

Tennessee Board of Social Worker Licensure



Newsletter



2016

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*

2017 Board Meeting Dates

February 2, 2017
9:00 a.m., Iris Room

May 4, 2017
9:00 a.m., Iris Room

July 27, 2017
9:00 a.m., Iris Room

October 25, 2017
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.

LAWS
you need to
KNOW

Legislative Updates - 2016

Public Chapter 763

Permits licensees whose licenses from a health-related board have expired due to non-payment to obtain reinstatement on the payment of the renewal fee as well as the late payment fee which shall not exceed twice the renewal fee, instead of the current requirement of payment of all past due fees before reinstatement. This act will take effect on July 1, 2016.

Public Chapter 990

Eliminates the requirement that a healthcare services provider be at a hospital or other qualified site for the service to be considered telehealth services for insurance purposes; requires health insurance entities to reimburse healthcare service providers at the same rate for telehealth services as for in-person encounters. This act will take effect on July 1, 2016.

Public Chapter 719

Allows licensing authorities for certain state regulatory agencies to consider whether a person's conviction for the commission of a felony bears directly on the person's fitness to practice competently when making determinations regarding the person's licensure status. This act was effective upon the Governor's signature on April 6, 2016.

[Public Chapter 926](#)

States that no counselor or therapist providing counseling or therapy services in a private practice setting shall be required to counsel or serve a client as to goals, outcomes, or behaviors that conflict with the sincerely held principles of the counselor or therapist; provided, that the counselor or therapist coordinates a referral of the client to another counselor or therapist who will provide the counseling or therapy. Clarifies that violation of the 2014 American Counseling Association Code of Ethics shall not be grounds upon which the board shall exercise its powers. This act took effect on April 11, 2016.

[Public Chapter 683](#)

This act requires that any state mandated health benefit that takes effect on or after the effective date of this act apply not only to private health insurance issuers but also any managed care organization contracting with the state to provide insurance through the TennCare program and state or local insurance program. This act was effective on March 24, 2016.

[Public Chapter 1044](#)

Revises requirements for criminal background checks in certain health care facilities; convenes working groups on elder abuse by the department of human services, the commission on aging and disability, and the district attorney general conference. This act was effective upon the Governor’s signature on April 28, 2016 except Section 4 and 8 both of which will take effect on July 1, 2016.

Statistical Information Regarding Licensees

Profession	Total Number	Last 12 months
LBSW	683	30
LMSW	2638	356
LAPSW	289	13
LCSW	2569	201

Renew Your License Online



Whether you receive a paper renewal form or not, you can still renew your license online. This is faster, more convenient, and you can use a credit card to pay the renewal fees. Just go to <https://apps.tn.gov/hlrs/> to renew your license. You may renew 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. **Note: you cannot retire an expired license.**

Board Disciplinary Action Available Online

The Tennessee Department of Health issues a monthly media release listing all disciplinary actions taken by the health related boards during the prior month. All action taken by the Board of Medical Examiners is viewable online at: <http://health.state.tn.us/Boards/disciplinary.htm>

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.

Electronic Notification for Licensed Health Professionals

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/hhrs/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 (<http://tn.gov/health/article/filing-complaints-against-health-care-professionals>) 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.

Rule Amendments



There were rule amendments effective December 22, 2015 concerning reduction of fees. The amendments are: LBSW renewal: \$45.00 . All other renewals: \$95.00. There is no longer a verification fee to another state.

Further, 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>. 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>

ASWB

The ASWB has a new website promoting practice mobility and license portability. Check it out at:

<http://movingsocialwork.org/>

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.

NEW 2016 Lapsed License

The Board of Social Work Licensure recognizes that an individual may inadvertently allow his/her license to expire. However, applicable law prohibits an individual from working in Tennessee 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 Tennessee license. While the Board does not condone an individual working on an expired license, the Board recognizes that these inadvertent lapses can occur. As such, the Board has adopted the following procedures for reinstatement of an expired license.

1. Immediately upon recognition that his/her license has expired, the individual must cease practicing if a license is required as a part of his/her employment or if clinical licensure is required to treat patients and contact the Board's administrative office to request a reinstatement application.
2. Upon receipt of the reinstatement application, the individual is to complete the application in its entirety, providing a detailed work history since the license expiration date. The application is to be signed, notarized, and returned to the Board's administrative office along with any additional information and all fees specified in the instructions.
3. Upon receipt of a completed reinstatement application, supporting documentation (including any required proof of continuing education), and the applicant's payment of all fees, the Board's administrator may reinstate a license which has been in an expired status for less than sixty (60) calendar days. Although the Board and administrative staff recognize the applicant's urgent interest in having his or her license reinstated, preferential treatment will not be given to these applicants. All applications are reviewed in the order in which they are received.
4. If the work history reflects that the individual has practiced in excess of sixty (60) calendar days, but less than six (6) months on an expired license that is required as a part of his/her employment or if clinical licensure is required to treat patients, the Board will present to the licensee, an Agreed Citation which specifies payment of a fine in the amount of \$100 per month for every month in which the individual has worked at least one day beyond the sixty (60) calendar day grace period. The individual's license will not be reinstated unless and until the Agreed Citation is executed by the licensee and payment of the fine remitted to the Board's administrative office.
 - A. The licensee shall be notified that all Agreed Citations prepared in accordance with this policy shall be reportable on the Department of Health's website, its disciplinary action report issued in the month the action is taken and to all appropriate federal databanks including the National Practitioner Data Bank (NPDB).
 - B. This remedy is only available to those social workers who have practiced on a lapsed license for less than six (6) months from the date the license went into expired status.
5. If the licensee refuses to execute the Agreed Citation and/or remit the civil penalty described therein within sixty (60) days of the date the Agreed Citation is sent to the licensee, or if the licensee practiced on a lapsed license for six (6) months or longer, the licensee shall be referred

to the Office of Investigations and Office of General Counsel for formal disciplinary action. Upon a proven violation, the minimum disciplinary action for this violation shall be:

- A. A formal and reportable Reprimand on the license;
- B. Assessment of civil penalties in an amount which may exceed \$200 per month for every month in which the individual has worked at least one day beyond the sixty (60) calendar day grace period;
- C. Assessment of costs associated with investigating and prosecuting the matter; and
- D. Any and all other remedies the Board deems appropriate.

6. In the event the matter is referred to the Office of Investigations and Office of General Counsel for formal disciplinary action, the Board's administrative office shall be permitted to reinstate those applicants for whom they have received a completed reinstatement application, supporting documentation (including any required proof of continuing education), and the applicant's payment of all fees, subject to further action on the license as described in paragraph five (5) above. Though the Board's administrator may reinstate such a license upon approval from the Board's consultant, preferential treatment will not be given to these applicants. These applications will be reviewed in the order in which they are received. For those applicants who have declined an Agreed Citation, their application will be deemed received sixty (60) days from the date the Agreed Citation was sent.

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

Kenya Anderson, LMSW
Karen Armstrong, Consumer Member
Julia Axley, LBSW
Anne-Marie Buchanan, LMSW
Elizabeth Randall, LCSW
Amy Smith, LBSW
Tara Watson, LCSW
Vicki Williams, LAPSW
Robert G. Zylstra, LCSW
Vacant, LAPSW
Vacant, LAPSW

BOARD STAFF

Christi Stacey
Board Administrator
Alice.stacey@tn.gov

Lisa Williams
Licensing Technician
Lisa.williams@tn.gov

Theodora (Teddy) Wilkins
Administrative Director
Teddy.wilkins@tn.gov