

Make a difference!

SPRING 2014

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BSWE Newsletter



HAPPY SPRING!

In this, my last Newsletter as Chair of the Board, I want to express my gratitude for having had this opportunity. I have thoroughly enjoyed being the Chair and have benefited from the knowledge and wisdom of Board staff, other Board members and our Board Counsel, as well as our previous Executive Director, Jim Merrow, who semi-retired at the end of December, 2013.

I am pleased to report that Board staff continues to work efficiently and effectively on behalf of the public and our Maryland licensees. If you have questions for which you cannot find the answers on the website, you will find the staff thoroughly knowledgeable about our statute and regulations.

I have been asked to emphasize the Board's Code of Ethics. In the near future, I will have the pleasure of leading a group of board members and social workers from the community in revising the Code of Ethics. An important element in ethical deliberation or analysis is the necessity for knowing the law as it pertains to the ethical question. However, when analyzing an ethical question, it is not sufficient to stop with the law. It is important to take all ethical principles and values into consideration. The Veterans Administration *Integrated Ethics* program provides a wealth of information about bioethics in particular, on its web site. Any social worker practicing in the fields of health and mental health will find this useful. Social workers in other fields may also find this information helpful in providing a conceptual framework for analyzing an ethical dilemma or addressing an ethical issue.

COMAR Title 10 Subtitle 42 Chapter 03 Code of Ethics .01 Scope and Purpose C. states "A social worker has a responsibility to practice ethically by considering the potential benefit versus risk of harm to clients when planning and delivering professional social work services, including respecting and facilitating client's rights to make informed decisions." Psychotherapy can be harmful if not delivered in a competent and professional manner.

Our regulations also address practice issues for social workers conducting research. COMAR Title 10 Subtitle 42 Chapter 03 Code of Ethics .06 Standards of Practice C Research, emphasizes the elements of informed consent: knowledge, understanding, ability to reason and make a voluntary choice about participation in the

research. Research participants must be provided the same information as clients or patients in clinical practice.

I believe that every licensed social worker understands the concept of boundary violations. Despite this and the emphasis the Code of Ethics places on avoiding it, it is surprising and very unfortunate that the Board continues to receive complaints about Social Workers who become involved with their clients in a dual relationship. Boundary issues can arise in any setting in which social workers are employed.

In case you did not see this in the statute or a previous Newsletter, I'll remind you that among our responsibilities to our clients are the following: COMAR Title 10 Subtitle 42 Chapter 03 Code of Ethics .03 Responsibilities to Clients C (3). *"Notify the client promptly and seek the transfer, referral, or continuation of service in relation to the client's need or preference if the licensee anticipates the termination or interruption of service"* and C (4) *"Prepare and disseminate to an identified colleague or record custodian a written plan for the transfer of clients and files in the event of the licensee's incapacitation, death or termination of service...."* This is particularly important for social workers in private practice who do not have the benefit of an agency with policies and procedures for these eventualities. These two requirements in the Code of Ethics provide for a safe, compassionate and beneficial transfer of a client from one social worker to another, if necessary, for whatever reason.

COMAR Title 10 Subtitle 42 Chapter 03 Code of Ethics .06 Standards of Practice A (1) requires that we *"Limit practice to the areas in which the licensee has gained proficiency through education, training and experience. We know ourselves better than anyone else and can evaluate when we are competent to meet the needs of a client or a potential client. If we are not, we should refer the client to another provider who is qualified."*

As you know, the major responsibility of professional Boards is to protect the public. I commend those of you who have felt compelled to send a complaint regarding one of your colleagues, even though it may have been difficult to do this. COMAR Title 10 Subtitle 42 Chapter 03 Code of Ethics .04 Responsibilities to Colleagues A (1) (2) *"The licensee shall inform the Board: (1) Of unethical conduct by a licensed social worker; and (2) About an individual who is not licensed by the Board but who represents that the individual is a social worker and is practicing, attempting to practice, or offering to practice social work."* Essentially, you are required by regulation to file a complaint with the Board if you believe a licensee is dishonest in her/his social work practice. Furthermore, if you are aware of a colleague's impairment or incompetence you should take reasonable measures to assist the colleague in taking remedial action. COMAR Title 10 Subtitle 42 Chapter 03 Code of Ethics .04 Responsibilities to Colleagues .04 C *"Licensees having knowledge of a colleague's impairment or incompetence should take reasonable measures to assist the colleague in taking remedial action. In cases where the colleague does not address the problem, or in any case in which welfare of a client appears to be in danger, the licensee shall report the impairment or incompetence to the Board."*

I am grateful to have had the opportunity to serve as Board Chair for the past two years.

Best to all for a wonderful summer,

Judy Levy, LCSW-C

Board Chair

SUPERVISION COMAR 10.42.08

The backbone of professional development.....the foundation of active “on-the-job” learning...

These phrases characterize one of the most important parts of social work practice – supervision. Maryland social work regulations devote an entire chapter to this subject which gives you a full picture of the provisions by which licensed social workers must function. (COMAR 10.42.08) The goal of supervision should always be the strengthening of the individual’s professionalism which in turn increases the quality of services provided to a client population.

Here we are providing some key highlights to the supervision regulations. It can certainly be used as a handy reference but it is strongly recommended that every licensee read Chapter 8 and become familiar with it for your daily practice.

DEFINITION: per regulations “...formalized professional relationship between a supervisor and supervisee in which the supervisor directs, monitors and evaluates the supervisee’s social work practice...”

MINIMUM REQUIREMENTS:

- 1) For all LBSW and LGSW licensees, a minimum of three (3) hours per month face-to-face supervision
- 2) For all LCSW licensees engaged in the practice of clinical social work, a minimum of three (3) hours per month face-to-face supervision
- 3) The above minimum requirements must be adhered to regardless of whether or not the individual supervisee is working toward advanced licensure. The supervision requirements for advanced licensure are a separate issue.
- 4) The supervision requirements can be met in either individual or group supervision
- 5) “Face-to-face” is defined as “..in the physical presence of the individuals involved in the supervisory relationship...”. Telephonic or internet communication and video conferencing are not acceptable in meeting the 3 hour minimum.

SUPERVISOR QUALIFICATIONS:

In order to supervise a licensee in the practice of social work, an individual must meet the following criteria:

- 1) Be licensed at the advanced level (LCSW or LCSW-C) for at least 18 months
- 2) Have completed at least 18 months of practice at the advanced level of licensure (or have 60 months of social work experience as an LGSW or 96 months of social work experience as an LBSW-formerly called the LSWA – **prior to obtaining the advanced level of licensure**)
- 3) Have completed one of these training options: (a) a supervision course from an accredited master’s degree program OR (b) 12 hours of in-service training provided by an employer OR (c) 12 hours of continuing education in social work supervision by a Board-authorized sponsor.

QUALIFICATIONS TO SUPERVISE FOR ADVANCED LICENSURE:

- 4) In order to supervise for the purposes of advanced licensure, in addition to meeting the above qualifications, an individual must be clear of any disciplinary actions from the Maryland Board of Social Work Examiners (the "Board") for 5 years prior to supervisory status AND register and be approved by the Board. (The Registration Form is accessible on our web site.)
- 5) The Board maintains a list of approved supervisors on the web site, under the link for "Licensure Verification".

RESPONSIBILITIES IN SUPERVISION:

Both supervisor and supervisee have responsibilities to ensure that the supervision being conducted is appropriate and meets the needs of both the agency and the individual supervisee.

- 1) Sessions should be scheduled and maintained on a regular basis.
- 2) Supervisor and supervisee should be in agreement on the goals of the supervision – including the quality of client services being provided, the requirements of the particular agency and the professional development of the supervisee in knowledge, skills and abilities.
- 3) Both individuals must maintain documentation of the sessions.
- 4) Supervision should include regular evaluation of the supervisee's performance.
- 5) Supervision being provided for the purposes of advanced licensure must be under a Contractual Agreement Form initiated and signed at the beginning of the supervisory relationship.

FREQUENTLY ASKED QUESTIONS:

[What if my agency does not have an LCSW or LCSW-C on staff?](#)

****It is the responsibility of the licensee to pursue obtaining the appropriate social work supervision. If the agency is not willing or able to hire a supervisor, the licensee must seek off-site supervision from a qualified LCSW or LCSW-C and is responsible for the incurred cost.

[How long do I need to be supervised?](#)

****As long as an individual is licensed as an LBSW or LGSW, they must receive the minimum of three hours per month. An LGSW who has met the requirements for the advanced licensure, and has submitted the requisite application, **MUST** continue to receive the minimum supervision until such time as the advanced license has been issued.

[Do I need to keep documentation of supervision?](#)

****Regulations require both supervisor and supervisee to maintain documentation of supervision sessions. There is no mandated format for this documentation but the notes **MUST** include the date and duration of the session and information regarding what was discussed/covered in the session. These notes must be kept for a minimum of 5 years after the supervisory relationship ends.

Can an LGSW licensee supervise others?

No, an LGSW licensed social worker cannot supervise others in the practice of social work. A supervisor must hold the advanced level of licensure.

What does independent practice mean?

Independent practice refers to the ability to practice social work as a licensed individual without supervision as specified in regulations. This is applicable **ONLY** to those individuals licensed at the advanced level. This does **NOT** apply to LCSW licensees engaged in the practice of clinical social work since they are held to the supervision requirement within the clinical area of practice.

What are the requirements of group supervision?

Supervision provided in a group modality: (a) must be provided by a qualified LCSW or LCSW-C; (b) cannot be provided by another discipline such as LCPC; (c) cannot have more than 6 supervisees in the group; (d) if being included for the purposes of advanced licensure requirements, must be provided by a Board approved supervisor under a valid Contractual Agreement Form.

Group supervision IS NOT case conferences, clinical staff meetings, peer consultations or team meetings.

Example A: A group of 6 supervisees meet regularly with a Board approved supervisor. This supervisor is known as the supervisor of record – is accountable to the agency for the work of the supervisees – oversees and directs the social work practice issues as presented in the group sessions – supervisees’ issues are followed up in individual sessions – This **IS** group supervision.

Example B: A group of agency staff – multi-disciplinary – meet regularly with one or two designated advanced licensed staff members – no designated supervisor of record – discussions held as case consultations, peer consultations (consultation: to seek advice or information, a conference at which views are exchanged) – no specific instructions/recommendations given to be followed by any given member of the group – follow-up in individual supervision sessions not expected/mandated – This **IS NOT** group supervision.

KEY POINTS REQUIRED FOR ADVANCED LICENSURE IN THE STATE OF MARYLAND

Common mistakes

1. Make sure that the supervisor is Board approved.

Even though the supervisor might tell you that they are Board approved, you need to verify that this is accurate. You can always call the Board or check the web site to verify that the supervisor is “Board approved”.

*For any time to be considered towards the requirements for advanced licensure in the State of Maryland Regulations effective 07/01/2004, and revised 12/17/2007, state that a licensed social worker who is super-

vising for the purposes of advanced licensure must be registered and Board approved. COMAR 10.42.08.04 (B).

2. Contractual Agreement Forms

*Often the termination date is not indicated on the form. When you initially sign the contract, you may indicate “ongoing”. This refers to the contracts that do not have a revision date from 2013 and 2014.

*If you have lost the original contract **DO NOT** print out and sign a new one. Provide a notarized affidavit signed by you, the supervisor, and the agency administrator that attests the original contract was lost. Include the duration of the contractual relationship.

*All contracts **MUST BE** signed by the Agency Administrator. If you are receiving independent supervision from an outside supervisor, the signature of the Agency Administrator denotes recognition that the applicant is receiving outside supervision.

3. Supervision Verification Forms

* The form should correlate with the Contractual Agreement Form. For example, if the Contractual Agreement Form extends from 01/01/10 to 01/01/12, than the Supervision Verification Form must be within the parameters.

* In the case that a Supervisor cannot be located or is deceased, the applicant can have the form completed by the Agency Administrator. That person is to complete the form in lieu of the supervisor that provided the supervision. They are to provide all of the information regarding the supervisor in the designated areas **BUT NOT sign the document**. Instead provide a notarized statement that attests to the fact that the original supervisor was unable to be located or that the supervisor is deceased.

4. Licensing Requirements

LCSW-C

The minimum requirements for licensure in the State of Maryland for advanced licensure at the clinical level requires two years, consisting of **not less than 104 weeks**, of at least 3,000 hours of supervised clinical social work experience in direct service to clients. Half of the 3,000 hours, 1,500 hours, shall consist of face-to-face client contact; 144 hours of periodic direct face-to-face supervision while obtaining clinical social work experience which is obtained under a contractual agreement form for supervision under a Board approved LCSW-C.

You have to have met all the requirements before you can apply.

LCSW

The minimum requirements for licensure in the State of Maryland for advanced generalist licensure requires at least two years, consisting of not less than 104 weeks, of at least 3,000 hours of supervised social work experience; and 100 hours of periodic face-to-face supervision in the practice of social work which is obtained under a contractual agreement form for supervision under a Board approved LCSW or LCSW-C..

Until your advanced license is issued, your social work practice must remain under the supervision of a qualified supervisor (LCSW or if in clinical work on LCSW-C) and you may not engage in the practice of social work independent of social work supervision. (COMAR 10.42.08.07A(1)(2)(3))

NOTIFICATION OF CHANGE IN NAME OR STREET ADDRESS OR EMAIL ADDRESS

It is the responsibility of a licensee to notify the Board promptly of any change in contact information. For a change in address, postal and / or email, please use the form on the Board's website. For a change in name, please mail or fax a copy of legal documentation to the Board. The Board's newsletter and various notifications are sent to licensees using the email address.

PLEASE DO NOT CLICK THE 'UNSUBSCRIBE' LINK FROM AN EMAIL SENT FROM THE BOARD.

OFFICIAL ADDRESS OF RECORD:

The mailing address provided to the Board is the official address of record and is considered part of a public record.

OCTOBER 31, 2014 RENEWALS

Please note that approximately 6,000 licensees will be renewing by October 31, 2014

A notice (a large post card) will be mailed to all licensees in July and licensees can begin renewing their licenses effective July 15, 2014.

Check to see if your license expires on October 31, 2014 and, if yes, check to see if you have the required credit hours for renewal. (40 credit hours for LCSW-Cs, LCSWs , LGSWs and 30 credit hours for LBSWs)

Please be sure that:

- Your mailing address and email are current with the Board
- The 3 Category I credit hours in Ethics was not completed by an online program
- Legal documentation of name changes are mailed or faxed to the Board

- Signature name must be the same as the name used in the “name field”
- All dates have to be mm/dd/yyyy
- Credit hours for Ethics must be listed separately on the CE report form

REMINDERS

There is no late renewal period. Licensees who do not renew on or before October 31, 2014 may not practice social work in Maryland on or after November 1, 2014.

Licensees who were issued a **new license** between January 2012 and October 2012 may use CE credit hours earned from the date the license was issued.

The 3 Category I credit hours required in **Ethics** cannot be obtained through a home study or online programs because these programs are in Category II.

Before calling the Board with a question on continuing education please read COMAR 10.42.06. In addition there is continuing education information on the Board’s web site, (www.dhmh.maryland.gov/bswe/).

The Board does not accept continuing education credit hours for the following:

Providing or receiving Supervision & Consultation, Coaching, Computer Software Training (Word; Excel: Access etc.), First aid and CPR training, Reiki, Feng Shui, Qi Gong

IF a licensee attempted to meet the CE requirements but failed due to a functional impairment; prolonged illness; mandatory military service or deployment; prolonged absence from the United States; financial hardship, the licensee must submit:

- 1) Renewal application (a renewal application can be printed from the Board’s website or mailed to you);
- 2) A check or money order for the renewal fee; and
- 3) A written request, with supporting documentation, for an extension;

Requests for extension must be received no later than August 31, 2014. The Board will review each request and if authorized, a six month conditional license will be issued which will expire on April 30, 2015.

Licensees will have six months to meet their CE requirements.

CONTINUING EDUCATION 10.42.06**Category I Activity**

- Programs offered by Board Authorized or Auto-Authorized Sponsors which are comprised of a minimum of 1 hour on a single subject
- Live real-time transactions between teachers and learners (face-to-face)
- Courses, Seminars, workshops, symposiums, conferences, staff development, grand rounds
- At least 20 (15 for LBSW's) of the required credit hours **must** be earned in this category
- At least **3 credit hours** must be earned in ethics (professional conduct, boundary issues or pertaining to the standards of practice and laws governing the profession of social work in Maryland)

Documentation

- An official transcript for academic courses or a certificate of participation, which is signed and dated by the Board Authorized or Auto-Authorized Category I Sponsor

Category II Activity

- Programs which are less structured or not Board Authorized or Auto-Authorized
- Live real-time transactions between teachers and learners (face-to-face or online)
- Courses, workshops, in-service trainings, structured peer-case conferences, journal clubs, preparation and presentation of a scientific or professional paper at a meeting of a professional or scientific organization, authoring, editing or reviewing a professional publication, preparing and presenting Category I activities
- At least 20 (15 for LBSW's) of the required credit hours **can** be earned in this category
- Audio-visual instructional programs and home study courses provided by a Board or Auto-Authorized Category I Sponsor

Documentation

- A certificate of participation, if available or If a certificate of participation is not available: the dates when the program was presented; the name(s) of the presenter(s); topics presented; and an outline of the presentation.
- Post-Test passing score for audio-visual and home study programs or a certificate of participation
- Proof of presentation made, reprints of publications, letters from educational institutions when credit is claimed for the instruction of students
- Dates, times, and names of participants in structured peer-case conference and journal club activities

Did You Know?

- ◆ No credit can be earned for activities related to consultation or the provision of and participation in planned supervisory activities as field instructor supervisor, supervisor or supervisee.
- ◆ Social workers shall retain records documenting completion of continuing education requirements for 1 year after the licensing renewal date. The Board conducts random audit of licenses renewed each year.
- ◆ A credit hour means 1 hour and includes “contact hour”, “clock hour”, “hour”, “CME” or “continuing education credit”.
- ◆ One academic credit equals to 5 continuing education credit hours
- ◆ Exceptions from Any of the Requirements. Social Workers shall submit a request for an exception in writing that includes:
Official documentation that confirms circumstances beyond the control of the social worker because of:
 - ◇ A functional impairment or prolonged illness that has been diagnosed by a health care practitioner
 - ◇ Mandatory military service or deployment (need proof of deployment)
 - ◇ A prolonged absence from the United States
 - ◇ Officially declared disasters
 - ◇ Financial hardship

CODE OF ETHICS — COMAR 10.42.03

IMPORTANT REMINDER

ETHICS REQUIREMENT - FACE-TO-FACE TRAINING

- ◆ All licensed social workers are required to obtain **three (3) Category I continuing education credit hours, every two years**, in the content area of ethics and professional conduct.
- ◆ The programs must be provided by Board Authorized Sponsors listed on the BSWE website under the CEU Tab or Automatically Authorized Sponsors listed in COMAR 10.42.06.05.A..
- ◆ The content area must be related to social work ethics and professional conduct which may include maintaining appropriate boundaries with clients and a review of the social work statute and Code of Ethics as it relates to conduct which is consistent with generally accepted professional standards.
- ◆ In addition, the content of the program may address issues related to avoiding dual relationships and the acceptance of gifts.

KEY MESSAGES

1. Ethics Course required every two years to obtain or renew your license
2. 3 CEUs Category 1; face-to-face training
3. Don't wait until September or October of your license renewal cycle to register for your Ethics Course. Sudden cancelations of this course, closed registration, weather, or change in location are **all factors that may prevent you from meeting your licensure requirements.**

2014 LEGISLATION

During the 2014 session, the Maryland General Assembly passed one piece of legislation that affect licensed social workers.

SB 803/HB 641 would provide an exception to privilege for a licensed psychologist, psychiatric nurse, professional counselor, or **social worker** who petitions the court for a peace order against a client or former client for harassment, threats, or other criminal acts and where the disclosure of privileged information is necessary to prove the charges. **Both bills passed the legislature.**

OTHER ITEMS OF INTEREST

Newly Regulated Health Professionals

Behavior analysts will be licensed under the Board of Professional Counselors (SB 694/HB 150) and will comprise a Behavior Analyst Advisory Committee of the Board.

Naturopathic doctors will be licensed under the Board of Physicians, like the behavior analysts, as an advisory committee of the Board (SB 314/HB 402).

SB 225/HB 113 passed the legislature. This bill will require the Board of Examiners of Psychologists to **register psychology associates.**

Child Abuse and Neglect

Legislation passed (**SB 685**) that requires Department of Human Resources (DHR) to provide upon request to a health care practitioner or other entity providing treatment to a child who is the subject of a report of child abuse or neglect for a purpose related to the treatment or care being provided, information regarding the condition and well-being of the child, information regarding the medical, mental health, and developmental needs of the child, the name of any other health care practitioner identified on record as providing care or treatment to the child, and any other relevant information on the record or report. DHR may not release information related to the identity of the person who reported the abuse or neglect. The bill includes uncodified language requiring DHR to work with relevant stakeholders to “identify additional policies, procedures, and systems that can be implemented to improve communication between the Department, local departments, and health care practitioners regarding the health care needs of children who are the subject of a report of child abuse or neglect and to consider issues relevant to the adoption by the Department of requirements for affirmative communication with health care practitioners. DHR shall report to the Senate Judicial Proceedings Committee and to the House Judiciary Committee the results of the study.

VETERANS FULL EMPLOYMENT ACT 2013 - EFFECTIVE JULY 1, 2013

Under this ACT, the Board may allow an individual licensee who is a member of an armed force deployment outside of Maryland to:

- ◆ Renew the license after the expiration of the renewal period without payment of a penalty or reinstatement fee if the late renewal is a direct result of the deployment ; and
- ◆ Complete any continuing education requirements for renewal within 6 months after renewing the license.

The licensee will be required to provide proof of deployment.

James T Merrow and Board Members 2014



Back Row (L to R)

Thomas Smith (LBSW) Secretary/ Treasurer, Joyce A. Bell (LCSW-C), Angela Anderson-Smith (Consumer), Mark Lannon (LCSW-C) Vice Chair, Denise Peak (LGSW), Deborah Ramelmeier (LCSW-C), Judy Meltzer (Consumer), Loretta Wall (LCSW-C)

Front Row (L to R)

Thelma Rich (LCSW), Judy Levy (LCSW-C) Chair, James Merrow (Outgoing Executive Director), Sherryl Silberman (LCSW-C)
Not in Picture: Densie Capaci (LCSW-C)

NEW BOARD MEMBER



Angela D. Anderson-Smith, BA, MA

Angela is the Assistant Housing Manager for the Housing Authority of Baltimore City and a Maryland licensed real estate salesperson. She holds a Bachelor of Arts in Industrial Psychology and a Certificate in Personnel Administration from the University of Maryland, Baltimore County. From Notre Dame of Maryland Angela obtained a Master of Arts in Management and from Copin State College a Post Graduate Studies in Psychiatric Rehabilitation. Angela is one of two consumer members on the Board and attended her first Board meeting in December 2013. The term began before Angela's appointment. Therefore, she will serve for the rest of the term which ends on June 30 2016.

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 <http://www.aswb.org/ace/>

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: Deborah A. Evans, Compliance Officer at deborah.evans@maryland.gov

Discipline

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

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