

**THE VIRGINIA BOARD OF SOCIAL WORK
MINUTES
FRIDAY, OCTOBER 15, 2010
Final**

Wayne Martin, chair, called the meeting of the Virginia Board of Social Work ("Board") to order at 11:25 a.m. on Friday, October 15, 2010 at the Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

BOARD MEMBERS PRESENT: David Boehm
Charles R. Chambers, Jr.
Willie T. Greene, Sr.
Yvonne Haynes
Susan Horne-Quatannens
Wayne Martin
Arthur Mayer
Patricia Smith-Solan

BOARD MEMBERS ABSENT: Catherine L. Moore

STAFF PRESENT: Evelyn B. Brown, Executive Director
Dianne Reynolds-Cane, DHP Director
Arne Owens, DHP Chief Deputy Director
Howard Casway, Sr. Assistant Attorney General
Catherine Chappell, Deputy Executive Director
Elaine Yeatts, Senior Policy Analyst

Mr. Martin welcomed new board members, Yvonne Haynes, LCSW and Arthur Mayer, LCSW and requested that the Board members and staff introduce themselves to the new members. Mr Martin also acknowledged the outstanding service to the Board and leadership provided by David Boehm, chair of the Board from July 14, 2006 through July 16, 2010. Mr Boehm noted his appreciation to board members and staff during his chairmanship.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Mr. Boehm moved to accept the minutes of the July 16, 2010 Board meeting. The motion was seconded and carried.

ORDERING OF AGENDA

Mr. Martin requested that Committee Assignments be moved to Committee Reports.

DIRECTOR'S REPORT

Dr. Reynolds-Cane spoke on the success of the September 16, 2010 Physician's Data telephonic phone briefing to the media in which forecasted workforce numbers were presented.

DHP was involved in the National Take Back Day Initiative, sponsored by the DEA. This event provided an opportunity for the public to surrender expired, unwanted, or unused pharmaceutical controlled substances and other medications for destruction.

DHP is hosting Freedom of Information Act training for 60-70 DHP staff members. On behalf of the new Virginia Health Workforce Development Authority (VHWDA), the Department of Health submitted a proposal for and received a Healthcare Workforce Implementation grant totaling \$1.9 million for the next two years with an option for a third. They will be collaborating with DHP's Healthcare Workforce Data Center.

Dr. Cane remarked that the Virginia Information Technology Agency (VITA)'s summer computer failure had affected the Prescription Monitoring Program (PMP). However down time was minimal in part because PMP's data is housed on servers that are on-site at DHP. Dr. Cane also reported that VITA has begun to charge for data storage and recovery which are unbudgeted items.

Mr. Owens reminded new board members that New Board Member Orientation was scheduled for October 27th and added that all members appointed since 2008 were invited to the New Board Member Orientation program.

EXECUTIVE DIRECTOR'S REPORT

Ms. Brown asked board members to review the current roster to assure that all contact information listed was up to date. She noted that interviews for two vacant administrative assistant positions for the boards of Counseling and Social Work should be filled by the Board's next meeting in January. She added that Ms. Chappell's position had been converted from Operations Manager to Deputy Executive Director for Licensure for the Boards of Counseling, Psychology and Social Work and that she would supervise the three administrative assistants in their licensing and board support functions. Ms. Larimer's role as Deputy Executive Director for Discipline for the Boards had not changed.

Ms. Brown thanked the Director and Chief Deputy for their support in approving an additional administrative assistant position for the boards. She also acknowledged the hard work and long hours of work by Ms. Chappell during the existing staff shortage.

Ms. Brown reported that she had had a very productive meeting with Dr. James Hinterlong, new dean of the VCU School of Social Work. She added that Dr. Hinterlong was very interested in the work of the Board of Social Work, and because of a meeting conflict, was unable to attend today's meeting but planned to attend future meetings.

FEE INCREASES

Charles Giles, DHP Budget Manager and Elaine Yeatts presented information for Board action on fee and renewal changes. Ms. Yeatts commented that a NOIRA had been adopted at the last meeting to contemplate fee and renewal changes in response to projected cash shortfalls in the Board's budget. Dr. Cane added that changes in budget projections were a result of recent VITA charges relating to server storage and disaster plans.

Ms. Yeatts noted that public comment had been received and related to misperceptions of where fee funding would be allocated and concerns about current economic conditions. Ms. Yeatts stated that a change from biennial to annual fees would provide more consistent cash flow and be beneficial to the operation of the Board and DHP.

The Board considered the following two options to implement the fee increase:

- (1) Implement change to annual renewal by 2011, which was not deemed practical.
- (2) Maintain same renewal fee for 2011 for a two year renewal, with change to annual renewal in 2013.

Ms. Yeatts commented that when the proposed change is adopted, that the new application fees could be collected immediately, but the renewal fee and annual renewal would not be executed until 2013.

The Board discussed changes in required continued competency requirements (CE) in light of the annual renewal and agreed that attestation to the completion of CE, as currently provided in Regulation 18VAC140-20-105, would be made on the even years' renewal.

Mr. Boehm moved that the Board adopt option 2 in which annual renewals would be in place for 2013 renewal period, with other fees to be implemented upon approval, and attestation of CE to be made on annual renewal cycles. The motion was seconded and carried.

Ms. Brown suggested that the Board utilize the website to explain that renewal fees are not paid into the general fund.

COMMITTEE ASSIGNMENTS

Mr. Martin announced the following committee assignments for the year:

Regulatory Committee

David Boehm, Chair
Charles Chambers
Willie Greene

Yvonne Haynes
Susan Horne-Quattanens
Patricia Smith-Solan

Credentials Committee

Catherine Moore, Chair
Charles Chambers
Yvonne Haynes
Arthur Mayer

Disciplinary Committee

Patricia Smith-Solan, Chair
Susan Horne-Quattanens
David Boehm
Yvonne Haynes
Arthur Mayer

REGULATORY COMMITTEE REPORT

Mr. Martin reported that the Regulatory Committee met earlier that day and considered several proposed changes to licensing requirements. Ms. Yeatts presented the following changes:

1. Requirements for licensure by exam as clinical social workers for candidates who had passed the examination but were never licensed. A definition of “active practice” would also be added. Mr. Mayer moved that the Board adopt the proposed changes to Regulation 18VAC140-20-40, 18VAC140-20-51, and 18VAC140-20-10 as presented. The motion was seconded and passed.
2. Requirements for licensure by endorsement for candidates unable to document 36 out of past 60 months of active practice. Mr. Mayer moved that the Board adopt the proposed changes to Regulation 18VAC140-20-45 as presented. The motion was seconded and passed.
3. Requirements for applicants for reinstatement who are unable to document active practice in recent years. The Board discussed how to document competency to practice social work after a lapse of licensure. Mr. Boehm moved that the Board adopt the proposed changes to Regulation 18VAC140-20-110 to require that applicants for reinstatement must document evidence of continued competency by demonstrating active practice in another jurisdiction, by practicing in an exempt setting, by practicing under supervision for one year, or by retaking the licensing examination at the level for which the applicant is seeking licensure in Virginia. The motion was seconded and approved.

SUPERVISION ISSUES

Mr. Casway commented that the board office has received many inquiries on “license eligibility” and suggested that the Board consider issuing guidance to assist staff with

evaluation of supervision contracts and clinical settings. Ms. Haynes added that “license eligible” status had been implemented by Medicaid to improve the quality of persons providing social work services. Mr. Casway presented a draft guidance document which addressed the requirement that trainees be in positions where they can actively provide “clinical social work services” while under supervision. Mr. Boehm moved that the Board adopt the guidance document as presented. The motion was seconded and passed. The Board requested that staff post the guidance document on the website immediately.

BOARD OF HEALTH PROFESSIONS

Mr. Boehm announced that Ms. Haynes had been appointed to represent the Board on the Board of Health Professions (BHP). He provided the following update on BHP recent actions:

1. Study will be made on possible regulation of phlebotomists.
2. Regulation of community healthcare workers was no longer under consideration.
3. Regulation of kinesiotherapists was no longer under consideration.
4. Regulation of expansion of medication aides into nursing homes was not approved.
5. Regulation of surgical assistants was recommended.

Additionally, a Workforce Data Committee has been formed with representatives of the Boards of Counseling, Psychology and Social Work. The Committee’s task is to develop a survey to be sent to licensees of the three boards to predict the future availability of mental health services, specifically in remote areas of the state. The survey will be modeled after the survey used to determine the future availability of physicians and medical services in the state.

DISCIPLINARY COMMITTEE

Mr. Boehm reported that since the last board meeting, no informal conferences had been held. Presently there are 13 cases under investigation by the Enforcement Division, with ten (10) cases at the board level to be reviewed for probable cause. Four cases are to be scheduled for informal conferences.

He updated the Board on the formal hearing held in June, in which Dr. Vaughan-Eden was placed on probation, which required her to practice under a supervisor. An appeal to Circuit Court was made and, with the formal hearing panel’s permission, Mr. Casway, as Board counsel, entered into settlement negotiations with Dr. Vaughan-Eden’s attorney and an amended order was presented to the panel members for acceptance. The panel accepted the amended order, which issued Dr. Vaughan-Eden a reprimand and requires her to conduct all forensic evaluations under the review of a Board-approved practice monitor.

ELECTION OF VICE CHAIR

Mr. Greene presented the Nominating Committee's recommendations for Vice Chair. Francis Nelson had previously been elected Vice Chair but was not reappointed. Mr. Greene recommended Susan Horne-Quatannens as Vice Chair. Mr. Boehm moved that the Board accept the nomination. The motion was seconded and approved.

MEETING DATES

Ms. Brown presented possible dates for quarterly board meetings for 2011. The Board agreed to meet on January 21, 2011, April 15, 2011, and July 15, 2011. The Board asked for a change in the October 2011 meeting date as presented due to conflicting meetings and agreed to meet on October 21, 2011.

DISTANCE SUPERVISION

Ms. Brown presented a request from a Virginia Commonwealth University (VCU) employee for distance supervision while she provides clinical social work services in Qatar. Previously, Ms. Brown had been contacted by Joy Bressler at VCU with questions on supervision by teleconference. The Board discussed referral of the request to the Credentials Committee for further consideration.

Mr. Casway commented that the Board does not have the authority to approve such distance supervision arrangement because the proposed supervisor does not hold licensure in the jurisdiction in which the supervision is to occur as provided in Regulation 18VAC140-20-60.D.1.

Mr. Boehm moved that staff draft a letter to the applicant, stating that, pursuant to Regulation 18VAC140-20-60.D.1, the Board does not have the authority to approve her request. Further, the applicant may submit a petition for rulemaking or appeal the decision. The motion was seconded and passed. Ms. Horne-Quatannens requested that the distance supervision issue be placed on a future agenda for further consideration.

OLD BUSINESS

None

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 3:40 p.m.



Wayne Martin, LCSW, Chair



Evelyn B. Brown, Executive Director