

COMMONWEALTH OF VIRGINIA

BOARD OF SOCIAL WORK

TITLE OF REGULATIONS: VR 620-01-2

REGULATIONS GOVERNING THE PRACTICE OF SOCIAL WORK  
STATUTORY AUTHORITY §54-1.2400 OF THE CODE OF VIRGINIA

ADOPTED REGULATIONS

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PART I  
GENERAL PROVISIONS

§ 1.1 DEFINITIONS

The following words and terms, when used in these regulations, shall have the following meanings, unless the context clearly indicates otherwise:

"Accredited school of social work" is defined as a school of social work accredited by the Council on Social Work Education.

"Applicant" is defined as a person who has submitted a completed application for licensure as a social worker with the appropriate fees.

"Board" is defined as the Virginia Board of Social Work.

"Candidate for licensure" is defined as a person who has satisfactorily completed all educational and experience requirements for licensure and has been deemed eligible by the Board to sit for the required examinations.

"Clinical course of study" is defined as graduate course work which includes courses in human behavior and social environment, social policy, research, clinical practice with individuals, families, groups and a clinical practicum which focuses on diagnostic, prevention and treatment services.

"Exemption from requirements of licensure" is defined in §54.1-3701 in the Code of Virginia. This definition is incorporated in the attached Applicable Statutes from the Code of Virginia.

"Supervision" is defined as the relationship between a supervisor and supervisee which is designed to promote the development of responsibility and skill in the provision of social work services. Supervision is the inspection, critical evaluation, and direction over the services of the supervisee. Supervision shall include, without being limited to, the review of case presentations, audio tapes, video tapes, and direct observation.

§ 1.2 PUBLIC PARTICIPATION GUIDELINES

A. Mailing List. The Board of Social Work will maintain a list of persons and organizations who will be mailed the following documents as they become available.

1. "Notice of intent" to promulgate regulations.
2. "Notice of public hearing" or "informational proceeding," the subject of which is proposed or existing regulations.
3. Final regulation adopted.

- B. Being Placed on List. Any person or organization wishing to be placed on the mailing list may be added by writing the Board. In addition, the Board may, at its discretion, add to the list any person, organization, or publication it believes will serve the purpose of responsible participation in the formation or promulgation of regulations. Persons and organizations on the list will be provided all information stated in subsection A of these guidelines. Individuals and organizations will be periodically requested to indicate their desire to continue to receive documents or be deleted from the list. Where mail is returned as undeliverable, individuals and organizations will be deleted from the list.
- C. Notice of Intent. At least 30 days prior to publication of the notice of intent to conduct an informational proceeding as required by § 9-6.14:1 of the Code of Virginia, the Board will publish a "notice of intent." This notice will contain a brief and concise statement of the possible regulation or the problem the regulation would address and invite any person or organization to provide written comment on the subject matter. Such notice shall be transmitted to the Registrar for inclusion in the Virginia Register.
- D. Information Proceedings or Public Hearings for Existing Rules. At least once each biennium, the Board will conduct an informational proceeding, which may take the form of a public hearing, to receive public comment on existing regulations. The purpose of the proceedings will be to solicit public comment on all existing regulations as to their effectiveness, efficiency, necessity, clarity, and cost of compliance. Notice of such proceedings will be transmitted to the Registrar for inclusion in the Virginia Register. Such proceedings may be held separately or in conjunction with other informational proceedings.
- E. Petition for Rulemaking. Any person may petition the Board to adopt, amend, or delete any regulation. Any petition received shall appear on the next agenda of the Board. The Board shall have sole authority to dispose of the petition.
- F. Notice of Formulation and Adoption. After any meeting of the Board or any subcommittee or advisory committee where the formulation or adoption of regulations occurs, the subject matter shall be transmitted to the Registrar for inclusion in the Virginia Register.
- G. Advisory committees. The Board may appoint committees as it may deem necessary to provide for adequate citizen participation in the formation, promulgation, adoption and review of regulations.

§ 1.3 Fees.

A. The Board has established fees for the following:

1. Registration of Supervision .....	\$25
2. Annual Renewal of Supervision .....	25
3. Application Processing .....	65
4. Examinations and Reexaminations:	
Written .....	75
5. Initial License .....	prorated portion of biennial license fee or unexpired part of biennium
6. Biennial License	
a. Registered Social Worker .....	35
b. Associate Social Worker .....	35
c. Licensed Social Worker .....	125
d. Licensed Clinical Social Worker .....	125
7. Penalty for Late Renewal .....	10
8. Endorsement to Another Jurisdiction .....	10
9. Additional or Replacement Licenses .....	10
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B. Examination fees shall be paid as follows:

Written examination fee shall be mailed directly to the examination service no later than 60 days prior to the examination administration.

PART II  
REQUIREMENTS FOR LICENSURE

§ 2.1. GENERAL REQUIREMENTS

- A. No person shall practice as a social worker or clinical social worker in the Commonwealth of Virginia except as provided for in the Code of Virginia or these regulations.
- B. The individual obtaining the two years of required experience shall not call himself/herself a licensed clinical social worker, solicit clients, bill for his/her services, or in any way represent

himself/herself as a clinical social worker until such time that a license has been issued.

- C. Licensure by this Board to practice as a social worker or clinical social worker shall be determined by examination.
- D. Every applicant for examination for licensure by the Board shall:
  - 1. Meet the education and experience requirements prescribed in or § 2.3 of these regulations for the category of practice in which licensure is sought.
  - 2. Have official transcripts documenting required academic coursework and degrees attained submitted directly from the appropriate institutions of higher education to the Board not less than 90 days prior to the date of the written examination.
  - 3. Submit to the Board, not less than 90 days prior to the date of the written examination:
    - a. A completed application, on forms provided by the Board;
    - b. Documentation, on the appropriate forms, of the successful completion of the supervised experience requirements of § 2.2 or § 2.3; and
    - c. The application fee prescribed in § 1.3 of these regulations.

§ 2.2 EDUCATION AND EXPERIENCE REQUIREMENTS FOR LICENSED  
CLINICAL SOCIAL WORKER

- A. Education. The applicant shall hold a minimum of a master's degree from an accredited school of social work, documented as prescribed in § 2.1.D.2. Graduates of foreign institutions must establish the equivalency of their education to this requirement through the Foreign Equivalency Determination Service of the Council on Social Work Education.
  - 1. The degree program shall have included a graduate clinical course of study; or
  - 2. The applicant shall provide documentation of having completed specialized experience, coursework and/or training acceptable to the Board as equivalent to a clinical course of study.
- B. Experience. The applicant shall have had two years of full-time post-master's degree experience in the delivery of clinical services or the equivalent in part-time experience. The post-master's degree

experience, whether full- or part-time, shall be under supervision satisfactory to the Board as prescribed in these regulations.

1. Full-time experience in the delivery of clinical services is defined as a total of 3,000 hours of work experience acquired in no less than two years.
    - a. Of these 3,000 hours, 15 hours per week shall be spent in face-to-face client contact, for a total of 1,380 hours in the two-year period.
    - b. The remaining hours may be spent in ancillary duties and activities supporting the delivery of clinical services.
  2. Part-time equivalent experience in the delivery of clinical services for a total of 3,000 hours of work experience.
    - a. Of the 3,000 hours, 1,380 hours shall be spent in face-to-face client contact.
    - b. The remaining hours may be spent in ancillary duties and activities supporting the delivery of clinical services.
  3. Supervision and experience obtained prior to the effective date of these regulations may be accepted towards licensure if this supervision met the requirements of the Board which were in effect at the time the supervision was rendered.
  4. An individual who does not become a candidate for licensure after four years of supervised training in a non-exempt setting shall submit evidence to the Board showing why the training should be allowed to continue.
- C. Supervision requirement for applicants in non-exempt settings.
1. An individual who proposes to obtain supervised post-graduate experience in a non-exempt setting in Virginia shall, prior to the onset of such supervision and annually thereafter for each succeeding years of experience:
    - a. Be registered on a form provided by the Board and completed by the supervisor and the supervised individual; and
    - b. Pay the annual registration-of-supervision fee prescribed by the Board.
  2. The supervisor providing supervision under paragraph 1. above shall be:

- a. A licensed clinical social worker with at least five (5) years post-MSW clinical experience;

or

An individual who the Board finds is qualified to supervise after a finding that the requirement for a supervisor who is a licensed clinical social worker with at least five years post-MSW clinical experience constitutes an undue burden on the applicant. Undue burden shall include issues such as geography or disability which limits supervisee's access to licensed clinical social worker supervision; and

- b. Be responsible for the clinical activities of the prospective applicant once the supervisory arrangement is accepted.
3. The experience shall include at least 100 hours of face-to-face supervision during the two-year period. A minimum of one hour of individual face-to-face supervision per week shall be provided for the two years.
  4. Supervision between members of the immediate family (to include spouses, parents, and siblings) will not be approved.
- D. The licensed clinical social worker acting as supervisor shall:
1. Be knowledgeable about the diagnostic assessment and treatment plan for clients assigned to the applicant and shall be available to the applicant on a regularly scheduled basis for supervision.
  2. Provide supervision only for those activities for which the applicant has had appropriate education.
  3. Provide supervision only for those activities for which the supervisor is qualified.
  4. Provide, to the Board, on an annual basis, documentation of the supervisee's direct client contact and supervisory hours for which the supervisor was responsible. The supervisor shall evaluate the supervisee's knowledge in the areas of an identified theory base, application of a differential diagnosis, establishing and monitoring a treatment plan, development and appropriate use of the professional relationship, assessing the client for risk of eminent danger, and implementing a professional and ethical relationship with clients.
  5. Provide documentation, on forms provided by the Board, that the supervisee is at least minimally competent in the areas listed in paragraph 4. above before the supervisee will be eligible to take the written examination.

- E. Documentation of supervised experience. At the time of application for licensure, applicants shall provide to the Board documentation of the supervised experience from all supervisors or, if a supervisor is unavailable, shall provide a satisfactory explanation of such circumstances to the Board.
1. Applicants for licensure who have worked full-time for a minimum of two years in the delivery of clinical social work services need document only their full-time employment provided the experience requirement has been met.
  2. Applicants for licensure who have worked part-time in the delivery of clinical services will need to document the experience as prescribed in § 2.2.B.2.
  3. Applicants whose former supervisor is deceased, or whose whereabouts is unknown, shall submit to the Board a notarized affidavit from the present chief executive officer of the agency, corporation or partnership in which the applicant was supervised.
  4. The affidavit shall specify dates of employment, job responsibilities, supervisor's name and last known address, and the total number of hours spent by the applicant with the supervisor in face-to-face supervision.
- F. Supervision requirement for applicants in exempt settings.

Individuals may obtain the required supervision and experience without registration of supervision provided such experience:

1. Is obtained in an exempt setting.
2. Meets all other requirements of the Board for supervised experience as set forth in these regulations.

§2.3 EDUCATION AND EXPERIENCE REQUIREMENTS FOR LICENSED SOCIAL WORKER

- A. Education. The applicant shall hold a bachelor's or a master's degree from an accredited school of social work, documented as prescribed in §2.1.D.2. Graduates of foreign institutions must establish the equivalency of their education to this requirement through the Foreign Equivalency Determination Service of the Council on Social Work Education.
- B. Experience - master's degree applicants. Master's degree applicants are not required to have professional experience in the field.

- C. Experience - bachelor's degree applicants. Bachelor's degree applicants shall have had two years of full-time post-bachelor's degree experience or the equivalent in part-time experience in casework management and supportive services under supervision satisfactory to the Board.
1. Full-time experience in casework management and supportive services is defined as a total of 3,000 hours of work experience acquired in no less than two years.
  2. Part-time equivalent experience in casework management and supportive services is defined as at least 3,000 hours of work experience acquired in no less than four years.
- D. Supervision requirement for bachelor's degree applicant in non-exempt settings.
1. An individual who proposes to obtain supervised post-bachelor's degree experience in Virginia shall, prior to the onset of such experience and annually thereafter for each succeeding year of such experience:
    - a. Be registered on a form provided by the Board and completed by the supervisor and supervised individual; and
    - b. Pay the annual registration-of-supervision fee as prescribed by the Board.
  2. The supervisor providing supervision shall be:
    - a. A licensed social worker with a master's degree;  
or  
A licensed clinical social worker;  
or  
An individual who the Board finds is qualified to supervise after a finding that the requirement for a supervisor who is a licensed social worker with a master's degree or a licensed clinical social worker constitutes an undue burden on the applicant. Undue burden shall include issues such as geography or disability which limits supervisee's access to supervision listed above; and
    - b. Be responsible for the social work practice of the prospective applicant once the supervisory arrangement is accepted by the Board.
  3. Supervision and experience obtained prior to the implementation of these regulations may be accepted towards licensure if this supervision met the requirements of the Board which were in effect at the time the supervision was rendered.

4. The supervised experience shall include at least 100 hours of weekly face-to-face supervision during the two-year period.
  5. Supervision between members of the immediate family (to include spouses, parents, and siblings) will not be approved.
- E. The individual acting as supervisor shall:
1. Be knowledgeable about the diagnostic assessment and treatment plan of cases assigned to the applicant and shall be available to the applicant on a regularly scheduled basis for supervision.
  2. Provide supervision only for those activities for which the applicant has had appropriate education.
  3. Provide supervision only for those activities for which the supervisor is qualified.
  4. Provide to the Board, on an annual basis, documentation of the supervisee's social work practice and supervisory hours for which the supervisor was responsible. The supervisor shall evaluate the supervisee in the areas of professional ethics and professional competency.
- F. Documentation of supervised experience.
1. At the time of application, applicants shall provide to the Board documentation of the supervised experience from all supervisors or, if a supervisor is unavailable, shall provide a satisfactory explanation of such circumstances to the Board.
  2. Applicants whose former supervisor is deceased or whose whereabouts is unknown, shall submit to the Board a notarized affidavit from the present chief executive officer of the agency, corporation, or partnership in which the applicant was supervised.
  3. The affidavit shall specify dates of employment, job responsibilities, the supervisor's name and last known address, and the total number of hours spent by the applicant with the supervisor in face-to-face supervision.
- G. Supervision requirements for applicant in exempt setting.
- Individuals may obtain the required supervised experience without registration of supervision provided such experience:
1. Is obtained in an exempt setting.
  2. Meets all other requirements of the Board for supervised experience as set forth in these regulations.

PART III  
EXAMINATIONS

§ 3.1. GENERAL EXAMINATION REQUIREMENTS

- A. The Board may waive the written examination if the applicant has been certified or licensed in another jurisdiction by standards and procedures equivalent to those of the Board.
- B. An applicant for licensure by the Board as a social worker or clinical social worker shall pass a written examination at times prescribed by the Board.
- C. Examination schedules. A written examination shall be administered at least twice each year. The Board may schedule such additional examinations as it deems necessary.
  - 1. The Executive Director of the Board shall notify all candidates in writing of the time and place of the examinations for which they have been approved to sit and of the fees for these examinations.
  - 2. The candidate shall submit the applicable fees following the instructions under § 1.3.B.

§ 3.2. WRITTEN EXAMINATION

- A. The written examination comprises an examination consisting of standardized multiple-choice questions. These questions may cover all or some of the following areas: human growth and development, social work practice with individuals, families, couples and groups, groupwork supervision, social policy, administration, social work research, community organization and planning, and ethical principles of social work practice in addition to other areas deemed relevant to the Board.
- B. The Board will establish passing scores on the written examination.

PART IV  
ADDITIONAL DOCUMENTATION OF COMPETENCE

§ 4.1 CANDIDATES WHO TOOK AND FAILED THE ORAL EXAMINATION

Candidates who have previously taken and failed an oral examination administered by the Board of Social Work must reapply and submit a letter from their supervisor stating that the candidate meets the minimum competency levels in the six skill areas as follows:

1. Skill in the application of an identified theory base.
2. Skill in the application of a differential diagnosis.
3. Skill in establishing and monitoring a treatment plan.
4. Skill in the development and appropriate use of the professional relationship.
5. Skill in assessing the client for risk of eminent danger and taking appropriate and necessary action to protect the safety of the client, the public, and the social worker when necessary.
6. Skill in implementing a professional and ethical relationship with clients.

**PART V  
LICENSURE RENEWAL; REINSTATEMENT**

**§ 5.1 BIENNIAL RENEWAL OF LICENSURE**

- A. All licensees shall renew their licenses on or before June 30 of each odd-numbered year and pay the renewal fee prescribed by the Board.
- B. Failure to receive a renewal notice from the Board shall not relieve the licensee from the renewal requirement.

**§ 5.2 LATE RENEWAL**

A social worker or clinical social worker whose license has expired may renew that license within four years after its expiration date by:

- A. Providing evidence of having met all applicable requirements.
- B. Paying:
  1. The late renewal fee prescribed by the Board; and
  2. The renewal fee prescribed by the Board for each renewal period during which the license was expired.

**§ 5.3 REINSTATEMENT**

A social worker or clinical social worker who fails to renew the license for four years or more and who wishes to resume practice shall reapply and be reexamined for licensure.

§ 5.4 RENEWAL OF REGISTRATION FOR ASSOCIATE SOCIAL WORKERS  
AND REGISTERED SOCIAL WORKERS

The registration of every Associate Social Worker and Registered Social Worker with the former Virginia Board of Registration of Social Workers under former § 54-775.4 of the Code of Virginia shall expire on June 30 of each odd-numbered year.

- A. Each registrant shall return the completed application before the expiration date, accompanied by the payment of the renewal fee prescribed by the Board.
- B. Failure to receive the renewal notice shall not relieve the registrant from the renewal requirement.

PART VI  
COMMITTEES

§ 6.1 EXAMINING AND ADVISORY COMMITTEES

The Board may establish advisory and examining committees to assist it in carrying out statutory responsibilities.

- A. The committees may assist in evaluating the professional qualifications of applicants and candidates for licensure and renewal of licenses and in other matters the Board deems necessary.
- B. The committees may assist in the evaluation of the mental and/or emotional competency of any licensee or applicant for licensure when such competence is an issue before the Board.

PART VII  
STANDARDS OF PRACTICE

§ 7.1 PROFESSIONAL CONDUCT

Persons whose activities are regulated by the Board shall:

1. Practice in a manner that is in the best interest of the public and does not endanger the public health, safety, or welfare.
2. Be able to justify all service rendered to clients as necessary for diagnostic or therapeutic purposes.
3. Practice only within the competency areas for which they are qualified by training and/or experience.

4. Report to the Board known or suspected violations of the laws and regulations governing the practice of social work.
  5. Neither accept nor give commissions, rebates, or other forms of remuneration for referral of clients for professional services.
  6. Ensure that clients are aware of fees and billing arrangements before rendering services.
  7. Keep confidential their counseling relationships with clients, with the following exceptions: (1) when the client is a danger to self or others; and (2) when the social worker is under court order to disclose information.
  8. Disclose therapy records to others only with the written consent of the client.
  9. When advertising their services to the public, ensure that such advertising is neither fraudulent nor misleading.
  10. Not engage in dual relationships with clients that might compromise the client's well-being or impair the social worker's objectivity and professional judgment (to include such activities as counseling close friends or relatives, engaging in sexual intimacies with a client).
  11. Maintain clinical records on each client. The record shall include identifying information to substantiate diagnosis and treatment plan, client progress, and termination. The clinical record shall be preserved for at least five years post termination.
- § 7.2 GROUND FOR DENIAL, REVOCATION, SUSPENSION, OR DENIAL OF RENEWAL OF LICENSE

Action by the Board to deny, revoke, suspend or decline to renew a license shall be in accordance with the following:

1. Conviction of a felony or of a misdemeanor involving moral turpitude.
2. Procurement of license by fraud or misrepresentation.
3. Conducting one's practice in such a manner so as to make the practice a danger to the health and welfare of one's clients or to the public. In the event a question arises concerning the continued competence of a licensee, the Board will consider evidence of continuing education in one or more of the following categories as a demonstration of effort to maintain minimum competence to engage in practice:
  - a. Academic social work courses taken for credit or audited.

- b. Continuing education offered by accredited social work education programs, other accredited educational programs, and other providers, including professional associations, agencies and private entrepreneurs:
    - (1) Seminars, institutes, workshops, or mini-courses oriented to the enhancement of social work practice, values, skills and knowledge; and
    - (2) Cross-disciplinary offering from medicine, law, and the behavioral sciences if they are clearly related to the enhancement of social work practice, values, skills and knowledge.
  - c. Planned self-directed study in collaboration with other professionals;
    - (1) Independent study in a social work curriculum area or a closely related field. Examples include a planned reading program, individual supervision and/or consultation; and
    - (2) The content and plan of instruction developed by the licensee.
  - d. Publication of books, papers, or presentations given for the first time at a professional meeting;
  - e. Other professional activities, including:
    - (1) Preparation for the first time of an academic social work course, in-service training workshop or seminar, or other professional seminar; and
    - (2) Research not resulting in publication.
  - f. Social work-related academic courses such as mental health, health and social work research, psychology, human growth and development, and child and family development.
- 4. Being unable to practice social work with reasonable skill and safety to clients by reason of illness, excessive use of alcohol, drugs, narcotics, chemicals or any other type of material or as a result of any mental or physical condition.
  - 5. Conducting social work practice in a manner contrary to the standards of ethics of social work or in violation of § 7.1 Standards of Practice.
  - 6. Performing functions outside the Board-licensed area of competency.

7. Violating or aiding and abetting another to violate any statute applicable to the practice of social work or any provision of these regulations.

§ 7.3 REINSTATEMENT FOLLOWING DISCIPLINARY ACTION

Any person whose license has been suspended, revoked, or denied renewal by the Board under the provisions of § 7.2 may, in order to be eligible for reinstatement, (i) submit a new application to the Board for a license, (ii) pay the appropriate application fee, and (iii) submit any other credentials as prescribed by the Board.

1. The Board, at its discretion, may, after a hearing, grant the reinstatement.
2. The applicant for reinstatement, if approved, shall be licensed upon payment of the appropriate fees applicable at the time of reinstatement.

