

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HEALTH PROFESSIONS
BOARD OF SOCIAL WORK

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REGULATIONS GOVERNING THE PRACTICE OF SOCIAL WORK

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ADOPTED REGULATIONS

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TABLE OF CONTENTS

Section		Page
	<u>Part I General Provisions</u>	
1.1	Definitions	1
1.2	Public participation guidelines	1
1.3	Fees	3
	<u>Part II Requirements for Licensure</u>	
2.1	General requirements	3
2.2	Education and experience requirements	4
	<u>Part III Examinations</u>	
3.1	General examination requirements	10
3.2	Written examination	10
3.3	Oral examination: clinical social worker candidates only	11
	<u>Part IV Licensure Renewal; Reinstatement; Name Change</u>	
4.1	Biennial renewal of licensure	12
4.2	Late renewal	12
4.3	Reinstatement	13
4.4	Renewal of registration for associate social workers and registered social workers	13
	<u>Part V Committees</u>	
5.1	Examining and advisory committees	13
	<u>Part VI Standards of Practice</u>	
6.1	Professional Conduct	14
6.2	Grounds for denial, revocation, suspension, or denial of renewal of license	14
6.3	Reinstatement following disciplinary action	16



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	90
Oral	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 Wall Certificates	15
10. Returned Check	15

B. Examination fees shall be paid as follows:

1. Written examination fee shall be mailed directly to the examination service no later than 60 days prior to the examination administration.
2. Oral examination fee shall be mailed to the Board office with the work sample. Check is to be made payable to the Treasurer of Virginia.

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. Licensure by this Board to practice as a social worker or clinical social worker shall be determined by examination.

C.. Every applicant for examination for licensure by the Board shall:

1. Meet the education and experience requirements prescribed in § 2.2 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. Documented evidence of having fulfilled the experience requirements of § 2.2.; and
 - c. The application fee prescribed in § 1.3 of these regulations.

§ 2.2. Education and experience requirements.

A. For a licensed social worker:

1. 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.C.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.
2. Experience. Applicants shall meet applicable requirements for experience depending on their educational background, as provided in subparagraphs a. and b. of this paragraph.
 - a. 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 3000 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 3000 hours of work experience acquired in no less than four years.

b. Master's degree applicants are not required to have professional experience in the field.

c. Registration of supervised post-bachelor's degree experience shall be required as provided in subdivision (1) of this subparagraph.

(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 under this subsection shall:

(a) Be a licensed social worker with a Master's degree;

or

(b) A licensed clinical social worker;

or

(c) 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 or a licensed clinical social worker constitutes an undue burden on the applicant; and

(d) Be responsible for the social work practice of the prospective applicant once the supervisory arrangement is accepted by the Board.

(3) Applicants must document successful completion of their supervised experience on appropriate forms at the time of application. Supervised 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.
- (6) The individual acting as supervisor:
 - (a) Shall 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;
 - (b) Shall not provide supervision of activities for which the applicant has not had appropriate education;
 - (c) Shall not provide supervision for activities for which the supervisor is not qualified; and
 - (d) Shall, on an annual basis, provide to the Board documentation of the hours attained by the supervisee of social work practice for which the supervisor has been responsible. On the same form on which this information is recorded, the supervisor shall list the number of hours of face-to-face supervision received during the reporting period as well as evaluate the supervisee in the areas of professional ethics and professional competency.
- (7) 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.
 - (a) 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; and
 - (b) 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.

(8) Individuals may obtain the required supervised experience without registration provided such experience:

(a) Is obtained in an exempt setting; and

(b) Meets all other requirements of the Board for supervised experience as set forth in this subsection.

B. For a licensed clinical social worker:

1. 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.C.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.

a. The degree program shall have included a graduate clinical course of study; or

b. 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.

2. Experience. The applicant shall have had two years of full-time post-master's degree experience in the delivery of clinical services as prescribed in subparagraph a. of this paragraph, or the equivalent in part-time experience. The post-master's experience, whether full- or part-time, shall be under supervision satisfactory to the Board as prescribed in § 2.2.B.2.c.

a. 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.

(1) 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.

(2) The remaining hours may be spent in activities supporting the delivery of clinical services.

b. Part-time equivalent experience in the delivery of clinical services is a total of 3,000 hours of work experience acquired in no more than four years. Of the 3,000 hours, 1,380 hours shall be spent in face-to-face client contact.

c. Except as provided in § 2.2.B.2.e. below, an individual who proposes to obtain supervised post-graduate experience in

Virginia shall, prior to the onset of such experience and annually thereafter for each succeeding year of such experience:

- (1) Be registered on a form provided by the Board and completed by the supervisor and the supervised individual; and
 - (2) Pay the annual registration-of-supervision fee prescribed by the Board.
- d. The supervisor providing supervision under paragraph c. above shall:
- (1) Be a licensed clinical social worker,
- or;
- (2) An individual whom the Board finds is qualified to supervise after a finding that the requirement for a supervisor who is a licensed clinical social worker constitutes an undue burden on the applicant; and
 - (3) Be responsible for the clinical activities of the prospective applicant once the supervisory arrangement is accepted by the Board.
- e. Applicants must document successful completion of their supervised experience on appropriate forms at the time of application. Supervised 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.
- f. 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.
- g. 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.
- h. Supervision between members of the immediate family (to include spouses, parents, and siblings) will not be approved.
- i. 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 a license has been issued.

j. 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; and
- (4) Provide, on an annual basis, to the Board, documentation of the supervisee's direct client contact and supervisory hours for which the supervisor was responsible. The supervisor shall evaluate the supervisee in the areas of professional ethics, knowledge of theory base, and professional competency, noting any limitations observed regarding the supervisee's skills and practice.

k. 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 as long as the requirement in § 2.2.B.2.a.(1) has been met;
- (2) Applicants for licensure who have worked part-time in the delivery of clinical services will need to document the experience prescribed in both (1) and (2) of § 2.2.B.2.a., covering a period not more than four years;
- (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; and
- (4) The affidavit shall specify dates of employment, job responsibilities, supervisor's name (and last address, if

known), and the total number of hours spent by the applicant with the supervisor in face-to-face supervision.

- I. Individuals may obtain the required supervised experience without registration or reporting of supervision provided such experience:
 - (1) Is obtained in an exempt setting; and
 - (2) Meets all other requirements of the Board for supervised experience as set forth in this subsection (§ 2.2.B.2).

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 shall pass a written examination and an applicant for licensure as a clinical social worker shall pass a written and oral examination at times prescribed by the Board.
- C. Examination schedules. A written examination and an oral 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. If the candidate fails to appear for the examination without providing written notice at least two weeks before the examination, the examination fee shall be forfeited.

§ 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.

§ 3.3. Oral examination: clinical social worker candidates only.

Successful completion of the written examination requirements shall be a prerequisite to taking the oral examination for the clinical social worker license.

- A. Candidates who sit for the clinical social worker written licensure examination shall submit to the Board office a work sample prepared in accordance with the requirements outlined in subsection D. of this section.
- B. Candidates who pass the written examination will be notified by the Board of the time and place of the oral examination.
- C. The oral examination shall consist of a face-to-face interview by the Board or its designees of the candidate for the purpose of determining the minimal competence of the candidate:
 1. Evaluating the candidate's professional competence, and
 2. Determining the candidate's clinical skills as demonstrated in a work sample or through another examination format as prescribed by the Board.
- D. The work sample of a candidate for examination for licensure as a clinical social worker shall conform to the following requirements:
 1. The work sample shall:
 - a. Present material drawn from the candidate's practice within the last 12 months immediately preceding the date of the oral examination; and
 - b. Be typical of the practice area in which the candidate intends to engage as a clinical social worker.
 2. The work sample shall be typed, double-spaced, on one side of the paper only, and within an absolute limit of six pages in length. Six clearly readable copies of the work sample shall be submitted to the Board.
 3. The work sample shall present an orderly, sequential treatment based on the candidate's understanding of the problem described. The work sample shall:

- a. State dates of treatment, including the frequency of the sessions;
 - b. Provide a clear statement of the problem in such a way as to demonstrate the client's description of the problem and to substantiate the candidate's assessment of the problem;
 - c. Substantiate the diagnostic assessment made;
 - d. Show clearly the flow of the treatment process based upon the candidate's conceptual understanding of the problem and the diagnosis; and
 - e. Demonstrate the role played by the candidate in facilitating the treatment process and the client's progress; the theory base and the social work principles utilized with the client.
4. Candidates who submit a work sample but do not take the next scheduled oral examination may use this sample for the subsequent oral examination period only.
 5. Failure to meet the criteria above may result in the applicant being denied permission to take the oral examination.
- E. A majority decision of the Board will determine whether a candidate has passed the oral examination.
- F. Reexamination will be required on the failed oral examination. After paying the reexamination fee, a candidate may be reexamined only once within a 12-month period.

PART IV
LICENSURE RENEWAL; REINSTATEMENT

§ 4.1. 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.

§ 4.2. 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.

§ 4.3. 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.

§ 4.4. 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 V
COMMITTEES

§ 5.1. 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 VI
STANDARDS OF PRACTICE

§ 6.1. 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).

§ 6.2. Grounds 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 the following as a demonstration of effort to maintain minimum competence to engage in practice:
 - a. Evidence of continuing education in one or more of the following categories:
 - (1) Academic social work courses taken for credit or audited.
 - (2) Continuing education offered by accredited social work education programs, other accredited educational programs, and other providers, including professional associations, agencies and private entrepreneurs:
 - (a) Seminars, institutes, workshops, or mini-courses oriented to the enhancement of social work practice, values, skills and knowledge; and
 - (b) 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.
 - (3) Planned self-directed study in collaboration with other professionals;
 - (a) 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
 - (b) The content and plan of instruction developed by the licensee.
 - (4) Publication of books, papers, or presentations given for the first time at a professional meeting;
 - (5) Other professional activities, including:
 - (a) Preparation for the first time of an academic social work course, in-service training workshop or seminar, or other professional seminar; and
 - (b) Research not resulting in publication.

- (6) 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 one's practice in a manner contrary to the standards of ethics of social work or in violation of § 6.1 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.

§ 6.3. Reinstatement following disciplinary action.

Any person whose license has been suspended, revoked, or denied renewal by the Board under the provisions of § 6.2. 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.