

REMINDER NOTICE TO ALL HEALTH-RELATED LICENSEES AND FUNERAL DIRECTORS
ACT 31 OF 2014 – INITIAL TRAINING AND CONTINUING EDUCATION IN CHILD ABUSE
RECOGNITION AND REPORTING REQUIREMENTS

The Bureau of Professional and Occupational Affairs (BPOA), in conjunction with the Department of Human Services (DHS), is providing advance notice to all health-related licensees and funeral directors that are considered “mandatory reporters” under section 6311 of the Child Protective Services Law (CPSL) (23 P.S. § 6311), as amended, that EFFECTIVE JANUARY 1, 2015, all persons applying for issuance of an initial license shall be required to complete 3 hours of DHS-approved training in child abuse recognition and reporting requirements as a condition of licensure.

Additionally, EFFECTIVE WITH THE FIRST LICENSE RENEWAL AFTER JANUARY 1, 2015, all health-related licensees and funeral directors applying for the renewal of a license issued by the Board shall be required to complete at least 2 hours of Board-approved continuing education in child abuse recognition and reporting requirements as a condition of renewal.

Please note that Act 31 applies to all health-related licensees, regardless of whether they are subject to the continuing education requirements of the applicable board.

More information regarding this requirement will be posted on the BPOA website as it becomes available.

Approved providers may be reviewed at the following link:

http://www.portal.state.pa.us/portal/server.pt/community/con_ed_providers/21920

Act 31 may be reviewed at the following link:

<http://www.legis.state.pa.us/cfdocs/Legis/LI/uconsCheck.cfm?txtType=HTM&yr=2014&sessInd=0&smthLwInd=0&act=31>.

Authority and Role of the State Licensing Board

Often we are asked who comprises the Board, and why it is that we make the decisions that we do. We thought it might be helpful to briefly share some information about who we are, how we come to this role, and our responsibilities when serving in the capacity of “Board Member”.

The Pennsylvania Board of Social Workers, Marriage and Family Therapists and Professional Counselors exists because the PA legislature established it via authorizing legislation (Act 136 of 1998). The law defines the Board as “a departmental administrative board in the Department of State.” It also

establishes the authority of the Board as being “to protect the public from unprofessional, improper, unauthorized and unqualified practice....” The law also directs the Board to write rules and regulations governing licensure and procedures for disciplining professionals.

Within these legal parameters, the Board has some discretion. This is an awesome responsibility for Board members because we strive to be judicious, but not arbitrary. In other words, Board members strive to be fair, but only have so much discretion because our decisions must comply with the law and regulations. (To view the statute and regulations, please visit the link on the Board’s website)

The 13 member composition of the Board currently consists of 2 LSW’s, 2 LCSW’s, 2 LMFT’s, 3 LPC’s, 2 public members, and the Commissioner of the Bureau of Professional and Occupational Affairs. The individuals that serve on our Board are nominated by the Office of the Governor and must be approved by the Senate. The professional roles of our Board members are varied. From educators to private and public mental health providers, to administrators, and campus based mental health services, we have a diverse mix of perspectives and experience related to the settings and manners in which our collective fields practice. It is this interdisciplinary knowledge that we bring to the table to protect the public and support the licensees in issues and concerns related to practice. Though it is not our place to provide advisory opinions or personal legal advice to licensees, we do act in accordance with the laws and regulations that govern our collective fields and must often make decisions about granting licensure or imposing discipline.

In addition to meeting publicly as a full Board ten times per year, members of the Board serve on committees (*e.g.*, Probable Cause, Continuing Education, *etc.*) that help get the work of the Board done more efficiently. It is during the scheduled meetings, that the Board will discuss issues important to the professions such as whether regulatory changes are necessary, conduct hearings on individual cases, deliberate on application cases or disciplinary cases, and deal with any other issues that might be brought before the Board at any given time. (Please note that some portions of Board meetings are held in a private Executive Session)

Some licensees may mistakenly believe that the Board is here to play “gotcha”, but that is simply not the case. Neither Board members nor Board staff is out looking to catch licensees in violations. The Bureau has an

investigative office that fields and investigates complaints. Generally, a licensee's misconduct may only come to light after a client complaint or by an agency making a referral for fraud or another type of infraction. The Board only becomes aware of complaints after they have been reported, when the Prosecutorial Division of the Bureau requests Board members' judgment, via the Probable Cause committee, as to whether what has been reported to them might be a violation that warrants further action. The investigation is not done by the Board but the Board is involved in deciding the consequences when disciplinary action is deemed appropriate.

This is just a brief glimpse at who we are, and why we do some of the things that we do. We encourage licensees to reach out to us with questions and concerns. Please visit the resources and links available on the website. We are honored to represent our chosen fields and seriously dedicate our time and minds to the tasks asked of our Board. Thank you, most sincerely, for the opportunity.

Laura Hinds, MSW, LSW, Chairperson, Renee Cardone, MSW, LCSW, Board Member

What is the ASWB?

The Association of Social Work Boards (ASWB) is a non-profit organization established in 1978 and located in Culpepper, VA. Its membership consists of most of the state social work licensing boards and many of their equivalents in the Canadian provinces. The ASWB is dedicated to providing support to the licensing boards as the latter go about the work of protecting the public. In this role, the ASWB owns and administers the social work licensing exams. Unlike the Council on Social Work Education, the ASWB does not deal directly with social work education. It does, however, approve continuing education courses and maintains a list of those approved courses on its website.

The ASWB usually has two meetings a year. The Spring meeting is an educational meeting on a topic related to social work regulation (e.g., electronic practice, the disciplinary process, etc.). The Fall meeting is the governance meeting and involves convening the Delegate Assembly. The Pennsylvania Board has one Delegate to the ASWB who attends those meetings and reports back to the Board.

Currently, ASWB projects include reviewing and revising the Model Social Work Practice Act, working with other social work organizations in the U.S. and abroad to recommend updated standards for electronic practice of social work, and the Path to Licensure program which provides education about licensing in schools of social work.

Another important thing to know about the ASWB is that it maintains a Social Work Registry which social workers can use, for a fee, to keep all their professional information handy online (this is especially convenient when it is time for license renewal or job hunting and we need to quickly access information about our professional activity over a period of time).

Please check out the ASWB online (www.aswb.org) to best understand this social work organization whose purpose is to support licensing board's effective functioning. At that website, you will find useful information about the ASWB's Strategic Plan, about the Social Work Registry, about ASWB approved continuing education courses (which are many!) and about the licensing exams.

Renee Cardone, MSW, LCSW, Board Member