

The Bulletin of the Maryland Board of Social Work Examiners

CONTENTS

From the Former Board Chair	1
Sanctioned Licensees	2
Alert	3
MBSWE Vacancy	3
MBSWE	4
Communications With The Board	4
Meet the New Board Members	5
Calling All Experts	5
Frequently Asked Questions	6
Meet the New Staff Members	6
Public Mental Health System	7
Good News About Licensing Test	7
Board Staff Members	8
Board Website	8

From the Former Board Chair Emanuel Mandel, ACSW, LCSW-C



This is the last newsletter that I prepare as the Chair of the BSWE. After two years of exciting, sometimes difficult and always interesting experiences, we elected Yvonne Perret, LCSW-C as the new Chair, and Stephanie B. Sharpe, LGSW as the new Secretary / Treasurer at our October meeting. The new Chair will address all licensees in the fall edition. It has been a privilege to serve, and I look forward to continue my service as a member of the Board.

Let me share with you some of what I learned about the profession in the family of health occupations. Legislation creating licensure places us with many other boards and commissions within the Department of Health and Mental Hygiene. Administratively, we live in this enormous department and operate within the confines of certain rules. We are self-funded by our fees, but controlled by legislative and departmental budget decisions. Our members are appointed, but we hire our own staff and elect our own officers. While this may be common knowledge to some, it was a learning experience for me as my professional work for the past 25 years has not been agency or government connected. Those of us working for the State may know this, others do not, but we should!

Let me speak of another connection with the profession. How many of you know of the Association of Social Work Boards? Most professions have an interconnection with other Boards in other states. We connect with most States and several Canadian provinces through ASWB. It is with ASWB that we contract for license testing services. They prepare the standard examinations, making it possible to be tested similarly in any of the member states or provinces. Think of other professions and their interdependencies. It's good to know that the test is the same in all participating states.

ASWB links with FARB, the Federation of Association of Regulatory Boards. Here, we interact with other professions and other states for an enriching experience in learning what happens in the “back yards” of other people. We learn from each other and are members of a larger forum that strengthens each of us. Both ASWB and FARB present annual conferences around the country and there is much value - truly - in “communing with fellow wizards” where the interchange is of benefit to each and all.

These conferences are NOT restricted to members of licensing Boards. Should the opportunity for participation be made available to you, do respond. The experience is invaluable.

Board of Social Work Examiners

Sanctioned Licensees as of December, 2005

Rosemary McDowall - Case #585

The Board placed licensee on suspension for 1 year with conditions, effective 06/10/05, based upon a finding that licensee violated §19-311 (2) (fraudulently or deceptively uses a license), (4) (commits any act of gross negligence, incompetence, or misconduct in the practice of social work), (5) (knowingly violates any provision of this title), (6) (engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work), (7) (violates any provision of this title or regulations governing the practice of social work adopted and published by the Board), and (21) (fails to maintain adequate patient records). The Board also found violations of §19-401(b) (practicing clinical social work without license) and §19-402(2) (unless authorized to practice social work under this title, a person may not use any title, abbreviation, sign, card, or other representation that the person is a licensed social worker, including the use of the words "social worker" or "social work" and the use of the abbreviations "LSWA", "LGSW", "LCSW", or "LCSW-C"). Additionally, the Board found violations of COMAR 10.42.03.03 (A) (2) (the licensee shall make the fee for service clear, maintain adequate financial records, and confirm arrangements for financial reimbursement with the client); 10.42.03.03B - In the capacity of or identity as a licensed social worker, the licensee may not: (2) (misrepresent professional qualifications, education, experience, or affiliation), (3) (exploit a relationship with a client for personal advantage or satisfaction) and (7) (share with another individual a confidence revealed by a client without a client's consent, except if there is a danger to self or to another individual, or for a compelling professional reason. The Board also found violations of 10.42.03.03C (the licensee may not enter into a professional, social, or dual relationship with a client, or an individual with whom the client has a close personal relationship). Upon a Board Order staying or terminating the suspension, licensee shall be placed on supervised probation for 2 years, with conditions.

Thomas Mumaw - Case #780

The Board placed licensee on suspension for 6 months with conditions, effective 09/16/2005, based upon a finding that licensee violated §19-311(2) (fraudulently or deceptively uses a license), (4) (commits any act of gross negligence, incompetence, or misconduct in the practice of social work), (5) (knowingly violates any provision of this title), (6) (engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work), (7) (violates any provision of this title or regulations governing the practice of social work adopted and published by the Board), (12) (knowingly makes or files a false report or record in the practice of social work), and (21) (fails to maintain adequate patient records, as well as §19-101(i)(1) and (2) ("Practice associate social work" means to practice social work under the supervision of a LCSW-C or LGSW who meets the conditions specified in regulations, and utilizing the education and training required under §19-302(b)). Additionally, the Board found violations of COMAR 10.42.03.03A(5), which requires the maintenance of accurate and appropriate documentation in clients' records. The Board also

found violations of 10.42.03.03B(1), which prohibits the licensee from participating or condoning dishonesty, fraud, deceit, or misrepresentation, and (2), which prohibits misrepresentation of professional qualifications, education, experience or affiliation. Upon reinstatement, the licensee shall be placed on supervised probation for 2 years, subject to conditions.

Deborah Levinson - Case # 898

The Board reprimanded licensee, effective 06/10/2005, based upon a finding that licensee violated H.O. § 19-311, subtitle §19-312 (10) (is disciplined by a licensing or disciplinary authority of any state, country, or branch of the armed services, or the Veterans' Administration for an act that would be grounds for disciplinary action under this section).

Jeffrey Graham - Case # 917

The Board accepted the licensee's voluntary Letter of Surrender, effective 07/08/05, in which licensee surrendered his Maryland social work license in order to avoid prosecution under the Board's Act and regulations. Licensee's surrender of license was prompted by Board's investigation, which likely would have resulted in charges, alleging violations of §19-311 (4) (commits any act of gross negligence, incompetence, or misconduct in the practice of social work), (5) (knowingly violates any provision of this title), (6) (engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work), (7) (violates any provision of this title or regulations governing the practice of social work adopted and published by the Board), (12) (knowingly makes or files a false report or record in the practice of social work), and (14) (submits a false statement to collect a fee), as well as COMAR 10.42.03.03B(1), (in the capacity of or identity as a licensed social worker, the licensee may not participate or condone dishonesty, fraud, deceit, or misrepresentation). Licensee may not apply for reinstatement for a minimum of 5 years from the effective date of the Letter of Surrender, at which time licensee will bear the burden of demonstrating to the satisfaction of the Board his professional competence and fitness to practice social work. Upon any reinstatement, the Board may impose conditions of probation that may include supervision, professional mentoring and/or peer review.

ATTENTION

In order to practice social work in Maryland, you must be licensed by the Maryland Board of Social Work Examiners.

Also, you **must be licensed as a LGSW** in order to begin to accumulate the hours necessary to qualify for advanced licensure (LCSW & LCSW-C). Hours gained prior to LGSW status will **NOT** be accepted by the Board!

Anyone interested in verifying the licensing status of a social worker should check the Board of Social Work Examiner's website at www.dhmh.state.md.us/bswe/ or contact the Board office at 410 764-4788.

ALERT

The Board of Social Work Examiners conducted a random audit of the continuing education requirements of licensees who renewed their licenses in October 2004. Twenty-six percent (26%) failed to meet the required education or did not respond. This may result in the suspension or revocation of licensees.

The license renewal form contains a block to indicate that the licensee has satisfied the continuing education requirements. If licensees sign the renewal application and check the block to indicate they have satisfied the continuing education requirements when they have not in fact satisfied the requirements, it is considered fraud.

Random audits will be conducted following the 2005 license renewal process (October 2005). Since the selection of licensees for the audit is identified randomly, you could be audited again even though you were audited during previous licensing cycles or reinstatement/reactivation of licenses. If you were audited for the 2004 license renewal process you will not be audited again in 2005, but you could be selected (randomly) for audit again in 2006.

The Board web page at <http://www.dhmh.state.md.us/bswe/> provides a complete explanation of the requirements, including discussions of the “ethics” requirement and the use of distance learning technologies (Internet and conference call).

In the recent audit there seemed to be some confusion regarding the “ethics” related training. Keep in mind that the “ethics” training relates to your professional ethics and conduct. Programs in ethics may include the following content areas:

- Review of Code of Ethics
- Review of laws and regulations governing practice
- Record Keeping
- Confidentiality and Disclosure of Records
- Risk Management
- Billing Practices
- Dual Relationships
- General Conduct
- Sexual Misconduct (Physical contact, etc.)

Please take a moment to review the Maryland Social Workers Act, Health Occupation Article, Title **19, 19-311** and **COMAR 10.42.03 Code of Ethics**.

Maryland Board of Social Work Examiners

V A C A N C Y

The Maryland Board of Social Work Examiners currently has an opening for one Board Member.

Requirements:

- Must be a resident of the State of Maryland
- Must be licensed in the State of Maryland
- Except for the Licensed Social Worker Associate (LSWA) or Licensed Graduate Social Worker (LGSW), applicant must have been licensed in the State for five years immediately preceding the appointment and actively employed in the field of social work for at least three of the five years immediately preceding the appointment.

Applicant may be licensed at any level for this position. (LSWA, LGSW, LCSW, LCSW-C)

If interested please contact:

Anna Lieberman:
Department of Health and Mental Hygiene,
Office of Appointments and Executive Nominations,
Room 519A, 201 W. Preston Street, Baltimore MD 21201
Telephone: 410-767-4049, Fax 410-333-7687
Email: alieberman@dhmh.state.md.us

Maryland Board of Social Workers Examiners



L to R: Philip Newsom, Trinita Robinson, Solomon O. Akwara, Stephanie B. Sharpe, Daniel L. Buccino, Emanuel Mandel, Wanda W. Moore, Yvonne M. Perret, Cherie Cannon. Not in picture: Yvonne Bryant.

Board Members and Terms

Yvonne M. Perret, LCSW-C	<i>Board Chair</i> 11/10/2003- 06/30/2007
Stephanie B. Sharpe, LGSW	<i>Secretary / Treasurer</i> 03/22/2002- 06/30/2008
Solomon O. Akwara	<i>Board Member (Consumer)</i> 07/01/2004- 06/30/2008
Yvonne Bryant, LCSW-C	<i>Board Member</i> 07/01/2005- 06/30/2009
Daniel L. Buccino, LCSW-C, BCD	<i>Board Member</i> 07/01/2005- 06/30/2008
Cherie Cannon, LCSW-C	<i>Board Member</i> 11/10/2003- 06/30/2007
Emanuel Mandel, ACSW, LCSW-C	<i>Board Member</i> 07/01/2003 - 06/30/2007
Wanda W. Moore, LCSW-C	<i>Board Member</i> 07/01/2002 - 06/30/2006
Philip Newsom, LCSW-C	<i>Board Member</i> 7/1/2005 - 6/30/2009
Trinita Robinson	<i>Board Member (Consumer)</i> 07/01/2005- 06/30/2009

Communications With the Board

If you are sending communications via U.S. mail to the Board, while not required, we urge you to send them by certified mail. Always **keep copies of whatever you send to the Board** and keep your return receipt with the copies. In fact, you could keep these things with your continuing education certificates, Board Newsletters and other Board information. Sending letters by certified mail will help you know that the Board received your communication, and will keep you more alert to the importance of keeping your license current, obtaining necessary continuing education credit hours, and generally making sure your Board matters are in order. Also remember that you **must notify the Board of any change of name or address**. Again, send this notification by certified mail or return receipt. If the Board does not have your current address, the chances are that you will not receive notice of the upcoming renewal of your license, possibly resulting in your license expiring. As you know, you may not practice social work in Maryland without a current license. Even though the Board assumes the responsibility to mail out renewal notices to every licensee of record in August of each year, it is the responsibility of each licensee to assure that his or her license is renewed.

MEET THE NEW BOARD MEMBERS

Daniel L. Buccino, LCSW-C, BCD was appointed in July 2005. Mr. Buccino is a Clinical Supervisor and Student Coordinator in the Adult Outpatient Community Psychiatry Program at the Johns Hopkins Bayview Medical Center in Baltimore. He is a Clinical Assistant Professor and Field Instructor at the University of Maryland School of Social Work, and at Smith College School of Social Work, as well as in the Department of Psychiatry and Behavioral Sciences at the Johns Hopkins School of Medicine. Mr. Buccino is a founder and director of the Baltimore Psychotherapy Institute, Inc., and maintains a private practice of psychotherapy and supervision in Baltimore. Mr. Buccino is thrilled to have been appointed to the Board of Social Work Examiners. His term ends July 1, 2008.

Yvonne Bryant, LCSW-C has eleven years of child and family welfare experience, with a specialty in child welfare. She worked for the Montgomery County Department of Child Welfare for five years as an Assessment Social Worker investigating cases of child abuse and neglect. Since 2000, Ms. Bryant has worked at the U.S. Attorney's Office in the District of Columbia as a Victim/Witness Program Specialist

(Advocate). She assists victims and witnesses of violent crimes such as homicide and terrorism.

Trinita C. Robinson, M.A., is Healthcare Financial Management Association's (HFMA's) Technical Director for managed care, payment and reimbursement and other compliance/regulatory issues. She received her Masters degree, with honors in healthcare administration and personnel management from Central Michigan University. She is currently enrolled in the Concord University School of Law and will receive her Executive J.D. in Health Law with a concentration corporate and securities fraud. Trinita has 30 years of healthcare administration experience to include managed care contracting and HMO development. At HFMA, Trinita divides her time between responding to inquires relating to the Health Insurance Portability and Accountability Act (HIPAA) of 1996, managed care, healthcare compliance and other financial and regulatory issues. She is divorced and has two sons, Jonathan who is a Junior attending the University of Pittsburgh, and Alexander, who is a senior at DeMatha Catholic High School.

Calling All Experts

The Board is occasionally in need of experts, mentors, and supervisors to provide consultation to the Board, and educate and supervise licensed social workers of Maryland. We know there is a lot of expertise among our licensees, and the Board requests that you submit a letter of interest and Curriculum Vitae if you are available for consultation with the Board or if you would be willing to serve as a supervisor or mentor to a licensee.

Please contact the Board if you have one or a number of the following qualifications:

- 1) Have written a book;
- 2) Hold an academic appointment;
- 3) Are an attorney, MBA, or an accountant;
- 4) Lecture frequently;
- 5) Have experience with forensic social work and courtroom testimony;
- 6) Have had advanced coursework in professional ethics;
- 7) Have a unique practice niche, or otherwise possess special skills and experience, Or
- 8) Have experience supervising social workers for advanced licensure.

Those interested in being supervisors should be registered as a Board Approved Supervisor. We'd love to develop and utilize our own pool of social work experts as much as possible. Your cooperation in this effort is greatly appreciated.

Frequently Asked Questions

Stephanie B. Sharpe, LGSW, Newsletter Editor

Q: Is there a limit on how many times a candidate for licensure can take the licensing examination?

A: No. There is no limit on the number of times the licensing examination can be taken. However, a candidate must wait 90 days before retaking the examination.

Q: Can continuing education credit hours be carried over from one renewal cycle to the next renewal cycle?

A: No. Continuing education credit hours cannot be carried over to the next renewal cycle.

Q: Can hours from group supervision be used toward licensure at the LCSW or LCSW-C levels?

A: Yes. Seventy-two (72) hours of the 144 hours required for supervision can come from group supervision. However, the group size cannot exceed 6 supervisees. The social work supervisor must be qualified, registered, and Board approved as stipulated in COMAR 10.42.08. All supervision must be obtained after establishing a written contract, which means using the form provided by the Board. The "Contractual Agreement for Supervision for LCSW and LCSW-C Licensure" form can be found on the Board's website.

Q: How long should a licensee keep his/her continuing education documentation?

A: The previous continuing education regulations require that continuing education documentation be kept for four (4) years. The current continuing education regulations (effective 11-01-03) require that continuing education documentation be kept for one (1) year. The continuing education regulations also require that continuing education documentation be kept for two (2) years when a license is on inactive status and for five (5) years if the license expired. These timeframes are required in case the social worker wishes to request reactivation or reinstatement.

Q: Can the Ethics Requirement be obtained by a home study / online course?

A: No. Home study programs are Category II, and the ethics requirement **must be in Category I**. Please review COMAR 10.42.06.04 A through F for the regulations on Category I. The Board provides a link to COMAR 10.42 on the Board's website.

"Frequently Asked Questions" will be an ongoing column in the newsletter. Please submit questions you would like to have addressed to:

Newsletter Editor
C/O The Board of Social Work Examiners
4201 Patterson Avenue Room 217
Baltimore Maryland 21215-2299

Meet the New Staff Members

Board of Social Work Examiners Hires New Executive Director

On March 14, 2006 Mr. James Merrow was hired to the position of Executive Director.

Biography:

James T. Merrow - Born Baltimore, Maryland. Calvert Hall College High School, 1964; University of Baltimore, B.S, Accounting, 1969; M.B.A, Marketing, 1977.

During thirty plus years of employment Jim has worked in all three levels of government – Federal - State – and Local. He has held administrative or management positions in the areas of national defense, transportation, public safety, public health, and environmental protection. In carrying out those duties Jim has been responsible for managing programs with multi million dollar operating budgets. For the past ten years he has been working as a Board Administrator for the Boards of Electrology and Dietetic Practice. In addition to the two above mention boards, Jim has been involved in the start up of the Board for Certification of Residential Child Care Program Administrators. Jim lives in southern Pennsylvania with his wife.

Anne Walker, LCSW-C joined the staff of the board in February, 2006. Ms. Walker received her graduate degree from the Catholic University of America and has been a social worker for 35 years. Her experience includes work in direct service, management and administration.

Public Mental Health System

“Licensed Social Worker sentenced for Defrauding Medicaid Program”. This headline in local papers was a result of an audit conducted by the Mental Hygiene Administration and the Frederick County Core Service Agency. It was one of several audits conducted by the State that found Healthcare providers in violation of State or federal regulations governing participation in the Medicaid program or a Health Practice Act.

The Mental Hygiene Administration, within the Department of Health and Mental Hygiene, is responsible for the Public Mental Health System (PMHS). The MHA with the local mental health authorities (Cores Service Agencies) manage the provision and funding of services for consumers with Medical Assistance, and certain uninsured persons. To ensure that quality services are provided in accordance with State and federal regulations (Medicaid and Mental Hygiene regulations, Social Work Practice Act), The Mental Hygiene Administration, along with the Office of the Attorney General-Medicaid Fraud Control Unit, and the Department of Health and Mental Hygiene’s Office of Inspector General are performing compliance audits of Medicaid Providers. Violation of statutes or regulations may result in civil or criminal penalties (retraction of claims and reimbursement by provider of funds, fines, expulsion from Medicaid program, or incarceration); in addition, MHA reports its findings to the Board of Social Work Examiners. Thus, MHA seeks to remind all providers of some of the rules governing participation in the PMHS.

To be a provider within the Public Mental Health System (to be a provider to individuals with Medical Assistance), one must be a **licensed** mental health provider, or otherwise permitted by

the Board of Social Work Examiners to perform the clinical service. If a provider is not employed by a Hospital or Outpatient Mental Health Clinic, the provider must have a Medicaid Provider number. If the provider is a sole practitioner, the provider should obtain an Individual provider number. If the provider is part of a group practice, the practice must have a group practice number, and the provider must have a Medicaid rendering number. On the claim form submitted for payment, the provider attests that the Medicaid Provider whose number is listed on the claim form performed the clinical service. A provider **may not** have other persons perform services under that provider's Medicaid number. A provider in an individual or group practice may **NOT** bill for services performed by unlicensed persons.

Providers within the PMHS are required to know and comply with all applicable Medicaid regulations, MHA regulations, and Board of Social Work Examiners statute and regulations. This includes, maintaining adequate records that document the service provided. A contact/progress note shall be made for every billable service. This includes at minimum, the date, start and end time of the therapy session, type of service provided (individual, family therapy), summary of the session and consumer's response to the intervention. If billing for an assessment, the notes should include more than the diagnosis, but information to support that an assessment was done, i.e. symptoms. If documentation does not exist supporting the service billed, it is considered as if the service was not performed, and the claim was falsely billed.

Good News About Licensing Test

Are you about to graduate with your BSW or MSW? **If you are in your last semester of school**, you may apply to take the licensing test with proof that you are a student in good standing who expects to graduate. You may obtain approval to sit for the examination prior to graduation by submitting your application with a letter from the office of the Dean or the Registrar of your school indicating verification of your anticipated date of graduation. You will then qualify to take the test. Once you have graduated, **it is your responsibility to submit an Official Transcript, Conferring your Degree in Social Work before a license will be issued.** The Board adopted this procedure in 2002, and it should speed up the process of getting your license; thereby assisting you in your search for a social work position. You must have your license to practice social work in Maryland.

Unit #98
Maryland Board of Social Work Examiners
 4201 Patterson Avenue, Room 217
 Baltimore, Maryland 21215-2299

8 The Bulletin of the Maryland Board of Social Work Examiners

BOARD STAFF MEMBERS	OTHER SHARED STAFF POSITIONS WITH THE BOARD	BOARD NEWSLETTER STAFF
James T. Merrow <i>Executive Director</i>	Delia Turano Schadt, Board Counsel <i>Assistant Attorney General</i>	Stephanie B. Sharpe, LGSW <i>Editor</i>
Gloria Jean Hammel, LCSW-C <i>Staff Social Worker</i>	Robin Bailey <i>Legislative / Regulations Specialist</i>	James T. Merrow <i>Executive Director</i>
Anne E. Walker, LCSW-C <i>Staff Social Worker</i>	Henry Harle <i>Computer Network Specialist</i>	Riya Rahman <i>Assistant Editor</i>
Deborah A. Evans <i>Compliance Officer</i>	Linda Beyer <i>Fiscal Officer</i>	The Board's phone number is 410-764-4788
Asa R. Frost, Jr. <i>Administrative Officer</i>	Maryland Board of Social Work Examiners 4201 Patterson Avenue, 2nd Floor Baltimore, Maryland 21215-2299	Toll Free number 1-877-526-2541
Bernadette Staten-Evans <i>Administrative Specialist</i>		Fax number is 410-358-2469
		Internet Address – www.dhmv.state.md.us/bswe/

BOARD WEBSITE

Check out the Board of Social Work Examiners website (<http://www.dhmv.state.md.us/bswe/>). It contains information about licensing, continuing education, regulations, forms as well as, links to many related sites.

