

Controversy in Virginia over LCSW Licensure

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There is a controversy brewing in Virginia over LCSW licensure.

- What is the Controversy?
- Where did it all start?
- What does the data say?
- What are we going to do to fix the problem?

What is the Controversy ?: The Virginia Board of Social Work (VBSW) on 3/2/11 made effective new regulations that defined "Clinical Course of Study" and "Clinical Social Work Services. Despite the best efforts of many social work stakeholders, a situation has developed where a person could graduate with an MSW with a clinical concentration from a CSWE accredited program and be 6 credit hours short of meeting the VBSW requirement for "explanatory theory" coursework.

Also there are applicants for the LCSW exam that submit their two years of experience to the VBSW and discover that the VBSW has determined their experience does not meet the definition of "Clinical Social Work Services.

(See VBSW Regulations at: http://www.dhp.virginia.gov/social/social_laws_regs.htm)

Where did it all start? You have to go back to 2007. The VBSW was experiencing a situation where persons who had an MSW, but not with a clinical concentration, were increasingly applying for licensure. The VBSW desired to make it clear in their regulations exactly what was the "Clinical Course of Study" that would qualify for the LCSW. The VBSW began a process of regulatory review. (For a detailed look at the process from 2007 to 2011 go to:

http://www.vscsw.org/files_uploads/VSCSW%20response%20to%20Social%20Work%20Summit%20March%2024%202012%20%28edited%203%2026%2012%20JGL%29.pdf

It is clear from the public record that all Virginia MSW programs were invited to be involved in the process of developing this new language. NASW VA was also invited to be involved as well as the Association of Social Work Boards. Virginia Commonwealth University, George Mason University, Radford University, NASW VA and ASWB all participated in some manner at various points in the process. The pace of regulatory review and development of the new regulation was protracted and went from October 2007 to March 2011. There were many opportunities for Social Work stakeholders to have input, comment and participate in the process and the record reflects that many did attend VBSW regulatory committee meetings, VBSW Board meetings and did present both verbal and written comment at public hearings on the proposed regulations. It also appears clear that despite the best efforts of all the social work parties involved that currently there is difficulty with MSW's access to licensure as they try to negotiate meeting the regulatory definition of "Clinical Course of Study."

What does the data say?

It is a bit difficult to gather the data but there are several sources of data that help develop a picture of the impact of the change in the VBSW regulations that became effective on March 2, 2011. Below are several indicators of the number of applicants for the LCSW exam during the time period from March 2011 to March 2012. Some of the measurements are:

- Number of New LCSW licenses from March 2011 to March 2012.
- The ASWB Pass/Fail numbers and rate for Virginia MSW programs for 2011.

VBSW DATA ON NUMBER OF APPLICANTS WHO SIT FOR THE LCSW EXAM

VBSW MINUTES FROM MEETING DATES	DATA IS FOR QUARTER ENDING ***(see DHP web site for statistics)	New LCSW licenses issued	New applications for licensure and Registration of Supervision	2011 ASWB data on pass/fail for Virginia MSW schools TOTALS					ASWB 2010 total	ASWB 2010 % pass
				School	pass	fail	total	% pass		
	06/30/2011	67		GMU	2	0	2	100	7	71
10/28/2011	09/30/2011	66	118	NSU	25	59	85	31	83	25
01/20/2012	12/31/2011	49	169	Radford	23	18	41	56	34	50
04/20/2012	03/31/2012	82	209	VCU	116	43	159	73	169	67
TOTAL		264	496	TOTAL	166	120	287	57	293	53

***http://www.dhp.virginia.gov/about/quarterly_stats.htm

2011 LCSW PASS RATE= 57%

The VBSW effective date of regulations is 3/2/2011. The above data covers the four quarters since the new regulations went into effect. The number of New LCSW licenses issued is an indicator that at least that many applicants (264) were approved to sit for the exam.

The ASWB data on graduates of Virginia MSW programs for the year 2011 show that 287 applicants were approved to sit for the LCSW exam. Thus one year after the effective date of the new regulation the total number of applicants approved to sit for the LCSW exam decreased by about 2%, or 6 applicants, from 293 to 287.

Virginia Board of Social Work	APPLICATIONS FILED	# OF MSW'S (FROM VIRGINIA SCHOOLS) WHO SAT FOR THE EXAM	NEW LCSW'S LICENSES ISSUED	CURRENT ACTIVE AND INACTIVE LCSW'S LICENSE	APPLICANT SATISFACTION SURVEY APPROVAL RATE*
FY 7/1/2010 to 6/30/2011	790	287	297	5468	90.6%
FY 7/1/2009 to 6/30/2010	703	293	233	5139	96.3%

* *Applicant Satisfaction Surveys are sent to all initial applicants. The survey includes six categories for which applicants rate their satisfaction on a scale from one to four, one and two being degrees of satisfaction, three and four being degrees of dissatisfaction. This report calculates the percentage of total responses falling into the approval range.

The number of applications filed for FY 2010-2011 are higher than for the previous year. The number of new LCSW's is higher than the previous year, the current and active LCSW's licensed are higher and the applicant satisfaction approval rate is down by only 5.7%. The number of LCSW applicants approved to sit for the exam decreased by about 2% from 2010 to 2011.

What are we going to do to fix this problem? There are several avenues available for resolving this unintentional problem:

- Communication between Social Work Stakeholders and the VBSW.
- Advocacy with the political process to influence policy changes.
- Litigation to address allegations of:
 - violation of due process rights,
 - arbitrary and capricious decisions by the VBSW, and
 - Restraint of trade.

There seems to be interest by different parties in pursuing all three avenues. Hopefully the Social Work Community can resolve this controversy without litigation. At this point VSCSW is attempting to engage in the first two options.

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