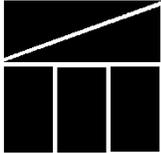


Adverse impact notification sent to Joint Commission on Administrative Rules, House Committee on Appropriations, and Senate Committee on Finance (COV § 2.2-4007.04.C): Yes Not Needed

If/when this economic impact analysis (EIA) is published in the *Virginia Register of Regulations*, notification will be sent to each member of the General Assembly (COV § 2.2-4007.04.B).



Virginia Department of Planning and Budget Economic Impact Analysis

18 VAC 140-20 Regulations Governing the Practice of Social Work
Department of Health Professions
Town Hall Action/Stage: 5070 / 8344
September 11, 2018

Summary of the Proposed Amendments to Regulation

Pursuant to Chapter 451 of 2018 Acts of Assembly,¹ the Board of Social Work (Board) proposes to establish provisions relating to the division of the category of “licensed social worker” (LSW) into two licensure categories of “baccalaureate social worker” (BSW) and “master’s social worker” (MSW).

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

Current Regulation

Under the current regulation, in order to become an LSW the candidate must hold a bachelor's or a master's degree from an accredited school of social work, and pass a licensing examination of the Association of Social Work Boards. The exam must be at least at the bachelor's level.

Applicants for LSW who hold a master's degree may apply for licensure as a licensed social worker without documentation of supervised experience. Applicants for LSW who hold

¹ See <http://leg1.state.va.us/cgi-bin/legp504.exe?181+ful+CHAP0451+hil>

only a bachelor's degree must complete a minimum of 3,000 hours of supervised post-bachelor's degree experience in casework management and supportive services under supervision satisfactory to the board.

Legislation

Chapter 451 created and defined “baccalaureate social worker” as “a person who engages in the practice of social work under the supervision of a master's social worker and provides basic generalist services, including casework management and supportive services and consultation and education.” The legislation created and defined “master’s social worker” as “a person who engages in the practice of social work and provides non-clinical, generalist services, including staff supervision and management.”

Proposal

The Board proposes to require that licensed BSWs hold a bachelor's degree from an accredited school of social work. This is consistent with the current requirement for LSWs. The Board proposes to require that licensed MSWs hold a master’s degree from an accredited school of social work. Obtaining a master’s degree of course requires more time and expenditure than just obtaining a bachelor’s degree. Given the name of the designation introduced by Chapter 451, and that the definition of MSW in the legislation includes provision of “staff supervision and management” while the legislation definition for BSW does not, it seems likely that the legislative intent was for MSWs to have a higher level of qualification than BSWs such as a master’s degree versus the bachelor's degree.

Similarly, the Board proposes to require that licensed BSWs pass the bachelor's level Association of Social Work Boards examination, and that licensed MSWs pass the master’s level Association of Social Work Boards examination. The exam fee for both exams is \$230.² Thus, the separate exam requirements for the two licensed designations does not affect costs and, as argued above, likely is the legislative intent.

² Source: Association of Social Work Boards website accessed on September 11, 2018: <https://www.aswb.org/exam-candidates/exam-registration/>

Businesses and Entities Affected

According to the Department of Health Professions (DHP), there are currently 763 LSWs; DHP estimates that 80% of LSWs will self-designate as MSWs (attest that they hold a master's degree). The Board licenses approximately 35 new LSWs each quarter. DHP believes that most licensed social workers are employed in institutions/hospitals/school systems/etc., which would not be considered small businesses.

Localities Particularly Affected

The proposed amendments do not disproportionately affect particular localities.

Projected Impact on Employment

The proposed amendments are unlikely to significantly affect total employment.

Effects on the Use and Value of Private Property

The proposed amendments are unlikely to significantly affect the use and value of private property.

Real Estate Development Costs

The proposed amendments would not affect real estate development costs.

Small Businesses:**Definition**

Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

Costs and Other Effects

The proposed amendments are unlikely to significantly affect costs for small businesses.

Alternative Method that Minimizes Adverse Impact

The proposed amendments do not adversely affect small businesses.

Adverse Impacts:**Businesses:**

The proposed regulation amendments do not adversely affect businesses.

Localities:

The proposed amendments do not adversely affect localities.

Other Entities:

The proposed amendments do not adversely affect other entities.

Legal Mandates

General: The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 14 (as amended, July 16, 2018). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

Adverse impacts: Pursuant to Code § 2.2-4007.04(C): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.