

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

Form #3

Do Not Mark In This Box

FILED

2015 JUL 21 P 3:36

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

OFFICE WEST VIRGINIA
SECRETARY OF STATE

AGENCY: WV Board of Social Work TITLE NUMBER: 25-Series

CITE AUTHORITY: WV Code 30-30-6

AMENDMENT TO AN EXISTING RULE: YES NO

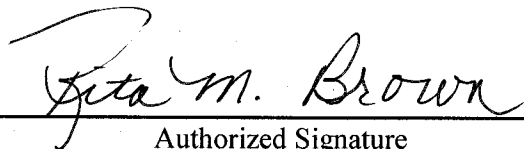
IF YES, SERIES NUMBER OF RULE BEING AMENDED: Series 1

TITLE OF RULE BEING AMENDED: Qualifications for the Profession of Social Work

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

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 21, 2015

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) Vickie James, Executive Director
WV Board of Social Work
900 Pennsylvania Ave. Suite 5B, PO Box 5459
Charleston WV 25361
Phone: (304) 400-4982

LEGISLATIVE RULE TITLE: Title 25-Series 1, Qualifications for the Profession of Social Work

1. Authorizing statute(s) citation The WV Board of Social Work's authority to promulgate legislative rule in accordance with WV Code 30-30-6. WV Code 30-30-16.b authorizes an emergency rule filing

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:
June 9, 2015 filed with Sec of State-in register on June 12, 2015

b. What other notice, including advertising, did you give of the hearing?
The Public Comment Period was announced on the Board's web page-wvsocialworkboard.org and announcements were sent for dissemination to Sam Hickman, National Association of Social Workers, Dr. John David Smith, Concord University for dissemination to the Schools of Social Work and to Jackie Englehardt, WV University for dissemination to her statewide list serve of social workers and interested agencies.

c. Date of Public Hearing(s) *or* Public Comment Period ended:
July 10, 2015 at 4:30 p.m.

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached 19 comments No comments received _____

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

Filed with Secretary of State's office July 21, 2015; State register July 24, 2015

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

Vickie James, Executive Director

WV Board of Social Work

900 Pennsylvania Ave. Suite 5B, PO Box 5459

Charleston WV 25361

Phone: (304) 400-4982 Fax (304) 400-4976

Email: Admin@wvsocialworkboard.org

- 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)

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:

- 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.

b. Date of hearing or comment period:

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

d. Attach findings and determinations and reasons:

Attached

Statement of Circumstances and Summary of Proposed Rule

Title 25-Series 1

Qualifications for the Profession of Social Work

Date: July 21, 2015

During the 2015 Regular Legislative Session, the WV Department of Health and Human Resources presented legislation to exempt their employees from social work licensure on the argument that social work licensure was a barrier to the hiring process, as the pool of applicants in related degrees was insufficient to meet hiring needs for critical positions in the Department. Senate Bill 559 was a compromise in that the legislation permitted the Department to hire individuals with only a Bachelor's degree and still be eligible for a Provisional License. The Department was also given permission to waive the twelve hour course requirement in social work education by substituting its social work training afforded workers; the Secretary of the WV Department of Health and Human Resources is to file a legislative rule, with the advice of Higher Education, regarding training. The Board was authorized to file an emergency rule to enable it to grant a Provisional License to individuals outside the scope of article 3.3 in Series 1. Lastly, the legislation removed 30-30-16.c which prohibited individuals from reapplying for a Provisional License if they chose not to complete the four years supervised employment. This legislation became effective June 9, 2015; an emergency rule was filed with the Secretary of State's office on May 26, 2015.

This rule creates another category of Provisional Licensure to accommodate the Department's broader range of eligible degrees and the waiver of the social work education component. It does not negate the Department's obligation to attempt to fill their workforce with degreed social workers when possible. This rule enables the Department to notify the Board of their intent to hire an individual for a position requiring a social work license and the Board in turn will issue an application to the applicant. This category of *Restricted Provisional License* restricts the individual's practice to the Department of Health and Human Resources only. Additionally it enables individuals who wish to practice for the duration of their career within the Department the option of renewing the Restricted Provisional License in two year cycles without making application to convert to a regular license. It requires the Department to annually certify that individuals with a Restricted Provisional Licenses have fulfilled the Department's training expectations.

This rule fulfills the Board's mission to protect the public while also providing the Department flexibility in hiring individuals to fill positions requiring a social work license.

Vickie James
Executive Director

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Title 25-Series 1-Qualifications for the Profession of Social Work

Type of Rule: Legislative Interpretive Procedural

Agency: WV Board of Social Work

Address: PO Box 5459, 900 Pennsylvania Ave., Suite 5B
Charleston, WV 35361

Phone Number: (304) 400-4982 Email: Admin@wvsocialworkboard.org

Fiscal Note Summary

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

This will have no impact on general revenue as the Board is financed only by the collection of social work license fees and not state funding.

Fiscal Note Detail

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

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

Rule Title: Title 25-Series 1-Qualifications for the Profession of Social Work

Rule Title:

Title 25-Series 1-Qualifications for the Profession of Social Work

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

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

Not applicable as the cost of a Restricted Provisional License would remain the same as that of a Provisional License specified in Legislative Rule 3.3, and in the Fee Schedule specified in Title 25-Series 3-2.2.4

MEMORANDUM

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

This rule will not alter the fee schedule for a Provisional License; it adds a category unique to the Department's broadly expanded capability to hire individuals with only a Bachelor's degree and waiver of the social work education component required of all other Provisional Licensees.

Date: May 26, 2015

Signature of Agency Head or Authorized Representative

Lita M. Brown

TITLE 25
LEGISLATIVE RULE
BOARD OF SOCIAL WORK

FILED

2015 JUL 21 P 3: 36

OFFICE WEST VIRGINIA
SECRETARY OF STATE

SERIES 1
QUALIFICATIONS FOR THE PROFESSION OF SOCIAL WORK

§25-1-1. General.

1.1. Scope. -- This rule specifies the qualifications, and responsibilities for licensing as a social worker, alternative license candidates.

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

1.3. Filing Date. -- ~~June 4, 2013.~~

1.4. Effective Date. -- ~~July 1, 2013.~~

§25-1-2. Definitions.

2.1. "Board" means the West Virginia Board of Social Work.

2.2. "Clinical supervisor" means a licensed independent clinical social worker providing supervision to an individual attempting to become qualified as a licensed independent clinical social worker.

2.3. "Emeritus status" means a social work license held by an individual formally recognized by the Board to have over twenty (20) years of social work practice and who is retired from the active practice of the profession of social work.

2.4. "Examination" means an examination approved by the Board for certification purposes, developed and administrated by the Association of Social Work Boards.

2.5. "Inactive status" means a social work license that is formally recognized after the receipt and approval of an application to be inactive. During this time the licensee is barred from the practice of social work during which he or she is exempt from continuing education provisions.

2.6. "Temporary social work permit" means a six-month certificate granted by the Board to an applicant qualified by education with an earned bachelor or masters degree in social work accredited by the Council on Social Work Education and who has not yet demonstrated passage of an examination required by the Board.

2.7. "Provisional license" means a restricted license certificate granted to an applicant qualified through alternative education provisions of W.Va. Code §30-30-16 and specified within this Rule. A Restricted Provisional Licensee is a category of provisional licensure for an individual employed by the Department of Health and Human Resources whose practice is restricted to the Department and whose social work training requirements shall be satisfied with training outside the twelve hours of core social work study from a program accredited by the council on social work education. A provisional social worker is not a licensed social worker and may not use any initials suggesting he or she is an LSW, LGSW, LCSW, or LICSW.

2.8. Provisional licensing "Supervisor" means a qualified licensed social worker, certified social worker, or independent clinical social worker who has agreed to provide supervision to a provisional or restricted provisional licensee to assist in the integration of social work skills, values, knowledge, and

ethical considerations gained through continuing social work education programs and through the social work practice experience and who will evaluate progress towards satisfaction of coursework and other provisions during the four-year period of continuous employment.

§25-1-3. Qualifications for License.

3.1. An applicant qualified under the provisions of W.Va. Code §30-30-1 et. seq. may receive a social work license from the Board as a social worker, graduate social worker, certified social worker, or independent clinical social worker, or apply for an inactive or emeritus status license. A provisional licensee is not eligible for a temporary social work permit, inactive or emeritus status license.

3.1.1. A licensed social worker may apply to place their license on inactive status by making a formal application to the Board. Upon receiving the approval of the Board the inactive licensee shall not perform the duties of a social worker and is exempt in earning continuing education during this period.

3.1.1.a. A licensee may remove a license from inactive status and return to active practice by formally requesting and receiving the approval of the Board. The applicant shall provide a sworn statement indicating that he or she has never been convicted of a felony, has not engaged in behavior which constitutes professional misconduct, and intends to meet all requirements to maintain the license following activation

3.1.2. A licensed social worker may receive an emeritus status license by making a formal application to the Board and providing documentation twenty (20) years of social work practice experience and retirement from the active practice of social work. An emeritus licensee is not required to comply with the continuing social work education requirements. Upon receipt of the Board's approval in writing, an emeritus status licensee may engage in the active practice of the profession of social work, including supervision, for up to twenty (20) hours per week.

3.2. An applicant may receive a temporary social work permit by making a formal application and receiving the approval of the Board. An eligible applicant for a temporary permit may include:

3.2.1. A candidate who has earned either an undergraduate or graduate social work degree from a college or university accredited by the Council on Social Work Education that has not yet passed an examination approved by the Board;

3.2.2. A candidate enrolled in their final semester of either an undergraduate or graduate social work program from a college or university accredited by the Council on Social Work Education provided that the social work program director provide a written statement to the Board that the applicant is expected to matriculate.

3.2.2.a. Once an applicant has received a Temporary Permit from the Board, the applicant may register for and take the examination at any point during that six month permit period.

3.2.2.b. The degree candidate may not receive a social work license until an official college transcript is provided to the Board indicating that the undergraduate or graduate social work degree is conferred, and all other requirements for licensure are met.

3.3. An applicant may learn if he or she is eligible for a provisional license by completing an application provided by the Board. To meet the educational requirement for a provisional license, an applicant shall have earned a four-year academic degree from a recognized, academically accredited college in a field related to social work. Related fields include sociology, psychology, counseling, criminal justice or other related fields as determined by the Board. The Board shall send an invoice for the provisional license certificate only after it has determined an applicant's ~~eligibility and received written~~

evidence of qualified supervision and employment in a critical social work workforce shortage position, area or setting requiring a social work license.

3.3a An individual seeking employment with the Department of Health and Human Resources may be eligible for a restricted provisional license with a Bachelors degree in other fields as determined by the Department of Health and Human Resources. Those individuals granted a Provisional License outside the scope of 3.3 shall be restricted to practice solely within the West Virginia Department of Health and Human Resources.

Application for those individuals employed by the West Virginia Department of Health and Human Resources shall occur after the Department notifies the Board of Social Work of their intent to hire an individual for a social work position with a Restricted Provisional License. The individual must submit an application for a Restricted Provisional License upon forms prescribed by the Board of Social Work.

This does not negate the provisions of article 3.3.8.a and the Department's obligation to make reasonable effort to fill vacant positions with degreed social workers.

3.3.1. Prior to the issuance of eligibility to pursue a provisional license, an applicant shall submit to the Board:

3.3.1.a. An official transcript showing the applicant completed a four-year academic degree from a recognized, academically accredited college in a field related to social work as determined by the Board or if employed by the West Virginia Department of Health and Human Resources in accordance with the personnel classifications for those positions requiring a social work license;

3.3.1.b. Documentation showing the applicant has met the requirements set forth in W.Va. Code §30-30-16.

3.3.2. Prior to the issuance of a provisional license or restricted provisional license to perform social work within the legal scope of practice the applicant must submit a provisional license agreement contract on a form provided by the board. Along with the contract, the applicant must submit evidence of full time social work employment under a provisional license supervisor.

3.3.3. Upon approval of the provisional license or restricted provisional license agreement contract and when other provisions have been met, the Board will issue a provisional or restricted license certificate for a two year period. The provisional or restricted provisional licensee must meet all provisions and requirements as set forth in WV Code 30-30-16 and within this article 3.3. and 3.3a If all guidelines are met, the provisional licensee will renew their provisional license for a final two year period, ~~upon which time the provisional licensee will apply for conversion of their provisional to a formal license as a fully licensed social worker.~~

3.3.3.a Restricted provisional licensees may renew their license certificate without making application to convert their license and must continue to maintain all requirements for restricted licensure including quarterly supervision with a qualified supervisor. Renewal periods are for a two year period.

3.3.4. As defined in §W.Va. Code 30-30-16(b)(2) a Provisional licensee must complete twelve credit hours of core social work study from a program accredited by the council on social work education (CSWE), specifically post Bachelor classes in conjunction with the school, within the four-year provisional license period. Successful completion means receiving a passing grade.

3.3.4.a. The only exception to the core social work courses is if a provisional licensee is enrolled in a CSWE accredited Bachelor or Master of Social Work Program.

3.3.4.b. Restricted provisional licensees must meet the training requirements as specified in the educational requirements of §30-30-16 c(2). The Department of Health and Human Resources will annually certify to the WV Board of Social Work that the individual has complied fully with the training requirements as set forth in legislative rule.

~~3.3.5. In addition to the twelve required hours of approved core social work courses, The provisional licensee or restricted provisional licensee will be responsible for earning an additional twenty (20) hours of Board approved continuing social work education per two years. A provisional licensee may earn—Up to ten (10) of the twenty (20) hours may be earned through Board approved online education hours.~~

3.3.6. A provisional licensee or restricted provisional licensee must provide a sworn statement to the Board annually to indicate he or she is complying with all requirements to maintain the provisional license, required social work continuing education, quarterly face to face supervision sessions, and documentation, by way of school transcript, of the required social work courses taken.

3.3.7 Prior to conversion of a provisional license to a formal license as a social worker, the provisional licensee must provide final documentation that all requirements, as outlined in W.Va. Code §30-30-16 and in section 3.3 of this rule have been met. The provisional licensee shall show documented proof that he or she has:

3.3.7.a. Pass an examination approved by the Board;

3.3.7.b. Completed and has documentation of four years of continuous, supervised employment in the field of social work in the form of an official letter from the employer(s) during the tenure of the provisional license;

3.3.7.c. Has documentation by way of a college transcript that the provisional licensee has met the requirements of attendance and passage of twelve (12) hours of core social work classes through a CSWE approved social work program;

3.3.7.d. Provide documentation that the provisional licensee has earned continuing social work education contact hours totaling at least twenty (20) hours every two years.

3.3.8. An employer or prospective employer shall make application to the Board for approval to hire provisional licensees. The application shall include:

3.3.8.a. Written documentation that a reasonable effort to recruit and hire a licensed social worker, graduate social worker, certified social worker or independent clinical social worker was made prior to submitting an application to employ a provisional licensee and;

3.3.8.b. Written evidence of the critical need to hire the provisional applicant.

3.3.9. A provisional licensing supervisor of a provisional licensee shall annually provide the Board a statement of whether the provisional licensee or restricted provisional licensee has satisfactorily performed the duties of a social worker while under the supervision of the supervisor.

3.3.10. An employer is responsible for reporting the resignation or termination of any provisionally licensed employee within no more than thirty (30) days of the action.

3.3.11. A provisional licensing supervisor may be a licensed social worker, licensed graduate social worker, licensed certified social worker or licensed independent clinical social worker licensed in good standing in the State of West Virginia, provided that the ~~licensed social worker~~.

3.3.11.a. Has made application and received Board approval to become a provisional licensing supervisor;

3.3.11.b. Has earned a council on social work education accredited Bachelor of Social Work or Master of Social Work degree and has completed two years post graduate social work experience;

3.3.11.c. Shall provide a resume with application that documents continuous employment in the social work field for no less than two years;

3.3.11.d. Is of good moral character documented by three letters of professional recommendations to be included in the application;

3.3.11.e. Has not been a subject of disciplinary action from the WV Board of Social Work or any other licensing jurisdiction in any state and;

3.3.11.f. Shall provide any further documentation that may be required from the Board.

3.3.12. The supervisor of a provisional or restricted licensee shall provide annually a sworn statement to the Board indicating:

3.3.12.a. The supervisor has engaged in face-to-face supervision with a provisional one time every three months following license issue and whenever make-up sessions are held; and

3.3.12.b. The provisional licensee has satisfactorily performed the duties of a social worker while under his or her supervision.

3.3.13. A seasoned supervisor may supervise no more than fifteen (15) provisional licensees unless a written waiver has been granted by the Board allowing the supervisor to exceed this number. An LSW licensing supervisor that is new to this privilege shall limit the number of persons to five (5) until determined otherwise by the Board.

3.4. An applicant may make up to four (4) attempts to pass the examination recognized by the Board. An applicant who fails to pass the examination after four (4) attempts shall petition the Board in writing prior to attempting the examination thereafter. The Board may approve, approve with conditions, or deny a petition.

3.5. The Board may require the applicant to submit recent professional references, or similar documentation of continuing eligibility, prior to removing a license from inactive status after a period of two or more years.

3.6. As set forth in W.Va. Code §30-30-8, a licensed independent clinical social worker may apply social work theory, methods, assessment, ethics and the professional use of self to the diagnosis, treatment and prevention of psychological dysfunction, disability or impairment, including emotional and mental disorders and developmental disabilities.

3.6.1. To be approved by the board to serve as a clinical supervisor, a West Virginia licensed independent clinical social worker, or a licensed clinical social worker from another jurisdiction, shall:

3.6.1.a. Have completed no less than two years of clinical practice since the initial issuance of the clinical license;

3.6.1.b. Submit a clinical supervision contract which identifies the clinical supervisor and the person being supervised, and sets forth the respective duties of employment. A clinical supervisor from

another jurisdiction shall provide evidence of having a current, valid clinical social work license in good standing; and

3.6.1.c. Maintain records of supervision, initialed by both parties, of each face-to-face session, for 100 hours, over the course of two years of full time employment or 3,000 hours of part time employment: *Provided*, That up to 30 of the 100 hours may be conducted by electronic means, so long as confidentiality is guaranteed and the communication is not open for view or comment by other parties.

§25-1-4. Responsibilities of Licensees

4.1. A licensee, provisional licensee, restricted provisional licensee or permittee shall notify the Board within thirty (30) days of any change of his or her legal name, primary address, telephone number or similar change of location or status, and, if required by the Board, of any change of supervisor or employer.

4.2. A licensee, provisional licensee, restricted provisional licensee or permittee shall notify the Board within thirty (30) days of witnessing what may constitute, in his or her best judgment, professional misconduct by another licensed social worker.

4.3. A licensee, provisional licensee, restricted provisional licensee or permittee shall abide by the provisions of the Code of Ethics of the National Association of Social Workers, which became effective on January 1, 1997.

4.4. Allegations of professional misconduct occurring prior to January 1, 1997 are judged against the version of the Code of Ethics in effect at the time of the alleged or proven professional misconduct.

4.5. A licensee, ~~or~~ provisional licensee or restricted provisional licensee shall make application for a license, renewal of a license, or similar service on forms provided by the Board.

4.6. A licensee, provisional licensee, ~~or~~ restricted provisional licensee, permittee or prospective licensee, provisional licensee or permittee shall pay the appropriate fee as a condition of their application for license, renewal or other similar service.

4.7. At the time of renewal of license, ~~or~~ provisional license or restricted provisional license, a licensee shall provide to the Board:

4.7.1. Written evidence of completion of mandatory continuing social work education or training during the tenure of the license as specified in this rule; and

4.7.2. A sworn statement, on a license renewal application provided by the Board, that the license has not been revoked or suspended by another state licensing agency, or by a licensing agency in another state or territory of the United States, and that he or she has never been convicted of a felony or misdemeanor.

4.8. No license, provisional license, restricted provisional license, permit or certificate of license granted or issued to an individual by the Board under the provisions of the Code of WV §30-30-1, et. seq. may be assigned to any other individual.

WV Board of Social Work
**Abstract of Public Comment Period for 25CSR1, Qualifications for
the Profession of Social Work**

The Public Comment Period was filed with the Secretary of State's office on June 9 for the aforementioned rule and was subsequently published in the State Register on June 12, 2015. Additionally, the WV Board of Social Work announced the comment period on its web page (wvsocialworkboard.org) and sent announcements (enclosed) for larger dissemination to Sam Hickman, National Association of Social Workers, Dr. John David Smith for dissemination to the WV Schools of Social Work, and to Jackie Englehardt, WV University for dissemination to her statewide list serve of social workers and interested agencies.

The Board's Comment period ended on July 10, 2015. The Board received 19 comments via email to the proposed rule. Comments generally expressed concerns about lowering credentials for DHHR staff in relation to training and caseloads, or concerns that individuals with a Restricted Provisional License would be allowed to convert their license after four years without the social work coursework required of Provisional Licensees.

The eight individuals who expressed disagreement with the credentials element noted disappointment with SB 559 as opposed to the rule. These individuals either cited concerns of an unskilled workforce responding to the multiple and complex needs of the individuals served by DHHR or in relation to perceptions that the profession would be negatively impacted.

There was one additional comment expressing concern that this was an allowance extended only to the DHHR when workforce issues were also a concern for private agencies as well.

Ten comments encouraged the Board to change the rule to prohibit individuals with a Restricted Provisional License from converting their license to a regular license. Individuals who desired that the rule be structured to prohibit the conversion of Restricted Provisional Licenses to Licensed Social Work status were advised that the rule cannot supersede WV Code, and therefore the rules could not be modified to accommodate that recommendation.

Letters were sent to all who commented and are enclosed. Copies of comments and responses to individuals are enclosed.

There were no changes made to the proposed rule.


Vickie James
Executive Director

Public Comment Period

The WV Board of Social Work has filed an emergency rule to amend 25CSR1, Qualifications for the Profession of Social Work. Senate Bill 559 expanded the Department of Health and Human Resources' ability to hire individuals with a Bachelor's degree outside of those related degrees specified in legislative rule. The Board has created a category of Restricted Provisional License to accommodate the Department's ability to utilize a broader range of educational backgrounds and restricting practice solely to the DHHR. A summary of the changes and the rule are available on the Secretary of State's web page at:

<http://apps.sos.wv.gov/adlaw/csr/ruleview.aspx?document=9805>.

Public comments on the proposed rule may be made until July 10, 2015; comments should be directed to the WV Board of Social Work either by mail or emailing Admin@wvsocialworkboard.org.

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 2:43 PM
To: 'Graham, Eurone'
Subject: RE: COMMENT ON THE DEGRADING OF DHHR

Dr. Graham:

Thank you again for taking the time to review and comment on the rule modifications for the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being license at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

The Board developed a Restricted Provisional License to accommodate this legislation. The legislation allows DHHR to hire Bachelors degrees outside of the related degrees and authorizes them to substitute their training in lieu of the academic credentialing component required of Provisional Licensees. The Board developed a Restricted Provisional License to accommodate this legislation. These individuals are limited to practice solely within the agency.

While this does not address your concern of lowered credentials and training, it is hoped that the DHHR will continue to assure their training addresses the multi faceted needs and skills required of their staff. Now that the comment period on this rule has ended, all comments we received are provided to the Legislative Rule Making Committee. We will also note the concerns you and others have shared with respect to this lowering of credentials.

In lieu of the academic credentialing component required of a Provisional License, SB 559 also allows the DHHR to substitute their training for individuals who are licensed as a Restricted Provisional Licensee. The Department of Health and Human Resources has recently filed a legislative rule describing that training. You may access this at <http://apps.sos.wv.gov/adlaw/csr/ruleview.aspx?document=9897> . They will accept public comments in writing until July 25.

Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B

7/21/2015

Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Graham, Eurone [mailto:Eurone.Graham@va.gov]
Sent: Thursday, June 11, 2015 2:09 PM
To: 'Admin@wvsocialworkboard.org'
Subject: COMMENT ON THE DEGRADING OF DHHR

I am very upset that this was passed, as this can set a precedence for other areas to down grade staffing requirements, (e.g. the school system, long term care facilities, or correctional/delinquent facilities). I remember the fight in my home state of KY to upgrade this from a high school diploma (they were still called Social Workers at that level). I have worked long and hard to get a licenses in 4 states and my credentialing, I know this does not justify that everyone meet those standards. However, to be MSW is not an unreasonable expectation for the recipients of DHHR service to be given any less expertise. Please note this is my opinion solely and does not reflect the opinion of any group or organization. Thank you.

E. (Ron) Graham
PhD, LCSW, LICSW, ACSW, DCSW
ED Mental Health Consultant
VAMC Martinsburg, WV
(304) 263-0811 ext. 2180

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WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 2:45 PM
To: 'Secreto-Gaus, Susan'
Subject: RE: Qualifications for the profession of social work

Susan,

Thank you again for taking the time to review and comment on the rule modifications for the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being license at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

The Board developed a Restricted Provisional License to accommodate this legislation. The legislation allows DHHR to hire Bachelors degrees outside of the related degrees and authorizes them to substitute their training in lieu of the academic credentialing component required of Provisional Licensees. The Board developed a Restricted Provisional License to accommodate this legislation. These individuals are limited to practice solely within the agency.

While this does not address your concern of lowered credentials and training, it is hoped that the DHHR will continue to assure their training addresses the multi faceted needs and skills required of their staff. Now that the comment period on this rule has ended, all comments we received are provided to the Legislative Rule Making Committee. We will also note the concerns you and others have shared with respect to this lowering of credentials.

In lieu of the academic credentialing component required of a Provisional License, SB 559 also allows the DHHR to substitute their training for individuals who are licensed as a Restricted Provisional Licensee. The Department of Health and Human Resources has recently filed a legislative rule describing that training. You may access this at <http://apps.sos.wv.gov/adlaw/csr/ruleview.aspx?document=9897>. They will accept public comments in writing until July 25.

Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B
Charleston, WV 25361

7/17/2015

Phone: 304-400-4980

Fax: 304-400-4976

From: Secreto-Gaus, Susan [mailto:Susan.Secreto-Gaus@va.gov]

Sent: Thursday, June 11, 2015 2:47 PM

To: 'Admin@wvsocialworkboard.org'

Subject: Qualifications for the profession of social work

I don't agree with dhr offices hiring for social workers without the individual having some type of degree in social work. There are too many people now, that think they can do social work and that a formal course load is "not" needed. I feel the social work field of practice is "just" setting itself up for more disappointments by allowing this to occur. The nurses already have "taken over" casemanagement roles and not just for medical purposes, which has further caused negative feelings between the two disciplines. Thank-you for your time.
susan k. secreto-gaus, lgs

7/17/2015

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 2:47 PM
To: 'Kuhl, Sherry'
Subject: RE: Comments regarding Emergency Rule to Amend 25CSR1 Qualifications for the Profession of Social Work

Sherry,

Thank you again for taking the time to review and comment on the rule modifications for the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

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Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work

7/17/2015

PO Box 5459, 900 Pennsylvania Ave, Suite 5B
Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Kuhl, Sherry [mailto:skuhl@hsc.wvu.edu]

Sent: Thursday, June 11, 2015 3:41 PM

To: Admin@wvsocialworkboard.org

Subject: Comments regarding Emergency Rule to Amend 25CSR1 Qualifications for the Profession of Social Work

To Whom It May Concern,

I want to make a comment regarding this amendment. As someone who worked for DHHR in my early Social work career, while working under and obtaining my regular license, I saw firsthand the training system that DHHR had set up for its employees. It was spotty at best and totally lax at worst.

DHHR should not be in the business of determining how a social worker should be licensed or trained as a social worker – they should be setting their standards higher, not lowering them. This is all rooted in the problems that have existed for years; problems of not being able to keep good social workers employed at DHHR because of low pay scales comparable to other employment opportunities and limited career mobility for most.

Through a program they had at the time, DHHR offered to pay for my Master's degree in Social Work, and I went through the entire application process with them and was interviewed by a group of administrators, only to be told at that interview that they would put me working in Children's Services (I was then employed in Adult Services in Region 3) in Region 1 to "pay back" the tuition that they cover. I lived and worked in Region 3. I told them to keep their tuition money and I'd pay for it myself. Which I did. DHHR does not recognize or support social workers who do obtain higher level education; they don't give them pay raises for obtaining a Master's level degree, nothing.

Who is going to determine the quality of the "training" that DHHR wants to provide? Who is going to ensure that it is taught by qualified individuals? Trainers within DHHR rise through the ranks just like others do. That doesn't make them qualified Social work skill trainers. Leave the licensing issues to the Board of SW Examiners and make DHHR follow the same rules that other agencies have to. Stop making special allowances for them just because they refuse and the administration refuses to recognize the dirty work that DHHR social workers have to do day in and day out for ridiculous pay.

My eight years with DHHR taught me a lot – about what to do and certainly about what not to do. Other agencies and entities recognize the hard work for what it is; great experience for social workers and they are always glad to hire someone who has worked for DHHR – and they do. That should be telling in of itself. If DHHR would be more competitive in their salaries and how they treat their social workers, perhaps they would not be asking for special accommodations on licensing of social workers – which only increases the risk that you are putting the public in and solves nothing in the long run.

Respectfully,

Sherry

7/17/2015

Sherry K. Kuhl, MS, MSW
Director
Ruth E. Kershner Office of Student Services
WVU School of Public Health
Room 3306 HSC S, PO Box 9190
Morgantown, WV 26506

Email: skuhl@hsc.wvu.edu
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Cell: 304-288-3833

The way to get started is to quit talking and begin doing. Walt Disney

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 2:48 PM
To: 'Willard Long'
Subject: RE: [SPAM] Emergency Rule

Truman,

Thank you again for taking the time to review and comment on the rule modifications for the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

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Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B

7/17/2015

Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Willard Long [mailto:wlong@highlandhosp.com]
Sent: Friday, June 12, 2015 8:04 AM
To: Admin@wvsocialworkboard.org
Subject: [SPAM] Emergency Rule

It is the opinion of this social worker that this waiver of the social work education component and the broadening of the hiring practice in which the Board will allow the Dept. to seek Licensure is detrimental to the profession of social work. I did not agree with the first provision of hiring employee with out a social work degree and giving the a provisional license but could tolerate it with the understanding that said employees would have a human services related degree. The department faces many internal employment issues concerning their own policies and practices and should strive to repair those rather than seeking from the Board an easing of it already modified practices. Should the provision to waive education and human services degrees occur, then the department should not be allow to call its employees social workers and should seek licenses elsewhere. With the new Safe at Home initiative and in light of SB 393 while be required to have more qualified employees trained in trauma informed care and mental health assessment. Relaxing the hiring practices will not allow for this to occur. Officials at the department have already admitted to this social worker that they current employees are not trained in trauma care or the assessment required.

Truman Long MSW LGSW
Program Director
Highland Hospital PRTF
300 56th Street SE
Charleston, WV 25304
304-926-1600 ext. 1696

7/17/2015

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 2:51 PM
To: 'Joanne Buckle'
Subject: RE: Senate Bill 559

Joanne,

Thank you again for taking the time to review and comment on the rule modifications for the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

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Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B

7/17/2015

Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Joanne Buckle [mailto:jbuckle0807@gmail.com]
Sent: Friday, June 12, 2015 10:39 AM
To: Admin@wvsocialworkboard.org
Subject: Senate Bill 559

I would like to voice my concern regarding the DHHR to allow others without a SW degree or training. I think in this essential role it is important for workers to have a SW background and the ability to use the SW ethics in their practice in working with families. I have had personal issues with DHHR workers and believe that if they are allowed to hire those without a SW degree to be in these essential roles we are only hurting the families which DHHR serves. I personally have my LGSW and had to work very hard for this and to just allow any Bachelors Degree to fill these roles and apply for a temporary licences in my opinion is not fair to those who have a BSW and a license. I think that if someone wants to work in the role of a DHHR worker they should have a SW background and have the ethics and professionalism of a SW.

Sincerely,

Joanne Buckle, MSW, LGSW

7/17/2015

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 2:52 PM
To: 'Leslie Tower'
Subject: RE: Public Comment Emergency Rule

Leslie,
Thank you again for taking the time to review and comment on the rule modifications for the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

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While this does not address your concern of lowered credentials and training, it is hoped that the DHHR will continue to assure their training addresses the multi faceted needs and skills required of their staff. Now that the comment period on this rule has ended, all comments we received are provided to the Legislative Rule Making Committee. We will also note the concerns you and others have shared with respect to this lowering of credentials.

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Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B
Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Leslie Tower [mailto:athenadream@comcast.net]
Sent: Friday, June 12, 2015 11:49 AM

7/17/2015

To: Admin@wvsocialworkboard.org
Subject: Public Comment Emergency Rule

Dear WV Board of Social Work:

When I learned of the passage of a WV law that would allow individuals to be hired in the capacity of a social worker WITHOUT the professional training of a professional social worker, I was confounded.

As I understand it, WV is having difficult attracting and retaining professional social workers to adequately staff DHHR. In years past, minimal efforts have been made to increase the salary of these workers. But, the truth is that these jobs are difficult and appallingly underpaid. Reform is needed that protects WV's vulnerable populations by ensuring help is competent.

One way to attract more qualified DHHR workers is to make the job more attractive through increasing the salary and/or making the workload manageable. Instead, the WV legislature has chosen to relax the requirements of DHHR workers.

Lowering DHHR worker requirements can only hurt the public. It troubles me that predictable catastrophes will occur. Catastrophes will occur as a result of unqualified DHHR workers interacting with the state's most vulnerable individuals. Then, "social workers" will be blamed for the injuries, when in fact the responsibility for the injuries rests with WV de-professionalizing important social work skills.

Offering a new provisional license for individuals to perform professional social work services without professional training is dangerous to the public.

Leslie E. Tower, PhD
Professor of Social Work

7/17/2015

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 2:52 PM
To: 'linda smith'
Subject: RE: Comment regarding SW Licensure

Linda,

Thank you again for taking the time to review and comment on the rule modifications for the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

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Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B
Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: linda smith [mailto:boomamaw@yahoo.com]
Sent: Saturday, June 13, 2015 2:59 PM

To: Admin@wvsocialworkboard.org
Subject: Comment regarding SW Licensure

Dear Board Members,

I have been a social worker for 20 years and have seen a lot. I worked with WVDHHR in the CPS/APS/Foster Care areas and can honestly say that the field has high requirements for individuals who have the ability to make proper decisions pertaining to children and families, understand and follow the law which applies to such and to follow the code of ethics. I believe individuals should have the proper training for such licensure and positions and these persons should not be pulled from areas such as business or education to name a few. These fields, while wonderful fields of study, do not address the various aspects relative to social work and the behaviors of children and families in their training venues. This field is demanding and takes a special person to be able to address the variety of issues and remain mentally sound. With regard to exemptions for DHHR, I know hiring of workers has been an issue however it is also an issue within other agencies who provide services but they are not afforded the same exemption. My thoughts also surround monitoring. There are issues already with monitoring social workers and their compliance with the Code of Ethics. There have been social workers fired, etc. for various violations and they still retain their licensure. Who monitors this as no one seems to want to report violations. Training is done so fast that the individual undergoing the training cannot possibly remember it all much less put it into practice. Yes, I am concerned for the welfare of the children and their families should DHHR be allowed to hire anyone they want to hire.

Just saying!

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 2:53 PM
To: 'Faber, Tina'
Subject: RE: Public comment on emergency rule

Tina,
Thank you again for taking the time to review and comment on the rule modifications for the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

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While this does not address your concern of lowered credentials and training and the impact upon our profession, it is hoped that the DHHR will continue to assure their training addresses the multi faceted needs and skills required of their staff. Now that the comment period on this rule has ended, all comments we received are provided to the Legislative Rule Making Committee. We will also note the concerns you and others have shared with respect to this lowering of credentials.

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Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B

7/17/2015

Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Faber, Tina [mailto:tfaber@hsc.wvu.edu]
Sent: Tuesday, June 16, 2015 9:37 AM
To: Admin@wvsocialworkboard.org
Subject: Public comment on emergency rule

I think it would be interesting to know whether the shortage of social workers at DHHR is due to an actual shortage of social workers or if there is a overall workforce recruitment and retention problem at the Department. This emergency rule further weakens the integrity and sacrifice those of us who have completed the courses and internships to be a licensed professional social worker. It is the equivalent of saying you really don't need the education or the licensure to be a social worker. Other professions would never make these kinds of accomodations and I am disappointed that the Social Work Board has agreed to do this. We have only weakened our standing as a profession which will affect wages and public support for us all.

Tina Faber, MSW, LSW
Program Manager, MODIFY with CED
WVU Center for Excellence in Disabilities
4510 Pennsylvania Ave. Suite B
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Tele: 304-720-3200 x 227
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350 Capitol Street Rm 691
Charleston, WV 25301
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modify.cedwvu.org

PROVIDING LEADERSHIP IN THE DEVELOPMENT OF SERVICES AND SUPPORTS FOR PERSONS WITH DISABILITIES.

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WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 3:05 PM
To: 'Helen Hartnett'
Subject: RE: Public Comment

Dr. Hartnett:

Thank you again for taking the time to review and your thoughtful and insightful comments on the Rules the Board of Social Work recently filed with respect to the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

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While we share your concerns about credentials and these individuals' ability to convert their Restricted Provisional License to a regular license, WV Code §30-30-16.c2 permits this conversion:

(2) Complete twelve credit hours of core social work study from a program accredited by the council on social work education, as defined by legislative rule, within the four-year provisional license period: *Provided*, That an individual employed as a provisionally licensed social worker with the West Virginia Department of Health and Human Resources shall satisfy this requirement upon completion of the social work training program with the West Virginia Department of Health and Human Resources. The Secretary of the West Virginia Department of Health and Human Resources shall, with the advice of the Higher Education Policy Commission, West Virginia University School of Social Work and Marshall University Department of Social Work, promulgate legislative rules, in accordance with article three, chapter twenty-nine-a of this code, to implement the provisions of this subdivision.

Our rules cannot supersede WV Code, and therefore we cannot modify our rule to accommodate the concerns you and several have shared. Legislation would need to be introduced in the next session to address this issue. However, as part of the rule making process, all comments are provided to the Legislative Rule Making Committee. We will also note the concerns you and others have shared with respect to this section of the Code.

The Department of Health and Human Resources has recently filed a legislative rule describing that training. If you have not already done so, you may access this at <http://apps.sos.wv.gov/adlaw/csr/ruleview.aspx?document=9897>. They will accept public comments in writing until July 25.

7/17/2015

Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B
Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Helen Hartnett [<mailto:Helen.Hartnett@mail.wvu.edu>]
Sent: Wednesday, June 17, 2015 10:18 AM
To: Admin@wvsocialworkboard.org
Subject: Public Comment

WV Board of Social Work,

Attached please find public comment I send to you on behalf of representatives of the faculty of the School of Social Work at West Virginia University. I am sending a hard copy via postal mail. Please confirm receipt.

Thank you-

Helen

Helen P. Hartnett, MA, MSW, PhD
Interim Director
School of Social Work
Eberly College of Arts and Sciences
West Virginia University
PO Box 6830
Morgantown, WV 26506
Helen.hartnett@mail.wvu.edu

7/17/2015

REC'D JUN 23 2015

June 17, 2015

RE: Public Comment Emergency Rule: Restricted Provisional Licensing for Department of Health and Human Resources (DHHR) Workers

Dear West Virginia Board of Social Work:

After review of the WV Board of Social Work's Emergency Rule regarding Restricted Provisional Licensing for Department of Health and Human Resources (DHHR) workers, **representatives from the faculty of West Virginia University's School of Social Work are asking clarification be added to ensure that Restricted Provisional License recipients be prevented from converting to a permanent social work license (LSW).** Senate Bill 559 allows DHHR to hire degreed professionals in any field for social work positions and, although robust training is provided, there is no guarantee that the hires who qualify for the Restricted Provisional License have any additional exposure to social work theory or practice competencies. Related fields have been given the green light to move forward with conversion due to the curriculum provided in these identified undergraduate programs being similar to social work curriculum. To provide that same opportunity for those with the Restricted Provisional License who have degrees in non-related fields denigrates the integrity of the social work profession. We would not license someone as an attorney, physician, realtor etc. if they only had a few classes in law, medicine or real estate. Why should this be different for social workers who work with the most vulnerable people in our population?

The current emergency rule states:

3.3.3.a Restricted provisional licensees may renew their license certificate without making application to convert their license and must continue to maintain all requirements for restricted licensure including quarterly supervision with a qualified supervisor. Renewal periods are for a two year period.

As it stands, this rule implies Restricted Provisional Licensees may convert the Restricted Provisional License to a LSW. No one should be able to convert a Restricted Provisional License to a LSW license. **This should be clearly stated in the rules and we are asking the language be corrected to clearly state that Restricted Provisional Licenses are not convertible.**

West Virginia is having difficulty attracting and retaining professional social workers to adequately staff DHHR. We believe this is due to the difficult nature of the jobs, the lack of adequate and comparable pay, and high caseloads. Reform is needed in order to protect the vulnerable populations being served by DHHR and ensure that DHHR workers are competent and understand the ethical and theoretical frameworks of practice. At this time, action by the WV legislature, should it be upheld and become law, relaxes educational and professionals requirements of social workers who may be employed by DHHR. Recent data from the Children's Defense Fund reports 24.6 percent of West Virginia's children living in poverty, 73 percent of fourth graders unable to read, 12 out of every 1000 children being abuse or neglected.

SCHOOL OF SOCIAL WORK

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<http://socialwork.wvu.edu>
Equal Opportunity/Affirmative Action Institution

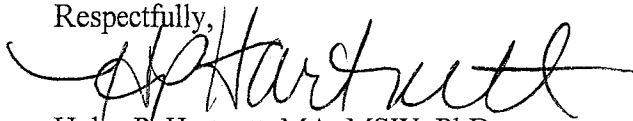
It is critical to the state of WV that standards be maintained for other professional social work jobs across the state.

This legislation will also reduce the number of DHHR staff who meet the eligibility requirements to serve as field instructors for social work programs (individuals that hold a **BSW** or **MSW** degree from an accredited program). This will limit the number of field placement students (including current DHHR employees), who can conduct their field placements with the Department. The consequence of such will subsequently decrease recruitment and retention of social work degreed professionals, further compounding the problem.

One way to attract more qualified DHHR workers is to make the job more attractive through increasing the salary and/or making the workload manageable. The state chapter of the National Association of Social Workers (NASW) has repeatedly offered to assist DHHR in identifying areas of improvement and to assist at addressing those needs. To our knowledge, DHHR has never taken NASW WV up on this offer. Instead, the WV legislature has chosen to relax the requirements of DHHR workers who serve some of the most vulnerable citizens of our state (i.e. young children, adolescents, the elderly, etc.).

It is critical to the state of WV that standards be maintained for other professional social work jobs across the state. West Virginia is among states least achieving protection, education, and quality of living for families. This negative image must be changed. **Please amend the emergency rule to clarify that Restricted Provisional Licensee are prevented from converting the Restricted Provisional License to a LSW license.**

Respectfully,



Helen P. Hartnett, MA, MSW, PhD
Interim Director

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 3:06 PM
To: 'Carrie Rishel'
Subject: RE: Public Comment

Dr. Rishel:

Thank you again for taking the time to review and comment on the Rules the Board of Social Work recently filed with respect to the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

The legislation allows DHHR to hire Bachelors degrees outside of the related degrees and authorizes them to substitute their training in lieu of the academic credentialing component required of Provisional Licensees. The Board developed a Restricted Provisional License to accommodate this legislation. These individuals are limited to practice solely within the agency.

While we share your concerns about credentials and these individuals' ability to convert their Restricted Provisional License to a regular license, WV Code §30-30-16.c2 permits this conversion:

(2) Complete twelve credit hours of core social work study from a program accredited by the council on social work education, as defined by legislative rule, within the four-year provisional license period: *Provided*, That an individual employed as a provisionally licensed social worker with the West Virginia Department of Health and Human Resources shall satisfy this requirement upon completion of the social work training program with the West Virginia Department of Health and Human Resources. The Secretary of the West Virginia Department of Health and Human Resources shall, with the advice of the Higher Education Policy Commission, West Virginia University School of Social Work and Marshall University Department of Social Work, promulgate legislative rules, in accordance with article three, chapter twenty-nine-a of this code, to implement the provisions of this subdivision.

Our rules cannot supersede WV Code, and therefore we cannot modify our rule to accommodate the concerns you and several have shared. Legislation would need to be introduced in the next session to address this issue. However, as part of the rule making process, all comments are provided to the Legislative Rule Making Committee. We will also note the concerns you and others have shared with respect to this section of the Code.

The Department of Health and Human Resources has recently filed a legislative rule describing that training. If you have not already done so, you may access this at <http://apps.sos.wv.gov/adlaw/csr/ruleview.aspx?document=9897>. They will accept public comments in writing until July 25.

Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B
Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Carrie Rishel [mailto:Carrie.Rishel@mail.wvu.edu]
Sent: Wednesday, June 17, 2015 11:24 AM
To: Admin@wvsocialworkboard.org
Subject: Public Comment

Dear West Virginia Board of Social Work:

After review of the WV Board of Social Work's Emergency Rule regarding Restricted Provisional Licensing for Department of Health and Human Resources (DHHR) workers, I join other faculty from the **West Virginia University School of Social Work in asking clarification be added to ensure that Restricted Provisional License recipients be prevented from converting to a permanent social work license (LSW)**. Senate Bill 559 allows DHHR to hire degreed professionals in any field for social work positions and, although robust training is provided, there is no guarantee that the hires who qualify for the Restricted Provisional License have any additional exposure to social work theory or practice competencies. Related fields have been given the green light to move forward with conversion due to the curriculum provided in these identified undergraduate programs being similar to social work curriculum. To provide that same opportunity for those with the Restricted Provisional License who have degrees in non-related fields denigrates the integrity of the social work profession. We would not license someone as an attorney, physician, realtor etc. if they only had a few classes in law, medicine or real estate. Why should this be different for social workers who work with the most vulnerable people in our population?

The current emergency rule states:

3.3.3.a Restricted provisional licensees may renew their license certificate without making application to convert their license and must continue to maintain all requirements for restricted licensure including quarterly supervision with a qualified supervisor. Renewal periods are for a two year period.

As it stands, this rule implies Restricted Provisional Licensees may convert the Restricted Provisional License to a LSW. No one should be able to convert a Restricted Provisional License to a LSW license. **This should be clearly stated in the rules and we are asking the language be corrected to clearly state that Restricted Provisional Licenses are not convertible.**

West Virginia is having difficulty attracting and retaining professional social workers to adequately staff DHHR. We believe this is due to the difficult nature of the jobs, the lack of adequate and comparable pay, and high caseloads. Reform is needed in order to protect the vulnerable populations being served by DHHR and ensure that DHHR workers are competent and understand the ethical and theoretical frameworks of practice. At this time, action by the WV legislature, should it be upheld and become law, relaxes educational and professional requirements of social workers who may be employed by DHHR. Recent data from the Children's Defense Fund reports 24.6 percent of West Virginia's children living in poverty, 73 percent of fourth graders unable to read, 12

out of every 1000 children being abuse or neglected. It is critical to the state of WV that standards be maintained for other professional social work jobs across the state.

This legislation will also reduce the number of DHHR staff who meet the eligibility requirements to serve as field instructors for social work programs (individuals that hold a **BSW** or **MSW** degree from an accredited program). This will limit the number of field placement students (including current DHHR employees), who can conduct their field placements with the Department. The consequence of such will subsequently decrease recruitment and retention of social work degreed professionals, further compounding the problem.

One way to attract more qualified DHHR workers is to make the job more attractive through increasing the salary and/or making the workload manageable. The state chapter of the National Association of Social Workers (NASW) has repeatedly offered to assist DHHR in identifying areas of improvement and to assist at addressing those needs. To our knowledge, DHHR has never taken NASW WV up on this offer. Instead, the WV legislature has chosen to relax the requirements of DHHR workers who serve some of the most vulnerable citizens of our state (i.e. young children, adolescents, the elderly, etc.).

It is critical to the state of WV that standards be maintained for other professional social work jobs across the state. West Virginia is among states least achieving protection, education, and quality of living for families. This negative image must be changed. **Please amend the emergency rule to clarify that Restricted Provisional Licensee are prevented from converting the Restricted Provisional License to a LSW license.**

Respectfully,

Carrie W. Rishel, MSW, PhD
Associate Professor and Director of Integrated Mental and Behavioral Health Training Program
WVU School of Social Work
B9 Knapp Hall; PO Box 6830
Morgantown, WV 26506

304-293-6377 (office)
304-293-5936 (fax)

7/17/2015

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]

Sent: Friday, July 17, 2015 3:07 PM

To: 'Jacki Englehardt'

Subject: RE: Public Comment Emergency Rule: Restricted Provisional Licensing for Department of Health and Human Resources (DHHR) Workers

Jackie:

Thank you again for taking the time to review and comment on the Rules the Board of Social Work recently filed with respect to the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

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While we share your concerns about credentials and these individuals' ability to convert their Restricted Provisional License to a regular license, WV Code §30-30-16.c2 permits this conversion:

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Our rules cannot supersede WV Code, and therefore we cannot modify our rule to accommodate the concerns you and several have shared. Legislation would need to be introduced in the next session to address this issue. However, as part of the rule making process, all comments are provided to the Legislative Rule Making Committee. We will also note the concerns you and others have shared with respect to this section of the Code.

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7/17/2015

Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B
Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Jacki Englehardt [mailto:Jacki.Englehardt@mail.wvu.edu]
Sent: Wednesday, June 17, 2015 2:23 PM
To: WV Board of Social Work
Subject: Public Comment Emergency Rule: Restricted Provisional Licensing for Department of Health and Human Resources (DHHR) Workers

Dear West Virginia Board of Social Work:

After review of the WV Board of Social Work's Emergency Rule regarding Restricted Provisional Licensing for Department of Health and Human Resources (DHHR) workers, I, as a **West Virginia licensed social worker with an accredited MSW degree and faculty member of WVU School of Social Work, am asking clarification be added to ensure that Restricted Provisional License recipients be prevented from converting to a permanent social work license (LSW).**

Senate Bill 559 allows DHHR to hire degreed professionals in any field for social work positions and, although robust training is provided, there is no guarantee that the hires who qualify for the Restricted Provisional License have any additional exposure to social work theory or practice competencies. Related fields have been given the green light to move forward with conversion due to the curriculum provided in these identified undergraduate programs being similar to social work curriculum, a requirement that 12 credit hours of social work coursework be complete in order to maintain a Provisional License, and additional supervision and continuing education requirements. While I don't 100% agree with that rule/law, I do appreciate that that it was an improvement made in 2013 to the state licensure law that at least made it a requirement that Provisional Licensees have some formal coursework in social work. To provide that same opportunity for those with the Restricted Provisional License who have degrees in non-related fields and no social work coursework denigrates the integrity of the social work profession.

The current emergency rule states:

3.3.3.a Restricted provisional licensees may renew their license certificate without making application to convert their license and must continue to maintain all requirements for restricted licensure including quarterly supervision with a qualified supervisor. Renewal periods are for a two year period.

As it stands, this rule implies Restricted Provisional Licensees may convert the Restricted Provisional License to a LSW. No one should be able to convert a Restricted Provisional License to a LSW license. **This should be clearly stated in the rules and I am asking the language be corrected to unmistakably state that Restricted Provisional Licenses are not convertible.**

It is critical to the state of WV that standards be maintained for other professional social work jobs across the state. West Virginia is among states least achieving protection, education, and quality of living for families. This

7/17/2015

negative image must be changed. Please amend the emergency rule to clarify that Restricted Provisional Licensees are prevented from converting the Restricted Provisional License to a LSW license.

Respectfully,

Jacki Englehardt, MSW, ACSW
Professional & Community Education Coordinator
WVU School of Social Work
PO Box 6830
Morgantown, WV 26506-6830
Office: 304-293-3280
Cell: 304-282-0321
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Social Work Website: <http://socialwork.wvu.edu>
Summer Institute on Aging Website: <http://wvsioa.org>

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 3:09 PM
To: 'Abigail Miller'
Subject: RE: Restricted Provisional License to work at DHHR

Abby,

Thank you again for taking the time to review and comment on the Rules the Board of Social Work recently filed with respect to the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

The legislation allows DHHR to hire Bachelors degrees outside of the related degrees and authorizes them to substitute their training in lieu of the academic credentialing component required of Provisional Licensees. The Board developed a Restricted Provisional License to accommodate this legislation. These individuals are limited to practice solely within the agency.

While we share your concerns about credentials and these individuals' ability to convert their Restricted Provisional License to a regular license, WV Code §30-30-16.c2 permits this conversion:

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Our rules cannot supersede WV Code, and therefore we cannot modify our rule to accommodate the concerns you and several have shared. Legislation would need to be introduced in the next session to address this issue. However, as part of the rule making process, all comments are provided to the Legislative Rule Making Committee. We will also note the concerns you and others have shared with respect to this section of the Code.

The Department of Health and Human Resources has recently filed a legislative rule describing that training. If you have not already done so, you may access this at <http://apps.sos.wv.gov/adlaw/csr/ruleview.aspx?document=9897>. They will accept public comments in writing until July 25.

7/17/2015

Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B
Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Abigail Miller [mailto:amille37@mix.wvu.edu]
Sent: Friday, June 19, 2015 4:36 PM
To: Admin@wvsocialworkboard.org
Subject: Restricted Provisional License to work at DHHR

Dear WV Board of Social Work,

The language in the current emergency rules (below) needs to be corrected so it is clear that a restricted provisional license MAY NOT be converted to an LSW.

The current emergency rules open for public comment state:

3.3.3.a Restricted provisional licensees may renew their license certificate without making application to convert their license and must continue to maintain all requirements for restricted licensure including quarterly supervision with a qualified supervisor. Renewal periods are for a two year period.

As social workers being those who work with the most vulnerable people in our population and those who are there to help people with their everyday life problems, someone who has a restricted license should not be allowed to convert it into a LSW. We would not allow someone who has only taken a couple classes on their profession be able to work that certain job and it should be taken just as serious for social workers.

Social workers deal with many different aspects of a persons life and can help change that person for the better and listen to a persons problems, if someone is able to turn their restricted provisional license into a LSW then that is making it okay for just anyone to deal with the vulnerable people in this world that need our help. Please amend the emergency rule to clarify that Restricted Provisional License are prevented from converting the Restricted Provisional License to a LSW license.

Respectfully,

Abby Miller
WVU School of Social Work

7/17/2015

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 3:10 PM
To: 'Lindsey Hash'
Subject: RE: Restricted Provisional License to work at DHHR

Lindsey,

Thank you again for taking the time to review and comment on the Rules the Board of Social Work recently filed with respect to the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

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Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
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Fax: 304-400-4976

From: Lindsey Hash [mailto:lhash@mix.wvu.edu]
Sent: Friday, June 19, 2015 6:55 PM
To: Admin@wvsocialworkboard.org
Subject: Restricted Provisional License to work at DHHR

Dear West Virginia Board of Social Work:

As a West Virginia native and current BSW student at West Virginia University, I urge you to correct the language in the current rules (below) regarding the Restricted Provisional License to work at DHHR so that it is clear a restricted license cannot be converted to a permanent social work license.

The current emergency rules open for public comment state:

3.3.3.a Restricted provisional licensees may renew their license certificate without making application to convert their license and must continue to maintain all requirements for restricted licensure including quarterly supervision with a qualified supervisor. Renewal periods are for a two year period.

As social workers it is our duty to look out for society's best interest. Allowing those who have not had the opportunity to sufficiently learn the ethical and theoretical frameworks of social work practice puts the most vulnerable in our society at even greater risk and thus goes against all that social work stands for.

Respectfully,

Lindsey Hash
39 Battlefield Drive,
Charles Town, WV 25414

7/17/2015

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 3:10 PM
To: 'Kathryn McDonald'
Subject: RE: Restricted Provisional Licence to work at DHHR

Katie,

Thank you again for taking the time to review and comment on the Rules the Board of Social Work recently filed with respect to the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

The legislation allows DHHR to hire Bachelors degrees outside of the related degrees and authorizes them to substitute their training in lieu of the academic credentialing component required of Provisional Licensees. The Board developed a Restricted Provisional License to accommodate this legislation. These individuals are limited to practice solely within the agency.

While we share your concerns about credentials and these individuals' ability to convert their Restricted Provisional License to a regular license, WV Code §30-30-16.c2 permits this conversion:

(2) Complete twelve credit hours of core social work study from a program accredited by the council on social work education, as defined by legislative rule, within the four-year provisional license period: *Provided*, That an individual employed as a provisionally licensed social worker with the West Virginia Department of Health and Human Resources shall satisfy this requirement upon completion of the social work training program with the West Virginia Department of Health and Human Resources. The Secretary of the West Virginia Department of Health and Human Resources shall, with the advice of the Higher Education Policy Commission, West Virginia University School of Social Work and Marshall University Department of Social Work, promulgate legislative rules, in accordance with article three, chapter twenty-nine-a of this code, to implement the provisions of this subdivision.

Our rules cannot supersede WV Code, and therefore we cannot modify our rule to accommodate the concerns you and several have shared. Legislation would need to be introduced in the next session to address this issue. However, as part of the rule making process, all comments are provided to the Legislative Rule Making Committee. We will also note the concerns you and others have shared with respect to this section of the Code.

The Department of Health and Human Resources has recently filed a legislative rule describing that training. If you have not already done so, you may access this at <http://apps.sos.wv.gov/adlaw/csr/ruleview.aspx?document=9897> . They will accept public comments in writing until July 25.

7/17/2015

Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B
Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Kathryn McDonald [mailto:kmcdona5@mix.wvu.edu]
Sent: Thursday, June 25, 2015 12:41 PM
To: Admin@wvsocialworkboard.org; Leslie Tower
Subject: Restricted Provisional Licence to work at DHHR

Dear WV Board of Social Work:

The language in the current emergency rules (below) needs to be corrected so it is clear that a restricted provisional license MAY NOT be converted to an LSW.

The current emergency rules open for public comment state:

3.3.3.a Restricted provisional licensees may renew their certificate without making application to convert their license and must continue to maintain all requirements for restricted licensure including quarterly supervision with a qualified supervisor. Renewal periods are for a two year period.

--- As a Social Work student in the Undergraduate Program of West Virginia University, I am not in favor of the Restricted Provisional License recipients being granted the ability to convert to a permanent social work license (LSW). I believe that there is a great risk concerning that the individuals who may qualify for the Restricted Provisional License do not have the necessary qualified exposure to social work theory to practice competencies.

I have studied in at West Virginia University for the past four years and have gained a great understanding of the extensive learning that is required to earn a Social Work degree and become a Licensed Social Worker. It is worrisome that with the Senate Bill 559, individuals with a Restricted Provisional License will be granted a LSW license without the necessary education and experience. The DHHR is a difficult nature of a job, therefore, it is necessary that reform is needed to protect the vulnerable populations being served by the DHHR and ensure that the DHHR workers are competent and understand the ethical and theoretical frameworks of practice.

Please amend the emergency rule to clarify that Restricted Provisional Licensees are prevented from converting the Restricted Provisional License to a LSW license.

Respectfully,

Katie McDonald
BSW Student of West Virginia University
443-848-1481
251 Stewart Street Apt. 201
Morgantown, WV 26505

7/17/2015

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 3:11 PM
To: 'Ashlee Ketterman'
Subject: RE: Restricted Provisional License to work at DHHR

Ashlee,

Thank you for taking the time to review and comment on the Rules the Board of Social Work recently filed with respect to the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

The legislation allows DHHR to hire Bachelors degrees outside of the related degrees and authorizes them to substitute their training in lieu of the academic credentialing component required of Provisional Licensees. The Board developed a Restricted Provisional License to accommodate this legislation. These individuals are limited to practice solely within the agency.

While we share your concerns about credentials and these individuals' ability to convert their Restricted Provisional License to a regular license, WV Code §30-30-16.c2 permits this conversion:

(2) Complete twelve credit hours of core social work study from a program accredited by the council on social work education, as defined by legislative rule, within the four-year provisional license period: *Provided*, That an individual employed as a provisionally licensed social worker with the West Virginia Department of Health and Human Resources shall satisfy this requirement upon completion of the social work training program with the West Virginia Department of Health and Human Resources. The Secretary of the West Virginia Department of Health and Human Resources shall, with the advice of the Higher Education Policy Commission, West Virginia University School of Social Work and Marshall University Department of Social Work, promulgate legislative rules, in accordance with article three, chapter twenty-nine-a of this code, to implement the provisions of this subdivision.

Our rules cannot supersede WV Code, and therefore we cannot modify our rule to accommodate the concerns you and several have shared. Legislation would need to be introduced in the next session to address this issue. However, as part of the rule making process, all comments are provided to the Legislative Rule Making Committee. We will also note the concerns you and others have shared with respect to this section of the Code.

The Department of Health and Human Resources has recently filed a legislative rule describing that training. If you have not already done so, you may access this at <http://apps.sos.wv.gov/adlaw/csr/ruleview.aspx?document=9897> . They will accept public comments in writing until July 25.

7/17/2015

Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

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Executive Director
WV Board of Social Work
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Charleston, WV 25361
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Fax: 304-400-4976

From: Ashlee Ketterman [mailto:aketterm@mix.wvu.edu]
Sent: Thursday, June 25, 2015 3:21 PM
To: admin@wvsocialworkboard.org
Subject: Restricted Provisional License to work at DHHR

June 25, 2015

Dear WV Board of Social Work:

West Virginia is having difficulty attracting and retaining professional social workers to adequately staff DHHR. It is not beneficial to the state to hire individuals who are not competent for this particular field. You would not expect your surgeon to have gone to beauty school rather than medical school. In order to attract and retain professional social workers, it would be wise to increase the DHHR worker's salaries. This salary increase will make a difference in the lives of both the clients and the DHHR employees. A salary increase as well as maintaining West Virginia's social work standards will help attract and retain professional social workers. **Please amend the emergency rule to clarify that Restricted Provisional Licensee are prevented from converting the Restricted Provisional License to a LSW license.**

Respectfully,

Ashlee Ketterman
235 Birds Eye View
Morgantown, WV 26501

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 3:11 PM
To: 'Shannon Reilley'
Subject: RE: Restricted Provisional Licence to work at DHHR

Shannon,

Thank you again for taking the time to review and comment on the Rules the Board of Social Work recently filed with respect to the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

The legislation allows DHHR to hire Bachelors degrees outside of the related degrees and authorizes them to substitute their training in lieu of the academic credentialing component required of Provisional Licensees. The Board developed a Restricted Provisional License to accommodate this legislation. These individuals are limited to practice solely within the agency.

While we share your concerns about credentials and these individuals' ability to convert their Restricted Provisional License to a regular license, WV Code §30-30-16.c2 permits this conversion:

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7/17/2015

Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
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Fax: 304-400-4976

From: Shannon Reilley [mailto:smreilley@mix.wvu.edu]
Sent: Thursday, June 25, 2015 5:05 PM
To: admin@wvsocialworkboard.org
Subject: Restricted Provisional Licence to work at DHHR

Dear West Virginia Board of Social Work:

The language in the current emergency rules needs to be corrected so it is clear that a restricted provisional license MAY NOT be converted to an LSW.

The current emergency rules open for public comment state:

3.3.3.a. Restricted provisional licensees may renew their license certificate without making application to convert their license and must continue to maintain all requirements for restricted licensure including quarterly supervision with a qualified supervisor. Renewal periods are for a two year period.

I take this issue seriously because I will be graduating in December with a social work degree. By allowing people to convert their Restricted Provisional License to an LSW, my profession is being harmed. Additionally, children and families will be at risk. DHHR workers should be educated and trained in order to be able to properly help these families. DHHR's staffing issues should not be fixed by allowing unqualified individuals to practice a job that requires competence and knowledge. Please amend the emergency rule to clarify that Restricted Provisional Licensees are prevented from converting the Restricted Provisional Licenses to a LSW license.

Respectfully,
Shannon Reilley
410 Bent Tree Court
Morgantown, West Virginia

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 3:12 PM
To: 'Kelsie Lantz'
Subject: RE: Restricted Provisional License to work at DHHR

Kelsie,

Thank you for taking the time to review and comment on the Rules the Board of Social Work recently filed with respect to the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

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The Department of Health and Human Resources has recently filed a legislative rule describing that training. If you have not already done so, you may access this at <http://apps.sos.wv.gov/adlaw/csr/ruleview.aspx?document=9897>. They will accept public comments in writing until July 25.

7/17/2015

Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B
Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Kelsie Lantz [mailto:klantz4@mix.wvu.edu]
Sent: Thursday, June 25, 2015 11:02 PM
To: Admin@wvsocialworkboard.org
Subject: Restricted Provisional License to work at DHHR

Dear WV Board of Social Work:

I am writing in concern of the language in the current emergency rules. It needs to be corrected so it is clear that a restricted provisional license may not be converted to an LSW.

The current emergency rule states:

3.3.3.a Restricted provisional licenses may renew their license certificate
without making application to convert their license and must continue to maintain all requirements for restricted licensure including quarterly supervision with a qualified supervisor. Renewal periods are for a two year period.

At this time, this rule implies Restricted Provisional Licenses may convert the Restricted Provisional License to LSW. No one should be able to convert a Restricted Provisional License to a LSW license. This needs to be more clearly stated.

As known, the state of West Virginia is having difficulty recruiting and keeping professional social workers at the DHHR. We believe this is due to the difficult nature of the jobs, the lack of adequate and comparable pay, and high caseloads. This is very concerning, considering DHHR employees work with the most vulnerable populations.

As a social work student, I am able to see that social work takes many different types of training and skills, not just a training that one can receive in a hour or two class. We would not let a doctor practice if he had only taken one or two training classes.

It is critical to the state of WV that standards be maintained for other professional social work jobs across the state. West Virginia is among states least achieving protection, education, and quality of living for families. This negative image must be changed. Please amend the emergency rule to clarify that Restricted Provisional Licensee are prevented from converting the Restricted Provisional License to a LSW license.

Respectfully,
Kelsie Lantz

12005 Silverbell Dr.

7/17/2015

Morgantown, WV 26508

7/17/2015

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 3:12 PM
To: 'Brandi Griffith'
Subject: RE: Restricted Provisional License to work at DHHR

Brandi,

Thank you for taking the time to review and comment on the Rules the Board of Social Work recently filed with respect to the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

The legislation allows DHHR to hire Bachelors degrees outside of the related degrees and authorizes them to substitute their training in lieu of the academic credentialing component required of Provisional Licensees. The Board developed a Restricted Provisional License to accommodate this legislation. These individuals are limited to practice solely within the agency.

While we share your concerns about credentials and these individuals' ability to convert their Restricted Provisional License to a regular license, WV Code §30-30-16.c2 permits this conversion:

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The Department of Health and Human Resources has recently filed a legislative rule describing that training. If you have not already done so, you may access this at <http://apps.sos.wv.gov/adlaw/csr/ruleview.aspx?document=9897>. They will accept public comments in writing until July 25.

7/17/2015

Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
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Charleston, WV 25361
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Fax: 304-400-4976

From: Brandi Griffith [mailto:brgriffith@mix.wvu.edu]
Sent: Friday, June 26, 2015 7:00 PM
To: Admin@wvsocialworkboard.org
Subject: Restricted Provisional License to work at DHHR

Dear WV Board of Social Work:

I am asking that you would take the time to revise the wording in the current emergency rules to confirm that Restricted Provisional License recipients will be restricted from getting a permanent social work license. The concern is that even though there is adequate training for these individuals, they may not have the additional schooling required for this particular field of work.

The current emergency rule that is open for public comment states:
3.3.3a Restricted provisional licensees may renew their license certificate without making application to convert their license and must continue to maintain all requirements for restricted licensure including quarterly supervision with a qualified supervisor. Renewal periods are for a two year period.

Respectfully,

Brandi Griffith
174 Hickory View Way Unit 101
Shinnston, WV 26431

WV Board of Social Work

From: WV Board of Social Work [admin@wvsocialworkboard.org]
Sent: Friday, July 17, 2015 3:24 PM
To: 'Renquest, Robin'
Subject: RE: Public Comment Period - WV Board of Social Work Emergency Rule - Qualifications for the Profession of Social Work
Attachments: image001.png

Robin,
Thank you again for taking the time to review and comment on the rule modifications for the Qualifications for the Profession of Social Work.

The legislation prompting this rule was SB 559. It was a compromise prompted by legislation originally introduced by the Department of Health and Human Resources requesting their staff be exempted entirely from social work licensure, thereby eliminating the continuing education, ethics, oversight and accountability associated with licensure. This bill had already passed the Senate and following a public hearing, a compromise was reached in the House Government Organization Committee. Cognizant of the multiple and complex needs of children and families served by the Department of Health and Human Resources, we share the concerns expressed by many with the lowering of credentials and training requirements of staff working with these vulnerable families. However, faced with the prospect of the Department not being licensed at all, ultimately the Board agreed to forego the credentialing and competency element of licensure in order to ensure the Department's staff abide by NASW Code of Ethics and their practice had oversight and accountability outside their employer, as is the case with all social workers in WV.

The Board developed a Restricted Provisional License to accommodate this legislation. The legislation allows DHHR to hire Bachelors degrees outside of the related degrees and authorizes them to substitute their training in lieu of the academic credentialing component required of Provisional Licensees. The Board developed a Restricted Provisional License to accommodate this legislation. These individuals are limited to practice solely within the agency.

This does not address your concern of expanded hiring capability extended for just DHHR and the workforce recruitment problems in your email. However, the Board did expand the Provisional Licensure opportunity to private agencies in July 2013 which gives those agencies the opportunity to hire individuals with degrees other than social work. Degrees that are considered a related degree are Psychology, Sociology, Counseling or Criminal Justice as specified in Legislative rule but the Board will consider and have approved additional degrees on a case by case basis. The employer application process is simple but only a relatively small number of agencies have availed themselves of this expanded hiring ability.

In lieu of the academic credentialing component required of a Provisional License, SB 559 also allows the DHHR to substitute their training for individuals who are licensed as a Restricted Provisional Licensee. The Department of Health and Human Resources has recently filed a legislative rule describing that training. You may access this at <http://apps.sos.wv.gov/adlaw/csr/ruleview.aspx?document=9897>. They will accept public comments in writing until July 25.

Again, we appreciate the time you took to review and comment on the rules. These rules will be reviewed by the Legislature during the upcoming session and we will keep interested parties apprised of its progress on our web page at wvsocialworkboard.org

Vickie James, ACSW, LCSW
Executive Director
WV Board of Social Work
PO Box 5459, 900 Pennsylvania Ave, Suite 5B
Charleston, WV 25361
Phone: 304-400-4980
Fax: 304-400-4976

From: Renquest, Robin [mailto:RRRenquest@pressleyridge.org]
Sent: Thursday, June 11, 2015 2:19 PM
To: Admin@wvsocialworkboard.org
Subject: Public Comment Period - WV Board of Social Work Emergency Rule - Qualifications for the Profession of Social Work

Many providers of Behavioral Health and Mental Health service such as those that fall under WV DHHR's **Child Placing and Child Caring Regulations** are having the exact same struggle and hardship with finding staff. The difference is there is no possible waiver

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for the provider community to hire outside of the very strict and limited disciplines.

While I understand the struggle DHHR is having, unless we are going to afford this same allowance to providers who are struggling to find staff from the appropriately discipline and licensed. It is frustrating that we continue to expand an allowance for just one group of individuals.

We have a serious Human Recourse crisis in this state. I believe as a licensing board we need to look at how to assist all those with this serious struggle as it impacts the ability hire staff to provide much needed services to youth, families and individuals. This issues is much more far reaching and crippling than is Rule is covering in scope.



Robin R. Renquest, MSW, LGSW
Senior Director

WV Programs & Services
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Morgantown, WV 26501
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(304) 296-9562 (F)

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