

Proposed Regulations

18 VAC 140-20-105. Continued competency requirements for renewal of an active license.

A. After April 25, 2003, licensed social workers and licensed clinical social workers shall be required to have completed a minimum of 30 contact hours of continuing education for each biennial licensure renewal. A minimum of two of those hours must pertain to the standards of practice and laws governing the profession of social work in Virginia, or the Code of Ethics of one of the social work professional associations listed under subdivision 18 VAC 140-20-105 B 1 d.

1. The board may grant an extension for good cause of up to one year for the completion of continuing education requirements upon written request from the licensee prior to the renewal date. Such extension shall not relieve the licensee of the continuing education requirement.
2. The board may grant an exemption for all or part of the continuing education requirements due to circumstances beyond the control of the licensee such as temporary disability, mandatory military service, or officially declared disasters.

B. Hours may be obtained from a combination of board-approved activities in the following two categories:

1. Category I. Formally Organized Learning Activities. A minimum of 20 hours shall be documented in this category which shall include one or more of the following:
 - a. Regionally accredited university or college academic courses in a behavioral health discipline. A maximum of 15 hours will be accepted for each academic course.
 - b. Continuing education programs offered by universities or colleges accredited by the Council on Social Work Education.
 - c. Workshops, seminars, conferences, or courses in the behavioral health field offered by federal, state or local social service agencies, public school systems or licensed health facilities and licensed hospitals.
 - d. Workshops, seminars conferences or courses in the behavioral health field offered by an individual or organization that has been certified or approved by one of the following:
 - (1) The Child Welfare League of America and its state and local affiliates.
 - (2) The National Association of Social Workers and its state and local affiliates.
 - (3) The Association of Black Social Workers and its state and local affiliates.
 - (4) The Family Service Association of America and its state and local affiliates.

(5) ~~The National Federation of Societies for Clinical Social Work, Inc.~~ Clinical Social Work Federation and its state and local affiliates.

(6) Individuals or organizations who have been approved as continuing education sponsors by the Association of Social Work Boards or any state social work board.

2. Category II. Individual Professional Activities. A maximum of 10 of the required 30 hours may be earned in this category, which shall include one or more of the following:

- a. Participation in an Association of Social Work Boards item-writing workshop. (Activity will count for a maximum of two hours.)
- b. Publication of a professional social work-related book or initial preparation/presentation of a social work-related course. (Activity will count for a maximum of 10 hours.)
- c. Publication of a professional social work-related article or chapter of a book, or initial preparation/presentation of a social work-related in-service training, seminar or workshop. (Activity will count for a maximum of five hours.)
- d. Provision of a continuing education program sponsored or approved by an organization listed under Category I. (Activity will count for a maximum of two hours and will only be accepted one time for any specific program.)
- e. Field instruction of graduate students in a Council on Social Work Education-accredited school. (Activity will count for a maximum of two hours.)
- f. Serving as an officer or committee member of one of the national professional social work associations listed under subdivision B 1 d of this section. (Activity will count for a maximum of two hours.)
- g. Attendance at formal staffings at federal, state or local social service agencies, public school systems or licensed health facilities and licensed hospitals. (Activity will count for a maximum of five hours.)
- h. Independent or group study including listening to audio tapes, viewing video tapes, reading, professional books or articles. (Activity will count for a maximum of five hours.)

18 VAC 140-20-150. Professional conduct.

Persons licensed as social workers and clinical social workers shall:

1. Practice in a manner that is in the best interest of the public and does not endanger the public health, safety, or welfare.
2. Be able to justify all service rendered to clients as necessary for diagnostic or therapeutic purposes.

3. Practice only within the competency areas for which they are qualified by education or experience, or both.
4. Report to the board known or suspected violations of the laws and regulations governing the practice of social work.
5. Neither accept nor give commissions, rebates, or other forms of remuneration for referral of clients for professional services.
6. Ensure that clients are aware of fees and billing arrangements before rendering services.
7. Keep confidential their therapeutic relationships with clients and disclose client records to others only with written consent of the client, with the following exceptions: (i) when the client is a danger to self or others; or (ii) as required by law.
8. When advertising their services to the public, ensure that such advertising is neither fraudulent nor misleading.
9. Not engage in dual relationships with clients, former clients, supervisees, and supervisors that might compromise the client's, former client's, or supervisee's well-being, impair the social worker's or supervisor's objectivity and professional judgment or increase the risk of exploitation. This includes but is not limited to, such activities as counseling close friends, sexual partners, employees or relatives, and engaging in business relationships with clients. Engaging in sexual intimacies with current clients or supervisees is prohibited. For at least two years after cessation or termination of professional services, licensees shall not engage in sexual intimacies with a therapy client or those included in collateral therapeutic services. Since sexual or romantic relationships are potentially exploitative, licensees shall bear the burden of demonstrating that there has been no exploitation. A client or supervisee's consent to, initiation of or participation in sexual behavior or involvement with a practitioner does not change the nature of the conduct nor lift the regulatory prohibition.
10. Maintain clinical records on each client. The record shall include identifying information to substantiate diagnosis and treatment plan, client progress, and termination. The clinical record shall be preserved for at least five years post termination.
11. Ensure that clients have provided informed consent to treatment.