

BSWE Newsletter



Happy Spring! I hope you are able to get outside and enjoy some of this glorious weather, soak up some natural Vitamin D and have a little self-care time! As Social Work professionals, sometimes our lives get too busy to take time for ourselves, but as you all know, it is imperative to do so. A colleague of mine used to give her clients a great analogy that I would like to share with you now. When the flight attendants on any airline give their emergency demonstration, they show the oxygen mask coming down from the ceiling. They tell parents to put the mask on themselves FIRST and their child SECOND, because they would not be able to help their child if they aren't medically able to do so! Lesson: take care of yourself so you can take care of others!

In this issue of our newsletter, you will see that the primary topics covered have a lot to do with reminders about BEST PRACTICES. Although the Board of Social Work Examiners (BSWE) has been in existence for over 40 years now, I am constantly amazed at the changing trends and the questions that arise as a result. As Chair, I often wonder why some issues keep coming up. I wonder why things weren't resolved a long time ago. I realize now that our profession is fluid and indeed, constantly changing. This is a great thing when you think about it. We try to keep up with societal and cultural changes, rather than remain stagnant.

As you know, 2 years ago, major changes were made to the Maryland Social Worker's Act, also referred to as Title 19 of the Health Occupations Code. After the passage of those changes, it became incumbent upon the BSWE to write Regulations that mirror parts of the Statute. I'd like to clarify, for those who may not know the difference between Statute and Regulations. Statute is law (Title 19). Regulations (COMAR10.42.01 though .09) are written as a means to clarify and enforce the law. So the law was passed in the spring of 2017. Since that time, the Statutes and Regulations Committee of the BSWE began work writing the Regulations to match the Statute. These draft Regulations must pass through many hands including the Regulations Coordinator of the Board, the Regulations Coordinator of the Department of Health, the Attorney General's Of-

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office, and the public who commented on the proposed regulations. After the comment period, changes can be made that are not substantive and then voted on by the Board before being signed by the Secretary to become finalized. As I write this, I am hopeful that the new regulations will be promulgated either before you receive this newsletter or shortly thereafter.

It has been clear from the many comments we have received that there is a lot of anxiety and concern about these changes. In anticipation of the passage of the Regulations, the BSWE has made plans to have opportunities for licensees to communicate with us. We realize there will be many questions and concerns. Our Board staff is always available to you. Feel free to call in for questions or to attend a Board meeting. Also, be sure to check the Board's website as there are many questions already answered in the FAQ and topic sections. Our Board meets the second Friday of the month. The Open Session usually starts at 10:30 am. Licensees and members of the public are more than welcome to attend. I make every opportunity to allow for questions from our visitors. More information will be forthcoming about other opportunities to speak with our staff.

As I conclude, I'd like to take this opportunity to thank several Board members who have served our Board at the time of this writing.

Joyce Bell, Ph.D., LCSW-C served as the Vice-Chair of the BSWE and Chair of the Statute and Regulations Committee during the time that the new Statute was written. Countless hours were spent by Dr. Bell as she prepared for meetings and worked on this legislation. Dr. Bell served on the BSWE for two terms, eight years! We thank her so much for her kind demeanor, dedication and hard work.

Aimee Williams, LCSW-C was a member of the BSWE for approximately 3 years. She served as the Board Secretary/Treasurer. Aimee was unable to fulfill her term because of the nature of her employment, which caused her to be deployed for lengthy periods of time. However, during the time Aimee was with the Board, she was an active participant who always added value to our many discussions. Thank you Aimee!

Angela Anderson was a Consumer Member of the BSWE. Angela served on the Board for over 6 years. Our consumer members are incredibly valuable as they give the perspective of a concerned citizen. Angela's offerings as a Board member were always welcomed as they gave us a different way or approach to situations. She will be missed. Thank you Angela!

Mary Sayres, LCSW-C was a member of the Board for almost 4 years. Her experience as both a clinician and an administrator gave added value to our Board. Mary was extremely committed and dedicated as a Board member. Unfortunately for us, Mary moved out of state and was no longer able to serve in Maryland. Her leaving was a great loss to the Board. Thank you Mary!

Lastly, I'd like to recognize Denise Capaci, LCSW-C for her tenure on the BSWE. Denise will have served out two full terms on the Board when she leaves in July. Denise is the past Chair of the Board. She was an amazing leader, able to be objective and facilitate discourse in a way which lead to resolution, no matter what the topic. Denise will continue her volunteer efforts by serving on the Association of Social Work Boards, a national organization. I cannot thank Denise enough for her hard work and untold hours spent with the BSWE. Thank you Denise!

Finally, I'd like to offer a few "truisms" to the faithful Social Workers out there!

"When in doubt, report" (any suspected abuse you may be aware of; let the DSS decide if it is a report they will investigate)

"If it's not written down, it didn't happen". (Document, document, document)

"Once a client, always a client" (dual relationships are one of the most egregious acts we can engage in. It doesn't matter how much time has passed)

I hope you enjoy this Spring and Summer. We'll be back with another newsletter in the Fall!

Sherryl Silberman , LCSW-C

Board Chair

CHILD ABUSE AND NEGLECT MANDATORY REPORTING

Submitted By Susan Coppage, LCSW-C, Board Member

Jody Simmons, LCSW, Contributed

So I am a Mandated Reporter, what does that mean anyway? As you are aware Social Workers, along with health practitioners, educators, human service workers and police officers are all considered Mandated Reporters but in a practical sense what does that mean and what should you expect when you make a child protective services report.

For the purpose of providing some background information, mandated reporters are governed by Maryland's Annotated Code Family Law Article §5-704. This article outlines who is responsible for making a report of suspected child abuse or neglect as well as the manner in which that report shall be made. It is important to note that reporting does not require proof that child abuse and neglect has occurred since waiting for proof may increase the risk to the child and impede services



to the family. You should use your professional judgment and knowledge when evaluating any suspicion you may have. Other legislation that is relevant to reporting child abuse and neglect are Family Law Article §5-704 (a)(2), Family Law Article §5-707 and Human Services Article §§1-201-1-203, Annotated Code of Maryland.

You suspect child abuse or neglect, what now? Mandated reporters are required to notify the local department of social services or the appropriate law enforcement agency as soon as they become aware that abuse or neglect may have occurred. Efforts should be made to contact the local department of social services where the incident is believed to have occurred, recognizing that information may not always be available. In order to make a report of suspected abuse or neglect, the more information you have available the better but do not let incomplete information prevent you from reporting. The individual receiving the report at the local department of social services will likely prompt you for necessary information in order to obtain the most comprehensive and complete information possible.

Once the verbal report is made, you are required to follow up with a written report using the reporting form DHR/SSA 180 found at <http://dhs.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-neglect/mandated-reporters/>. A copy of the form should also be forwarded to the local State's Attorney. It is important that you retain copies of the written report that you provide to the local department of social services and document in your records. In addition, if you are employed in a hospital, public health agency, child care institution, school, detention facility or similar institution, you shall immediately notify the head of the institution or their designee.

You may be asking yourself, what happens next? It is important for you to be aware, as the reporter, that information regarding your report and any subsequent action taken by the local department of social services is **confidential**. Your identity as the reporter will not be disclosed by the local department unless court ordered. It is also important to know that you will not be privy to any information or action regarding your report once the report is made.

Once your report is received, the local department screens the report using a standardized screening tool to determine if the report meets the legal criteria for child abuse and neglect. If the report meets the legal criteria for child abuse and neglect, the worker screening the report will "screen in" the report and the screening supervisor will determine the local department's response. There are two possible outcomes once a report is "screened in". The first is an Investigative Response, the traditional investigation, which focuses on forensic assessment and in which a "finding" is made. An investigative response is deemed necessary for high risk reports. The second is an Alternative Response, this is still a child protective services response but is designed for lower risk cases and involves a family assessment and family engagement and no "finding" is made.

If the case does not meet the legal criteria for abuse and neglect and is “screened out” the local department may offer the family in-home family services and/or refer the family to other community resources that they may benefit from. It is important to know that the local department cannot share with the reporter the status of the report and/or the outcome.

What about confidentiality? Aren't I breaking confidentiality by reporting? There are two Maryland laws (General Health Article 4-306 and the Family Law Article §5-711) pertaining to the disclosure of medical records (including mental health records) to local departments of social services. Health Article 4-306 mandates that health care providers disclose information from medical records concerning any person, child or adult, who is being assessed as part of a protective services response or to whom services are being provided. The law governs medical records including mental health records. Family Law Article 5-711 mandates that as needed by the local department as part of its child protective services response or in order for the department to provide appropriate services in the best interests of a child subject of a child abuse or neglect report; copies of the child's medical records be provided, upon request from any provider of medical care.

What if I have concerns about a vulnerable adult. If you are a health practitioner, police officer, human service worker, or any banking institution for cases of financial exploitation and have reason to believe that a vulnerable adult is in danger, you are required to make a report to the local department of social services. The local department will notify the reporter that the investigation has begun as a result of their report. Confidentiality regulations determine the amount and kind of information disclosed.

As a Mandated reporter remember these key points:

- Trust your professional judgment,
- Document, document, document and
- It is better to err on the side of caution and make the report, allow the local department to make the determination if a response is necessary.

Are you looking for more information?

<http://dhs.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-neglect/what-is-child-abuse-and-neglect/>

<http://dhs.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-neglect/mandated-reporters/>

<http://dhs.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-neglect/what-happens-after-reporting-to-cps/>

Part 2: Disciplinary Case Review Committee

Submitted by Jerry Farrell, Board Member, DCRC Chair

In the 2018 Fall issue of this Newsletter, we wrote about the review process the Board of Social Work Examiners follows when complaints are received. In this issue, we will provide information on the volume and type of complaints the Board receives. There are just over 15,000 licensed social workers in Maryland. In the 2018 calendar year, the Board received 152 complaints. Of those:

- 45 were dismissed;
- 32 have been closed with informal Letters of Education or Letters of Admonishment;
- 14 cases have been forwarded to the prosecutors in the Office of the Attorney General (OAG) and are awaiting issuing of formal charging documents or pre-charge consent orders;
- Ten have been closed with the issuance of a public sanction, and;
- 51 remain open under investigation.

The vast majority of complaints received by the Board involve allegations of some sort of professional misconduct. Examples include failure to report child/elder abuse, abandonment of clients, falsifying treatment records, inappropriate/incompetent practice, unauthorized sharing of confidential information/HIPPA violations, etc. Failure of a continuing education audit and violations of supervisory protocols are the next highest number of complaints each year. The Board also receives too many allegations of boundary violations, inappropriate relations with clients or other individuals, and fraud – including Medicare/Medicaid fraud. Record keeping deficiencies, especially among newly licensed social workers is a particular concern since maintenance of complete and thorough treatment records is so fundamental to any health care practitioner.

The Board seeks to ensure that all licensees are familiar with the disciplinary process and how to avoid becoming involved with the process as a respondent to an alleged violation. The Board also wants licensees to understand that while the disciplinary process is fair, final adjudication of individual complaints can take many months. Cases are prioritized in terms of potential for harm to the public, and the Board has recently hired a second investigator which should help address the investigatory backlog. Where there is clear danger to others, the Board shall vote for the social worker's license to be summarily suspended.

In an effort to improve awareness of situations that result in allegations of misconduct, the Board is considering adoption of a jurisprudence exam as part of the licensing process. In the meantime, the Board urges all Maryland licensees to review Health Occupations, Title 19, Social Workers, and COMAR regulations governing the practice of social work and pay attention to the details of the profession. This information is located on the Board's website under Statutes and Regulations, www.health.maryland.gov/bswe.

WELCOME NEW BOARD MEMBERS

On November 8, 2018, Governor Lawrence J. Hogan, Jr. appointed Susan P. Coppage, LCSW-C, to the Board of Social Work Examiners to complete a term that ends on June 30, 2021. She was recommended to the Governor by the Secretary of the Department of Human Services.



Ms. Coppage is currently the Director of the Queen Anne's County Department of Social Services. She is a resident of Centreville, Maryland in Queen Anne's County. Her career of almost 19 years has focused on providing direct social services as well as being an administrative leader in social service programs in Talbot and Queen Anne's Counties. In addition, she has spent 2 years as special assistant to the Executive Director of the Social Services Administration.

On March 15, 2019, Governor Lawrence J. Hogan, Jr. appointed Sondra G. Petty, LCSW-C, to the Board of Social Work Examiners to complete the remainder of a term that ends on June 30, 2019. She is currently a Senior Social Worker/ Case Manager for the DC Government Contract Liaison at the Veterans Affairs Medical Center in Washington, DC. In addition, she is a part-time/private practice addictions therapist at the Kolmac Clinic, and social work supervisor at Maryland Family Resources.



Ms. Petty is a resident of Bowie, Maryland in Prince George's County. She has over 20 years' experience that includes working at the DC Commission of Mental Health Services, home health services, health education, labor management programs, health care monitor, and as a trainer.

We are fortunate to have Ms. Coppage and Ms. Petty on the Board of Social Work Examiners as regulators of the practice of social work and serving the citizens of Maryland.

CONTINUING EDUCATION REQUIREMENT

BOARD APPROVED SUPERVISION

Beginning with the 11/01/2017 – 10/31/2019 License Renewal Cycle

Board Approved Supervision requirement: Complete 3 Category I or II CEUs each renewal cycle in Supervision (see below).

COMAR 10.42.08 Supervision

10.42.08.05.A.(8) “At the time of license renewal, demonstrate to the Board completion of 3 of the required Category I or Category II continuing education units in a content area focusing on supervision training as stipulated in Regulation .04.A.(2)(c) of this chapter.”

To review the adopted language in both chapters in its entirety, please visit the Board’s website at www.health.maryland.gov/bswe/ , click on Statutes and Regulations.

COMAR 10.42.06 Continuing Education Requirements

10.42.06.03.A.(1)(c) ”For registered and Board-approved supervisors, 3 of the required Category I or II continuing education units shall have a content area focusing on supervision as stipulated in COMAR 10.42.08.04.A(2)(c).”

COMAR 10.42.08.04.A(2)(c) states:

“(c) Supervision training required in §A(2)(a) of this regulation shall be obtained in Category I or Category II and may include, but is not limited to:

- (i) The role and responsibilities of the social work supervisor;
- (ii) The needs of the supervisee, supervisor, and the agency setting while maintaining a clear ethical perspective;
- (iii) The role of the social work supervisor as gatekeeper to the profession;
- (iv) Methods for building effective and appropriate relationships with clients;
- (v) Methods for group supervision; and
- (vi) Models and modalities for practice intervention.”

The *Continuing Education Report Form* has been modified for the November 1, 2017 – October 31, 2019 license renewal period to document the completion of the 3 Supervision CEUs required for Board Approved Supervisors.

DOES YOUR LICENSE EXPIRE ON OCTOBER 31, 2019?

A licensee can check the status of her/his license by going to the Board's Verification page:

Website link - <https://mdbnc.health.maryland.gov/bsweVerification/default.aspx>

On or after July 15, 2019, a licensee may renew her/his license which expires October 31, 2019.

Notification of renewal will be mailed by July 15th (yellow post card) to each licensee at the last known mailing address on file with the Board. **Be sure your name, mailing address and email address are current with the Board.**

- **Criminal History Records Checks are NOT required to renew in October 2019.**
- **Obtaining 3 Category I or II credit units in supervision for Board Approved Supervisors is required for this renewal.**
- **Obtaining 3 credit units in Ethics can be earned in Category I or II.**



Check the status of your continuing education credit units while there is still time to attend CE programs to complete the requirement of 30 credit units for LBSWs and 40 credit hours for LMSWs, LCSWs, and LCSW-Cs.

IS THIS TRAINING PROGRAM APPROVED BY THE BOARD?

Many social workers call the Office of Continuing Education looking for information on whether or not a particular learning activity is acceptable to earn continuing education units. There are several factors to assist the licensees in making this determination.

I. First, as a social worker, you must ask yourself:

- Will this learning activity maintain and enhance my professional competence, improve my professional skills and knowledge, and enrich the social work services I provide to my clients/patients?

II. Second, the licensee should gather information on the learning activity **before** registration by reviewing the Board's website, www.health.maryland.gov/bswe click on the Continuing Education web page.

- Determine if agency/organization/company is approved as a Board Authorized Provisional Sponsor or Board Authorized Sponsor,
- Determine if the agency/organization/company is approved through NASW or ASWB,
- Review the List of Learning Activities not accepted by the Board, and
- Ensure the learning activity meets **COMAR 10.42.06 Continuing Education Requirements**.

If you are unsure or have additional questions, please contact Ms. Stacie Rigby, the Office of Continuing Education, at 410-764-3477 or stacie.rigby@maryland.gov.

REMINDERS

Per The Association of Social Work Boards' website:

"The Association of Social Work Boards' Approved Continuing Education (ACE) program identifies and recognizes high-quality continuing education providers that can deliver quality programs in many topics, through in-person or distance learning settings."

For more information, click on:

<https://www.datapathdesign.com/ASWB/ACEdswb/Prod/cgi-bin/ACESearchDSWBDLL.dll/acesShowProviders>

Sponsors

If you have a concern around an approved sponsor and/or the trainings or activities you have taken, please contact the approved sponsor directly. If you would like to speak with a staff member, please contact: , Stacie Rigby, Continuing Education Associate at stacie.rigby@maryland.gov

Discipline

Public Orders (formal disciplinary actions) from 2005 – present may be viewed on the Board's website: www.health.maryland.gov/bswe . The link to the Public Orders is on the left menu.

Post Renewal Continuing Education Audit

If one is chosen for the Post Renewal Continuing Education Audit, the licensee may want to consider sending a copy of the required documentation to the Association of Social Work Boards via certified mail. As you know, mail can get lost and without a receipt of your documentation being sent, one may not be in compliance.