

**WEST VIRGINIA  
SECRETARY OF STATE  
BETTY IRELAND  
ADMINISTRATIVE LAW DIVISION**

Form #3

Do Not Mark In This Box

**FILED**

2008 JUL 28 PM 4:07

OFFICE 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 30-30-1; 30-30-3 (a) & (e) Numbers (1) through (8)

AMENDMENT TO AN EXISTING RULE: YES  NO

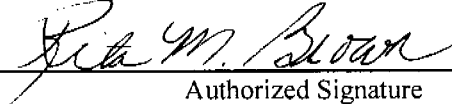
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: FEE SCHEDULE

IF NO, SERIES NUMBER OF 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.

  
\_\_\_\_\_  
Authorized Signature

FILED

TITLE 25  
LEGISLATIVE RULE  
BOARD OF SOCIAL WORK EXAMINERS

2008 JUL 28 PM 4: 07

SERIES 3  
FEE SCHEDULE

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

§25-3-1. General.

1.1. Scope. -- This rule specifies the fees required for licensing as a social worker, certification as a continuing education, and fees for other services provided by the Board.

1.2. Authority. -- W. Va. Code §§30-1-6.(c), 30-30-3.(e)(1)(4), 30-30-11.

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

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

§25-3-2. Fee Schedule.

2.1. Fees paid to the Board are not refundable.

2.1.1. All fees, with the exception of those for examination, are payable to the West Virginia Board of Social Work Examiners (WVBSWE).

2.1.2. The fee for the late payment of any required fee is ~~thirty dollars (\$30)~~ fifty dollars (\$50) in addition to the amount of the required fee. The Board applies a late payment fee when a payment is more than thirty (30) days delinquent, based on the date of receipt of an application, expiration date of a license or permit or other recognizable date of transaction.

2.1.3. ~~The fee for a payment made by a check returned due to insufficient funds, denial of a credit card charge or similar failure to negotiate payment is the lesser of twenty dollars (\$25) or the actual amount charged to the Board for the transaction by its designated agent.~~

2.2. License fees.

2.2.1. The fee for issuance of ~~initial a regular LSW, LGSW, LCSW, and LICSW~~ biennial license certificate is ~~seventy-five dollars (\$75)~~ one hundred dollars (\$100).

2.2.2. The fee for a regular biennial license renewal is ~~sixty five dollars (\$65)~~ eighty-five dollars (\$85). The fee for the biennial temporary license renewal is ninety dollars (\$90).

2.2.3. The fee for a provisional social work permit is ~~thirty dollars (\$30.00)~~ fifty dollars (\$50).

2.2.4. The fee for a temporary license is ~~seventy five dollars (\$75)~~ one hundred fifteen dollars (\$115).

2.2.5. The fee for a replacement license due to loss or name change request is twenty-five dollars (\$25.00).

2.2.6. The fee for biennial renewal of an emeritus status license is ~~Forty (\$40)~~ fifty dollars (\$50).

2.2.7. The fee for activation of a biennial inactive regular status license is ~~seventy five (\$75)~~ one hundred dollars (\$100)

2.2.8. The fee for upgrade to a higher level of license is fifty-five dollars (\$55).

2.3. Examination fees.

2.3.1. The fee for the examination required by the Board is established

by and payable to the Association of Social Work Boards (ASWB) or its designee.

#### 2.4. Application fees.

2.4.1. The application fee to become a certified provider of continuing social work education is one hundred dollars (\$100.00).

2.4.2. The application fee to become an individually approved provider of continuing social work education is ~~thirty dollars (\$30.00)~~ sixty dollars (\$60) for each separate program application.

~~2.4.3. The fee to specially monitor the continuing education records and activities of an individually approved provider for the purpose of quality assurance is twenty five dollars (\$25.00) for one event in each biennial and fifty dollars (\$50) for more than one event in each biennial.~~

2.5. Fees for certified providers of continuing education.

2.5.1. The fee to re-certify biennially as a certified provider of continuing social work education is one hundred dollars (\$100)

(a) A certified provider who does not pay the fee to re-certify within ~~thirty (30)~~ sixty-five (65) days of notice from the Board ~~of certified provider status expiration~~ shall forfeit all rights and privileges as a certified provider of continuing education as defined by the Board.

(b) A certified provider who does not complete a recording form provided by the board for the purpose of determining eligibility for re-certification as a certified provider of continuing education shall not be re-certified, regardless of fee payment status, until a satisfactory determination of eligibility to re-certify has been made by the Board or its designee.

~~2.5.2. The fee to specially monitor the continuing education records and activities of a certified provider for the purpose of quality assurance is twenty five dollars (\$25.00) for one event in each biennial and fifty dollars (\$50) for more than one event in each biennial.~~

#### 2.6. ~~Other~~ Miscellaneous fees.

2.6.1. The fee for complying with a request for providing records as requested by the public information, such as for print, ~~or~~ electronic information or data relating to the Board, its members, services, or licensed social workers is calculated based upon the actual cost of materials, employee time, and procedures required to comply with the request. Other fees for services and special status protection are based upon actual cost of material, staff time, postage, or other expenses incurred as a result of the request.

(a) No fees shall be applied for compliance with initial requests for routine information regarding license application, continuation or renewal processes, or for the Board's annual report.

(b) Requests for additional or bulk quantities may require payment of a fee.

APPENDIX B

**FISCAL NOTE FOR PROPOSED RULES**

Rule Title: Title 25 Series 3 Fee Schedule

Type of Rule:  Legislative  Interpretive  Procedural

Agency: WV Board of Social Work Examiners

Address: State Capitol Complex-Bldg 1-Room WB9 Charleston, WV 25305  
Mailing: PO Box 5459-Charleston, WV 25361 (Public)  
Contact: Judith K. Williams, Director

Phone Number: 558-2988 or 558-8816 Email: jwilliams@wvsocialworkboard.org  
or: After Hrs. bswe2@suddenlink.net

**Fiscal Note Summary**

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

No impact on state government as the board is financed only by the collection of social work license fees. WVBSWE does pay into services and lease agreement for other WV agencies including the Real Estate division. An addendum to office space lease 1/1/09 reflects an increase in monthly office rent. We pay for accounting services, DOP fees, Attorney General services, ISC fees, Auditor (very minimal), BRIM, etc.

**Fiscal Note Detail**

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

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	30,000 +	40,000 †	40,000 † or more is hoped for
Personal Services	3,000 †	5,000 †	5,000 †
Current Expenses	27,000 †	35,000 †	35,000 †
Repairs & Alterations			
Assets			
Other			
2. Estimated Total Revenues	30,000 +	40,000 †	40,000 †

Rule Title: WVBSWE Title 25 Series 3: Fee Schedule

Rule Title: Title 25 Series 3: Fee Schedule

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

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

We need to generate an additional 40,000 or more in revenue to meet recurring and rising costs of operation including including essential legal expenses incurred as a result of ethical complaints and actions appropriate for the protection of the public.

Since filing the Emergency Rule in June 2008, the end of June account report was received on July 21, 2008. We had an end of month cash balance of 40,814; income for June was 5,585 and expenditures amounted to 13,462. Low income is expected through September 08

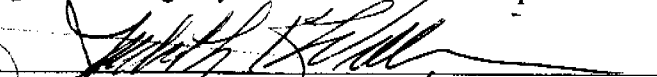
**MEMORANDUM**

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

The Board requests a minor fee increase when compared to other licensing boards in the mental health social service area. A fee has not been increased since 2002. A license fee is for two-years and the increase will affect only those who have not yet renewed in 2008 through 2010. Half of the current licensees are not due to renew until 2010.

Date July 28, 2008

Signature of Agency Head or Authorized Representative

  
JUDITH K. WILLIAMS  
DIRECTOR / CFO

## STATEMENT OF CIRCUMSTANCES

TITLE 25-SERIES 3

FEE SCHEDULE

DATE: June 24, 2008

The WVBSWE has *insufficient cash funds available to meet the coming expenditures* which places the agency in danger as well as the general public and social workers who depend on this agency. *March through September produce the lowest revenues of the year. As of mid-June, there is approximately \$30,000-\$36,000 of unspent cash in the Board's account and deposits for June totaled \$5,600 through June 24, 2008. July through September expenditures will most likely exceed \$40,000 since quarterly premiums and service fees are due and payable in July 2008. There would not be enough money for priority expenses: payroll, insurance, tax payments, office rent, postage fees, liability insurance, copier lease, DSL service, telephone service, etc.*

The 2009 Expenditure Schedule requires revenue to meet or exceed \$195,000. This will not be possible without a positive response to the emergency rule request. Even though the increase is small, we feel the social work support will be possible and allow enough income to survive. *Most importantly to note is that there are several cases pending resolution and costly investigation. Two of the matters may result in the public hearing process. Hearings are paid for by the Board and the cost can be great. To carry out the provisions of the West Virginia Code 30-30-7, a hearing must be afforded to the individual charged with violations of ethical conduct. The main purpose of the Board is to "protect the public" from unethical practitioners who stand in violation of law, rules, and ethical standards. There are at least three cases pending of alleged unlicensed practice that includes fraudulent and possibly criminal activity.*

The Board and staff operate not only to provide a license (which provides a living to social workers) but to monitor and inform the social workers of the required standards of ethical practice (mailed materials and Ethics manuals are provided to each). Of priority concern is the protection of the public who depends upon social workers for services and help. *Legal and investigative costs are high but required to enforce and carry out the provisions of the WV Code §30-30.* Disciplinary actions are reported to the public as well as every social work jurisdiction in the country and beyond. *This is protection for the general public as well as for unsuspecting potential employers.*

*There has been no increase in fees for six years. The costs of operations have increased significantly during this span of time while fees have remained the same. We are asking for a minimal increase to begin at the earliest possible time.*

The social work and general public has come to rely on a dedicated Board and staff that is familiar with and aware of the licensing and disciplinary action legal procedures.

*A. Williams - Preparer*

# WEST VIRGINIA BOARD OF SOCIAL WORK EXAMINERS

P.O. Box 5459 Charleston, WV 25361 Phone: (304) 558-8816 Fax: (304) 558-4189

www.wvsocialworkboard.org



June 24, 2008

## SUMMARY OF PROPOSED AMMENDMENT TO FEE SCHEDULE SUMMARY OF RULE CHANGES

### Board Members

Rita M. Brown, LSW  
Chair  
Kanawha

Patricia O'Reilly, Ph.D.  
Vice Chair  
Public Member- Kanawha

Lucy C. Eates, LSW  
Secretary  
Marion

Renee J. Ellenberger, LGSW  
Marion

JoDee Gottlieb, LCSW  
Cabell

Barbara K. Hensley, LICSW  
Randolph

Christine Maniskas, LCSW  
Cabell

### Office Staff

Judith K. Williams  
Executive Director

Amy S. Polen  
Administrative Assistant

Linda C. Dempsey  
Clerk

The Board is financed TOTALLY by professional social work fees. Rising expenses have caused a dramatic and dangerous decrease in our operating funds. The last increase occurred in 2002 and was minimal at that time. Unfortunately the Board has no choice other than to pursue an increase in fees at this time. Please share this message with co-workers, employer, supervisor, supervisees and any one that could be affected. Persons who renewed or obtained their two-year license in 2008 would not be affected until 2010.

If you wish to comment on the proposed fees, do so IN WRITING through July 25, 2008. Submit written comments by mail, fax, or email. *In order for this agency and staff to remain in operation and continue to serve the public additional revenue is required. Social Workers and CE providers are the only source of revenue available to the Board.*

### Proposed Increases:

1. Regular License Renewal: From \$65 to \$85 (\$20 increase)
2. Regular License Issue : From \$75 to \$100 (\$25 increase)
3. Activation & Reissue of inactive Regular: From \$75 to \$100 (\$25 increase)
4. Temporary License Issue: From \$75 to \$115 (\$40 increase)
5. Temporary License Renewal: From \$65 to \$90 (\$25 Increase)
6. BSW/MSW Provisional SW Permit: From \$30 to \$50 (\$20 Increase)
7. Emeritus Renewal : From \$40 to \$50 (\$10 Increase)
8. Late Fee: From \$30 to \$50 (Occurs if material is received more than thirty (30) days after the day of expiration but before end of grace period). (\$20 Increase)
9. Individually Approved Provider program applications: (does not affect licensed social workers) From \$30 per program to \$60. This is the first increase ever implemented.

Application Fees: Unlike most boards, we do not charge "application fees" for licensure candidates.

Email Addresses: Attention to J. Williams  
[bswe2@suddenlink.net](mailto:bswe2@suddenlink.net) [amypolen@wvsocialworkboard.org](mailto:amypolen@wvsocialworkboard.org) or  
[jwilliams@wvsocialworkboard.org](mailto:jwilliams@wvsocialworkboard.org)

**QUESTIONNAIRE**

*(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)*

DATE: July 28, 2008

TO: **LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

FROM: (Agency Name, Address & Phone No.) WV Board of Social Work Examiners

<u>State Capitol Complex</u>	<u>Public Physical Address:</u>
<u>Bldg. 1-Room WB9</u>	<u>PO Box 5459-Charleston, WV 25361</u>
<u>Charleston, WV 25305</u>	

LEGISLATIVE RULE TITLE: Title 25 Series 3: Fee Schedule

Established licensing fees as set forth with WV Code 30-30-3 (a) (e) (4)

1. Authorizing statute(s) citation WV Code 30-30-3(a) (e)(2), (4), (5) and 30-30-1 purpose as it describes the need for licensure for the protection of the public at large. 30-30-3 assigns responsibilities to the board

2. a. **Date filed in State Register with Notice of Hearing or Public Comment Period:**

June 24, 2008

- b. **What other notice, including advertising, did you give of the hearing?**

Public Comment Period: See Attachment A: employers, licensees, supervisors, retired working social workers, newspaper article, emails, faxes, notice to renewal candidates, and with every piece of mail whether general, license, renewal notice, etc.

- c. **Date of Public Hearing(s) or Public Comment Period ended:**

Began: June 24, 2008 Ended: July 25th P.M. June 24, 2008 (We began notifying social workers of potential early June) Emails and mail have been checked daily since initiation.

- d. **Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.** Very little response other than supportive and expected

Attached X No comments received \_\_\_\_\_

- e. **Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)**

July 28, 2008 P.M. With Judy Cooper/Staff Legislative Law Division  
Secretary of State Office Capitol Complex

- f. **Name, title, address and phone/fax/e-mail numbers of agency person(s) to receive all written correspondence regarding this rule: (Please type)**

Judith K. Williams, Executive Director Responsible for financial status

Direct Line: 558-2988 Alternate: 558-8816

Capitol: jwilliams@wvsocialworkboard.org Daytime  
Home Office: business: bswe@suddenlink.net

Fax: 558-4189

Home: Messages: 744-3158

- g. **IF DIFFERENT FROM ITEM 'f', please give Name, title, address and phone number(s) of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)**

Same:

Judith Williams reports to Board and will call upon Chair Rita Brown  
to appear if needed during committee sessions/legislative session

If Judith Williams is absent due to leave, inform Amy Polen, Asst.

3. **If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation: N/A**

- a. **Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.**

N/A

b. Date of hearing or comment period:

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c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

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d. Attach findings and determinations and reasons:

Attached 

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## ATTACHMENT A TO QUESTIONNAIRE

July 28, 2008

### Question # 2(b): Notification of Public

We began alerting the social work public June 15, 2008 of the potential filing of Emergency and Legislative Rule to increase fees. Specifically we shared this information as follows:

- Notified every County DHHR office, Regional Director, and BCF Commissioner (since they employ the greatest number of licensees);
- Sent Notice of Written Comment and Summary of Fee Revisions to all renewal candidates for October and September. Sent same to all clinical licensees and emeritus working social workers;
- Shared in interview with Capitol Reporter of the Charleston Daily Mail newspaper which was printed on July 14, 2008 and referenced the rule via the Secretary of State Office;
- Emailed two to three hundred licensees who supervise and direct social work staff;
- Faxed notices and summary to social work employers other than the DHHR.

### Summary of Comments/Responses

- Fay: DHHR: Called a twenty-dollar (\$20) two-year renewal fee increase "stupendous." Director responded she is not due to renew until 2010 and discussed retirement options. The Board does not agree that \$20 over a 2-year period is outrageous at all.
- Evelyn: Central WV Aging Services: Supports increase and indicated need to hire temporary (not professionally educated) conditional licensees. There are several thousand eligible candidates many of whom dropped out of the profession. We sent her an electronic database roster of persons she may want to contact in various counties of need.
- David: Westbrook Health Services: Totally supports Board as does their staff. Sent appreciation for supporting the Board financially and otherwise.
- Gerald, LICSW: Mental Health Care Professional: Glowing comments and support, sent appreciation.
- Mr. St. Louis, LICSW, Mental Health: Highly supportive and responded that both this Director, the staff Assistant and members of the Board are dedicated to providing equal services to all as well as the general public.
- Dr. Eric, LICSW: WVU Behavioral Med & Psychiatry/Clinical Gerontology: Supportive of Board increase, inquired about drop from years prior. J. Williams sent summary of past five years of Annual Reports and general information unrelated to fee structure.
- Kathryn DHHR: Her point is well taken and she is correct. Thanked her for support and advised her to speak with her Legislators and employer on Medicaid/Medicare changes.

- Amy R. DHHR Temporary: She understands but thinks temporary fees are too high. I explained why as they require the greatest amount of time and attention. Secondly, as an afterthought, we allow the “eligible” temporary, no matter where they work, up to 60 days AFTER their day of hire to submit evidence of employment and supervision and pay initial fee. There is no delay in pay periods for renewals or conversion if they complete the four-year process.
- Ron J. Emeritus/Consultant: Supports fee and Board did recommend only \$10 increase (two-year renewal). He spoke of other issues unrelated to the fee matter. A licensee that is retired and not working as a “social worker” may inactivate the license and avoid all fees. The license would be protected when needed and can be reinstated and reissued for full two years.
- Cheryl Peal, LICSW: Clinical Practice: Eloquently stated and we appreciate the time she took to do the comparison.

End of Attachment Ten written comments received 90% supportive in understanding need.

# Charleston Daily Mail

Monday July 14, 2008 10:10 am

DAILYMAIL.COM

1001 VAST E  
25301

## News

Friday July 11, 2008

### Social workers' license fees to increase

by Justin D. Anderson  
Daily Mail Capitol Reporter

Page 2 of 2

CHARLESTON, W.Va. -- The state Board of Social Work Examiners wants to raise license fees to help meet its operating costs as the number of active social workers in West Virginia declines.

The board's operating revenue comes from annual license fees paid by social workers.

Without a rate increase, the board may run out of money for high-priority expenses like payroll and health insurance by September.

"These (state regulatory) boards are required by law to manage on their own financially," said Director Judy Williams.

Williams said the board needs to generate at least \$60,000 to cover expenses for the remainder of the year. She wasn't sure if the proposed license fee increase would raise that much, but she wants to be fair to social workers.

The board, which issues licenses and polices the profession, has filed the required request for an emergency rule change with the Secretary of State's Office seeking an immediate fee increase.

If the request is not approved by the Secretary of State by Aug. 5, the board may not get its increase until after the Legislature meets in regular session next year.

The fee increases - averaging about \$20 - are necessary for the board to be able to meet basic costs like payroll, rent and health insurance for its employees, Williams said.

The board last increased fees in 2002.

The head of the state chapter of the organization that represents social workers - National Association of Social Workers - said the fee increases are a necessary evil.

"Nobody likes to see fees go up," said Sam Hickman. "But in this case, I think the board is providing a good service."

According to available reports from the board, the number of active licensed social workers declined from 4,255 in 2003 to 3,968 in 2007.

Williams said some of the decline was due to social workers leaving the state for better pay, a longtime problem for state agencies like Child Protective Services.

Revenues from license fees available to the board have fallen from \$176,448 in 2005 to \$167,758 in 2007.

Meanwhile, expenditures like employee salaries and expense money for board members, health insurance premiums and lease payments for the board's office in the basement of the state Capitol have steadily increased.

Health insurance, workers' compensation and retirement costs alone have jumped from \$14,352 in 2004 to \$17,624 last year.

According to the board's proposed rule, it currently has about \$36,000 in unspent cash on the books. September expenses are expected to run over \$40,000, leaving at least a \$4,000 budget deficit.

For the current year, the board expects to spend about \$195,000. Williams said each year she accounts for a 30 percent drop in license revenue because of the decline in social workers.

If the rule is approved, a regular license renewal fee would jump from \$65 to \$85. The cost of a temporary license would jump from \$75 to \$115, the largest increase proposed.

A copy of the rule can be viewed at [www.wvsos.com/adlaw/emergency/25-03er.pdf](http://www.wvsos.com/adlaw/emergency/25-03er.pdf).

ARTICLE COPY

7/14/08

**COPY**

Rule Filing  
7/08

Grandfathered LSW 1986 - Exam waived law

Judy Williams

From: "Fay [redacted] [redacted]@wvdhhr.org"  
To: <jwilliams@wvsocialworkboard.org>  
Sent: Wednesday, July 16, 2008 1:50 PM  
Subject: fee increase proposal

I do not support the increase in license renewal fees. I know that there are increasing costs of everything. However, a \$20.00 increase is a stupendous amount.

NEGATIVE

?  
OVER A TWO-year period (10 per year) increase

Page 1 of 1

Judy Williams

Response

From: "Judy Williams" <jwilliams@wvsocialworkboard.org>  
To: "Fay [redacted] [redacted]@wvdhhr.org"  
Sent: Saturday, July 19, 2008 1:54 PM  
Subject: Just noted

She renews 2010

In case I did not mention this, you won't even be affected by the increase IF approved until **2010**. If you should reach retirement age/service prior to that, you can inactivate your license and avoid renewal if you cease to perform social work, OR request Emeritus status which exempts you from CE earnings and the renewal fee is about half as much. This is an option for one who has 20 years experience and retires from full time social work. According to my record, you were grandfathered into licensure in 1986 and have more than 20 years experience and I expect are eligible to retire from DHHR. Please consider the other options if you feel the proposed fee increase is overboard.

Also keep in mind that nearly half of the total social workers will not renew until 2010. So any income generated due to a fee increase is going to be very slight as compared to what is needed to maintain.

Thank you for your time.

----- Original Message -----

From: Evelyn [redacted]

To: Judy Williams

Sent: Monday, June 16, 2008 1:09 PM

Subject: Re: Notice of Comment-Potential Rules Change-Fee Increase

Judy, consider this reply as a positive comment to increase the SW licensure fees in order to meet operating expenses. As we look around us almost on a daily basis, we see water and sewer rate increases, electric and gas company rate increases, food increases and certainly the gas increases for our vehicles. The SW profession is no different. Along

a somewhat different subject is I need desperately to have a legislative rule change for the TLSW. In areas of the state, there appears to be many licensed social workers. However, in the central part of the state, ie Braxton County, I cannot attract licensable or licensed social workers. I think that the current rule of allowing those who graduated after July 1, 2000 in a "related" field to SW can be licensed (TLSW) if they work for DHHR in CPS/APS. I have run into quite a few outstanding individuals that I could have hired; however, they did not have a BSW and they graduated after that "magic" date of July, 2000. Can you give me any guidance as to where I can go on getting the rules changed for underserved areas? Thanks so much for your input.

#2 FROM: DAVID C. - WESTBROOKHS  
Dear Judy:

Thank you for giving Westbrook the opportunity to respond to the notice. We appreciate the help and guidance the board has provided Social Workers across the state and hope to continue our positive relationship with you. Costs have risen for all of us in this business and certainly the board would not be immune to it. We are sorry to hear that the inactive status roster grows larger. This does not bode well for our field and hope for some kind of relief to come into view.

We agree that there will be some who will be angry at yet another increase in something else; however, Westbrook supports the Board in its efforts to secure emergency Legislative rule and a standard one for 2009. We believe that the increases you propose are proportional, modest, in keeping with the situation and compare favorably to other boards. We would support the addition of renewal applications online, as well, for convenience of both the Board and Social Workers in the state.

If you have any questions or we can be of assistance, please do not hesitate to call.

From: [redacted] Gerald

To: Judy Williams

Sent: Sunday, July 06, 2008 11:18 AM

Subject: RE: Notice of Comment-Potential Rules Change-Fee Increase

I want to take this time to compliment Judith and her staff [redacted] on the great job they have done maintaining our license and renewal information. I know this is a lot of work to maintain accurately, and they have done a great job. I feel the increase is warranted, as this is necessary to maintain these functions. I do feel that more financial support from the legislature is in order to keep the board operating effectively. Again, thanks for the great job you are doing with limited resources.

Steve [redacted], LICSW

Director, Day Treatment Program

Fee Increase  
COMMENT

#3

**COPY****Judy Williams**

#4  
**From:** "danny st.louis" <danny@stlouis@yahoo.com>  
**To:** <bswe2@suddenlink.net>  
**Sent:** Sunday, June 22, 2008 1:33 PM  
**Subject:** Danny St. Louis, License fees

*The Board  
 IS committed  
 to service*

Hello Judy,

I am most willing and strongly supportive of the license fee increases. Your personal support when I was in Russia was an island of support, your commitment was clear, and a life saver for me. I had no other professional support.

When I have attended the Social Work Conferences in WV, I am impressed at the quality of professional work shops. Currently In Pennsylvania, where I reside, I find little support for social workers, low pay, and lack of professional training.

Your time and efforts have been appreciated by me, and I support a change in fee structure. Despite the fact social workers are leaving WV, they will be confronted by the lack of professional support. Your efforts have give a tremendous foundation to Social Work in WV.

Thank You Judy,  
 Danny St.Louis, MSW, LICSW

6/22/2008



#6

**Judy Williams**

Positive

**From:** "Kathryn [REDACTED]" <kathryn.[REDACTED]@wvdhhr.org>  
**To:** <jwilliams@wvsocialworkboard.org>  
**Sent:** Monday, June 23, 2008 1:17 PM  
**Subject:** Fees

Hi,

I absolutely see the need for the board to remain solvent. If this helps any, I will give you a basis for comparison...I have been working on my LSW as a CPS worker with DHHR for almost 2 years now. But, I also have an LPC in W.V. and the renewal fee for that is \$150.00 every two years. I understand that there is not a Bachelor's degree equivalent for an LPC because you have to have a minimum of a master's degree and meet other requirements for it, but you cannot bill medicaid with an LPC right now as in the past, and that makes the LSW very valuable. Therefore, any and all suggested fee increases are necessary.

Positive

NO RESPONSE REQUIRED other than  
Thank you for sharing..

----- Original Message -----

From: "Amy Rexroad" <amyrexroad@wvdhhr.org>

To: <bswe2@suddenlink.net>

Sent: Monday, June 23, 2008 10:12 AM

Subject: Fee increase proposal

*She's temp  
CES free  
built in supervisor*

# ?

> Dear Ms. Williams,

6/28/2008

> I was looking at the proposal. Although I do not like it, I understand  
> the necessity.

> However, I would like to see the increase for the Temp. License ISSUE  
> not be increased by \$40. Rather increase it by \$25.

> If I understand correctly--in order to get a TLSW, you need to be  
> employed by the state. The state holds your paycheck for a month. So,  
> you have to go to training, pay for gas, food, and hotel before you get  
> paid. Now you want to increase the amount that the Trainee would have  
> to pay dramatically. This is not reasonable.

> Thank you for your time.

> Sincerely,

> Amy ~~REXROAD~~  
> Child Protective Service Worker

> The information contained in this electronic message is legally  
> privileged and confidential under applicable law and is intended for the  
> use of the individual or entity named above. If the recipient of this  
> message is not the above-named recipient, you are hereby notified that  
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> If this request is for attorney advice and information from clients, it  
> is subject to attorney/client privilege.

Comment

(Response Attached)

Judy Williams

RESPONSE

From: "Judy Williams" <bswe2@suddenlink.net>  
To: "Amy Rexroad" <amyrexroad@wvdhhr.org>  
Sent: Saturday, June 28, 2008 1:49 PM  
Subject: Re: Fee increase proposal

TEMP INCREASE  
AMT

Dear Ms. Rexrode,  
Thank you for the positive response to the general need of fee increase.

\* Temporary licensing is a West Virginia only alternative license process. The Board considers this an opportunity that is exceptional as it does not exist elsewhere and allows one the ability to earn full licensure as an LSW. As to State provisions, this is only persons who graduated after July 2000 without a BSW or MSW degree. They may only earn a temporary if employed directly with, by, and for the DHHR BCF. This was a decision of the State Legislature in 1998 when the Board had filed new legislation to eliminate temporary licensing in WV effective July 1, 2000. All WV schools were notified to share this with every department chair and all existing and new students. This was sent in 1998 early on to caution those pursuing other degree disciplines who felt they would pursue a job in the social work field.

It has since appeared, in earlier years, that many students were either not informed or chose to stay on the path they were on and earn a degree in another discipline.

The fee increase is greater because temporary candidates require major staff and board time and attention unlike anything else. This includes communications and research, correspondence, monitoring, and disciplinary cases that also require investigation, time and money.

Of course I will present all comments to the Board. However, if the State approves of the immediate Emergency Rule request, the Board will be empowered to implement these fees immediately. Any changes would occur during the standard filing of rules procedure over the coming year. The final decision is up to the Governor at end of session 2009.

Thank you for your kind attention and taking the time to respond.

Sincerely,  
Judith Williams, Director and Custodian of Records since 12/1990

**Judy Williams**

*FROM to RJ*

**From:** "Judy Williams" <jwilliams@wvsocialworkboard.org>  
**To:** <johnston2@msn.com>  
**Sent:** Thursday, July 24, 2008 1:38 PM  
**Subject:** Re: Proposed Amendments to Fee Schedule

RESPONSE

Dear Mr. Johnston;

I am responding to your written comment regarding the proposed emergency and legislative fee increase rule. The Board recommended a \$10.00 increase for Emeritus renewals as you indicated. This will require a total of \$50 for a two year license that continues to be exempt from continuing education provisions. No other changes were addressed as this falls under a different Rules group.

They will consider your suggestions in the future when that Legislative Rule is being considered for revision. Thank you for your support and suggestions.

Sincerely,

Judith Williams

----- Original Message -----

*FROM to BSWE*

**From:** johnston2@msn.com  
**To:** Judy Williams  
**Sent:** Sunday, July 06, 2008 7:50 PM  
**Subject:** Proposed Amendments to Fee Schedule

COMMENT #8

I understand fully that everyone is in the mode of dealing with increasing expenses and outrageous inflation at the present time with no relief in sight.

Perhaps retirees on fixed incomes should be exempt from increases at this time. If there has to be an increase for the emeritus renewal, it should be no more than a \$10 increase. In addition, the exemption from CE should remain. *NO CHANGE - they are*

I support an additional change for those in the emeritus renewal category; that is, no limitation on the amount of time an emeritus licensee can work. Such a change would make an increase more affordable for retired persons, since many are finding it more and more difficult to keep up with inflation as gasoline, transportation of goods, health care, housing, and food continue to rise at an alarming rate. *Qualifications Rules Series 1*

*MA*

Thank you for allowing me to comment.

Ronald C. Johnston, MSW, LCSW

May the peace of the Lord be with you always, and may the Lord richly bless you in every way!

The i'm Talkaton. Can 30-days of conversation change the world? Find out now.

Cheryl L. Peal, MSW, ACSW, DCSW, LICSW, MA  
PO Box 7295  
Charleston, West Virginia 25356-0295  
Home: 304.776.2137 Work: 304.357.0520

#10

July 14, 2008

Judith K. Williams, Director  
West Virginia Board of Social Work Examiners  
Via e-mail

Re: Requested Increase in Social Work Licensing Fees

Dear Ms. Williams:

I am advised that the West Virginia Board of Social Work Examiners (WVBSWE) is requesting an increase in its required licensing fees. It is my understanding that, if approved, the fee for the two-year license will be increased from \$65.00 to \$85.00. Additionally, the license renewal late fee will increase to \$50.00.

I am an active, licensed West Virginia social worker. I have been licensed since licensing was implemented. Please consider this a written comment on these proposals.

I have reviewed licensing fees in comparable professions, from Occupational Therapists to Nursing Home Administrators. Social Work licensing fees are modest when compared to other licensing fees that I have seen.

The proposed increase is nominal. The per month increase is a modest \$.83. The brunt of the increase will fall on those individuals who do not renew their licenses in a timely manner.

As with almost everything, from groceries to gasoline, the cost of "doing business" has increased and is expected to continue to rise. Revenue for operating expenses must be maintained. As the WVBSWE is self-supporting, the revenues must come from its licensees.

It is specious to say that I will happily pay more for my West Virginia Social Work license; no one wants to pay any more than they absolutely must pay – for anything. However, this appears to me to be an understandable request for fee increase. The increase is modest; it is responsible management of resources and addresses a problem that the WVBSWE is no alone in facing.

**Therefore, I support the requested increase in licensing and renewal fees as requested by the West Virginia Board of Social Work Examiners.**

Sincerely,  
*Cheryl L. Peal*, MSW, ACSW, DCSW, LICSW, MA  
License Number DP00454699