

Make a difference!

# BSWE Newsletter

## Spring 2013

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Happy Spring to all of you Maryland Social Work licensees!

I am happy to address this newsletter to you and honored to have the opportunity to be a member of the Board of Social Work Examiners (BSWE) in Maryland. I am now completing my first year as Board Chair. Since joining the Board in 2006, many changes have taken place, but Board members remain committed to carrying out the Board's mission to protect the public. I would refer you to the website to review previous Newsletters from previous Chairs who have chronicled the Board's activities very well.

Since last July when I became Chair the board has continued to review formal complaints brought to them about licensees and to work to revise certain aspects of the regulations and now the Statute, to better protect the citizens of Maryland, as well as social workers themselves. When making revisions, the Board has developed a transparent process by inviting social work stakeholders from the community to participate. Although sometimes a difficult process, it has been thoroughly enjoyable to meet and collaborate with other social work professionals interested in and committed to the work and bringing their important perspectives to the table.

Complaints made to the Board span a wide range that includes practicing without a license or outside of the individual's scope of practice, supervising without the proper license, engaging in dual relationships and fraudulent billing.

In this 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.

An individual's scope of practice is determined by the level of the person's license. Each licensing level has a clearly described scope of professional activities within which the social worker may practice. Maryland has title protection, which means that no one, even with a degree in Social Work, may hold themselves out to be a social worker, either verbally or in writing, unless they are licensed by the BSWE.

A supervising Social Worker must be registered with the BSWE before providing supervision to a Social Worker for advanced licensure. License verification on the Board's website will also tell you if a person is a registered supervisor. Both supervisee and supervisor bear the responsibility of making sure that supervision is provided according to the Statute. Both have responsibilities that are clearly stated in the Statute and there are links to the forms required on the Board's website. When supervision is provided for advanced licensing, but not by a registered supervisor, the supervisee will lose all hours accumulated thus far toward the advanced license. Complaints may be brought against both.

The Social Work Code of Ethics in Maryland was revised effective June 13, 2011. I had the job, a pleasure, of chairing that working committee which was comprised of several Board members and many fellow social work stakeholders who committed their time to this work. As with all parts of the Regulations and Statute, the Code's purpose is first to protect the public. The licensed social worker is responsible for professional conduct and must consider the potential benefit versus risk of harm to clients when planning and delivering



professional social work services. I consider all of the Code of utmost importance to social workers and their clients but I will highlight a few specifically and strongly recommend that, if you haven't, you take the time to read the entire Code yourselves. It is difficult to practice ethically without knowing the Code, the Statute and the Regulations of your practice. Whereas the law and ethics do not always agree, we must know the law when deciding on the action we choose to take.

Dual relationships produce a conflict of interest for the licensee and have the potential to harm the client. When revising the Code of Ethics, it was not easy to come to an agreement about this issue.

Under no circumstances may a licensee have a sexual relationship with either current or former clients, supervisees, students, trainees or colleagues over whom the licensee has authority. Under no circumstances may a licensee have a dual relationship with a person with whom a client has a close personal relationship or provide professional services to anyone with whom the licensee has had a previous sexual relationship. However, the licensee may enter into a non-sexual relationship with an individual with whom prior contact was of a brief, peripheral or indirect nature and was not in a therapeutic context. Furthermore, a licensee may not terminate a professional relationship in order to pursue a nonprofessional relationship of any sort with a client or individual close to the client.

We all know that informed consent is important in establishing a trusting relationship with a client. But licensees must provide clients with sufficient information for the client to make an informed and voluntary decision about whether to work with a licensee or accept a certain modality of treatment. It should be presented to the client in a manner reflective of the client's primary language and learning style. This process should be documented in writing in the client's records maintained by the licensee.

The Code also addresses continuity of care by providing guidance to licensees who may find it necessary to terminate with a client, potentially in an emergency. It calls for the preparation and dissemination of a written plan for the transfer of clients and files in the event of a licensee's incapacity. Since an abrupt ending with a client may bring emotional ramifications, this plan is intended to provide for the smoothest transition possible.

Although it may be uncomfortable, social workers are required to notify the BSWE of a colleague who is engaging in unethical conduct. If a licensee is aware that a colleague is practicing while impaired or incompetent to perform the job, the licensee should attempt to help the colleague take remedial action. If the colleague does not address the problem, or if a client's welfare is at stake, the licensee should report it to the BSWE in order to avoid harm to the client.

The licensee may not engage or participate in dishonesty, fraud, deceit, or misrepresentation. If an individual is convicted, the Board will also investigate and sanction the licensee.

On a lighter note, in articles recently in both the NASW NEWS National (2/13) and NASW Maryland Social Worker (Spring 2013) you will find articles which note the importance of social workers in assisting clients to obtain health insurance through *The Affordable Care Act* (ObamaCare). They estimate that the need for social workers will double and note that social workers are particularly well prepared to do this work.

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.

My best wishes for an enjoyable summer to you all,

Judy Levy, LCSW-C

Board Chair

**Message from The Maryland Health Care Commission****May 2013**

The Board requested additional information from The Maryland Health Care Commission to share with you around the recent fee assessment increase per licensed health care practitioner. Mr. Ben Steffen, Executive Director, sent an explanation to the DHMH boards outlining the reasons for the increase in fees. An excerpt is included below. The complete explanation is posted on the BSWE website on the right hand side under Bulletins.

"Many of you may have heard that the Maryland Health Care Commission (MHCC or Commission) assessment has been increased by \$4 per year of licensure. MHCC is an independent state agency located within the Department of Health and Mental Hygiene. Its fifteen Commissioners, appointed by the Governor with the advice and consent of the Senate, come from communities across the state, and represent both the state's citizens and a broad range of stakeholders. The Commission is financed through an assessment on hospitals, nursing homes, private payers, and most health occupations licensed in Maryland. Each sector contributes to the MHCC budget appropriation based on an assessment of the MHCC's workload. The assessment is conducted every four years. With the recent focus on delivery and payment reform, health information technology adoption, and a heightened focus on provider supply, the share of the assessment attributed to health occupations has grown modestly. Many of the initiatives were launched at the request, or with the strong support, of provider groups.

Under the leadership of Chairman Craig Tanio, MD, MPH, MHCC has committed to working with stakeholders to better align payment incentives with desired outcomes, while containing costs and at the same time stimulating linkages among providers, health care payers, and purchasers. MHCC believes that, spurred by new payment incentives, new care models, and the imperatives of health care reform, providers and payers are willing to forge new relationships. Silos that have existed between hospital care and community-based care, between behavioral health and physical health, and between acute and long-term care are starting to erode. The trend toward horizontal and vertical integration holds promise in improving quality and outcomes through better care coordination, more powerful and timely data analysis, systematic performance improvement, and the ability to align incentives and manage risk. Evolving payment arrangements being developed by Health Services Cost Review Commission, private payers, and Medicare that reward health outcomes have the potential to reduce delivery system fragmentation and decrease preventable and unnecessary utilization while improving population health. "

"The Commission's primary goal is to broaden Marylanders' access to high quality and cost effective health care services."

MHCC website at: <http://mhcc.dhmh.maryland.gov/SitePages/Home.aspx>.

If you have questions about the MHCC assessment, please contact Ms. Bridget Zombro at [bridget.zombro@maryland.gov](mailto:bridget.zombro@maryland.gov). For general questions about the MHCC, please contact Ms. Erin Dorrien ([erin.dorrien@maryland.gov](mailto:erin.dorrien@maryland.gov)) or Ms. Karen Rezabek at [karen.rezabek@maryland.gov](mailto:karen.rezabek@maryland.gov)

## OCTOBER 31, 2013 RENEWALS

Please note that approximately 6,000 licensees will be renewing by October 31, 2013

A notice (a large post card) will be mailed to all licensees in July and licensees can begin renewing their licenses effective July 15, 2013.

Check to see if your license expires on October 31, 2013 and, if yes, check to see if you have the required credit hours for renewal. (40 credit hours for LCSW-Cs, LCSWs, LGSWs and 30 credit hours for LSWAs)

Please be sure that:

- Your mailing and email address are current with the Board
- The 3 Category I credit hours in Ethics was not completed by an online program
- Legal documentation of name changes are mailed or faxed to the Board
- Signature name must be the same as the name used in the "name field"
- All dates have to be mm/dd/yyyy
- Credit hours for Ethics must be listed separately on the CE report form

### Reminders

**There is no late renewal period.** Licensees who do not renew on or before October 31, 2013 may not practice social work in Maryland on or after November 1, 2013.

Licensees who were issued a **new license** between January 2011 and October 2011 may use CE credit hours earned from the date the license was issued.

The 3 Category I credit hours required in **Ethics** cannot be obtained through a home study or online programs because these programs are in Category II.

**Before calling the Board with a question on continuing education please read COMAR 10.42.06. In addition there is continuing education information on the Board's web site, ([www.dhmd.gov/bswe/](http://www.dhmd.gov/bswe/)).**

**The Board does not accept continuing education credit hours for the following:**

Providing or receiving Supervision & Consultation, Coaching, Computer Software Training (Word; Excel; Access etc.), First aid and CPR training, Reiki, Feng Shui, Qi Gong

**IF** a licensee attempted to meet the CE requirements but failed due to a functional impairment; prolonged illness; mandatory military service or deployment; prolonged absence from the United States; financial hardship, the licensee must submit:

- 1) Renewal application (a renewal application can be printed from the Board's website or mailed to you);
- 2) A check or money order for the renewal fee; and
- 3) A written request, with supporting documentation, for an extension;

**Requests for extension must be received no later than August 31, 2013.** The Board will review each request and if authorized, a six month conditional license will be issued which will expire on April 30, 2014. Licensees will have six months to meet their CE requirements.

**New Board Member**



Thelma Rich, LCSW-C

Thelma is a professor at Morgan State University. She is the Director of field education at the university. Thelma has a MSW from the University of Maryland. She represents the educational community on the Board.



Mark Lannon, LCSW-C

Mark is the Executive Director of The Mental Health Center of Western Maryland, Inc. He has a MSW from the University of Maryland. Mark has also worked in public health as a program administrator and therapist.

***Board Members***

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

**BOARD PROPOSES DRAFT REGULATIONS – YOUR INPUT NEEDED**

The BSWE is requesting your assistance in reviewing two new draft regulations:

***10.42.10 Child Custody Evaluations in Family Law Proceedings – Draft***

The scope of 10.42.10 is “to govern the professional conduct of licensed social workers who are performing child custody evaluations or who otherwise render an opinion on legal or physical custody”.

***10.42.11 Child Custody – Treatment – Draft***

The scope of 10.42.11 is “to govern the professional conduct of licensed social workers who are providing treatment to children and families who are experiencing separation, divorce, and/or child custody negotiations”.

 If you work in this field and would be interested in providing comments and/or joining a time limited Workgroup to provide input and to ensure the intended scope is achieved, please contact or send written comments to:

Gloria Jean Hammel, LCSW-C, Director, Certification and Licensing at [gloria.hammel@maryland.gov](mailto:gloria.hammel@maryland.gov) by July 15, 2013.



## THE PRO BONO COUNSELING PROJECT NEEDS YOUR HELP

The Pro Bono Counseling Project is starting its 23<sup>rd</sup> year assuring that Maryland residents requesting mental health care are linked with volunteer licensed mental health professionals and other necessary supportive services.

More than 1,600 licensed clinicians (756 LCSW-C and LGSW) throughout Maryland have generously volunteered to take at least one client into their private practices annually. Our clients want therapy to help them solve a problem in their lives, but they have very limited resources and no other means of access to mental health care. Many clinicians who are not in private practice also take client referrals, because we arrange for them to meet at a House of Worship at no cost.

- § Last year alone, we received more than 4,000 requests for care.
- § Spanish-speaking clinicians are needed since Latinos now represent about 9% of our client population.
- § Clinicians are encouraged to define their participation by clarifying preferences to work with adults or children, trauma victims, caregivers, service members and their loved ones, etc.
- § Some benefits of participating include the networking opportunities that are available when attending our numerous free events for continuing education (21 credits last year) presented by leading experts in their fields, our clinician bulletin board on the website and our annual recognition luncheon, etc.

For more information, please contact Ellen Bonta at [ellen@probonocounseling.org](mailto:ellen@probonocounseling.org) or 1-877-323-5800.



### REMINDERS

#### *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>

### *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, Compliance Officer at [deborah.evans@maryland.gov](mailto:deborah.evans@maryland.gov)

### *Discipline*

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

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