

Emily DeAngelo

From: Francis, Will <wfrancis.naswtx@socialworkers.org>
Sent: Saturday, July 8, 2023 12:58 PM
To: Dr. Hy
Cc: Emily DeAngelo
Subject: Rules Clarification

Dr McKee,

Thank you for the opportunity to speak at the meeting today, and I appreciate your request that NASW-LA formally submit our request for review. Our question specifically relates to the requirements for supervision CE's, and how the establishment of those rules possibly differ from any proposals to add culture competency requirements to the rules. Please feel free to share this email with Evan Bergeron, Sheri Morris, the rest of the Board and any other interested parties.

The Practice Act is clear regarding the specific hours related to continuing education that licensed social workers must complete:

§2714. Continuing education and license, certificate, and registration renewal - (2) Twenty clock hours of continuing education in programs approved by the board shall be obtained prior to each renewal date, including three hours of ethics every two years. In addition, for renewal of a licensed clinical social work license, no less than ten clock hours of the continuing education requirement shall be clinical content including diagnosis and treatment of mental disorders.

After further reviewing the Act, we did not find any references to continuing education for a BACS supervisor. While the Act does say that a BACS "means a licensed clinical social worker (LCSW) who has met the qualifications established by the board," there is no reference to ongoing education or requirements needed to maintain this designation, only the Board's ability to set the parameters to obtain it.

However, the Rules are clear that "to maintain the board approved clinical supervisor status," a BACS must "obtain three clock hours of continuing education in clinical supervision every two years, beginning July 1, 2008. These hours must be pre-approved by a LABSWE-designated pre-approval organization." This indicates to NASW-LA that in the past, the LABSWE saw the scope of Section §2714 (A)(1) of the Practice Act: "[t]he board shall have authority to establish and promulgate continuing education requirements which are to be fulfilled prior to the renewal of any license, certificate, or registration issued under this Chapter," as broader than just the 10 hours of clinical education (for certain licenses) and 3 hours of ethics (for all licenses).

Our specific question is: How does the LABSWE legally have the authority to establish a set of continuing education requirements in the Rules for BACS licensees while stating that this is not possible for cultural competency requirements? Thank you for reviewing this question and providing any clarity regarding the Practice Act and the Rules,

Will

Will Francis, LMSW
He/Him/His
Executive Director
National Association of Social Workers –
Texas and Louisiana Chapters
810 W. 11th Street
Austin, Texas 78701
Office: (512) 474-1454, EXT 17
Direct: (512) 474-4206

Page Break



Emily DeAngelo

From: Erich Duchmann, PhD, MP <erich.ftc@gmail.com>
Sent: Wednesday, September 28, 2022 5:12 PM
To: Emily DeAngelo
Subject: Louisiana Crime Victims Reparations Board Inquiry
Attachments: CVRB Legal Question - LABSWE.pdf

Dear Ms. DeAngelo,

I am a licensed psychologist in Baton Rouge and a consultant to the Louisiana Crime Victims Reparations Board. I am writing to you and sending attached information detailing some concerns I have about recent legislation that may impact mental health providers in the state of Louisiana. As a consultant to the Board, I was hoping I could obtain some feedback and guidance from the various mental health licensing boards in the state. Thank you very much for any assistance you can provide, and don't hesitate to reach out if there are any additional questions.

Erich Duchmann, PhD, MP
erich_ftc@gmail.com
225-292-0155 phone
844-715-7911 fax

Symmetry Psychological & Business Services, LLC

7738 DON BUDGE AVE
BATON ROUGE, LA 70810

TELEPHONE (225) 292-0155

FAX (844) 715-7911

September 26, 2022

Emily DeAngelo
Executive Director
Louisiana State Board of Social Work Examiners
18550 Highland Road, Suite B
Baton Rouge, LA 70809

Dear Ms. DeAngelo:

I am a psychologist practicing in Baton Rouge and have been providing mental health consultation services for the Louisiana Crime Victims Reparations Board for the past 20 years. I am contacting you on behalf of the Board for any legal and/or ethical opinions you feel may be relevant for the following concerns.

I recently became aware that the Louisiana Legislature passed Act 487 of 2022, which essentially updated various aspects of the Crime Victims Reparations Act. In doing so, however, they added a new section related to "reasonable documentation of the crime" and it is this modification that has me concerned. Traditionally the board has relied on police reports and other legal or strong circumstantial evidence to indicate that a crime has actually occurred in order for a claimant to be deemed eligible for compensation. In the new section related to "reasonable documentation" there is a paragraph which gives mental health providers the ability to "certify that a crime occurred". I will refer you to Act 487, Section 2, A.(1)(b)(iii) on page 2, line 23(see attached). I have a few concerns about this from a legal and ethical standpoint.

As a victim of crime, compensation is often directed towards the individual's mental health expenses. It is one thing for a mental health provider to listen to an individual's self-report about their experiences and then document current symptomatology for the purposes of diagnosis and health insurance reimbursement. But it feels like another thing to ask a mental health provider to "certify" that their patient was indeed a victim of a crime. As a provider myself, I will always take care of my patients to the best of my ability, but I am very aware that they can at times have various reasons why their self-reported history is not necessarily accurate. Asking a provider to "certify" that a crime was committed feels like:

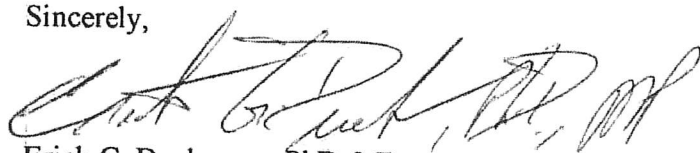
- a. Asking them to do something outside of their area of expertise. This is what law-enforcement and the legal system is for.
- b. A potential conflict of interest in that their willingness to "certify" a crime occurred may directly allow for reimbursement of their services, which might not otherwise be paid for or paid for at a reduced amount. I understand that the majority of providers

would not knowingly certify something they did not believe to be accurate. However, one can imagine the subjective pressure that might occur when interpreting a patient's self-report in order to help them secure compensation for treatment.

- c. A legal risk for a provider to go on the record to "certify" under oath that a crime occurred. I feel this may end up being used against an alleged perpetrator who may in turn file suit against the provider. Bear in mind that this information will be available in the public record.

I was not consulted prior to this legislation being passed and I'm not sure if any of the Louisiana state boards governing mental health practitioners were consulted either. Currently the Board is making plans to develop a form that would allow a mental health provider to attest that a crime occurred, and I was hoping for some feedback from the licensing boards before making any recommendations. The legislation as written indicates a certification should be "under oath", so I assume this would mean a notarized statement. While a notarized statement doesn't necessarily address any of my concerns, it at least would seem to comply with the legislation. Any other feedback or advice that you are able to offer at this point would be most appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erich G. Duchmann, PhD, MP'. The signature is fluid and cursive, with the initials 'E.G.D.' being prominent.

Erich G. Duchmann, PhD, MP
Crime Victims Reparations Board Consultant

State of Louisiana

Office of the Governor

Louisiana Commission on Law Enforcement
and Administration of Criminal Justice


JOHN BEL EDWARDS
GOVERNOR

JIM CRAFT
EXECUTIVE DIRECTOR



September 26, 2022

TO: Erich Duchmann, PhD.
CVR Board Consultant

FROM: Bob Wertz 
Training Manager

The Executive Director of the Louisiana Commission on Law Enforcement has asked me to have you contact the State Licensing Boards to determine whether there are justifiable concerns regarding patient-therapist confidentiality, potential HIPPA violations and any conflicts of interest with regard to Act 487 of the 2022 Legislative session.

Please let me know as soon as possible what you find out, so that we may alert the Crime Victims Reparations Board if there are potential problems that must be addressed.

ACT No. 487

2022 Regular Session

HOUSE BILL NO. 648

BY REPRESENTATIVE HILFERTY

AN ACT

To amend and reenact R.S. 40:1216.1(A)(7) and R.S. 46:1806(A)(1), 1809(B)(1), (3)(a), and (4)(a), 1810(A), and 1813(A) and to enact R.S. 46:1802(10)(a)(vi) and (b)(vi) and 1822, relative to the Crime Victims Reparations Act; to provide relative to definitions; to provide relative to application time periods; to provide relative to documentation; to provide relative to the issuance of reparations awards; to provide relative to reporting requirements; to provide relative to the amount of reparations awards; to provide relative to the amount of emergency awards; to provide for reimbursement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1216.1(A)(7) is hereby amended and reenacted to read as follows:

§1216.1. Procedures for victims of a sexually-oriented criminal offense; immunity; regional plans; maximum allowable costs; definitions

A. All licensed hospitals and healthcare providers in Louisiana shall adhere to the following procedures in the event that a person, male or female, presents himself or herself or is presented for treatment as a victim of a sexually-oriented criminal offense:

* * *

(7) A healthcare provider may submit a claim for payment of healthcare services rendered in conducting a forensic medical exam for a victim of a sexually-oriented offense to any of the following:

1 (a) With the consent of the victim, to the victim's health insurance issuer.
2 Notwithstanding any provision to the contrary, a health insurance issuer receiving
3 a claim for covered healthcare services rendered in conducting a forensic medical
4 exam shall waive any applicable deductible, co-insurance, and co-pay and the
5 healthcare provider shall submit a claim to the Crime Victims Reparations Fund for
6 ~~satisfaction of any non-covered services, not to exceed one thousand dollars.~~ In
7 addition, the health insurance issuer shall allow the victim to designate any address
8 to be used for purposes of transmitting an explanation of benefits or allow the victim
9 to designate that no explanation of benefits be generated or transmitted.

10 (b) The Louisiana Medicaid, Medicare, or Tricare programs, if the victim is
11 enrolled as beneficiary of any of these programs.

12 (c) If the victim does not consent to the healthcare provider submitting a
13 claim to his or her health insurance issuer or the victim is not otherwise insured, the
14 Crime Victims Reparations Board. The Crime Victims Reparations Board shall
15 ~~reimburse at the rate as promulgated by the board for healthcare services rendered~~
16 ~~but in no case shall reimburse in any amount greater than one thousand dollars~~ the
17 healthcare provider in accordance with the provisions of R.S. 46:1822.

18 * * *

19 Section 2. R.S. 46:1806(A)(1), 1809(B)(1), (3)(a), and (4)(a), 1810(A), and 1813(A)
20 are hereby amended and reenacted and R.S. 46:1802(10)(a)(vi) and (b)(vi) and 1822 are
21 hereby enacted to read as follows:

22 §1802. Definitions

23 As used in this Chapter:

24 * * *

25 (10) "Pecuniary loss" means the amount of expense reasonably and
26 necessarily incurred by reason of personal injury, as a consequence of death, or a
27 catastrophic property loss, and includes:

28 (a) For personal injury:

29 * * *

(vi) Relocation for claimants who have to relocate as a result of the crime for reasons of personal safety or other reasons reasonably related to the crime.

(b) As a consequence of death:

* * *

(vi) Relocation for claimants who have to relocate as a result of the crime due to the death of the victim.

* * *

§1806. Application; requirements; confidentiality

A.(1)(a) An application for reparations shall be filed in writing with the board within one year after the date of the personal injury, death, or catastrophic property loss or within such longer period as the board determines is justified by the circumstances. The application shall be valid only if ~~the act~~ reasonable documentation of the crime resulting in the personal injury, death, or catastrophic property loss ~~was reported to the appropriate law enforcement officers within seventy-two hours after the date of the personal injury, death, or catastrophic property loss, or within such longer period as the board determines is justified by the circumstances~~ is submitted with the application.

(b) For the purposes of this Subsection, "reasonable documentation" means any of the following:

(i) A police report documenting the commission of the crime.

(ii) Court records evidencing the criminal prosecution of a crime relevant to the application.

(iii) A certification of the crime signed under oath by any licensed clinical social worker, professional counselor, or healthcare provider that conducted an examination of the injuries resulting from the commission of the crime.

(iv) A certification of the crime signed under oath by a prosecuting attorney or investigating law enforcement officer who has personal involvement in the prosecution or investigation of any criminal case relative to the application.

(v) Any other documentation the board deems sufficient to show the commission of a crime relevant to the application.

* * *

§1809. Criteria for making awards; prohibitions; authority to deny or reduce awards

* * *

B. In making its determination, the following provisions shall apply:

(1) A finding by the board, for purposes of considering an application for award under this Chapter, that the commission of a crime enumerated in R.S. 46:1805(A) resulted in a pecuniary loss covered by this Chapter shall be a sufficient finding with respect to the crimes giving rise to the application for a reparations award. However, the board may make a partial eligibility determination on an application prior to the incurring of a pecuniary loss by the victim or other claimant. When one part of an award is denied, the board shall favor a partial award over the total denial. An order for reparations may be made whether or not any person is arrested, prosecuted, or convicted of the crime giving rise to the application for reparations. The board may suspend proceedings in the interest of justice if a civil or criminal action arising from such act or omission constituting the crime is pending or imminent.

* * *

(3)(a) No award of reparations shall be made if the board finds that:

~~(i) The crime was not reported within the time specified by R.S. 46:1806(A).~~

~~(ii) (i)~~ The claimant failed or refused to cooperate substantially with reasonable requests of appropriate law enforcement officials.

~~(iii) Reparations may substantially enrich the offender.~~

~~(iv) The~~ (ii) A totality of the circumstances indicate that the claimant was the offender or an accessory, or that an award to the claimant would unjustly benefit any of them. However, such ineligibility shall not apply if the claimant is a victim of human trafficking or trafficking of children for sexual purposes.

~~(v) The claim was not filed timely, as provided by R.S. 46:1806(A) and (B).~~

(vi) ~~The crime was committed prior to the effective date of this Chapter.~~

* * *

(4) The board may deny or reduce an award:

(a) ~~If it finds~~ a totality of the circumstances indicate that the behavior of the victim at the time of the crime giving rise to the claim was such that the victim bears some measure of responsibility for the crime that caused the physical injury, death, or catastrophic property loss or for the physical injury, death, or catastrophic property loss. However, such ineligibility shall not apply if the claimant is a victim of a human trafficking-related offense as defined by R.S. 46:1805 or a sexually-oriented criminal offense as defined by R.S. 15:622.

* * *

§1810. Amount of reparations award

A. Awards payable under this Chapter shall not exceed ~~ten~~ fifteen thousand dollars in the aggregate for all claims arising out of the same crime except for those victims who are permanently, totally, or permanently and totally disabled as a result of the crime, the aggregate award shall not exceed twenty-five thousand dollars.

* * *

§1813. Emergency awards

A. If it appears to the board prior to its taking action on a claim that an award likely will be made and that undue hardship will result to the claimant if no immediate economic relief is provided, the board may make an emergency award to the claimant pending its final decision in the case. The amount of an emergency award shall not exceed ~~five hundred~~ one thousand dollars.

* * *

§1822. Forensic medical exams; reimbursement

A. The board shall reimburse a healthcare provider who performs a forensic medical exam in the amount of six hundred dollars. The board shall reimburse the healthcare facility at which a forensic medical exam was conducted for the cost of performing the exam in the amount of one thousand dollars.

1 B. In order to be reimbursed for the costs of performing a forensic medical
2 exam, the healthcare provider or the healthcare facility seeking reimbursement shall
3 submit to the board an attestation that a forensic medical exam was conducted. The
4 attestation shall contain only sufficient information to identify the victim, the date
5 that the exam was performed, and the address to which payment can be made for the
6 healthcare provider or healthcare facility. The board shall not require any billing
7 documentation or medical records from the healthcare provider or the healthcare
8 facility as a condition of payment under the provisions of this Section.
9 C. The board shall direct payment to be made to a healthcare provider or
10 healthcare facility no later than ninety calendar from the date the attestation is
11 submitted to the board by the healthcare provider or healthcare facility.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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Louisiana State Board of Social Work Examiners

Application for Continuing Education Approval Organization

Section A: Organizational Information

The Hospice of Baton Rouge
Name of Organization
Catherine Schendel CEO
Name of Director/President
3600 Florida Blvd. Baton Rouge LA 70806
Mailing Address City/State Zip
3600 Florida Blvd. Baton Rouge LA 70806
Physical Address (if different from above) City/State Zip
225 / 767-4673 225 769-8113
Telephone Fax
cschendel@hospicebr.org hospicebr.org
Email Address Website

Organization applying for *Continuing Education Approval Organization* status must have a significant and continual affiliation with the social work profession. Please indicate that which applies:

☐ Professional Social Work Organization
☐ CSWE Accredited School of Social Work

☒ Social Work Service Provider

Organization applying for Continuing Education Approval Organization must have three (3) letters of references from any combination of the following:

☐ Professional Social Work Organization
☐ CSWE Accredited School of Social Work

☐ Social Work Service Provider

Section B: Continuing Education Program

Review and approval of continuing education applications from continuing education providers must be completed by a credentialed social worker. Identify the social worker assigned to administer this process for the organization.

Shelly Weaver /MSW/ LCSW-BALS
Name/Social Work Degree/Social Work Credential
Social Worker Manager
Relationship to Organization
3600 Florida Blvd Baton Rouge LA 70806
Mailing Address City/State Zip
225 / 620-6824 (work cell) /
Physical Address (if different from above) City/State Zip
Telephone Fax
sweaver@hospicebr.org (225) 717-8998 personal cell
Email Address

Section C: Approval Guidelines, Process and Agreement

Protocol for receiving request for approval from education presenters:

- Organization will provide LABSWE Continuing Education Approval Application to education presenters upon request.
- LABSWE Continuing Education Approval Application may be mailed, faxed, sent electronically and/or published on Organization website.
- Organization will accept only LABSWE Continuing Education Approval Applications, completed in its entirety and accompanied by required documentation.

Process by which Organization will study and assess the proposed education offering:

- Organization will review application and supporting documentation to determine that it meets all standards and guidelines established in "Criteria for Approving Continuing Education Offerings" and "Guide for Assessment of Continuing Education."

As each organization is structured and staffed differently, organizations shall determine timeline for administering the continuing education program.

- Describe time limit set for making a decision on an educational offering's suitability:

After review of educational submission,
decision of suitability shall be made
within two weeks (14 days).

As each organization is structured and staffed differently, organizations shall determine their own fees, if any, charged for these services.

- Describe fees agency will charge to process Continuing Education Applications:

The Hospice of Baton Rouge is a non-profit organization, and will not charge a fee for processing CE Applications.

Section D: Authority

Submission of this signed application certifies that the Organization has studied the "Criteria for Approving Continuing Education Offerings" and "Guide for Assessment of Continuing Education," and determined that the Organization is prepared to assess continuing education opportunities by these guidelines on a timely bases; and has ample storage to maintain all continuing education records for a minimum of three years, and in accordance with Louisiana law. Organization understands that if approved, the organization will be given authority to pre-approve social work continuing education for three (3) years. After three (3) years, the organization shall reapply to the Board if interested in maintaining designation as a pre-approving body. Organization agrees to comply with scheduled LABSWE Continuing Education audits and submit a list of all approved programs to the board office for current collection period by July 15 of each year. Organization agrees to notify LABSWE within thirty (30) days if any information submitted on this application changes. Organization understands that approval is granted at the discretion of the Board and may be revoked if Organization is found to be out of compliance with any aspect of established guidelines.

This designation also designates the organization as an approved provider of continuing education. This designation will be authorized for three (3) years from the date LABSWE approves the application.



Signature of Director/President

8/1/23

Date

Submit completed and signed application, along with three (3) reference letters, to:

Louisiana State Board of Social Work Examiners
18550 Highland Road, Suite B
Baton Rouge, Louisiana 70809

For LABSWE office use only:

Application Received _____ Application Reviewed _____ Application Approved/Denied _____

Approval Expires _____

Revised 5/16

August 1, 2023

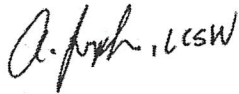
LABSWE

Re: Shelly Weaver, CEU Approval

Dear Louisiana State Board of Social Work Examiners,

I am delighted to write this letter of recommendation for Shelly Weaver to be pre-approved to provide social work continuing education. I have known Shelly since we began our Master of Social Work program at Louisiana State University in 2006, and I have worked alongside Shelly at St. Joseph Hospice and Baton Rouge General Hospital for several years. She is a hard-working team player who always goes above and beyond what is asked of her. It wasn't a surprise to learn that she was appointed Social Work Manager at The Hospice of Baton Rouge. Shelly is now providing hospice social work services through the non-profit hospice organization and remains a leader in the hospice and palliative care field. She would be an asset to our profession by offering continuing education opportunities. Shelly is an individual who demonstrates utmost professionalism and integrity. Shelly is a hard-working, reliable, and dedicated social worker and supervisor. She has my highest recommendation, and I am happy to furnish more details if you would like additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Joseph, LCSW".

Alice Joseph, LCSW (#10193)

COPE Social Worker

Our Lake of the Lake Regional Medical Center

Cell: (718) 344-3326

July 31, 2023

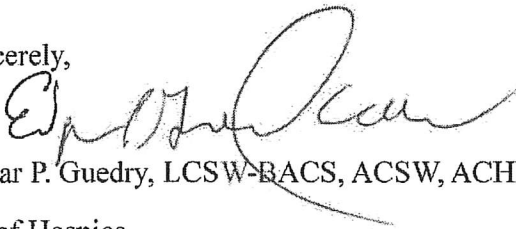
TO: LABSWE,

Shelly is an outstanding and dedicated social worker and leader in her field. She is currently the Social Worker Manager at The Hospice of Baton Rouge. She has supervised over 30 social workers in her experience and has given multiple continuing education workshops for her peers. I have spoken with her on several state conferences and local regional organizations. I have served with her on our state board for social workers and worked on several committees with her.

Shelly is knowledgeable in the social work field and continues her education through continued education workshops, reading and research. I would recommend her to approve any CEU workshop that meets the standards of the social work profession.

I have also watched her in supervision with her supervisees and she utilizes helpful ways to improve skills and encourage growth. Throughout my 33 years of social work, Shelly is in the top 5 social workers that I have had the pleasure to supervise and work besides in the field of Hospice and Home Health. Together we have written processes, procedures and protocols for strengthening our profession and assure quality in this field.

Sincerely,



Edgar P. Guedry, LCSW-BACS, ACSW, ACHP-SW

VP of Hospice

NSI Hospice

(225) 288-0387

August 1, 2023

Kristen Saucier, LCSW

Director of Social Work

St. Joseph Hospice

(225)938-6139

Kris10.saucier@gmail.com

September 1, 2020

To: Louisiana Board of Social Work

It is with pleasure that I recommend Shelly Weaver, LCSW-BACS, ACHP-SW, APHSW-C to approve continuing education hours at The Hospice of Baton Rouge. I have worked with Ms. Weaver as a professional colleague since 2018. In Shelly, you have an individual who possesses the skills, motivation and value system that are consistent with the Code of Ethics.

Shelly Weaver is the Manager of Social Work for The Hospice of Baton Rouge. She oversees social workers and provides supervision for LMSWs. She is highly reliable, dedicated and organized. She is always willing to offer her assistance and has an excellent rapport with her fellow coworkers, patients and other resources in the community. Please accept my recommendation to allow Ms. Weaver to approve CEUs for The Hospice of Baton Rouge to benefit others.

Thank you,

A handwritten signature in black ink that reads "Kristen Saucier LCSW". The signature is written in a cursive, flowing style.

Kristen Saucier, LCSW (#7674)

Page Break



Regina Dewitt

From: Halfmoon Mama <love1734512@gmail.com>
Sent: Saturday, July 29, 2023 1:36 PM
To: Regina Dewitt
Subject: Aug 4 Board Meeting: Request for Item on the Agenda

Hello Regina,

Thank you for welcoming me to email you personally for the matter I want to remove from my Louisiana LCSW record. I came by the office last week for these details of my infraction and its completion and closure.

Consent Agreement for Unlicensed Practice
Order date: 10/26/2018
Completed date: 4/5/2019

I willingly and wantingly complied with all of the Board's requirements to make this infraction right again. It is not my character to put anyone in harm's way. My sincerest apologies for the delay in paying my fees that year. I know it is not responsible nor professional. I am recall there were family matters that distracted me, not a lack of commitment to the cause of serving the public.

I am trying to get a job with a virtual therapy company. This matter is presently a wall and I have been unsuccessful in securing any position with a virtual company. I am a proud, highly skilled, mindful, and responsible practitioner of the values and purpose of Social Work. I would love to share my supportive and wise counsel with the world!

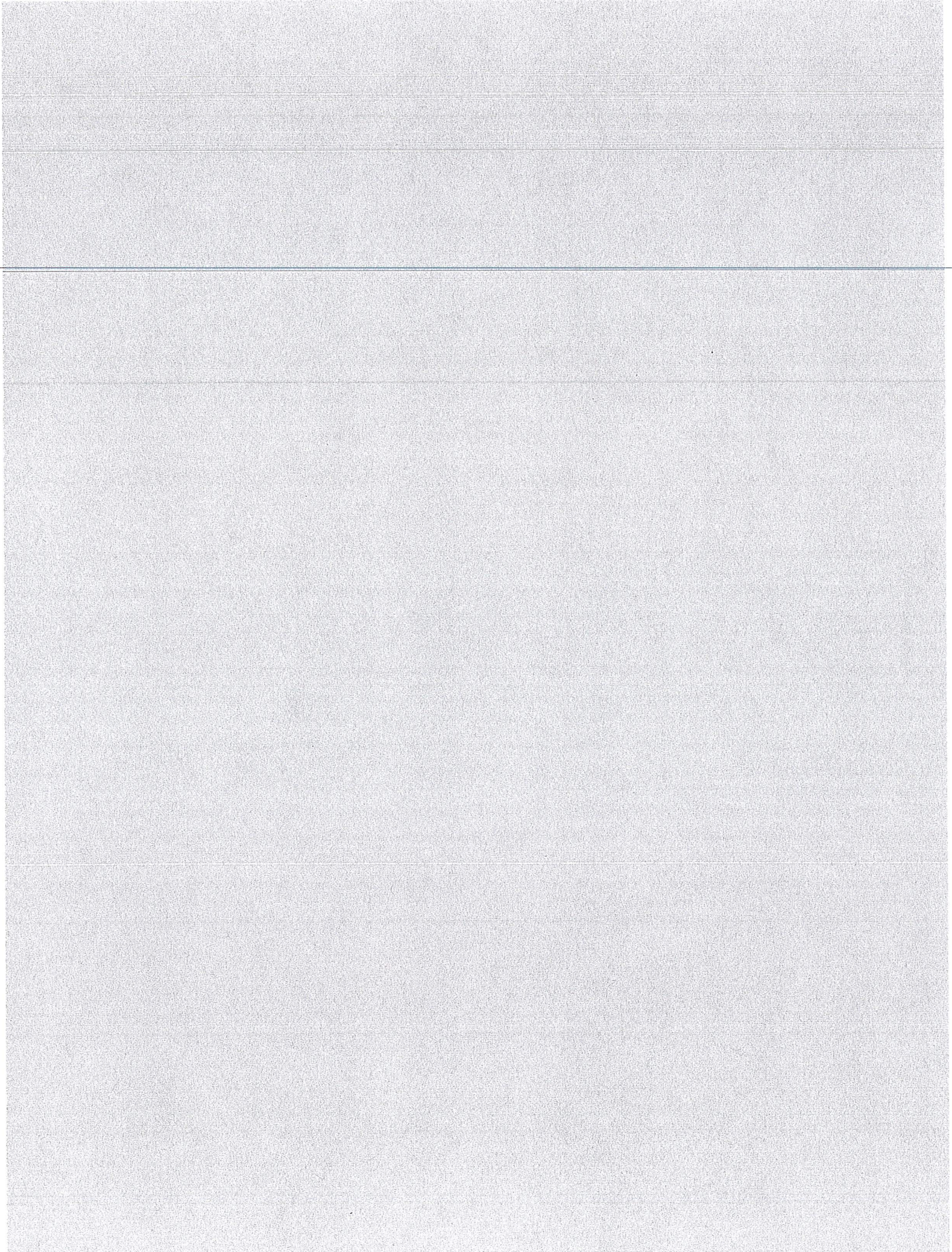
My official request is that the Board review and grant me the removal of this infraction from my permanent record during the Board Meeting on August 11, 2023.

I understand the implications of the state board, as well as the national registry. I understand that it can be removed here, though it may not effect or remove it from their database. However, if you have any influence on the national level upon granting state level removal, I also humbly request that you provide them with anything they need to remove it nationally, as well.

If you need anything further from me for this
Thank you enormously for your guidance and assistance in closing this matter.

Highest Gratitude,
Mary Elizabeth "Bijou" McCurdy

Completed the terms
of the consent
Agreement 04/05/2019
-RD



Regina Dewitt

From: Jessica Frankel
Sent: Monday, August 7, 2023 8:03 PM
To: Regina Dewitt; Social Work; Emily DeAngelo
Cc: Kay Clemons
Subject: appeal to LABSWE

Dear LABSWE,

I am writing with regards to my LCSW application. I took the LCSW exam and passed last Thursday and I have completed supervision. I have completed the background checks, fingerprinting, and paid all of the fees to the board. I have had two BACS supervisors and they have both completed evaluations of supervision, and my work supervisors have both submitted my employment hours in Certemy. Until this afternoon, I was under the impression that the only thing pending for me to receive my LCSW was for the board to receive my official passing score from the testing center.

I am writing to ask for your help and for an appeal to allow me to receive my LCSW now that I have completed these steps. I was notified today that there was not a Supervision Contract on file between me and my second BACS supervisor, Kay Clemons. I was very distressed upon being informed that the consequence of missing this step is that I could lose credit for over five months worth of the weekly supervision sessions Kay and I have completed, due to LABSWE's staff only being able to backdate the date of supervision credit by 60 days. I am writing to request to The Board to allow my supervision credit to begin in January, when I started supervision.

I have been thorough and careful throughout this process to ensure that I submitted all of the required paperwork to obtain my LCSW. Neither Kay nor I were aware that we had missed this step in Certemy. Kay and I both saw green arrows in our portals and there was no indication of any incomplete step, which led us to understand that we had done everything that was needed.

I am kindly asking you to please support my request and allow the administrative staff of the board to backdate my supervision to January so that I may receive my LCSW in a timely manner now that I have completed all of the requirements.

Thank you and I appreciate your thoughtful consideration.

Best,
Jessica Frankel, LMSW

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Jessica Frankel, LMSW

Regina Dewitt

From: Kay Clemons <kayclemons10@gmail.com>
Sent: Tuesday, August 8, 2023 7:36 AM
To: Regina Dewitt; Emily DeAngelo; Social Work
Cc: jessica.rachel.frankel@gmail.com
Subject: Jessica's Appeal Letter
Attachments: Jessica's Appeal Letter.docx

Everyone:

Please accept this letter as an Appeal to allow Jessica Frankel's supervision time be adjusted to when she began supervision with me on 1/28/2023.

It was a total oversight and I would hate to see Jessica suffer the consequences. This will be costly to her both financially and professionally.

Your consideration will be most appreciated,

Kay Clemons, MSW, LCSW-BACS

August 7, 2023

**Louisiana State Board of Social Work Examiners
18550 - B Highland Road
Baton Rouge, LA 70809**

RE: LCSW Candidate – Jessica Frankel

Dear LASBSWE:

I have been Jessica's BACS Supervisor since January 28, 2023. She has been an exemplary supervisee.

It is most unfortunate that we overlooked a step in her licensing process. Of course, timing could not have been more inopportune. I understand that the policy is 60 days look-back period. However, we were unaware that we had missed the step until today.

Although this is by no means a responsibility of the Board, could we please beg upon the Board to appeal the policy and allow Jessica to have credit from out supervision period that began on 1/28/2023. I would hate to see her penalized for an honest oversight.

With a heartfelt request,

**Kay Clemons, MSW, LCSW-BACS
NASW - New Orleans Regional Chair**

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BRANDY ALEXIS, LMSW

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Email • brandyalexis@foxbriarct.com

LBSWE

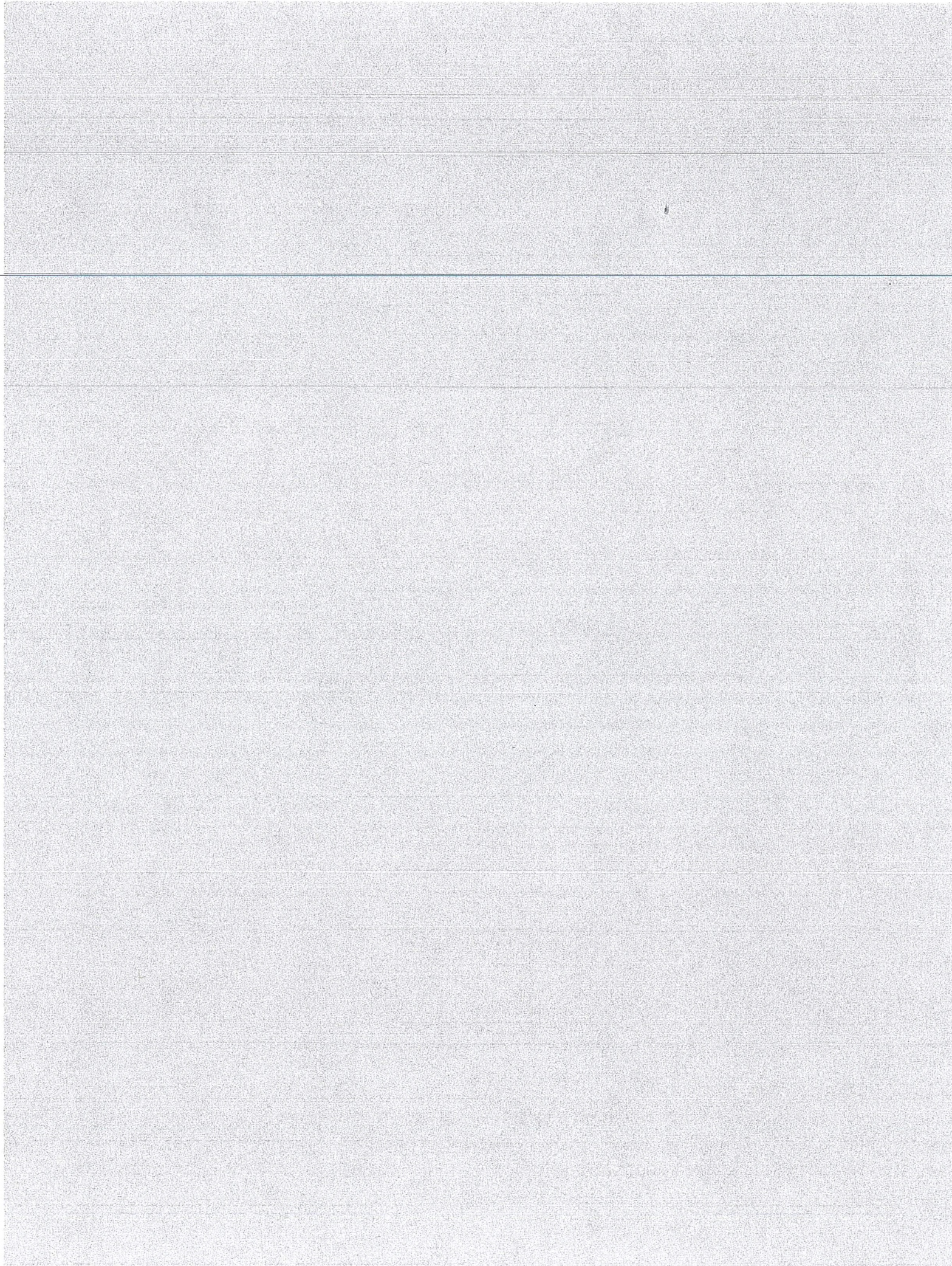
18550 Highland Road, Suite B
Baton Rouge, Louisiana 70809

DEAR LOUISIANA BOARD OF SOCIAL WORK EDUCATION,

I Brandy Alexis (lic #14767), am writing to request a hardship consideration for virtual supervision for the 2023-2024 licensure cycle. I am currently 52 hours into the 96-hour supervision requirement with Donna Usner (BACS #6087). I would like to request that our supervision remain virtual due to the demands and time limitations of my current job as a Staff Therapist at the Tulane University Counseling Center (a high-volume counseling center). I work in person from 8:30 am to 5 pm. Of these 7.5 working hours 6 hours are scheduled with client appointments and crisis. It would be incredibly difficult (and stressful) for me to leave the office for a total of 1.5 hours (commute time factored in). It is also difficult for me to attend evening in person supervision sessions due to being a single parent to a 3-year-old. I will have to find another BACS supervisor should my request to remain virtual not be granted, which will have grave financial implications for me. My supervisor's fee is incredibly reasonable and makes my journey to becoming an LCSW financially feasible. My current pay rate and childcare responsibilities would make it impossible for me to afford the standard BACS rate of \$50-\$100 an hour. It is for these reasons that I am requesting to complete the remaining 44 hours of my LCSW supervision sessions via virtual platform. Thank you for your time and consideration!

Best Wishes,

Brandy Alexis, LMSW



Louisiana State Board of Social Work
18550 Highland Rd, Suite B
Baton Rouge, LA 70809

8/1/2023

Dear members of the Board,

I am currently under the supervision of Jessica Noel Andrus, LCSW- BACS, #10886, and am writing to request continued remote supervision due to an undue burden of **hardship related to travel time**. I will outline below the hardship that I will endure if I am not granted the extension of virtual supervision.

I am currently employed with St. Tammany Parish School System at Abney Elementary (Slidell, LA) as a Mental Health Provider (MHP). My LCSW-BACS office is located in Livingston Parish (Denham Springs) 84 miles (1.5 hours) from my place of employment. Round trip – 168 miles (3 hours) plus one hour of supervision equaling four hours a week, making it impossible to complete in-person supervision during work hours.

Attempting to complete in-person supervision after hours will create a hardship for myself and family because it would consist of late nights as I would not be able to leave straight from work to attend supervision. Please see below for a best case mock schedule of attending after hour's supervision.

MOCK SCHEDULE

Carline duty ends - 4:15 PM.

Leave work- 4:30 PM

My daughter attends a Charter school in Covington (St. Tammany Parish) for children with dyslexia, which does not provide bus transportation. The school is located 39 miles from my place of employment (a 46-minute drive).

Arrive at my daughter's school- 5:16 PM

Leave my daughter's School- 5:20 PM

Her school is located 14 miles (23 minutes) from my home in Madisonville (St. Tammany Parish).

Arrive at home- 5:43 PM

Get something to eat, drink and use the restroom- 5:58 PM

Leave my home- 6:00 PM

My BACS office is 48 miles (51 minutes) from my home. Her office hours are Mon-Fri 8 AM- 5 PM

Arrive at BACS office- 6:51 PM

Supervision- 7:00-8:00 PM

Leave office- 8:02

Arrive at home- 8:53 PM

I have two children and arriving at home at 9 PM or after on a weekly basis would be disruptive to my family dynamics and the care of my children.

My LCSW-BACS supervisor provides a HIPPA-compliant platform (**paid business subscription of Zoom and simple practice telehealth platform**) in addition, both myself and my BACS supervisor **complete virtual supervision within a private office setting.**

Emergency Protocol: I have access to my supervisor's personal phone line for consultation and ongoing supervision as needed, outside of scheduled supervision sessions. She has open communication with my onsite supervisor, Jeanelle Stein, LCSW-BACS.

Please consider this supporting documentation as my official **request to continue remote supervision for the remainder of my hours** as I am nearing the end of supervision with having completed approximately 85 hours.

Thank you,

Kristy Bookhardt, LMSW #15967



HIPAA Compliance Datasheet

HIPAA Compliance

The Health Insurance Portability and Accountability Act and supplemental legislation collectively referred to as the HIPAA rules (HIPAA) lay out privacy and security standards that protect the confidentiality of protected health information (PHI). In terms of Unified Communication systems, the solution and security architecture must comply with the applicable standards, implementation specifications and requirements with respect to electronic PHI of a covered entity.

The general requirements of HIPAA Security Standards state that covered entities must:

1. Ensure the confidentiality, integrity, and availability of all electronic PHI the covered entity creates, receives, maintains, or transmits.
2. Protect against any reasonably anticipated threats or hazards to the security or integrity of such information.
3. Protect against any reasonably anticipated uses or disclosures of such information that are not permitted or required under the privacy regulations.
4. Ensure compliance by its workforce.

How Zoom Enables HIPAA Compliance

In the course of providing services to healthcare customers, the Zoom Platform and Zoom Phone enable HIPAA compliance to covered entities. In provisioning and operating the Zoom HIPAA Services, Zoom complies with the provisions of the HIPAA Security Rule that are required and applicable to it in its capacity as a business associate.

Zoom is responsible for enforcing the administrative, technical and physical safeguards to prevent any unauthorized access to or disclosure of protected health information (PHI) in the Zoom environment.

The following table demonstrates how Zoom supports HIPAA compliance based on the HIPAA Security Rule published in the Federal Register on February 20, 2003 (45 CFR Parts 160, 162, and 164 Health Insurance Reform: Security Standards; Final Rule).

HIPAA Standard	How Zoom Supports the Standard
Transmission Security	
<ul style="list-style-type: none"> ● Protect electronic health information that is stored on the Zoom platform. ● Integrity controls: Ensure that protected health information is not improperly modified without detection. ● Encryption: Encrypt protected health information. 	<ul style="list-style-type: none"> ● Zoom employs 256-bit AES-GCM encryption for data to protect health information.

Security & Encryption

Healthcare organizations and account administrators need to have the tools and technology to ensure they're meeting HIPAA standards. Here are just a few safeguards that enable you to ensure the security and privacy of protected health information (PHI).

- Data in motion is encrypted at the application layer using 256-bit AES-GCM encryption.
- Advanced Chat encryption allows for a secured communication where only the intended recipient can read the secured message. Privacy features allow you to control session attendee admittance with individual or group entry, waiting rooms, forced meeting passcodes, and locked room functionality

Screen Sharing in Healthcare

Medical professionals and authorized healthcare partners can use Zoom to meet with patients and other healthcare professionals to screen-share health records and other resources. Screen sharing transmits encrypted screen capture mouse and keyboard strokes.

HIPAA Certification

Currently, the agencies that certify health technology – the Office of the National Coordinator for Health Information Technology and the National Institute of Standards and Technology – do “not assume the task of certifying software and off-the-shelf products” (p. 8352 of the Security Rule), nor accredit independent agencies to do HIPAA certifications. Additionally, the HITECH Act only provides for testing and certification of Electronic Health Records (EHR) programs and modules.

Thus, as Zoom is not an EHR software or module, our type of technology is not certifiable by these unregulated agencies. Saying this, Zoom's HIPAA Attestation was performed by a third party that reviewed and affirmed that Zoom implements the controls needed to secure protected health information (PHI) according to the requirements of the Health Insurance Portability and Accountability Act (HIPAA) Security Rule, Breach Notification Rule, and the applicable parts of the Privacy

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6/28/23

Louisiana Board of Social Work Examiners,

I'm a Licensed Master of Social Work, #17570, currently in virtual supervision towards my Licensed Clinical Social Work credential. I'm asking for consideration for approval in the board allowing my continuation of virtual supervision due to the following conditions: travel time between myself and my supervisor is close to an hour as I live in Church Point while she lives in Youngsville. I am a mother of four. It is difficult to find childcare for them during regular business hours, let alone attempting to find care after my regular 40 hours a week. My family also only has one vehicle at this time, so to travel to supervision in-person would result in my husband not having a mode of transportation. My supervisor and I use a HIPAA Compliant virtual platform, Simple Practice to meet weekly. I'm asking for this to be considered at the July board meeting if possible.

Thank you for your consideration,

Summer Carreon, LMSW

Regina Dewitt

From: Summer Faust <srfaust054@yahoo.com>
Sent: Thursday, August 3, 2023 5:28 PM
To: Regina Dewitt
Subject: Re: Virtual supervision

Good afternoon,

I'm attaching a revised letter including information requested in your above email as well as answering these questions clearly below.

- Reason or situation for request for remote supervision- hardship of one vehicle for family of 6, travel time between supervisor and supervisee being near an hour one way, childcare issues while working full-time position
- Number of supervisees involved (supervisor)- one, Michelle Thibodeaux, LCSW-BACS
- Time frame- for remainder of supervision requirements
- Security information from the company regarding program/software- Simple Practice
- Explanation of how confidential information will be protected.- this software always for real time sessions and protects confidential information between supervisor and supervisee.
- Explanation of how emergencies will be handled- sessions can be rescheduled on as needed basis following unanticipated emergencies.

Thank you,

Summer Carreon, LMSW

On Thursday, August 3, 2023 at 05:14:38 PM CDT, Summer Faust <srfaust054@yahoo.com> wrote:

----- Forwarded Message -----

From: Regina Dewitt <rdewitt@labswa.org>
To: Summer Faust <srfaust054@yahoo.com>
Sent: Thursday, August 3, 2023 at 10:39:35 AM CDT
Subject: RE: Virtual supervision

Hi Summer,

We have your letter pulled for the board to review at the meeting scheduled for 8/11/23. Please provide the following information to be included with your request by the end of business day tomorrow:

- Reason or situation for request for remote supervision
- Number of supervisees involved (supervisor)
- Time frame

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Louisiana Board of Social Work Examiners
18550 Highland Road, Suite B
Baton Rouge, Louisiana 70809

July 25, 2023

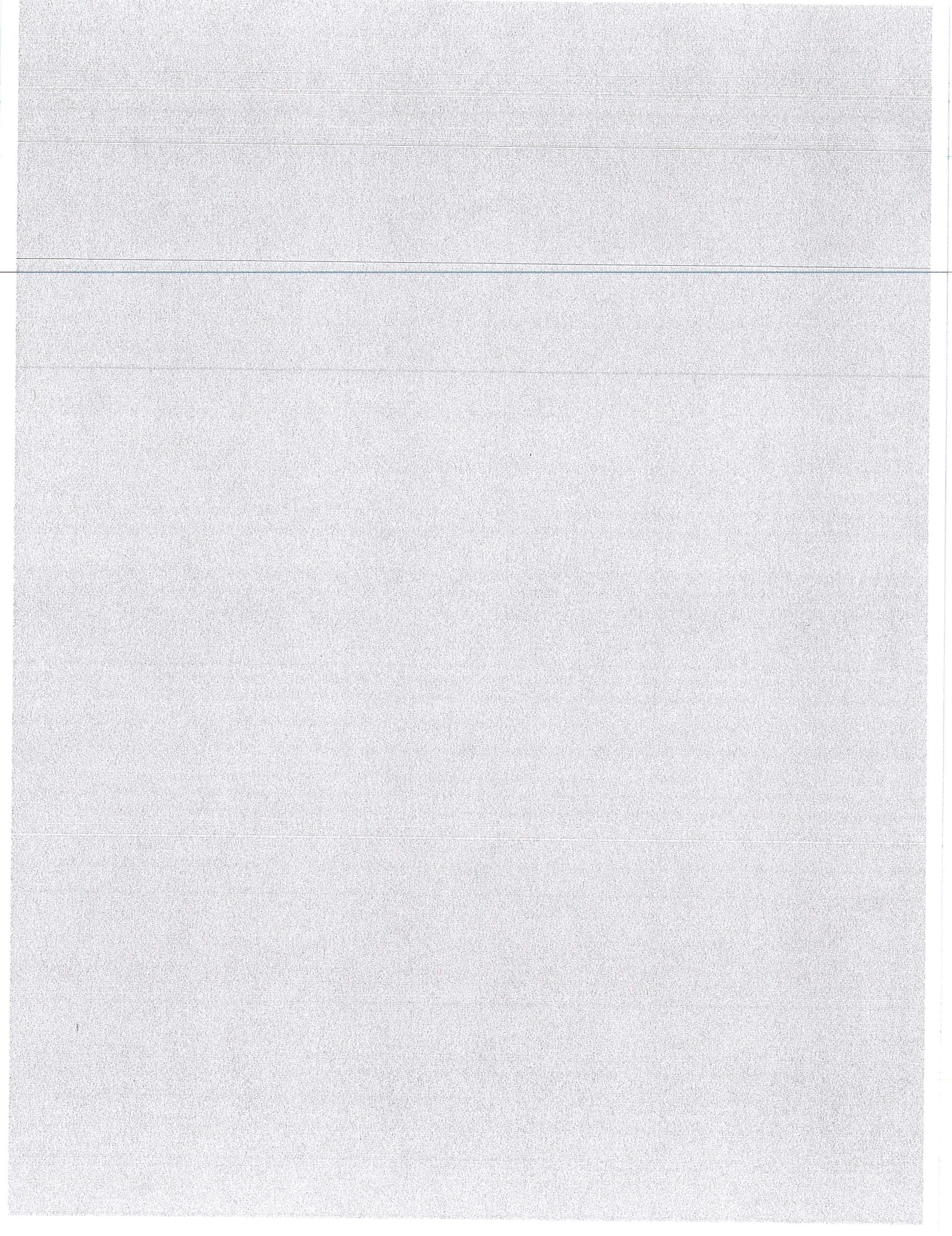
Dear Louisiana Board of Social Work Examiners,

I am writing to request consideration for remote supervision. My Board Approved Clinical Supervision, Dr. Catherine Poehling, is located 160 miles away from me. I am currently her only supervisee and we are expecting to meet from July 17, 2023 - July 17, 2025. We will meet in a private, secure location and the HIPAA compliant secure, encrypted video conference software, SimplePractice, will be used. "SimplePractice is HIPAA compliant and HITRUST certified. The HITRUST framework is the gold standard of security certifications in the healthcare industry." Here is the link for further information: [SimplePractice HIPAA Compliance](#). In case of emergencies, I will be able to contact her on her personal cell. If she is incapacitated and unable to attend supervision, I will receive ongoing supervision by my LCSW supervisor, at my place of employment.

Dr. Catherine Poehling is a highly experienced clinician, trained in my population of interest (LGBTQ+; BIPOC, substance users, caregivers), and the modality I would like to practice (Somatic Experiencing, Internal Family Systems, Eye Movement Desensitization and Reprocessing, and Reproductive Mental Health). The travel time, and cost of transportation, presents an undue burden to clinical supervision. I humbly request approval to meet over a secure video connection, Simple Practice, for my board approved clinical supervision.

Yours Sincerely,

Aunjeneer' Coner, LMSW



Dear Louisiana State Board of Social Work Examiners,

I am resubmitting my request for approval to participate in an alternative to face-to-face supervision. I request to be allowed to continue in my current virtual clinical supervisory relationship. My place of employment does not employ an approved BACS supervisor, due to this I must seek supervision with an off-site supervisor.

As reviewed in my previous submission, my supervision is currently being funded by my organization. As a non-profit, my supervision was already budgeted for at the beginning of the year. The budget will allow for supervision to be completed in a 2-year timeline. If not approved for virtual supervision, I will have to utilize time during my workday to attend in-person supervision with my supervisor.

My average workday is very unpredictable as far as my schedule goes. Through my work we provide a helpline system to our clients who are caregivers for their loved ones with dementia. The helpline allows families to call or walk-in to our office anytime during business hours, Monday-Friday 8-4. There are many days that the entirety of my day will be spent connecting with clients through helplines and documenting. I am also in a supervisory role as the Program Director in my organization, so while I manage my own helplines, I also assist our other Program Coordinators through theirs as well, in finding the most helpful way to provide support and education to the clients that we work with.

I often will not be able to make time to leave during the workday for supervision, or in leaving the office during these hours, clients may be left waiting for assistance in their time of need and crisis. As is the nature of a nonprofit, we have budgetary restrictions when it comes to staffing and there may be times when it is necessary for me to remain in the office all day. Due to these reasons, it would be to the benefit of the clients that I see and my social work duties at my organization to continue with virtual supervision and eliminate the overall need for me to be out for in-person supervision meetings.

The refusal of this proposal could likely cause my supervision to be extended for a longer period than my organization's budget allows for, due to the unpredictability of my day-to-day schedule. This would in turn cause me to have to manage the costs out of pocket or temporarily cease my participation in supervision due to financial strain it could potentially place on me.

I truly hope you will consider my request to continue to participate in virtual supervision and understand the challenges that I will encounter if face-to-face supervision is deemed necessary.

Thank you for your consideration,

A handwritten signature in cursive script, appearing to read "Ellen Dunn".

Ellen Dunn, LMSW

License #14276

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Dear LASWBE Supervision committee,

I am requesting approval to participate in an alternative to face to face supervision, remote supervision. I am declaring an undue burden exemption. I request to be allowed to continue my current virtual supervisory relationship. I specifically chose this mode of supervision because it enables me to have a strong supervisor who is available to me beyond the standard. My current employer, Jessica Noel Andrus LCSW-BACS, does not offer a BACS certified supervisor, as a result I must be in supervision with an offsite supervisor.

My supervisor works/lives an hour and half from me in Livingston Parish, 52.6 miles one way from my place of employment and 82.8 miles from my home in St. Tammany parish. I would be required to leave my place of employment 1.5 hours early or more to attend supervision, forcing me to take a half day once a week and spend a significant amount of money on gas weekly in order to attend supervision in person. Spending a total of three hours or more in the car for a one hour meeting, making my total commute time on the road in a week from 8 hours to 11 hours, significantly reducing my available hours for self-care and decompressing after the day working at an acute inpatient psychiatric hospital. As self-care is written into our ethics by NASW, it seems counterintuitive to add extra burdens to our community when clients complete Tele therapy and the like with success. From the NASW Code of Ethics: "Professional self-care is paramount for competent and ethical social work practice. Professional demands, challenging workplace climates, and exposure to trauma warrant that social workers maintain personal and professional health, safety, and integrity. Social work organizations, agencies, and educational institutions are encouraged to promote organizational policies, practices, and materials to support social workers' self-care."

See <https://www.socialworkers.org/About/Ethics/Code-of-Ethics/Highlighted-Revisions-to-the-Code-of-Ethics>

My supervisor provides a secure HIPAA approved platform, Zoom and a backup program of Simple Practice, for us to utilize for our virtual meetings. In addition she requires my video to remain on to ensure that she is getting my undivided attention throughout supervision. Further, she requires that supervision be conducted in a space that ensures confidentiality, such as my office at work or another private location where there are no other individuals present. We have a emergency plan that enables me to text/call her at any time and we have a established emergency contacts as needed, my direct supervisor, local support people, and my immediate family out of state. My supervisor has completed the necessary requirements to obtain and maintain her BACS level status and should be trusted to facilitate competent and ethical supervisory sessions.

Thank you for your considerations,

Madison Leigh Engels, MSW, LMSW #16984

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