

**STUDY OF THE  
VIRGINIA BOARD OF SOCIAL WORK  
DENIALS OF LCSW APPLICATIONS  
CALENDAR YEAR 2014**

**BY  
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**INTRODUCTION:**

Over the past several years there has been concern in the professional social work community over the denial by the Virginia Board of Social Work of applications for the Licensed Clinical Social Work license. In 2011 this concern led to legislative efforts that resulted in the passage of § 54.1-3707.1. This law clarified the Educational Requirements for the LCSW applicants (See below).

**§ 54.1-3707.1. Educational requirements.**

*The Board shall accept proof of the successful completion of the following as evidence of the satisfaction of the educational requirements for licensure as a clinical social worker: (i) a master's degree in social work with a clinical course of study from a program accredited by the Council on Social Work Education, (ii) a master's degree in social work with a non-clinical concentration from a program accredited by the Council on Social Work Education together with successful completion of the educational requirements for a clinical course of study through a graduate program accredited by the Council on Social Work Education, or (iii) a program of education and training in social work at an educational institution outside the United States recognized by the Council on Social Work Education. For the purposes of this section, "clinical course of study" means graduate coursework that includes specialized advanced courses in human behavior and the social environment, social justice and policy, psychopathology, and diversity issues; research; clinical practice with individuals, families, and groups; and clinical practicum that focuses on diagnostic, prevention, and treatment services.*

This new law resolved any questions about the criteria for the educational requirements. However it seemed that there was still concern about the criteria for meeting the requirement of providing "Clinical Social Work Services." Some applications were denied for the reason that the services that the applicant delivered did not meet the "Clinical Social Work Services" definition.

**PURPOSE OF THE CURRENT STUDY:**

The Virginia Society for Clinical Social Work decided that in order to have a clear understanding of the denial of LCSW applications that a study needed to be done that collected the data on all of the applications that resulted in a decision by the VBSW to deny the application.



**METHOD:**

The following steps were taken to collect the data:

- The time period of the study was selected to be the 2014 calendar year.
- The minutes of the following were collected:
  - All of the VBSW Board meetings.
  - All of the Informal Conference Committee meetings.
  - All of the Special Conference Committee meetings.
  - All of the Formal Hearing meetings.
  - All of the Credentials Committee meetings
- Virginia Freedom of Information (VA FOIA) request were made for all of the Board ORDERS that were drafted as a result of any of the conferences or hearings.
- A copy of the VBSW regulations that were in effect for the 2014 calendar year was obtained.

**"REGULATORY LIMBO"**

- ❖ In the process of gathering data about denials of LCSW applications I discovered that there was a cohort of applicants for which there was no data collected by the VBSW. This group was applicants that were reviewed by the credentials committee and their application was not approved nor denied. These applicants were sent letters advising them of the status of their application and advising them of their right to request an informal conference with the credentials committee to appeal the decision of the committee. The VBSW does collect data on the number of applicants that were sent these letters AND requested an informal conference. However the VBSW does not track the number of applicants who received these letters and DID NOT request an informal conference with the credentials committee.
- ❖ In order to establish some estimate of the size of this group of applicants I gathered the credential committee meeting minutes from the years 2011, 2012, and 2013. The format of those minutes identified the number of applications approved or denied and the number of applications that were neither approved or denied but were not allowed to sit for the LCSW exam. This is the group I labeled as being in "Regulatory Limbo." The size of this group is reported in the table below:

**APPLICATIONS IN "REGULATORY LIMBO"**

2011	2012	2013	3 year total	Average of 3 years
47	5	11	63	21

As you review the results of the study please keep in mind that there is this group of applicants that may be about 21 applicants per year but are not reported in any of the data.

Next several tables were developed to place the data into the following categories:



1. Applications for Registration of Supervision for LCSW
  - a. A VA FOIA request was made for the total number of Applications for Registration for Supervision for LCSW.  
The VBSW responded that they do not maintain this number.
2. Applications for the LCSW
  - a. A VA FOIA request was made for a breakdown of the number of applications for:
    - i. LCSW by Examination
    - ii. LCSW by Endorsement
 The VBSW responded that they do not maintain this breakdown of data so only the total number of LCSW applications was provided.
3. Disciplinary hearings of currently licensed persons
4. Disciplinary hearings of previously disciplined persons who were requesting reinstatement of their license.

Each of the tables then divided the data collected into the following categories:

Name of Applicant	The date of the VBSW Board meeting where action was taken on the recommendation of the Informal or Special Conference committee	
Date of Informal or Special Conference Committee hearing	If a Board ORDER was entered then the following information was listed:	a. Findings of Fact
		b. Conclusions of Law
The recommendation of the Informal or Special Conference Committee		c. Order of the VBSW

**RESULTS:**

The VBSW received 762 applications for LCSW during the 2014 calendar year. Of the 762 LCSW applications 23 went to a hearing with the VBSW. This represents 3.1% of the total number of applications.

The VBSW held a total of 49 hearings of all types during the 2014 year. So 47% of the hearings held by the VBSW in 2014 were focused on LCSW applications. The "Application for Registration of Supervision" resulted in 5 hearings which represents 10% of the total hearings. So 57% of the VBSW hearings during the 2014 calendar year were focused on "Applications for Registration of Supervision" and "Applications for LCSW." Both of these categories are part of the licensure process. The table below shows the focus of the hearings and the number of hearings for each area of focus.

<b>"Special Conference Committee" -Informal Conference Committee" -"Formal Hearings" VBSW 2014</b>	
<b>FOCUS OF HEARING</b>	<b># OF HEARINGS</b>
Applications for registration of supervision.	<b>5</b>
Applications for LCSW by examination	<b>23</b>
Application for LCSW by endorsement	<b>2</b>
Disciplinary hearings of currently licensed persons.	<b>11</b>
Disciplinary Hearings on request for reinstatement of license.	<b>5</b>



Disciplinary Hearings that resulted only in monetary penalty.	3
<b>TOTAL NUMBER OF HEARINGS OF ALL TYPES FOR 2014</b>	<b>49</b>

**Applications for registration of supervision:**

In order to register your supervision with the VBSW an MSW must meet the Educational Requirements of the regulations. The specific language of the regulation is:

**18VAC140-20-49. Educational requirements for a licensed clinical social worker.**

*A. The applicant for licensure as a clinical social worker shall document successful completion of one of the following: (i) a master's degree in social work with a clinical course of study from a program accredited by the Council on Social Work Education, (ii) a master's degree in social work with a nonclinical concentration from a program accredited by the Council on Social Work Education together with successful completion of the educational requirements for a clinical course of study through a graduate program accredited by the Council on Social Work Education, or (iii) a program of education and training in social work at an educational institution outside the United States recognized by the Council on Social Work Education.*

*B. The requirement for a clinical practicum in a clinical course of study shall be a minimum of 600 hours, which shall be integrated with clinical course of study coursework and supervised by a person who is a licensed clinical social worker or who holds a master's or doctor's degree in social work and has a minimum of three years of experience in clinical social work services after earning the graduate degree. An applicant who has otherwise met the requirements for a clinical course of study but who did not have a minimum of 600 hours in a supervised field placement/practicum in clinical social work services may meet the requirement by obtaining an equivalent number of hours of supervised practice in clinical social work services in addition to the experience required in 18VAC140-20-50.*

The regulations of the VBSW also require a person seeking LCSW licensure to acquire two years of post MSW supervised experience prior to sitting for the LCSW exam. The specific language of the regulations is:

**18VAC140-20-50. Experience requirements for a licensed clinical social worker.**

*A. Supervised experience. Supervised post-master's degree experience in all settings obtained in Virginia without prior written board approval will not be accepted toward licensure.*

*1. Registration. An individual who proposes to obtain supervised post-master's degree experience in Virginia shall, prior to the onset of such supervision:*

*a. Register on a form provided by the board and completed by the supervisor and the supervised individual; and*

*b. Pay the registration of supervision fee set forth in 18VAC140-20-30.*

Key components of this requirement are "prior written board approval" and "prior to the onset of such supervision." Of the 5 "Applications for Registration of Supervision" that



had hearings before the VBSW 2 were approved by the VBSW at the hearing and 3 were denied. The table below gives the reasons the applications were denied.

**NOTE: The applicants are identified by initials only. Their full name is available as a public record. For purposes of this study the full names do not need to be used. Also I have edited the information from the Board Order for brevity and to not identify the names of supervisors or agencies. Again this information is not necessary for the purpose of the study. However any member of the public that wishes to read the full public record may do so by making a VA FOIA request. The author is available to identify any original material that was acquired by VA FOIA**

<b>INITIALS OF APPLICANT:</b>	<b>VBSW REGUATION NOT MET:</b> VAC 140-20-49 and 18 VAC 140-20-40
<b>VB</b>	<p><b>FINDING OF FACT IN BOARD ORDER (Edited for brevity-Original available as public record)</b></p> <ul style="list-style-type: none"> <li>• VB completed her Master's degree at ABC University. The Director of the Master of Social Work program at ABC University stated that VB advanced coursework was in the Management &amp; Planning concentration, not in the Clinical Social Work concentration. The Director also stated that there was no evidence that VB took any advanced clinical social work courses.</li> <li>• XYZ University's Associate Dean of the Graduate School of Social Service stated that VB completed six credits in human behavior and the social environment, six credits in social work research, and six credits that were clinical practice electives. The Associate Dean failed to verify that VB had completed a clinical course of study at that institution. Neither of the above universities indicated that VB had completed advanced clinical coursework in psychopathology. VB submitted unofficial documentation that she took a graduate-level course in psychopathology at DEF University in the Fall 2013 term, but she did not receive a passing grade and thus did not successfully complete this requirement</li> </ul>
<b>INITIALS OF APPLICANT:</b>	<b>VBSW REGUATION NOT MET:</b> 18 VAC 140-20-50(A) & 18 VAC 140-20-160(1)
<b>ME</b>	<p><b>FINDING OF FACT IN BOARD ORDER (Edited for brevity-Original available as public record)</b></p> <ul style="list-style-type: none"> <li>• In requesting registration for supervision, ME asked that he be given credit for supervision hours provided by ML, L.C.S.W., for clinical social work services performed at XYZ Health Care. Said supervision had not been registered with the Board of Social Work. The Board notified ME that the Credentials Committee had determined that he would not be approved for the supervision hours provided by ML since these hours had not been registered with the Board.</li> </ul>
<b>INITIALS OF APPLICANT:</b>	<b>VBSW REGUATION NOT MET</b> 18 VAC 140-20-49(A) and (B)
<b>EF</b>	<p><b>FINDING OF FACT IN BOARD ORDER (Edited for brevity-Original available as public record)</b></p> <ul style="list-style-type: none"> <li>• EF received a Master's degree in social work from Virginia Commonwealth University in May, 1990.</li> <li>• EF failed to submit verification from Virginia Commonwealth University that her Master's degree in social work had a clinical course of study.</li> <li>• EF pursued the health care track rather than the mental health track for her Master's degree and said program did not include a course in psychopathology.</li> </ul>

The three "Applications for Registration of Supervision" were denied due to the applicant not being able to:



- ❖ Verify that they had an MSW from a CSWE accredited program with a 'Clinical Course of Study.'
- ❖ Not having acquired prior written approval for their supervision and not registering their supervision with the VBSW prior to the onset of the supervised experience.

**Applications for LCSW by examination**

Of the 23 "Applications for LCSW by examination" that received hearings by the VBSW, 7 were approved by the VBSW at the hearing. The remaining 16 (2.0%) were denied. I have grouped together the applicants who were denied for similar reasons and present them in the table below.

**APPLICATIONS THAT DID NOT MEET SUPERVISION REQUIREMENT**

**VBSW REGUATION NOT MET §18 VAC 140-20-50(A)(2)(a); 18 VAC140-20-50(B); 18 VAC 140-20-40**

INITIALS	FINDING OF FACT IN BOARD ORDER (Edited for brevity-Original available as public record)
<b>SB</b>	<ul style="list-style-type: none"> <li>• SB received her Master's degree in social work in May, 1992 from the XYZ School of Social Work, SB obtained 21 hours of post-master's degree supervision at XYZ Hospital from November, 1992 to August, 1994.</li> </ul>
<b>TW</b>	<ul style="list-style-type: none"> <li>• TW's supervisor of the clinical hours she acquired between January 1997, and September 1999, was not licensed as a clinical social worker in the jurisdiction in which the services were rendered with at least three years of post-licensure clinical social work experience.</li> <li>• TW's supervisor did not hold a license as a clinical social worker until September 1997, several months after she had begun supervision. TW's supervisor did not sign the "Verification of Clinical Supervision" form.</li> </ul>
<b>SG</b>	<ul style="list-style-type: none"> <li>• SG's supervision from June 2008 to December 2011, with RS, L.C.S.W. was not registered with the Board.</li> <li>• SG also submitted hours of supervision from MJ, L.C.S.W.; however, the dates were conflicting. On her application SG stated that supervision occurred from February 2008 to June 2008; however, the supervision verification form signed by MJ stated that supervision occurred from June 2007 to June 2008. A letter from the Clinical Director at XYZ Services, where SG received supervision from MJ, stated that supervision occurred between December 2007 and May 2011.</li> <li>• Supervision by MJ of these hours of case management services would not qualify as supervision of clinical social work hours</li> </ul>
<b>RW-T</b>	<ul style="list-style-type: none"> <li>• RW-T failed to obtain a minimum of 3,000 supervised experience hours in no less than two and not more than four years.</li> <li>• RW-T had two blocks of supervision, one in Tennessee in 2002 and 2003, and one in Virginia comprised of two supervision experiences in 2011 and 2012. There were eight years between her blocks of supervision and neither block of time continued for more than two years.</li> </ul>



<b>E-KH</b>	<ul style="list-style-type: none"> <li>• E-KH failed to register the supervision that she received from September 21, 2008, to September 21, 2010, at the XYZ Facility with the Virginia Board of Social Work. (Supervision that began prior to November 26, 2008, that otherwise met the requirements of the Regulations in effect prior to that date, would be accepted by the Board up until November 26, 2012) However E-KH's application was received on February 21, 2013. E-KH in her re-application to the Board, which was received on October 4, 2013, requested that the Credentials Committee consider her supervision experience at ABC Services from August 1998, to September 1999, toward licensure but said supervision was completed in less than 2 years.</li> </ul>
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### APPLICATIONS THAT DID NOT MEET SUPERVISION REQUIREMENT

<b>AA</b>	<ul style="list-style-type: none"> <li>• AA failed to average no less than 15 per 40 hours of work experience in face-to-face client contact for a minimum of 1,380 hours during her employment at XYZ agency. AA's supervisor from January 12, 2011, to January 6, 2012, JB, L.C.S.W., indicated that AA's weekly face-to-face contact in her first year of supervision averaged nine hours, thereby falling below the required standard of 15 hours per week of face-to-face delivery of social work services per week while under supervision.</li> <li>• AA's supervisor from February 9, 2012, until August 23, 2013, TT-M, L.C.S.W., submitted logs indicating that under her supervision, AA averaged 12.77 hours per week in face-to-face delivery of social work services, thereby falling below the required standard of 15 hours per week while under supervision. At the informal conference, AA admitted that according to the supervision logs submitted by TT-M, she did not meet the requirement of averaging 15 client clinical contact hours per week.</li> <li>• AA claimed that since the logs recorded only Medicaid-reimbursed visits, they did not document her clinical visits to individuals ineligible for Medicaid. AA claimed that she had information in her personal logs that would add to the number of clinical contact hours but she did not provide these personal logs to the committee.</li> </ul>
<b>DK</b>	<ul style="list-style-type: none"> <li>• DK received his supervision from two Master's level clinicians-MS, L.C.S.W., did not have at least three years of post-licensure clinical social work experience at the time supervision began on July 1, 2008. MS received her license on November 4, 2006.</li> <li>• CJ, L.P.C., did not hold an active, unrestricted license as a clinical social worker. Rather, she is a licensed professional counselor. In addition, she provided telephonic supervision rather than face-to-face supervision.</li> </ul>
<b>RB-S</b>	<ul style="list-style-type: none"> <li>• RB-S was employed as discharge planner, crisis stabilization worker, and Mental Health Therapist II for the XYZ Department of Health and Human Services and the ABC Detention Facility from 2001 until 2008.</li> <li>• From 2008 to 2012, RB-S was employed by ABC Health Care, where she conducted psychiatric evaluations for emergency room patients.</li> <li>• RB-S did not register her supervision at XYZ Department of Health and Human Services or her supervision at ABC Health Care with the Board. (Supervision that began prior to November 26, 2008, that was not registered with the Board but otherwise met the requirements of the Regulations in effect prior to that date, would have been accepted by the Board up until November 26, 2012.)</li> </ul>
<b>HM</b>	<ul style="list-style-type: none"> <li>• HM has been employed as a social worker by the XYZ, Inc. since 2010, and provides intensive in-home counseling to children and adults.</li> <li>• HM's supervisors, in verifying supervision from November 15, 2010, to August 13, 2013 indicated that his experience averaged fewer than 15 face-to-face hours per week. From November 15, 2010, to March 15, 2012, HM averaged 13.42 hours of face-to-face clinical social work experience per week as submitted by JB, L.C.S.W. and from June 29, 2012, to August 13, 2013, HM averaged 13.46 hours of face-to-face clinical social work experience per week as submitted by TT-M, L.C.S.W.</li> </ul>



<b>JA</b>	<ul style="list-style-type: none"> <li>• JA was employed under supervision at XYZ Hospital, in Maryland, from July 7, 2008, to July 6, 2012. In her position, she managed an adult caseload for the Inpatient Surgical Trauma Burn ICU and Digestive Health Inpatient unit, and in this capacity, she conducted counseling, advocacy, and crisis intervention for patient and family. However, although identified as a "clinical social worker," JA did not provide psychotherapy for clients with mental disorders. In response to a question regarding her application, her practice supervisor stated that "provision of psychotherapy was not consistent with practice setting." Further, JA did not provide assessments and diagnoses based on a recognized manual of mental and emotional disorders. Her practice supervisor stated that "formulation of a diagnosis was not a provision of social work in the applicant's practice setting</li> </ul>
<b>APPLICATIONS THAT DID NOT MEET SUPERVISION REQUIREMENT</b>	
<b>MD</b>	<ul style="list-style-type: none"> <li>• MDs' post-Master's degree supervisor at the XYZ Department of Public Welfare, in another state, from May 1971, to September 1973, did not hold an active, unrestricted license as a licensed clinical social worker in that state, the jurisdiction in which the clinical services were being rendered.</li> <li>• MD did not provide clinical social work services while under supervision at the Department of Public Welfare. As an adoption social worker charged with placing children, MD did not provide diagnostic and psychotherapeutic services. MD failed to submit verification from her Master's program that she had completed a clinical social work course of study.</li> </ul>
<b>SD</b>	<ul style="list-style-type: none"> <li>• Between July 1, 2009, and the present, SD provided social work services at XYZ Inc., Fairfax, Virginia, a non-exempt setting, without holding a current Virginia license to practice social work. Although licensed as a Licensed Independent Clinical Social Worker in the State of Washington since June 8, 2007: <ul style="list-style-type: none"> <li>➤ SD did not practice in the State of Washington or any other jurisdiction for at least three of the past five years immediately preceding her application for licensure by endorsement in Virginia.</li> <li>➤ SD did not register with the Virginia Board of Social Work any supervision by a licensed clinical social worker for the period she was employed at XYZ Inc., beginning in 2009.</li> <li>➤ At the informal conference, SD acknowledged that she should have applied for licensure by endorsement when she moved to Virginia in 2009. SD stated that she was misinformed by her employer, XYZ Inc., which told her that she was not required to be licensed as a social worker to work at XYZ Inc.</li> </ul> </li> </ul>
<b>SG</b>	<ul style="list-style-type: none"> <li>• SG's supervisor, from November 2, 2009 to December 31, 2012, at ABC Medical Center, in New York, JM did not hold an active, unrestricted license as a licensed clinical social worker in New York, the jurisdiction in which the clinical services were being rendered. JM was licensed to practice medicine, not as a clinical social worker.</li> </ul>
<b>ET</b>	<ul style="list-style-type: none"> <li>• ET's post-Master's supervisor, AR, L.C.S.W., did not hold an active, unrestricted license as a licensed clinical social worker in Virginia, the jurisdiction in which the clinical services were being rendered, with at least three years of post-licensure clinical social work experience.</li> <li>• ET's supervision with AR began on March 26, 2007, and AR had only been licensed since 09/07/06.</li> <li>• ET currently serves as executive director of a behavioral nursing home in another state. He is not licensed in that state or any other state.</li> </ul>



**APPLICATIONS THAT FAILED TO REPORT CRIMINAL CONVICTIONS  
AND LICENSES FROM OTHER STATES**

**JW**

- JW was convicted of felony embezzlement and misdemeanor obtaining property by false pretenses on September 8, 2002. He was previously convicted of misdemeanor forgery on May 14, 1998, and credit card theft on September 8, 1999. JW falsified his application for licensure in Virginia, submitted on October 18, 2013, in that he responded "no" to the question asking whether he had ever had any disciplinary action taken against an occupational license, when, in fact his license to practice clinical social work in the District of Columbia had been suspended by the District of Columbia Board of Social Work on July 24, 2013. JW was suspended by the District of Columbia Board of Social Work for failing to reveal his criminal convictions on his license application and applications for license renewal. He answered "no" to the application question: "Have you ever been arrested for a crime," when in fact he had been convicted of the crimes listed above.
- JW's Washington, D.C., license suspension has been lifted effective July 28, 2014. However, JW has not renewed his D.C. license, which remains in "expired" status.
- JW failed to include on his Virginia application for licensure that he had been licensed in Maryland and Washington, D.C., as well as New York. When asked at the informal conference about the factual omissions, he stated that he thought he only had to include New York, since his intent was to endorse his license from New York in seeking Virginia licensure. The licensure application form required the listing of all licenses from other states

**APPLICATIONS WITH MULTIPLE REASONS FOR DENIAL**

**BG**

- BG did not register her work settings with the Board. Supervision that began prior to November 26, 2008, that was not registered but otherwise met the requirements of the Regulations in effect prior to that date, would have been accepted by the Board until November 26, 2012. However, SG's application was received on August 9, 2013.
- SG's supervision was acquired in fewer than two years. Ms. Greene was supervised for a total of 19 months at three hospitals: ABC hospital, Portsmouth, Virginia, for eight months; XYZ Medical Center, Portsmouth, Virginia, for eight months; and QRS Hospital, Falls Church, Virginia, for three months between July 2004 and August 2006.
- BG did not provide clinical social work services as defined in 18 VAC 140-20-10 of the Regulations Governing the Practice of Social Work ("Regulations") in at least two of her positions.
  - a. As Director of Admissions and Social Work at DEF agency, BG attended to such matters as hiring and human resource development, but was not employed as a clinician. The job description for this position provided in her resume listed: "created and maintained budgets," "provided social services through interdisciplinary care planning," and other administrative functions.
  - b. BG's other positions emphasized case management. BG's duties at QRS Hospital entailed having "primary responsibility for identifying complicating social and financial factors into the plan of care in order to implement transition plans and treatments." In her own descriptions of social work positions held during the period under consideration, BG did not cite the performance of assessments and diagnoses based on a recognized manual of mental and emotional disorders or the provision of



psychotherapy and counseling as primary tasks.

- At the informal conference BG failed to provide any supporting documentation or supervisory verification to substantiate the claim that these jobs were clinical.
- On her application for licensure, BG failed to respond correctly to the question of whether she had held social work licenses in other states. She marked "not applicable" when asked about other licenses. In fact, BG had been licensed as a P.L.C.S.W, a provisional licensed clinical social worker, in the State of North Carolina.

Application for LCSW by endorsement

**APPLICATION FOUND DISCIPLINARY ACTION AGAINST APPLICANT IN ANOTHER STATE**

**VBSW REGULATION NOT MET** 18 VAC 140-20-160(3)

**INITIALS FINDING OF FACT IN BOARD ORDER (Edited for brevity-Original available as public record)**

<b>ML</b>	<ul style="list-style-type: none"><li>• On the morning of September 26, 2014, the day when ML's informal conference was scheduled, ML emailed the Board stating that he would be unable to attend the informal conference. The Board rescheduled the informal conference for October 7, 2014, and notified ML of the new informal conference date by email dated September 29, 2014. The Committee Chair concluded that adequate notice was provided to ML and the informal conference proceeded in his absence.</li><li>• By Consent Order entered June 3, 2011, the North Carolina Social Work Certification and Licensure Board issued a reprimand against the license of ML for documentation that lacked sufficient information regarding his interventions on October 3, 2009, involving an infant admitted to the xyz Hospital for a fractured femur (and suspected child abuse). MLs' employment as a social worker at said hospital had been terminated as a consequence of his failure to report suspected child abuse.</li></ul>
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**SUMMARY:**

This study substantiates several facts:

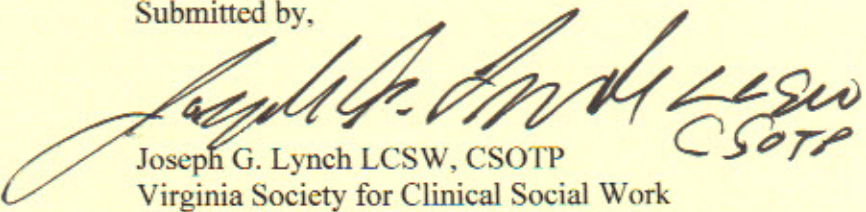
- In 2014 the majority of hearings (57%) held by the VBSW involved the registration or supervision or application for LCSW licensure process.
- Of the 762 LCSW applications received by the VBSW in 2014 only 26 (3.1%) went to a hearing.
- Of those 26 applications that requested a hearing the VBSW approved 7 of the applications as a result of the hearing and denied 16 applications.
- Of the 16 (2.0%) applications that the VBSW denied – 14 of them were denied for in some way not meeting the supervision requirements of the regulations.
- The Findings of Fact in the Board Orders provided substantial evidence that the applicant did not meet the requirements of the regulations.



The VBSW should be commended for properly exercising their responsibility as health board regulators to enforce the regulations of the VBSW. The evidence shows that the VBSW offered due process to applicants and treated them in a fair and unbiased manner.

For the VBSW, NASW VA, VSCSW and the schools of Social Work in Virginia this study points out the importance of all of these stakeholders to educate, inform and mentor new MSW graduates about the "nuts and bolts" requirements of the VBSW regulations regarding supervision. Also it points to an area of needed continuing education for any LCSW who provides supervision to seek out training in the specific requirements of the VBSW regulations regarding supervision. In one sense it seems that most of the applications for LCSW that were denied were denied for reasons that are preventable if the supervisors are well versed in the VBSW regulations.

Submitted by,



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## APPENDIX B

NOT "DENIED" BUT OTHER REASON APPLICANT NOT ALLOWED TO SIT FOR THE EXAM		1/21/11	4/6/11	6/23/11	10/28/11	TOTAL FOR 2011	1/20/12	4/20/12	7/20/12	11/20/12	TOTAL FOR 2012	1/25/13	4/19/13	7/19/13	10/25/13	TOTAL FOR 2013	3 YR AVG	
1	Referred back to credentials reviewer	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0.33
2	Request for clarification of supervision hours	2	36	0	0	38	0	0	0	0	0	0	0	0	0	0	0	12.6
3	Request to waive supervision training requirements	0	2	0	0	2	0	0	0	1	1	0	0	0	0	0	0	1.0
4	Requested additional information be submitted	0	0	3	0	3	1	1	1	2	4	1	0	0	0	1	1	2.6
5	Applicant advised that additional supervision hours required to complete application	3	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	1.0
6	Deferred applications due to educational concerns	0	0	0	0	0	0	0	0	0	0	0	7	0	0	7	7	2.3
7	Deferred applications due to educational and supervision concerns	0	0	0	0	0	0	0	0	0	0	0	3	0	0	3	3	1.0
		5	38	4	0	47	1	1	1	3	5	1	10	0	0	11	11	21



## APPENDIX A

**VBSW REGULATIONS CITED IN ACTIONS TAKEN BY THE VBSW  
IN THE INFORMAL, SPECIAL CONFERENCE OR FORMAL HEARINGS  
IN REGARDS TO DENIAL OF LCSW AND LSW APPLICANTS  
2014 CASES**

### **18VAC140-20-40. Requirements for licensure by examination as a clinical social worker.**

Every applicant for examination for licensure as a clinical social worker shall:

1. Meet the education requirements prescribed in 18VAC140-20-49 and experience requirements prescribed in 18VAC140-20-50.
2. Submit a completed application to the board office to include:
  - a. Documentation, on the appropriate forms, of the successful completion of the supervised experience requirements of 18VAC140-20-50 along with documentation of the supervisor's out-of-state license where applicable. 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. The affidavit shall specify dates of employment, job responsibilities, 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;
  - b. The application fee prescribed in 18VAC140-20-30;
  - c. Official transcript or transcripts submitted from the appropriate institutions of higher education; and
  - d. Documentation of applicant's out-of-state licensure or certification where applicable.
3. An applicant for licensure by examination shall provide evidence of passage of the examination prescribed in 18VAC140-20-70. If the examination was not passed within five years preceding application for licensure, the applicant may qualify by documentation of providing clinical social work services in an exempt setting for at least 360 hours per year for two of the past five years.

### **18VAC140-20-49. Educational requirements for a licensed clinical social worker.**

A. The applicant for licensure as a clinical social worker shall document successful completion of one of the following: (i) a master's degree in social work with a clinical course of study from a program accredited by the Council on Social Work Education, (ii) a master's degree in social work with a nonclinical concentration from a program accredited by the Council on Social Work Education together with successful completion of the educational requirements for a clinical course of study through a graduate program accredited by the Council on Social Work Education, or (iii) a program of education and training in social work at an educational institution outside the United States recognized by the Council on Social Work Education.

**B. The requirement for a clinical practicum in a clinical course of study shall be a minimum of 600 hours, which shall be integrated with clinical course of study coursework and supervised by a person who is a licensed clinical social worker or who holds a master's or doctor's degree in social work and has a minimum of three years of experience in clinical social work services after earning the graduate degree. An applicant who has otherwise met the requirements for a clinical course of study but who did not have a minimum of 600 hours in a supervised field placement/practicum in clinical social work services may meet the requirement by obtaining an equivalent number of hours of supervised practice in clinical social work services in addition to the experience required in 18VAC140-20-50.**

### **18VAC140-20-50. Experience requirements for a licensed clinical social worker.**

A. Supervised experience. Supervised post-master's degree experience in all settings obtained in Virginia without prior written board approval will not be accepted toward licensure.

1. Registration. An individual who proposes to obtain supervised post-master's degree experience in Virginia shall, prior to the onset of such supervision:

- a. Register on a form provided by the board and completed by the supervisor and the supervised individual; and
- b. Pay the registration of supervision fee set forth in 18VAC140-20-30.

2. Hours. The applicant shall have completed a minimum of 3,000 hours of supervised post-master's degree experience in the delivery of clinical social work services. A minimum of one hour and a maximum of four hours of face-to-face supervision shall be provided per 40 hours of work experience for a total of at least 100 hours. No more than 50 of the 100



hours may be obtained in group supervision, nor shall there be more than six persons being supervised in a group unless approved in advance by the board. The board may consider alternatives to face-to-face supervision if the applicant can demonstrate an undue burden due to hardship, disability or geography.

a. Experience shall be acquired in no less than two nor more than four years.

b. Supervisees shall average no less than 15 hours per 40 hours of work experience in face-to-face client contact for a minimum of 1,380 hours. The remaining hours may be spent in ancillary services supporting the delivery of clinical social work services.

3. An individual who does not complete the supervision requirement after four years of supervised experience shall submit evidence to the board showing why the training should be allowed to continue.

B. Requirements for supervisors.

1. The supervisor shall hold an active, unrestricted license as a licensed clinical social worker in the jurisdiction in which the clinical services are being rendered with at least three years of post licensure clinical social work experience. The board may consider supervisors with commensurate qualifications if the applicant can demonstrate an undue burden due to geography or disability.

2. The supervisor shall have received professional training in supervision, consisting of a three credit-hour graduate course in supervision or at least 14 hours of continuing education offered by a provider approved under 18VAC140-20-105. The graduate course or hours of continuing education in supervision shall be obtained by a supervisor within five years immediately preceding registration of supervision.

3. The supervisor shall not provide supervision for a member of his immediate family or provide supervision for anyone with whom he has a dual relationship.

4. The board may consider supervisors from jurisdictions outside of Virginia who provided clinical social work supervision if they have commensurate qualifications but were either (i) not licensed because their jurisdiction did not require licensure or (ii) were not designated as clinical social workers because the jurisdiction did not require such designation.

C. Responsibilities of supervisors:

The supervisor shall:

1. Be responsible for the social work activities of the supervisee as set forth in this subsection once the supervisory arrangement is accepted;

2. Review and approve the diagnostic assessment and treatment plan of a representative sample of the clients assigned to the applicant during the course of supervision. The sample should be representative of the variables of gender, age, diagnosis, length of treatment and treatment method within the client population seen by the applicant. It is the applicant's responsibility to assure the representativeness of the sample that is presented to the supervisor;

3. Provide supervision only for those social work activities for which the supervisor has determined the applicant is competent to provide to clients;

4. Provide supervision only for those activities for which the supervisor is qualified by education, training and experience;

5. Evaluate the supervisee's knowledge and document minimal competencies in the areas of an identified theory base, application of a differential diagnosis, establishing and monitoring a treatment plan, development and appropriate use of the professional relationship, assessing the client for risk of imminent danger, and implementing a professional and ethical relationship with clients;

6. Be available to the applicant on a regularly scheduled basis for supervision; and

7. Maintain documentation, for five years post supervision, of which clients were the subject of supervision.

D. Supervisees may not directly bill for services rendered or in any way represent themselves as independent, autonomous practitioners, or licensed clinical social workers. During the supervised experience, supervisees shall use their names and the initials of their degree, and the title "Supervisee in Social Work" in all written communications. Clients shall be informed in writing of the supervisee's status and the supervisor's name, professional address, and phone number.

### **18VAC140-20-160. Grounds for disciplinary action or denial of issuance of a license.**

The board may refuse to admit an applicant to an examination; refuse to issue a license to an applicant; or reprimand, impose a monetary penalty, place on probation, impose such terms as it may designate, suspend for a stated period of time or indefinitely, or revoke a license for one or more of the following grounds:

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 continuing education.

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 18VAC140-20-150, standards of practice;
6. Performing functions outside the board-licensed area of competency;
7. Failure to comply with the continued competency requirements set forth in 18VAC140-20-105; and
8. Violating or aiding and abetting another to violate any statute applicable to the practice of social work or any provision of this chapter.