

Title 10 MARYLAND DEPARTMENT OF HEALTH

Subtitle 42 BOARD OF SOCIAL WORK EXAMINERS

Chapter 08 Supervision

Authority: Health Occupations Article, §§19-101—19-502, Annotated Code of Maryland

.01 Scope.

A. This chapter establishes qualifications and standards for independent practice, supervision and the responsibilities of supervisors and supervisees in the practice of social work.

B. This chapter applies to licensees who practice social work in this State, and individuals applying for licensure to practice social work in this State.

C. Except as otherwise specified in this chapter, this chapter does not apply to personnel or management practices associated with employment or contractual relationships.

D. Nothing in this chapter may be construed to prohibit an:

(1) Employer from requiring supervision of a licensed bachelor social worker (LBSW), licensed certified social worker (LCSW), licensed certified social worker-clinical (LCSW-C), or licensed master social worker (LMSW) who is approved to engage in independent practice; or

(2) LBSW independent practitioner, LMSW independent practitioner, LCSW, or LCSW-C from providing supervision to licensed social work employees who are not pursuing advanced licensure or independent practitioner designation.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Agency" means an entity that employs three or more licensees and for which the licensees practice social work.

(2) "Board-approved supervisor" means an LBSW, LCSW, LCSW-C, or LMSW approved by the Board to supervise social workers as set forth in this chapter.

(3) Face-to-Face.

(a) "Face-to-face" means in the physical presence of or electronic presence of the individuals involved in the supervisory relationship during either individual or group supervision.

(b) "Face-to-face" includes:

(i) Secure video conferencing; or

(ii) Real-time communication with both parties in each other's physical presence.

(c) "Face-to-face" does not include:

(i) Telephone supervision;

(ii) Written communication via the internet; or

(iii) Technological communication that is not visual.

(4) "Independent practice" means to practice bachelor social work or master social work without the requirement of supervision by a social worker.

(5) "Relative" means a:

(a) Spouse;

(b) Parent or stepparent;

(c) Sibling or stepsibling;

(d) Child, stepchild, foster child, or ward;

(e) Mother-in-law or father-in-law;

(f) Son-in-law or daughter-in-law;

(g) Grandparent;

(h) Grandchild;

(i) Aunt; or

(j) Uncle.

(6) "Supervision" means a formalized professional relationship between a supervisor and supervisee in which the supervisor directs, monitors, and evaluates the supervisee's social work practice while promoting development of the supervisee's knowledge, skills, and abilities to provide social work services in an ethical and competent manner.

(7) "Supervision training" means a course or program designed to provide information regarding the supervision process utilized by social workers in a variety of settings as set forth in Regulation .04B(1) of this chapter.

(8) "Written contract" for advanced licensure or independent practice means an agreement, on a form provided by the Board and initiated before beginning supervision, between the supervisee, the Board-approved supervisor and administrator that details the scope of supervision.

.03 Requirements for a Board-Approved Social Work Supervisor.

A. A social worker who intends to provide supervision to a licensed social worker for independent practice:

(1) Shall apply to the Board for approval as a Board-approved supervisor; and

(2) May continue to provide supervision without Board approval until January 1, 2021.

B. A social work supervisor of a licensed social worker who is pursuing advanced licensure shall be Board approved prior to commencing supervision.

C. Licensed Bachelor Social Worker.

(1) The Board shall approve an application filed by an LBSW to be a Board-approved supervisor that met the requirements set forth in this regulation and in accordance with Regulations .04 and .05 of this chapter.

(2) The LBSW applicant for a Board-approved supervisor shall:

(a) Obtain independent status in accordance with COMAR 10.42.02.05;

(b) Obtain the additional hours of experience as an LBSW in accordance with Regulation .04C(4) of this chapter;

(c) File with the Board the supervisory registration form and pay the required fee;

(d) Have a license that is unencumbered and without restrictions or conditions due to a disciplinary action for the 5 years preceding application for supervisor status;

(e) Meet the training requirement as set forth in Regulation .04B(1) of this chapter; and

(f) Be approved as a supervisor by the Board.

(3) A bachelor social work supervisor may not supervise a licensed social worker pursuing advanced licensure.

D. Licensed Master Social Worker.

(1) The Board shall approve an application filed by an LMSW to be a Board-approved supervisor that met the requirements set forth in this regulation and in accordance with Regulations .04 and .05 of this chapter.

(2) The LMSW applicant for a Board-approved supervisor shall:

(a) Obtain independent status in accordance with COMAR 10.42.02.05;

(b) Obtain the additional hours of experience as an LMSW in accordance with COMAR 10.42.02.

(c) File with the Board the supervisory registration form and pay the required fee;

(d) Have a license that is unencumbered and without restrictions or conditions due to a disciplinary action for the 5 years preceding application for supervisor status;

(e) Meet the training requirement as set forth in Regulation .04B(1) of this chapter; and

(f) Be approved as a supervisor by the Board.

(3) An LMSW supervisor may not supervise a licensed social worker pursuing advanced licensure.

E. Licensed Certified Social Worker.

(1) The Board shall approve an application filed by an LCSW to be a Board-approved supervisor that met the requirements set forth in this regulation and in accordance with Regulations .04 and .05 of this chapter.

(2) The LCSW applicant for Board-approved supervisor shall:

- (a) Obtain 18 months of active social work experience after obtaining the certified license;
 - (b) File with the Board the supervisory form and pay the required fee;
 - (c) Have a license that is unencumbered and without restrictions or conditions due to a disciplinary action for the 5 years preceding application for supervisor status;
 - (d) Meet the training requirement as set forth in Regulation .04B(1) of this chapter; and
 - (e) Be approved as a supervisor by the Board.
- (3) An LCSW supervisor may not supervise an LCSW pursuing advanced clinical licensure.

F. Licensed Certified Social Worker-Clinical.

(1) The Board shall approve an application filed by an LCSW-C to be a Board-approved supervisor that met the requirements set forth in this regulation and in accordance with Regulations .04 and .05 of this chapter.

(2) The LCSW-C applicant for Board-approved supervisor shall:

- (a) Obtain 18 months of active social work experience after obtaining the certified license;
- (b) File with the Board the supervisory form and pay the required fee;
- (c) Have a license that is unencumbered and without restrictions or conditions due to a disciplinary action for the 5 years preceding application for supervisor status;
- (d) Meet the training requirement as set forth in Regulation .04B(1) of this chapter; and
- (e) Be approved as a supervisor by the Board.

.04 Qualifications for a Board-Approved Supervisor.

A. License.

(1) For social workers licensed by the Maryland Board of Social Work Examiners a supervisor shall hold an active license as a:

- (a) Bachelor Social Worker (LBSW);
- (b) Certified Social Worker (LCSW);
- (c) Certified Social Worker-Clinical (LCSW-C); or

(d) Masters social worker (LMSW).

(2) For social workers licensed by an out-of-State licensing board, a supervisor shall hold an active license comparable to the:

(a) Bachelor Social Worker (LBSW);

(b) Certified Social Worker (LCSW);

(c) Certified Social Worker-Clinical (LCSW-C); or

(d) Masters social worker (LMSW).

B. Education.

(1) Social workers licensed by the Maryland Board of Social Work shall have:

(a) One social work graduate course in supervision from a master's degree program accredited by the Council on Social Work Education;

(b) 12 hours of agency-sponsored supervision training; or

(c) 12 credit hours of continuing education in social work supervision by a Board-authorized sponsor.

(2) Social workers licensed as social workers by an out-of-State licensing Board at a level comparable to the LBSW, LCSW, LCSW-C, or LMSW shall:

(a) Have the same qualifications under §A(2)(a) of this regulation; and

(b) Complete the education requirement within 12 months of obtaining a Maryland LBSW, LCSW, LCSW-C, or LMSW.

(3) Supervision training required in Regulation .04B(1) of this chapter shall be obtained in Category I or Category II and may include, but is not limited to:

(a) The role and responsibilities of the social work supervisor;

(b) The needs of the supervisee, supervisor, and the agency setting while maintaining a clear ethical perspective;

(c) The role of the social work supervisor as gatekeeper to the profession;

(d) Methods for building effective and appropriate relationships with clients;

(e) Methods for group supervision; and

(f) Models and modalities for practice intervention.

C. Experience. A supervisor shall have completed:

(1) 18 months of active social work experience after obtaining an LCSW or LCSW-C;

(2) 18 months of active social work experience as a social worker licensed by an out-of-State licensing board at a level comparable to the LCSW or LCSW-C;

(3) 24 months of social work experience as an independent licensed master social worker or its equivalent before obtaining the LCSW or LCSW-C license or 60 months of social work experience as an LMSW or its equivalent before obtaining an LCSW or LCSW-C license; or

(4) 24 months of social work experience as an independent licensed bachelor social worker or its equivalent before obtaining the LCSW or LCSW-C license or 60 months of social work experience as an LBSW or its equivalent before obtaining an LCSW or LCSW-C license.

.05 Registration.

A. A supervisor shall:

(1) Have filed with the Board the form designated as the supervisory registration form;

(2) Have a license that is unencumbered and without restrictions or conditions due to disciplinary action for the 5 years preceding supervisor status;

(3) Have been approved as a supervisor by the Board; and

(4) Have established and maintained a written contract, on a form provided by the Board prior to initiating supervision for advanced licensure and independent practice in order to provide supervision with the supervisee.

B. A supervisor shall be:

(1) An agency-designated supervisor; or

(2) An independent supervisor.

.06 Standards for Supervision.

A. A supervisor shall:

(1) Supervise only in those areas within the supervisor's competence as determined by education, training, and experience;

(2) Provide supervision appropriate to the particular level of licensure being applied for or maintained;

(3) Instruct and provide role modeling in the general content areas established in Health Occupations Article, §19-101(m), Annotated Code of Maryland; and

(4) Ensure that a supervisee has read and is knowledgeable about Health Occupations Article, Title 19, Annotated Code of Maryland, and COMAR 10.42.01—10.42.08.

B. In addition to the requirements of §A of this regulation, the supervisor shall specifically instruct and provide guidance relating to the supervisee's scope of practice of social work under Health Occupations Article, §§19-301 and 19-307, Annotated Code of Maryland, including:

(1) Developing skill in recognition of patterns of behavior, based on clients' or patients' capacities and deficits;

- (2) Understanding and recognizing issues of the helping relationship;
- (3) Maintaining client or patient confidentiality with respect to privileged communications;
- (4) Defining boundaries;
- (5) Setting limits;
- (6) Recognition of cultural diversity;
- (7) Assessing the client for risk of imminent danger;
- (8) Administrative skills;
- (9) Supervision; and

(10) Documentation and record keeping requirements as set forth in Health-General Article, Title 4, Annotated Code of Maryland, and in accordance with COMAR 10.42.03.

C. Supervision of Candidates for a Certified Social Worker—Clinical License. In addition to the other requirements of this regulation, the supervisor of a certified social worker-clinical candidate shall instruct and provide guidance in:

- (1) Appropriate billing practices if applicable to the practice site, including:

- (a) Establishment and disclosure to clients of:

- (i) Fees for services;
- (ii) Payment arrangements;
- (iii) Payment plans;
- (iv) Financing services; and
- (v) Terms and conditions of service;

- (b) Financial record keeping and disclosure; and

(c) Documentation and record keeping requirements as set forth in Health-General Article, Title 4, Annotated Code of Maryland, and in accordance with COMAR 10.42.03.

- (2) Treatment of mental disorders and other conditions; and
- (3) The provision of psychotherapy.

D. A relative may not provide supervision for a social worker.

E. A licensed master social worker in independent practice may provide supervision for bachelor or master social workers under the terms and conditions set forth in Regulations .04 and .05 of this chapter and in accordance with COMAR 10.42.02.

F. A licensed bachelor social worker may provide supervision for bachelor social workers under the terms and conditions set forth in Regulations .04 and .05 of this chapter and in accordance with COMAR 10.42.02.

.07 Responsibilities of a Supervisor.

A. A social work supervisor shall be Board-approved before providing supervision to licensed social workers for advanced practice or independent practice.

B. A Board-approved supervisor shall remain knowledgeable of the statutes and regulations as set forth in Health Occupations Article, Title 19, Annotated Code of Maryland and COMAR 10.42.01—10.42.09.

C. A supervisor shall:

- (1) Ensure that a supervisee is practicing within the scope of the supervisee's license;
- (2) Determine the skill level at which the supervisee may practice;
- (3) Focus on raw data from 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) Provide or ensure that a supervisee receives 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;
- (6) Ensure that a supervisee has read and is knowledgeable about Health Occupations Article, Title 19, Annotated Code of Maryland, and COMAR 10.42.01—10.42.09;
- (7) Within a reasonable period of time before termination of supervision, provide the supervisee and employer with a notice of termination to avoid or minimize any harmful effect on the supervisee's clients or patients;
- (8) At the time of license renewal, demonstrate to the Board completion of 3 of the required Category I or Category II continuing education units in a content area focusing on supervision training as stipulated in Regulation .04A(2)(c) of this chapter;
- (9) Establish a written contract, on the form provided by the Board, for advanced licensure or independent practice, initiated before beginning supervision;
- (10) Provide for emergency supervision and direction to a supervisee by a Board-approved supervisor;
- (11) Complete the supervision verification form;
- (12) Provide a written evaluation of the supervisee's progress to the supervisee every 6 months;
- (13) Provide a copy of the documentation required by Regulation .04 of this chapter:
 - (a) On request by the supervisee; and
 - (b) On request, by the Board or its authorized agent; and

(14) Comply with a Board audit of a supervisor's compliance with regard to the supervision requirements and supervisory responsibilities.

.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.

.09 Group Supervision for Advanced Licensure.

A. Group supervision is an optional form of supervision and may not be used as the sole form of supervision.

B. Only half of the required hours of supervision may be obtained from group supervision.

C. The group supervisor shall provide supervision to not more than six supervisees at any time.

D. A group supervisor shall comply with the requirements of this chapter.

.10 Status of Independent Practice.

The Board shall maintain an indication that the licensee is approved for independent practice on its roster of licensees on the web site.

.11 Status of Board-Approved Supervisor.

The Board shall maintain an indication that the licensee is a Board-approved supervisor on its roster of licensees on the web site.

Administrative History

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