

BSWE Newsletter



Greetings to My Fellow Social Workers

This is my first article as Chair of the Board of Social Work Examiners (BSWE). I am pleased and humbled by the opportunity to represent the profession I chose. There are several purposes of this column. First, I'd like to **STRONGLY ENCOURAGE** all licensees to read this newsletter. It only comes out 2 times a year. Unlike most of the newsletters, blogs, and other literature received, this newsletter pertains to you specifically as a licensed Social Worker in the State of Maryland. And please make sure to update your email address with the Board. (<https://health.maryland.gov/bswe>). I would also like to advise you to check your spam folder because we have been told that sometimes our communications end up there. Email is our best means of communicating with you. In addition to these newsletters, you will occasionally receive Blast emails when the BSWE believes important information needs to be seen by you in a timely manner. So if you skip over some of your other emails, please don't skip those sent by the Board!!

Second, is the importance of **READING** and **UNDERSTANDING** the Maryland statutes and regulations that pertain to you. As licensed professionals, there are statutes and regulations that you must adhere to in order to practice ethically and legally. As most of you are aware, there were changes made to the Social Work Practice Act in the 2017 legislative session. As a result of those Statute changes, the Board was tasked with creating regulations that will go hand in hand with the Statute. As I am writing this column, the draft regulations are being publically reviewed. The Board will review and respond to public comments and questions received, and you will receive notification when the final regulations take effect.

I cannot stress how important it is for you to be aware of these legalities. The Board receives between 10 and 12 complaints a month about its licensees. We review every complaint and we take them through a process that sometimes results in serious sanctions, depending on the severity of

Inside this issue:

- Chair Report..... 1
- Suicide Prevention: A Call to Action..... 3
- Disciplinary Case Review Committee..... 5
- Check the Credentials of CE Speakers!..... 7
- Board Reduced Actual License Renewal Fees..... 7
- WANTED..... 8
- Questions Regarding LMSW and Private Practice..... 9
- New Board Members..... 10
- CSU Social Work Intern..... 10
- Verification of License & Record Retrieval..... 11
- Reminders..... 12



the infraction. We hope that being more familiar with the laws of our profession would prevent some infractions from occurring.

I have had feedback from some peers and colleagues, suggesting that our laws are too complicated and difficult to understand. However, the laws and ethics must be adhered to. These laws and regulations were written over time, as our profession has changed and advanced. Please try to think of your need to be knowledgeable about these laws as a necessity of your professional life. Knowing and understanding your laws and the BSWE Code of Ethics is essential to delivering excellent service to your clients. The jobs we do are vital to the health and well being of the people we serve. If you have any questions or concerns, feel free to contact the Board's staff. They are available to you by phone or email. Staff members will gladly answer your questions and help you navigate through issues about licensing, supervision, continuing education, etc.

Lastly, I would like to invite you to attend the monthly Board meetings which are held on the second Friday of each month at 10:30 am. The open portion of the meeting usually lasts no longer than an hour and a half. If you have questions or concerns, feel free to come and participate.

As Thanksgiving is just around the corner, I would like to thank all of you for the work you do, helping those in need. Each of us chose this profession for our individual reasons, but the one thing I believe we all share is the desire to help others. And no one does that better than Social Workers!

Sherryl Silberman , LCSW-C
Board Chair

Suicide Prevention: A Call to Action

Submitted by

Karen Richards, LCSW-C, Board Member



On July 20, 2018, the Continuing Education (CE) Committee was honored to listen to a presentation from a Veteran's Administration (VA) social worker on Suicide Prevention. Ms. Nikole Jones, LCSW-C, works for the VA in Perry Point, MD and is the VA Suicide Prevention Coordinator. She also helped create the Maryland Chapter of the American Foundation for Suicide Prevention; the MD chapter is now one of the largest in the country. Her presentation to the Committee emphasized the importance of ongoing education for social workers around this very important topic.

Current statistics point to an urgent need for all of us to be advocates in the fight to reduce death by suicide. According to 2015 data from The American Foundation for Suicide Prevention, suicide is the 10th leading cause of death in the U.S. Americans attempt suicide an estimated 1.1 million times annually and the cost of combined medical and work loss due to suicide is \$44 billion each year. Suicide is the 5th leading cause of death for individuals 45-54 years of age. Other populations face challenges that place them at a much higher risk for suicide – for example, veterans, adolescents, those in the criminal justice system, Native/Alaskan Americans, and members of the LGBTQ community.

According to the Substance Abuse and Mental Health Services Administration (SAMSHA), 35 million people worldwide suffer from depression and 1 in 5 adults will experience a mental health crisis or condition in their lifetime. A social worker in a Behavioral Health setting should be trained in responding to suicidal emergencies with clients/patients. Other agencies also have procedures and protocols in place for suicide emergencies. Know your organization/agency's policy!

Since social workers are employed and volunteer in a variety of different settings (ex. non-behavioral health settings), join the fight and educate yourself. There are a variety of training programs and resources available to help you become a suicide prevention warrior. Here are a few to explore:

- **safeTALK:** a half-day alertness training that prepares anyone 15 or older, regardless of prior experience or training, to become a suicide-alert helper. It is based on the findings that most people with suicidal thoughts don't truly want to die but are struggling with

pain in their lives and they invite help to stay alive. safeTalk-trained helpers learn to recognize these invitations and act by connecting the person to life-saving resources.

- **ASIST:** a two-day interactive workshop in suicide first aid. ASIST teaches participants to recognize when someone may have thoughts of suicide and work with them to create a plan that will support their immediate safety.
- **Mental Health First Aid and Youth Mental Health First Aid:** This is a public education program that can help communities understand mental illnesses, seek timely intervention, and save lives. The core program, delivered to more than 1 million people across the country through a network of more than 12,000 instructors, has already saved lives and brought hope to many individuals. Social workers can explore the training program to become an instructor. Check out the website for more information: <https://www.mentalhealthfirstaid.org/become-an-instructor>
- **CALM:** Counseling on Access to Lethal Means – developed by Elaine Frank and Mark Ciocca, CALM is a workshop designed to help providers implement counseling strategies to help clients at risk for suicide and their families reduce access to lethal means, particularly (but not exclusively) firearms. In addition to workshop offerings, there are also “train-the-trainer” programs. <http://www.sprc.org/resources-programs/calm-counseling-access-lethal-means->
- **Maryland Crisis Connect:** *Call 211, Press 1* if you need resources or help in Maryland. The Department of Health has numerous resources on their webpage: <https://health.maryland.gov/suicideprevention/Pages/home.aspx>
- **American Foundation for Suicide Prevention: Maryland Chapter:** Working to create a culture that’s smart about mental health through education and community programs, research and advocacy, and support for those affected by suicide. <https://afsp.org/chapter/afsp-maryland/>

Whatever setting you work in, the Board encourages licensees to educate themselves to be prepared to respond to a suicidal emergency. Studies show that prevention is crucial. Interventions do work! Don’t forget – **ADVOCATE** for better access to mental health treatment and for programs that raise awareness and erase the stigma associated with suicide and mental health.

Disciplinary Case Review Committee—Part I

Submitted by Jerry Farrell, Board Member, DCRC Chair

The primary purpose of the Board of Social Work Examiners (BSWE) is to protect the public. In pursuit of that goal, the Board carries out two principle functions. First, the Board recommends standards for the practice of social work in Maryland through law and regulation which must be approved by the Maryland legislature and the governor (Health Occupations Title 19 – Social Workers). The Board then examines and licenses qualified individuals in accordance with those approved standards. The second major function of the Board is enforcing these standards.

The Board has established committees to oversee the work of the staff in carrying out these functions. The Disciplinary Case Review Committee (DCRC) is the standing committee charged with oversight of enforcement through a disciplinary process. The purpose of this article is to summarize the disciplinary process, and the sanctions the Board is authorized to impose for violations of law and regulation.

DCRC members are appointed by the Board chair. As currently constituted, the DCRC has four voting members. The DCRC is supported by the BSWE staff – the Director of Compliance and Investigations, as well as the Board counsel, and an attorney from the Office of Attorney General's prosecutor's staff. The BSWE's Executive Director also has a crucial role in guiding the disciplinary process.

Anyone can file a complaint about a Maryland licensed social worker with the Board. Forms for this purpose are available on the Board's website. Every complaint received by the Board is first reviewed by the DCRC. After initial review of a complaint, the DCRC may:

- Open a formal investigation of the complaint; or
- Recommend dismissal of the complaint to the full Board.

Complaints recommended for dismissal by the DCRC without an investigation are usually cases where the Board has no authority, such as when the accused party is not a licensed social worker; or there is insufficient evidence provided to substantiate a possible violation of law or regulation governing social work practice. The full Board must vote to approve dismissal of a complaint.

Investigations are conducted by professional investigators on the Board staff (of which there is currently only one). In conducting investigations, the Board is empowered to subpoena documents, including personnel files, treatment and billing records, and any other materials pertinent to the investigation. The investigator will also interview the complainant and respondent, along with any witnesses to the alleged violation. Failure of a social worker who is a respondent

to participate in the investigation of a complaint, is, in itself, a violation of the law (COMAR §19-311 (16)).

Completed investigations are reviewed by the DCRC which may recommend one of four actions to the full Board.

- Dismissal based on lack of evidence of a violation;
- Informal administrative action (Letter of Education or Letter of Admonishment);
- Formal sanctions - charging the respondent with a violation of COMAR: or
- Further investigation.

All of the above recommendations must be approved by a majority vote of the full Board.

Informal sanctions are private agreements between the Board and the respondent social worker. The sanctions are not published on the Board's website. Letters of Education or Admonishment are used where the violations of social work practice are minor. Examples might include missing small numbers of required continuing education units discovered during audit; continuing to practice social work after failing to renew one's license on time; and minor violations involved with supervision.

More serious violations are subject to formal sanctions by the Board. When the Board determines that a serious violation has occurred, the Board refers the case to prosecutors in the Office of the Attorney General (OAG). OAG prosecutors, in consultation with the BSWE, will draw up formal charges. Depending on the severity of the violation, sanctions sought by the Board can include:

- Reprimand;
- Fines up to \$10,000;
- Probation;
- Suspension of license; or
- Revocation of license.

In most cases, the prosecutor and the Board will offer the respondent social worker a Case Resolution Conference (CRC) with a proposed consent order in which the respondent will acknowledge certain findings of fact regarding specific COMAR violations and agree to a specific sanction(s). If the Board and the social worker cannot agree on the terms of a consent order, then the matter will proceed to a hearing with an Administrative Law judge or before the full Board. All final adjudications must be approved by the full Board. Formal sanctions, whether resolved

through a CRC consent order or by a hearing, are permanent public orders – published on the Board’s website and posted on the National Practitioners Database.

Article on the Disciplinary Case Review Committee Part II will appear in the 2019 Spring Newsletter.

Check the Credentials of CE Speakers!

It is important when choosing Continuing Education (CE) opportunities that you are looking for quality instruction provided by Board Authorized Sponsors and knowledgeable professionals. Note under the Regulations – 10.42.06.02 – B (1): “*Approved programs’ means programs that are presented by professionals who are qualified in the content area with education as the focus...*”

One thing you can do to assure you are receiving quality training is to check the credentials of the professionals who are presenting. How do you do that? One suggestion is to check the licensing board of the individual providing the training. Are they a licensed social worker in Maryland? Check the BSWE website at www.health.maryland.gov/bswe . Verify that the presenter/trainer/instructor have an active license. Also, check to see if they are sanctioned in any way or have active disciplinary actions against their license.

Remember, it is up to you, the licensee, to assure you are receiving training that meets the standards specified in the CE regulations. Not only will your due diligence help you in the case of a CE audit, you will be rewarded with a truly worthwhile learning activity that will enhance the services you provide in the practice of social work.

Board Reduced Actual License Renewal Fees

For Social Workers during 2017 and 2018 Cycles

In early 2017, the Board voted to pay the cost of the Maryland Health Care Commission (MHCC) assessment on each licensed LMSW, LCSW and LCSW-C (LBSW not assessed this fee) during the 2017 and 2018 license renewal periods. All health care providers in Maryland are required to pay this fee in addition to the cost of renewing their licenses. The fee is currently \$26.00. The Board noticed an excess in revenue and determined the best plan for this money was to give it back to all licensed social workers. However, next year, (2019), the MHCC assessment will once again be added to the cost of renewing one’s license.

WANTED!!!

Licensed Social Workers Needed to Provide Ethics Tutorial Services or Supervision to Social Workers on Probation in Eastern and Western Maryland

Criteria

The Supervisor and Ethics Instructor will:

Hold an active license in Maryland and in good standing (no sanctions by disciplinary proceeding);

1. Be Registered and Board approved Licensed Certified Social Worker (LCSW) or a Licensed Certified Social Worker-Clinical (LCSW-C);
2. Have to be trained in supervision and ongoing training and participation in the professional development of supervision; also have additional training in areas such as but not limited to maintaining client confidentiality with respect to privileged communications; defining boundaries; setting limits, assessing the client for risk of imminent danger, etc.;
3. Have to be trained in ethics - the content area should focus on ethics and professional conduct, including boundary issues, avoiding dual relationships, accepting gifts, etc.;
4. Have experience and knowledge in the supervisee's work setting and population such as DSS services, individual, family, marital counseling, substance abuse, mental illness, and child custody issues;
5. Have practiced as a licensed social worker for a minimum of ten(10) years;
6. Be a current Board Approved Supervisor, and
7. Have a Minimum of seven years of supervisory experience.

If you meet the criteria and would like to be considered, please send information to Kara Tyson, LCSW, at kara.brooks-tyson@maryland.gov

Questions Regarding LMSW and Private Practice

There have been many questions regarding LMSW and private practice. Essentially it means that on and after January 1, 2020, LMSWs may not provide psychotherapy as a solo practitioner.

LMSWs may continue to provide psychotherapy and render a diagnosis under the supervision of a Board approved LCSW-C supervisor. The settings might include an "agency", "group practices", "mental health centers" and as part of an LCSW-C's solo private practice.

Article - Health Occupations Title 19 - Social Workers

§ 19-101. Definitions

(q) Private practice. -- "Private practice" means the provision of psychotherapy by a licensed certified social worker-clinical who assumes responsibility and accountability for the nature and quality of the services provided to a client:

- (1) In exchange for direct payment or third-party reimbursement; or
- (2) On a pro bono basis as determined in regulations adopted by the Board.

§ 19-307. Scope of licenses

(2) A licensed master social worker may not:

- (i) Engage in independent practice unless the licensed master social worker is approved by the Board to engage in independent practice in accordance with § 19-302(f) of this subtitle;
- (ii) Treat mental or emotional disorders or provide psychotherapy without the supervision of a licensed certified social worker-clinical;
- (iii) Diagnose a mental disorder without the supervision of a licensed certified social worker-clinical;
- (iv) On or before December 31, 2019, engage in private practice without the supervision of a licensed certified social worker-clinical; or
- (v) On or after January 1, 2020, engage in private practice.

WELCOME NEW BOARD MEMBERS

Jamie Wilson, MSW, LCSW-C

On March 20, 2018, Governor Larry Hogan Jr. appointed Jamie Wilson, LCSW-C, to the Maryland Board of Social Work Examiners. She fills a seat open as a result of the retirement of Mark Lannon, LCSW-C. Her term ends on 6/30/2020.



Ms. Wilson is currently a clinical supervisor at the Children's Guild. She is a resident of Ownings Mills, in Baltimore County. Prior to her current position, she was a clinical social worker at the Center for Child and Family Traumatic Stress at Kennedy Krieger Institute. A graduate of the University of Maryland School of Social Work, Ms. Wilson also has certification in Trauma-focused Cognitive Behavioral therapy and structured Psychotherapy for Adolescents Responding to Chronic Stress.

Donald J. List, MSW, LCSW-C

On July 1, 2018, Governor Larry Hogan Jr. appointed Donald J. List, LCSW-C, to the Maryland Board of Social Work Examiners. He fills one of the designated seats on the Board for a social worker licensed at the LCSW-C level. His term ends on 6/30/2022. He is a resident of Baltimore County.



Mr. List is currently a Senior Social Worker in adult oncology at the Johns Hopkins Hospital. He has past experience in pediatric oncology, adult oncology, and pain and palliative care. After graduating from the University of Maryland School of Social Work, he worked for Baltimore County Department of Social Services in sex abuse/foster care. Mr. List also earned a MBA certificate from the Johns Hopkins Carey Business School.

Ms. Wilson and Mr. List are part of the 12 members who comprise of the Board of Social Work Examiners. We are fortunate to have the addition of these two new members to the Board since they possess such rich backgrounds and interests.

THOUGHTS FROM COPPIN STATE UNIVERSITY

SOCIAL WORK INTERN

When I learned that I was going to be the first ever intern at the Board of Social Work Examiners (the Board) I was nervous and even a little intimidated. I was unsure if this internship would be helpful with the path I believed I wanted to pursue. Now that I have been working at the Board for a few months, I can say that this is exactly where I need to be. I feel extremely blessed that I am able to be the first to collaborate and get hands-on-learning from individuals

who are so knowledgeable. Being able to get the training and deeper insight into how the process works has not only changed my view on the path I want to take in the future but has also opened my eyes to different aspects of social work.

I am so appreciative, not only of the people I work with, but for the opportunity I have been given.

VERIFICATION OF LICENSE AND RECORD RETRIEVAL

Verification of a Maryland Social Work License

Prior to discontinuing verifications of licenses, all Out-of-State Social Work licensing boards were notified that effective July 1, 2018 the Board no longer generates paper verifications of licenses. In addition, the Board does not complete the Verification of License forms used by Out-of-State Social Work licensing boards.

However, as an interim measure, the Board has continued to process requests for verifications of licenses by copying the individual licensee's verification of license which is posted on the Board's website; inserting it into an email and sending it to the Out-of-State Social Work board with a copy to the licensee.

This interim measure began on July 1, 2018 and will end on December 31, 2018.

Record Retrieval

The Board will continue to process requests for "record retrievals". The form "Request for Record Retrieval" is posted on the Board's homepage on the right side of the screen.

A request for a record retrieval for certified copies of an application submitted for the LCSW or LCSW-C license will include:

- 1) All the required forms used by the Board at the time the application was submitted;
- 2) The passing score report;
- 3) The official transcript with the date the degree was conferred; and
- 4) It may also include a copy of the application for LGSW/LMSW, if on file.

A request for a record retrieval for certified copies of an application submitted for the LBSW or LGSW/LMSW will include:

- 1) The application;
- 2) The passing score report; and
- 3) The official transcript with the date the degree was conferred.

There is a \$30 record retrieval fee for:

- 1) Two copies for the out-of-state Social Work board, and
- 2) One copy for the licensee.

If the Board does not have the application on file, the Board will generate a letter confirming the licensing requirements at the time the license was issued.

Please note: That a separate record retrieval request can be submitted for copies of all the licensees past renewals, which are on file, as far back as 2006.

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/ace/>

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 the Board.

Discipline

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

EMail

Please remember and remind your social work colleagues to keep email addresses current, to check the SPAM folder and do not unsubscribe to emails sent to you by the Board.

Alert

Effective July 1, 2018, the Board no longer generates paper verifications of license. The Board does not and never generated "Letters of Good Standing".

Out-of-State Social Work Boards were notified of this change and have been instructed to verify Maryland social work licenses by using the Board's website.