

Overview of the Regulatory Changes Related to Social Work Practice- December 2010

Over the past months, a number of significant changes have transpired in relation to social work licensure. In addition to the recently passed legislation finally resolving the corporate practice issue related to social work licensure and the extension and expansion of the state agency exemption, we have worked closely with the staff from the State Education Department (who we thank) on regulatory changes that alter the landscape considerably.

Primarily, the changes reflect our multi-year efforts to alleviate a number of cumbersome barriers to licensure such as prescribed weekly/ hour requirements in relation to client contact and supervision, the structure of supervision and difficulty applicants faced when attempting to determine if their particular setting was deemed “appropriate.”

Clinical Experience

Under the new regulations, clinical requirements for licensure as an LCSW no longer require 20 client contact hours per week (full time) or ten client contact hours per week (part time) over the course of 48 weeks per year. Instead, applicants are now allowed to aggregate their clinical experience over the course of no less than three years and no more than six years for a total of 2,000 client contact hours. This is essentially a reduction of 880 hours. Such a provision is in direct response to input from members of the profession and was designed to alleviate a substantial burden on potential applicants while continuing to maintain one of the highest standards for licensure (at the clinical level) in the nation. Please note however, that the scope of what is considered acceptable clinical experience has not changed and still includes diagnosis, assessment based treatment planning and psychotherapy.

Clinical Supervision

Supervisory hours are no longer prescribed at four hours per month (two of which could take place in a group setting). It can now be accrued and aggregated over the period of supervised experience. The aggregated hours must be a minimum of 100 hours distributed appropriately, conducted face to face, and can now be received in the form of individual OR group sessions.

Practice Settings

The State Education Department has developed an optional prospective review mechanism, a measure that will allow the LMSW to submit a plan for supervised experience in a specific setting for review and approval by the State Board for Social Work, thus alleviating the potential risk for applicants completing three years of experience, only to learn it was acquired in an unauthorized setting, the scope of work is not sufficient or the supervision not appropriate.

The Plan for Supervised Experience Form (LCSW Form 6) is available on the SED website at:
www.op.nysed.gov/prof/sw/lcsw6.pdf

Changes / Clarifications regarding the “R” Privilege

Once an individual acquires an LCSW they have completed the necessary experience to independently practice clinical social work and seek (and receive, in many instances) third party reimbursement. However, NY State offers an additional privilege (which is embedded in Insurance Law) mandating that certain insurance plans reimburse individuals possessing an “R” if such contract provides reimbursement to subscribers or physicians, psychiatrists or psychologists for psychiatric or psychological services. Requirements for the “R” privilege can be located at:

www.op.nysed.gov/prof/sw/lcswprivilege.htm#forms

Over the course of altering the regulations in the preceding paragraphs regarding the practice of social work, the SED also proposed a number of regulatory changes regarding the R privilege, most of which have been accepted. However a number of these changes were opposed by NASW-NYS. You can read our comments on such changes at:

www.naswnys.org/2Chapters%20Emergency%20Reg%20Comments.pdf

Supervision

Applicants seeking the “R” privilege are *now required to submit* a supervisory experience plan prior to commencement of such supervised experience. The Plan for Post-LCSW Supervised Experience Form can be located at www.op.nysed.gov/prof/sw/swpr6.pdf

In addition, *applicants must be supervised by an individual holding an R credential* as opposed to the longstanding practice and allowance of peer supervision. Such supervision must be two or more hours per month.

Experience

Experience for the R privilege remains at 2400 hours over the course of three years, however, effective January 2011, such experience may not commence until the individual has obtained their LCSW.

Application Fee

The application fee for the R privilege has increased from \$85.00 to \$100.00.

“Reciprocity”

While NY State does not offer “reciprocity” from one state to another regarding the licensure of social work, new regulations do offer “endorsements” of a clinical social work licensed issued in another jurisdiction, with standards similar to New York, for applicants seeking licensure in NY State. Endorsement applicants need to possess “At least 10 years of licensed practice during the 15 years immediately preceding the application for licensure in New York. In addition, the applicant must demonstrate: licensure as a LCSW on the basis of an a master’s degree in social work from an acceptable school, post-degree supervised clinical experience, and the passage of a clinical examination in social work acceptable to the department. The applicant must also be of good character, complete coursework in the identification and reporting of suspected child abuse, and submit the application for licensure and fee established in law and regulation.”

Promoting Informed Practice

NASW-NYS will continue our efforts to ensure that social workers in New York State are informed on current laws and regulations that impact social work practice through our print & electronic communications. The Chapter is currently working with the New York State Association of Deans of Schools of Social Work and the State Education Department on a plan to ensure that MSW graduates begin their professional practice armed with critical information about licensed social work practice.

If you have questions or comments regarding these regulatory changes, or social work licensure in general you may contact the NASW-NYS Director of Policy, Karin Moran, at 800-724-6279/ 518-463-4741 Ext. 16 or email: Karinmoran@naswnys.org

Thank you for your membership support which assists the Chapter in continuing to work on this critical professional issue!