

ANNEX A

PENNSYLVANIA ADMINISTRATIVE CODE

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 48. STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY

THERAPISTS AND PROFESSIONAL COUNSELORS

STATEMENT OF POLICY

§ 48.102. Interpretation of § 48.2(6) (relating to Educational Requirements) – statement of policy.

(a) *Purpose.* The Board has received inquiries regarding whether supervisory responsibilities will no longer be permitted to occur electronically once the waivers suspending certain regulatory requirements during the COVID-19 emergency expire on September 30, 2021. This statement of policy is intended to clarify to the regulated community the Board’s current interpretation of “direct” contained in § 48.2(6).

(b) *Background.* At the on-set of the COVID-19 emergency, it was important to waive or suspend certain regulatory requirements of the State Board of Social Work, Marriage and Family Therapy and Professional Counselors (Board) to increase the number of health-care practitioners available to respond in light of the emergency, as well as to enable individuals to continue with their educational requirements. The Board regulations require applicants for licensure to obtain practicum experience for a minimum of 1 year and accumulate 300 hours of supervised *direct* client contact with individuals, couples and families. During the COVID-19 emergency, the “direct” requirement was waived to allow for these hours to be completed through electronic

means, preferably on a HIPAA-compliant platform, but if that is not available, then by online methods such as Skype or Facetime. During the COVID-19 emergency, many master's program included the use of electronic means to obtain practicum hours.

(c) Interpretation. For the purposes of § 48.2(6), supervised hours of direct client contact are not limited to those acquired while being physically present in the same room. Technological advances have enabled individuals to communicate in real-time, regardless of their geographic proximity to one-another. Therefore, the Board considers “direct” client contact to be met if a HIPAA-compliant electronic platform is used that allows for synchronous audio and video communication between the supervisor, supervisee, and client. This would not include supervision/client contact by telephone, email, instant messaging, online chat or other non-secure electronic communications that do not include real-time (synchronous) video and audio communications. The setting in which the supervisor, supervisee, and client is located when using electronic supervision must be professional and secure. The supervisor and supervisee must not be in public locations such as coffee shops, libraries, or other locations where inadvertent disclosures of confidential information could occur.

