

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-3700 of the Code of Virginia, relating to Board of Social Work; Board of*
 3 *Counseling; master's social worker; scope of practice; qualified mental health professional-trainee;*
 4 *regulations.*

5 [H 1897]
 6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That § 54.1-3700 of the Code of Virginia is amended and reenacted as follows:**

9 **§ 54.1-3700. Definitions.**

10 As used in this chapter, unless the context requires a different meaning:

11 "Administration" means the process of attaining the objectives of an organization through a system of
 12 coordinated and cooperative efforts to make social service programs effective instruments for the
 13 amelioration of social conditions and for the solution of social problems.

14 "Baccalaureate social worker" means a person who, *consistent with such person's education and training,*
 15 engages in the practice of social work under the supervision of a master's social worker and provides basic
 16 generalist services, including casework management and supportive services and consultation and education.

17 "Board" means the Board of Social Work.

18 "Casework" means both direct treatment, with an individual or several individuals, and intervention in the
 19 situation on the client's behalf with the objectives of meeting the client's needs, helping the client deal with
 20 the problem with which he is confronted, strengthening the client's capacity to function productively,
 21 lessening his distress, and enhancing his opportunities and capacities for fulfillment.

22 "Casework management and supportive services" means assessment of presenting problems and perceived
 23 needs, referral services, policy interpretation, data gathering, planning, advocacy, and coordination of
 24 services.

25 "Clinical social worker" means a social worker who, by education and experience, is professionally
 26 qualified at the autonomous practice level to provide direct diagnostic, preventive and treatment services
 27 where functioning is threatened or affected by social and psychological stress or health impairment.

28 "Consultation and education" means program consultation in social work to agencies, organizations, or
 29 community groups; academic programs and other training such as staff development activities, seminars, and
 30 workshops using social work principles and theories of social work education.

31 "Group work" means helping people, in the realization of their potential for social functioning, through
 32 group experiences in which the members are involved with common concerns and in which there is
 33 agreement about the group's purpose, function, and structure.

34 "Master's social worker" means a person who, *consistent with such person's education and training,*
 35 engages in the practice of social work and provides non-clinical, generalist services, ~~including~~ staff
 36 supervision and management, *and clinical services under the supervision of a licensed clinical social worker.*

37 "Planning and community organization" means helping organizations and communities analyze social
 38 problems and human needs; planning to assist organizations and communities in organizing for general
 39 community development; and improving social conditions through the application of social planning,
 40 resource development, advocacy, and social policy formulation.

41 "Practice of social work" means rendering or offering to render to individuals, families, groups,
 42 organizations, governmental units, or the general public service which is guided by special knowledge of
 43 social resources, social systems, human capabilities, and the part conscious and unconscious motivation play
 44 in determining behavior. Any person regularly employed by a licensed hospital or nursing home who offers
 45 or renders such services in connection with his employment in accordance with patient care policies or plans
 46 for social services adopted pursuant to applicable regulations when such services do not include group,
 47 marital or family therapy, psychosocial treatment or other measures to modify human behavior involving
 48 child abuse, newborn intensive care, emotional disorders or similar issues, shall not be deemed to be engaged
 49 in the "practice of social work." Subject to the foregoing, the disciplined application of social work values,
 50 principles and methods includes, but is not restricted to, casework management and supportive services,
 51 casework, group work, planning and community organization, administration, consultation and education,
 52 and research.

53 "Research" means the application of systematic procedures for the purpose of developing, modifying, and
 54 expanding knowledge of social work practice which can be communicated and verified.

55 "Social worker" means a person trained to provide service and action to effect changes in human
 56 behavior, emotional responses, and the social conditions by the application of the values, principles, methods,

57 and procedures of the profession of social work.

58 **2. That the Board of Social Work shall promulgate regulations to allow master's social workers to**
59 **engage in clinical services under the supervision of a licensed clinical social worker.**

60 **3. That the Board of Counseling (the Board) shall amend its regulations to state that a licensed**
61 **baccalaureate social worker shall not be required to (i) register with the Board or (ii) fulfill any**
62 **additional training or education requirements in order to serve as a qualified mental health**
63 **professional-trainee.**

64 **4. That the Department of Medical Assistance Services and the Department of Behavioral Health and**
65 **Developmental Services shall amend their regulations to (i) deem the services provided by a licensed**
66 **baccalaureate social worker to be equivalent to the services provided by a qualified mental health**
67 **professional-trainee and (ii) provide licensed baccalaureate social workers with reimbursement for**
68 **such services at a rate comparable to the rate that is provided to qualified mental health professional-**
69 **trainees.**

70 **5. That the Department of Medical Assistance Services shall seek federal authority through any**
71 **necessary waivers and State Plan amendments under Titles XIX and XXI of the Social Security Act to**
72 **(i) deem the services provided by a licensed baccalaureate social worker to be equivalent to the services**
73 **provided by a qualified mental health professional-trainee and (ii) provide licensed baccalaureate**
74 **social workers with reimbursement for such services at a rate comparable to the rate that is provided**
75 **to qualified mental health professional-trainees. The Department shall have the authority to implement**
76 **these changes prior to completion of any regulatory process to effect such change.**