

**Important Updated Information for Texas Social Workers  
September 2011**

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**Greetings from the Texas State Board of Social Worker Examiners (TSBSWE)**

The members of the Texas State Board of Social Worker Examiners (board), along with our Executive Director and other staff of the Professional Licensing and Certification Unit (unit) of the Department of State Health Services (DSHS) extend you well wishes. Calendar year 2010 was an energetic year for the board and brought many positive achievements secondary to board activities. We have achieved this work with participation of social work leaders from around the State of Texas and from other jurisdictions. The board hopes you will take the time to review this important information that affects your practice as a licensed social worker.

Current membership of the board is: Mark Talbot, Vice-Chair of the board and a public member; Jody Armstrong, LMSW-AP; Nary Spears, LMSW-IPR, Candace Guillen Kettelkamp, LBSW-IPR; Nancy Wehman-Pearson, LBSW-IPR; Denise Pratt, public member; Stewart Geise, public member; Theresa Argumaniz-Gomez, LCSW; and Tim Brown, LCSW, ACSW, Chair/Presiding Officer. Board members are not paid for the extensive hours each contributes to the workings of this board; each board member volunteers all time spent working on board issues. Board operations are enhanced by many unit staff, such as Carol Miller, LMSW-AP, Executive Director; Georgia Norman, Board Support; Stephen Mills, Regulation and Standards Manager; Cindy Bourland, Professional Licensing and Certification Unit Manager; DSHS Office of General Counsel; and many, many other DSHS staff members.

Board committees, which include Ethics, Licensing Standards and Qualification, Professional Development, and Rules, as well as the full board, meet every quarter – generally on the first Thursday, Friday and Saturday of March, June, September and December. On occasions, this scheduled is altered if the date falls on a holiday weekend or another conflict arises. Please refer to the board's website at [www.dshs.state.tx.us/socialwork](http://www.dshs.state.tx.us/socialwork), and select the links for "Board," then "Meeting Agendas and Minutes," and then "Social Work Meeting Calendar" for specific information. The Ethics Committee meets an additional time between each quarterly board meeting.

In order to comply with Texas open meetings laws, all board meetings are posted in the Texas Register prior to board or committee meetings and are open to anyone interested in attending. The board invites and encourages all social workers to attend and experience board work processes. Upcoming full board meetings are December 1-3, 2011, March 8-10, 2012, June 7-9, 2012, September 13-15, 2012, and December 6-8, 2012. Meeting dates are subject to change, so please refer to the website for the most current information at the time.

Each member of this board is honored to serve the Governor and the citizens of Texas and upholds our mandate to protect the public through our duties as members of the Texas State Board of Social Worker Examiners. The board is always interested in your comments and suggestions whether you're a consumer, stakeholder, provider of social work services or a member of the public. You may contact board members or staff by letter, telephone, e-mail or fax to the board office.

Respectfully,

Timothy Martel Brown, LCSW, ACSW  
Chair/Presiding Officer Texas State Board of Social Worker Examiners  
Dallas

#### Contact Information

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#### New Technologies to Facilitate Board Operations

The Professional Licensing and Certification Unit of the Texas Department of State Health Services is launching several new technological advances as a part of the TSBSWE website and board operations. Already in use is a change in the technology by which licensees renew online. The new system to collect renewal fees, which replaces Texas Online, is directly integrated with the board's licensing database, and it will now reflect all renewal fees owed, such as supervisor status and specialty recognitions. This improvement is eliminating a significant amount of confusion related to differing renewal amounts owed on the paper renewal versus the online system. The link to access online renewal remains the same. Go to the board's website at [www.dshs.state.tx.us/socialwork](http://www.dshs.state.tx.us/socialwork), select the "Renew Your License" link, and then the "Renew Online" link. Another update eliminating confusion in this online renewal process is that licensees are no longer required to put an "S" before the license number in this online system.

Secondly, the unit is launching a "Sign up for Email Updates" link on the board's website. The home page will contain information about signing up when it is available this fall. For individuals who are already signed up for "Self-Subscription" links with the State of Texas, you will be able to add the Texas State Board of Social Worker Examiners to your current list. Everyone who signs up will receive critical information from the board via email, such as meeting agendas, information about rule changes, newsletters, and the like. The current "Stakeholder List" maintained by the Executive Director will cease to be used. Individuals will *not* be automatically signed up for emails, even if they have provided the board with the email address. Each must follow the link on the website and "opt in" on this particular system to participate.

Finally, as a result of a legislative mandate, in the future, licensees will be required to participate in providing DSHS with a "Minimum Data Set" of demographic information in order to renew a license. Currently, the collection of this data is voluntary. Individuals are encouraged to participate by accessing the board's website at: [www.dshs.state.tx.us/socialwork](http://www.dshs.state.tx.us/socialwork), and clicking on "Select this link to complete the Minimum Data Set."

## TSBSWE or Professional Social Work Organization?

Many licensees continue to be confused about which entity governs the practice of social work in the State of Texas. Frequently, licensees report they have contacted one of the professional organizations, such as NASW/TX, to change a home address, work information and/or to inquire about the rules that govern the practice of social work in the State of Texas. While the TSBSWE board and unit staff understand the importance of and encourage licensees to participate in social work professional organizations, licensees must understand the difference between the TSBSWE and a social work professional organization. Detailed information about the TSBSWE, its role and functions are outlined within this document under the “Information about the Board” section.

The board is a state government agency; a professional association is a private, non-government organization. All social work practice is legally regulated by the TSBSWE under specific authority granted by the Texas Legislature. Professional organizations promote the social worker practitioner and the profession of social work. TSBSWE’s primary mission is public protection; however, the board is conscious not to intentionally act in a manner to harm the profession.

Licensing unit staff is available to answer general questions about subjects which are specifically identified in law and rule and to respond to concerns about your licensing process, or updates. The unit staff *cannot* give legal advice, make recommendations about best practices which are not specifically outlined in law or rule, or give advice to professionals on how an individual licensee should act in a specific practice situation or ethical dilemma. Licensees are encouraged to seek *professional consultation* from supervisors, colleagues, professional experts, educational resources, professional associations, or legal counsel to determine the best course of action in a professional practice or ethical dilemma which is not specifically addressed in law or rule.

Board law and rule are intended to provide structure and minimum requirements for social work practice; they are not designed to be inclusive in such a way as to instruct licensees how to practice in every practice setting, area, or individual circumstance. Best practices and generally accepted standards of practice evolve constantly, and legal regulation is not intended to serve to educate practitioners on the specific details about how to practice, other than providing the board’s general expectations and minimum requirements to protect the public, unless the board, Texas Legislature, or another entity has identified an area in which the public is best protected by providing specific details. “A social worker shall only offer those services that are within his or her professional competency, and shall provide services within accepted professional standards of practice, appropriate to the client’s needs.” (Board rules; Title 22 Texas Administrative Code (TAC) §781.201(a)(3))

When licensees have suggestions for change, concerns or questions about laws, rules, policies, or procedures, they may put their concerns in writing and submit them to the board office. Minimum requirements for petitioning the board to adopt or change a rule are located in the rules at 22 TAC §301(a). This information about a concern or a request for a rule change will then be shared with all board members at the next regularly scheduled board meeting for which the agenda is open for new items to be added. The board encourages licensees and members of the public to suggest solutions for issues that exist. In particular, public participation in the rule change process is a vital component of the process.

## Information Required to be Reported to the Board by Licensees

This section concerns the requirements of reporting certain information to the board by a licensee. Required reports to the board are found in the board’s rules at 22 TAC §781.416. A licensee *shall* make written reports to the board office within 30 days of a change of mailing address, place of employment or business or home phone number. A licensee is required to report to the board within 30 days if the licensee is arrested for any reason. A licensee is required to report to the board within 30 days if the licensee receives deferred adjudication or receives a criminal conviction for any reason, other than a Class C misdemeanor traffic offense. A DWI arrest, conviction, or deferred adjudication *must be* reported. A licensee is required to report to the board office within 30 days if there is a filing of a criminal case against a licensee. A report is required if there is a settlement of or judgment rendered in a civil lawsuit filed against the licensee and relating to the licensee’s professional social work practice. Furthermore, a licensee is required to report to the board office

within 30 days any complaints, investigations or actions against the licensee by a governmental agency or by a licensing or certification body.

### Keep Up-to-Date and Avoid Costly Mistakes

Licensees are encouraged to visit the board's website at least quarterly to keep up-to-date with board activities; the rules governing practice standards; proposed rule changes; adoption of new rules; and other issues affecting the practice of social work in the State of Texas. In the fall of 2011, a licensee may also sign up to receive this information via email. Information accessible within the board's website include Texas Occupations Code, Chapter 505, Social Work Practice Act, and Title 22 (Examining Boards), Texas Administrative Code (TAC), Part 34, Chapter 781, Rules Relating to the Licensing and Regulation of Social Workers. Remember that it is the responsibility of each licensee to comply with all laws and rules found within Texas Occupations Code, Chapter 505 and 22 TAC Chapter 781, including, but not limited to, informing the board within 30 days of a change of mailing address, a change of employer, an arrest or conviction, and to engage in timely licensure renewal with or without explicit written notice from the board.

Additional helpful information available on the website: forms to apply for licensure, a list of disciplinary actions taken by the board, and a roster of social workers licensed to practice social work and those approved by the board to provide supervision for licensure, specialty recognition, or as a result of a board order in the State of Texas.

#### Avoid costly mistakes:

- **If your license expires for more than one year, in order to become relicensed, you must reapply and meet the current standards and requirements for licensure.** When a license expires, one *must* cease and desist holding oneself out as a social worker immediately. Within one year of the expiration date of the license, a licensee may pay renewal fees and renew the license. The license is permanently terminated one year after the expiration date.
- **Do not wait until the last minute to renew your license.** Expect processing times for renewals of at least 7-10 days. Payments are not received directly by the licensing unit, and therefore may take 7-10 days to appear in the unit's licensing database. Until the payment is available in the licensing unit's database, the unit *cannot* confirm that the license is current. This may result in a failure of an employer or other entity to allow the licensee to work or return to work until renewal is verified by the board.
- **Re-read the law and rules on a regular basis.** Many Ethics Complaints, disciplinary actions, and denials of licensure or specialty recognition are the result of an insufficient or out-of-date knowledge of the current law and rules.
- **Participate in the activities of the board.** Help guide the regulation of social work practice in Texas through active participation, such as attending board meetings and submitting comments or recommendations for rule changes. When proposed rules are published in the Texas Register, submit written comments in the manner described by the board in the timeframe prescribed.

### Information about the Board

The Texas Legislature has authorized the board as the regulatory body whose purpose is to (1) adopt and enforce rules to perform board duties; (2) establish standards of ethics and conduct for licensed social workers; and (3) ensure compliance with and the enforcement of Texas Occupations Code, Chapter 505, Social Work Practice Act, as well as Title 22 (Examining Boards), Texas Administrative Code (TAC), Part 34, Chapter 781, Rules Relating to the Licensing and Regulation of Social Workers.

Texas Occupations Code, Chapter 505 sets forth the Governor's authority to appoint the nine members of the board. The code establishes that six of the board members must be social workers: two licensed baccalaureate social workers,

two licensed master social workers and two licensed clinical social workers. Three members of the board are non-social worker, public members.

The board is one unit of state government among many and is situated within the larger context of the regulation of health professionals. The board is an independently functioning board and is not synonymous with any private professional organization; its powers, functions and duties are substantially different and distinct from a professional organization.

- Other key powers, functions and duties of the board include, but are not limited to: determine the qualifications and fitness of an applicant for a license;
- adopt rules establishing the board's procedures;
- adopt rules necessary to administer Occupations Code, Chapter 505;
- establish fees for the board's services;
- adopt a code of professional ethics;
- prepare a registry of persons licensed as social workers;
- adopt rules concerning the investigation and disposition of a complaint filed; and
- establish the minimum number of hours of continuing education required.

### Clinical Supervision Plans and 2010 Task Forces

During 2010 the TSBSWE held two special topic task forces to assist with rule and policy changes. Social work leaders of Texas, representing different social work professional organizations, areas of practice, geographic areas, and categories of licensure were invited to participate in the work groups. Invitations were sent to the National Association of Black Social Workers, the North American Association of Christians in Social Work, the Latino Social Workers Organization, American Case Management Association, the Clinical Social Work Association/Texas Society for Clinical Social Work, and the National Association of Social Workers/Texas Chapter. In addition, the Executive Director of the Association of Social Work Boards, former TSBSWE board chairs and social work leaders, who were involved in the original development of social work regulation and the TSBSWE, participated.

One task force was related to minimum requirements to serve as a Qualified Credentialed Counselor (QCC) in licensed substance abuse facilities. The other task force examined the complex and controversial topic, which is directly related to the first task force, "What is clinical social work?" The word "clinical" has many different meanings, often depending on which discipline is using the word; moreover, it can have different meanings even when used by members of the same discipline. On the surface the issue appeared to be the definition of clinical; however, the background of the issue is multifaceted, yet in reality it comes down to one simple question.

The real question to ask is, "what can a social worker, who is licensed as an LCSW, do that no other category of licensure can do?" The answer is providing psychotherapy independently without clinical supervision (see "The Practice of Social Work" for descriptions in board rule of the scopes of practice of the categories of licensure, as well as of specialty recognitions, at 22 TAC §781.202). To ensure the public safety and to make certain individuals who want to become licensed as LCSWs are minimally qualified to perform within the scope of practice described in board rules, the board needs to make certain these social workers have the skills to perform psychotherapy. Therefore, the board, in conjunction with the recommendations of the task force membership, reaffirmed its determination that licensees who enter into clinical supervision plans must receive supervision on the practice of psychotherapy, including demonstration of supervised experience in clinical assessment, diagnosis, and treatment.

Previously, TSBSWE received a legislative and judicial requirement to establish independent practice for all categories of licensure. The board with support and input from social work professional organizations, stakeholders, and members of the public, developed the Independent Non-clinical Practice Recognition (IPR). During this process, it became apparent the board needed to define specifically what an LMSW-IPR can do and cannot do, in comparison to an LCSW.

If an individual LMSW wishes to engage in a board-approved supervision plan towards clinical licensure, and that individual's employment or practice setting does not include all of these elements of clinical practice: "... assessment, diagnosis and treatment of mental, emotional, and behavioral disorders, conditions and addictions ..." 22 TAC §781.202(f), the individual may submit a supplementary clinical supervision plan for paid or volunteer clinical work, for a minimum of four hours per week, in the same or another clinical setting, demonstrating supervised practice experience in those clinical elements which are not reflected in the primary practice setting.

The board staff or the appropriate committee of the board will then make a determination regarding whether the individual LMSW will be minimally prepared to perform within the scope of practice for an LCSW as described in board rules based on the two practice locations. The supplemental clinical supervision plan must utilize the same board-approved clinical supervisor as the first, and the agency in which the clinical services are provided must provide a job description and letter of authorization from the executive officer or designee that the LMSW is approved to engage in the work as well as to engage in supervision with the board-approved supervisor related to the work.

<b>2010 Rule Revision Process</b> <b>(from which new rules became effective on January 27, 2011)</b>
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The Texas Administrative Procedure Act, Government Code §2001.039, requires that each state agency, including regulatory boards, review and consider for re-adoption each rule adopted by that agency/board every four years. Beginning in September 2009, the board began informing known stakeholder groups of the impending process and encouraged each stakeholder group to become involved in the process. Board members and unit staff spent from September 2009 to June 2010 examining each rule. Board members conducted informal surveys with individual social workers, former board members, members of different social work professional organizations, leaders in the field of social work practice, members of social work academia, and North American social work leaders in the field of social work regulation, as well as conducting two formal board work groups. Some key rule changes - but definitely *not* comprehensive of *all* rules added, deleted or modified in the rule revision process - which the board considers "substantive" changes, are summarized within the sections below.

For those who wish to understand and track the exact content of all rule changes, please consult the Texas Register for the editions in which the rules were initially proposed and in which the rules were adopted. The Texas Register is available on the Texas Secretary of State's website at: [www.sos.state.tx.us/texreg/index.shtml](http://www.sos.state.tx.us/texreg/index.shtml). The current issue of the Texas Register is available through a link on the top right side of the page, under "Points of Interest," and past issues are available through several methods, one of which is selection of "Previous Issues" also under "Points of Interest." An individual must then select the date of publication of the specific issue and select the desired format in which they prefer to access the issue, which is either html or pdf.

Individuals should read the preamble and the text of the proposed rules and then read the preamble and the text of the adopted rules. A review of the board's responses to public comments may be particularly informative and valuable to members of the public who were not present for the discussion in the public meeting or who would like more information about the board's responses.

For the rule changes which became effective on January 27, 2011, the proposed rules were published in the Texas Register, August 6, 2010, edition, and the citation is 35 TexReg 6749. The adopted rules were published in the January 21, 2011, edition at 36 TexReg 242. For the rule changes which became effective on June 12, 2011, the proposed rules were published in the February 25, 2011, edition of the Texas Register at 36 TexReg 1225, and the adopted rules were published in the June 3, 2011, edition, at 36 TexReg 3410.

## **Definitions**

Within Subchapter B of 22 TAC Chapter 781 Rules Relating to the Licensing and Regulation of Social Workers, a number of definitions were added, modified or deleted. New definitions include but are not limited to: assessment, electronic practice and peer assistance program. Complete information is available in the August 6, 2010, edition and the January 21, 2011, edition of the Texas Register. TSBSWE board recommends you become familiar with the definitions found in 22 TAC Chapter 781.

## **Code of Conduct**

The Code of Conduct was edited, moved within the body of 22 TAC Chapter 781, and clarification was inserted that an individual may only claim a degree from an educational program accredited by the Council on Higher Education Accreditation (CHEA). Because of the change to the Code of Conduct, you will receive a new Code of Conduct in this packet. Individuals may photocopy the Code of Conduct for display at each location of practice. The Code of Conduct is now located in Subchapter B in 22 TAC §781.201.

## **Social Studies**

The section within 22 TAC Chapter 781 regarding social studies has been removed. Social workers performing social studies should refer to Texas Family Code, Chapter 107, and all other applicable laws and rules. The board cannot provide verification of an individual licensee's status as qualified to provide social studies because the board does not implement nor assess whether the requirements of the Texas Family Code, Chapter 107 have been met.

## **Criminal History Evaluations**

In accordance with Occupations Code, §53.102, as required by House Bill 963, the board is required, if requested in writing and accompanied by a \$50 fee, to perform licensure evaluations for prospective applicants who have a criminal history. This process requires that an individual who has a criminal history present all related information to the board, board staff, or appropriate board committee in order to obtain a written predetermination of whether the existing criminal history would bar the individual from becoming licensed, if all other minimum requirements are met in the future and there has been no subsequent changes related to criminal history or fitness for licensure.

## **Minimum Academic Requirements for Licensure of PhDs**

Individuals wanting to become licensed in the State of Texas as a social worker who have obtained a Ph.D. in social work, but do not hold a Master's Degree in social work, must submit verification of successful completion of a social work field placement in a Council of Social Work Education-accredited educational program. Ph.D. social work programs are not accredited by the Council of Social Work Education and therefore, are not acceptable for licensure without proof of completion of an acceptable field placement. In addition, Ph.D. social work programs are generally research-based programs without practice components and do not require a Bachelor's or Master's degree in social work.

## **Independent Non-Clinical Practice**

Guidelines for identifying independent practice have changed to reflect new IRS regulations. Please note this in 22 TAC §781.403(e).

## Board-Approved Supervision and Board-Approved Supervisors

Supervision is another word with different meanings, which depends on when and where it is used. Examples of different supervision forms are: board-approved supervision for licensure or specialty recognition, administrative or work-related supervision, clinical supervision, non-clinical supervision of a licensee toward independent non-clinical practice recognition, supervision of a probationary licensee in the AMEC program, and board-ordered supervision. The definitions of different forms of supervision are located in 22 TAC §781.102(57).

There are over 20,000 social workers licensed by the State of Texas. Of the 20,000 plus social workers licensed, there are over 2,000 who are board-approved supervisors. When the TSBSWE first adopted rules about board-approved supervisors, many were grandfathered into having this board-approved status. As with all disciplines and licensed professions, practice standards through research and evidence-based practice evolved. TSBSWE board members, via work completed by state and national social work leaders, practitioners and researchers, understand the importance of supervision toward licensure and specialty recognition, as well as a result of a board order. The TSBSWE heeded recommendations from these data to set more comprehensive standards for board-approved and board-ordered supervision. Furthermore, TSBSWE board members believe there is importance in all TSBSWE board-approved supervisors becoming familiar with the current standards of supervision practice. Many licensing application errors, Ethics Complaints, and disciplinary actions result from an inadequate knowledge by board-approved supervisors of the law, rules, and board processes, as well as generally accepted current standards of practice for supervision.

Compared to other states, Texas is fortunate to have approximately 10 percent of all licensees hold the board-approved supervisor status. Many other states do not have as high a ratio of licensees to board-approved supervisors. With this said, Texas is a large state with a significant amount of rural areas. As one would expect, there is a higher percentage of TSBSWE licensees located within the Texas metropolitan areas. This board-approved supervisor distribution results in fewer TSBSWE board-approved supervisors being locally available to licensees who live in rural areas and desire supervision. Because of these circumstances, the TSBSWE board adopted 22 TAC §781.404(b)(12)(A), which reads, "Supervision toward licensure or specialty recognition may occur in one-on-one sessions; in a combination of individual and group sessions; or in board-approved combinations of supervision in the same geographical location, supervision via audio and visual web technology, and other electronic supervision techniques." The desire is to lessen the geographic barriers of licensees who live in rural areas to find and work with a TSBSWE board-approved supervisor. When supervision plans are submitted which propose to utilize technology to facilitate supervision, which is not provided face-to-face in the same location, the plans must address how confidentiality will be maintained.

Rule 22 TAC §781.404(b)(7)(D)(9) states that all TSBSWE board-approved supervisors are required to renew their board approved supervisor status each time their license is renewed; one does this by paying the biennial renewal fee for board-approved supervisor status at the time of licensing renewal. Each TSBSWE board-approved supervisor is required to complete three hours of CE on a topic of supervision per rule 22 TAC §781.404 (b)(4). New rule 22 TAC §781.404 (b)(11)(Q) states that every TSBSWE board-approved supervisor, who has not taken a TSBSWE board-approved supervision course, must provide verification of completion of an appropriate 40 hour supervision course to the board for approval by January 1, 2014.

Supervisors are accountable for the supervision they provide. When supervision standards are not maintained, supervisors may be reported to Ethics Committee of the board, which may result in formal disciplinary action against the supervisor, and may include a requirement for the reimbursement of supervision fees collected to the supervisees, under certain circumstances.

Minimum requirements for calculation of acceptable hours and incidences of supervision during a board-approved supervision plan towards licensure or specialty recognition will be measured in averages over the course of the plan, instead of an absolute minimum number of hours or meetings per month. Supervision shall occur in proportion to the number of hours actually worked, with a base line of one hour of supervision for every 40 hours worked. If the supervisee works full-time, supervision shall occur *on average* at least twice a month for no less than four hours per



month. Also, distinction between supervision toward licensure as opposed to board-ordered supervision was established.

### Examination Requirements

Two rules of importance to potential licensees have been added during this revision of TSBSWE rules. The first is 22 TAC §781.405(e) which reads, “If an applicant fails to fully document his or her qualifications and/or fails to pass the examination within 12 months after filing the application, his or her application shall be voided, and the applicant will be required to reapply.” This applies to all applicants whether or not they pass the examination. The application expires one year after the date it was filed.

For individuals who apply and pass any ASWB examination, 22 TAC §781.412(b) also becomes applicable. The rule above still applies, and the applicant only has one year from filing to complete the application process, or reapplication is required. For those who pass the examination, but who fail to become licensed immediately, 22 TAC §781.412(b) requires “When an applicant passes the examination, the individual has no more than one year from the date of passing the examination to complete the requirements for licensure, completing all documentation and paying all fees or the passing examination score will no longer count towards licensure.” Under this circumstance, in addition to reapplication, re-examination and passing the ASWB examination is also required for issuance of a license for those who are not licensed within one year of passing the examination.

### Emeritus Status

The category of Emeritus Status has changed as noted in 22 TAC §781.506. The age for Emeritus Status has increased from the age of 55 to the age of 60. Social workers who are on Emeritus Status may not engage in professional social work practice; the emeritus licensee may *only* use his or her emeritus title while providing social work services as a volunteer without compensation. An emeritus license *must be renewed every two years* but requires no renewal fee or continuing education. A renewal form must be submitted to the board.

### Continuing Education

Certain groups or organizations do not have to apply to the board to become approved continuing education providers. Specifics about continuing education providers are found in 22 TAC §781.511. New groups or groups added to the automatic approval of continuing education providers that do not have to apply now include a person or agency approved by any state or national organization in a related field such as law or counseling. CE providers who receive automatic approval could also apply to be board-approved providers, in order to be listed on the website as an approved provider and to avoid confusion for potential participants.

As mentioned above, board-approved supervisors must complete 3 hours of continuing education in supervision, each licensure renewal period to renew their board-approved supervisory status, 22 TAC §781.404 (b)(4).

Board-approved providers who offer a supervisor training course must submit updated curricula of their courses to the board every six years, per 22 TAC §781.404.

### Peer Assistance Programs

Contemporary research estimates that approximately 8 percent of the U.S. population over the age of 12 abuse or misuse substances. The substances can include over the counter medication, prescription medication, alcohol and illegal drugs. Over 3 percent of the American workforce reports use of over the counter medication, prescription medication, alcohol and illegal drugs have impaired their ability to perform job tasks. Considering this information, combined with the TSBSWE board’s primary mandate to protect the public and the desire to not intentionally harm licensees, for many years the board has desired to adopt rules to recognize and utilize board-approved Peer Assistance Programs.

Section 22 TAC §781.808 establishes the board’s requirements related to Peer Assistance Programs. Within this rule, the board’s focus concerns licensees impaired by alcohol, chemical, or mental illness. The board has the authority to request that a licensee be evaluated by an appropriate substance abuse or mental health provider. The board has the authority to grant a program board-approved status, to permit a licensee enter into a board-approved peer assistance program and to not waive authority to conduct an ethics investigation against a licensee, who may have committed ethical violations.

### **Consumer Information**

Many members of the general public do not understand all the different roles and services that social workers can provide. In attempts to help the general public and licensees enter into meaningful conversations about the field of social work, social work practice and services social workers can provide, the TSBSWE developed a brochure for licensees to use. The brochure can be found on the TSBSWE web-site. The web address is: [www.dshs.state.tx.us/socialwork/sw\\_consumer.shtml](http://www.dshs.state.tx.us/socialwork/sw_consumer.shtml), and select “Consumers Guide to Social Work Licensing.” Please feel free to use this brochure, reproduce it and share with social work students, other disciplines’ licensees, your peers and your service recipients.

### **Jurisprudence Exam**

The Jurisprudence Exam has been updated to reflect the current TSBSWE rules which became effective on June 12, 2011. Taking the Jurisprudence Exam is a means for licensees to become more familiar with the rules that govern the practice of social work in Texas. In addition to being a no-fail course, licensees who complete the course may obtain 3 hours of CEs in ethics to use toward the required number of CEs that must be completed to renew a social work license. Licensees who desire to use the Jurisprudence Examination towards minimum requirements for continuing education for license renewal should maintain a copy of the certificate of completion.

### **Parenting Coordination and Parenting Facilitation**

As required by the Texas Legislature in House Bill (HB) 1012, 81<sup>st</sup> Legislature, Regular Session, 2009, the board adopted rules related to the provision of parenting coordination and parenting facilitation services, as appointed by a Texas court of law. Individuals may reference 22 TAC §781.220 and §781.221 for specific information. These changes are also described in the proposed rules, which were published in the February 25, 2011, edition of the Texas Register at 36 TexReg 1225, and the adopted rules, which were published in the June 3, 2011, edition, at 36 TexReg 3410.

### **Attachments: Code of Conduct (English) and Code of Conduct (Spanish)**

Individuals may photocopy the Code of Conduct for display at each location of practice.

### **Distribution of this Newsletter and Disclosure Statement**

The information contained in this newsletter is not copyrighted or protected. You are *encouraged* to distribute this information to your peers, colleagues and social work friends. Remember that this is an important *summary* of *some* recent regulatory changes and activities of the board that relate to professional social work practice in the State of Texas. It should be noted that this newsletter does *not* include all statutes and rules that cover the practice of social work. It is the legal responsibility of each social worker to ensure compliance with all laws and rules governing the practice of social work in the State of Texas.