POTPOURRI
Department of Health and Hospitals
Board of Social Work Examiners


The board published a Notice of Intent to amend its rules in the May 20, 2016, edition of the Louisiana Register. The notice solicited views, arguments, information, written comments and testimony. As a result of its consideration of the written comments and testimony received, the board proposes to amend §111.G.4, §113.B.3, §115.D.2, §301, §317, §503, and §507 of the proposed Rule amendments so that, as amended, these provisions will read as set forth below.

In accordance with R.S. 49:968(H)(2), a public hearing on proposed substantive changes will be held by the board on March 17, 2017, at 1:00 p.m. at the office of the Louisiana State Board of Social Work Examiners, 18550 Highland Road, Suite B, Baton Rouge, Louisiana 70809.

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part XXV. Credentialed Social Workers
Chapter 1. Standards of Practice
§111. Practice Requirements
A. – G.3. ...
  4. Social work students in field placement are specifically allowed to provide services under supervision. Social work supervisors who do cosign records shall indicate his/her supervisory function.
  5. - 6 ...
H. – H.3. ...


§113. Social Work Relationships
A. – B.2. ...
  3. Sexual Intimacy or Contact with a Client, Supervisee or Student. A social worker shall not engage in or request sexual intimacy or contact as defined in §113.B.5, with a client, a client's spouse or former spouse, any member of the client's immediate family or with any person with whom the client has a sexual relationship. The prohibition of this rule extends to supervisees and students during such times and under such circumstances where the social worker is in a supervisory or teaching relationship. This rule also expressly prohibits social workers from engaging in any behavior which a reasonable person would find sexually stimulating, seductive or sexually demeaning when such behavior is either directed toward or exhibited in the presence of any person with whom sexual contact is otherwise prohibited by this rule. Social workers shall not sexually harass a client, colleague, fellow workers, supervisee or student.
  4. – 9. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

§115. Client Confidentiality
A - D.1. ...
  2. where communications to the social worker reveal abuse or neglect of children and elders which impose an obligation on social workers as mandatory reporters under the Louisiana Children's Code Article 609, R.S. 14:403, and R.S. 14:403.2. A social worker shall not be considered a mandatory reporter in the limited circumstances specified in Children's Code Article 603(b).
  3. – H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:298 (February 2000).

§301. Definitions

Electronic Social Work Practice—use of computers (including the internet, social media, on line chat, text, and email) and other electronic means (such as smartphones, landline telephones and video technology) to (a) provide information to the public, (b) deliver social work services to clients, (c) communicate with clients, (d) manage confidential information and case records, (e) store and access information about clients, and (f) arrange payment for professional services.

In-person—interactions in which the social worker and the client are in the same physical space and does not include interactions that may occur through the use of technology.

Remote—provision of social work services where the social worker is not physically located at the site where the services are received. The distance between the social worker and the recipient of services is not a consideration.

Sexual harassment—sexual advances, sexual solicitation, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

§317. Continuing Education Requirements
A - F.2. ...
  3. The board may grant a social worker approval to complete more than 10 hours of continuing education via distance learning in the case of debilitating, disabling, or other medical conditions making travel impossible or extremely inconvenient. The license shall provide satisfactory documentation for the grant of approval.
4. The board may grant a social worker approval to complete more than 10 hours of continuing education via distance learning if the social worker resides out of United States territories where no in-person continuing education is available. The licensee shall provide satisfactory documentation for the grant of approval.

G. - L ...

M. The following learning forums are approved for continuing education and must contain content applicable to social work practice:

1. - 11. ...

12. Reading books or journal articles with content applicable to social work and followed by a face-to-face discussion as part of an organized workshop. A maximum of one hour credit can be obtained from reading a book if the social worker signs a statement that he/she read the book, attends the discussion about the book, and passes the pre-test administered prior to the face-to-face discussion with at least 70%. The one hour credit for reading is considered distance learning. Credit for the discussion counts as actual time spent in the discussion and counts as in-person continuing education.

13. Viewing documentary film with content applicable to social work practice not deemed for general public and followed by a face-to-face discussion. Film shall be pre-approved by LABSWE and must rate a 10 or higher on the Guide for Assessment of Continuing Education to qualify for continuing education credit.

14. Social workers should be doing consistent independent study. However, such study does not meet the goal of increasing professional relationships and networks. Consequently independent study must receive pre-approval from the board.

N. - P ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705(C) and (G) and 37:2714.


Chapter 5. Minimum Supervision Requirements
§503. LMSWs Seeking the LCSW Credential
A. - B ...

C. LMSWs seeking the LCSW credential must complete a minimum of 5,760 hours of postgraduate social work practice and at least 3,840 hours of that postgraduate social work practice must be under the supervision of a board approved clinical supervisor (BACS).

D. - G3. DELETED

D. The requirement for supervision is at least 2 hours of face-to-face supervision with a BACS during every 80 hours of social work practice. This hourly supervision requirement applies to each consecutive increment of 80 hours of social work practice. Postgraduate social work practice which exceeds 80 consecutive hours of practice without at least two hours of face-to-face BACS supervision will not be credited to the 3,840 hours of supervised practice. To calculate supervision, take the number of hours worked in a given time, divide by 40 and that will equal the face-to-face supervision required for the time worked.

E. Face-to-face supervision for licensure must total at least 96 hours.

F. A minimum of 1 session per month is required. Supervision segments of no fewer than 30 minutes and no longer than 2 hours per day will be counted toward meeting the supervision requirement.

G. One-half (48 hours maximum) of the supervision requirement may be met through group supervision, occurring in increments of no more than two hours per group. No more than five supervisees may be involved in supervision groups.

H. School social workers shall count hours of postgraduate social work practice and supervision that occurs when they are employed in a social work position.

I. The supervisee and supervisor shall keep accurate records of both the dates of supervision sessions and the time spent in supervision. This information shall be submitted to the board office on the supervision form entitled Record of Supervision.

J. The supervisor has a professional responsibility to honor his/her commitment to supervise responsibly, which includes submitting forms on a timely basis. Should the supervisor fail to submit forms appropriately, and on a timely basis, the board reserves the right to withdraw the BACS designation from the supervisor.

K. A supervisory record shall include:

1. supervision agreement and plan for supervision;
2. learning assessment of supervisee;
3. record of all supervisory sessions, and any canceled or missed appointments;
4. overview of cases discussed, as well as significant decisions made;
5. any ethical concerns;
6. significant problems arising in supervision, and how they were resolved;
7. memos and correspondence;
8. for all above data, dates completed and person completing the item.

L. To register her/his intent to initiate supervision, the LMSW must submit the completed registration of supervision form.

M. The individual completing supervision shall:

1. Use the following forms to submit their supervision to the board office:
   a. Supervision Agreement/Plan of Supervision;
   b. Employment Verification;
   c. Record of Supervision;
   d. Evaluation of Supervision;
   e. Professional Experience Verification Record;

2. Submit legible forms. Preferably, material on forms should be typed, but if not typed, the forms must be printed neatly and legibly. Forms which are not legible will be returned.

3. Submit original, unaltered supervision forms to the board office. Copies, faxes, or forms with any alterations (such as white-out or mark-outs) will not be accepted.

N. The original Supervision Agreement/Plan of Supervision must be submitted to the board office within 60 days of the first supervision session. A Supervision Agreement shall be submitted on each supervision experience, such as a change in employment and/or a change in supervisor.

O. The supervision agreement/plan of supervision will be reviewed and revisions may be required. Revisions shall be submitted to the board office within 30 days of receipt by the supervisee/supervisor. The supervisee and supervisor will be
mailed a letter confirming board approval of the supervision agreement/plan of supervision, as well as the beginning date of supervision credit.

P. When supervision is provided to a LMSW by a LCSW-BACS supervisor, not an agency employee, social work ethics require that the LCSW-BACS take responsibility for securing agency agreement to the plan of supervision, whether the fee for supervision is paid by the agency or the supervisee.

1. The LCSW-BACS is responsible for clarifying with the agency administration, the supervisory role responsibilities and the content of supervision.

2. Under such a plan the supervisee's written evaluation is made available to the agency if the agency is paying for the supervision. If the supervisee is paying the fee, the evaluation is the supervisee's property.

Q. The supervisee shall submit an Employment Verification Form from each place of social work employment after she/he receives the MSW degree. The form shall be completed by the employer, not the supervisor (unless the employer and the supervisor are one and the same).

R. An evaluation of supervision form shall be submitted to the board office at the end of the supervisory period. Sometimes it is necessary for a supervisor to discontinue supervising a LMSW for licensure. When this occurs, no matter what length of time the supervisor actually supervised the supervisee, the supervisor must submit an evaluation of supervision form.

S. The Professional Experience Verification Record shall be submitted to the board office from each place of employment to verify dates employed and the hours of social work practice completed during the time employed. The Professional Experience Verification Record shall be completed by the employer(s).

T. If the LMSW receives supervision outside of the state of Louisiana, that supervision will be accepted if:

1. the supervisor has completed the authorized forms of the Louisiana State Board of Social Work Examiners; and

2. the supervisor is licensed at the time of supervision at a level substantially equivalent to a LCSW-BACS in the other state and submits the license verification of out-of-state supervisor form (available from board office); or

3. DELETED

U. The board's publication, Supervision for Professional Development and Public Protection: A Guide, provides more information relative to supervision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.


Emily DeAngelo
Administrator

§507. Board-Approved Clinical Supervisor

A. - B.3. ...

4. If LCSW loses BACS because of missed training, he/she must cease supervising LMSWs for LCSW.

C. To reinstate BACS designation, the social worker must:

1. complete 3 hours of continuing education in the area of clinical supervision;

2. complete a board orientation workshop.