

# BSWE Newsletter



Greetings Maryland Social Workers,

When I wrote this column for last fall’s newsletter, I commented that “Life in 2020 is like living with a plague on steroids.” A return to “normal” seemed a long way off. How much has changed in six months! While we still have much to do as a country and a global community to return to our pre-pandemic lives, the incredible scientific achievement of a vaccine development, amazing logistical success of vaccine distribution, and resilience of the human spirit are cause for hope and optimism about the future. If you haven’t already, please get vaccinated now!

Despite the many problems caused by the pandemic, the Board has been as busy and engaged as ever keeping the routine operations of licensing and renewals, complaint reviews and disciplinary actions on track. The committees have been diligent in several areas: a busy and complicated legislative session with several bills important to social workers; key changes to continuing education requirements; development and approval of a strategic plan for the Board; and processes for dealing with license renewals following the Governor’s Executive Order.

Legislation that passed the Maryland General Assembly in 2021 of particular interest to social workers includes: SB41, which changes the minimum age for consent to diagnosis and treatment of behavioral health disorders from 16 to 12; HB689, which provides that involuntary admission of minors for behavioral health treatment may be given by a physician and a licensed clinical social worker; and HB811, the Board’s bill, with certain changes to the Social Work Practice Act.

Another bill of interest was SB167. This bill, drafted by the NASW-MD chapter, would have authorized the Board to issue temporary licenses to LBSWs and LMSWs. The Board vigorously opposed this legislation and both Dr. Stanley E. Weinstein, the Board’s Executive Director, and I testified before the House and Senate Committees holding hearings on the legislation. The Board was unanimous in our opposition because there is no need for temporary licenses and temporary licenses would seriously undermine the Board’s mission to protect the public. The bill did not pass.

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Since the outbreak of the pandemic, all of the Board's meetings have been virtual using audio/visual technology platforms. In January, the open meeting sessions were made fully available to the public with audio/visual participation. The Board will evaluate how well this has worked over the next few months, but we hope to resume in-person meetings as soon as possible. Virtual meetings work well enough, but they are not optimum.

Finally, this will be my last correspondence with you as Board Chair. My second term on the Board ends in June and I will be succeeded by our Vice Chair, Karen Richards, LCSW-C. My time on the Board, three years as disciplinary committee chair, and Board Chair since last July, has been a tremendously rewarding and intellectually stimulating experience for me. I have gained new respect for the social work profession and the incredible contributions you make to our nation's health. As we emerge from the pandemic, social workers will be more in demand than ever before as we strive to restore the social fabric of our lives, communities, and country. I wish you all every success in this critically important task. I am confident you are up to the challenge.

My best always,  
Jerry Farrell  
Board Chair

## Update on 10/31/2020 License Renewal

Due to the COVID pandemic, the license renewal scheduled for 10/31/20 was extended under the Governor's Executive Order. Most social workers renewed by October 31, 2020, but some social workers waited for the extension to end. Recently the Governor announced that all licenses that were due to be renewed during this period had to be completed by 6/30/21 (the end of the extension). The Board corresponded with social workers who had not yet renewed to inform them of the importance of meeting this deadline.

## Criminal Background Checks

The Social Work Statute had required that beginning with the 10/31/21 license renewal, all social workers who had not previously completed a criminal background check, would have to submit proof of a completed criminal background check with their renewal. The Board decided that during the COVID pandemic, this may have been more difficult to complete and requested that the Legislature approve a postponement of this requirement until the 2023 license renewal. HB811/SB597 passed and was signed by the Governor.



## **DOES YOUR LICENSE EXPIRE ON OCTOBER 31, 2021?**

NO EXTENSION, DUE TO THE COVID-19 EMERGENCY, HAS BEEN AUTHORIZED

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

Website - [License Verification \(www.health.maryland.gov/bswe\)](http://www.health.maryland.gov/bswe)

On or after July 15, 2021 a licensee may renew their license which expires October 31, 2021.

Be sure your name, mailing address and email address are current with the Board.

Notification of renewal will be **EMAILED on July 15, 2021** to each licensee at the last known E-MAIL address on file with the Board.

- ⇒ Criminal History Records Checks (CHRC) are **NOT** required to renew in October 2021. However, a CHRC will be required in 2023.
- ⇒ Obtaining 3 credit units in Ethics can be in Category I or II.
- ⇒ Obtaining 3 Category I or II credit units in supervision **IS** required for renewal for all Board Approved Supervisors who were approved on or before October 31, 2019. Social Workers who were approved as a supervisor on or after November 1, 2019 are NOT required to have the required hours in supervision to renew.

Check 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 units for LMSWs, LCSWs, and LCSW-Cs. Any questions may be directed to the Continuing Education Associate, Stacie



## **BOARD QUESTIONS**

One of the most important roles of the Board of Social Work Examiners is to determine whether a social worker has violated the statute or regulations governing the licensing and practice of social work in Maryland. The Board welcomes questions and comments, but it cannot always provide a response to an issue you may have raised. In fact any response to a question or concern posed to the Board which could appear to be legal advice is not permissible. Instead, practitioners should consult with an attorney, a colleague, a professional social work association, or even the Board's website. If you carry malpractice insurance you may be able to obtain helpful information from your insurance carrier.

## 2021 MARYLAND LEGISLATIVE SESSION REPORT BILLS PASSED THAT IMPACT SOCIAL WORKERS



**HB 132/SB 41** *Health – Mental and Emotional Disorders – Consent (Mental Health Access Initiative)*

[SB 41 Legislation - SB0041](#)

**STATUS: SB 41 passed. To be effective 10/1/21.** HB did not get voted out of the Senate Committee.

**SYNOPSIS:** This alters the minimum age, from 16 years to 12 years, at which a minor has the same capacity as an adult to consent to consultation, diagnosis, and certain treatment of a mental or emotional disorder by a health care provider or clinic; and provides that a health care provider may decide to provide certain information to a certain parent, guardian, or custodian under certain provisions of law unless the health care provider believes the disclosure will lead to harm to the minor or deter the minor from seeking care.

.....  
**HB 689/SB 466** *Mental Health – Assent to and Certificates for Admission – Licensed Certified Social Worker – Clinical and Licensed Clinical Professional Counselor*

[HB 689/SB 466 Legislation - HB0689](#)

**STATUS: HB and SB passed. To be effective 10/1/21.**

**SYNOPSIS:** This alters a requirement that assent be given for the voluntary admission of a minor to certain facilities by providing that assent may be given by a physician and a licensed certified social worker-clinical or by a physician and a licensed clinical professional counselor; alters the requirement that a certificate for involuntary admission must be based on the personal examination of a physician and a licensed certified social worker clinical or by a physician and a licensed clinical professional counselor; etc.

.....  
**HB 811/SB 597** *State Board of Social Work Examiners – Revisions*

[HB 811/SB 597 Legislation - HB0811](#)

**STATUS: HB and SB passed. To be effective 10/1/21.**

**SYNOPSIS:** Requires certain individuals employed by federal agencies to comply with certain provisions of law; establishes that an applicant to obtain a certified social worker license is required to meet certain requirements by December 31, 2023; alters the number of hours of certain supervision an applicant for a certified social worker-clinical license is required to complete; specifies that certain supervision is to be provided in accordance with regulations adopted by the State Board of Social Work Examiners; etc.

Thank You To

### **Gerard Michael Farrell and Sherryl Silberman**

The Maryland Board of Social Work Examiners has been fortunate to have benefited from the services of Gerard M. Farrell and Sherryl Silberman, LCSW-C, whose terms on the Board end on June 30, 2021.

Sherryl Silberman was initially appointed on July 1, 2013 and reappointed by Governor Hogan on July 1, 2017. She is a clinical social worker and President of Arundel Psychotherapy Associates. She has also served as a consultant to a number of nursing homes. She has been active in NASW and was elected Chair of the Private Practice Committee for a number of years. Sherryl served as Chair of the Board from 2018-2020 in addition to her services on a number of Board committees.

Gerard M. Farrell fondly known as “Jerry” was initially appointed by the Governor on November 24, 2015 to complete the remainder of a term and then was reappointed by Governor Hogan to a full term on July 1, 2017 as a consumer member of the Board. He is a graduate of the U.S. Naval Academy and Captain, U.S. Navy (retired) and was an experienced senior administrator. His last position was Executive Director of the Commissioned Officers Association. Jerry served as Chair of the Disciplinary Case Review Committee before being elected Chair of the Board on July 1, 2020. He is the first consumer member to ever serve as Chair of the Board.

We, the members and staff of the Board of Social Work Examiners, would like to thank Sherryl Silberman and Gerard M. Farrell for their dedication and commitment to the citizens of Maryland.



## Is It Time to Upload Your Continuing Education Certificates?

By Karen Richards, LCSW-C, CE Committee Chair

It always seems to creep up on us – two years has lapsed and it is time to renew your license. While the dread associated with license renewal is not quite on par with tax time, it can cause panic and it does require time. Many of us are not always focused on our Continuing Education Units (CEUs); the demands of our daily work require our full attention. We take time to explore and engage in meaningful continuing activities; however, we often do not pay much attention to our certificates until it is time to renew. This means allocating time to organize and list information on our 40 (30 for LBSWs) Continuing Education Certificates for the renewal application. Moreover,...what if you are AUDITED? Yikes! Now you have to produce all of the actual certificates!

If you are a super-organized person with color-coded labels on every folder – not a problem. If you are not that person – producing those certificates can be a bit more problematic. Where is the folder? Is it in that office that you have not returned to since starting telework due to COVID? Where did you file that email the provider sent you with the certificate attached?

There is another way to organize your CE certificates – using an online CE management system. The social work profession is not alone in the need to track and report continuing education credits. Multiple industries have a need to manage verification of continuing education training. Because of this demand, companies and organizations have sprung up – offering solutions to tracking continuing education to meet the regulations of these professions.

NASW offers *CE Tracker*, which is available for a discounted subscription fee for members. *CE Broker* and *CE Zoom* are two for profit companies found through a Google Search.

Using an online tracking service eliminates the need to store your paper CE certificates because the certificates are stored online. Most companies allow the storage of your digital certificates indefinitely. An online service makes it easy to report your CEUs at renewal time by offering a transcript of your courses. Some of the services also have search features to help you find continuing education courses.

Many providers of CE courses can upload your final certificate directly to your subscription service – eliminating the need to for you to do it. All you have to do is log in to your account and make sure it is there – done! At renewal time, you have all of your training information in one place – you are ready to go!

We all talk of the need to be paperless. Certainly, if you are super computer literate, you can find ways to store and track your certificates “in the cloud;” but, if you want to let someone else do the work, an online CE management system may be a good alternative.

**NOTE: Since the intent of this article is to share information, the MD Board of Social Work Examiners does not require enrollment in a CE management system nor endorse any one provider/company over another. All names mentioned are for informational purposes only.**



## LETTER TO THE EDITOR, *THE CAPITAL* NEWSPAPER

On March 24, 2021, *The Capital* newspaper in Annapolis published a letter from a Mr. Garry Kelley in which he commended the paper for their coverage of how the COVID-19 pandemic had affected doctors and nurses and others. Mr. Kelley went on to note that no coverage was provided about how the pandemic affected the lives and work of social workers. I thought this was an excellent opportunity to respond and inform Mr. Kelley and other readers of *The Capital* about the important work licensees perform and how that continued apace during the pandemic and will continue into the future. My Letter to the Editor was published on March 31, 2021 and is reprinted in full below.

### **Critical Roles of Social Workers during the COVID-19 Pandemic**

A recent letter from Garry Kelley asked for information about how the COVID-19 pandemic changed social worker jobs and responsibilities (The Capital, March 24).

More than 16,000 Maryland social workers are leaders in providing treatment and services to the most vulnerable populations, including the mentally ill, victims of child abuse and neglect as well as victims of domestic violence. Social workers work in hospitals, mental health and addiction treatment clinics, schools, nursing homes, prisons, local departments of social services and more. Clinical social workers work in all these areas as well as in private practice providing individual, family, or group therapy and counseling.

Throughout the pandemic, social workers continued to do what they always do, except there was more to do; and more was done using teletherapy. Geriatric/Life Care Managers still provided home visits to assess living situations along with clients' cognitive, medical and psychosocial functioning. The Department of Social Services (DSS) is the largest employer of social workers in Maryland. DSS Child and Adult Protective Service social workers continued providing mandatory services to vulnerable children and adults through home visits. Social workers continued to provide in person care, consultation, and support in hospitals, clinics, and nursing homes. They provided virtual support for students struggling with remote learning.

Social isolation caused by the pandemic fueled a dramatic increase in depression and suicidal ideation leading to an increased demand for therapy. And many social workers refocused their energy on basic survival skills for people who lost jobs, income, homes, and the ability to feed their families.

The many challenges we all experienced in the assault on the social fabric of our lives demonstrated how essential social workers are and will continue to be as we work to restore our family and community social functioning.

*Gerard M. Farrell*  
*Chair, Maryland Board of Social Work Examiners*

## TELETHERAPY REMINDER

Maryland COMAR 10.42.10 Teletherapy – went into **effect 10/ 7/ 2019**

Recently, Regulations under Health Occupations Article §§1-901-1-903, Annotated Code of Maryland were promulgated on Teletherapy. Please refer to the Board's complete set of regulations on the Board's website, [www.health.maryland.gov/BSWE](http://www.health.maryland.gov/BSWE).



**Licensees have been asking two main questions:**

**Who can provide teletherapy services and can you provide services to your client located in another state?**

A LCSW-C can provide teletherapy services in Maryland as can an LCSW and LMSW under supervision by an LCSW-C. If your client is in Maryland, you can provide teletherapy services even if you are located in another state such as on vacation. What cannot be approved by the Maryland Board of Social Work Examiners is teletherapy to a client in another state, even if he/she is on vacation or attending college. In order to provide teletherapy services to a client in another state, you need the approval from the Board of Social Work in that state. Our experience is that most states require you to be licensed in their state. If you have further questions, please contact Stanley E. Weinstein, Ph.D., LCSW-C, Executive Director at [Stanley.weinstein@maryland.gov](mailto:Stanley.weinstein@maryland.gov) or 410-764-4722.

- ⇒ 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.

**The Board Encourages Licensees To Be Knowledgeable Of Practice Standards for Technology:**

- ⇒ [NASW Code of Ethics with 2017 highlighted revisions regarding the use of technology in the provision of professional services](#)
- ⇒ [NASW, ASWB, CSWE, AND CSWA's Standards for Technology in Social Work Practice](#)
- ⇒ [Sample Consent Form – NASW Assurance Services](#)



## REGULATIONS EFFECTIVE JANUARY 1, 2021

### **COMAR 10.42.02 Social Work Practice**

#### **.05 Independent Practice**

##### **G. A 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.**

## **INFORMATION ON COSPONSORSHIP POLICY**

**ADOPTED BY THE BOARD ON MARCH 19, 2021**

As one reviews and enrolls in continuing education trainings provided by Board Authorized Sponsors, accredited by providers approved by ASWB or NASW, other social work licensing boards, or accredited academic institutions offering social work academic programs or courses, it is important to note if the training offered is being cosponsored.

According to the ASWB, ACE Handbook:

“ACE Cosponsorship definition: More than one organization works together in the development, distribution, and/or presentation of a continuing education training (e.g., workshops, conferences, distance learning, etc.) that will offer continuing education credit to social work licensees. Organizations serving only as financial sponsors of that event are not considered cosponsors under this definition.”

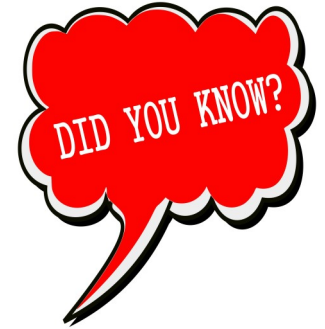
In the past, as long as one sponsor/provider/organization was approved, the training would be reviewed to determine if it meets the Board’s continuing education requirements. The increase in the number of organizations that partner with an authorized sponsor/approved provider has resulted in the Board’s review of cosponsorship.

The Board reviewed the ASWB ACE Program Cosponsorship Policy and change effective June 1, 2019. This policy was adopted for Maryland with an effective date of January 1, 2022. The major change is that Board Authorized Sponsors will no longer have approval to cosponsor trainings/courses with other organizations that are not Board Authorized Sponsors, ACE providers, or NASW national providers.

More information will be forthcoming to be shared with current Board Authorized Sponsors and Licensees.

## Social Work Compact

A number of professions including physicians and nurses have developed interstate compacts to address occupational licensure portability. Recently the Council of State Governments in partnership with the Department of Defense announced that 5 more professions were selected to assist them in developing similar compacts. Social Work was one of the selected professions. These occupational licensure compacts create reciprocity between states while maintaining the quality of safety of services. It will probably take a few years to be developed and considered by the Maryland Board of Social Work Examiners and then would require approval by the Legislature and Governor.



### *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/ACESearchDSWB DLL.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](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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