



## Virginia Society for Clinical Social Work

March 24, 2012

The VSCSW, at its Board of Directors meeting on March 24, 2012, authorized Board Member Mr. Joseph G. Lynch LCSW, CSOTP to draft a response to the Social Work Summit group to provide them information concerning the issues connected with MSW's access to licensure in regard to the Virginia Board of Social Work's revised regulations (effective date of March 2, 2011) which included expanded delineation of the specific meaning of the term "Clinical Course of Study."

The VSCSW response below attempts to specify the concerns of social work stakeholders and to review public record documents that establish the timeline and history of the development of the new language in the VBSW regulations concerning the meaning of "Clinical Course of Study." A summary statement is included at the end of the response.

### **CLINICAL COURSE OF STUDY:**

#### **Concerns regarding the current definitions impact on MSW's access to licensure**

#### **1. STATEMENT OF CONCERNS FROM SOCIAL WORK STAKEHOLDERS:**

A. At the February 24, 2012 meeting of the Virginia Board of Social Work (VBSW) Regulatory committee meeting, Ms. Debra Riggs, Executive Director of the National Association of Social Workers, Virginia Chapter, presented a letter to the committee identifying "...unintended and detrimental consequences..." caused by the VBSW's current definition of "Clinical Course of Study." Ms. Riggs notes that "...these issues have been identified through conversation with numerous NASW members..." (See **Attachment VBSW regulatory committee minutes draft February 24 2012 pdf**)

B. On March 23, 2012 Dr. James Hinterlong, Dean Virginia Commonwealth University, School of Social Work met with interested parties to explore "...addressing the VBSW's most recent standards regarding educational requirements for taking the LCSW exam." This refers to the VBSW regulations 18 VAC 140-20-10 et seq. (See **Attachment VBSW regulations, effective date 3-2-11**) that were revised and have an effective date of March 2, 2011. The regulations define "Clinical Course of Study" as:

#### **Part I. General Provisions, 18VAC140-20-10. Definitions, B,**

*"Clinical course of study" means graduate course work which includes specialized advanced courses in human behavior and social environment, social policy, research, clinical practice with individuals, families, groups and a clinical practicum which focuses on diagnostic, prevention and treatment services".*

The regulations further delineate this definition. Below is part of that further delineation:

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

*B. The minimum course requirements for a clinical course of study shall include graduate level courses consisting of:*

- 1. Twelve credit hours of explanatory theory;*
- 2. Twelve credit hours of practice theory;*
- 3. Three credit hours of psychopathology including assessment, diagnosis, and treatment;*
- 4. Three credit hours of social work practice research; and*
- 5. Coursework in diversity issues, social justice, culture, and at-risk populations.*

C. A specific concern that has developed around B.1. is that it appears a student could graduate with an MSW, from a CSWE approved program, with a Clinical Concentration, and meeting all of the requirements for a degree in Clinical Social Work and be 6 credit hours short in the explanatory theory area. **(See Attachment VCU MSW and VBSW comparison Conflicting requirements).**

**2. REVIEW OF HISTORY AND TIMELINE OF THE DEVELOPMENT OF THE VBSW "CLINICAL COURSE OF STUDY" REGULATORY CHANGE EFFECTIVE MARCH 2, 2011**

- **October 11, 2007:** Ms. Evelyn Brown, Executive Director VBSW, advises the Regulatory Committee of the VBSW "...that a request regarding the need to be more specific in the language regarding "clinical coursework" has been received..." Board member, Mr. David Boehm "...asked Ms. Dolores Paulson to chair a Task Force Committee to define "Clinical Course of Study"...It was decided that the Chairs of the Programs for the four (4) Virginia schools would be invited to the January 10, 2008 Regulatory meeting. Ms. Wingfield, Chief Deputy of the Department of Health Professions, will be responsible for coordinating the invitations to the schools....Ms. Horne-Quantannens made a motion to recommend to the Board that a NOIRA be issued to define "Clinical Course of Study." The motion was properly seconded and passed unanimously. **(See Attachment VBSW Regulatory Committee minutes October 11 2007 and VBSW Board meeting minutes October 12 2007).**
- **January 10, 2008** The Regulatory Committee meeting is attended by the following:
  - Dwight Hymans, ASWB
  - Debra Riggs, NASW-VA
  - Frank Baskin, Dean, School of Social Work, Virginia Commonwealth University
  - Delores Dungee-Anderson, Associate Professor, School of Social Work, Virginia Commonwealth University
  - Marcia Harrigan, Associate Professor, School of Social Work, Virginia Commonwealth University
  - Miriam Raskin, Acting Chair of School of Social Work, George Mason University
  - Mary Kiernan-Stern, Assistant Professor, School of Social Work, George Mason University

The Committee minutes reflect:

*Draft of Clinical Course of Study – Dolores Paulson*

*Ms. Paulson presented a working draft of educational coursework necessary to lead to licensure as a clinical social worker. Representatives from the schools of social work at Virginia Commonwealth University and George Mason University had been invited to participate in the discussion.*

*Discussion ensued about the minimal coursework necessary to be considered a clinical concentration. Clarification of coursework necessary in the foundation year as opposed to the clinical concentration year was requested. Additionally, the Committee noted the need for more specific requirements for field experience and designation of a minimum number of hours for a clinical field placement.*

*Ms. Smeltzer moved that the Committee request that the Board issue a Notice of Intended Regulatory Action (NOIRA) to establish a definition of “clinical course of study” in the regulations. The motion was seconded and passed. (See Attachment VBSW regulatory committee minutes January 10 2008)*

➤ **January 11, 2008** VBSW Board meeting minutes of reflect:

*Mr. Martin advised that the Committee recommended that the Board issue a Notice of Intended Regulatory Action (NOIRA) to establish a definition of “clinical course of study” in the regulations. The recommendation was approved.*

*Clinical Course Work Report. Ms. Paulson advised that the meeting with representatives from the schools of social work at Virginia Commonwealth University and George Mason University on the working draft of educational coursework had been productive. She anticipated revising the draft based upon the meeting and would present the document at the next Board meeting.*

**(See Attachment VBSW Board meeting minutes January 11 2008)**

➤ **February 4, 2008** a Notice of Intended Regulatory Action (NOIRA) was filed with the Virginia Register of Regulation, Virginia Regulatory Town Hall. The Notice includes the following:

**Purpose:**

*The Board intends to consider amendments to further define a clinical course of study in the educational requirements for licensure as a clinical social worker. Currently section 50 of the Board’s regulations requires that an applicant for*

*licensure as a clinical social worker be a graduate of a degree program that includes a graduate clinical course of study or provide documentation of having completed specialized experience, course work or training acceptable to the board as “equivalent to a clinical course of study.” Section 10 provides a general definition of a “clinical course of study” as “graduate course work which includes specialized advanced courses in human behavior and social environment, social policy, research, clinical practice with individuals, families, groups and a clinical practicum which focuses on diagnostic, prevention and treatment service.” Since someone licensed as a clinical social work is “professionally qualified at the autonomous practice level to provide direct diagnostic, preventive and treatment services where functioning is threatened or affected by social and psychological stress or health impairment”, it is imperative that the Board ensure that an applicant has minimal competencies leading to an autonomous clinical practice. Through promulgation of regulations, the Board intends to specify the content of an educational program that would be considered a clinical course of study in order to provide additional guidance to programs and applicants on coursework acceptable for clinical licensure.*

### **Legal Basis**

Regulations are promulgated under the general authority of Chapter 24 of Title 54.1 of the Code of Virginia. Section 54.1-2400, which provides the Board of Social Work the authority to promulgate regulations to administer the regulatory system:

#### **§ 54.1-2400 -General powers and duties of health regulatory boards**

*The general powers and duties of health regulatory boards shall be: ...*

*6. To promulgate regulations in accordance with the Administrative Process Act (§ 9-6.14:1 et seq.) which are reasonable and necessary to administer effectively the regulatory system. Such regulations shall not conflict with the purposes and intent of this chapter or of Chapter 1 (§ 54.1-100 et seq.) and Chapter 25 (§ 54.1-2500 et seq.) of this title. ... (See Attachment VBSW NOIRA Clinical Course of Study February 4, 2008)*

- **April 11 2008** The minutes of the VBSW Regulatory Committee meeting reflect:

#### ***DISCUSSION OF “CLINICAL COURSE OF STUDY”***

*Dr... Paulson presented an updated draft of educational courses necessary for an applicant to qualify to sit for the LCSW examination. She stated that the draft reflected the Committee’s discussions with representatives of the Virginia schools of social work and was prepared in response to the Board’s need to establish a definition of the critical elements of a “clinical course of study”.*

*Ms. Wingfield proposed revisions to the first paragraph of the draft for clarity and suggested incorporating references to Masters and Doctoral programs in both the first paragraph and last paragraph. She offered to revise the draft accordingly, and present it at the upcoming Board meeting for consideration.*

**CONSIDERATION OF GUIDANCE DOCUMENT ON  
“CLINICAL COURSE OF STUDY”**

*Ms. Yeatts stated that a Notice of Intended Regulatory Action was in process regarding proposed revisions to the definition of “Clinical Course of Study”. In the meantime, she advised that, while a guidance document in this regard could not be used in denying an applicant, it would be a helpful tool to both students and schools in preparing for clinical social work licensure.*

*Ms. Horne-Quatannens recommended submission of Dr. Paulson’s draft document, with revisions by Ms. Wingfield, to the Board, with the recommendation that the Board adopt it as a guidance document. The motion was seconded and carried unanimously. (See attachment VBSW Regulatory committee minutes April 11 2008)*

- **April 11, 2008** The VBSW Board meeting minutes reflect:

*Regulatory Committee Report – Wayne Martin*

*Update on regulatory action. Ms. Yeatts provided the Board with an update on the status of the four regulatory actions: NOIRA on the possible revision of the definition of “Clinical Course of Study” was under review at the Secretary’s Office.*

*Proposed Guidance Document on “Clinical Course of Study”. Mr. Martin presented Dolores Paulson’s draft of a guidance document for the Board’s consideration. Ms. Yeatts commented that a NOIRA to address changes to the definition of “Clinical Course of Study” had been requested. In the meantime, the guidance document, although not enforceable, would provide guidance to schools and applicants of the Board’s intent in determining if an applicant met the required “Clinical Course of Study”. Dr. Paulson suggested adding the words “at a minimum” between the words “must” and “meet” in the second paragraph.*

*Mr. Martin stated that the Regulatory Committee recommended that the Board adopt the Guidance Document. The motion carried. (See Attachment VBSW Board meeting minutes April 11 2008)*

- **July 18, 2008** Regulatory committee minutes reflect:

**CONSIDERATION OF PROPOSED REGULATIONS FOR “CLINICAL COURSE OF STUDY”**

*Ms. Yeatts referred the Committee to the public comments received with respect to the Notice of Intended Regulatory Action to clarify “Clinical Course of Study”. She noted that the Board’s recently adopted guidance document could be used to draft proposed regulatory changes in that regard.*

*Debra Riggs, spoke on behalf of NASW-VA, and asked that the Board clarify the course work requirements with respect to Bachelor's of Social Work graduates who pursue Master's of Social Work (MSW) degrees as advanced standing students.*

*To address her concerns, discussion followed regarding the removal of references to Advanced Year and clarification of the necessary coursework for clinical concentration to distinguish that coursework from non-clinical courses.*

*In response to other public comment received, the Committee agreed, with Ms. Horne-Quatannens dissenting, to remove the requirement of a specific course relating to ethics since it was generally agreed that such topic was infused throughout the MSW curriculum.*

*Mr. Boehm moved that the Committee recommend that the Board adopt revisions to the guidance document. The motion was seconded and carried. (See Attachment VBSW Regulatory Committee minutes July 18 2008)*

➤ **July 18, 2008** VBSW Board meeting minutes reflect:

Regulatory Committee Report – Wayne Martin/Elaine Yeatts

Proposed Regulations for “Clinical Course of Study”. Ms. Yeatts presented the revised guidance document for consideration by the Board. She noted that the content of the guidance document would be used to draft regulatory language for the Board’s consideration.

Mr. Martin stated that the Regulatory Committee recommended that the Board adopt the revised guidance document. The motion carried.

Ms. Horne-Quatannens added that the Regulatory Committee recommended that the Board adopt the substance of the guidance document as proposed regulation. The motion carried. (See Attachment VBSW board meeting minutes July 18 2008)

➤ **January 23, 2009** VBSW Board meeting minutes reflect:

**COMMITTEE REPORTS**

**Regulatory Committee Report –Elaine Yeatts**

*Ms. Yeatts noted that proposed regulations relating to “Clinical Course of Study” continue under review. Because clarification of “advanced standing” issues has been requested, she suggested that the Regulatory Committee revisit the proposed regulations. Dr. Paulson agreed to review and draft language to clarify the concerns and present the information to the Regulatory Committee for consideration. (See Attached VBSW Board meeting minutes January 23, 2009)*

- **April 17, 2009** VBSW Regulatory committee minutes reflect:

**CLARIFICATION OF “CLINICAL COURSE OF STUDY”**

*Ms. Brown referred the Committee to the guidance document adopted by the Board regarding the education requirements for a “Clinical Course of Study”. Concerns regarding the hourly requirement for supervised field placement for advanced standing students as well as questions regarding clinical field placement after graduation have been received in the Board office. She asked the Committee to review the existing language and consider amending the requirements to address these concerns.*

*Ms. Horne-Quatannens moved that the third paragraph from the bottom of the guidance document be revised as follows and such changes be presented to the Board as proposed regulations:*

*Supervised **Field Placement/Practicum** in clinical social work services should be a minimum of 600 hours, which are integrated with the Clinical Course of Study course work. Supervision of the student shall be provided by a supervisor who holds Master’s or Doctor’s degree in Social Work and has a minimum of 3 years of experience in clinical social work services after earning the graduate degree or who is a Licensed Clinical Social Worker.*

*The motion was seconded and carried. Ms. Yeatts agreed to update the guidance document for Board consideration and noted that, when approved, the proposed regulations would be republished as part of the existing NOIRA regarding “clinical course of study”.*

*With respect to concerns regarding the requirement for clinical field placement after graduation for students who did not initially obtain the clinical track, Mr. Greene moved that the Board consider further revision to the guidance document to provide that additional post-graduate supervision be used to satisfy the requirement for 600 hours of clinical field placement. The motion was seconded and carried.*

**(See Attached VBSW Regulatory Committee minutes April 17, 2009)**

- **April 17, 2009** VBSW Board meeting minutes reflect:

**REGULATORY COMMITTEE REPORT**

*Clinical Course of Study*

*Ms. Yeatts presented a revised draft of the Board’s guidance document relating to “clinical course of study”. She noted that clarification of total hours of field placement and qualification of supervisors had been made in accordance with the Regulatory Committee’s review and discussion. She referenced the Regulatory Committee’s concerns regarding the requirement for clinical field placement after graduation for students who did not initially obtain a clinical track.*

*Mr. Martin moved to accept the guidance document and incorporate the document into proposed regulations as an amendment to the definition of*

*“clinical course of study”*. Additionally, he moved that the following language be added to the third paragraph from the bottom of the guidance document as follows:

*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 of the Regulations Governing the Practice of Social Work. The motion was approved (See Attachment VBSW Board meeting minutes April 17, 2009)*

- **July 17, 2009** VBSW Board meeting minutes reflect:

### ***REGULATORY COMMITTEE REPORT***

#### ***Clinical Course of Study***

*Ms. Yeatts presented proposed regulations, as recommended by the Regulatory Committee, regarding “Clinical Course of Study”. Guidance document language, adopted on April 17, 2009, had been incorporated into proposed regulations in the form of Regulation 18VAC140-20-49. Regulations 18VAC140-20-40, 18VAC140-20-45, and 18VAC140-20-50 would be amended to reference the new regulation.*

*Ms. Horne-Quatannens moved that the Board adopt the proposed regulations on “Clinical Course of Study”. The motion was seconded and carried. (See Attachment VBSW Board meeting minutes July 17 2009)*

- **July 30, 2009** Proposed Regulation NOIRA filed with Virginia Registrar of Regulations. The document reflects:

#### **Purpose:**

*The proposed regulatory action will specify the educational requirements necessary to qualify a candidate to sit for the licensed clinical social work examination in Virginia. The proposal incorporates language currently adopted as Guidance Document 140-6, effective April 17, 2009. It specifies the specific clinical course requirements by general categories, the minimum number of field placement/practicum hours that should be included, and accreditation standard for master’s level clinical programs.*

#### **New substantive provisions:**

*A new section is proposed to set out the educational requirements for licensed clinical social workers. It consists of the minimum course requirements in explanatory theory (12 semester hours), practice theory (12 semester hours), psychopathology (3 semester hours), social work practice research (3 semester hours) and elective hours in diversity issues, social justice, culture, and at-risk populations as part of a Master of Social Work educational program. Additionally, there is a 600-hour requirement for a practicum or field placement supervised*



by a qualified clinical social worker. Regulations allow for certain hours earned in a BSW program to be counted toward to clinical course requirements and for any deficit in the field placement hours to be made up in the post-graduate supervised experience. Finally, the master of social work program must be accredited by the Council on Social Work Education. (See Attachment VBSW NOIRA clinical course study, July 30 2009)

**Public Comment:**

The Notice of Intended Regulatory Action was published on June 8, 2008 with comment received until July 8, 2008. Those who commented were commenting on the draft guidance document which was eventually finalized in response to comment on April 17, 2009.

Commenter	Comment	Agency response
Debra Riggs, NASWVA	1) Requirement for specific coursework at the Master's level (MSW) should allow courses completed at the bachelor's level count for a person who has the BSW and Advanced Standing in the Masters program. 2) A required course in <i>Ethics</i> may exclude some applicants, since ethics is infused throughout the curriculum.	2) The Board adopted the recommendation to allow up to 6 hours of explanatory theory and 6 hours of practice theory completed in the bachelor degree program to count towards meeting the course work requirement for a clinical license.  2) The Board adopted the recommendation and eliminated the specific course in ethics from the guidance document and the proposed regulations.
Mary Kiernan-Stern & Miriam Raskin George Mason University  Diane Hodge Deneen Evans Radford University	1) Same comment about allowing BSW courses to count towards clinical concentration at MSW level for Advanced Standing students. 2) A requirement for 900 hours of field work exceeds accreditation standards; remedial field work through the program would not be possible.  3) Same comment about course requirement in <i>Ethics</i> . 4) Specific coursework in diversity, social justice, etc. may be taken in foundation year and may be infused	1) Same response as above.  2) The Board revised the draft guidance document and adopted a 600-hour field placement/practicum. Proposed regulations would also allow a person who did not have the required hours to get the equivalent in post-graduate supervised experience. 3) Course in Ethics deleted from guidance document and proposed regulations. 4) The Board's intent was that the subject matter be covered, regardless of format.

	<p>in curriculum.</p> <p>5) Requirement for MSW degree and 3 years of experience will make field placements more difficult.</p> <p>6) The Board is attempting to make the social work curriculum similar to professional counseling.</p>	<p>5) The Board added the option for the supervisor of a field placement to be a licensed clinical social worker without any practice experience (since licensure requires 2 years of post-graduate supervised experience.</p> <p>6) The content of the curriculum requirements for clinical social workers and licensed professional counselors is different and unique to the professions (Counseling is considerably more extensive). The only similarity being drawn is that the respective boards have addressed issues with content of educational programs through regulatory language so all applicants and educational programs have a standard to follow.</p>
George Young	<p>1) Should allow professional clinical experience to be considered in lieu of specific clinical coursework.</p> <p>2) Should allow someone to begin supervised experience if he is lacking clinical coursework.</p>	<p>1) The coursework provides the educational foundation, basic knowledge and skills for clinical practice. An individual should not be providing clinical services without the coursework specified in this section. There is no health or mental health profession that allows practice or experience to substitute for coursework.</p> <p>2) The coursework specified in section 49 is minimal (30 hours) within a 60-hour MSW program. Without the foundational courses required in subsection B, one is not qualified to begin providing clinical services to clients.</p>
Jan Reeves, student	<p>1) Concern about requirement for 1 credit hour in ethics; incorporated into curriculum</p>	<p>1) The Board eliminated the specific course requirement from the guidance document, and it was not included in the proposed regs.</p>

(See Attachment VBSW NOIRA clinical course study, July 30 2009)

➤ January 21, 2011 VBSW Board meeting minutes reflect:

**DR. JIM HINTERLONG, DEAN, VCU SCHOOL OF SOCIAL WORK**

Dr. Hinterlong reiterated the School of Social Work's commitment to the Board's goals and mission. He suggested that an educational summit be considered to continue the dialogue between Virginia graduate schools, the Board, and the professional associations with respect to the perceived growing disparity as viewed in the priorities in the classroom and what practitioners are doing in the field.

Ms. Horne-Quatannens expressed her concern about the clinical track disappearing from the CSWE graduate programs and being replaced by the advanced practice curriculum, and requested that the topic be included in the summit discussions. Dr. Hinterlong offered to facilitate such a meeting in the near future.

The Board designated Evelyn Brown, Catherine Chappell, Charles Chambers, Yvonne Haynes, David Boehm and Catherine Moore to attend the educational summit.



## REGULATORY COMMITTEE

Mr. Boehm provided an updated on proposed regulations:

1. With respect to the proposed regulations relating to “clinical course of study”, he stated that the Governor had approved the proposed language change.
2. Proposed amendments relating to acceptance of the examination if taken within five years of application, clarification of active practice with respect to endorsement applications, and reinstatements were still under review. A public hearing on the amendments had not been scheduled yet.
3. Proposed amendments to change the renewal period to an annual renewal and an increase in fees was still under consideration by the Department of Planning and Budget.

Mr. Boehm requested that the Regulatory Committee review the addition of a designation of LMSW as another category for licensure, as an LMSW license would increase the value of the LCSW license in the private setting.

Mr. Boehm asked that a representative from the ASWB be invited to a future Regulatory Committee meeting.

(See Attached VBSW Board meeting minutes January 21, 2011)

- **March 2, 2011** Governor signs proposed regulations and the regulations become effective on this date. (See Attached VBSW Regulations Effective Date March 2, 2011)

## SUMMARY

The VSCSW response provides a historical context for the development of the "Clinical Course of Study" language that appears in the VBSW Regulations that became effective on March 2, 2011. 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. VCU, GMU, NASW VA and ASWB all participated at various points in the process. The pace of regulatory review and development 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 comment at public hearings on the proposed regulations.

It also appears clear that, despite the best efforts of all the social work parties involved, currently there is difficulty with MSW's access to licensure as they try to negotiate meeting the regulatory definition of "Clinical Course of Study." Regulations are a dynamic document that attempts to be responsive to change so they are constantly under revision. It may be that some further revision of the definition of "Clinical Course of Study" is needed at this time. As the record above documents, the pace for revision of regulation even if it is "fast-tracked" can easily take 18 months or greater.

The VSCSW does not endorse any action at this time. There may be other facts and documents that were not subject to review for this response and might lead VSCSW to have different views. This response is for informational purposes only to encourage discussion and further problem solving and VSCSW hopes the information in this response may be helpful to place the issues in context and give some ideas for generating possible solutions to the frustrations MSW's are experiencing as they pursue licensure.

Respectfully Submitted by:

Joseph G. Lynch LCSW, CSOTP

