

W.V. Board of Social Work Examiners

Post Office Box 5477, Charleston, West Virginia 25311

NOTICE OF PUBLIC HEARING

Pursuant to Section five, Article three, Chapter twenty-nine-A of the Code of West Virginia, 1931, as amended, the Board of Social Work Examiners shall convene a public hearing at 10:00 a.m. on January 10, 1986 in the Commissioners Conference Room, Building 6, 1900 Washington Street East, Charleston, WV 25305 for the purpose of taking evidence pertaining to the filing of proposed interpretive rule Qualifications for licensure as a social worker.

Any interested party may appear in person to present evidence. Any interested party may submit written evidence at the public hearing or by mail to the Board of Social Work Examiners, P.O. Box 5477, Charleston, WV 25311. All comments, written or oral, will be made a part of the public hearing record. The Board requests that parties wishing to comment please submit written copies of their comments in order to facilitate review of the comments.

The issues to be heard shall be limited to the proposed rules. Copies of the proposed rule may be obtained by telephoning (304) 348-0070 or writing to the Board of Social Work Examiners, P.O. Box 5477, Charleston, WV 25311.

Barbara Matz, Chair
Board of Social Work Examiners

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FISCAL NOTE FOR PROPOSED RULES

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Rule Title: Qualifications for licensure as a social worker.

Type of Rule: Legislative Interpretive Procedural

Agency Board of Social Work Examiners Address P.O. Box 5477
Charleston, WV 25311

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$ 0	\$	\$ 0
Personal Services			0		0
Current Expense			0		0
Repairs and Alterations			0		0
Equipment			0		0
Other			0		0

2. Explanation of above estimates.

This rule will not have any fiscal impact on state revenues as Chapter 30, Article 30, provides that all fiscal requirements shall be met by licensing fees and penalties.

3. Objectives of these rules:

The objective of the rules is to implement Chapter 30, Article 30.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

None (See 2 above).

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

None (See 2 above).

C. Economic Impact on Citizens, Public at Large.

None (See 2 above).

Date November 27, 1985

Signature of Agency Head or Authorized Representative

Barbara Math

WEST VIRGINIA INTERPRETIVE RULES
BOARD OF SOCIAL WORK EXAMINERS
CHAPTER 30-30
SERIES I

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Subject: Qualifications for Licensure as a Social Worker

SECTION 1.	General
SECTION 2.	Qualifications
SECTION 3.	Ethics
SECTION 4.	Application
SECTION 5.	Responsibilities of Licensees

WEST VIRGINIA INTERPRETIVE RULE
BOARD OF SOCIAL WORK EXAMINERS
CHAPTER 30-30

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Title: Qualifications for licensure as a social worker

Section 1. General

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

1.2 Authority - 30-30

1.3 Filing Date -

1.4 Effective Date -

Section 2. Qualifications

2.1 Adequacy of experience - [30-30-6a,b] Acceptable experience for the purpose of exemption from requirements must involve the practice of social work, as defined in 30-30-2-b,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 repetitive and routine tasks at the pre-professional level will not be accepted.

2.2 Related fields - [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 - [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 - [30-30-a-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 permit.

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.

Section 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.

Section 4. Application

4.1 Application for social work licensure shall be made on the forms 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 in this booklet. This Application Handbook may be obtained by writing to the Board of Social Work Examiners, P.O. Box 5477, Charleston, WV 25311, Board members, and from the Department of Human Services, 1900 Washington Street E, Charleston, WV 25305.

4.2 Fee schedule - [30-30-3-(e)(4),10,11]

4.2.1 Fee for the initial examination for licensure is \$70.00.

4.2.2 Fee for screening for exemption from examination is \$35.00.

4.2.3 Fee for issuance of licensing certificate is \$5.00.

4.2.4 Fee for biennial license renewal is \$25.00.

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

4.2.6 All fees paid to the Board are not refundable [30-30-11].

4.3 Appeals re denial of license.

4.3.1 Reconsideration - In cases where an applicant does not appear to meet the exemption requirements 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.

Section 5. Responsibilities of Licensee

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

5.2 Each license shall be prominently displayed by the licensee at his or her principal place of practice [30-30-10].

5.3 Continuing education requirement - [30-30-3-e(5)]

5.3.1 Fifty contact hours of continuing education (the equivalent of five CEU's) will be required within the two-year license period.

5.3.2 In the first renewal cycle, licensees may submit continuing education credits earned from January 1, 1985 forward.

5.3.3 Continuing education may be earned in three categories: I. Formally organized learning events; II. Professional meetings; III. Individual professional activity. (See Appendix B.)

5.3.4 Only twenty of the fifty hours may be credited in individual professional activity (category III).

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

5.3.6 Licensees who have had no professional education in social work must complete continuing education hours in social work ethics (five hours) and social work methods and practice (twenty hours) during the first renewal period.

5.3.7 Criteria for Continuing Education Providers. (See Appendix C.)

5.3.8 Continuing education provided by the following organizations will be accepted for continuing education requirements: American Association for Marriage and Family Therapy; American Orthopsychiatric Association; American Public Welfare Association; Child Welfare League of America; Council of Nephrology Social Workers; Council on Accreditation Accredited Agencies; Council on Social Work Education; Council on Social Work Education-approved schools of social work; Family Service of American and member agencies; National Association of Black Social Workers; National Association of Social Workers; National Council on the Aging; National Eligibility Workers Association; Society for Hospital Social Work Directors; West Virginia Association of Directors of Senior Programs, Inc.; West Virginia Commission on Aging; West Virginia Department of Human Services, Training Division; West Virginia Health Department, Training Division; West Virginia Human Resources Association; Parkersburg Community College, Social Services Technology Program.

5.3.9 The licensee must keep records to verify his/her continuing education, e.g., what he/she did, when, where, hours of instruction, and instructor(s). Continuing education forms will be provided to each licensee.

5.3.10 The Board will review and evaluate the various programs of continuing education providers and the continuing education records of licensees on a random basis.

5.3.11 A member of the Board of Social Work Examiners will be designated coordinator of continuing education. All inquiries regarding continuing education should be directed to that person. Name may be obtained from the Board of Social Work Examiners.

CODE OF ETHICS

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

PROPRIETY — The social worker should maintain high standards of personal conduct in the capacity or identity as 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 WORKER'S ETHICAL RESPONSIBILITY TO COLLEAGUES

RESPECT, FAIRNESS, AND COURTESY — The social worker should treat colleagues with respect, courtesy, fairness, 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 the 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 fully 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.

EXPLANATION OF CONTINUING EDUCATION REQUIREMENTS

Fifty hours of continuing education over the two-year licensing period are required. They may include:

- Category I Formally Organized Learning Events;
- Category II Professional Meetings/ Organized Learning Experiences;
- Category III Individual Professional Activities (maximum of 20 hours).

For Categories I and II, only hours of interaction between the learner and instructor (instructional hours) may be counted. In a formal or structured learning situation, an instructional hour is a minimum of 50 minutes in length. Normally, clock hours are considered appropriate measures of time. When counting hours, the following are excluded: time spent outside of class or seminar for study; assigned reading, written 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 events across all three categories, whenever possible, the social worker should plan a continuing education program that encompasses all three. The Continuing Education form provided should be used to record continuing education activities. Progress toward the achievement of the required number of hours will be periodically monitored and licensees will be informed of their status.

CATEGORY I includes formally-organized learning events, involving face-to-face interaction with a teacher for the purpose of accomplishing specific learning objectives. Courses, workshops, practice-oriented seminars, staff development, and training activities offered by accredited programs of social work education, professional social work organizations, and other providers of continuing education 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 and policy development.

CATEGORY II includes professional meetings as well as other forms of organized learning experiences for social workers. Events in this category involve formally-structured discussions among professionals about professional issues, whereby participants increase their awareness of new developments in social work and related fields. Conferences, symposiums, and panel presentations sponsored by social work or allied organizations are examples of activities in this category.

CATEGORY III consists of a variety of self-directed professional study activities and growth experiences. A plan identifying the area(s) to be studied, why the area(s) were chosen, and what outcome the social worker expects should be developed. This purpose and goals statement should be in written format. Examples include writing papers and books for presentation or publication; making presentations on major professional issues or programs; reading professional journals and books; preparing for initial consultation, teaching or training assignments (except when those are primary job responsibilities); and engaging in independent study, research, or tutorial projects.

CRITERIA FOR CONTINUING EDUCATION PROVIDERS

1. Each application for approved-provider status shall be submitted three months prior to the first scheduled program.
2. Each applicant for approved-provider status shall submit an educational plan which includes a written statement of purpose documenting how the material to be presented would enhance social work practice, values, skills, and knowledge.
3. A licensed social worker (or, prior to July 1, 1986, one who is eligible for licensing) shall be designated to be responsible for the content and coordination of the program.
4. Each approved provider shall 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 approved provider shall maintain a summary of each individual program offered which documents:
 - a. the relationship of the program to the enhancement of social work practice, values, skills, or knowledge;
 - b. the learning objectives for the program and the relationship between the program content and the objectives;
 - c. the licensing levels for which the program is designed and any program prerequisites;
 - d. the competency of the instructor 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. Each approved provider shall maintain a record of individual social workers' attendance for a period of at least three years.
7. The Board may monitor programs of approved providers.
8. Provider approval may be withdrawn by the Board if the provider violates these rules and regulations, or if quality programs are not maintained to the Board's satisfaction.

APPENDIX C



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WILLIAM H. HARRINGTON
Chief of Staff

RICH O. HARTMAN
Director, Administrative Law

DONALD R. WILKES
Director, Corporations

VIRGINIA SKEEN
Special Assistant

(Plus all the volunteer
help we can get)

KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

BARBARA STARCHER
Deputy Secretary of State

RICHARD S. STEPHENSON
Deputy Secretary of State

Telephone (304) 345-4000
Corporations: 345-8000

STATE OF WEST VIRGINIA
SECRETARY OF STATE
Charleston 25305

PROPOSED RULES

STATE REGISTER FILING

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AGENCY Board of Social Work Examiners

CONTACT PERSON Barbara Matz PHONE 348-0070

TYPE OF RULE Interpretive

TITLE OF RULE Qualifications for licensure as a social worker.

CHAPTER 30 ARTICLE 30 SERIES 1

AUTHORITY 30-30

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CHECK APPLICABLE ITEMS BELOW TO SHOW KIND OF ACTION BEING TAKEN

NEW RULE

NOTICE OF HEARING

AMENDMENTS TO EXISTING RULE

NOTICE OF AGENCY APPROVAL
(legislative rules only)

REPEAL OF EXISTING RULE

NOTICE OF AGENCY ADOPTION
(interpretive & procedural
rules only)

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SECOND EMERGENCY FILING