

**WEST VIRGINIA
SECRETARY OF STATE**

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #3

Do Not Mark In this Box

FILED

Oct 30 1 16 PM '92

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: WV Board of Social Work Examiners TITLE NUMBER: 25

CITE AUTHORITY WV Code 30-30

AMENDMENT TO AN EXISTING RULE: YES NO

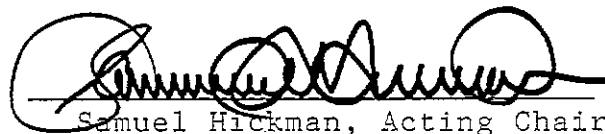
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Qualifications for Licensure As A
Social Worker

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.


Samuel Hickman, Acting Chair

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Qualifications for Licensure As A Social Worker

Type of Rule: Legislative Interpretive Procedural

Agency WV Board of Social Work Examiners Address PO Box 5477
Charleston, WV 25361

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$ None	\$ 30,000	\$ 50,000
Personal Services				10,000	10,000
Current Expense				15,000	25,000
Repairs and Alterations					
Equipment				5,000	10,000
Other					5,000

2. Explanation of above estimates: The proposed rule would enable the Board to receive additional Special Revenue funds necessary and crucial to allowing the Board to maintain and improve it's ability to perform it's mandated responsibilities. Expenses are not generally expected to increase dramatically in the current fiscal year.

3. Objectives of these rules: The proposed rules are, in large part, necessary to provide sufficient income to meet expenses for this special revenue account which receives no State or Other appropriations, to meet the financial obligations necessary to the efficient operation of this agency. The Board of Social Work Examiners cannot effectively discharge it's duties as mandated by law without raising additional special revenue income.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

No impact on State Government taxes and revenues due to Board's Special Revenue account status. Positive impact on ability of the Board, as an entity of State Government, to effectively discharge it's duties.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of citizens.

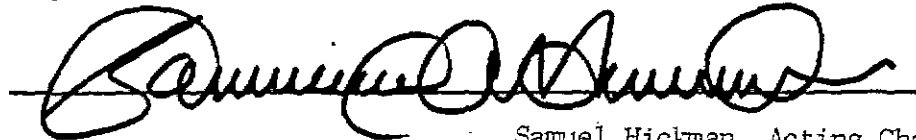
Modest increase in fees for services to licensed Social Workers in West Virginia. This would be the first and only increase since 1985. Fees are substantially lower than similar fees charged by surrounding states for similar services.

C. Economic Impact on Citizens/Public at Large.

No impact. Modest increase to Social Work professional will be totally absorbed and not passed along to consumers or to the public at large.

Date: September 11, 1992

Signature of Agency Head or Authorized Representative



Samuel Hickman, Acting Chair WVBSWE

West Virginia Board of Social Work Examiners

Post Office Box 5477 • Charleston, West Virginia • 25361
Telephone (304) 558-8816



STATEMENT OF NEED FOR PROPOSED LEGISLATIVE RULES

The purpose of these amendments and additional rules is to clarify, improve, and/or update:

- Disciplinary procedures;
- Fees for services provided by the Board to licensed social workers;
- Application and eligibility requirements, and;
- Board organization and procedures.

It should be noted that the Board's sole source of revenue is through special revenue fees for services provided to licensed social workers.

In order to make it possible for the Board to effectively discharge its legislatively mandated responsibility to protect the public and, at the same time, remain financially solvent to carry out its necessary functions and services, modest fee increases have been proposed.

Further, it should be noted that these fee increases represent a responsible, sound mechanism to maintain services at current levels and plan for anticipated new expenditures, rather than an effort to generally increase available revenues.

The Honorable Gaston Caperton, III
Governor

Margaret P. Bishop, ACSW, LCSW
Charleston

Susan Casto, LGSW
Parkersburg

Adrian Dowell, LSW
Bluefield

Barbara L. Gazdik, LGSW
Wheeling

Samuel A. Hickman, LCSW
Acting Chair
Dunbar

Louis Palma, LSW
Weich

Lottie Russell
Consumer Representative
Dunbar

Judith Williams
Administrative Aide

25-CSR-1

TITLE 25 LEGISLATIVE RULES BOARD OF SOCIAL WORK EXAMINERS

SERIES 1 QUALIFICATIONS FOR LICENSURE AS A SOCIAL WORKER

§25-1-1. General.

1.1. Scope.--These legislative rules define and specify the qualifications, ethics, application and responsibilities for licensing as a social worker.

1.2. Authority.--W. Va. Code §30-30

1.3. Filing date.--

1.4. Effective Date.--

§25-1-2. Qualifications.

2.1 Adequacy of experience. -- (WV Code §30-30-6a, b) Acceptable experience for the purpose of exemption from requirements must involve the practice of social work, as defined in §30-30-2b, c, e, and must have been performed competently at a professional level in order to be considered satisfactory in scope and quality. Experience limited to essentially repetitious and routine tasks at the preprofessional level will not be accepted.

2.2 Related fields. -- (WV Code §30-30-6) Fields related to social work for the purpose of exemption from requirements include psychology, sociology, counseling, rehabilitation, correctional counseling, public policy, public administration and human resources.

2.3. Requirements for applicants from schools of social work in the process of being accredited. -- (WV Code §30-30-6) Candidates from schools of social work currently in the process of application for accreditation by the Council on Social Work Education will be eligible to take the licensure examination until June 30, 1987 (because they could not have been reasonably expected to know the requirements for licensure when they entered the program). Students entering an as yet unaccredited program after June 30, 1985 shall be notified in writing by the school on an annual basis of the status of the school's application for accreditation. Applicants who have graduated from programs that were accredited at the time of graduation but are no longer accredited will be eligible on the basis of the school's status at the time of their graduation. Applicants who were enrolled and in good standing in a social work program at the time of the loss of accreditation will be eligible until June 30, 1987.

2.4. Provision for in lieu of requirement. -- (WV Code §30-30a-5 (5), b-4, c-4) Candidates who wish to be considered under this section must obtain the approval of the Board of Social Work Examiners to an agreed upon specific plan for

meeting those requirements and must provide verification at times specified by the Board that they are adhering to the approved plan for meeting the requirements. In addition, the candidate shall satisfactorily pass specified examinations in order to qualify for continuance of temporary license.

2.4.1. Competency. -- The Board may convene a panel of social work experts to advise and consult with the Board in considering the competency of applicants requesting evaluation in a particular area of practice for which they have not completed coursework. This panel of experts will be versed in the area of the competency to be evaluated. The board may use competency equivalency evaluation tests and other evaluative methods in determining competency.

~~Ed. Historical~~ Note: The "grandfathering" provisions in ~~section 2~~ ~~§§25-1-2~~ expired on June 30, 1986.

§25-1-3. Ethics

3.1. Licensees shall abide by the West Virginia Social Work Code of Ethics. (See Appendix A.) Failure to do so will be considered grounds for disciplinary action.

§25-1-4. Application.

4.1. Application for social work licensure shall be made on the forms provided by the Board of Social Work Examiners ~~included in the applicant's Handbook provided by the Board of Social Work Examiners and the American Association of State Social Work Boards.~~ Details of the application process are contained within the forms provided, in informational attachments, and/or in the Candidate Handbook for scheduling to take required examinations for social work licensure in West Virginia. ~~This Application forms Handbook may be obtained by writing to the Board of Social Work Examiners, P.O. Box 5477, Charleston, WV 25361; Board members, and from the Department of Human Services, 1900 Washington Street, E., Charleston, WV 25305.~~

4.2. Fee Schedule. -- [WV Code §30-30-3(e) (4), 10, 11].

4.2.1. Fee for the ~~initial~~ nationally standardized examination for licensure is ~~seventy dollars (\$70.00); established by the American Association of State Social Work Boards and listed in the Candidate Handbook.~~

4.2.2. Fee for screening for exemption from examination is ~~thirty five dollars (\$35.00); fifty dollars (\$50.00).~~

~~4.2.2. Fee for issuance of initial licensing certificate is five dollars (\$5.00).~~

4.2.3. Fee for the biennial license renewal is ~~twenty-five dollars (\$25.00); forty dollars (\$40.00).~~

4.2.4. All fees for examination are payable to the American Association of State Social Work Boards (AASSWB), the designated examination organization for the Board of Social Work Examiners.

4.2.5. All fees for services other than for examination are payable to the West Virginia Board of Social Work Examiners.

4.2.6. All fees paid to the Board are not refundable (WV Code §30-30-11).

4.2.7. Fee for initial application by an individual who documents a social work degree from a college or university accredited by the Council on Social Work Education is twenty-five dollars (\$25.00).

4.2.8. Fee for initial application by an individual who is engaged in the licensing process via the in lieu of provisions [§§ 30-30-5(a)(5), 30-30-5(b)(4), and 30-30-5(c)(4)] and who does not hold a social work degree from a college or university accredited by the Council on Social Work Education, but who, at minimum, documents a four year degree from an accredited college or university, or, at least sixty (60) college credit hours from an accredited college or university and at least two years of documented and Board approved social work experience within the previous ten years, is fifty dollars (\$50.00).

4.2.9. Fee for replacement of lost license is ten dollars (\$10.00).

4.2.10. Fee for processing of application by an organization or institution to become a provider of continuing social work education approved by the Board of Social Work Examiners is one hundred dollars (\$100.00). Additional requirements as established by the Board will apply. Successful applicants will be known as an approved provider of continuing social work education in West Virginia. This designation shall apply to only those events internally approved by the approved provider as being appropriate as continuing social work education events as determined by Board policies.

4.2.11. Fee for processing of application for prior review of a single continuing social work education event for potential approval offered by an individual, organization, or institution not desiring to apply to become recognized as an Board approved provider of continuing social work education is twenty-five dollars (\$25.00). Additional requirements as established by the Board will apply. Successful applicants will be known as an individually approved provider of continuing social work education in West Virginia. This designation shall apply only to those events specifically approved by the Board.

4.2.12. Fee for Board monitoring of continuing social work education events offered by approved providers or individually approved providers of continuing social work education to measure quality and appropriateness of events offered are twenty-five dollars (\$25.00) for one event in each biennial period, or, fifty dollars (\$50) for more than one event in each biennial period.

4.2.13. Fee for filling requests for public information, data, or other services relating to the Board, its members, or licensed social workers shall be based on actual materials, staff time, and services required to fill such requests.

4.2.14. Fees for other services not currently anticipated shall be based on case relativity to established fees and may be decreased, but not increased, by the Board.

4.3. Appeals re denial of licensure.

4.3.1. Reconsideration. — In cases where an applicant does not appear to meet the exemption requirement but believes that he or she should be considered for grandfathering because of his or her experience in social work practice, the candidate may submit the following for the Board's evaluation: Documentation of (a) social work experience, paid or unpaid; (b) length of service; (c) evaluations and recommendations of employer and/or supervisor; (d) performance on equivalency examinations; (e) description of duties; (f) educational record and/or transcripts; (g) expectation of historically-understood career ladder; and any other information that would demonstrate that the applicant has met the intent of the law.

4.3.2. Reconsideration is decided on an individual basis and the Board cannot predetermine eligibility. The formal application for licensure must be denied and the applicant must file for reconsideration before a determination can be made.

4.3.3. Hearing -- An applicant who is not satisfied with the decision of the Board may request a hearing before the Board to further appeal.

4.3.4. Initiating proceedings. When the West Virginia Board of Social Work Examiners (hereinafter "Board") denies an application for licensure on the basis that the applicant does not have the qualifications required by W.Va. Code §30-30-5, the Board shall make a finding stating the specific reason why said application was denied. Upon denial of an application for licensure, the Board shall mail the applicant, by registered or certified mail, return receipt requested, a statement of denial, which statement shall contain the following information:

(a) That applicant has been denied licensure and the reason therefore;

(b) that applicant may, within twenty (20)

working days after receipt of said statement, request a hearing by written request mailed by certified or registered mail, return receipt, to the Board;

(c) that a hearing shall only be provided by request, and failure to request a hearing within the twenty (20) day period shall be deemed a waiver of the right to any hearing;

(d) that said hearing shall be before a Board appointed hearing examiner; and

(e) that the applicant shall have the right to be represented by counsel, subpoena witnesses and present both testimonial and documentary evidence.

4.3.5. Notification. — Within twenty (20) working days after receipt of a timely request for hearing, the Board shall notify applicant, by registered or certified mail, return receipt, of the date, time, and location of said hearing.

4.3.6. Continuances. Continuances may be granted upon the applicant's request, provided such request is received by the Board at least five (5) days prior to the scheduled hearing and if good cause is shown. Good cause shall include serious illness, court appearances, or religious holidays of either of the applicant or the applicant's attorney. The board may continue a hearing on its own motion.

4.3.7. Subpoenas. Applicants may obtain hearing subpoenas by submitting a written request to the Board at least ten (10) working days prior to the hearing date.

4.3.8. Hearing Procedures. Failure of the applicant to appear at the hearing without first obtaining a continuance shall be deemed a waiver of the right to a hearing. Applicants must appear in person and may be represented by an attorney licensed to practice law in West Virginia. The West Virginia Rules of Civil Procedure and Rules of Evidence shall be applicable during said hearing except as altered by W.Va. Code §29A-5-2 and the rules herein. The hearing examiner shall construe said rules liberally to allow full presentation of the evidence. The proceedings shall be recorded by stenographic notes or by mechanical recording. In accordance with W.Va. Code §29A-2-2(b), the hearing examiner shall admit into evidence all papers, records, and Board memoranda. The applicant shall then present his or her case. Upon written request, all testimony shall be transcribed and copy furnished to the applicant upon payment of the cost of preparation. The hearing examiner shall make an order containing findings of fact and conclusions of law in accordance with W.Va. Code §29A-5-3, and submit same to the Board, who may accept, reject, or modify said order. Applicants requesting hearings pay a ten dollar (\$10.00) docket fee and a fifteen dollar (\$15.00) fee for each witness subpoenaed prior to the hearing. The Board shall refund such fees for applicants prevailing at said hearing or during judicial review.

4.3.9 Judicial Review. Judicial review shall be available for all applicants aggrieved by Board orders in

accordance with W.Va. Code §29A-5-4.

4.3.10. Renewed application. After offering the applicant an opportunity for a hearing, the Board shall not provide another opportunity for hearing for subsequent application denials, unless there is material change in the applicant's qualifications or in the law.

§25-1-5. Responsibilities of Licensees

5.1. Each licensee shall notify the Board of any change of address, [WV Code §30-30-3e(3)].

5.2. Continuing education requirement [WV Code §30-30-3e(5)].

5.3.1. Fifty (50) contact hours of continuing education (the equivalent of five (5) CEU's) will be required within each two (2) year license period, except that eighty (80) contact hours of continuing education will be required within each two (2) year license period of persons engaged in the licensing process via the in lieu of provisions [WV Code §§ 30-30-5(a)(5), 30-30-5(b)(4), and 30-30-5(c)(4)].

5.3.2. In the first renewal cycle of grandfathered licensees, continuing education credits earned from January 1, 1985 forward may be submitted.

5.3.3. Continuing education may be earned in: (a) Professional meetings and other formally organized learning events; (b) individual professional activities. (See Appendix B.)

5.3.4. Only twenty (20) ~~of the fifty (50)~~ hours may be individual professional activities.

5.3.5. Training specifically related to policies and procedures of an agency ~~may shall~~ not be counted toward the continuing education requirements.

5.3.6. Licensees who have had no professional education in social work must include continuing education in social work ethics [five (5) hours] and social work methods of practice [twenty (20) hours] during the first renewal period, except that eight (8) contact hours in social work ethics and twenty (20) contact hours of social work methods of practice will be required within each two (2) year license period of persons engaged in the licensing process via the in lieu of provisions [WV Code §§ 30-30-5(a)(5), 30-30-5(b)(4), and 30-30-5(c)(4)].

(a) Methods of Practice represents a category of basic interventive techniques similar to those taught in the curriculum of Council on Social Work Education approved social work programs;

(b) Social Work Ethics are basic fundamental guidelines of professional behavior as delineated within the West Virginia Social Work Code of Ethics. Ethics are integrated throughout most curricula of Council on Social Work

Education approved Social Work programs.

5.3.7. The licensee must keep records to verify his/her continuing education. These records must cover what he/she did, when, where, hours of instruction and instructor(s).

5.3.8. Continuing education provided by Board approved providers of continuing social work education the following organizations is automatically accepted for continuing education requirements. A current listing of Board approved providers of continuing social work education is available from the Board. American Association for Marriage and Family Therapy; American Orthopsychiatric Association; American Public Welfare Association; American Group Psychotherapy Association; Child Welfare League of America; Community Council of Kanawha Valley; Coordinating Council for Independent Living; Council of Nephrology Social Workers; Agencies Accredited by the Council on Accreditation of Services for Families and Children; Council on Social Work Education (CSWE); CSWE Accredited Social Work Schools; West Virginia Baccalaureate in Social Work (BSW) or Master of Social Work (MSW) Programs; Family Service of America and Member Agencies; National Association of Black Social Workers; Gerontology Center, West Virginia University; National Association of Social Workers; National Council on Aging; National Eligibility Workers Association; Society for Hospital Social Work Directors; West Virginia Association of Directors of Senior Programs, Inc.; West Virginia Association of Social Service and Attendance; West Virginia Commission on Aging; West Virginia Department of Human Resources; Training Division; West Virginia Department of Health, Training Division; West Virginia Human Resources Association; Parkersburg Community College; Social Service Technology Program; West Virginia Alcoholism and Drug Abuse Counselors Certification Board; West Virginia Child Care Association; West Virginia Committee for the Prevention of Child Abuse.

These approved providers shall adhere to criteria for continuing education providers. (See Appendix C.)

5.3.9. The Board has developed requirements for providers of continuing education. Those individuals, organizations or institutions who wish to obtain approved provider status must document for the Board that they meet the criteria to obtain approval (See Appendix C.)

5.3.10. The Board will monitor and evaluate continuing education providers and the continuing education records of licensees. Each approved provider must maintain a record of at least three (3) years. (See Appendix C.)

5.3.11. The chair will appoint a Board member committee of qualified social work professionals to be the Board's continuing education coordinator. This committee shall number no more than eleven persons and shall be versed in the area of continuing social work education. All inquires regarding continuing education should be directed to that person committee. The name of the coordinator may be obtained from the Board of Social Work Examiners.

§25-1-6. Disciplinary Proceedings

6.1. Definition.

6.1.1. Respondent. The person against whom the complaint is being made.

6.1.2. Complainant. The person who is filing the complaint.

6.1.3. Board. The term "Board" shall refer to the West Virginia Board of Social Work Examiners throughout these procedures.

6.1.4. Unprofessional Conduct. Any conduct which is cited in the West Virginia Code, Section §30-30-7, and any conduct which is in noncompliance with the West Virginia Social Work Code of Ethics.

6.2. Complaint. Unprofessional conduct is conduct by an individual within the last five (5) years that included, but is not limited to, the following:

6.2.1. Conviction of a felony.

6.2.2. Inability to perform the functions of his or her licensed title by reasons of alcohol or drug abuse, mental or physical illness or some other infirmity or impairment.

6.2.3. Gross negligence or unprofessional or unethical conduct in the practice of social work.

6.2.4. Assisting or participating with a person not licensed under this article in the false representation that the person is licensed.

6.2.5. Failure to obtain a license renewal after expiration or revocation of same but continued representation that he or she is duly licensed hereunder.

6.2.6. Found guilty by the Board of unprofessional conduct in accordance with the rules and regulations promulgated by the Board.

6.2.7. Obtaining or attempting to obtaining a license or renewal thereof by bribery or false representations.

6.2.8. Knowingly making a false statement on any form or written statement submitted to the Board.

6.2.9. Representing him or herself as a social worker if unlicensed.

6.2.10. Engaging in the private independent practice of social work [WV Code §30-30-4(b)] if unlicensed.

6.2.11. Noncompliance with the West Virginia Social Work Code of Ethics.

6.3. How to file a complaint. Any individual may file a complaint by contacting a member of the Board of Social Work Examiners. A complaint form will be sent to the complainant. The complaint becomes official on the date when a Board member personally receives the signed complaint form. A file will be maintained for all complaints by the Chairperson of the board, or the Chair's designee.

6.4. Acknowledgement of a complaint.

6.4.1. Within thirty (30) days of receipt of a complaint, the Board shall mail a written acknowledgement of receipt of said complaint to complainant by registered or certified mail, return receipt requested.

6.4.2. Within thirty (30) days of receipt of a complaint, the Board shall mail a complete true and accurate copy of said complaint to the respondent by registered or certified mail, return receipt requested.

6.4.3. Within ninety (90) days of receipt of a complaint, the Board shall notify the complainant, by registered or certified mail, return receipt requested, whether the Board has found jurisdiction and will investigate said complaint.

6.4.4. Within fifteen (15) business days of the Board's decision to investigate said complaint, respondent shall be notified by registered or certified mail, return receipt requested.

6.4.5. Within fifteen (15) business days of their receipt of a complaint the respondent must submit to the Board a written narrative reply to said complaint.

6.5. The investigation. Upon receipt and acknowledgement of a complaint, the Board shall conduct an investigation to determine if there is sufficient evidence of a violation of the regulations herein to merit a hearing. The investigation shall be conducted as follows:

6.5.1. The Chairperson shall appoint one member of the Board to act as investigator.

~~6.5.2. The investigator shall forward by registered or certified mail, return receipt requested, a copy of the complaint to respondent and request that respondent submit, within fifteen (15) days, a narrative reply to said complaint.~~

6.5.3.2 The investigator shall prepare a report summarizing information gathered from complainant, respondent, and other witnesses: said report shall be submitted to the Board along with recommendation of the investigator.

6.5.4.3. The Board, after review of said report, shall determine the existence of probable cause by majority vote of all present, except the investigator shall be disqualified from voting in all proceedings arising from the

complaint investigated.

6.5.5.4. If the Board determines that probable cause exists, the Board shall notify both respondent and complainant of such determination by registered or certified mail, return receipt requested. The notice forwarded to respondent shall include the following information:

(a) That respondent's license shall be suspended or revoked thirty (30) days from the date of notice unless an Administrative Hearing has been requested;

(b) that respondent has the right to request an Administrative Hearing by mailing such a request registered mail, return receipt requested, within fifteen (15) business days of receipt of notice;

(c) that respondent has the right to subpoena and present witnesses and documents in his or her behalf; and,

(d) that respondent has the right to be represented by a retained counsel and to cross-examine witnesses.

6.6. The Hearing. The Hearing may be conducted by a Hearing Examiner who is appointed by the Board, but is not a member of the Board. The Hearing Examiner shall have the authority to rule on all motions, procedures, and other legal objections in accordance with West Virginia Rules of Civil Procedure except as modified by W. Va. Code 29A-5-1. The Hearing Examiner shall not be entitled to a vote in the determination of the case.

The respondent shall be advised of the date, time, and place of the hearing and the issue pending before the Board.

The respondent may be represented at the hearing by an attorney, may cross-examine witnesses, may subpoena and produce witnesses, and may present evidence in his or her behalf. The Board will be represented by an attorney from the Office of the Attorney General. All hearings will be tape recorded. A transcript of the hearing will be made available if requested by the Circuit Court or respondent. Costs incurred in transcribing will be assumed by the party on whose behalf the request is made.

After conclusion of said hearings, the examiner shall prepare proposed findings of fact and conclusions of law to be submitted to the Board.

6.7 Sanctions. The Board has the discretion of instituting the following sanctions upon reaching a finding of unprofessional conduct:

6.7.1. (a) May refuse to renew a license.

6.7.2. (b) May suspend an existing license.

6.7.3. (c) May revoke an existing license.

6.7.4. A person representing herself/himself as a social worker who does not have a license, or a person engaged in the private, independent practice of social work without a license is guilty of a misdemeanor. Upon conviction in a Circuit Court, the person shall be fined not more than five hundred (\$500) dollars, or imprisoned in the county jail for a term not to exceed one (1) year, or both fined and imprisoned [W. Va. Code §30-30-4(c)]. In addition, the Board can exercise the option to share the findings with other state boards and community organizations in order to protect the public from the possibility of further unprofessional conduct.

6.8. Judicial review of contested cases. Any party adversely affected by the final determination of the Board shall be entitled to Judicial Review. This shall be instituted by filing a petition in either the Circuit Court of Kanawha County, West Virginia or in the Circuit Court of the county in which the petitioner resides or does business. The petition must be filed within thirty (30) days of receiving the final decision of the Board. The Judicial Review will be conducted by the Circuit Court without a jury (W. Va. Code 29A-5-x).

APPENDIX A.

WEST VIRGINIA SOCIAL WORK CODE OF ETHICS

THE SOCIAL WORKER'S CONDUCT AND COMPORTMENT AS A SOCIAL WORKER

PROPRIETY -- The social worker should maintain high standards of personal conduct in the capacity or identity as a social worker.

COMPETENCE AND PROFESSIONAL DEVELOPMENT -- The social worker should strive to become and remain proficient in professional practice and the performance of professional functions.

SERVICE -- The social worker should regard as primary the service obligation of the social work profession.

INTEGRITY -- The social worker should act in accordance with the highest standards of professional integrity.

SCHOLARSHIP AND RESEARCH -- The social worker engaged in study and research should be guided by the conventions of scholarly inquiry.

THE SOCIAL WORKER'S ETHICAL RESPONSIBILITY TO CLIENTS

PRIMACY OF CLIENTS' INTERESTS -- The social worker's primary responsibility is to clients.

RIGHTS AND PREROGATIVES OF CLIENTS -- The social worker should make every effort to foster maximum self-determination on the part of the clients.

CONFIDENTIALITY AND PRIVACY -- The social worker should respect the privacy of clients and hold in confidence all information obtained in the course of professional service.

ADVERTISING -- If a social worker engages in advertising, he/she must present services and credentials factually. A client shall not be intentionally or knowingly led to develop unrealistic expectations about the delivery of services.

FEES -- When setting fees, the social worker should ensure that they are fair, reasonable, considerate, and commensurate with the service performed and with due regard for the client's ability to pay.

THE SOCIAL WORKERS ETHICAL RESPONSIBILITY TO COLLEAGUES

RESPECT, FAIRNESS, AND COURTESY -- The social worker should treat colleagues with respect, fairness, courtesy, and good faith.

DEALING WITH COLLEAGUES' CLIENTS -- The social worker has the responsibility to relate to the clients of colleagues with full professional consideration.

THE SOCIAL WORKER'S ETHICAL RESPONSIBILITY TO EMPLOYERS AND EMPLOYING ORGANIZATIONS

COMMITMENTS TO EMPLOYING ORGANIZATIONS -- The social worker should adhere to commitments made to employing organizations.

THE SOCIAL WORKER'S ETHICAL RESPONSIBILITY TO THE SOCIAL WORK PROFESSION

MAINTAINING THE INTEGRITY OF THE PROFESSION -- The social worker should uphold and advance the values, ethics, knowledge, and mission of the profession.

COMMUNITY SERVICE -- The social worker should assist the profession in making social services available to the general public.

DEVELOPMENT OF KNOWLEDGE -- The social worker should take responsibility for identifying, developing, and full utilizing knowledge for professional practice.

THE SOCIAL WORKER'S ETHICAL RESPONSIBILITY TO SOCIETY

PROMOTING THE GENERAL WELFARE -- The social worker should promote the general welfare of society.

APPENDIX B

EXPLANATION OF CONTINUING EDUCATION REQUIREMENTS

and policy development.

CONTINUING EDUCATION REQUIREMENTS

(1) Fifty (50) hours of continuing education is required within each two-year period, except that eighty (80) contact hours of continuing education will be required within each two (2) year period of persons engaged in the licensing process via the in lieu of provisions [§§ 30-30-5(a)(5), 30-30-5(b)(4), and 30-30-5(c)(4)]

~~(2) In the first renewal cycle of grandfathered licenses, continuing education credits earned from January 1, 1985 forward may be submitted.~~

(2) Continuing education may be earned by participating in:

a. professional meetings and other formally organized learning events:

b. individual professional activities which enhance the individual's social work skills, values, knowledge, and/or ethical considerations in her/his social work practice setting.

In a formal or structured learning situation only hours of interaction between the learner and instructor (instructional hours) may be counted. An instructional hour is a minimum of fifty (50) minutes in length. When counting hours the following are excluded: time spent outside of class or seminar for study; assigned reading, writing assignments or other related activities required for completion of a continuing education course; travel time; meeting time devoted to business, committee activities, entertainment, or social activities such as coffee hours, luncheons, dinners, etc. (Time for luncheon or dinner presentations that are an integral part of the educational experience may be included.) While there are factors, such as availability and accessibility, which may interfere with a social worker's ability to participate in educational activities, whenever possible the social worker should plan a varied continuing education program. Progress toward the achievement of the required number of hours will be periodically monitored and licensees will be informed of their status. Forms for reporting of continuing education forms will be provided by are available from the Board.

Formally organized learning events involve face-to-face or other instructional methods or technologies allowing interaction with a teacher for the purpose of accomplishing specific learning objectives. Courses, workshops, practice-oriented seminars, staff development, and training activities offered for approved continuing education by accredited programs of social work education or other Board approved providers of continuing social work education, as well as formally structured discussions among professionals about professional issues whereby professionals increase their awareness of new developments in social work, are examples of events in this category. Such events provide social workers with the opportunity to integrate theoretical and practice components of all forms of social work, including social change and action, administration and supervision, planning

Individual professional activities consist of a variety of self-directed professional study activities and growth experiences. Such activities shall directly relate to improving the practice skills and/or knowledge of the individual within his or her particular area of social work practice. A plan summary identifying the area(s) to be studied, why the area(s) were chosen, and goal statements applicability to the licensee's field of social work practice, and the ways in which the licensee's knowledge, values, and/or skills were enhanced by such activities, should be in written format and maintained in the licensee's personal continuing social work education files in anticipation of Board monitoring of the licensee's continuing education records and activities. Examples of individual professional activities include writing papers and books for presentation or publication; making presentations on major professional issues or programs; reading; courses which do not have approved provider status; preparing for initial consultation, teaching or training assignments (except when those are primary job responsibilities); and engaging in independent study, research, or tutorial projects.

(4.)~~(3.)~~ Only twenty (20) ~~of the fifty (50)~~ hours may be from individual professional activities.

(5.) ~~(4.)~~ Training specifically related to policies and procedures of an agency ~~may~~ shall not be counted toward the continuing education requirements.

(6.) ~~(5.)~~ Licensees who have had no professional education in social work must include continuing education in social work ethics (five (5) hours) and social work methods of practice (twenty (20) hours) during the first renewal period, except that eight (8) contact hours in social work ethics and twenty (20) contact hours of social work methods of practice will be required within each two (2) year license period of persons engaged in the licensing process via the in lieu of provisions [WV Code § 30-30-5(a)(5), §30-30-5(b)(4), and §30-30-5(c)(4)].

a. Methods of practice represents a category of basic interventive techniques similar to those taught in the curriculum of Council on Social Work Education approved Social Work programs.

b. Social work ethics are basic, fundamental guidelines of professional behavior as delineated within the West Virginia Social Work Code of Ethics. Ethics are integrated throughout most curricula of Council on Social Work Education approved Social Work programs.

(7.) ~~(6.)~~ The licensee must keep records to verify his/her continuing education activities. These records must cover what he/she did, when, where, hours of instruction, and instructor(s).

APPENDIX C

CRITERIA FOR CONTINUING SOCIAL WORK

EDUCATION PROVIDERS

programs are not maintained to the Board's satisfaction.

CONTINUING EDUCATION PROVIDER REQUIREMENTS

The Board will monitor and evaluate continuing education providers and the continuing education records of licensees. Each approved provider must maintain a record of individual social worker's attendance for a period of at least three (3) years.

The Board has developed requirements for providers of continuing education. Those individuals, organizations or institutions who wish to have an individual session approved or who wish to obtain approved provider status must document for the Board that they meet the following criteria to obtain approval:

The chair will appoint a ~~Board member~~ Continuing Education Committee to be the Board's continuing education coordinator. All inquiries regarding continuing social work education should be directed to ~~John David Smith~~ Continuing Education Committee, West Virginia Board of Social Work Examiners Continuing Education ~~Coordinator~~ Committee.

1. Each application must be submitted three (3) months prior to the first scheduled program.

2. Each applicant must submit an educational plan which includes a written statement of purpose documenting how the materials to be presented would enhance social work practice, values, skills, and knowledge.

3. A West Virginia licensed social worker (or, prior to July 1, 1986, one who is eligible for licensing) who holds a degree in social work from a college or university accredited by the Council on Social Work Education shall be designated to be responsible for the coordination of the program to assure its professional relevancy and adherence to ethical considerations.

4. Each provider must develop:

a. a system for maintaining records, and;

b. methods for the selection and evaluation of instructors, participant performance requirements, and provision of accessible and adequate space.

5. Each provider must maintain a summary of each individual program offered which documents:

a. the relationship of the program to enhancement of social work practice, values, skills, or knowledge;

b. the learning objectives of the program and the relationship between the program content and objectives;

c. the licensing levels for which the program is designed and any program prerequisites;

d. the competency of the instructor(s) in the subject matter;

e. the means of program evaluation;

f. the program agenda (the agenda shall clearly indicate all coffee and lunch breaks), and;

g. the dates the program was given.

6. Provider approval may be withdrawn by the Board if the provider violates these rules and regulations, or of quality

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Organization and Procedures Of The West Virginia Board of Social Work Examiners

Type of Rule: Legislative Interpretive Procedural

Agency/WV Board of Social Work Examiners Address PO Box 5477 Charleston, WV 25361

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$	\$	\$
Personal Services					
Current Expense	N/A		N/A	N/A	N/A
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates:

N/A

3. Objectives of these rules:

N/A

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

N/A

B. Economic Impact on Political Subdivisions; Specific Industries;
Specific groups of citizens.

N/A

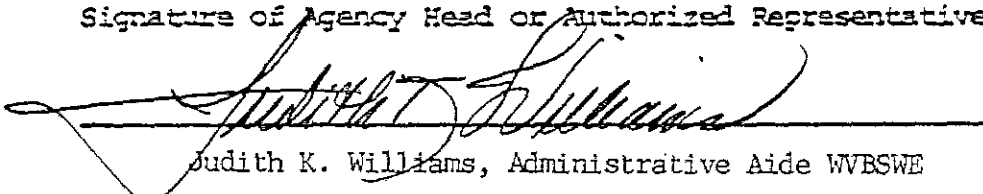
C. Economic Impact on Citizens/Public at Large.

N/A

Date: _____

SEP 11 1992

Signature of Agency Head or Authorized Representative



Judith K. Williams, Administrative Aide WVBSWE

West Virginia Board of Social Work Examiners

Post Office Box 5477 • Charleston, West Virginia • 25361
Telephone (304) 558-8816



PUBLIC HEARING-ATTENDERS AND COMMENTS

Name of Proposed Rule: Qualifications for Licensure
As A Social Worker;

The Honorable Gaston Caperton, III
Governor

Persons In Attendance and Their Comments:

Margaret P. Bishop, ACSW, LCSW
Charleston

Susan Casto, LGSW
Parkersburg

Adrian Dowell, LSW
Bluefield

Barbara L. Gazdik, LGSW
Wheeling

Samuel A. Hickman, LCSW
Acting Chair
Dunbar

Louis Palma, LSW
Welch

Lafaye Russell
Consumer Representative
Dunbar

Judith Williams
Administrative Aide

Betty Anne Smith, Executive Director (LCSW)
Family Services of Kanawha Valley
922 Quarrier Street, Suite 201
Charleston, WV 25301

Comments: Ms. Smith expressed a great interest in seeing the proposed rules approved as written in the upcoming Legislative Session. She is a WV Licensed Certified Social Worker.

Joanne Johnson, Director Division of Training (LSW)
Dept of Health and Human Resources
State Capitol Complex
Charleston, WV 25305

Comments: Ms. Johnson expressed a positive attitude towards the proposed Rule indicating her agreement to all amended areas. Ms. Johnson is a WV Licensed Social Worker.

Reverend Richard Carpenter, Retired
707 Grace Avenue
Charleston, WV 25302

Comments: No comments relative to the proposed rule.

**The WV Board of Social Work Examiners offered the Public the option of both attending the Public Hearing and/or offering written comments. The only written comments received are attached.



RECEIVED OCT 22 1992

STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Gaston Caperton
Governor

OFFICE OF SOCIAL SERVICES
STATE CAPITOL COMPLEX
BUILDING 6, ROOM B-850

October 19, 1992

Samuel Hickman, ACSW
Acting Chair
WV Board of Social Work Examiners
Post Office Box 5477
Charleston, West Virginia 25361

Dear Mr. ~~Hickman~~:

I urge the Board to reconsider whether the proposed increases in fees for license applications and renewals are in the best interests of the social work profession in the state and the citizens it serves.

As you know, my office employs approximately six hundred and fifty licensed social workers, or about twenty percent of the total number of licensees. Although I only received notice of the proposed rules changes last Thursday, and this did not give me time to consult them, I feel sure that the overwhelming perception of these increases will be negative. Due to the cumulative impact of other actions affecting them, there is the risk of a backlash that will affect the status of licensing in general.

Without going into detail, as you are probably aware of these issues, some of the other actions affecting our staff are as follows: substantially higher increases in salaries for teachers, increased contributions for health insurance, limited funds for merit increases, reclassification (now scheduled for December 16, 1992) along with limited funds for equity adjustments based on tenure, new administrative requirements related to travel and attendance at meetings and conferences, and the increased complexity of casework and the expectations established for quality performance. In addition a number of our employees are involved with or affected by the union efforts related to state employees as a whole.

Samuel Hickman, ACSW
October 19, 1992
Page Two

I suggest you also evaluate how your need for funds will be perceived. We continue to hear reports of employees who have difficulty accessing your services. Your second set of proposed changes makes the third examination per year an option, which may mean a cutback in services. By eliminating the set fee for the examination, social workers are left open to whatever is charged by the group who administers it. The increases in fees affecting continuing education providers may reduce the number of events offering credit. I do not believe these changes will be viewed as improvements.

We are currently continuing our negotiations for changes in the proposed reclassification plan that will strengthen the professionalism of social work within the public sector. I appreciate the interest you have shown in this issue. It is critical that we work together in order to build a foundation that supports the recruitment and retention of qualified staff to provide the best possible services to the citizens of our state. In this light I appreciate your attention to my request.

Feel free to contact me if you have any questions or need further information.

Sincerely,



Harry A. Burgess
Director

cc: Ruth Ann Panepinto, Ph. D.
Social Services Management Team



RECEIVED OCT 23 1992

October 22, 1992

WV Board of Social Worker Examiners
Po Box 5477
Charleston, West Virginia 25311

I was unable to attend the public hearing regarding changes in policy for the WV Board of Social Work Examiners on October 20, 1992 but would like to submit these written comments.

As a licensed social worker, I have several concerns:

(1) As a member of the Continuing Education Committee for three years, I have witnessed the struggle of this agency to establish a viable service to the social workers of this state on the meager funds available to them. This agency is under staffed but the budget will not allow for increased staff at this time.

Persons not familiar with the day-to-day work of the agency may have little appreciation of the volume and complexity of the work involved. They may have little understanding of the need for increase and/or establishment of service and licensure fees.

(2) The public and the majority of social workers may not realize the extent to which the board utilizes volunteers. The time given by volunteers constitutes a substantial donation of in-kind support from employers such as mine. Because of the complexity of application of regulation governing licensure most of the work done by staff could not be done by volunteers.

I believe the regulations submitted for comment to be well thought out and of benefit to social workers in the state. Further, I believe that the proposed fee system was developed with great concern for licensees and that it is fair and equitable.

My licensure as a social worker is an important part of my professional identity. The standards by which the organization serves social work professionals has been indicative of the standards of the profession itself.

Sincerely,


Karen Brady Rice, LSW

West Virginia Board of Social Work Examiners

Post Office Box 5477 • Charleston, West Virginia • 25361
Telephone (304) 558-8816



FEE INCREASE JUSTIFICATION/EXPLANATION

The WV Board of Social Work Examiners operates only on income generated through licensing fees and related services. We receive no State, Federal or other revenues. We are totally self-supporting by law (Section 30-30, West Virginia Code).

The Honorable Gaston Caperton, III
Governor

Margaret P. Bishop, ACSW, LCSW
Charleston

Susan Casto, LGSW
Parkersburg

Adrian Dowell, LSW
Bluefield

Barbara L. Gazdik, LGSW
Wheeling

Samuel A. Hickman, LCSW
Acting Chair
Dunbar

Louis Palma, LSW
Welch

Lottie Russell
Consumer Representative
Dunbar

Judith Williams
Administrative Aide

As of this time the agency, since November of 1990 has only one full time staff member, the Administrative Aide. We have employed one other staff member as a part time permanent clerk. This employee has left the Agency for a position offering a higher salary and full time employment. The Board is seeking a replacement for this position at this time however, we are unable to offer a very competitive salary for a skilled employee with our current financial problems.

In answer to Mr. Burgess' comments as to the "accessibility" of office staff at times, this may be due to the fact that this is, for the greatest part of the time, a one person operation. We also know that people have difficulty in getting through on the one phone line that we have due to constant calls throughout the day. We have received many positive comments and letters from individuals concerning how smoothly and efficiently this office operates. We maintain a file with comments from the public and to date, we have received no negative reactions.

The following materials will demonstrate the fiscal accounting; the improvements needed and the projected financial picture as it now stands. Additional staff is desperately needed in this agency in order to better serve the public as well as Licensed Social Workers. We may point out at this time that the number of licensed Social Workers in West Virginia has increased dramatically since this office was established, thereby increasing the work load in all areas. Please note the Annual Report attached in these materials which indicate all activity since 1989.

WEST VIRGINIA BOARD OF SOCIAL WORK EXAMINERS

WB-9 State Capitol Building • P.O. Box 5477 • Charleston, WV • 25361 • (304) 558-8816

ANNUAL REPORT

For a copy of this report send a self-addressed, stamped envelope to the Board of Social Work Examiners

Background

During the period covered by this report the West Virginia Board of Social Work Examiners effectively administered and upheld the laws of the State of West Virginia under its jurisdiction. Often operating under extreme pressures due to circumstances beyond its control, the Board nonetheless discharged its duties with distinction.

"... the West Virginia Board of Social Work Examiners effectively administered and upheld the laws of the State of West Virginia under its jurisdiction."

For several years the Board operated with less than the full seven-member complement under appointment. Quorums were difficult to obtain. In addition, during the period between 1988 and 1990, contracted staff ser-

vices were insufficient or did not exist and no central office facility was available, due to insufficient funds.

In 1990, legislative action removed over 50% of the Board's operating funds due to the appearance of a surplus. In reality, the Board's income is based on a "boom and bust" cycle. Because of the disparity in the numbers of licensed social workers who must renew their licenses every two years, operating income must be carried over from year to year.

The Board, established by an act of the West Virginia Legislature in 1984, began operating in 1985 after the appointment of its original seven-member Board. The Board is authorized under Section 30-30 of the West Virginia Code, providing for the multi-level licensing of social workers by education and experience, standardized testing, mandatory continuing social work education, disciplinary proceedings, a state social worker's Code of Ethics, and administrative functions, including the establishment of the Board.

"Social workers administer our public services and our health and social service funds, work with vulnerable citizens in their weakest physical and/or mental states, and advocate for common human needs and understanding."

The public trust which is placed on the social worker is immense! Social workers administer our public services and our health and social service funds, work with vulnerable citizens in their weakest physical and/or mental states, and advocate for common human needs and understanding. As a profession, social work typically involves working in situations in which the practitioner is asked to intervene, evaluate, counsel, or otherwise positively impact the most sensitive, personal areas of life for individuals, families, groups, and organizations.

The West Virginia Board of Social Work Examiners discharges its mission, to protect the public from the unethical practice of social work, through:

- The appropriate issuance of licenses to qualified practitioners of the social work profession;*
- The acceptance, consideration and investigation of complaints concerning licensed social workers; and the imposition of disciplinary actions, if required, and;*
- The oversight and quality assurance monitoring of continuing social work education events and providers, and the records of individual licensed social workers.*

July 1, 1991 - June 30, 1992

Administration

During this period, the Board of Social Work Examiners continued to make progress in the development of centralized office facilities.

- Day-to-day operations were handled expeditiously due to the diligence of the staff;
- Staffing improvements and computerization afforded the Board with the personnel and modern technological devices necessary for efficient handling of routine and special business;
- Increased office efficiency allowed members of the Board, for the first time since its inception in 1985, to focus increased attention on policy development and other Board level decision-making responsibilities.

"Staffing improvements and computerization" (made for)... efficient business."

Number of Social Workers Licensed

The numbers of licensees increased during this period from 2554 to 3224.

- Licensed Social Workers increased to 1968
- Licensed Graduate Social Workers rose to 103
- Licensed Certified Social Worker grew to 717
- Temporary Licenses issued increased to 436

Continuing Education

The Continuing Education Committee of the Board sponsored two conferences - one during the Fall in Flatwoods, WV and the other in the Spring at the National Association of Social Workers continuing education conference in Charleston. These conferences offered further opportunity for dialogue with continuing education providers to assess and impact the quality of continuing education activities and to refine policy recommendations for the approval of continuing education providers.

The Board also approved the Continuing Education Committee's recommendations to accept additional approved providers of continuing social work education in West Virginia, bringing the total number of approved providers to forty (40).

The Continuing Education Committee began to monitor continuing education activities of approved providers during 1991.

Licensing Issues

The Licensing Issues Committee of the Board continued in its work and drafted a manual for Supervisors of Temporary Licensees, first reviewed with Temporary Licensees and supervisors during the Spring Conference of the

National Association of Social Workers, WV Chapter. Development of the manual is continuing in the latter half of 1992.

Disciplinary Action

Two complaints were brought to the attention of the Board during the year of this report. Action has been completed in one case and the other is presently being investigated.

National Affiliations

A member of the Board continued as delegate to the American Association of State Social Work Boards (AASSWB) and was appointed to the Research Committee of that organization. Another Board member was appointed to the Education Committee of AASSWB.

Board Members 1991 - 1992

Margaret Bishop, Certified Social Worker, Charleston;
Susan Casto, Graduate Social Worker, Parkersburg;
Adrian Dowell, Social Worker, Bluefield;
Barbara Gazdik, Graduate Social Worker, Wheeling;
Samuel Hickman, Certified Social Worker, Dunbar;
Louis Palma, Social Worker, Welch, and;
Lotty Russell, Consumer Representative, Dunbar.

New appointments brought the Board to its full complement of seven members for the first time since 1988.

Future Issues

Some of the issues which face the Board in the immediate future are:

- Revision of Legislative Rules and Regulations to better meet our assigned responsibilities and provide a sound fiscal base;
- Insuring steady improvement in the quality of social work practice in the state of West Virginia through administration and quality assurance monitoring of the mandatory continuing education requirement;
- Quality assurance monitoring of and technical assistance to providers of continuing social work education to enhance the quality of training offered;
- Provision of firm, immediate, and fair discipline of licensed social workers when necessary, and;
- Maintaining the appropriate level of Board membership as required by the West Virginia Code.

July 1, 1990 - June 30, 1991

Administration

The Board made significant progress in its administrative functions during this period.

- An office was established in the West Wing of the Capitol basement;

- A full-time Administrative Aide and part-time Clerk were hired;

- The contract with the Assessment Systems, Inc. in Philadelphia was terminated, except for actual administration of the nationally-standardized examination. Responsibilities for application review, continuing education accounting, and issuance of licenses were assumed by the Board;

- Records were centralized.

Through these measures, the Board made great strides in being more responsive to the public, consumers, and to licensed social workers. Many of the activities of the Board and staff were devoted to assuring that renewal applications were handled efficiently.

Number of Social Workers Licensed

The number of Licensed Social Workers in West Virginia increased significantly from 1857 to 2554.

- Licensed Social Workers increased to 1617
- Licensed Graduate Social Workers doubled to 78
- Licensed Certified Social Workers numbered 642
- Temporary Licensees grew to 217

Continuing Education

With the assumption of increased administrative responsibility in continuing education, the Continuing Education Committee dealt with questions from licensees, continued to review applications for approval of continuing education activities, and sought to increase communication with continuing education providers.

In April, 1991 at the continuing education conference of the West Virginia Chapter, National Association of Social Workers, members of the Continuing Education Committee met with providers to respond to questions, discuss concerns, and consider together the possible levying of fees to cover some of the costs involved in the administration of continuing education by the Board, including application review and quality assurance monitoring.

Licensing Issues

During this period a Licensing Issues Committee was established by the Board to consider questions raised by Licensees and make recommendations to the Board regarding policy development. The Committee considered issues related to retired and inactive licensees, and began the development of materials to guide the Certified Social Workers who serve as required supervisors of Temporary Licensees.

"The Board made significant progress... during this period."

Disciplinary Action

One complaint of sexual misconduct was received. The investigation was carried over to the following fiscal year.

Publications

An informational publication, "The West Virginia Social Worker," was issued during the Spring of 1991. It provided important information to Licensees and apprised the public of the work of the West Virginia Board of Social Work Examiners.

National Affiliations

A Member of the Board attended the American Association of State Social Work Boards' annual Delegate Assembly as a delegate to the conference, held in Washington, D.C. The conference provided an opportunity for information-sharing among state social work boards regarding continuing education requirements, record accounting procedures, and the benefits provided to the state boards through their membership to this national organization.

The conference reaffirmed the responsibilities of social work licensing boards to assure protection of the public, to keep the public informed about licensing activities, and to respond effectively to the concerns of licensees.

"The number of licensed social workers increased significantly."

Board Members 1990 - 1991

Margaret Bishop, Certified Social Worker, Charleston;
Susan Casto, Graduate Social Worker, Parkersburg;
Samuel Hickman, Certified Social Worker, Dunbar;
Louis Palma, Social Worker, Welch;
Lottie Russell, Consumer Representative, Dunbar, and;
Dreama Taylor, Social Worker, North Matewan (Resigned)

July 1, 1989 - June 30, 1990

Administration

The Board of Social Work Examiners, during the period from July, 1989 through June, 1990, continued to fulfill its administrative responsibilities, but the need for centralizing its operations for greater efficiency and effectiveness became clear. To accomplish this, plans were made to:

1) Establish an office with full-time staffing that would be able to handle inquiries and complaints in a more timely fashion than the Board had been able to do through part-time contractual arrangements, and;

2) Re-negotiate the contract with Assessment Systems, Inc. (ASI) of Philadelphia, contracted to oversee nationally standardized testing and administration of applications and records, so that the Board might assume responsibility for these functions, including the processing of applications, continuing education record accounting, and other administrative tasks.

These plans, unfortunately, were severely negatively impacted by the action of the West Virginia Legislature when, in early 1990, \$50,000 was removed from the Board's fiscal account, along with other Special Revenue Accounts, to meet State expenditures for Medicaid. Also at this time, \$20,000 was returned to the Board from another source by Legislative directive in partial recognition of the fiscal needs of the Board.

The net loss of \$30,000 suffered by the Board, whose only source of income is through special fees, was recognized by the Board as an action which would eventually insure a deficit budget, one which would only be prevented through a future increase in fees.

Number of Social Workers Licensed

As anticipated, the numbers of licensed social workers decreased with the first biennial renewal of licenses in January, 1989. This was primarily due to the expiration of licenses issued to "grandfathered" social workers, individuals who were, in many cases, double-licensed in social work and counseling or psychology, and who reached the personal decision that there was no benefit to them in renewing the license.

In 1989, there were a total of 1857 social workers licensed in the state of West Virginia.

- Licensed Social Workers: 1053
- Licensed Graduate Social Workers: 37
- Licensed Certified Social Workers: 589
- Temporary Licensees: 178

Continuing Education

Continuing education opportunities for social workers continued to expand with emphasis upon continuing education requirements for temporary licensees. The Continuing Education Committee of the Board met regularly to consider issues related to continuing education, recommend to the Board approval of activities to meet requirements, and to respond to questions that were anticipated when the Board assumed responsibility for continuing education record accounting.

The net loss of \$30,000 suffered by the Board... would eventually insure a deficit budget...

Interagency Cooperation

The Board met with representatives of the Department of

Human Services (now Department of Health and Human Resources) to discuss licensing concerns, issues related to continuing education, and to assure that communication between agencies faced with the need to employ licensed social workers and the Board would remain open.

Board Members: 1989 - 1990

Carole Ann Al-Din, Certified Social Worker, Moundsville;
Harry Burgess (Resigned), Consumer Representative, Charleston;
Laura Griswold, Graduate Social Worker, Morgantown
(Senate confirmation not received - retired from Board);
Samuel Hickman, Certified Social Worker, Dunbar, and;
Dreama Taylor, Social Worker, North Matewan

Due to having only three of seven gubernatorially appointed members active for much of the year, quorums were not possible to attain and the Board's potential accomplishments were restricted.

FACT: THE AVERAGE TWO-YEAR RENEWAL FEE AMONG SURROUNDING STATES AND THE DISTRICT OF COLUMBIA IS \$74.00. THE AVERAGE TWO-YEAR RENEWAL FEE FOR OTHER STATES IS DRASTICALLY HIGHER.

WE PROPOSE TO INCREASE OUR CURRENT RENEWAL FEE OF \$25.00 TO \$40.00; THIS IS AN INCREASE OF ONLY \$15.00 IN A TWO YEAR PERIOD.

FACT: THE WV BOARD OF SOCIAL WORK EXAMINERS DOES NOT RECEIVE ANY PORTION OF THE FEE FOR THE STATE SOCIAL WORK EXAMINATION; THIS ENTIRE FEE IS PAID TO THE NATIONAL ORGANIZATION WHICH OFFERS THE EXAMINATION IN ALL STATES INCLUDING WEST VIRGINIA; HOWEVER, THIS OFFICE DOES RECEIVE ALL APPLICATIONS, REVIEWS FOR ELIGIBILITY, RECEIVES THE FINAL SCORES AND PROCESSES THE LICENSES FOR ALL INDIVIDUALS THAT PASS THE EXAMINATION. THE EXAMINATION FEE IS PAID TO "AMERICAN ASSOCIATION OF STATE SOCIAL WORK BOARDS".

FACT: THE CURRENT FEE STRUCTURE IS THE SAME AS IT WAS FROM THE ONSET OF THE LICENSING LAW FOR SOCIAL WORKERS . THIS LAW WAS ENACTED JULY 01, 1986.

Our office receives and reviews approximately 20-50 Social Work License applications a week;

Our office tracks the Continuing Education Requirements for all Licensed Social Workers which now numbers in excess of 3,500 persons.

Our office receives approximately thirty or more requests per day by telephone requesting licensure applications and/or other materials.

We mail out approximately 250 - 350 pieces of mail weekly.

The following pages will indicate our average monthly revenue and our average monthly expenditures; as you will note the expenses outweigh the income substantially. At this pace, we are quickly depleting our carry over revenue (July 1, 1992). A comparison shows that our beginning balance for July 1, 1991 was \$61,000 compared to our beginning balance as of July 1, 1992 which was \$26,000.

WHAT DO WE NEED AND WHY? First and foremost, this office needs the additional staff necessary to effectively control the daily workload and better serve the citizens of West Virginia. We also need, in particular, an additional telephone line and other office equipment and supplies we have not been afforded the means by which to obtain them.

Please note the attached fiscal reports substantiating our current financial status which obviously indicates dire financial straits ahead.

WV BOARD OF SOCIAL WORK EXAMINERS Special Revenue Account 8380-24
 Five (5) month financial status

Prepared By	Initials	Date
Approved By		

4806 6 COL. - 8806 6 COL.

MONTH/YEAR	REVENUE	EXPENDITURES	ENDING BALANCE THIS MONTH
MAY-1992	169500	331727	2816452
JUNE-1992	159500	312270	2663682
* JULY-1992 YEAR TO DATE	2540000	6053209	2663682
AUGUST-1992	310000	350896	2330273
SEPTEMBER-92	412000	482654	1949619 *
<i>ENDING September BALANCE DOES NOT REFLECT OUTSTANDING PAYABLES FOR THAT PERIOD.</i>			
Average Income is more than \$1,000.00 per month LOWER THAN AVERAGE MONTHLY EXPENDITURES.			

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

DEPT.** BOARD OF SOCIAL WORK EXAMINERS

AGENCY 838

REVENUES DISBURSEMENTS

TRANS. TYPE AGENCY WARRANT NUMBERS
NO. FOLIO NO. OR LINE ITEM

000094	92	TS	8-848067	8-848067	35.00
000094	92	TS	8-874733	8-874733	12.30
000095	92	TS	8-874734	8-874734	66.53
000095	92	TS	8-848068	8-848068	35.00
000096	92	TS	8-879740	8-879740	37.00
000097	92	SP	8-884077	8-884087	1,182.27
000099	92	TS	8-908372	8-908372	66.53
000100	92	TS	8-905983	8-905984	60.97
000101	92	SP	8-909949	8-909959	1,182.27
099357	92	IT	020	020	325.30
099358	92	IT	020	020	59.60
099360	92	IT	012	012	177.00
099361	92	IT	010	010	77.50
155566	92	DP	514	514	
155567	92	DP	514	514	

970.00
725.00

8380-24 TOTALS FOR MONTH
92 FY TOTAL YEAR TO DATE

1,695.00 *
23,805.00 **

3,317.27 *
57,409.59 **

BEGINNING BALANCE
ACCOUNT BALANCE

61,768.91

28,164.52

OK

~~Bad~~

99359 Bal 27904.53

OS 259,999

28164.52 OK

(A05092)

STATE AUDITORS OFFICE

ACCOUNT STATUS REPORT

7/09/92
PAGE 1113

DEPT.** BOARD OF SOCIAL WORK EXAMINERS AGENCY 838

TRANS. NO. TYPE FOLIO AGENCY NO. DATE WARRANT NUMBERS OR LINE ITEM REVENUES DISBURSEMENTS

TRANS. NO.	TYPE FOLIO	AGENCY NO.	DATE	WARRANT NUMBERS OR LINE ITEM	REVENUES	DISBURSEMENTS
000098	TS		6/12/2	8-944832 8-944832		60.00
000103	TS		6/10/2	8-940301 8-940302		70.00
000104	SP		6/15/2	8-936809 8-936818		1,182.27
000105	TS		6/29/2	8-975870 8-975871		1,126.53
000106	SP		6/30/2	8-960232 8-960242		1,182.27
099359	IT	838	6/04/2	020		259.99
099372	IT	838	6/18/2	012		177.00
099373	IT	838	6/22/2	025		50.00
099374	IT	838	6/22/2	020		14.64
155568	DP		6/11/2	514	710.00	
155569	DP		6/24/2	514	625.00	
155570	DP		6/30/2	514	260.00	

8380-24 92 FY TOTAL YEAR TO DATE

TOTALS FOR MONTH * 1,595.00

AGENCY 838 ** 60,532.09

3,122.70

BEGINNING BALANCE 61,768.91

ACCOUNT BALANCE 26,636.82

STATE AUDITORS OFFICE
 MONTHLY LINE ITEM REPORT
 REVENUE AND DISBURSEMENT
 MONTH OF JULY 1992 FY92

PAGE 416
 REPORT A05089
 RUN DATE 8/10/92

AGENCY 838

DEPT: BOARD OF SOCIAL WORK EXAMINERS

ACCOUNT	LINE	ITEM	FY	REVENUE	YTD	REVENUE	CURRENT	DISBURSEMENT	YTD	DISBURSEMENT
3380-24			92							
	001								27,454.44	
	010								363.75	
	011								2,100.20	
	012								2,326.00	
	014								159.55	
	016								2,641.18	
	020								6,186.12	
	021								286.00	
	024								869.31	
	025								4,351.75	
	026								2,302.96	
	027								90.00	
	030								971.83	
	031								360.00	
	032								471.00	
	038								420.00	
	051								85.00	
	070								8,643.00	
	078								450.00	
	514									
	TOTAL			25,400.00		25,400.00			60,532.09	

 25,400.00

 25,400.00

 60,532.09

(A05092)

STATE AUDITORS OFFICE

ACCOUNT STATUS REPORT

9/17/92
PAGE 1059

AUGUST 1992

AGENCY 838

DISBURSEMENTS

REVENUES

DEPT. ** BOARD OF SOCIAL WORK EXAMINERS

WARRANT NUMBERS
OR LINE ITEM

TRANS. NO. TYPE FOLIO

TRANS. NO.	TYPE	FOLIO	AGENCY NO.	DATE	WARRANT NUMBERS OR LINE ITEM	REVENUES	DISBURSEMENTS
000001	93	SP		8/14/2	8 - 34803	8 - 34813	1,296.15
000012	93	SP		8/31/2	8 - 79351	8 - 79361	1,258.19
000107	93	TS		8/24/2	8 - 83304	8 - 83305	55.98
000112	93	TS		8/11/2	8 - 37594	8 - 37594	82.80
000113	93	TS		8/10/2	8 - 31919	8 - 31919	55.60
000114	93	TS		8/11/2	8 - 46524	8 - 46525	70.00
081817	93	CR		8/14/2	514		
090362	93	IT	838	8/12/2	012		
099366	93	IT	838	8/25/2	010		
099369	93	IT	838	8/11/2	020		
099376	93	IT	838	8/28/2	020		
155501	93	DP		8/10/2	514		
155571	93	DP		8/21/2	514		
						1,540.00	177.00
						1,595.00	58.13
							227.55
							227.56

TOTALS FOR MONTH
93 FY TOTAL YEAR TO DATE

3380-24

3,100.00 *
3,100.00 **

3,508.96
6,434.09

BEGINNING BALANCE
ACCOUNT BALANCE

26,636.82

23,302.73

(A05092)

STATE AUDITORS OFFICE

ACCOUNT STATUS REPORT
SEPTEMBER 1992

10/08/92
PAGE 1090

DEPT. ** BOARD OF SOCIAL WORK EXAMINERS

AGENCY 838

DISBURSEMENTS

REVENUES

WARRANT NUMBERS
OR LINE ITEM

AGENCY NO.

TYPE FOLIO

TRANS. NO.

DATE

TRANS. NO.	TYPE FOLIO	AGENCY NO.	DATE	WARRANT NUMBERS OR LINE ITEM	REVENUES	DISBURSEMENTS
000002	93 TS		9/04/2	8-104478 8-104478		14.95
000003	93 TS		9/03/2	8-102444 8-102445		105.25
000004	93 TS		9/03/2	8-102446 8-102447		44.21
000005	93 TS		9/04/2	8-104479 8-104480		105.00
000006	93 TS		9/11/2	8-112404 8-112404		141.27
000007	93 TS		9/04/2	8-104481 8-104482		193.06
000008	93 TS		9/11/2	8-112405 8-112405		41.80
000009	93 TS		9/11/2	8-112406 8-112408		207.40
000010	93 TS		9/11/2	8-112409 8-112413		175.00
000011	93 TS		9/14/2	8-115606 8-115606		300.00
000013	93 SP		9/15/2	8-110426 8-110436	1,311.33	
000014	93 TS		9/30/2	8-153371 8-153371		98.60
000015	93 TS		9/30/2	8-153372 8-153372		46.60
000016	93 TS		9/30/2	8-153373 8-153373		62.20
000017	93 SP		9/30/2	8-146538 8-146548	1,364.47	
081625	93 CB		9/21/2	051		10.00
099363	93 IT	838	9/04/2	020		24.52
099364	93 IT	838	9/03/2	020		13.38
099365	93 IT	838	9/03/2	032		250.00
099367	93 IT	838	9/03/2	020		317.50
155502	93 DP		9/10/2	514	1,020.00	

8380-24 93 TOTALS FOR MONTH * *
93 FY TOTAL YEAR TO DATE * *

1,020.00
4,120.00

4,826.54
11,260.63

BEGINNING BALANCE
ACCOUNT BALANCE

26,636.82

19,496.19

09/30/92