

# BSWE Newsletter Fall 2020



Greetings Maryland Social Workers,

When I was appointed to the Maryland Board of Social Work Examiners in 2016 as a consumer, or public, member, I did not quite know what to expect, or what would be expected of me. Thanks to a dedicated staff and patient fellow Board members, who educated me about the social work profession and answered my many questions, I was soon able to feel less an outsider and more a team member.

Now, four and a half years later, I find myself as the Board Chair, in the middle of a pandemic, with a crippled economy, in an especially vitriolic election year, with growing awareness of and urgent need to address systemic bias and unfairness throughout our society. Life in 2020 is like living with a plague on steroids. And a return to “normal”, whatever that will mean in the future, seems a long way off.

So, we all do what we can to cope. That includes the Board of Social Work Examiners. We do our best to cope and prepare for an uncertain future. As you are all aware, the Governor’s Emergency Order remains in effect, and that has a direct impact on the Board. The longer the Emergency Order remains in place, the greater the impact. Last year, pre-pandemic, the Board embarked on a strategic planning process, focused primarily on issues over which we exercise some control – succession planning for board and staff, efforts with respect to license mobility, and internal organization and efficiency. The pandemic put the strategic plan on hold, but we have since managed to regroup and make progress. The pandemic has also forced us to engage in another, more urgent, planning exercise. In October, we stood up an *Ad Hoc* committee to address how we recover from the Governor’s Executive Order. The issues are important – license renewal period and continuing education requirements, but also financial implications for the Board which relies entirely on licensing fees to pay staff salaries and other bills. Right now, we have many more questions than answers. Be patient. Stay tuned.

One issue arising from the pandemic is regulations regarding teletherapy. An emergency bill was passed into law earlier this year modifying how health professions can use technology in providing psychotherapy. Our Board has approved a change to regulations for the social work profession and we await approval from the Department of Health to implement the revisions. The good news here is that our proposed revisions considerably shorten the existing telehealth regulations and make them much more understandable and “user friendly.” Again, stay tuned.

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The multiple critical issues we face are causing us all to stress out. This underscores the importance of the social work profession, which will only increase for the foreseeable future. Yet social workers operate under the same constraints as every other profession – masks, social distancing, adequacy and availability of personal protective equipment. Human contact, so important in addressing mental health issues is severely limited. All this adds to your stress levels.

One of the first tenets drilled into me in my former life was “Take care of your people.” Never has that principle been more important than now. Please take time to take care of yourselves as we weather these storms.

You’ll be receiving this newsletter around Thanksgiving. In spite of all the current problems, we still have much for which to be thankful – even separated from family and friends as we enter the holiday season. Take some time to reflect on our blessings and commit to doing our best to make our communities, our country, and the world a more just, better, safer, healthier, place to live.

Warm regards,  
Jerry Farrell

## LMSWs and PRIVATE PRACTICE

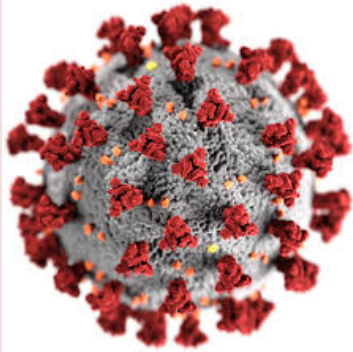
The Board receives questions around LMSW and Private Practice. The Board’s regulations state:

### **§19-101 Definitions:**

**q) “Private practice”** means the provision of psychotherapy by a licensed certified social worker –clinical who assumes responsibility and accountability for the nature and quality of the services provided to a client: (1) In exchange for direct payment or third-party reimbursement; or (2) On a pro bono basis as determined in regulations adopted by the Board.

Based on this definition LMSWs may not establish a private practice. However, no law or regulation enacted by this Board prohibits a LMSW from owning a business or prevents a LMSW from entering into an employment relationship. The Board does not regulate reimbursement, payment, or employment arrangements because the Board does not regulate these aspects. LMSWs may need to consult an attorney or Certified Public Accountant. The intention of the Board, which is based on protecting the public, is that LMSWs “should not be hanging out their own shingle.”

LMSWs are required to practice within their scope of practice and limit their practice to the areas in which the LMSW has gained proficiency through education, training and experience. LCSW-C supervisors shall ensure that the supervisee is practicing within the scope of their license and determine the skill level at which the supervisee may practice. It is unethical for LCSW-C supervisors to enable LMSW supervisees to operate as an independent private practitioner.

**THE BOARD OF SOCIAL WORK EXAMINERS****COVID-19 UPDATE**

The Board, as with all Marylanders, has been impacted by the many events surrounding COVID-19. Under the Governor's Executive Orders, there have been a number of changes as well as changes implemented by the Board itself.

The offices at 4201 Patterson Avenue have been closed to the public and the Board only accepts mail delivered through the US Postal Service, Fed Ex, and UPS. There have been a few employees in the building who tested positive for the virus and the facility staff is busy trying to clean and sanitize the building on a regular basis. Staff have been split with some teleworking all the time, some who come in part time and telework part time, and a few who work in the building full time. We are grateful to those employees who keep the board functioning so that all services continue as scheduled and required.

Teletherapy has been approved for LCSW-C social workers and LMSW social workers under supervision of an LCSW-C. An inactive social worker can work in health care facilities under certain circumstances. Telephone therapy is also acceptable and it is reimbursable through Medicaid during this State of Emergency.

CE requirements can be met up to 20 (15 LBSW) CEUs through on-line learning provided by Board Authorized Sponsors. However, to receive CEUs in Category I trainings, the webinar training must be live, real-time, and interactive and designated Category I on the certificate.

Out of state clinical social workers can practice teletherapy for established clients who have returned to Maryland so long as they have an endorsement application pending before the Board or submitted a COVID-19 Emergency Application.

Lastly, our license renewal period began July 15, 2020. However, under the Governor's Executive Order the end date has been extended. It will end 30 days after the State of Emergency ends.

## UPDATE FROM THE BOARD OF SOCIAL WORK EXAMINERS

### LICENSE RENEWAL TIME PERIOD

The Board reviewed the impact of the Governor's State of Emergency Order on licensees and heard from licensees who had questions and concerns regarding license renewal and Continuing Education Units.

Under usual circumstances, the date for license renewal would have closed on October 31, 2020; however, pursuant to Governor Hogan's Executive Order of March 12, 2020, the Board extended the expiration date "to the 30th day after the date by which the State of Emergency is terminated and the catastrophic health emergency is rescinded."

At this time, there are no changes in the number of Continuing Education Units required for renewal or in the period in which they are due for renewal. For example: if you have renewed your license by October 31, 2020, the period to earn Continuing Education Units for your next renewal cycle is November 01, 2020 – October 31, 2022.

If you renew your license after October 31, 2020 during the State of Emergency, the period to earn your Continuing Education Units for your next renewal cycle is November 01, 2020 – October 31, 2022.

⇒ As a reminder, Continuing Education Units earned in one renewal period cannot be submitted in the next renewal period.

If you have questions or concerns, please contact Ms. Stacie Rigby at [Stacie.rigby@maryland.gov](mailto:Stacie.rigby@maryland.gov).



## COMAR 10.42.10 TELE THERAPY

EFFECTIVE OCTOBER 7, 2019

☼ **COMAR 10.42.10** applies to social workers licensed by the Maryland Board as an LMSW, LCSW and LCSW-C and whose client receives synchronous teletherapy when delivering psychotherapy to the client in Maryland.

☼ A Maryland licensed LMSW, LCSW, or LCSW-C wishing to provide teletherapy / psychotherapy to clients in another jurisdiction, state or country must contact the Board of Social Work in that jurisdiction, state or country in order to determine the requirements for licensure and regulations governing the practice of social work.

☀ A Maryland licensed LMSW, LCSW, or LCSW-C can provide teletherapy / psychotherapy to a client in Maryland even if the Maryland social worker is located temporarily or permanently in another jurisdiction, state or country.

### **COMAR 10.42.10 Teletherapy .04 Standards of Practice for Teletherapy.**

*Before providing teletherapy services, a licensee who is permitted to use teletherapy under this chapter:*

*A. Shall:*

*(1) Develop and follow a procedure to:*

- (a) Verify the identification of the client receiving teletherapy services;*
  - (b) Obtain informed consent specific to teletherapy services using appropriate language understandable to the client;*
  - (c) Prevent access to data by unauthorized persons through encryption, or other means;*
  - (d) Notify clients in the event of a data breach;*
  - (e) Ensure that the teletherapy practitioner provides a secure and private teletherapy connection and complies with federal and State privacy laws;*
  - (f) Establish safety protocols to be used in the case of an emergency, including contact information for emergency services at the client's location;*
  - (g) Obtain or confirm an alternative method of contacting the client in case of a technological failure;*
  - (h) Determine whether the client is in Maryland and identify the client's specific location;*
  - (i) For an initial teletherapy interaction only, disclose the name, location, Maryland license number, and contact information of the LCSW-C, the LCSW, or the LMSW; and*
  - (j) Identify all individuals present at each location and confirm they are permitted to hear the client's health information; and*
- (2) Be held to the same standards of practice and documentation as those applicable for in-person sessions; and*

*B. May not treat a client based solely on an online questionnaire.*

If you apply for licensure from a Social Work Board in another jurisdiction, state or country **please make a note** that the Maryland Board of Social Work does not generate paper verifications of licensure. The sole and primary source of a verification is found on the Board's website. <https://mdbnc.health.maryland.gov/bsweVerification/Default.aspx>



## LBSW & LMSW

**EFFECTIVE JANUARY 1, 2021**

**LBSWs** licensed on and after January 1, 2021 must:

- 1) Be supervised by a Board Approved LBSW, LMSW, LCSW or LCSW-C Supervisor
- 2) Establish and maintain a Contract for supervision
- 3) Can apply for independent practice according to COMAR 10.42.02.05.G (see below)

**LMSWs** licensed on and after January 1, 2021:

- 1) Must be supervised by a Board Approved Supervisor
- 2) For LCSW-C licensure, the supervisor **must be** a Board Approved LCSW-C Supervisor
- 3) For Independent practice, the supervisor **can be** a Board Approved LMSW, LCSW or LCSW-C Supervisor
- 4) Establish ( re-establish when supervisors change) a Contract for supervision for Independent practice and for LCSW-C licensure.
- 5) Can apply for the LCSW-C according to COMAR 10.42.01.04.G  
(2years – 104 weeks - 144 hours of supervision – 3,000 hours of SW experience  
1,500 hours of face-to-face client contact)
- 6) Can apply for independent practice according to COMAR 10.42.02.05.G (see below)  
(3 years – 156 weeks – 150 hours of supervision - 4,500 hours of LMSW practice)

**COMAR 10.42.02 Social Work Practice****.05 Independent Practice****G. An LBSW or LMSW licensed on or after January 1, 2021 shall:**

- (1) Have actively practiced bachelor or master social work under the supervision of Board approved social work supervision;
- (2) Have completed at least 3 years as an active licensee with at least 4,500 hours and a minimum of 150 hours of periodic face-to-face supervision;
- (3) Submit an application in the form prescribed by the Board as set forth in Health Occupations Article, §19-302, Annotated Code of Maryland; and
- (4) Provide documentation in the form prescribed by the Board as set forth in Health Occupations Article, §19-302, Annotated Code of Maryland.

**COMAR 10.42.08 Supervision****.08 Responsibilities of a Supervisee.****A. A supervisee shall:**

- (1) Receive social work supervision for social work practice as set forth in Health Occupations Article, §19-101, Annotated Code of Maryland;
- (2) Receive a minimum of 3 hours of face-to-face supervision per month or 1 hour of face-to-face supervision for every 40 hours worked;
- (3) Prepare for supervision using case materials related to the supervisee's social work practice;
- (4) Maintain documentation, for at least 5 years, of the supervisory sessions, including the dates, duration, and focus of the supervisory sessions;
- (5) Establish a written contract, on a form provided by the Board, for advanced licensure or Independent practice, initiated before beginning supervision; and
- (6) Attend and participate in supervision as agreed upon in the written contract for advanced licensure or independent practice.

**B. A supervisee may contract for supervision outside of the employment setting as approved by the agency administrator.**

## NEW BOARD MEMBERS



**Maria Cole, LMSW**

Ms. Cole is a resident of Howard County and works as a social worker at Shady Grove Adventist Medical Center as a case manager. In addition, she is a doctoral student at UMBC in Public Health. In the past she has held positions at the Baylor Scott and White Research Institute, Southern Methodist University and created the Mustang Express Tutoring Service. She was honored at the University of Texas where she received her MSW and MPH degrees as the Outstanding Social Work Student.



**Allyson Stanton, LBSW**

Ms. Stanton is a resident of Howard County and works as a social worker and life care manager with over 20 years of experience dedicated to improving the lives of seniors and their families. She graduated with her BSW degree from UMBC and has been Director of Social Services at Andover Nursing and Rehabilitation Center and HCR Manor Care. She has been a medical social worker at Doctor's Community Hospital and Director of Social Work at Holy Cross Rehabilitation Center. In addition, she was responsible for social work on the Nursing, Rehabilitation and Assisted Living Programs at Vantage House Life Care Community. She has a practice as a Life Care Manager in Howard County. In 2018 she received the Maryland Gerontological Association Award.



**Adrienne Ekas-Mueting, Ph.D., LCSW-C**

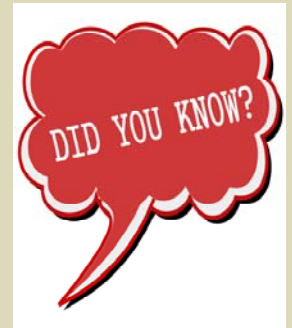
Dr. Ekas-Mueting is a resident of Baltimore City and is currently the Assistant Dean of Field Education at the BSW program at UMBC. She has her MSW in Family and Child Welfare from Virginia Commonwealth University and her Ph.D. in Higher Education Leadership from the University of Nevada, Las Vegas. She has held adjunct faculty positions at the University of Maryland School of Social Work, George Mason University, and the University of Nevada, Las Vegas School of Social Work and was field coordinator at George Mason University. Her clinical experience has been at the University of Maryland Department of Pediatrics, Sheppard and Enoch Pratt Hospital, Church Hospital, Helping Children with Special Needs, Inc., and United Methodist Family Services.



## ***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://aswb.org/ace/>



## ***Sponsors***

If you have a concern around an Authorized Sponsor and/or the trainings or activities you have taken, please contact the Authorized Sponsor directly. If after discussing your concern, you would like to speak with a staff member, please contact:

Stacie Rigby, Continuing Education Associate at [stacie.rigby@maryland.gov](mailto: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](http://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.

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