

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

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 standards of 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.

.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) Face-to-Face.

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

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

(i) Telephone supervision;

(ii) Video conferencing; or

(iii) Internet communication.

(3) "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.

(4) "Registered supervisor" means a Licensed Certified Social Worker or Licensed Certified Social Worker-Clinical that meets the requirements under Regulation .04 of this chapter.

(5) "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.

(6) Supervision Training.

(a) "Supervision training" means a course or program designed to provide information regarding the supervision process utilized by social workers in a variety of settings.

(b) "Supervision training" content areas may include, but are not limited to:

- (i) The role and responsibilities of the social work supervisor;
- (ii) The needs of the supervisee, supervisor, and the agency setting while maintaining a clear ethical perspective;
- (iii) The role of the social work supervisor as gatekeeper to the profession;
- (iv) Methods for building effective and appropriate relationships with clients;
- (v) Methods for group supervision; and
- (vi) Models and modalities for practice intervention.

(c) "Supervision training" may be obtained in:

(i) Category I; or

(ii) Category II.

(7) "Unavailable" means that a supervisor who has met the requirements of Regulation .04B of this chapter, is not available within 75 miles of the licensee's place of social work practice.

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

.03 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; and

(9) Supervision.

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; and

(b) Financial record keeping and disclosure;

(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 graduate social worker may not provide supervision for a social worker.

F. A licensed social work associate may not provide supervision for a social worker.

.04 Qualifications, Education, and Responsibilities of a Supervisor.

A. Qualifications.

(1) License.

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

(i) Certified Social Worker (LCSW); or

(ii) Certified Social Worker-Clinical (LCSW-C).

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

(i) Certified Social Worker (LCSW); or

(ii) Certified Social Worker-clinical (LCSW"C).

(2) Education.

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

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

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

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

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

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

(ii) Complete the education requirement within 12 months of obtaining an LCSW or LCSW-C.

(c) Supervision training required in §A(2)(a) of this regulation may be obtained in Category I or Category II and may include, but is not limited to:

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

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

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

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

(v) Methods for group supervision; and

(vi) Models and modalities for practice intervention.

(3) Experience. A supervisor shall have completed:

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

(b) 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;

(c) 60 months of social work experience as a licensed graduate social worker or its equivalent before obtaining the LCSW or LCSW-C license; or

(d) 96 months of social work experience as a licensed social work associate or its equivalent before obtaining the LCSW or LCSW-C license.

B. Additional Responsibilities. In addition to the requirements under §A of this regulation, the supervisor for advanced licensure shall:

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

(2) Have a license that is unencumbered and without restrictions or conditions due to the 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 for advanced licensure to provide supervision with the supervisee.

C. A supervisor shall be:

(1) An agency-designated supervisor; or

(2) An independent supervisor.

.05 Responsibilities of a Supervisor.

A. Responsibilities. 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 3 hours of face-to-face supervision per month with each supervisee;

(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—10.42.08; and

(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.

B. Additional Responsibilities. In addition to the requirements of §A of this regulation, the supervisor for advanced licensure shall:

(1) Establish a written contract for advanced licensure initiated before beginning supervision;

(2) Provide for emergency supervision and direction to a supervisee by a Board-approved supervisor;

(3) Provide a written evaluation of the supervisee's progress to the supervisee every 6 months;

(4) 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

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

.06 Group Supervision for Advanced Licensure.

A. Only 72 hours of group supervision may count towards the 144 hours of supervision required for advanced licensure by Health Occupations Article, §19-302, Annotated Code of Maryland.

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

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

.07 Responsibilities of a Supervisee.

A. A supervisee shall:

(1) Participate in a minimum of 3 hours of face-to-face supervision per month with the supervisee's supervisor;

(2) Prepare for supervision using case materials related to the supervisee's social work practice; and

(3) Maintain documentation, for at least 5 years, of supervisory sessions including dates, duration, and focus of supervision, to be available for verification to the Board, on request by the Board or its authorized agent.

B. A supervisee may not engage in the practice of social work independent of supervision.

C. In addition to the requirements of §§A and B of this regulation, the supervisee for advanced licensure:

(1) Shall establish a written contract for advanced licensure initiated before beginning supervision;

(2) Shall attend and participate in supervision as agreed in the written contract for advanced licensure; and

(3) May contract for supervision outside of the employment setting.

.08 Waiver of Supervision for Candidates for Certified Social Workers.

A. Request for Waiver. A candidate for a certified social work license may become licensed without being supervised by a licensed certified social worker or a licensed certified social worker—clinical if:

(1) The candidate submits to the Board before initiating the alternative plan of supervision:

(a) Documentation of unavailability of a licensed certified social worker or licensed certified social worker—clinical supervisor;

(b) An explanation regarding the unavailability of a licensed certified social worker or licensed certified social worker—clinical supervisor; and

(c) An alternative supervision plan under §B of this regulation; and

(2) The Board determines that supervision by a licensed certified social worker—clinical or a licensed certified social worker is unavailable.

B. If the Board determines that supervision by a licensed certified social worker—clinical or a licensed certified social worker is unavailable, any of the following may be an acceptable alternate supervisor:

- (1) A licensed physician who is certified by the American Board of Medical Specialties in psychiatry; or
- (2) A licensed psychologist.

C. The Board may accept a maximum of 1 year consisting of 72 hours of supervision provided by a practitioner listed under §B of this regulation.

.09 Waiver for Certain Supervisors.

A. Except as provided in §C of this regulation, licensed graduate social workers who were registered with the Board before June 30, 2006, may supervise other licensed graduate social workers or licensed social work associates in the practice of social work under this chapter until June 30, 2009, if the requirements of §§B, D, and G of this regulation are met.

B. A licensed graduate social worker supervisor:

- (1) Shall have completed 5 years of work experience performing functions that would meet the definition of the practice of social work if performed by a licensed social worker; and
- (2) May obtain the experience in §B(1) of this regulation while serving as a:
 - (a) Case manager;
 - (b) Case service worker;
 - (c) Human service worker; or
 - (d) Family services worker.

C. A licensed graduate social worker supervisor may not supervise:

- (1) Candidates for certified social work or certified social work—clinical licenses;
- (2) A social worker in the practice of clinical social work;
- (3) A social worker in the formulation of a diagnosis; or
- (4) More than six full-time individuals or the full-time equivalent performing social work functions.

D. Licensed Graduate Social Worker Supervisor Responsibilities. A licensed graduate social worker supervisor shall:

- (1) Register with and be approved by the Board;
- (2) Provide for emergency supervision and direction to a supervisee;

- (3) Ensure that a supervisee is practicing within the scope of the supervisee's license;
- (4) Determine the skill level at which the supervisee may practice;
- (5) Provide the supervisee and employer with a notice of termination to avoid or minimize any harmful effect on the supervisee's clients or patients; and
- (6) Ensure that a supervisee has read and is knowledgeable of Health Occupations Article, Title 19, Annotated Code of Maryland, and COMAR 10.42.01—COMAR 10.42.08.

E. A provisional graduate social worker may not supervise in the practice of social work or for advanced licensure.

F. A licensed graduate social worker supervisor obtaining advance licensure may continue to supervise in the practice of social work, but may not supervise for advanced licensure unless the requirements of Regulation .04A(3) and B of this chapter are satisfied.

G. Waiver. Beginning July 1, 2006, an agency or entity may apply for a waiver of COMAR 10.42.08.03E based on the entity's or agency's exigent circumstances, which the Board may grant or deny at its discretion.

.10 Waiver of Documentation.

If the Board determines that an applicant for licensure could not reasonably have anticipated the need for documentation of supervision at the time the supervision was given, the Board may, in its discretion, consider any evidence produced by the applicant to substantiate that the licensee satisfied the requirements of COMAR 10.42.01.05C(2) and D(3).

Administrative History

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