

RULES CLEARINGHOUSE

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 98-053

AN ORDER to create chapter SFC 8, relating to biennial continuing education requirements for social worker certification renewal.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

04-01-98 RECEIVED BY LEGISLATIVE COUNCIL.

04-29-98 REPORT SENT TO AGENCY.

RS:LR:jt;kjf

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 98-053

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

- a. It appears that the applicability of the definitions in s. SFC 1.02 should be expanded to include ch. SFC 8.
- b. In s. SFC 8.02 (1) (g), the section should also be authorized to issue a denial of an application for a waiver of the continuing education requirements.
- c. In s. SFC 8.02 (2) (d), the comma after the number 1 in the last line of that paragraph should be deleted and the phrase "shall be" should be replaced by the word "are."
- d. Section SFC 8.02 (2) (e) provides that decisions regarding approvals of continuing education courses shall be made within 60 days after the regularly scheduled section meeting following receipt of the request for program approval. In conjunction with s. SFC 8.02 (2) (a), which requires submittal of an application for approval by a sponsor at least 75 days prior to the program date, it appears there will be instances in which a sponsor will not receive program approval in time for the course to take place. Should the rule require that course approval requests be submitted even further in advance of the program date than 75 days?
- e. Section SFC 8.02 (2) (f) provides that courses sponsored by certain organizations are automatically acceptable to the section and need not be submitted to the section for approval. What if these courses do not cover one of the designated subject areas specified in s. SFC 8.02 (2) (b) 1.? Are they still acceptable to the section?

f. Throughout the rule, the term "biennium" is used. Is this intended to mean the same thing as a two-year certification period? If so, one or the other of these terms should be used consistently throughout the rule.

g. In s. SFC 8.02 (4) (c), a certificate holder is permitted no more than five hours of continuing education for published articles authored by the certificate holder. Does this mean that five hours total is given for all articles published, or five hours for each article up to 10 hours per biennial certification period?

**STATE OF WISCONSIN
EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY
THERAPISTS AND PROFESSIONAL COUNSELORS**

**IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL
EXAMINING BOARD OF SOCIAL : WORKERS, MARRIAGE AND FAMILY
WORKERS, MARRIAGE AND FAMILY : THERAPISTS AND PROFESSIONAL
THERAPISTS AND PROFESSIONAL : COUNSELORS ADOPTING RULES
COUNSELORS : (CLEARINGHOUSE RULE 98-053)**

TO: Senator Judy Robson, Senate Co-Chairperson
Joint Committee for the Review of Administrative Rules
Room 15 South, State Capitol
Madison, Wisconsin 53702

PLEASE TAKE NOTICE that the EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS is resubmitting in final draft form proposed rules relating to continuing education requirements for renewal of social worker certificates.

Please stamp or sign a copy of this letter to acknowledge receipt. If you have any questions concerning the final draft form or desire additional information, please contact Pamela Haack at 266-0495.



Tommy G. Thompson
Governor

State of Wisconsin \ DEPARTMENT OF REGULATION & LICENSING



Marlene A. Cummings
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Administrative Rules in Final Draft Form

Social Worker Section

Rule: Chapter SFC 8

Relating to: Continuing Education Requirements

Clearinghouse Rule: No. 98-053

Regulatory Boards

Accounting; Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors; Professional Geologists, Hydrologists and Soil Scientists; Auctioneer; Barbering and Cosmetology; Chiropractic; Controlled Substances; Dentistry; Dietitians; Funeral Directors; Hearing and Speech; Medical; Nursing; Nursing Home Administrator; Optometry; Pharmacy; Physical Therapists; Podiatry; Psychology; Real Estate; Real Estate Appraisers; Social Workers, Marriage and Family Therapists and Professional Counselors; and Veterinary.

Committed to Equal Opportunity in Employment and Licensing

**STATE OF WISCONSIN
EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY
THERAPISTS AND PROFESSIONAL COUNSELORS**

IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE :
EXAMINING BOARD OF SOCIAL : **REPORT TO THE LEGISLATURE**
WORKERS, MARRIAGE AND : **ON CLEARINGHOUSE RULE 98-053**
FAMILY THERAPISTS AND : **(s. 227.19 (3), Stats.)**
PROFESSIONAL COUNSELORS :

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

No new or revised forms are required.

III. FISCAL ESTIMATES:

The fiscal estimate for these rules was updated after final revisions were made to the rules. A copy of the updated fiscal estimate is attached.

IV. STATEMENT EXPLAINING NEED:

The environment in which social workers practice is changing rapidly, especially in the areas related to welfare reform. Continuing education for social worker certificate holders is needed to assure clients, patients and the public in general that the knowledge and skills of social workers are kept current. Complaints to the Social Worker Section of the board indicate a need for continuing education in professional ethics and boundary training. Required continuing education is important to assure that certificate holders who were certified under waiver provisions that did not require social work education are given adequate opportunity to advance their knowledge in the methods and practices of the profession. Based on these needs, the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors has concluded that protection of the public health, safety and welfare mandates that the board's authority to require continuing education of social workers be implemented.

V. MODIFICATIONS TO PREVIOUSLY-SUBMITTED RULES:

On October 30, 1998 the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors submitted a previous draft of these rules to the legislature. They were referred to the Consumer Affairs Committee in the Assembly and

to the Business, Economic Development and Urban Affairs Committee in the Senate. On December 3, 1998, the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors agreed to recall the previous draft. Following the recall the board appointed an advisory committee to review concerns expressed about the proposed rules. The three areas discussed by the advisory committee were: the logistics of the administration of continuing education; the number of hours that would be required; and approval of programs. The committee agreed to propose modifications. Committee comments were presented at the January 13, 1999 meeting of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors and approved. A summary of the Committee's recommendations is attached.

The previous rules submitted on October 30, 1998, required that the Social Worker Section individually preapprove all courses and programs or program sponsors. The rules as now proposed eliminate the "preapproval" requirements. Under these rules the section would rely on the professional to determine and verify that he or she has completed continuing education programs that meet the rule requirements.

VI. NOTICE OF PUBLIC HEARING:

A public hearing was held on May 19, 1998. The following individuals appeared at the public hearing in support of the proposed rules: Lenore DeLoughery, LaValle, Wisconsin, representing the Wisconsin Society for Clinical Social Work (also submitted written comments); Sandra Stephens, Madison, Wisconsin; William Heiss, Madison, Wisconsin, representing the UW-Madison School of Social Work; Donna Ulteig, Madison, Wisconsin, representing NASW Wisconsin Chapter; and Joe Dooley, Madison, Wisconsin, representing Mount Mary College. Linda A. Hall, Madison, Wisconsin, representing the Wisconsin Association of Family & Children's Agencies appeared, registering against the proposed rules.

Written comments in support of the proposed rules:

James A. Blackburn, Professor and Dean, University of Wisconsin Milwaukee, School of Social Welfare, Milwaukee, WI

Keith Myers, President, Washington State Society for Clinical Social Work

Bob Johnson, MS, CICSW, Director of American Foundation of Counseling Services, Inc., Green Bay, WI

Kenneth Czaplewski, President, St. Rose Residence, Inc., Milwaukee, WI

Written comments opposed to the rules:

John R. Grace, Executive Director, Wisconsin Association of Family & Children's Agencies, Madison, WI

David Johnson, President/CEO, Family Service, Madison, WI

Thomas E. Martin, President, Family Service Association, Green Bay, WI

M. Sathya Babu, Executive Director, Taylor Home, Racine, WI

Gary Thompson, Administrative Director, Rawhide, New London, WI

Tom Schneider, ACSW, Executive Director, Catholic Charities of the Archdiocese of Milwaukee, Inc., Milwaukee, WI
James E. Jones, ACSW, Executive Director, Family Service Association of Beloit, Beloit, WI

Marlene Cummings, Secretary of the Department of Regulation and Licensing, submitted an alternative draft of the proposed rules that was adopted by the board.

VII. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report were accepted in whole.

VIII. FINAL REGULATORY FLEXIBILITY ANALYSIS:

The final rules were modified from previous drafts to eliminate preapproval requirements. This change reduces the adverse impact that the continuing education rules have on small businesses by eliminating approval costs for in-house training, which is anticipated to be a widely adopted method of delivering continuing education credit to certificate holders.

STATE OF WISCONSIN
EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY
THERAPISTS AND PROFESSIONAL COUNSELORS

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF SOCIAL
EXAMINING BOARD OF SOCIAL : WORKERS, MARRIAGE AND FAMILY
WORKERS, MARRIAGE AND FAMILY : THERAPISTS AND PROFESSIONAL
THERAPISTS AND PROFESSIONAL : COUNSELORS ADOPTING RULES
COUNSELORS : (CLEARINGHOUSE RULE 98-053)

PROPOSED ORDER

An order of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to *amend* SFC 1.02 (intro.); and to *create* chapter SFC 8 relating to continuing education requirements for renewal of social worker certificates.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2), 457.03 (3) and 457.22, Stats.

Statutes interpreted: ss. 457.03 (3) and 457.22, Stats.

Wisconsin law authorizes the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors to promulgate rules establishing requirements and procedures for social work certificate holders to complete continuing education programs or courses of study in order to qualify for renewal. Under s. 457.22, Stats., the rules may not require an individual to complete more than 30 hours of continuing education programs or courses of study in order to qualify for certification renewal.

The environment in which social workers' practice is rapidly changing, especially in areas related to welfare reform. The Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors has concluded that protection of the public health, safety and welfare mandates that the board's authority to require continuing education of social workers be implemented.

In this proposed rule-making order the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors creates Chapter SFC 8 relating to continuing education requirements for renewal of social worker certificates. Under ch. SFC 8, social workers, advanced practice social workers, independent social workers and independent clinical social workers are required to complete continuing education in order to renew their certificates on July 1 of every odd-numbered year. Certificate holders are required to complete at least 30 hours of continuing education in each 2-year certification period with at least 2 hours in social

work ethics and 2 hours in issues concerning professional boundaries. The Social Worker Section may also require that another 2 hours out of the minimum 30 hours required of continuing education be acquired within other specified topic areas.

The rule describes the subject matter and other criteria for continuing education programs that count towards the continuing education renewal requirement. The rule does not provide for approval of courses, instructors or course sponsors by the board or Social Worker Section.

If the continuing education requirements are not met, certificate holders must cease and desist from using a social worker title protected under ch. 457, Stats., unless the Social Worker Section grants a postponement or waiver for prolonged illness or disability, or other extreme hardship.

Certificate holders must retain documentary evidence of continuing education hours completed for a minimum period of 4 years.

The rule provides an exemption to the continuing education renewal requirement for certificate holders who received initial social worker certification within the 2-year certification period immediately preceding their first certification renewal date. Persons who have held a similar certificate as social workers in another state and who are applying for social worker certification in Wisconsin are required to have completed 30 hours of continuing education within the 2 years immediately prior to application.

The first renewal date on which certificate holders are required to submit proof of meeting these continuing education requirements is July 1, 2001.

TEXT OF RULE

SECTION 1. SFC 1.02 (intro.) is amended to read:

SFC 1.02 **Definitions.** (intro.) In chs. SFC 1 to 7 §, 10 to 18 and 20:

SECTION 2. Chapter SFC 8 is created to read:

Chapter SFC 8

CONTINUING EDUCATION

SFC 8.01 Continuing education required for certification renewal. On or before July 1 of every odd-numbered year every social worker, advanced practice social worker, independent social worker, and independent clinical social worker certificate holder shall, as part of his or her application for renewal, submit proof of having met the continuing education requirements specified in this chapter on forms provided by the department.

SFC 8.02 Continuing education requirements for certificate holders. (1) Unless granted a postponement or waiver under sub. (7), every social worker, advanced practice social worker, independent social worker, and independent clinical social worker certificate holder shall complete at least 30 hours of continuing education in each 2-year certification period which begins on July 1 of each odd-numbered year as specified in s. 457.20 (2), Stats.

(a) The 30 hours of continuing education shall be in courses and programs specified in this chapter.

(b) Of the 30 required hours, at least 4 hours shall be in the subject area of social work ethics. At least 2 of the 4 hours shall be in issues concerning professional boundaries. The section may require that up to 2 continuing education hours in each 2-year certification period be acquired within other specified topic areas.

(c) In this chapter one hour of continuing education is a period of continuing education consisting of not less than 50 minutes.

(2) Continuing education hours shall apply only to the certification period in which the hours are acquired. A certificate holder who applies for renewal after the renewal date specified in s. 457.20 (2), Stats., shall submit proof to the section that he or she completed at least 30 hours of continuing education during the 2 years immediately preceding the date of application for renewal and meet the requirements for late renewal specified in s. 440.08 (3), Stats. Continuing education hours submitted to satisfy this requirement for late renewal shall not be used to satisfy continuing education requirements for a subsequent renewal.

(3) Every certificate holder shall retain original documents showing attendance at

programs and completion of self-developed programs for at least 4 years from the time that credit is claimed for the continuing education program under s. SFC 8.01. At the request of the section, certificate holders shall deliver their original documents to the section.

(4) Unless granted a postponement or waiver under sub. (7), a certificate holder who fails to meet continuing education requirements by the renewal deadline shall cease and desist from using a social worker title protected under ch. 457, Stats.

(5) During the time between initial certification and commencement of a full 2-year certification period, a new certificate holder shall not be required to meet continuing education requirements for the first renewal of his or her certification.

(6) Applicants from other states applying under s. 457.15 (1), Stats., shall submit proof of completion of at least 30 hours of continuing education substantially meeting the requirements of this chapter within the 2-year certification period prior to application.

(7) A certificate holder may apply to the section for a postponement or waiver of the requirements of this chapter on grounds of prolonged illness or disability, or on other grounds constituting extreme hardship. The section shall consider each application individually on its merits, and the section may grant a postponement, partial waiver or total waiver as deemed appropriate in the circumstances.

(8) The section may grant an exemption from the requirements of this chapter to a certificate holder who certifies to the section that he or she has permanently retired and no longer uses a social worker title protected under ch. 457, Stats. in any professional practice.

(9) A certificate holder who has been granted an exemption from the requirements of this chapter based on retirement from the active practice of social work may not return to the active practice of social work without submitting evidence satisfactory to the section that the holder completed at least 30 hours of continuing education during the 2 years immediately preceding the date of application to return to active practice and meets the requirements for late renewal specified in s. 440.08, Stats.

SFC 8.03 Continuing education programs. A continuing education program may be used to satisfy the requirements of this chapter if the subject matter of the continuing education program is one or more of the following:

- (1) Social work practice, knowledge and skills.
- (2) A field or subject area allied with and relevant to the practice of social work.
- (3) Theories and concepts of human behavior and the social environment.
- (4) Social work research, social policy and program evaluation, or social work practice evaluation.

- (5) Social policy and program administration or management.
- (6) Social work ethics.
- (7) Professional boundaries.
- (8) A subject of current importance as designated by the section.

Note: The following are examples of acceptable programs if the program covers subject matter described in this section: programs provided by public and private agencies as ongoing in-house training and development programs which meet agency mission requirements; programs by accredited college and university schools of social work; and, programs sponsored or provided by local or national professional associations.

SFC 8.04 Compliance. The section may conduct audits or investigations to monitor or determine compliance by certificate holders with this chapter.

 (END OF TEXT OF RULE)

Effective date: This chapter first applies to the 2-year certification period commencing July 1, 1999, and the July 1, 2001 certification renewal date.

Dated _____

Agency _____

Chairperson
 Examining Board of Social Workers,
 Marriage and Family Therapists and
 Professional Counselors

FISCAL ESTIMATE

A copy of the updated fiscal estimate is attached to the Report to the Legislature.

FINAL REGULATORY FLEXIBILITY ANALYSIS

The department's Small Business Review Advisory Committee's comments are attached to the Report as well as the response from the Social Worker Section.

FISCAL ESTIMATE

ORIGINAL

UPDATE

CORRECTED

Rule No. SFC 1.02, 8.01, 8.02, 8.03, 8.04

Subject: Continuing education requirements for renewal of social worker certificates.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Existing Appropriation

Increase Existing Revenues

Increase Costs - May be possible to absorb

Decrease Existing Appropriation

Decrease Existing Revenues

within agency's budget Yes No

Create New Appropriation

Decrease Costs

Local: No local government costs

1. Increase Costs

Permissive Mandatory

3. Increase Revenue

Permissive Mandatory

5. Types of local government units affected:

Towns Villages Cities

2. Decrease Costs

Permissive Mandatory

3. Decrease Revenue

Permissive Mandatory

Counties Others _____

School Districts WTCS Districts

Fund Sources Affected

GPR FED PRO PRS

SEG-S

Affected Ch. 20 Appropriations

20.165 (1) (g)

Assumptions Used in Arriving at Fiscal Estimate

This rule neither increases the department's revenue or expenditures.

There would be no additional costs to implement this rule unless random audits are required to check continuing education credits. If random audits are conducted the agency would require 0.50 FTE administrative staff support to carry out this function. Costs for a half-time program assistant would be approximately \$12,700 in salary and fringe benefits.

Long-Range Fiscal Implications

The fiscal estimate shall include the major assumptions used in its preparation and a reliable estimate of the fiscal impact of the proposed rule, including:

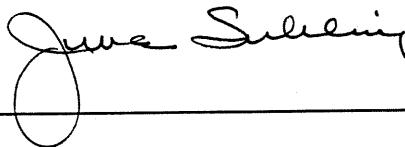
1. The anticipated effect on county, city, village, town, school district, technical college district and sewerage district fiscal liabilities and revenues.
2. A projection of the anticipated state fiscal effect during the current biennium and a projection of the net annualized fiscal impact on state funds.

If a proposed rule interpreting or implementing a statute has no independent fiscal effect, the fiscal estimate prepared under this subsection shall be based on the fiscal effect of the statute.

Agency/Prepared by:

Department of Regulation and Licensing
Gail Riedasch
(608) 266-0746

Authorized Signature



Date

2/10/99

FISCAL ESTIMATE WORKSHEET

Detailed Estimate of Annual Fiscal Effect

ORIGINAL

UPDATE

CORRECTED

SUPPLEMENTAL

Rule No.

SFC 1.02, 8.01, 8.02,
8.03, 8.04

Subject: Continuing education requirements for renewal of social worker certificates.

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

II. Annualized Costs:	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	\$	\$ -
(FTE Position Changes)	(FTE)	(- FTE)
State Operations - Other Costs		-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$	\$ -
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S		-
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Costs	Decreased Costs
GPR Taxes	\$	\$ -
GPR Earned		
FED		-
PRO/PRS		
SEG/SEG-S		-
TOTAL State Revenues	\$	\$

NET ANNUALIZED FISCAL IMPACT

STATE

LOCAL

NET CHANGE IN COSTS

\$ 0 _____

NET CHANGE IN REVENUES

\$ 0 _____

Agency/Prepared by:
Department of Regulation and Licensing
Gail Riedasch
(608) 266-0746

Authorized Signature

Gina Schubert

Date

2/10/99

EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY
THERAPISTS AND PROFESSIONAL COUNSELORS
SOCIAL WORKER SECTION
ADVISORY COMMITTEE MEETING
DECEMBER 23, 1998

MEMBERS PRESENT: Douglas Knight, Section Member; Cornelia Hempe, Section Member;
Marlene Cummings, Department Secretary; Myra Shelton,
Department Executive Assistant; Joel Ambelang, WCSWE; John
Grace, WAFCA; Marc Herstand, NASW of WI

STAFF PRESENT: Kimberly Nania, Grace MacLeod, Bill Dusso

CALL TO ORDER

Douglas Knight presided as Chairman and called the meeting to order at 10:35 a.m. Mr. Knight welcomed those present and stated the purpose of today's meeting as being able to reach a consensus on the proposed rules to govern continuing education for social workers. Bill Dusso told the group that in order to avoid having to hold another public hearing any rules agreed on would have to be substantially within the scope of what had been previously proposed.

REVIEW OF STATUTORY REQUIREMENTS

All members had before them a copy of Chapter 457.14 through 457.28 for review.

IDENTIFICATION OF OBJECTIONS TO PROPOSED RULES

Douglas Knight read a communication from Dan Young of Representative Otte's staff which raised the following questions: is there a real need for continuing education, will uniform requirements meet everyone's need, will the cost in time and money be worthwhile, is there a way to utilize existing in-service programs and will the decisions about what will be approved come from a broad base?

Various people around the table expressed their opinions. John Grace said that he supports Secretary Cummings' proposal, that he does not see the requirement of 30 hours to be a problem but does question the oversight. Douglas Knight passed out a summary of continuing education hours required by other states. Secretary Cummings remarked that she feels it is hard to make comparisons based simply on hourly requirements and that consumer protection would seem to mandate finding out what particular subject areas would be useful for continuing education. Cornelia Hempe reminded the group that social workers work with a very vulnerable segment of society, and she sees a need for some system for auditing. Secretary Cummings explained the C E model used by the Medical Examining Board, with auditing done on all respondents in complaints. Douglas Knight proposed the development of a public protection component in the rules which would justify the C E requirement and acknowledged the need to articulate the at-risk population.

Marc Herstand commented on the components of the various proposals as shown in the chart designated P.03. Kim Nania related the experience of the Psychology Examining Board, particularly with the problems encountered in connection with their audit. Bill Dusso advised the group to stay with the issue of public protection and showing the need for C E. He shared some history of C E problems from the Architects and Engineers Examining Board; their studies had failed to show effectiveness of C E in actual practice. The Real Estate Board had a breakthrough in this area some years ago and now requires C E in relation to the perceived needs of the profession. Legislators are more interested in this type of requirement than simply a set number of hours. Marc Herstand related that NASW had done a paper showing the need for C E some years ago, and the national body also feels that it should be mandatory.

Douglas Knight expressed his feeling that SFC 20 almost mandates C E, as it says that social workers shall not practice anything beyond the scope of his/her education. Cornelia Hempe added that the reason they are starting out rather stringently is that they have already seen too many violations of SFC 20 in the complaints coming before the Section. Joel Ambelang added that graduating social workers need to realize that C E is a part of their work and that he has seen a real willingness on the part of the profession to link with community service programs.

Marc Herstand remarked that voluntary sponsorship seems to work well in other states. John Grace feels that this should be more the province of the associations rather than the government. Cornelia Hempe suggested the possibility of pre-approval sponsorship being optional. Mr. Grace thought this might be acceptable but felt it should come from NASW not the Board or Section and saw no value in his agencies being approved as sponsors. In turn, Mr. Herstand saw no purpose in approval if it were not sanctioned by a state agency.

Douglas Knight pointed out to the group that the AASSWB is setting up an agency for the approval of continuing education. Sponsors could get approval through the AASSWB if they should so desire and information on this could be published in the Digest. This would also be very helpful with portability of licenses from state to state. By using AASSWB for approval of C E, the Section would not have to get into this except in instances where complaints are involved.

The group decided, therefore, to delete "as determined by the Section" in 8.03 although the C E would still be in the eight areas named. 8.02(1)(b) was modified to read: "Of the 30 required hours, at least 4 hours shall be in the subject area of social work ethics, of which at least 2 hours shall be in issues concerning professional boundaries." These changes will allow for ongoing staff training and development of both public and private agencies and their meeting their own mission requirements. Acceptable C E then will include both programs of professional social work associations and of accredited educational institutions in the 8 subject areas named in 8.03 (1) through (8).

It was clarified that audits may still be done should the Section see a need for this and that records of C E should be kept for at least one biennium.

ADJOURNMENT

The meeting was adjourned at 12:35 p.m. by consensus of the group.

advcom12