

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

Form #2

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2012 DEC 21 PM 2:47

WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Board of Social Work TITLE NUMBER: 25

RULE TYPE: Legislative CITE AUTHORITY: §30-30-6

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: Series 5

TITLE OF RULE BEING PROPOSED: Series 5: Continuing Education for Social
Workers and Providers

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON Jan. 22, 2013 AT 12:00pm ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

P.O. Box 5459 - Charleston, WV 25361

jwilliams@wvsocialworkboard.org
bswe2@suddenlink.net

amypolen@wvsocialworkboard.org
Fax: (304) 558-4189

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.



Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

WV Board of Social Work (Name Changed by 2011 WV Code §30-30)
State Capitol Complex-Main Building-West Basement Room WB9
304-558-8816 or 304-558-2988 Contact: Judith Williams

Brief Summary of Revision

Rule Title: CONTINUING EDUCATION FOR SOCIAL WORKERS AND PROVIDERS Title 25 Series 5

To reduce Series 1 into separate Series titles, per Legislative Rule Making Review Counsel and as granted under the WV Code §30-30-6 effective March 18, 2011.

The Continuing Education for Social Workers section, originally cited in Series 1 §25-1-8 and Continuing Social Work Education Requirements for Providers originally cited in Series 1 §25-1-9, has been removed from initial filing and is now by itself as Series 5. This change was made per Legislative Rule Making Review Counsel.

End of Summary

WV BOARD OF SOCIAL WORK
Contact: Judy Williams
Phone: 304-558-2988
Email: jwilliams@wvsocialworkboard.org

Legislative Rule Revision: Title 25 Series 5 “Continuing Education for Social Workers and Providers.”

STATEMENT OF CIRCUMSTANCES WHICH REQUIRE THIS RULE

To include and revise provisions set forth in the newer edition of the WV Code §30-30 that require detail and authority to be included in legislative Rules.

These actions follow several years of communication and meetings with representatives of major West Virginia employers, of social service workers, members of the Board and social work educators from WV social work departments.

End of Circumstance Statement

TITLE 25
LEGISLATIVE RULE
BOARD OF SOCIAL WORK EXAMINERS

2012 DEC 21 PM 2:47

SERIES 5
CONTINUING EDUCATION FOR SOCIAL WORKERS AND PROVIDERS

OFFICE OF THE CLERK
WEST VIRGINIA
DEPARTMENT OF STATE

§25-5-1. General.

1.1. Scope. -- This rule specifies the qualifications regarding continuing education for social workers and the requirements for continuing education providers

1.2. Authority. -- W. Va. Code §30-30-6

1.3. Filing Date. -- ~~June 24, 2002~~

1.4. Effective Date. -- ~~July 1, 2002~~

§25-5-2. Definitions.

2.1. "Certified provider" means an agency, organization, or institution which has applied to the Board and received approval to provide programs of continuing social work education under its own sponsorship, and which remains certified by complying with the provisions as set forth within this rule.

2.2. "Continuing social work education" means a program promoting social work skills, values, knowledge, and/or ethical considerations in the practice of social work.

2.3. "Continuing social work education program" means a formally organized educational program sponsored by a certified or individually approved provider and offered in the form of a class, course, workshop, seminar, or training activity, or formally structured discussion

2.4. "Individually approved provider" means an individual, agency, institution, or organization which has applied to the Board and received approval to present a specific program of continuing social work education on a date, time, and location included in the application.

2.5. "Social work ethics education" means a continuing social work education program of fundamental values and ethical behaviors which constitute guidelines of professional behavior as defined in the Code of Ethics of the National Association of Social Workers.

2.6. "Social work methods of practice" means a continuing social work education program of basic, intermediate, or advanced social work intervention techniques.

§25-5-3. Continuing Social Work Education Requirements for License Renewal.

3.1. A licensee shall obtain, as a condition of renewal of license, at least forty (40) contact hours of continuing social work education within each two (2) year license period:

3.1.1. Of these contact hours, at least thirty twenty (20) contact hours shall be earned by attending programs, conferences, workshops or professional meetings that are pre-approved by a WV authorized approved or certified provider; of these twenty (20) approved provider hours, no

more than ten (10) hours may be earned via technical means;

3.1.2. A licensee may earn the balance of contact hours through individual professional activities, described in this rule.

3.2. An inactive, emeritus or temporary permit licensee is not to earn continuing social work education contact hours.

3.3. The licensee shall only receive credit for those continuing education activities that meet the specifications established by the Board.

3.3.1. A licensee may earn continuing social work education contact hours by attending, engaging in and satisfactorily completing:

(a). Professional meetings and other formally organized learning events that are recognized by the Board and offered by a certified or individually approved provider of continuing social work education; and

(b). Individual professional activities that enhance the licensee's knowledge of professional social work issues or which relate specifically to his or her particular social work practice setting. These individual professional activities are self-directed, professional social work study activities including, but not necessarily limited to, formally organized learning events not officially recognized by the Board, college courses taken outside an accredited social work program, writing for professional social work publications, preparing a presentation for a certified or approved continuing social work education contact hours, reading professional literature; independent study, research, or tutoring of a professional social work nature; and preparation of initial consultation if not employed or under contract and professional meetings.

3.4. A licensee is solely responsible for keeping adequate records of his or her continuing social work education contact hours and activities.

3.4.1. A licensee shall maintain written records of continuing education contact hours.

3.4.2. A licensee shall maintain written records of individual professional activities which describe:

(a). The nature of the activity;

(b). The dates the activity was engaged in and completed;

(c). The number of contact hours earned in the activity;

(d). The reference citations for any text, journal, or publication utilized as an activity; and

3.4.3. The licensee or temporary licensee shall maintain records of all continuing education activities for a period of not less than three (3) years of time that best suits the individual. Once the license is renewed the records are expunged by the Board office.

3.4.4. The licensee shall submit the record of continuing education activities on forms

provided by the Board or the Board approved continuing social work education provider.

3.4.5. The licensee shall deliver the continuing education record forms to the Board on a regular basis during the two-year process in order for Board staff to keep an on-going tally to compare with that of the license, and to cause submission of a renewal application thirty to forty-five days prior to the date of expiration.

3.4.6. The Board may return incomplete or unreadable written records.

3.4.7. The Board may require a licensee to submit additional evidence of completion of contact hours, programs or activities for the purpose of monitoring the quality of providers and the accuracy of reports. Additional evidence includes, but is not limited to, payment receipts, program notes, certificates of attendance, a sworn statement from a provider representative, or other proof of program attendance.

3.5 Training related to the policies and procedures of an agency, organization or system for which the licensee is an employee shall not fulfill any continuing social work education requirement.

3.6. A list of certified continuing education providers is available from the Board.

3.7. A license renewal application, evidence of satisfaction of continuing social work education and required payment of fee is due in the Board office at least thirty (30) days before the day of certificate expiration.

3.7.1. Failure to comply with submission of these materials prior to the expiration of the license will result in automatic status change to delinquent the day following certificate expiration and activate the initial late fee in addition to the renewal fee.

3.7.2. The license remains renewable provided the licensee has ceased to perform social work; satisfies the continuing education requirements; and pays all late fees which will accumulate monthly for a maximum period of thirty-six months (refer to WV Code §30-30-20).

3.7.3. A licensee may not apply for special status inactive or emeritus if a license is delinquent.

§25-5-4. Continuing Social Work Education Requirements for Providers.

4.1. Providers of continuing social work education are classified either as certified providers or individually approved providers. An individually approved provider is a qualified individual, agency, or organization that has applied to the Board and received approval for a single program of continuing social work education. A certified provider is a qualified individual, agency, or organization that has applied to and received approval from the Board to provide continuing social work programs under its own auspices and is issued a unique provider number by the Board. A certified provider maintains this status by complying with the re-certification provision of Subsection 4.4.3. of this of this Section.

4.1.1. An organization or individual shall apply, remit a fee, and receive approval from the Board or its designee to become a certified or individually approved provider.

4.1.2. No organization or individual may provide a program of continuing social work

education without becoming a certified or individually approved provider.

4.1.3. A certified or individually approved provider shall make its program records available to the Board upon request.

4.1.4. A certified or individually approved provider shall inform the Board within thirty (30) days of a change of name, address or phone number for the provider or a licensed social worker who is responsible for assuring a program's professional relevancy on behalf of the provider.

4.2. In an application to become a certified provider, an organization shall document to the satisfaction of the Board:

4.2.1. The name, address, phone number and license number of the licensed social worker with a degree in social work from a college or university accredited by the Council on Social Work Education who shall substantially participate in the coordination and planning of any program developed by the organization to assure the program's professional relevancy and adherence to social work values, knowledge, practice or ethical considerations;

4.2.2. A system of maintaining program records for at least five (5) years, including attendance rosters, participant evaluations, written handouts and publicity materials;

4.2.3. Methods to assure the selection of qualified instructors, teachers or presenters;

4.2.4. Methods to evaluate program content, instructor performance and participant satisfaction;

4.2.5. Methods to assure that programs will be made available to license holders who work outside the bounds of the provider organization;

4.2.6. That facilities selected as program sites are accessible under the provisions of the American's With Disabilities Act; and,

4.2.7. Copies of successful applications made by the organization as an individually approved provider that document the provision of at least thirty (30) hours of programs within the previous two years.

4.3. In an application to become an individually approved provider, an organization or individual shall document to the satisfaction of the Board:

4.3.1. That a licensed social worker with a degree in social work from a college or university accredited by the Council on Social Work Education has substantially participated in the coordination and planning of the program to assure its professional relevancy and adherence to social work values, knowledge, practice and/or ethical considerations;

4.3.2. The relevancy of the program to social work practice, values, skills, knowledge, or ethical considerations;

4.3.3. The learning objectives of the program and the relationship between the program content, delivery methods and objectives;

4.3.4. The license level for which the program is optimally designed;

4.3.5. Any prerequisites a participant must meet to enter or successfully complete the program;

4.3.6. A system of maintaining program records for at least two (2) years, including attendance rosters, participant evaluations, written handouts and publicity materials;

4.3.7. The method used to assure the selection of qualified instructors, teachers or presenters;

4.3.8. The method used to evaluate program content, instructor performance and participant satisfaction;

4.3.9. The method used to assure that programs will be made available to license holders who work outside the bounds of the provider organization;

4.3.10. The program agenda, clearly listing the time and date of the program, including starting and ending times and refreshment and meal breaks;

4.3.11.. The calculated number of contact hours offered; and,

4.3.12. That facilities selected as program site are accessible under the provisions of the American's With Disabilities Act;

4.4. A certified provider receives a unique provider number issued by the Board and may initiate a program of continuing social work educational without the prior written consent of the Board.

4.4.1. An organization may apply to become a certified provider only after providing at least thirty (30) hours of formally organized learning events as an individually approved provider.

4.4.2. A certified provider shall offer at least fifteen (15) hours of formally organized learning events per year to maintain certified provider status. Any education conducted via technical means that allows true interaction between presenter and audience shall be documented on the activity report to the Board and be limited to no more than half the total hours required over a two year re-certification period.

4.4.3. Certified providers shall pay the fee set forth in the Board's rule, Fee Schedule, 25CSR3 and provide documentation of satisfactory performance as a certified provider every two (2) years to maintain certification.

4.5. An individually approved provider shall apply to and receive written approval from the Board for each program of continuing social work educational offered.

4.5.1. An organization or individual shall apply for approval as an individually approved provider at least three (3) months prior to the first scheduled program.

4.5.2 An individually approved provider may offer an approved program only up to three times prior to reapplying to the Board for approval.

4.5.3. An organization or individual shall reapply to the Board when a previously approved program undergoes substantive changes, including a change in the instructor or to one or more learning modules or components of the program.

4.6. A certified or individually approved provider shall offer formally organized learning events in a formal, structured learning environment involving face-to-face instructional methods or educational technologies that allow true interaction between the instructor and participant.

4.6.1. A professional meeting is recognized as a formally organized learning event when offered by a certified provider in the form of a facilitated discussion or similar focused learning activity related to topics and issues that stimulate, promote, increase, or impart professional knowledge, experiences and/or opinions in the practice of social work, or that concern social work values, skills, knowledge, or ethical considerations.

4.6.2. An individually approved provider may not offer a professional meeting that is not an integral part of a larger, approved formally organized learning event.

4.7. A certified or individually approved provider that offers a program on social work ethics shall arrange for the program to be taught by a licensed social worker who has a degree in social work from a program accredited by the Council on Social Work Education. The program shall incorporate the Code of Ethics of the National Association of Social Workers as a substantial part of the program.

4.8. The Board may refuse to approve the application or rescind the certified or individually approved provider status of a provider that does not adhere to the continuing social work education provider requirements of this rule.

4.9. The Board may monitor and evaluate the records of providers or license holders to determine compliance with this rule.

4.10. The chair of the Board may appoint a continuing education committee to coordinate continuing social work education activities and make recommendations to the Board concerning policies, applications and re-certification.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Continuing Education for Social Workers and Providers – Title 25 Series 5

Rule Title: _____

Type of Rule: Legislative Interpretive Procedural

Agency: WV Board of Social Work

Address: Physical: 1900 Kanawha Blvd. East-Building 1-Room WB-9
Public Mailing Address: P.O. Box 5459 Charleston, WV 25361
Contact Person: Judith K. Williams, Executive Director

Phone Number: (304) 558-8816 Email: jwilliams@wvsocialworkboard.org

Fiscal Note Summary

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

This rule in itself is not expected to have impact on revenue.

Fiscal Note Detail

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services	0.00	0.00	0.00
Current Expenses	0.00	0.00	0.00
Repairs & Alterations	0.00	0.00	0.00
Assets			
Other	0.00	0.00	0.00
2. Estimated Total Revenues	0.00	0.00	0.00

Rule Title: CONTINUING EDUCATION-

Rule Title: _____

3. Explanation of above estimates (including long-range effect):

Please include any increase or decrease in fees in your estimated total revenues.

No fee increase/decrease expected.

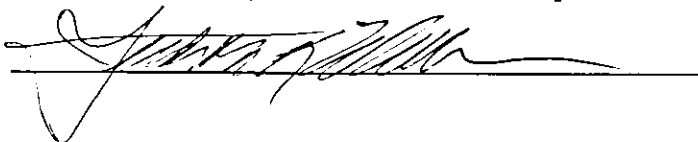
MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule would not have a fiscal impact, and/or any special issues not captured elsewhere on this form.

This rule sets the standards on the requirements for earning continuing education towards social work license renewal and the requirements for the Providers of social work continuing education.

Date: December 20, 2012

Signature of Agency Head or Authorized Representative

 _____