

Tennessee Board of Social Worker Licensure



Newsletter



2015

A Regulatory Agency of the State of Tennessee

Fall

665 Mainstream Drive, Nashville, TN 37243 • <http://tn.gov/health> (615) 741-5735 or 1-800-778-4123
Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except State and Federal holidays) Fax: (615) 532-5369

*THE MISSION OF THE TENNESSEE DEPARTMENT OF HEALTH IS TO PROTECT, PROMOTE AND IMPROVE
THE HEALTH AND PROSPERITY OF PEOPLE IN TENNESSEE*

2016 Board Meeting Dates

January 28-29, 2016
9:00 a.m., Iris Room

May 5-6, 2016
9:00 a.m., Iris Room

July 28-29, 2016
9:00 a.m., Iris Room

October 27-28, 2016
9:00 a.m., Iris Room



All board meetings will be held at 665 Mainstream Drive, Nashville TN, unless otherwise noted.

Live Streaming Video

If you would like to see your board “in action” but can’t attend a meeting in person, you can now watch the board meeting on your computer through live streaming video. The link is:
<https://web.nowuseeit.tn.gov/Mediasite/Catalog/Full/98fe21d561e9489487745f0c7da678b221>. After you access the page, go to the board meeting you wish to view and click on that particular link.

Legislative Updates

[Board of Social Workers
Legislative Update - 2015](#)

[Public Chapter 154](#)

This act allows the Commissioner of Health or his designee to have electronic access to medical records in order to facilitate investigations when responding to an immediate threat to public health. Today the Commissioner of Health or his designee already has this authority but must go to the facility to review the medical records. This act took effect on April 16, 2015.

[Public Chapter 94](#)

This act defines “abuse” and “neglect” for purposes of placing a person on the registry of persons who have abused, neglected, or misappropriated the property of vulnerable individuals specifically within the statutes that govern the Dept. of Health. It does not impact the definitions within the statutes that govern the Dept. of Intellectual and Developmental Disabilities nor the Dept. of Human Services. It also increases the time within which placement on the registry may be appealed from 30 to 60 days. For rulemaking purposes, this bill became effective on April 10, 2015. All other provisions become effective on July 1, 2015.

[Public Chapter 502](#)

This act allows the Joint Government Operations Committee (the legislative committee that reviews all rules) to stay a rule up to 75 days instead of 60 days. Present law authorizes the Joint Government Operations Committee to consider the following factors when reviewing rules: authority, clarity, consistency, justification, necessity and reference. This act adds arbitrariness and capriciousness as two new considerations.

Public Chapter 268

This act makes disclosures of protected healthcare information permissible in medical malpractice lawsuits and became effective on April 24, 2015.

Renew Your License Online



Practitioners may access the online service at <https://apps.tn.gov/hlrs/> to renew their licenses up to 70 days prior to the expiration date.

Click the "Licensing Renewal" link where you can renew your license and update your professional license information. *Licensees are responsible for renewing their licenses on time and keeping the Board apprised of current information. It is a violation of the law and of the Board's rules to practice on an expired license.*

-Step 1: Login - Select our board and your profession and enter your license number.

-Step 2: Update your Information - Change your home and/or office address.

-Step 3: Enter your renewal information - Answer all necessary questions, as if you were completing your hard-copy form.

-Step 4: Payment - Enter your credit card information through the secure site and choose "submit".

If you have met all of the criteria necessary, your renewal certificate will be mailed to you in approximately one week. Updated license information will be available on the department's web site within two business days.

Retirement of License

If you are not practicing in Tennessee and do not wish to renew your license, it is suggested you retire your license rather than have it fall into failed to renew status. A retirement form may be obtained at our website at:

<http://tn.gov/health/article/sw-applications>

If you do not have access to the internet, you may request a retirement form be mailed to you.

Electronic Notification for Licensed Health Professionals

NOTICE TO ALL LICENSED HEALTHCARE PROFESSIONALS – ELECTRONIC NOTICE OPTION

On January 1, 2013, a new law became effective requiring all Tennessee health professional boards to provide electronic notices to healthcare professionals they license. The law gives healthcare professionals the option of being notified electronically of the following: (1) Renewals of license, certification or registration; (2) Any fee increases; (3) Any changes in state law that impact the license holder; and (4) Any board meeting where changes in rules or fees are on the agenda. If a healthcare professional "opts in", the Department of Health will also be able to alert him or her of critical public health matters impacting Tennessee. Please visit apps.tn.gov/hlrs/begin.jsp and complete the registration process to opt in. Upon receipt of a current email address, those who opt in will begin to receive ALL notices electronically rather than through the United States mail. Please note opting in means license renewal notification will be delivered electronically approximately 45 days in advance of the expiration date. The electronic notice will direct the licensee to the appropriate Web page to renew. For professions that do not permit licensees to renew their licenses online, a paper renewal will continue to be provided. For more information, contact the Health Professional Boards office at 615-741-5735 or toll-free at 1-800-778-4123.

Office of Investigations



The Office of Investigations is responsible for receiving and processing all complaints for the licensure boards. To file a complaint, please contact the Office of Investigations at 1-800-852-2187 or visit our website where you may download and print out the complaint form.

Change of Address and/or Name



Must be reported in writing or by e-mail to the board's office within 30 days of the change! Please include the following:

- your name and license number;
- your profession;
- your old address and phone number;
- your new address and phone number, e-mail address, and/or your fax number;
- If your name has changed due to marriage or divorce, you must send a copy of the document that made the change in status.
- your signature!

Keeping the board's administrative staff up to date on your location facilitates the timely notification to you of important information such as your application for licensure renewal and important statutory and rule changes.

A form for the change of address/name can be found at:

<http://tn.gov/health/article/sw-applications>

You may fax your change to the board's administrative office at (615) 532-5369 or by mail at: 665 Mainstream Drive, Nashville, TN 37243.

Policy on 3000 Hours of Clinical Experience

For licensure as a Licensed Clinical Social Worker (LCSW) Board rule 1365-01-.04(a)(7)(ii) requires: "At least three thousand (3000) hours of clinical experience, meaning client therapist contact."

The Rules define clinical experience in two places:

1365-01-.01 DEFINITIONS

- (6) Clinical Experience - The assessment, evaluation, diagnosis, and treatment involving the psychotherapy process based on the professional application of social work knowledge, values, and skills.

1365-01-.11 CLINICAL EXPERIENCE

Clinical experience *includes*, but *is not limited to*:

- (1) The professional application of social work knowledge, values, and skills for the treatment and prevention of psychosocial dysfunction, disability, or impairment, including emotional and mental disorders;
- (2) Interventions directed to interpersonal interactions, intrapsychic dynamics, life-support, and management issues; and

- (3) Assessment, diagnosis, and treatment involving the psychotherapy process based on counseling, client-centered advocacy, consultation, and evaluation of the professional application of social work knowledge values, and skills.

The emphasis in these definitions is assessment, diagnosis, and treatment in the psychotherapy process. Although other types of clinical work exist and may be counted for a portion of the 3000 hours of clinical experience, the expectation is that the 3000 hours will prepare an applicant to practice independently as an LCSW performing these assessment, diagnosis, and treatment tasks without supervision once they are licensed. Therefore the 3000 clinical hours which are reported must demonstrate experience within these definitions.

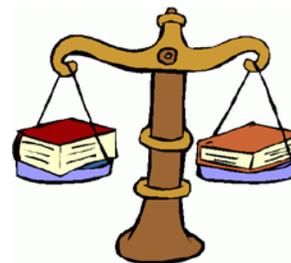
The experience must take place in a two to six year period. Because most social work positions include many hours of administrative and other work that does not fall within the above definitions, the Board has the expectation that most applicants *will be **unable** to obtain 3000 hours of clinical experience in two years*, while working in a forty hour a week full-time position.

Supervision logs must be maintained throughout the period of supervision and signed and dated by the applicant and supervisor as the hours are earned.

Supervision logs which do not demonstrate clinical work within these rule definitions or demonstrate an excessive number of clinical hours earned per week will be highly scrutinized.

Applicants may be requested to appear before the Board to demonstrate that their hours reported are accurate and meet these clinical experience definitions.

Rule Amendments



There are Rule amendments being discussed by the Board at this time. Please make sure you visit the website for any upcoming rulemaking hearings regarding this change. All rulemaking hearings are open to the public and welcome comments and suggestions.

You may contact the board office at 615-741-5735 for a copy of the rules or download a copy at <http://share.tn.gov/sos/rules/1365/1365.htm> and follow the prompts. Please check the website often, as rules change frequently.

Board of Social Worker Licensure Website

You may download a copy of the rules, applications and forms, board member list, board meeting schedule, policy statements, and other pertinent information at the board's website:

<http://tn.gov/health/topic/sw-board>

Continuing Education Requirements

The board's rules require all social workers to obtain continuing education.

Licensed baccalaureate social workers shall obtain nine (9) continuing education clock hours relative to social work during each calendar year. Four (4) of the nine (9) hours shall be in social work; three (3) of the nine (9) hours shall be in professional ethics; two (2) of the nine (9) hours shall be in either social work or professional ethics. Those licensees who hold more than one (1) category of licensure to practice social work must separately satisfy the continuing education requirements for each level of licensure.

Licensed master's social workers shall obtain twelve (12) continuing education clock hours relative to social work during each calendar year. Seven (7) of the twelve (12) hours shall be in social work; three (3) of the twelve (12) hours shall be in professional ethics; two (2) of the twelve (12) hours shall be in either social work or professional ethics. Those licensees who hold more than one (1) category of licensure to practice social work must separately satisfy the continuing education requirements for each level of licensure.

Licensed advanced practice social workers and licensed clinical social workers shall obtain fifteen (15) continuing education clock hours relative to social work during each calendar year; ten (10) of the fifteen (15) hours shall be in social work; three (3) of the fifteen (15) hours shall be in professional ethics; two (2) of the fifteen (15) hours shall be in either social work or professional ethics. Those licensees who hold more than one (1) category of licensure to practice social work must separately satisfy the continuing education requirements for each level of licensure.

Policy Statements

Continuing Education

The Board of Social Worker Licensure realizes that an individual may unintentionally fail to obtain Continuing Education in a timely manner. However, statute prohibits an individual from working as a Licensed Baccalaureate Social Worker, Licensed Master's in Social Work, Licensed Advanced Practice Social Worker, or Licensed Clinical Social Worker unless he/she has obtained appropriate Continuing Education. Acknowledgement is given to the fact that this

problem exists; however, the Board cannot overlook an individual failing to obtain Continuing Education. With this in mind, the Board has adopted the following procedures for discipline:

1. When it is discovered by the Board or its staff that a licensee has failed to obtain Continuing Education credits in a timely manner, the licensee shall be assessed a one hundred dollar (\$100.00) civil penalty and have ninety (90) days from the date that appears on the deficiency letter to obtain the required continuing education, and submit proof of completion to the Board's staff.
2. The one hundred dollar (\$100.00) civil penalty will be assessed in the form of an Agreed Citation which is an offer of settlement to pay the penalty. The licensee will have the option to accept the Agreed Citation, waiving the right to appear before the Board, or the licensee shall have the right to a contested case before the Board. The one hundred dollar (\$100.00) civil penalty constitutes formal discipline against a practitioner's license, and as such it is reportable on the Department's Disciplinary Action report ("DAR") and will be noted on the practitioner's licensure profile.
3. Should the licensee fail to pay both the one hundred dollar (\$100.00) civil penalty and obtain the appropriate number of continuing education hours within the ninety (90) day period, the Tennessee Department of Health, Office of General Counsel will file a formal disciplinary action against the licensee which will allow the licensee to appear before the Board in a contested case proceeding and could result in additional penalties, costs, and disciplinary action against the license, up to, and including revocation.

Pursuant to Rule 1365-01-.09, a licensee may request a waiver from the Board for Continuing Education requirements. These requests are considered on an individual basis. The Board realizes that a newly licensed individual may struggle to fulfill Continuing Education requirements during the first year of licensure. For licensed baccalaureate social workers by examination, and licensed master's social workers by examination, the Board may grant a waiver for all Continuing Education required during the calendar year in which the license was issued, if the examination was taken in that calendar year. The waiver will be granted only after a proper request has been made pursuant to Rule 1365-01-.09.

Lapsed License

The Board of Social Worker Licensure realizes that an individual may unintentionally allow his/her license to expire. However, statute prohibits an individual from working as a Licensed Baccalaureate Social Worker, Licensed Master's in Social Work, Licensed Advanced Practice Social Worker, or Licensed Clinical Social Worker, unless he or she has an active

license. Although acknowledgement is given to the fact that this problem exists, the Board cannot overlook an individual working on an expired license. With this in mind, the Board has adopted the following procedures for discipline:

- 1) The Board will allow a three (3) month grace period for renewal from the expiration date of the license, without penalty.
- 2) The Licensee will then pay one hundred dollars (\$100.00) per month for each month the licensee practices on an expired license beyond the grace period.

Civil penalties will be assessed in the form of an Agreed Citation which is an offer of settlement to pay the appropriate fine. The licensee will have the option to accept the Agreed Citation, waiving the right to appear before the Board, or the licensee shall have the right to a contested case before the Board. Civil penalties constitute formal discipline

- 3) against a practitioner's license, and as such are reportable on the Department's Disciplinary Action Report ("DAR") and will be noted on the practitioner's licensure profile.
- 4) Should the licensee fail to pay the appropriate fine through an agreed citation, the Tennessee Department of Health, Office of General Counsel will file a formal disciplinary action against the licensee which will give the right to the licensee to appear before the Board and could result in additional penalties, costs, and disciplinary actions.

Discipline for lapsed licenses is reportable to the national databanks as well as the Department's Disciplinary Action report.

**To Contact This Board Call:
(615) 741-5735 local or (800) 778-4123
nationwide or write to:**

**Tennessee Board of Social Worker Licensure
665 Mainstream Drive
Nashville, TN 37243**

BOARD MEMBERS

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