

The University of the State of New York  
State Education Department  
Office of the Professions

**New York State Board of Social Work  
Meeting Minutes**

**Wednesday, June 7, 2023**

This meeting was held in-person via WebEx at the following locations:

State Education Building, 89 Washington Avenue, EB 150, Albany, NY 12234  
Office of the Professions, 1411 Broadway, 10th Floor, New York, NY 10018  
Syracuse Regional Office, 333 East Washington Street, Suite 211, Syracuse, NY 13202

**Board members present:**

Celisia Street (Chair) (Albany)  
Laura Eastman-Follis (Albany)  
Sujata Pai (New York)  
Mohini Mishra (New York)  
Darryl Nicholson-Sansani (New York)

**Board members absent:**

Tracyavon Ford (in hearing)  
Michelle Manley Belge (home sick – observing from home)  
Liz Espinoza  
Lola Greene  
Denise Krause  
Susan Nayowith (in hearing)  
Frances Septimo

**Staff present:**

Evan Seiden, Executive Secretary (Albany)  
David Hamilton, Assistant Commissioner of Professional Licensing & Practice (Albany)  
Owen Donovan, Executive Coordinator for Professional Practice (New York)  
Mary Fish, Associate in Professional Education (Albany)  
Michele Govertsen, Senior Administrative Analyst (Albany)  
Henry Phillips, Education Program Assistant (Albany)  
Tinika White, Administrative Assistant (Albany)

**Welcome and Review of the Agenda**

Evan Seiden called the meeting to order at 10:08 AM. Board members and staff introduced themselves. It was determined that a quorum of the Board members was not present, therefore,

all agenda items were presented for informational purposes. There were no changes in the agenda.

### **Review of the January 25, 2023 Board Meeting Minutes**

The minutes of the January 25, 2023 Board meeting were reviewed and corrected.

### **Association of Social Work Boards**

ASWB CEO Stacey D. Hardy-Chandler, Ph.D., J.D., LCSW, and legal counsel Dale Atkinson, Esq. discussed the exam pass rate data published in August. They gave a presentation on ASWB initiatives, collaboration with the social work community, and exam development for the future of social work. The presentation covered exam standards, content, and development methods. Presenters discussed reasons for disparate outcomes. Pass rate analysis report was presented. Questions were entertained and answered by presenters, and the Board thanked them for the helpful information they provided.

### **Executive Secretary's Report**

- a. **Staffing and Processing:** The Executive Secretary reported that processing of permits and licenses has been keeping up with the volume but noted that graduation period is upon us. Executive Secretary noted that Mary Fish will be retired at the end of June 2023, and thanked her for her many years of service in the Board Office. Executive Secretary noted temporary hire Time Simmons will be retiring at the end of June 2023.
- b. **Board Member Recruitment:** Executive Secretary reported Celisia Street resigning as Board Chair. Reported board member recruitment is in process. The Executive Secretary is still actively recruiting new members to the Board and asked Board members to refer those interested to him for further information.
- c. **Executive Orders 4.0:** Reported Executive Order affecting out-of-state LMSW/LCSW set to end.

### **Legislation and Regulation Affecting Social Work**

- a. **Progress of Diagnostic Privilege for Mental Health Practitioners:** Open comment period has ended. Regulations are being drafted for Chapter 230 of the Laws of 2022.
- b. **Insurance Law – Elimination of the “R” Privilege:** Chapter 818 of the Laws of 2022 has been signed by the Governor. This law adds all licensed mental health providers as eligible for insurance reimbursement. It requires blanket health insurance policies to provide coverage for outpatient treatment by a mental health practitioner or clinical social worker. Insurers providing reimbursement for psychiatric or psychological services or for the diagnosis and treatment of mental health conditions by physicians, psychiatrists or psychologists, shall provide the same coverage to the insured for such services when performed by a licensed clinical social worker, licensed mental health counselor, licensed creative arts therapist, licensed marriage and family therapist, and licensed psychoanalyst, within the scope of practice. This law eliminates the need for the “R” privilege. Currently, there is no reference to the “R” privilege in insurance law. A chapter

amendment to the Insurance Law is being introduced that will remove any reference to licensed creative arts therapists as eligible providers, based on cost concerns. Refunds have been offered to eligible licensees. Feedback from licensees has diminished since this change in the law has been in effect for a longer period now.

### **Teletherapy and Tele-supervision Regulation Discussion**

Tele-supervision implementation and possible methods and requirements were discussed. Celisia noted a consensus had formed for important key elements of tele-supervision. The Board discussed the following: should the 1<sup>st</sup> session be in person? Is virtual a good fit? Tele-supervision should be done using videoconferencing. The reassessment of virtual supervision and the frequency of reassessment over the course of an applicant's supervision was discussed. The same supervisor responsibilities remain in tact for virtual supervision.

Darryl asked what would be required for virtual supervision. Requiring in-person meeting for initial supervision was discussed. It was discussed if this should be at the supervisor's discretion or not, i.e. if the initial in-person meeting requirement should be a recommendation versus a requirement.

The tracking of virtual supervision was discussed. Possibly change of limited permit forms was discussed. Laura mentioned a contract between applicant and supervisor for virtual supervision as an idea or possible requirement. The idea of a voluntary plan for virtual supervision was discussed.

The idea of capping the number of virtual supervision hours at a certain amount was discussed. The differences between applicants supervised in-person and applicants supervised virtually and the implications of both was discussed. A cap on virtual supervision hours was brought up as an obstacle/impediment to fully virtual practices. Cap on virtual supervision hours amount was discussed. Tying virtual supervision to reassessment was discussed.

### **School Social Work Discussion**

The appropriateness of school settings for LMSWs under supervision was discussed. Letter of authorization is required to show applicant is authorized to provide professional clinical social work services in the school setting. Requirements for content of the authorization letter was discussed. It was discussed that the school leadership needs to be aware that this type of psychotherapy is taking place in their school. Board decided to keep discussion of school social work and requirements thereof open going forward.

### **Other Business**

Board members brought up a few issues they would like to discuss at the next Board meeting. Celisia suggested that Form 6 should be required. Currently Form 6 is optional. This topic will be included on the agenda for the next Board meeting. Chair Celisia Street thanked everyone and thanked Mary Fish for her years of dedicated service to the Board Office.

## **Adjournment**

The meeting was adjourned at 12:22 PM by Chair Celisia Street.