

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

**New York State Board of Social Work
Meeting Minutes (Draft)**

Wednesday, October 4, 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
Buffalo Regional Office, 508 Main Street Buffalo, NY 14202

Board members present:

Laura Eastman-Follis (Albany)
Sujata Pai (New York)
Mohini Mishra (New York) Vice-Chair
Tracyavon Ford (New York) Chair
Michelle Manley Belge (Syracuse)
Denise Krause (Buffalo)
Susan Nayowith (New York)

Board members absent:

Liz Espinoza
Lola Greene
Frances Septimo
Darryl Nicholson-Sansani

Staff present:

Evan Seiden, Executive Secretary (New York)
Sarah Benson, Deputy Commissioner (Albany)
David Hamilton, Assistant Commissioner of Professional Licensing & Practice (Albany)
Owen Donovan, Executive Coordinator for Professional Practice (observing from home)
Michele Govertsen, Senior Administrative Analyst (Albany)
Henry Phillips, Education Program Assistant (Albany)

Welcome and Review of the Agenda

Evan Seiden called the meeting to order at 10:03 AM. Board members and staff introduced themselves. A quorum of the Board members was present. There were no changes in the agenda.

Interstate Licensure Compacts – Presentation by Sarah Benson Deputy Commissioner

Department of Education Deputy Commissioner Sarah Benson began by thanking board members for their service; gave recognition of their important role in the field of social work.

Deputy Commissioner proceeded to give a presentation to the Board on Interstate Licensure Compacts and the development of a Social Work Compact. Deputy Commissioner offered basic definition of licensure compacts; Deputy Commissioner noted that to join a compact is a complex and a complicated process. In addition, more legislative analysis is needed to evaluate effects on resources; the ongoing SED modernization program and the needs of the current and future systems continue to be a factor.

Board member questions were answered by the Deputy Commissioner. Some of the complexities were discussed such as access to services not available in other jurisdictions alongside financial complexities. The Board also discussed the complexities in handling illegality and misconduct across state lines with differing laws.

Review of the June 7, 2023 Board Meeting Minutes

The minutes of the June 7, 2023 Board meeting were reviewed. A quorum was present. Board Chair Tracyvon Ford made a motion to accept all previous minutes. Board member Sujata Pai Vice -Chair seconded motion. All previous meeting minutes accepted.

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 volume of permit and license applications has increased. Board Office has hired temporary phone staff member replacing previous temporary hire Tim Simmons who retired June 2023. Continuing Education providers are giving Professional Boundaries courses which are required by law as of April 1, 2023. LCSW limited permit applications have risen; backlog is currently at 2 weeks. Experience reviews have a backlog of 5 weeks.
- b. **Board Member Recruitment:** Executive Secretary reported board member recruitment is in process. Two LMSWs are needed. 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. Board member application can be found online.
- c. **Executive Orders 4.0:** All Executive Orders affecting LMSWs/LCSWs have expired.

Legislation and Regulation Affecting Social Work

- a. **Progress of Diagnostic Privilege for Mental Health Practitioners:** Regulations are being drafted for Chapter 230 of the Laws of 2022. Public comments are being assessed. Possible presentation will be given at Board of Regents November meeting on status of MHP Diagnostic Privilege regulations and implementation.

Teletherapy and Tele-supervision Regulation Discussion (continued)

Board noted that tele-supervision is still being accepted – current regulation allows tele-supervision. Discussion of tele-supervision implementation and possible methods and requirements was continued. Board noted virtual supervision can be effective. Virtual supervision at the discretion of the supervisor – relationship can be assessed on an ongoing basis. Board noted assessment of virtual arrangements is recommended. Board noted evidence of negative outcomes for clients with practitioners utilizing tele-supervision is minimal. Board noted that counseling relationships – relationship between psychotherapist and client – are often virtual. Board noted that tele-supervision broadens the reach of supervision. Prior to tele-supervision being allowed/in use, programs closed when licensees were not available in-person; Tele-supervision allows programs to remain open expanding access.

School Social Work Discussion

Mental health needs in schools continues to be a concern, Applicants/Supervisor if in a school setting must supply Letter of Authorization for clinical social work supervision. The letter cannot come from the supervisor; must come from the school administration that clinical social work is permitted and being performed in the school. Board noted there is also a concern of licensing prepared professionals for the clinical role; scope of practice and setting. Board discussed possible legal implications to school social work especially in NYC the issue is complex. Board noted that parents need to be made aware that the practitioner is practicing clinical social work under supervision, on their child (student). Board discussed the possible need for clarification on the website for this type of setting. The confusion of Educational diagnoses on IEP not the same as emotional diagnosis in OMH setting.

Form 6 Discussion

The Board discussed the possibility and ramifications of making “Form 6 – Plan for Supervised Experience” mandatory. Board members suggested the capacity of staff and resources Members suggested a mandatory Form 6 would prevent fraud; unacceptable supervisors and settings would be avoided. Members proposed the idea of random audits as an alternative to a mandatory Form 6. Board noted staff and resources would be needed to process additional required forms.

Other Business

Board member Tracyavon Ford unanimously elected to position of Board Chair. Mohini Mishra elected to Vice Chair position. Board members thanked Executive Secretary Evan Seiden for his leadership.

Adjournment

The meeting was adjourned at 12:08 PM by Chair Tracyavon Ford.