. via WebEx.

MEMBERS PRESENT: Dolores Paulson, Ph.D., LCSW, Chairperson
Maria Eugenia del Villar, LCSW

STAFF PRESENT: Jennifer Lang, Deputy Executive Director, Board of Social Work
Christy Evans, Discipline and Compliance Case Manager, Board of Counseling
Emily Tatum, Adjudication Specialist, Administrative Proceedings Division

RESPONDENT: Elizabeth Montana, LCSW
Case No.: 205096
License #: 0904004580
Attorney: Donna Foster, Esquire

DISCUSSION: Ms. Montana appeared via video before the Committee, with legal counsel, and fully discussed the allegations contained in the Notice dated September 16, 2020.

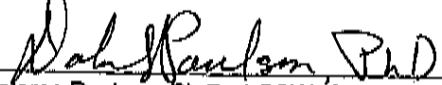
CLOSED MEETING: Upon a motion by Ms. del Villar, and duly seconded by Dr. Paulson, the Committee voted to convene in a closed meeting pursuant to § 2.2-3711(A)(27) of the *Code of Virginia* for the purpose of deliberation to reach a decision in the matter of Elizabeth Montana, LCSW. Additionally, she moved that Jennifer Lang and Christy Evans attend the closed meeting because their presence would aid the Committee in its deliberations.

RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of § 2.2-3712 of the *Code of Virginia*, the Committee reconvened in open session and announced its decision.

DECISION: Upon a motion by Ms. del Villar, and duly seconded by Dr. Paulson, the Committee made certain findings of facts and conclusions of law and voted to approve Ms. Montana's request to terminate the terms placed on her license by a prior Order of the board. The motion carried.

ADJOURN: With all business concluded, the Committee adjourned at 10:50 a.m.

As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on the respondent, unless the respondent makes a written request to the Board within such time for a formal hearing on the allegations made. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of the Special Conference Committee shall be vacated.



Dolores Paulson, Ph.D., LCSW, Chairperson
Special Conference Committee of the Board of Social Work

10/30/2020

Date



Jennifer Lang, Deputy Executive Director
Virginia Board of Social Work

11/02/2020

Date

**Agenda Item: Regulatory Actions - Chart of Regulatory Actions
As of November 30, 2020**

Chapter		Action / Stage Information
[18 VAC 140 - 20]	Regulations Governing the Practice of Social Work	<p><u>Changes to endorsement and reinstatement; standards of practice</u> [Action 5631]</p> <p>NOIRA - At Governor's Office for 33 days</p>
[18 VAC 140 - 20]	Regulations Governing the Practice of Social Work	<p><u>Unprofessional conduct/practice of conversion therapy</u> [Action 5241]</p> <p>Proposed - Register Date: 8/31/20 Comment closed: 10/30/20 Board to adopt final regulations: 12/4/20</p>
[18 VAC 140 - 20]	Regulations Governing the Practice of Social Work	<p><u>Changes to supervision requirements</u> [Action 5632]</p> <p>Fast-Track - DPB Review in progress for 38 days</p>

Agenda Item: Board action on Final Regulation on Conversion Therapy

Included in your agenda package are:

Copy of revised section of the Code

Copy of Townhall announcement of proposed regulation (there were no comments)

Copy on minutes of public hearing held on September 25, 2020

Copy of revised regulations

Staff note:

The draft regulation in the agenda package includes the revision of the definition of “conversion therapy” to reference the definition in the Code of Virginia

Board action:

The Board can adopt the final amendments for a prohibition on conversion therapy or can amend the draft regulations in the agenda package.

§ 54.1-2409.5. Conversion therapy prohibited.

A. As used in this section, "conversion therapy" means any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender.

"Conversion therapy" does not include counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

B. No person licensed pursuant to this subtitle or who performs counseling as part of his training for any profession licensed pursuant to this subtitle shall engage in conversion therapy with a person under 18 years of age. Any conversion therapy efforts with a person under 18 years of age engaged in by a provider licensed in accordance with the provisions of this subtitle or who performs counseling as part of his training for any profession licensed pursuant to this subtitle shall constitute unprofessional conduct and shall be grounds for disciplinary action by the appropriate health regulatory board within the Department of Health Professions. 2020, cc. 41, 721.

Virginia.gov Agencies | Governor



Agency Department of Health Professions
Board Board of Social Work
Chapter Regulations Governing the Practice of Social Work [18 VAC 140 - 20]

Action: Unprofessional conduct/practice of conversion therapy

Proposed Stage Action 5241 / Stage 8763

[Edit Stage](#) [Withdraw Stage](#) [Go to RIS Project](#)

Documents		
Proposed Text	11/18/2019 3:22 pm	Sync Text with RIS
Agency Background Document	9/24/2019 (modified 11/26/2019)	Upload / Replace
Attorney General Certification	10/18/2019	
DPB Economic Impact Analysis	11/26/2019 (modified 12/19/2019)	
Agency Response to EIA	6/1/2020	Upload / Replace
Governor's Review Memo	8/6/2020	
Registrar Transmittal	8/6/2020	

Status	
Incorporation by Reference	No
Exempt from APA	No, this stage/action is subject to article 2 of the <i>Administrative Process Act</i> and the standard executive branch review process.
Attorney General Review	Submitted to OAG: 9/24/2019 Review Completed: 10/18/2019 Result: Certified
DPB Review	Submitted on 10/18/2019 Economist: Jini Rao Policy Analyst: Jeannine Rose Review Completed: 11/26/2019 <i>DPB's policy memo is "Governor's Confidential Working Papers"</i>
Secretary Review	Secretary of Health and Human Resources Review Completed: 5/29/2020
Governor's Review	Review Completed: 8/6/2020 Result: Approved
Virginia Registrar	Submitted on 8/6/2020 The Virginia Register of Regulations Publication Date: 8/31/2020 Volume: 37 Issue: 1
Public Hearings	09/25/2020 9:45 AM

Comment Period	Ended 10/30/2020 0 comments
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Contact Information	
Name / Title:	Jaime Hoyle / <i>Executive Director</i>
Address:	9960 Mayland Drive Suite 300 Richmond, VA 23233-1463
Email Address:	jaimе.һoуle@dһp.virginia.gov
Telephone:	(804)367-4406 FAX: (804)527-4435 TDD: (-)

This person is the primary contact for this chapter.

This stage was created by Elaine J. Yeatts on 09/24/2019

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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.

PURPOSE OF HEARING: To receive public comment on the Board's proposed regulatory change to amend its regulations to specify that the requirement for persons licensed or registered by the Board to conduct "one's practice in such a manner so as to make the practice a danger to the health and welfare of one's clients or to the public" precludes the provision of conversion therapy and to define what conversion therapy is and is not. The goal is to align regulations of the Board with the stated policy and ethics for the profession of social work. The specific language of the proposed regulations is found in 18VAC140-20-60: "13. Not engage in conversion therapy with any person under 18 years of age."

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

BOARD MEMBERS PRESENT: Canek Aguirre, Citizen Member
 Jamie Clancey, L.C.S.W.
 Maria Eugenia Del Villar, L.C.S.W.
 Dolores Paulson, Ph.D., L.C.S.W.
 Joseph Walsh, Ph.D., L.C.S.W.

BOARD MEMBERS ABSENT: Angelja Allen, Citizen Member
 Michael Hayter, L.C.S.W., C.S.A.C.
 Gloria Manns, L.C.S.W.

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: Barbara Allison-Bryan, M.D., Deputy Director, Department of Health Professions
 Elaine Yeatts, Senior Policy Analyst, Regulatory Compliance Manager, Department of Health Professions

BOARD COUNSEL PRESENT: James Rutkowski, Assistant Attorney General

VIRTUAL PUBLIC ATTENDEES: Adam Trimmer, Virginia Ambassador, Born Perfect
 Mathew Shurka, Co-Founder, Born Perfect

CALL TO ORDER: Mr. Salay called the virtual hearing to order at 9:48 a.m.

ROLL CALL/ESTABLISHMENT OF a QUORUM: Mr. Salay requested a roll call. Ms. Hoyle announced that six members of the Board were present at roll call; therefore, 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 Board.

PUBLIC COMMENT:

Adam Trimmer commented that he felt the Board did a great job in defining conversion therapy, and that he supports the regulatory action.

Mathew Shurka, also offered his support for the changes as a survivor of conversion therapy.

ADJOURNMENT:

With no other comment provided, Mr. Salay adjourned the September 25, 2020 Public Hearing at 9:56 p.m.

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

Jaime Hoyle, Executive Director

DRAFT

Project 5872 - Proposed

Board Of Social Work

Unprofessional conduct/practice of conversion therapy

18VAC140-20-10. Definitions.

Part I

General Provisions

A. The following words and terms when used in this chapter shall have the meanings ascribed to them in § 54.1-3700 of the Code of Virginia:

Baccalaureate social worker

Board

Casework

Casework management and supportive services

Clinical social worker

Master's social worker

Practice of social work

Social worker

B. The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Accredited school of social work" means a school of social work accredited by the Council on Social Work Education.

"Active practice" means post-licensure practice at the level of licensure for which an applicant is seeking licensure in Virginia and shall include at least 360 hours of practice in a 12-month period.

"Ancillary services" means activities such as case management, recordkeeping, referral, and coordination of services.

"Clinical course of study" means graduate course work that includes specialized advanced courses in human behavior and the social environment, social justice and policy, psychopathology, and diversity issues; research; clinical practice with individuals, families, and groups; and a clinical practicum that focuses on diagnostic, prevention, and treatment services.

"Clinical social work services" include the application of social work principles and methods in performing assessments and diagnoses based on a recognized manual of mental and emotional disorders or recognized system of problem definition, preventive and early intervention services, and treatment services, including psychosocial interventions, psychotherapy, and counseling for mental disorders, substance abuse, marriage and family dysfunction, and problems caused by social and psychological stress or health impairment.

~~"Conversion therapy" means any practice or treatment [that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of any gender. Conversion therapy does not include:~~

~~1. Social work services that provide assistance to a person undergoing gender transition;~~

~~or~~

~~2. Social work services that provide acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual orientation neutral interventions to prevent or address unlawful conduct~~

~~or unsafe sexual practices, as long as such services do not seek to change an individual's sexual orientation or gender identity in any direction as defined in § 54.1-2409.5 (A) of the Code of Virginia]~~.

"Exempt practice" is that which meets the conditions of exemption from the requirements of licensure as defined in § 54.1-3701 of the Code of Virginia.

"Face-to-face supervision" means the physical presence of the individuals involved in the supervisory relationship during either individual or group supervision or the use of technology that provides real-time, visual contact among the individuals involved.

"LBSW" means a licensed baccalaureate social worker.

"LMSW" means a licensed master's social worker.

"Nonexempt practice" is means that which does not meet the conditions of exemption from the requirements of licensure as defined in § 54.1-3701 of the Code of Virginia.

"Supervisee" means an individual who has submitted a supervisory contract and has received board approval to provide clinical services in social work under supervision.

"Supervision" means a 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.

18VAC140-20-150. Professional conduct.

Part V

Standards of Practice

A. The protection of the public health, safety, and welfare and the best interest of the public shall be the primary guide in determining the appropriate professional conduct of all persons

whose activities are regulated by the board. Regardless of the delivery method, whether in person, by telephone, or electronically, these standards shall apply to the practice of social work.

B. Persons licensed as LBSWs, LMSWs, and clinical social workers shall:

1. Be able to justify all services rendered to or on behalf of clients as necessary for diagnostic or therapeutic purposes.
2. Provide for continuation of care when services must be interrupted or terminated.
3. Practice only within the competency areas for which they are qualified by education and experience.
4. Report to the board known or suspected violations of the laws and regulations governing the practice of social work.
5. Neither accept nor give commissions, rebates, or other forms of remuneration for referral of clients for professional services.
6. Ensure that clients are aware of fees and billing arrangements before rendering services.
7. Inform clients of potential risks and benefits of services and the limitations on confidentiality and ensure that clients have provided informed written consent to treatment.
8. Keep confidential their therapeutic relationships with clients and disclose client records to others only with written consent of the client, with the following exceptions: (i) when the client is a danger to self or others; or (ii) as required by law.
9. When advertising their services to the public, ensure that such advertising is neither fraudulent nor misleading.

10. As treatment requires and with the written consent of the client, collaborate with other health or mental health providers concurrently providing services to the client.

11. Refrain from undertaking any activity in which one's personal problems are likely to lead to inadequate or harmful services.

12. Recognize conflicts of interest and inform all parties of the nature and directions of loyalties and responsibilities involved.

13. Not engage in conversion therapy with any person younger than 18 years of age.

C. In regard to client records, persons licensed by the board shall comply with provisions of § 32.1-127.1:03 of the Code of Virginia on health records privacy and shall:

1. Maintain written or electronic clinical records for each client to include identifying information and assessment that substantiates diagnosis and treatment plans. Each record shall include a diagnosis and treatment plan, progress notes for each case activity, information received from all collaborative contacts and the treatment implications of that information, and the termination process and summary.

2. Maintain client records securely, inform all employees of the requirements of confidentiality, and provide for the destruction of records that are no longer useful in a manner that ensures client confidentiality.

3. Disclose or release records to others only with clients' expressed written consent or that of their legally authorized representative or as mandated by law.

4. Ensure confidentiality in the usage of client records and clinical materials by obtaining informed consent from clients or their legally authorized representative before (i) videotaping, (ii) audio recording, (iii) permitting third-party observation, or (iv) using identifiable client records and clinical materials in teaching, writing, or public presentations.

5. Maintain client records for a minimum of six years or as otherwise required by law from the date of termination of the therapeutic relationship with the following exceptions:

a. At minimum, records of a minor child shall be maintained for six years after attaining the age of majority or 10 years following termination, whichever comes later.

b. Records that are required by contractual obligation or federal law to be maintained for a longer period of time.

c. Records that have been transferred to another mental health professional or have been given to the client or his legally authorized representative.

D. In regard to dual relationships, persons licensed by the board shall:

1. Not engage in a dual relationship with a client or a supervisee that could impair professional judgment or increase the risk of exploitation or harm to the client or supervisee. (Examples of such a relationship include familial, social, financial, business, bartering, or a close personal relationship with a client or supervisee.) Social workers shall take appropriate professional precautions when a dual relationship cannot be avoided, such as informed consent, consultation, supervision, and documentation to ensure that judgment is not impaired and no exploitation occurs.

2. Not have any type of romantic relationship or sexual intimacies with a client or those included in collateral therapeutic services, and not provide services to those persons with whom they have had a romantic or sexual relationship. Social workers shall not engage in romantic relationship or sexual intimacies with a former client within a minimum of five years after terminating the professional relationship. Social workers who engage in such a relationship after five years following termination shall have the responsibility to examine and document thoroughly that such a relationship did not have

an exploitive nature, based on factors such as duration of therapy, amount of time since therapy, termination circumstances, client's personal history and mental status, adverse impact on the client. A client's consent to, initiation of or participation in sexual behavior or involvement with a social worker does not change the nature of the conduct nor lift the regulatory prohibition.

3. Not engage in any romantic or sexual relationship or establish a therapeutic relationship with a current supervisee or student. Social workers shall avoid any nonsexual dual relationship with a supervisee or student in which there is a risk of exploitation or potential harm to the supervisee or student, or the potential for interference with the supervisor's professional judgment.

4. Recognize conflicts of interest and inform all parties of the nature and directions of loyalties and responsibilities involved.

5. Not engage in a personal relationship with a former client in which there is a risk of exploitation or potential harm or if the former client continues to relate to the social worker in his professional capacity.

E. Upon learning of evidence that indicates a reasonable probability that another mental health provider is or may be guilty of a violation of standards of conduct as defined in statute or regulation, persons licensed by the board shall advise their clients of their right to report such misconduct to the Department of Health Professions in accordance with § 54.1-2400.4 of the Code of Virginia.

Agenda Item: Board action on petition for rulemaking

Included in your agenda package are:

Copy of petition

Copy of notice in Townhall – there were no comments

Applicable section of regulation

Board action:

The Board must decide whether or not to initiate rulemaking

T



COMMONWEALTH OF VIRGINIA

Board of Social Work

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.) Beattie, Michael J.		
Street Address 9638 Scotch Haven Drive		Area Code and Telephone Number 703-994-8619
City Vienna,	State VA	Zip Code 22181
Email Address (optional) michaelbeatie@yahoo.com		Fax (optional)
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. The purpose is to clarify "Regulations Governing the Practice of Social Work 18 VAC 140-20-50 add Section A4 Proposed text:		
The deadline for completion of supervised experience shall be tolled during any statewide declaration of emergency by Virginia's Governor. Tolling means the clock monitoring the deadline pauses, and the deadline is extended until the emergency expires. The effected date of this rule shall be retroactive to February 20, 2020.		

2. Please summarize the substance of the change you are requesting and state the rationale or purpose for the new or amended rule.

According to 54.1-100 of the Administrative Code, "No regulation of a profession or occupation shall conflict with the Constitution of the United States, the Constitution of Virginia, the laws of the United States, or the laws of the Commonwealth of Virginia." The primary effort of the Virginia government is controlling the spread of the coronavirus, and this requires a whole of government approach.

We can say definitively that the current regulation governing the admission to licensure of new social workers violates the both Virginia and federal law.

Supervised experience shall be acquired in no less than two nor more than four consecutive years.

A thorough review of the statute governing the social work profession could not locate any text mandating a four-year deadline. Although the Board certainly has the power to enact a deadline, it also has discretion to modify.

Virginia Governor Ralph Northam issued an emergency declaration related to the pandemic.

See:

[https://www.governor.virginia.gov/newsroom/2020/03/23/emergency-declaration-2020-03-23/](#)
[https://www.governor.virginia.gov/newsroom/2020/03/23/emergency-declaration-2020-03-23/](#)
[https://www.governor.virginia.gov/newsroom/2020/03/23/emergency-declaration-2020-03-23/](#)
[https://www.governor.virginia.gov/newsroom/2020/03/23/emergency-declaration-2020-03-23/](#)

According to the Free Legal Dictionary, toll is a verb that means

- 1) to delay, suspend or hold off the effect of a statute. Examples: a minor is injured in an accident when he is 14 years old, and the state law (statute of limitations) allows a person hurt by negligence two years to file suit for damages. But for a minor the statute is "tolled" until he/she becomes 18 and decides whether or not to sue.

Many courts and agencies across the country are tolling deadlines due to the pandemic. Most importantly, the Virginia Supreme Court held that criminal defendants' right to a speedy trial could be put on hold during the pandemic. Normally, the government must try defendants within six months, and the failure to grant a speedy trial is grounds for dismissal of charges. However, the court held that the pandemic constituted grounds for stopping the clock tolling the normal six month deadline.

See: https://www.courts.state.va.us/news/items/covid/2020_0501_scv_order_classification_4f

See attachment

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. Virginia Code 54.1-3705 provide that the Board has duty:

1. To cooperate with and maintain a close liaison with other professional boards and the community to ensure that regulatory systems stay abreast of community and professional needs.

The current four year deadline fails to "stay abreast of community and professional needs".

Signature:

Michi Beattie

Date:

8-5-20

ATTACHMENT-- BOARD OF SOCIAL WORK PETITION FOR RULE- MAKING

The National Association of Social Workers Code of Ethics states. "Social workers' primary responsibility is to promote the well-being of clients". During a pandemic, social workers cannot promote well-being while at the same time potentially being a vector to general disease. The most important thing to understand about the COVID 19-Virus is that asymptomatic people can spread the disease. Even though precautions can be taken to reduce the risk of infection, no method exists to eliminate transmission because droplets can remain airborne for hours and the virus can linger for days on objects such as door handles. A social worker striving to comply with the mandate to promote general well being must transition to alternative methods of client interaction such as online chats, texts, phone, or video.

Social workers serve the most seriously underserved populations such as people in mental health facilities, prisons, assisted living homes, group homes, hospitals, and homeless shelters. We must put special emphasis on outreach to African-Americans and Latinos. We now know the mortality rate and transmission rates are dramatically higher among African-Americans, Latinos, and those with pre-existing conditions. Social workers need to do everything possible to lower already high-risk levels in vulnerable communities.

The current Board of Social Work regulation governing licensure needlessly creates a conflict of interest between the self-interest of supervisees and the interest of clients. The regulation states "Face-to-face supervision means the physical presence of the individuals involved in the supervisory relationship during either individual or group supervision or the use of technology that provides real-time through visual contact among the individuals involved". The rules also state, "Supervisees shall 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 work experiences". While the rules say it is permissible to use technology to create a face-to-face connection between a supervisee and a supervisor the rules do NOT mention the use of technology to create face-to-face contact with clients. When attempting to define the meaning of the regulation, we can look to rules of statutory construction. The Latin maxim *expressio unius est exclusio alterius* means that where the thing is mentioned other things unmentioned are automatically excluded. Since the use of technology to create a video conference for supervision is mentioned but the use of video conferencing is not mentioned regarding clients, we can say it is excluded by implication See https://en.wikipedia.org/wiki/Statutory_interpretation.

The Board has already recognized the critical importance of social distancing. The web page states. "In response to COVID-19 social distancing precautions, DHP'S public reception area is not accommodating walk-in services. However, DHP continues to be open from 8:15 until 5 Monday through Friday. We encourage you to contact us on line or by telephone."

If the Board believes it is unsafe for its own staff to interact with the public then It would be unjust to require social work supervisees to directly interact with the public in order to meet an

arbitrary deadline. Unless the Board allows for tolling, many supervisees will lose accumulated hours and careers will be set back for years. However, many supervisees may push ahead pursuing their own self-interest. Social workers control access to resources and programs and can use them to obtain client compliance. Clients will be forced to use in-person services even though the client believes virtual settings are preferable.

Tolling the deadline to complete experience is one small component of a much larger strategy to control spread of the virus. Make no mistake if tolling is not allowed, supervisees will spread the virus and clients could die.

One of the most important reasons to adopt tolling is the fact that complying with the current rule is impossible as a practical matter. Many organizations such as the ones the supervisee works for have not been seeing any clients for nearly six months and there is no indication when services will resume. Even though I might desire to meet with clients, the organization forbids it. Most of the clients I primarily work with do not have technology for video conferencing even if it were allowed.

Virginia.gov Agencies | Governor



Secretariat Health and Human Resources

Agency Department of Health Professions

Board Board of Social Work

[Edit Petition](#)

Petition 330

Petition Information	
Petition Title	Toll or pause the time limit on completion of supervised experience during emergency declaration
Date Filed	8/7/2020 [Transmittal Sheet]
Petitioner	Michael Beattie
Petitioner's Request	To pause the time limit or deadline for completion of supervised experience during an emergency declared by the Governor. The effective date would be retroactive to February 20, 2020.
Agency's Plan	In accordance with Virginia law, the petition was filed with the Register of Regulations and will be published on August 31, 2020 with comment accepted through September 30, 2020. The petition is also posted on the Virginia Regulatory Townhall at www.townhall.virginia.gov . The petition and any comment will be considered by the Board at its next meeting following the close of comment, which is scheduled for December 4, 2020. The petitioner will be informed of its decision following that meeting.
Comment Period	Ended 9/30/2020 0 comments
Agency Decision	Pending

Contact Information	
Name / Title:	Jaime Hoyle / Executive Director
Address:	9960 Mayland Drive Suite 300 Richmond, 23233
Email Address:	jaime.hoyle@dhp.virginia.gov
Telephone:	(804)367-4406 FAX: (804)527-4435 TDD: (-)

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 08/07/2020

Petitioner Michael Beattie

Petitioner's Request

To pause the time limit or deadline for completion of supervised experience during an emergency declared by the Governor. The effective date would be retroactive to February 20, 2020.

Agency Plan

In accordance with Virginia law, the petition was filed with the Register of Regulations and will be published on August 31, 2020 with comment accepted through September 30, 2020. The petition is also posted on the Virginia Regulatory Townhall at www.townhall.virginia.gov. The petition and any comment will be considered by the Board at its next meeting following the close of comment, which is scheduled for November 6, 2020. The petitioner will be informed of its decision following that meeting.

Publication Date 08/31/2020 *(comment period will also begin on this date)*

Comment End Date 09/30/2020

18VAC140-20-50. Experience requirements for a licensed clinical social worker.

A. Supervised experience. Supervised post-master's degree experience without prior written board approval will not be accepted toward licensure, except supervision obtained in another United States jurisdiction may be accepted if it met the requirements of that jurisdiction.

1. Registration. An individual who proposes to obtain supervised post-master's degree experience in Virginia shall, prior to the onset of such supervision, or whenever there is an addition or change of supervised practice, supervisor, clinical social work services or location:

a. Register on a form provided by the board and completed by the supervisor and the supervised individual; and

b. Pay the registration of supervision fee set forth in 18VAC140-20-30.

2. Hours. The applicant shall have completed 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. A minimum of one hour and a maximum of four hours of face-to-face supervision shall be provided per 40 hours of work experience for a total of at least 100 hours. No more than 50 of the 100 hours may be obtained in group supervision, nor shall there be more than six persons being supervised in a group unless approved in advance by the board. The board may consider alternatives to face-to-face supervision if the applicant can demonstrate an undue burden due to hardship, disability or geography.

a. Supervised experience shall be acquired in no less than two nor more than four consecutive years.

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

* { 3. An individual who does not complete the supervision requirement after four consecutive years of supervised experience may request an extension of up to 12 months. The request for an extension shall include evidence that demonstrates extenuating circumstances that prevented completion of the supervised experience within four consecutive years.

B. Requirements for supervisors.

1. The supervisor shall hold an active, unrestricted license as a licensed clinical social worker in the jurisdiction in which the clinical services are being rendered with at least two years of post-licensure clinical social work experience. The board may consider supervisors with commensurate qualifications if the applicant can demonstrate an undue burden due to geography or disability or if supervision was obtained in another United States jurisdiction.

2. The supervisor shall 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. The graduate course or hours of continuing education in supervision shall be obtained by a supervisor within five years immediately preceding registration of supervision.

3. The supervisor shall not provide supervision for a family member or provide supervision for anyone with whom he has a dual relationship.

4. The board may consider supervisors from jurisdictions outside of Virginia who provided clinical social work supervision if they have commensurate qualifications but were either (i) not licensed because their jurisdiction did not require licensure or (ii) were not designated as clinical social workers because the jurisdiction did not require such designation.

C. Responsibilities of supervisors. The supervisor shall:

1. Be responsible for the social work activities of the supervisee as set forth in this subsection once the supervisory arrangement is accepted;

2. Review and approve the diagnostic assessment and treatment plan of a representative sample of the clients assigned to the applicant during the course of supervision. The sample should be representative of the variables of gender, age, diagnosis, length of treatment and treatment method within the client population seen by the applicant. It is the applicant's responsibility to assure the representativeness of the sample that is presented to the supervisor;

3. Provide supervision only for those social work activities for which the supervisor has determined the applicant is competent to provide to clients;

4. Provide supervision only for those activities for which the supervisor is qualified by education, training and experience;

5. Evaluate the supervisee's knowledge and document minimal competencies in the areas of an identified theory base, application of a differential diagnosis, establishing and monitoring a treatment plan, development and appropriate use of the professional relationship, assessing the client for risk of imminent danger, understanding the requirements of law for reporting any harm or risk of harm to self or others, and implementing a professional and ethical relationship with clients;

6. Be available to the applicant on a regularly scheduled basis for supervision;

7. Maintain documentation, for five years post-supervision, of which clients were the subject of supervision; and

8. Ensure that the board is notified of any change in supervision or if supervision has ended or been terminated by the supervisor.

D. Responsibilities of supervisees.

1. Supervisees may not directly bill for services rendered or in any way represent themselves as independent, autonomous practitioners, or licensed clinical social workers.
2. During the supervised experience, supervisees shall use their names and the initials of their degree, and the title "Supervisee in Social Work" in all written communications.
3. Clients shall be informed in writing of the supervisee's status and the supervisor's name, professional address, and phone number.
4. Supervisees shall not supervise the provision of clinical social work services provided by another person.

Statutory Authority

§ 54.1-2400 of the Code of Virginia.

Historical Notes

Derived from VR620-01-2 § 2.2, eff. July 6, 1989; amended, Volume 06, Issue 26, eff. October 24, 1990; Volume 09, Issue 05, eff. December 30, 1992; Volume 12, Issue 03, eff. November 29, 1995; Volume 15, Issue 05, eff. December 23, 1998; Volume 24, Issue 23, eff. September 4, 2008; Volume 25, Issue 04, eff. November 26, 2008; Volume 26, Issue 06, eff. January 7, 2010; Volume 27, Issue 11, eff. March 2, 2011; Volume 29, Issue 25, eff. September 26, 2013; Volume 32, Issue 22, eff. August 12, 2016; Volume 33, Issue 20, eff. June 28, 2017.

Virginia Department of Health Professions
Cash Balance
As of October 31, 2020

	<u>110- Social Work</u>
Board Cash Balance as June 30, 2020	\$ 1,331,348
YTD FY21 Revenue	123,485
Less: YTD FY21 Direct and Allocated Expenditures	<u>242,592</u>
Board Cash Balance as October 31, 2020	<u><u>\$ 1,212,242</u></u>

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

Account Number	Account Description	Amount	Budget	Amount	% of Budget
				Under/(Over) Budget	
4002400	Fee Revenue				
4002401	Application Fee	97,960.00	141,075.00	43,115.00	69.44%
4002406	License & Renewal Fee	18,340.00	653,767.50	635,427.50	2.81%
4002407	Dup. License Certificate Fee	1,115.00	850.00	(265.00)	131.18%
4002409	Board Endorsement - Out	2,875.00	4,625.00	1,750.00	62.16%
4002421	Monetary Penalty & Late Fees	3,195.00	780.00	(2,415.00)	409.62%
4002432	Misc. Fee (Bad Check Fee)	-	35.00	35.00	0.00%
	Total Fee Revenue	<u>123,485.00</u>	<u>801,132.50</u>	<u>677,647.50</u>	<u>15.41%</u>
	Total Revenue	<u>123,485.00</u>	<u>801,132.50</u>	<u>677,647.50</u>	<u>15.41%</u>
5011110	Employer Retirement Contrib.	4,398.45	13,874.95	9,476.50	31.70%
5011120	Fed Old-Age Ins- Sal St Emp	2,628.38	7,340.48	4,712.10	35.81%
5011140	Group Insurance	422.23	1,285.78	863.55	32.84%
5011150	Medical/Hospitalization Ins.	5,152.50	29,868.00	24,715.50	17.25%
5011160	Retiree Medical/Hospitalizatn	354.78	1,074.68	719.90	33.01%
5011170	Long term Disability Ins	192.78	585.32	392.54	32.94%
	Total Employee Benefits	<u>13,149.12</u>	<u>54,029.22</u>	<u>40,880.10</u>	<u>24.34%</u>
5011200	Salaries				
5011230	Salaries, Classified	33,036.15	95,954.00	62,917.85	34.43%
5011250	Salaries, Overtime	2,486.15	-	(2,486.15)	0.00%
	Total Salaries	<u>35,522.30</u>	<u>95,954.00</u>	<u>60,431.70</u>	<u>37.02%</u>
5011300	Special Payments				
5011380	Deferred Compnstn Match Pmts	126.00	1,056.00	930.00	11.93%
	Total Special Payments	<u>126.00</u>	<u>1,056.00</u>	<u>930.00</u>	<u>11.93%</u>
5011600	Terminatn Personal Svce Costs				
5011660	Defined Contribution Match - Hy	230.10	-	(230.10)	0.00%
	Total Terminatn Personal Svce Costs	<u>230.10</u>	<u>-</u>	<u>(230.10)</u>	<u>0.00%</u>
5011930	Turnover/Vacancy Benefits				
	Total Personal Services	<u>49,027.52</u>	<u>151,039.22</u>	<u>102,011.70</u>	<u>32.46%</u>
5012000	Contractual Svs				
5012100	Communication Services				
5012110	Express Services	-	537.00	537.00	0.00%
5012140	Postal Services	1,865.07	4,411.00	2,545.93	42.28%
5012150	Printing Services	-	67.00	67.00	0.00%
5012160	Telecommunications Svcs (VITA)	118.59	550.00	431.41	21.56%
5012190	Inbound Freight Services	0.57	-	(0.57)	0.00%
	Total Communication Services	<u>1,984.23</u>	<u>5,565.00</u>	<u>3,580.77</u>	<u>35.66%</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>
5012400	Mgmnt and Informational Svcs				
5012420	Fiscal Services	6,530.94	5,500.00	(1,030.94)	118.74%

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

Account Number	Account Description	Amount			% of Budget
		Amount	Budget	Under/(Over) Budget	
5012440	Management Services	89.36	212.00	122.64	42.15%
	Total Mgmt and Informational Svcs	6,620.30	5,712.00	(908.30)	115.90%
5012500	Repair and Maintenance Svcs				
5012510	Custodial Services	58.76	-	(58.76)	0.00%
5012530	Equipment Repair & Maint Srvc	1,012.08	-	(1,012.08)	0.00%
	Total Repair and Maintenance Svcs	1,070.84	-	(1,070.84)	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	108.35	2,188.00	2,079.65	4.95%
5012670	Production Services	11.10	2,405.00	2,393.90	0.46%
5012680	Skilled Services	1,379.06	24,297.00	22,917.94	5.68%
	Total Support Services	1,498.51	91,578.00	90,079.49	1.64%
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 Rptble	-	2,417.00	2,417.00	0.00%
	Total Transportation Services	-	9,333.00	9,333.00	0.00%
	Total Contractual Svs	11,173.88	113,688.00	102,514.12	9.83%
5013000	Supplies And Materials				
5013100	Administrative Supplies				
5013110	Apparel Supplies	8.06	-	(8.06)	0.00%
5013120	Office Supplies	289.91	276.00	(13.91)	105.04%
5013130	Stationery and Forms	-	41.00	41.00	0.00%
	Total Administrative Supplies	297.97	317.00	19.03	94.00%
5013500	Repair and Maint. Supplies				
5013510	Building Repair & Maint Materl	4.60	-	(4.60)	0.00%
5013520	Custodial Repair & Maint Matr'l	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	303.21	420.00	116.79	72.19%
5015000	Continuous Charges				
5015100	Insurance-Fixed Assets				
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	151.31	540.00	388.69	28.02%
5015350	Building Rentals	4.80	-	(4.80)	0.00%

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

Account Number	Account Description	Amount	Budget	Amount	
				Under/(Over)	% of Budget
5015390	Building Rentals - Non State	4,208.45	11,888.00	7,679.55	35.40%
	Total Operating Lease Payments	4,364.56	12,428.00	8,063.44	35.12%
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	4,364.56	12,557.00	8,192.44	34.76%
5022000	Equipment				
5022100	Computer Hrdware & Sftware				
5022170	Other Computer Equipment	58.83	-	(58.83)	0.00%
	Total Computer Hrdware & Sftware	58.83	-	(58.83)	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%
	Total Equipment	58.83	64.00	5.17	91.92%
	Total Expenditures	64,928.00	277,768.22	212,840.22	23.37%
	Allocated Expenditures				
20100	Behavioral Science Exec	32,900.21	92,066.00	59,165.79	35.74%
30100	Data Center	21,278.92	83,092.99	61,814.07	25.61%
30200	Human Resources	8,804.18	8,985.15	180.97	97.99%
30300	Finance	21,870.38	56,353.92	34,483.54	38.81%
30400	Director's Office	6,706.69	20,248.44	13,541.74	33.12%
30500	Enforcement	49,473.35	105,678.88	56,205.53	46.81%
30600	Administrative Proceedings	27,439.12	32,147.18	4,708.06	85.35%
30700	Impaired Practitioners	280.31	1,600.94	1,320.63	17.51%
30800	Attorney General	518.60	761.48	242.88	68.10%
30900	Board of Health Professions	5,550.59	15,241.40	9,690.81	36.42%
31100	Maintenance and Repairs	246.88	1,542.21	1,295.34	16.01%
31300	Emp. Recognition Program	3.09	603.84	600.75	0.51%
31400	Conference Center	88.62	223.45	134.83	39.66%
31500	Pgm Devlpmnt & Implmentn	2,502.61	9,078.26	6,575.65	27.57%
	Total Allocated Expenditures	177,663.56	427,624.13	249,960.57	41.55%
	Net Revenue in Excess (Shortfall) of Expenditures	\$ (119,106.56)	\$ 95,740.15	\$ 214,846.71	124.41%

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 11000 - Social Work

For the Period Beginning July 1, 2020 and Ending October 31, 2020

Account Number	Account Description	July	August	September	October	Total
4002400	Fee Revenue					
4002401	Application Fee	22,745.00	26,070.00	24,555.00	24,590.00	97,960.00
4002406	License & Renewal Fee	13,160.00	2,385.00	960.00	1,835.00	18,340.00
4002407	Dup. License Certificate Fee	475.00	260.00	255.00	125.00	1,115.00
4002409	Board Endorsement - Out	825.00	500.00	725.00	825.00	2,875.00
4002421	Monetary Penalty & Late Fees	915.00	585.00	780.00	915.00	3,195.00
	Total Fee Revenue	38,120.00	29,800.00	27,275.00	28,290.00	123,485.00
	Total Revenue	38,120.00	29,800.00	27,275.00	28,290.00	123,485.00
5011000	Personal Services					
5011100	Employee Benefits					
5011110	Employer Retirement Contrib.	1,014.42	692.10	1,603.21	1,088.72	4,398.45
5011120	Fed Old-Age Ins- Sal St Emp	693.35	652.27	615.71	667.05	2,628.38
5011140	Group Insurance	100.75	67.68	146.64	107.16	422.23
5011150	Medical/Hospitalization Ins.	1,030.50	1,374.00	1,374.00	1,374.00	5,152.50
5011160	Retiree Medical/Hospitalizatn	86.10	56.56	122.56	89.56	354.78
5011170	Long term Disability Ins	46.45	30.80	66.75	48.78	192.78
	Total Employee Benefits	2,971.57	2,873.41	3,928.87	3,375.27	13,149.12
5011200	Salaries					
5011230	Salaries, Classified	9,047.61	7,996.18	7,996.18	7,996.18	33,036.15
5011250	Salaries, Overtime	254.99	841.46	369.74	1,019.96	2,486.15
	Total Salaries	9,302.60	8,837.64	8,365.92	9,016.14	35,522.30
5011380	Deferred Compnstrn Match Pmnts	42.00	28.00	28.00	28.00	126.00
	Total Special Payments	42.00	28.00	28.00	28.00	126.00
5011600	Terminatn Personal Svce Costs					
5011660	Defined Contribution Match - Hy	57.06	38.04	67.50	67.50	230.10
	Total Terminatn Personal Svce Costs	57.06	38.04	67.50	67.50	230.10
	Total Personal Services	12,373.23	11,777.09	12,390.29	12,486.91	49,027.52

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 11000 - Social Work

For the Period Beginning July 1, 2020 and Ending October 31, 2020

Account Number	Account Description	July	August	September	October	Total
5012000	Contractual Svcs					-
5012100	Communication Services					-
5012140	Postal Services	661.12	289.62	374.26	540.07	1,865.07
5012160	Telecommunications Svcs (VITA)	28.39	28.78	30.52	30.90	118.59
5012190	Inbound Freight Services	0.20	-	0.37	-	0.57
	Total Communication Services	689.71	318.40	405.15	570.97	1,984.23
5012400	Mgmt and Informational Svcs					
5012420	Fiscal Services	6,213.50	257.98	40.61	18.85	6,530.94
5012440	Management Services	60.05	-	29.31	-	89.36
	Total Mgmt and Informational Svcs	6,273.55	257.98	69.92	18.85	6,620.30
5012500	Repair and Maintenance Svcs					
5012510	Custodial Services	-	29.38	29.38	-	58.76
5012530	Equipment Repair & Maint Svc	-	2.20	-	1,009.88	1,012.08
	Total Repair and Maintenance Svcs	-	31.58	29.38	1,009.88	1,070.84
5012600	Support Services					
5012660	Manual Labor Services	-	108.35	-	-	108.35
5012670	Production Services	11.10	-	-	-	11.10
5012680	Skilled Services	287.55	287.55	389.82	414.14	1,379.06
	Total Support Services	298.65	395.90	389.82	414.14	1,498.51
	Total Contractual Svcs	7,261.91	1,003.86	894.27	2,013.84	11,173.88
5013000	Supplies And Materials					
5013100	Administrative Supplies					-
5013110	Apparel Supplies	3.81	-	4.25	-	8.06
5013120	Office Supplies	87.54	101.35	101.02	-	289.91
	Total Administrative Supplies	91.35	101.35	105.27	-	297.97
5013500	Repair and Maint. Supplies					
5013510	Building Repair & Maint Materl	-	4.60	-	-	4.60

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 11000 - Social Work

For the Period Beginning July 1, 2020 and Ending October 31, 2020

Account Number	Account Description	July	August	September	October	Total
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	-	303.21
5015000	Continuous Charges					
5015300	Operating Lease Payments					
5015340	Equipment Rentals	51.40	48.70	48.70	2.51	151.31
5015350	Building Rentals	-	-	-	4.80	4.80
5015390	Building Rentals - Non State	1,072.80	1,091.93	1,047.75	995.97	4,208.45
	Total Operating Lease Payments	1,124.20	1,140.63	1,096.45	1,003.28	4,364.56
	Total Continuous Charges	1,124.20	1,140.63	1,096.45	1,003.28	4,364.56
5022000	Equipment					
5022170	Other Computer Equipment	-	-	96.49	(37.66)	58.83
	Total Computer Hrdware & Sftware	-	-	96.49	(37.66)	58.83
	Total Equipment	-	-	96.49	(37.66)	58.83
	Total Expenditures	20,850.69	14,028.17	14,582.77	15,466.37	64,928.00
Allocated Expenditures						
20100	Behavioral Science Exec	10,768.24	7,247.75	7,292.72	7,591.50	32,900.21
20200	Opt\Vet-Med\ASLP Executive Dir	-	-	-	-	-
20400	Nursing / Nurse Aid	-	-	-	-	-
20600	Funeral\LTCA\PT	-	-	-	-	-
30100	Data Center	6,699.39	4,836.15	5,511.40	4,231.99	21,278.92
30200	Human Resources	40.87	48.00	56.66	8,658.64	8,804.18

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 11000 - Social Work

For the Period Beginning July 1, 2020 and Ending October 31, 2020

Account Number	Account Description	July	August	September	October	Total
30300	Finance	5,615.21	4,349.26	4,591.83	7,314.07	21,870.38
30400	Director's Office	2,056.73	1,541.32	1,547.37	1,561.27	6,706.69
30500	Enforcement	16,123.19	11,980.00	11,700.80	9,669.37	49,473.35
30600	Administrative Proceedings	13,979.84	635.66	7,581.71	5,241.92	27,439.12
30700	Impaired Practitioners	35.89	240.03	1.91	2.49	280.31
30800	Attorney General	159.28	-	-	359.32	518.60
30900	Board of Health Professions	1,653.52	1,040.74	1,882.22	974.11	5,550.59
31000	SRTA	-	-	-	-	-
31100	Maintenance and Repairs	-	-	246.88	-	246.88
31300	Emp. Recognition Program	-	3.09	-	-	3.09
31400	Conference Center	2.17	10.39	78.18	(2.12)	88.62
31500	Pgm Devlpmnt & Implmentn	796.95	535.80	654.96	514.90	2,502.61
98700	Cash Transfers	-	-	-	-	-
	Total Allocated Expenditures	57,931.27	32,468.19	41,146.62	46,117.48	177,663.56
	Net Revenue in Excess (Shortfall) of Expenditures	\$ (40,661.96)	\$ (16,696.36)	\$ (28,454.39)	\$ (33,293.85)	\$ (119,106.56)

Staff Discipline Reports

09/04/2020 - 11/26/2020

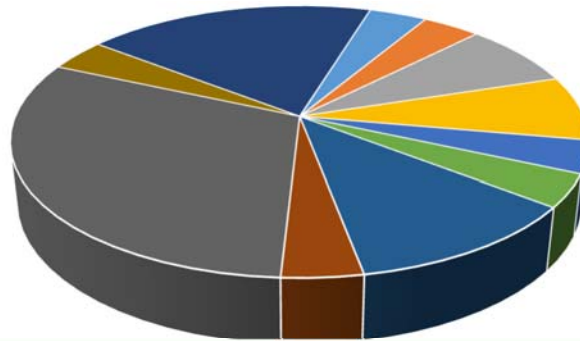
NEW CASES RECEIVED IN BOARD 09/04/2020 - 11/26/2020				
	Counseling	Psychology	Social Work	BSU Total
Cases Received for Board review	70	41	21	<i>132</i>

OPEN CASES (as of 11/26/2020)				
Open Case Stage	Counseling	Psychology	Social Work	BSU Total
Probable Cause Review	62	57	1	
Scheduled for Informal Conferences	14	7	2	
Scheduled for Formal Hearings	6	1	0	
Other (on hold, pending settlement, etc)	24	11	7	
Cases with APD for processing (IFC, FH, Consent Order)	9	1	14	
TOTAL CASES AT BOARD LEVEL	115	77	24	<i>216</i>
OPEN INVESTIGATIONS	76	23	16	<i>115</i>
TOTAL OPEN CASES	191	100	40	<i>331</i>

UPCOMING CONFERENCES AND HEARINGS	
Informal Conferences	IFC held on October 30, 2020 2021 IFCs TBD
Formal Hearings	Held following scheduled board meetings, as necessary

CASES CLOSED (09/04/2020 - 11/26/2020)	
Closed – no violation	20
Closed – undetermined	2
Closed – violation	3
Credentials/Reinstatement – Denied	1
Credentials/Reinstatement – Approved	0
TOTAL CASES CLOSED	26

Closed Case Categories



- Applicant (1)
- Business Practice Issues (1)
- Compliance (2)
- Criminal Activity (2)
- Fraud, Non-patient Care (1)
1 violation
- Fraud, Patient Care (1)
1 violation
- Inability to Safely Practice (3)
- Inappropriate Relationship (1)
- No jurisdiction (8)
- Records Release (1)
- Standard of Care (Diagnosis/Treatment) (5)
1 violation

AVERAGE CASE PROCESSING TIMES (counted on closed cases)	
Average time for case closures	185
Avg. time in Enforcement (investigations)	95
Avg. time in APD (IFC/FH preparation)	60
Avg. time in Board (includes hearings, reviews, etc).	84
Avg. time with board member (probable cause review)	21

2020 STATISTICAL LICENSURE INFORMATION
(September 1, 2020- September 30, 2020)

- Number of Social Work Licenses/Registrations Issued in September 2020

2020 (Sept 1- Sept 30)	Licensed Clinical Social Workers	Endorsement	83
		Examination	33
		COVID19 Temp	14
		Reinstatement	4
	Licensed Master's Social Worker	Endorsement	13
		Examination	10
		Reinstatement	0
	Licensed Baccalaureate Social Worker	Endorsement	0
		Examination	0
		Reinstatement	0
	LCSW Registration of Supervision	Add/Change	56
		Initial Application	61
Total # of Social Work Licenses/Registrations Issued:		274	

- 2020 Online Applications Received

(Sept 1- Sept 30)	By Endorsement	By Examination	Total
LCSW	50	26	76
LMSW	13	13	26
LBSW	4	0	4

(Sept 1- Sept 30)	Initial Application	By Add/Change	Total
LSW Supervision	0	0	0
LCSW Registration of Supervision	57	61	118

Total # of online applications received in September 2020: 224

- Current active & current inactive Social Work Licenses/Registrations as of 09/30/2020:

	Current Active	Current Inactive	Total
Associate Social Worker	1	0	1
Licensed Clinical Social Worker	7,317	192	7,509
Licensed Masters Social Worker	831	19	850
Licensed Baccalaureate Social Worker	22	0	22

LSW Supervision	8	0	8
Registered Social Worker	8	0	8
Registration of Supervision	2,697	0	2,697
			Total 11,095

Social Work 2020 Total Count- all license types (Sept 1, 2020- Sept 30, 2020)

New Applications (initial, add/change, exam & endorsement- paper & online)	249
Duplicate License Request (LCSW- 12; LMSW- 0; LBSW- 0)	12
Duplicate Wall Certificate Request (LCSW- 3; LMSW- 0; LBSW- 0)	3
Verification of VA License Request (LCSW- 23; LMSW-6; LBSW- 0)	29
Inactive Renewal (LCSW- 0; LMSW- 0; LBSW- 0)	0
Inactive to Active (LCSW- 0; LMSW- 0; LBSW- 0)	0
Reinstatement Applications (LCSW- 4; LMSW- 0; LBSW- 0)	4
Renewals (LCSW- 8; LMSW- 3; LBSW- 0; Registered SW- 0; Associate SW-0)	9
Late Renewals (LCSW- 0; LMSW- 0; LBSW- 0)	0
Address Changes	51

2020 STATISTICAL LICENSURE INFORMATION
(October 1, 2020- October 31, 2020)

- Number of Social Work Licenses/Registrations Issued in October 2020

2020 (Oct 1- Oct 31)	Licensed Clinical Social Workers	Endorsement	52
		Examination	20
		Reinstatement	5
	Licensed Master's Social Worker	Endorsement	7
		Examination	9
		Reinstatement	1
	Licensed Baccalaureate Social Worker	Endorsement	1
		Examination	1
		Reinstatement	0
	LCSW Registration of Supervision	Add/Change	71
		Initial Application	81
	Total # of Social Work Licenses/Registrations Issued:		

- 2020 Online Applications Received

(Oct 1- Oct 31)	By Endorsement	By Examination	Total
LCSW	53	43	96
LMSW	6	18	24
LBSW	2	3	5

(Oct 1- Oct 31)	Initial Application	By Add/Change	Total
LSW Supervision	0	0	0
LCSW Registration of Supervision	46	54	100

Total # of online applications received in October 2020: 225

- Current active & current inactive Social Work Licenses/Registrations as of 11/02/2020:

	Current Active	Current Inactive	Total
Associate Social Worker	1	0	1
Licensed Clinical Social Worker	7,408	192	7,600
Licensed Masters Social Worker	850	19	869
Licensed Baccalaureate Social Worker	24	0	24
LSW Supervision	8	0	8

Registered Social Worker	8	0	8
Registration of Supervision	2,769	0	2,769
			Total 11,279

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

New Applications (initial, add/change, exam & endorsement- paper & online)	236
Duplicate License Request (LCSW- 5; LMSW- 0; LBSW- 0)	5
Duplicate Wall Certificate Request (LCSW- 2; LMSW- 0; LBSW- 0)	2
Verification of VA License Request (LCSW- 26; LMSW-7; LBSW- 0)	33
Inactive Renewal (LCSW- 0; LMSW- 0; LBSW- 0)	0
Inactive to Active (LCSW- 2; LMSW- 0; LBSW- 0)	2
Reinstatement Applications (LCSW- 4; LMSW- 1; LBSW- 0)	5
Renewals (LCSW- 15; LMSW- 4; LBSW- 0; Registered SW- 0; Associate SW-0)	19
Late Renewals (LCSW- 0; LMSW- 0; LBSW- 0)	0
Address Changes	29

2020 STATISTICAL LICENSURE INFORMATION (November 1, 2020- November 30, 2020)

- Number of Social Work Licenses/Registrations Issued in November 2020

2020 (Nov 1- Nov 30)	Licensed Clinical Social Workers	Endorsement	35
		Examination	28
		Reinstatement	0
	Licensed Master's Social Worker	Endorsement	5
		Examination	5
		Reinstatement	0
	Licensed Baccalaureate Social Worker	Endorsement	0
		Examination	1
		Reinstatement	0
	LCSW Registration of Supervision	Add/Change	33
		Initial Application	30
	Total # of Social Work Licenses/Registrations Issued:		137

- 2020 Online Applications Received

(Nov 1- Nov 30)	By Endorsement	By Examination	Total
LCSW	32	38	70
LMSW	2	10	12
LBSW	1	2	3

(Nov 1- Nov 30)	Initial Application	By Add/Change	Total
LCSW Registration of Supervision	38	52	90

Total # of online applications received in November 2020: 175

- Current active & current inactive Social Work Licenses/Registrations as of 11/30/2020:

	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 (November 1, 2020- November 30, 2020)

New Applications (initial, add/change, exam & endorsement- paper & online)	188
Duplicate License Request (LCSW- 8; LMSW- 0; LBSW- 0)	8
Duplicate Wall Certificate Request (LCSW- 1; LMSW- 0; LBSW- 0)	1
Verification of VA License Request (LCSW- 12; LMSW-2; LBSW- 0)	14
Inactive Renewal (LCSW- 0; LMSW- 0; LBSW- 0)	0
Inactive to Active (LCSW- 2; LMSW- 0; LBSW- 0)	2
Reinstatement Applications (LCSW- 3; LMSW- 0; LBSW- 0)	3
Renewals (LCSW- 5; LMSW- 1; LBSW- 0; Registered SW- 0; Associate SW-0)	6
Late Renewals (LCSW- 0; LMSW- 0; LBSW- 0)	0
Address Changes	23

2020 STATISTICAL LICENSURE INFORMATION
(January 1, 2020- November 30, 2020)

- Number of Social Work Licenses/Registrations Issued in 2020

2020 (Jan 1- Nov 30)	Licensed Clinical Social Workers	Endorsement	343
		Examination	266
		Reinstatement	28
		COVID19 Temp	474
	Licensed Master's Social Worker	Endorsement	79
		Examination	78
		Reinstatement	3
	Licensed Baccalaureate Social Worker	Endorsement	6
		Examination	3
		Reinstatement	0
	LCSW Registration of Supervision	Add/Change	469
		Initial Application	460
Total # of Social Work Licenses/Registrations Issued:		2,202	

- 2020 Online Applications Received

(Jan 1- Nov 30)	By Endorsement	By Examination	Total
LCSW	377	379	756
LMSW	102	207	309
LBSW	9	37	46

(Jan 1- Nov 30)	Initial Application	By Add/Change	Total
LCSW Registration of Supervision	540	543	1,083

Total # of online applications received in 2020: 2,194

- Current active & current inactive Social Work Licenses/Registrations as of 11/30/2020:

	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- November 30, 2020)

New Applications (initial, add/change, exam & endorsement- paper & online)	2,306
Duplicate License Request (LCSW- 165; LMSW- 14; LBSW- 0)	179
Duplicate Wall Certificate Request (LCSW- 23; LMSW- 3; LBSW- 0)	26
Verification of VA License Request (LCSW- 222; LMSW-46; LBSW- 0)	268
Inactive Renewal (LCSW- 189; LMSW- 19; LBSW- 0)	208
Inactive to Active (LCSW- 12; LMSW- 1; LBSW- 0)	13
Reinstatement Applications (LCSW- 31; LMSW- 3; LBSW- 0)	34
Renewals (LCSW- 6,863; LMSW- 711; LBSW- 16; Registered SW- 8; Associate SW-1)	7,599
Late Renewals (LCSW- 18; LMSW- 9; LBSW- 0)	27
Address Changes	497

2020 STATISTICAL EXAMINATION INFORMATION

(January 1, 2020- November 30, 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

GRAND TOTAL 2020 (Jan 1- Nov 30)	Licensed Clinical Social Workers Applicants	Clinical Exam	387
	Licensed Master Social Worker Applicants	Masters Exam	176
	Licensed Baccalaureate Social Worker Applicants	Bachelors Exam	24
Total # of Social Work Applicants Approved to test:			587

SUPERVISEE IN SOCIAL WORK SUPERVISORY CONTRACT

This **supervisory contract** is meant to outline the expectations and responsibilities of the supervisor and supervisee in accordance with the regulations of the Virginia Board of Social Work and responsibilities between _____, supervisor and _____, supervisee in social work effective date _____.

Supervisee's Worksite:

List business name(s) and address(es) where the supervisee will be providing clinical social work services under the supervision of the above named supervisor working toward LCSW licensure

Purpose of Supervision:

Supervision is a 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.

Personal Goals:

- 1) _____

- 2) _____

- 3) _____

Responsibilities of the Supervisor:

1. The supervisor will meet the qualifications as outlined in 18VAC1140-20-50(B) and maintain licensure for the duration of the supervision.
2. The supervisor will monitor the performance of the person supervised and provide regular, documented individual or group consultation, guidance, and instruction that is specific to the clinical social work services being performed with respect to the clinical skills and competencies of the person supervised in accordance with Regulations Governing the Practice of Social Work.
3. Review and approve the diagnostic assessment and treatment plan of a representative sample of the clients assigned to the applicant during the course of supervision. The sample should be representative of the variables of gender, age, diagnosis, length of treatment and treatment method within the client population seen by the applicant.
4. The supervisor will not provide supervision for a family member or provide supervision for anyone with whom he has a dual relationship.
5. The supervisor will assume full responsibility for the social work activities of the supervisee set forth in the regulations once the supervisory arrangement is accepted and for the duration of the supervision or until terminated.
6. The supervisor will evaluate the supervisee's knowledge and document minimal competencies in the areas of an identified theory base, application of a differential diagnosis, establishing and monitoring a treatment plan, development and appropriate use of the professional relationship, assessing the client for risk of imminent danger, understanding the requirements of law for reporting any harm or risk of harm to self or others, and implementing a professional and ethical relationship with clients.
7. The supervisor will provide supervision as defined in 18VAC140-20-50.

Commented [Jm1]: Wouldn't this mean they would have to submit another contract every time they have a change? I thought the board decided we didn't need to know that.

Commented [LC(2R1)]: What I have been telling residents in counseling is that they need to make sure that they have a current contract in place that specifies the supervisor and every worksite where the resident is working.

Commented [Jm3]: I am not sure this is necessary. The goals are contained in the commons competencies required to become licensed.

Commented [LC(4R3)]: I can delete this section.

SUPERVISEE IN SOCIAL WORK SUPERVISORY CONTRACT

8. The supervisor will establish written contract items related to the frequency of individual and/or group supervision sessions, formal and informal evaluations, contact information, etc.
9. The supervisor will ensure that the supervisee is practicing within the scope of the supervisee's supervision.
10. The supervisor will ensure the supervisee has read and is knowledgeable about the state and federal laws related to reporting requirements and emergency procedures for high risk or abused clients, as well as confidentiality and privileged communication.
11. The supervisor will, within a reasonable period of time before termination of supervision, provide the supervisee and employer with a notice of termination to avoid or minimize any harmful effect on the supervisee's clients or patients.
12. The supervisor will conduct supervision as a process distinct from personal therapy or didactic instruction.
13. The supervisor will be available outside of scheduled supervision for consultation and/or emergency situations.
14. The supervisor will make a reasonable effort to ensure the supervisees competence to practice.
15. The supervisor will immediately report to the Board any unethical practice performed by the supervisee, in accordance with regulation 18VAC140-20-150.
16. The supervisor will remain up-to-date on the changes related to the Regulations Governing the Practice of Social Work.

Supervisor Duties:

The supervisor agrees to provide clinical supervision to _____ for a minimum of one hour and a maximum of four hours per week (40 hours of work experience) of face-to-face individual or group in-person supervision. The following duties may include by not limited to:

- Uphold ethical guidelines.
- Examine client presenting complaints and treatment plans.
- View videotapes of supervisee's sessions.
- Challenge supervisee to justify approach and techniques used.
- Monitor supervisee's basic attending skills.
- Support supervisee's development as a social worker.
- Present and model appropriate directives.
- Intervene when client welfare is at risk.
- Maintain weekly supervision case notes.

Responsibilities of the Supervisee:

1. The supervisee will read, understand and intend to comply with the Regulations Governing the Practice of Social Work in Virginia.
2. The supervisee will establish and execute a supervisory contract for supervision before beginning to provide clinical social work services as a supervisee in social work and before counting hours toward LCSW licensure.
3. The supervisee will participate in supervision with a goal of increasing competency in clinical practice and attend supervision on the agreed upon basis.
4. The supervisee will be prepared to discuss with the supervisor the diagnosis/case conceptualization and treatment of each client as well as problems in the supervisee's clinical milieu.
5. The supervisee will provide samples of diagnostic assessments and treatment plans which are representative of the variables of gender, age, diagnosis, length of treatment and treatment method within the client population seen by the supervisee.
6. The supervisee will avoid engaging in activity for which the supervisee lacks competency, training, education, supervision and which may compromise client safety and wellbeing.
7. The supervisee will refrain from representing himself or herself as an independent, autonomous practitioner or licensed clinical social worker.

SUPERVISEE IN SOCIAL WORK SUPERVISORY CONTRACT

8. The supervisee will refrain from directly billing for services rendered.
9. The supervisee will, during the supervised experience, will use their names and the initials of their degree, and the title "Supervisee in Social Work" in all written communications.
10. Supervisees will inform clients in writing of the supervisee's status and the supervisor's name, professional address, and phone number
11. The supervisee will not supervise the provision of clinical social work services provided by another person.
12. The supervisee will remain up-to-date on the changes related to the Regulations Governing the Practice of Clinical Social Work Services.
13. The supervisee will reach out to the supervisor outside of scheduled supervision to consult or in emergency situations, as needed.
14. The supervisee will ensure that supervision occurs a minimum of one hour and a maximum of four per 40 hours of work experience during the supervised experience.

Supervisee Duties:

I agree to be consistently engaged in my supervision, to attend supervision on time and be prepared to discuss personally salient aspects of my experience, to complete all client documentation in a timely manner, to log all supervision experiences, and to act at all times in an ethical manner with clients. In addition, the following duties may include by not limited to:

- View session videotapes in preparation for weekly supervision.
- Bring videotapes set to a specific point in the session where you had questions about client conceptualization, techniques, or other issues. Be prepared with specific questions to be worked on in the supervision session.
- For any videotape shown in supervision, bring required paperwork requested by supervisor.
- Justify client case conceptualizations made and approach and techniques used.
- Complete case notes and submit in a timely manner.
- Implement supervisory directives in subsequent sessions.
- Discuss any problems with the supervisory experience.

Compensation:

In exchange for supervisor's time, expertise and licensure, the Supervisor will be compensated \$____ per one hour of in-person individual supervision and \$____ per group supervision provided, payable _____.

Emergency Procedure:

In case of an emergency, we have discussed and agreed upon the following procedure:

Duration and Termination:

The period of this agreement will be from _____ until licensed by the Virginia Board of Social Work as a LCSW, or the agreement is otherwise terminated. Either party upon _____ days' notice may terminate this agreement. The agreement can be immediately terminated if either party fails to maintain necessary qualifications or fails to follow the Regulations Governing the Practice of Social Work.

Supervisor Scope of Competence:

Commented [Jm5]: I think this should be left up to the employer and supervisor. Many employers provide free in-house supervision with a payback requirement if the supervisee doesn't stay on board once licensed for a certain time frame.

Commented [LC(6R5): This will be up to you and the Board to decide if this needs to be added. They can always state that it is free or \$0.

SUPERVISEE IN SOCIAL WORK SUPERVISORY CONTRACT

Additional Provisions, Agreements and/or Clarifications:

We, as supervisor and supervisee, agree to uphold the directives and provisions outlined in this contract to the best of our abilities, and conduct our professional behavior according to Regulations Governing the Practice of Social Work, Code of Virginia and relevant state and federal laws.

Supervisor _____ Date _____

Supervisee _____ Date _____

SAMPLE

ADVISORY BOARD MEMBER

Gary Verhagen, MS, MT-BC, LCAT

First Term Ends

June 30, 2021

Anthony Meadows, PhD, MT-BC, FAMI

First Term Ends

June 30, 2022

Michelle Westfall, MS, MT-BC

First Term Ends

June 30, 2024

Anna McChesney, MS, LPC, MT-BC

First Term Ends


June 30, 2023

Linda Rae Stone, DVM

First Term Ends

June 30, 2024

CITIZEN MEMBER



REPORT ON RECIPROCAL AGREEMENTS FOR THE LICENSURE OF SOCIAL WORKERS – SB53 (2020)

Virginia Board of Social Work

Jaime Hoyle, Executive Director
Jaime.hoyle@dhp.virginia.gov

Executive Summary

Senate Bill 53 (SB 53) introduced by Senator William M. Stanley, Jr. during the 2020 Virginia General Assembly “directs the Board of Social Work to pursue the establishment of reciprocal agreements with jurisdictions that are contiguous with the Commonwealth for the licensure of baccalaureate social workers, master’s social workers, and clinical social workers.” The goal of the legislation appears to be the reduction of barriers to licensure with an increase in available workforce. While the Board of Social Work can continue to reconsider reciprocal agreements periodically, the endorsement processes already in place are working well. A social worker at any level who licensed in another state can be issued a Virginia license in less than a week.

Background

Currently the Virginia Board of Social Work (Board) licenses out-of-state licensees through a process of endorsement. Endorsement means that a social worker who already holds a license in another state can be issued a Virginia license because the primary licensing jurisdiction attests that the education, training, and examinations meet the same requirements as for an in-state applicant. Reciprocity, on the other hand, requires a formal agreement between states adding another layer to the licensing process.

The Current Endorsement Process in Virginia

Over the last two years, the Board has significantly eased the requirements for endorsement and reduced barriers to out-of- state licensees entering Virginia. Virginia previously required 3000 hours of supervised experience to obtain a Licensed Bachelor Social Work (LBSW) license. It became clear that this requirement was steeper than most other jurisdictions; most other states require no supervised experience for an LBSW. In March 2020, the Board eliminated the experience requirement for Virginia LBSW applicants, as well as for LBSW out-of-state applicants. As a result, applicants applying for an LBSW by endorsement demonstrate that they have a license in good standing, that they have passed the Association of Social Work Boards (ASWB) Bachelor’s Examination, and that they have been in active practice for 24 of the past 60 months. The application fee is paid and the license is issued promptly.

As no supervised experience is required in most jurisdictions, including Virginia, for a masters level license, it is also straightforward to obtain a Virginia Licensed Master Social Work (LMSW) license by endorsement. Out-of-state applicants pay the fee, provide proof that they have a license in good standing at the same level, that they have passed the ASWB’s Master’s Examination, and that they have been in active practice for 24 of the past 60 months.

Virginia’s requirement for 3000 hours of supervised experience for the Licensed Clinical Social Work (LCSW) license aligns with the majority of states. To obtain an LCSW license by endorsement, out-of-state applicants must pay the fee, provide evidence that they have a license in good standing at the same level, that they have passed the ASWB’s Clinical Examination, and document substantially equivalent experience requirements. If applicants can show that the experience meets Virginia’s requirements, they do not have to show proof of active practice for any length of time. Virginia denies very few LCSW endorsement applications.

In September 2020, the Board adopted a Notice of Intended Regulatory Action (NOIRA) to eliminate the requirement that an applicant for endorsement provide verification of active practice or evidence of experience. As a result, LBSW, LMSW, and LCSW applicants by endorsement will need only to pay the fee, provide verification of an active license in good standing at the same level, and provide proof there has been no disciplinary action against any license held. Once that information is provided, the Board will grant them a license to practice in Virginia.

Reciprocity Agreements

The Code of Virginia § 54.1-103(B) states that “The regulatory boards may enter into agreements with other jurisdictions for the recognition of certificates and licenses issued by other jurisdictions.”¹ Under this authority, and pursuant to the directive of SB 53, the Executive Director of the Virginia Board of Social Work reached out to the other Executive Directors of Social Work Boards, even beyond our contiguous borders, to determine their level of interest in entering into a reciprocity agreement. Nevada, Maryland, Louisiana, Oklahoma, and Florida expressed interest in pursuing reciprocity agreements with Virginia.

Regarding contiguous jurisdictions, the District of Columbia, North Carolina, and Tennessee have the same education, examination, experience, and endorsement requirements as Virginia; licensure by endorsement is already in place and is working well. Reciprocity agreements would only add another layer to the process. These jurisdictions were not interested in formalizing a reciprocal agreement. Because West Virginia requires 4000 hours of experience for the LCSW, West Virginians are able to get a license by endorsement in Virginia, but the Virginia LCSW license is less portable into West Virginia.

It should be noted that the 2018 Association of Social Work Boards (ASWB) Delegate Assembly set a goal that member boards streamline the licensing process in order to facilitate licensure by endorsement and increase license portability. The membership of ASWB, including Virginia, is moving that direction further removing the need for formal reciprocity agreements.

Conclusion

Because the Virginia Board of Social Work requires substantially similar education, examination, and supervision experience as other jurisdictions for all three license types, the licensure by endorsement processes in place obviate the need to develop formal reciprocal agreements with other jurisdictions. License portability is also encouraged by the ASWB.

¹ Available at https://www.dhp.virginia.gov/media/dhpweb/docs/laws-regs/Ch1_Gen_Prov_Occ_Prof.pdf