

Make a difference!

BSWE Newsletter



Winter 2013

Inside this issue:

Chair's Report	1
Post 2012 Renewal Audit Update	3
Sanctioning Guidelines Post CEU Renewal Audit	4
Ethics Requirements	5
Reminders -ASWB	5
2013 Legislation Passed Senate Bill 512 " Health Care Practitioners: Identification Badge"	6
New Board Members	6
Reminders - Discipline & Sponsors	7



2013 NASW Logo



Report from the Chair

Welcome to cold weather, Maryland Social Work licensees! We were lucky to have warm temperatures well into the Fall. I hope this finds you all well.

This is my second contribution to the BSWE Newsletter.

As in the last Newsletter, I will address the type of violations that continue to concern me the most due to their seriousness and to the ease with which they could be avoided if licensees became knowledgeable and followed the requirements of the Statute and Regulations. Some violations are not, however, a simple question of learning the requirements. Here, I am referring to dishonesty in the practice of some, few, licensees who have engaged in fraudulent billing, theft, sometimes from their clients and/or patients. Additionally some licensees have participated in egregious boundary violations that have harmed their clients. The major reason for professional boards is to protect the public. I strongly encourage you to report any licensee whom you believe is dishonest in practice. COMAR 10.42.03.04A(1) "the Licensee shall inform the Board of unethical conduct by a licensed social worker" requires this.

As you know, Social Workers, licensed at all levels are required to submit evidence of having completed the required number of CEUs every two years at the time they renew their licenses. A computer generated random audit selects a minimum of 3% of licensees for whom an audit will be conducted. The Board sends the list of those audited to the Association of Social Work Boards (ASWB). The ASWB sends two letters to those selected for audit. The first, mailed January 1, notifies licensees that they will be audited and must produce CEU documentation by January 30. The second letter, informs licensee that 1) they have been compliant with the regulations; 2) that licensee did not respond to the first letter; 3) that the licensee needs to answer additional questions; or 4) they did not submit all requested documentation. The licensee has 15 calendar days in which to respond to the second letter..

A third letter (a final notice) is sent to those licensees who have not complied with the regulations. This letter is sent via both regular and certified mail, in an effort to assure that the licensee receives it. It includes possible charges and sanctions and is sent by the Board with a final deadline of 15 additional days. Licensees found to be non-compliant with the regulations will also be subject to fines, ranging from \$500 to \$2500. If public orders are brought against a licensee, information will be posted on the website of the BSWE.

You might be wondering why I am going to such lengths to explain this process and the possible outcomes. It seems relatively simple to save CEU documentation. Unfortunately, many licensees do not properly comply with the requirements, for many surprising reasons. Letters are misplaced and behind the refrigerator, thrown out in the trash or never received. Please do establish an organized method of keeping your CEU documentation so that you can sail through this process. Furthermore, do not ignore these letters if you are audited. A reminder: the Board staff are very responsive in working with licensees. Another audit by the Board began recently, when the Continuing Education Unit began visiting organizations authorized to sponsor continuing education events for licensees. The results have identified areas in which Sponsors have needed to make modifications and others which the Board needs to address as well. A subcommittee of the board will review both regulations and guidelines for Sponsors and requirements for continuing education opportunities.

At a recent workshop on the use of technology in Social Work practice, the speaker asked the audience if the Maryland BSWE has provided any guidance to Social Workers regarding the use of social media and electronic communication in their practice. The answer by the audience was a resounding "No". There is no specific section of the Statute devoted to this subject. The Board has approached this issue by viewing the current Social Work Statute and Regulations as applicable to all activities or modalities in the licensee's practice, whether they involve the use of the internet or not or if the social worker and client reside in the same state. I will bring this to the attention of the Board for discussion.

The other day I learned about a social worker in private practice who died suddenly and unexpectedly. I was reminded of the following from our Code of Ethics: 42.03A (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.

Although we don't like to think about such an eventuality, whether in private practice or working in an agency, health care or other organization/system, it is important to arrange for the safe and timely transfer of a client and pertinent information to another therapist. If one does not plan ahead, such an event could cause considerable anxiety and feelings of loss to a patient and require the supportive work of another therapist as soon as possible.

I want to remind you all that the Board staff is extremely knowledgeable and available to answer your questions. However, please do use the website first to obtain information and answers to your questions. They are a busy group of people and the website is designed to give you as much information as possible.

Please take a few minutes and review the changes in the Social Work Statutes and the Regulations. Both are accessible from the Board's website.

My best wishes to all of you for a healthy and joyous holiday season.

Judy Levy, LCSW-C, Board Chair

POST 2012 RENEWAL AUDIT UPDATE

The Board randomly selected 300 active licensees for the continuing education audit for the period November 1, 2010 – October 31, 2012. As you may be aware, the Board has an agreement with the Association of Social Work Boards (ASWB) whereby they contact the selected licensees, review the CEUs submission, and determine whether or not the licensee meets all the requirements per current regulations. If it is determined that the licensee does not meet the requirements, this information is forwarded to the Board for further review and follow up.

- Percentage of Licensees that met all requirements: 93 %
- Percentage of Licensees that did not meet all requirements: 7 %

For the upcoming 2013 Post Renewal Audit, 400 active licensees will be randomly chosen along with licensees that were informed that they will be selected for an audit per their Pre-Charge Consent Order or through their reactivation/reinstatement CEUs extension request.

CEU Sanctioning Guidelines were approved at the September 13, 2013 Board Meeting. It outlines different sanctions depending on the violation(s) incurred – see page 4.

****NOTE:** It is required by regulation that licenses retain continuing education certificates and documentation from the trainings, courses, on-line, webinars, conferences, etc., for 2 years per COMAR 10.42.06 Continuing Education Requirements .07E Record Retention.

SANCTIONING GUIDELINES POST CEU RENEWAL AUDIT

Licensees who either have not responded to the Board regarding their Continuing Education Units (CEU) Audit or have not provided all required documentation are referred to the Disciplinary Case Review Committee (DCRC) for review and recommendations to the Board.

Licensees Who Failed to Respond to CEU Audit Request

- Failure to respond to Board's requests within designated time frame:

LCSWs and **LCSW-Cs** will receive a Pre-Charge Consent Order with Public Reprimand, Automatic Pre-renewal Audit next licensing renewal cycle, and \$2,500 fine

LGSWs will receive a Pre-Charge Consent Order with Public Reprimand, Automatic Pre-renewal Audit next licensing renewal cycle, and \$1,875 fine

LBSWs will receive a Pre-Charge Consent Order with Public Reprimand, Automatic Pre-renewal Audit next licensing renewal cycle, and \$1,250 fine

Licensees Who Responded After Deadline

- Licensees who responded after the deadline and submitted valid documentation of completion of 40 CEUs, will receive a Letter of Education.

Licensees Who Responded But Failed the CEU Audit

Depending on the extent of audit failure, the following sanctions will be applied:

- Licensees whose documentation is short by 1-3 *Category I* CEUs or lack Ethics, will receive a Letter of Admonishment and will Automatically be Audited next licensing renewal cycle
- Licensees whose documentation is short by more than 3 *Category I* CEUs, will receive a Pre-Charge Consent Order with Public Reprimand and fines, and will Automatically be Audited next licensing renewal cycle.
- **LCSWs** and **LCSW-Cs** will be fined \$1000, **LGSWs** will be fined \$750, **LBSWs** will be fined \$500.
- Licensees who met the *Category I* requirement but are short any number in *Category II CEUs*, will receive a Letter of Admonishment and will Automatically be Audited next licensing renewal cycle

Approved by Board of Social Work Examiners September 2013

ETHICS REQUIREMENTS

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, including boundary issues. The programs must be given by Board Approved Sponsors which are listed on the BSWE website under the CEU Tab.

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

FUTURE NEWSLETTER COLUMN

A new feature in future newsletters will be a section devoted to "An Ethics Question" in a Question and Answer format. It will be compiled from licensee questions, past cases, and other sources.



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/SWL/conteducation.asp>

2013 LEGISLATION PASSED – SENATE BILL 512

“HEALTH CARE PRACTITIONERS – IDENTIFICATION BADGE”**BILL SUMMARY**

Bill requires a “health care practitioner who practices in:

- (1) A Freestanding ambulatory care facility;
- (2) A Physician’s Office; or
- (3) An Urgent care facility,

To wear a badge or other form of identification displaying in readily visible type:

- (1) The health care practitioner ‘s name; and
- (2) The type of license of the health care practitioner.”

Exceptions:

If you work in one of the three types of settings above, the bill outlines several exemptions. Please refer to the legislation for further details.

Regulations:

Each Health Care Occupations Board may adopt regulations to implement this new law. At this time, the Board of Social Work Examiners is not planning to introduce regulations.

EFFECTIVE DATE: OCTOBER 1, 2013

To access Senate Bill 512, go to the Maryland General Assembly’s webpage at www.mgaleg.maryland.gov , and in the Bill Number block, type in SB 512.

BOARD MEMBERS

Names and dates of service of members of the Board may be viewed on the Board’s website: <http://www.dhmh.maryland.gov/bswe> . The link to the Board Members is on the left menu.

New Board Member

Judy Meltzer, M.A.

Judy is the director of adult learning at the Baltimore Florence Melton School of adult Jewish learning. She holds a Masters of Arts from the Baltimore Hebrew University. Judy is one of the two consumer members on the Board.



Deborah Ramelmeier, LCSW-C

Deborah is the Deputy Executive Director for Programs, for the Social Services Administration, DHR. She holds a MSW and a J.D. degree from the University Of Maryland. Deborah represents the Department of Human Resources on the Board.



Sherryl Silberman, LCSW-C

Sherryl is a clinical social worker and the chief administrator for the Arundel Psychotherapist Associates. She holds a MSW from the University Of Maryland School Social Work. Sherryl is one of the four clinical social workers appointed to the Board.



Discipline

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

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, CEU Coordinator at deborah.evans@maryland.gov

**4201 Patterson Avenue, Room 318,
Baltimore, Maryland 21215
Phone: 410-764-4788
Toll Free – 1-877-526-2541
TDD: 1-800-526-2541
Fax – 410-358-2469**