

## 2018 Annual Meeting of the Delegate Assembly

### Regulation and Standards Committee Report

The RAS committee met on July 14, 2018, in McLean, Virginia. The charges were reviewed as well as the 2017 report to the Delegate Assembly.

#### Charge to Committee

The Regulation and Standards Committee reviews and recommends policies and actions pertaining to the association's role in providing regulatory information, developing relevant disciplinary and regulatory data banks, facilitating the exchange of information relative to the movement of practitioners from jurisdiction to jurisdiction, and working toward uniformity of law and practice while respecting jurisdictional rights. The committee works closely with the President and CEO, and reports to the Board of Directors. The Committee's work will be guided by the ASWB Strategic Plan whenever applicable.

#### Ongoing charge

The Regulation and Standards Committee is charged with the following on an ongoing basis:

1. Developing and considering proposals for additions or changes to the ASWB Model Social Work Practice Act.
2. Conducting regular reviews of the ASWB Model Social Work Practice Act.
3. Monitoring policies and developing procedures regarding operation and maintenance of the Public Protection Database (PPD).
4. Monitoring and encouraging regulatory board participation in the PPD.
5. Developing model procedures, requirements, and forms to facilitate greater uniformity among jurisdictions.
6. Monitoring emerging issues regarding social work practice.

#### Charges for 2018–2020

The ASWB Regulation and Standards Committee is also charged with the following:

1. Support ASWB staff and members with implementation of a plan for social work mobility and license portability.
  - Consistent with Ongoing Charges 1 and 2
2. Focus on deregulation: trends across membership; determine what ASWB can/should be doing to best support members.
  - Consistent with Ongoing Charge 6



#### Committee Members

##### *Chairperson*

Jacqueline Lowe  
South Carolina

Mavis Azariah-Armattoe  
District of Columbia

Thomas Brooks  
Minnesota

Sonia Cisternas  
Québec

Vikki Erickson  
Nevada

Jaime Hoyle  
Virginia

*Board liaison*  
Robert Payne  
Idaho

#### Also present

Dale Atkinson  
ASWB legal counsel

Dwight Hymans  
Jennifer Henkel  
*ASWB staff*

#### Report prepared by

Jennifer Henkel  
ASWB staff

## Recommendations/Actions

All actions and recommendations from the committee are under the guidance of the charges above and continuity of previous RAS Committee work.

### Progress and action made toward the following sections of the Ongoing Charge:

1. *Developing and considering proposals for additions or changes to the ASWB Model Social Work Practice Act.*
2. *Conducting regular reviews of the ASWB Model Social Work Practice Act.*
5. *Developing model procedures, requirements, and forms to facilitate greater uniformity among jurisdictions.*
6. *Monitoring emerging issues regarding social work practice.*

The RAS Committee recommends two changes to the Model Social Work Practice Act for consideration by delegates at the 2018 Annual Meeting of the Delegate Assembly:

1. Amend Section 308. Qualifications for License Transfer to an Endorsement provision to better support the Mobility strategy and implementation. [Deleted text is stricken; added text is in bold red type.]

#### Section 308. Qualifications for ~~License Transfer~~ **Licensure by Endorsement**.

- (a) ~~In order for a social worker currently licensed in another jurisdiction to obtain a license as a social worker by license transfer in this state~~ **To obtain a license by endorsement at the equivalent designation and subject to Article IV of this Act**, an applicant **currently licensed as a social worker in another jurisdiction** must provide evidence satisfactory to the Board, subject to Section 311, that the applicant:
- (1) Has submitted a written application ~~in the form prescribed~~ **and paid the fees as specified** by the Board; **and**
  - (2) ~~Has attained the age of majority;~~
  - (3) ~~Is of good moral character;~~
  - (4) ~~Has a social work degree at the designation for which the applicant is seeking licensure;~~
  - (5) ~~Has possessed at the time of initial licensure as a social worker all other qualifications necessary to have been eligible for licensure at that time in this state;~~
  - (6) ~~Has presented to the Board a passing score on the designated licensure examination;~~
  - (7)(2) Has presented to the Board proof ~~that the transferring of an active~~ **of an active** social work license ~~is current and~~ in good standing;
  - (8) ~~Has presented to the Board proof that any social work or any other professional license or other credential granted to the applicant by any other state has not been suspended, revoked, has action pending, or otherwise restricted for any reason except non-renewal or for the failure to obtain the required continuing education credits in any state where the applicant is or has been licensed; and~~
  - (9) ~~Has paid the fees specified by the Board.~~

~~(b) Applicants for license transfer under this Section shall only be eligible for licensure at the equivalent designation recognized in the currently licensed jurisdiction.~~

~~Section 308(b). Qualifications for License Transfer.~~

~~Boards are encouraged to develop extensive applications designed to elicit the information necessary to assess the eligibility of reciprocating candidates. Applications should include not only inquiries regarding adverse actions against the licensee, but also pending investigations, pending disciplinary proceedings, or other matters that may not have been completed.~~

As amended, Section 308 would read:

**Section 308. Qualifications for Licensure by Endorsement.**

- (a) To obtain a license by endorsement at the equivalent designation and subject to Article IV of this Act, an applicant currently licensed as a social worker in another jurisdiction must provide evidence satisfactory to the Board, subject to Article III, Section 311, that the applicant:
- (1) Has submitted a written application and paid the fee as specified by the Board; and
  - (2) Has presented to the Board proof of an active social work license in good standing.
2. Change the title of Article IV. Discipline to Enforcement, which is a more accurate description of the role of the board.

**The ASWB Board of Directors voted at its August 2018 meeting to support the recommendations of the Regulation and Standards Committee.**

The RAS Committee discussed use of the model law as a training focus (i.e., what it is, how to use it, and how to incorporate it with regulations). The committee generated several ideas, and staff will follow up during the next year to determine viability and creation of these resources.

1. Create a video(s) or interactive PowerPoint to highlight the model law
  - a. Length: two to three minutes
  - b. Content: Use existing member videos as a resource / reference (e.g., California and Minnesota)
  - c. Intended audience: boards; but maybe useful for legislator education
2. Highlight specific sections of the model law
  - a. Purpose and how to use the model law
  - b. How to incorporate the model law into a state/province's practice act
  - c. Categories of licensure
    - i. Tie in exam blueprints and KSA statements
  - d. Enforcement (nee Discipline)
  - e. Confidentiality and Mandatory reporting
    - i. Ethics
    - ii. Issue CE for this module
3. Other possible topics
  - a. Why boards exist
  - b. Mobility and use of endorsement

7. *Monitoring policies and developing procedures regarding operation and maintenance of the Public Protection Database (PPD).*
8. *Monitoring and encouraging regulatory board participation in the PPD.*

The committee discussed the PPD and highlighted an idea to improve the functionality of PPD to better meet the needs of members. The idea is based on a reporting feature that similar disciplinary databanks of other professions offer to their members. Using this concept, PPD staff would notify all member boards where a social worker is licensed when a report is received regarding that licensed social worker.

ASWB staff will discuss the viability of implementing this feature during the next year.

### **Progress and action made toward the following sections of the Charges for 2018–2020:**

1. *Support ASWB staff and members with implementation of a plan for social work mobility and license portability.*
  - *Consistent with Ongoing Charges 1 and 2.*
2. *Focus on deregulation: trends across membership; determine what ASWB can/should be doing to best support members.*
  - *Consistent with Ongoing Charge 6.*

The committee reviewed the model law and focused on revisions to support the Mobility strategy and implementation. Committee members discussed the needs expressed by members related to implementation of the Mobility strategy. Changing language in the model law from “license transfer” to “licensure by endorsement” was determined to be the most streamlined solution. New language is being proposed for adoption by the delegates at the 2018 Annual Meeting of the Delegate Assembly. (See Recommendation #1 on page 2 of this report.)

This streamlined language is expected to be well received by politicians looking for solutions to the barriers to entry to the workforce. Movement made by membership to decrease licensure barriers and increase consistency of regulation across jurisdictions is one approach that can address the pressures of deregulation.

### **Future Discussion Topics and/or Suggestions for 2019 Charge**

- The committee discussed the need to begin a comprehensive review of the model law in 2019.