



BSWE Newsletter



Report from the Chair

The past six months have been a very busy period for the Board. The Statute and Regulations Committee worked on a major revision of the Social Work Practice Act with input from many community stakeholders. It was passed as House Bill 1183 and Senate Bill 986 and was recently signed into law by Governor Larry Hogan. While the law goes into effect in October, 2017, most of the provisions require that regulations be promulgated. As a result, the key changes will occur on July 1, 2018. All active and inactive Social Workers received a recent email describing the changes and an official copy of the law will be emailed in October or November, 2017.

The Board voted to support the initiative by Governor Larry Hogan and Secretary Dennis Schrader to try to lower the cost for Health Occupation Licensees. As a result, licensed social workers will see a one-time reduction of \$26.00 in his/her license renewal fee in 2017 and 2018, which is the fee charged by the Maryland Health Care Commission.

My last comments are to inform you that Debbie Ramelmeier, LCSW-C, the Department of Human Resources Representative to the Board, will be completing her 4 year term on the Board. She has been invaluable as a resource, hardworking and committed to the regulatory role of insuring protection of the public. She will be missed and we wish her well.

Denise Capaci, LCSW-C
Chair, Board of Social Work Examiners

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A SOCIAL WORKER'S PROFESSIONAL WILL

The Maryland Social Worker's Act, Health Occupations Article, Title 19, Annotated Code of Maryland, Code of Maryland Regulations Title 10, Subtitle 42 has a section titled Responsibility to Clients. Under this Section is a requirement that states:

The licensee shall "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...."

The Board has received a number of calls related to the sudden death of clinical social workers, but the same concerns are present if a social worker becomes suddenly incapacitated due to illness.

What is the plan for the clients?

What do you do with the records?

If the records are maintained electronically, who has the passwords?

Do you give the records to the clients and if not, who gets them?

Do you have to keep the records for 5 years?

These are some of the questions that must be addressed.

Agencies frequently have policies to transfer cases and maintain some continuity with the treatment. They can also assist clients with the loss of the social worker. Social Workers in independent practice have the responsibility to have such a plan in place and a professional will.

A related question is the destruction of the social worker (medical) records. Section 4-403 of Health General Article, Annotated Code of Maryland, states "Except for a minor patient, unless a patient is notified, a health care provider may not destroy a medical record..... about a patient for 5 years after the record or report is made, whichever is later....."

"Also, after the death, retirement, surrender of the license, or discontinuance of the practice or business of a health care provider, the health care provider, the administrator of the estate, or a designee who agrees to provide for the maintenance of the medical records of the practice or business and who states, in writing to the appropriate health occupation board within a reasonable time, that the records will be maintained in compliance with this section, shall:

- 1) Forward the notice required in this section before the destruction or transfer of medical records; or
- (2) Publish a notice in a daily newspaper that is circulated locally for 2 consecutive weeks:

- (i) Stating the date that the medical records will be destroyed or transferred; and
- (ii) Designating a location, date, and time where the medical records may be retrieved, if wanted.”

Helpful References:

Mirean Coleman, “Preparing a Professional Will for Your Practice: Important Factors to Consider”, NASW, 2016, Washington, D.C.

Frederic C. Reamer, “Eye on Ethics, Planning Ahead – Drafting a Professional Will” 2013

Kenneth S. Pope & Melba Vasquez, “Therapist Guide for Preparing A Professional Will”, Therapist is a Person, Excepted from Ethics in Psychotherapy and Counseling: A Practical Guide 5th Edition, John Wiley, 2016

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; and
- (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.



Revisions to the Annotated Code of Maryland Health Occupations Article Title 19. Social Workers

On May 4, 2017, Governor Larry Hogan signed into law a series of revisions to the Social Work Statute. The Board recognized many months ago the need to update the statute and make a series of changes. The Statute and Regulations Committee created a Task Force of Social Workers representing a variety of community programs and organizations to give input into this process. Some of the changes are small and some are quite significant. The following is a summary of the key changes:

- The Licensed Graduate Social Worker License (LGSW) will become the Licensed Master Social Worker License (LMSW) effective 7/1/18.
- The concept of Behavioral Health Disorder is introduced and includes substance use disorders, addictive disorders and mental disorders.
- The use of technology is included, but will be further defined in regulations.
- Private Practice will be limited to LCSW-Cs. However, those LGSWs currently engaging in private practice will have until 1/1/20 to either become licensed at the LCSW-C level or discontinue their private practice.
- The Reactivation, Reinstatement and Reissuance processes to obtain a license are clearly defined.
- Once regulations are promulgated, independent practice previously limited to LCSW & LCSW-C Social Workers will become available to LBSW and LGSW Social Workers after 3 years of supervised experience of at least 4500 Hours of practice and a minimum of 150 hours of periodic face-to-face supervision. These regulations will further clarify the terms and conditions. A roster of approved Social Workers for independent practice will be maintained and available on the Board's Website.
- In addition, LBSW and LGSW Social Workers licensed before 1/1/08 and who have actively practiced for at least 10 years may apply and be approved to become an independent practice Social Worker. (as defined in regulation).

- The Board will soon require criminal background checks on all licensed Social Workers who have not been mandated to complete as part of the license renewal process.
- The Board may issue a cease and desist order or obtain an injunction for anyone practicing Social Work without a license or identifying themselves as a Social Worker without a license.
- The Board plans to email the final version of the Bill to all licensees along with periodic updates, and complete all regulations to support these changes by July 1, 2018.

The Board thanks the Social Workers who participated in the Task Force to make these changes possible.



AUTHORIZED PROVISIONAL CONTINUING EDUCATION SPONSORS

The Board is offering another feature for Maryland Licensed social workers on the website. You will have access to a listing of the Board's Authorized Provisional Continuing Education Sponsors by the end of June 2017. In the past, the Board listed authorized sponsors only. The provisional sponsors were not posted due to the need to fulfill certain requirements which include submitting 5 different programs for Board review, approval, and follow up on trainings offered.

With this new link, you will have access to Provisional Sponsors and their Category I Board approved learning activities for your review prior to registering for a course/training. If you are unable to locate a specific training using this link, contact Deborah Evans, CE Supervisor at 410 764-5962 or at deborah.evans@maryland.gov for assistance.

PUBLIC ORDERS

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 right side of the Board's homepage.

PEER CASE CONFERENCE and JOURNAL CLUBS

As questions are raised with the Board of Social Work Examiners in the area of continuing education, we provide our licensees with updated and useful information.

A. Peer Case Conferences are one area that social workers need to have information on. Many licensees are not familiar with this type of continuing education learning activity.

Per the Maryland Board of Social Work Examiners continuing education regulation 10.42.06.04E(1), CEUs may be earned in this Category II activity: "Peer Case Conferences among licensed social workers designed to promote more effective interventions and advance practice".

Peer case conferences are considered in-service training, and usually are held within a setting consisting of a group of mental health professionals.

B. Journal Clubs

Per the Maryland Board of Social Work Examiners continuing education regulation 10.42.06.04E(2), CEUs may be earned in this Category II activity: "Journal Clubs that meet for at least 1 hour and are organized for the purpose of examining the literature and incorporating in the discussion the application of current literature to social work practice."

A licensee can earn up to a maximum of 20 (15 for LBSWs) Category II continuing education units.

What types of documentation is needed?



1. Sign-In Sheet and notes should reflect:
 - a. Name of Agency
 - b. List of Attendees (including yourself)
 - c. Date
 - d. Time and Length
 - e. Topic of Discussion
 - f. Number of continuing education units earned

2. You will need 3 or more mental health professionals in attendance. For example, psychologist, psychiatrist, LBSW, LGSW, LCSW, LCSW-C, and/or case manager.
3. Brief summary for each peer case conference or journal club without identifying information.

C. Record Retention. You and the Agency/Organization shall **maintain copies of your CEU documents including the above materials for 3 years.**

Per the Maryland Board of Social Work Examiners continuing education regulation 10.42.06.07E(1)(a), " A social worker with an active license shall retain records documenting completion of continuing education requirements for 3 years after the licensing renewal date for which the report of continuing education was submitted to the Board."

Example: If your license renewal deadline is October 31, 2017, your CEU records shall be kept until November 1, 2020.

DOES YOUR LICENSE EXPIRE ON OCTOBER 31, 2017?

A licensee can check the status of her/his license by going to the Board's website at www.dhmf.maryland.gov/bswe and click on License Verification.



Keep your name, mailing address and email address current with the Board.

If your license expires on October 31, 2017, you may renew it on or after July 15, 2017.

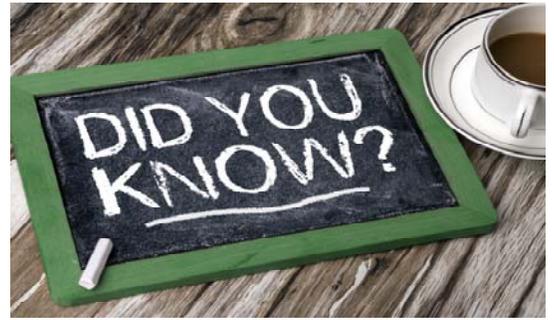
Notification of license renewal will be mailed the week of July 16th 2017 (yellow post card) to each licensee at the last known mailing address on file with the Board

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 LGSWs, LCSWs, and LCSW-Cs. Any questions can be directed to the Continuing Education Supervisor, Deborah A. Evans at Deborah.evans@maryland.gov

An applicant for a social work license is **not licensed on the day she/he passes the exam.**

Effective January 1, 2014, the Board no longer prints paper licenses. Licensees, employers and clients etc., may verify a social work license by selecting “License Verification” on the right side of the Board’s homepage.

www.dhmh.maryland.gov/bswe/



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 contact a staff member, please email:

Deborah A. Evans, CEU Supervisor at deborah.evans@maryland.gov

The Board convenes on the second Friday of each month at 4201 Patterson Avenue, Baltimore Md. 21215. The Open Session Meeting begins at 10:15 A.M. and the Agenda is posted on the Board’s website under Board Meetings.

Standards of practice in the Code of Ethics require that the licensee limit her/his practice to the area in which the licensee has gained proficiency through education, training and experience.

The Board can only accept hours of social work experience & social work supervision for advanced licensure if:

- ⇒ The LCSW or LCSW-C supervisor is Board approved and
- ⇒ The contract for supervision was initiated before supervision began

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