

The University of the State of New York
State Education Department
OFFICE OF THE PROFESSIONS
State Board for Social Work
Meeting via WebEx pursuant to Chapter 417 of the Laws of 2021

Wednesday, January 12, 2022

Draft Minutes

- Present** Celisia Street, Chair; Tracyavon Ford, Vice Chair; Susan Nayowith, Lola Greene, Mohini Mishra, Sujata Pai.
- Absent** Liz Espinosa, Denise Krause, Michelle Manley, Suzanne Meyer, Darryl Nicholson-Sansani, Frances Septimo.
- Staff** David Hamilton, Executive Secretary; Mary Fish, Associate in Professional Education; Judy DeSapio, Administrative Analyst; Owen Donovan, Executive Coordinator of Professional Practice.
- Visitors** Diana Georgia, Elk Street Group; Pamela Madeiros, Greenberg Traurig, LLP; Vicky Rizzo, Tamara Walker, Michael Cappiello and Samantha Fletcher, NASW NYS; Lauren Keeley; Donna Polen.

1. Call to order

Chair Celisia Street convened the meeting at 9:05 a.m., welcoming Board members, guests and visitors. Due to last minute cancellations, only six of the 12 Board members were present, but the meeting proceeded in the absence of a quorum. The agenda was approved by consent.

2. Review of October 13, 2021 State Board Minutes

Motion to approve the minutes as submitted (Nayowith/Pai). Passed unanimously.

3. Executive Secretary's Report

Executive Secretary Hamilton was appointed Assistant Commissioner of Professional Licensing & Practice by the Board of Regents on December 14, 2021. He will continue in his Executive Secretary role with the State Board for Social Work and the State Board for Mental Health Practitioners, as well as the Acting Executive Secretary to the State Board for Psychology and the State Board for Applied Behavior Analysis until those positions are filled. The Social Work position, which requires the applicant to be licensed as a LMSW or LCSW in New York, is at www.nysed.gov/hr/employment/employment-opportunities. Applications should be submitted to opjobs@nysed.gov and reference #OP-1439/20701.

4. Legislation and Regulation Affecting Social Work

Chapter 702 of 2021 will require certain professions, including LMSW and LCSW, to complete a workforce survey when completing their triennial registration. The Center for Health Workforce Studies (CHWS) at SUNY Albany will add these professions to those health professions currently surveyed. The State Boards will provide assistance to CHWS

with developing profession-specific questions. Chapter 289 of 2021 authorizes summer camps to employ certain licensed professionals to provide health services. Chapter 712 of 2021 makes care and services provided by LCSWs eligible for coverage under the Medicaid program.

Governor Kathy Hochul introduced her proposed 2022-2023 State Fiscal Year budget and proposed transferring the oversight and regulation of health professions under Title VIII from the Education Department to the Department of Health. Although there was no rationale or explanation provided with this proposal (Part G of Health and Mental Hygiene budget), it would eliminate the Board of Regents oversight of professional license, practice and discipline. Executive Secretary Hamilton will provide updates, including any advocacy materials, as the budget process proceeds.

5. Chair’s Report: School Social Work

Chair Street reported on a meeting between herself, the Vice Chair and Executive Secretary with representatives of the New York School Social Work Association on December 20, 2021. The discussion focused on experience requirements for LCSW licensure and the need to clarify the limited activities allowed under Education Law §7704 subsection two, including appropriate supervision. A LMSW may provide “counseling” but that term is not defined; the LMSW can only provide psychotherapy, diagnosis and assessment-based treatment planning under supervision. Therefore, peer counseling and student support would not meet the LCSW requirements. The workgroup is reviewing draft guidance that could be shared with education programs, school districts and licensees. It has also been suggested that the Form 6 plan for prior review of setting and supervisor could be mandated, to ensure LMSWs enter an appropriate setting to meet the LCSW requirements.

6. Association of Social Work Boards (ASWB) 2021 Annual Meeting

The ASWB annual meeting was held online, November 19-20, 2021 and Executive Secretary Hamilton provided an update. It was noted that ASWB is working on a license compact and New York was not asked to participate, although we license more social workers than any jurisdiction. New York does not recognize the Council on Social Work Education (CSWE) for the LCSW, as New York law exceeds the CSWE standards for MSW education.

ASWB announced that reports will be made available to social work education programs with more diagnostic information. Additionally, a committee that focuses on Diversity, Equity and Inclusion (DEI) will review the process by which examination items are written, screened and pre-tested to assure they are not biased.

7. Professional Practice

Due to the COVID Omicron variant, the regulations still allow clinical social work completed by telepractice and remote supervision of a LMSW under supervision. Executive Secretary Hamilton will prepare draft regulations for discussion at a future meeting to address issues identified at the October 2021 meeting.

8. Other Business

In response to a question, Executive Secretary Hamilton explained that the hiring freeze from April 2020 through April 2021 meant that no one could be hired to fill vacant positions. The Department just received approval to recruit a replacement for the vacant evaluator position in the Board office; Unit 5 is fully staffed for the first time in more than two years. In the meantime, Mary Fish and Judy DeSapio, as well as support staff, are picking up some of those tasks.

9. Adjournment

There being no other business, the Chair thanked all for their participation. The meeting was adjourned at 10:15 a.m. by consensus (Street).

Minutes submitted by,



David Hamilton, Ph.D., LMSW
Executive Secretary

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