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# THE EXAMINER

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May 2009

Mississippi Board of Examiners for Social Workers  
and Marriage and Family Therapists Newsletter

Issue XIX

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## **Attention Social Workers: Have you read your Rules and Regulations?**

**Ann Lyn Whitt, Stella Johnson, Melinda Pilkinton, Patricia Terry, and Catherine Jones, Kristi Plotner**

Over the past year or so, your Board of Examiners has been tirelessly reviewing and updating the current rules and regulations. The mission of the BOE is to protect the public; providing updates and clarification of current rules and regulations is encompassed in that mission. Careful revision of the rules and regulations (R&R) allows for clarification of social work roles at different licensure levels and is appropriate now because it also allows for us to remain current with trends in society and in the social work profession.

The most significant changes will be outlined in this article; however, it is important to know that the most recent copy of the R&R is available online at [www.swmft.ms.gov](http://www.swmft.ms.gov). The BOE website has many resources available to you, including license renewal, supervisory plan outlines, various documents and application forms, and board contact information.

The major changes that you need to be familiar with are in Sections A and B of the Social Work section of the rules and regulations. There are three major changes in Section A:

- Documents received by the Board
- Background and sex offender registry checks
- Further define complaint and summary suspension processes.

An application is not considered complete until all documentation is received by the BOE. This includes any supporting documentation that may be requested by the Social Work Discipline Specific Committee (SWDSC) after the initial application form has been received.

New, but in keeping with current trends, are background and sex offender registry checks. The BOE must receive a background check from your local sheriff's office before your initial application can be processed. Prior to April 2009 background checks were not required for applications. (Continued on page 2)

Executive Director  
Billy A. Dilworth

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(Continued from page 1)

A new section has been added to the R&Rs that further defines “good moral character”, clarifies the complaint process, and introduces the summary suspension process. Good moral character is defined by the NASW Code of Ethics and by professional standards. During the application process, the burden of proof of good moral character falls to the social work applicant, but once the applicant is licensed, the burden of proof falls to the regulatory board governing the licenses. Factors considered in determining good moral character include, but are not limited to, criminal conviction, disciplinary action to a licensee in another jurisdiction, civil law suits and other administrative action, unlicensed practice, code of ethics violations, misrepresentation, and other similar offenses. Consideration will be given to the licensee and the nature of the offense, age at the time of commission of offense, the number of legal actions against a licensee, if rehabilitation or reformation exists since the offense, and expungements or pardons.

Another area targeted for clarification is the complaint section. The BOE cannot receive anonymous complaints, but complaints are typically taken from the following sources: Client, Peer, Board / Board Member, and other credible sources. The BOE makes every effort to protect the identity of the complainant, but the person making the complaint must be able to be contacted during the investigation period and may be called as a witness in the event the complaint results in a hearing. The process followed for every complaint received is an initial review and assessment by the Board office, assignment of the complaint to a committee, determination of jurisdiction (i.e. can the Board investigate the complaint?), notifying the subject of complaint, receiving a response from the subject/licensee within 30 days, and then a decision to dismiss or investigate. If a complaint proceeds to the investigation stage, then experts, consultants, and investigators are called upon to gather evidence so that a disposition can be made regarding the complaint. In many cases, the subject may receive a cease and desist letter (stop practice) or dismissal of the complaint. Other dispositions of the complaint may be an informal conference, formal hearing, stipulation on the license or consent order, and/or summary suspension. A summary suspension allows for the Board to suspend the license of a subject of a complaint immediately without hearing if it is deemed that the public is in danger if the licensee continues to practice. Disciplinary action may include one or several combined sanctions as discussed above.

Several definitions are clarified in Section B:

- **Clinical Social Work:** means the application of social work methods and values in diagnosis and treatment and prevention of psychosocial dysfunction disability or impairment including emotional, mental, and behavioral disorders. It is directed at enhancing, protecting, or restoring people’s capacity for social functioning, whether impaired by physical, environmental, or emotional factors. Clinical social work has a primary focus on the mental, emotional and behavioral well being of individuals, couples, families and groups. It centers on a holistic approach to psychotherapy and the client’s relationship with his or her environment as essential to treatment planning.
- **Macro social work practice:** focuses on changing larger systems, such as communities and organizations. It encompasses a broad spectrum of practice, including planning, program development, community organizing, policy analysis, legislative advocacy, program evaluation, task-oriented group work, community education, and human services management.
- **Psychotherapy:** “Psychotherapy” is a specialized, formal interaction between a social worker or other mental health professional and a client (either individual, couple, family or group) in which a therapeutic relationship is established to help resolve symptoms of mental disorder, psychosocial stress, relationship problems and difficulties in coping in the social environment.

Section B of the social work section of the BOE R&R contains several changes mainly intended to further clarify scope of work and practice based on licensure level. Important in this section is what type of work is **not** within the role of different license levels.

(Continued from page 2)

For example, a Licensed Social Worker (LSW) should never engage in the practice of diagnosis, therapy, counseling, or any activity related to clinical practice. LSWs are considered generalists and can practice as such. A Licensed Master Social Worker (LMSW) can engage in any activity that an LSW can do and can practice in specific areas as an advanced generalist. A LMSW cannot practice therapy, counseling, and clinical work UNLESS he/she is supervised by a Board approved Licensed Certified Social Worker (LCSW), PhD level Clinical Psychologist, or Psychiatrist. A LMSW also cannot engage in diagnosis or independent practice. A Licensed Certified Social Worker (LCSW) can engage in clinical practice, psychotherapy, diagnosis, independent practice, macro practice, and supervision of LMSWs and other staff. LCSWs cannot practice outside the scope of their expertise. For example, a LCSW who specializes in family therapy would be practicing outside their scope of practice if they attempted to treat someone identified as suffering from post traumatic stress disorder if he/she had not been trained specifically for this clinical activity.

Statuses of licensure are also clarified. Current statuses include: (1) Active or Good Standing: meaning that the licensee meets all requirements and is not delinquent in continuing education or fees; (2) Probationary: the licensee does not meet all requirements, usually indicative of failure to meet continuing education requirements; (3) Inactive: the licensee is in good standing but is currently not practicing social work in Mississippi; (4) Denied: the licensee does not meet the requirements to be licensed by the BOE; (5) Revoked: the licensee had his or her license taken away for noncompliance with standards; (6) Lapsed: the licensee has not renewed his or her license in the specified timeframe; (7) Suspended: the BOE has taken action against the licensee, resulting in a suspended license; (8) Retired: the licensee does not practice social work and wishes to retire his or her license; and (9) Emergency: provision of an emergency license for special situations in which social workers licensed in another state temporarily provide social work in Mississippi after a disaster or special situation.

Inactive status is the most requested status, and, therefore, we will provide more detail. Social Workers may request in writing on forms provided by the Board that their licenses be placed on inactive status. The Board will consider the request and will notify the licensee of its decision in writing within 60 days of receiving the written request for inactive status. If a licensee fails to return to active status within two (2) years of being placed on inactive status, the licensee may request an extension in writing on forms provided by the Board (this form is available on the Board's website) for an additional two (2) years. If the licensee does not request an extension in writing on forms provided by the Board or no extension has been granted by the Board, the license will be considered as lapsed at the end of the renewal period following the end of the inactive status period, and be subject to the requirements for lapsed licenses.

Reinstatement is taken on a case by case basis. For any reinstatement, the licensee must meet the continuing education requirements as stated in the R&R. If a license has been lapsed for more than 2 years, and the licensee seeks reinstatement, the licensee will be treated as a new applicant. Importantly, if you are a licensee that was "grandfathered" as a social worker and you allow your license to lapse, you will be treated as a new applicant, subject to new/initial application requirements.

Supervision is a vital part to licensure, and supervision for LCSW candidates is spelled out in detail in the new R&R. Obviously the purpose for supervision is for an LMSW or post graduate candidate to obtain specialized mentoring and guidance in order to be able to practice at the highest level. But did you know that not only the supervisee but also the supervisor must meet certain requirements in order to engage in supervision? The supervisor must be prior approved by the BOE to offer supervision and must meet qualifications and training requirements outlined in the rules and regulations. The supervisor may not supervise more than five LCSW candidates at once, but can supervise in the group setting. With respect to the supervision process, the Board lengthened the amount of time given to complete the supervisory process. A supervisee now has up to 36 months to complete their 100 hours of supervision and 1000 hours of client contact hours. Up to a fourth (1/4) of total supervisory hours can be met via alternative means, such as video conferencing, however the remainder of supervisory hours must be face to face. The supervisor must also observe the supervisee in practice at least once during each evaluation period. Additionally, the supervision process cannot continue from one period to another without the Board's approval.

(continued from page 3)

So, are you ready for some good news? Continuing Education: we are getting rid of SWUs!!!! Starting April 1, 2009, a continuing education hour equals one hour (or sixty minutes, if you prefer). And, if you renew online, the online system does the SWU to continuing education hour conversion for you!!! But, now for the regulatory news: Time devoted to registration, organizational business, breakfasts, luncheons, dinners, or other refreshments shall not be counted as instructional or continuing education credit time. When there is a luncheon speaker, only the time of the speaker's presentation may be calculated for continuing education credit. Forty (40) clock hours are required each renewal period. Designated provider status was further clarified so that designated providers could not in any way approve continuing education for events with which they have little planning involvement.

There are many, many changes in the new rules and regulations. We can only touch on them here. The only way to become familiar with the changes is to actually read the rules and regulations. The regulatory language can be very confusing and, we, the Social Work Discipline Specific Committee encourage you to contact the Board with your questions and concerns.

**A Brief Overview of the New Rules and Regulations for LMFTs**  
**W. Jeff Hinton, LMFT and Charles West, LMFT**

Effective April 1, 2009, the Mississippi Board of Examiners for Social Workers and Marriage and Family Therapists began operating under a new set of rules and regulations. This article will highlight some of the important changes for LMFTs. Each of you is strongly encouraged to read through the new Rules and Regulations in their entirety. You may view or download them from the Board's website at [www.swmft.ms.gov](http://www.swmft.ms.gov).

Many of the changes were made in response to the recent PEER Committee report published by the Mississippi legislature. Other changes were made in order to allow the Board to more effectively carry out its primary mission of protecting the public and to promote consistency for the regulatory practices of both disciplines (Social Workers and MFTs).

Some of the changes include:

- Section A. III. C. 3. [Any applicant for licensure must] *Obtain, through the appropriate governmental authority or authorities, a criminal history record information check and a check of the Mississippi Sex Offender Registry for each person applying for licensure. The board shall be authorized to charge and collect from the applicant or licensee, in addition to all other applicable fees and costs, such amount as may be incurred by the Board in requesting and obtaining the information required in this paragraph for the applicant or licensee.*
- Section A. VI. This entire section was significantly altered based on recommendations from the legislative review committee (PEER) to more clearly define "Good Moral Character".
- Section A. VIII. A. B. C. D. and E. These sections were modified to clarify the administrative process for how complaints are made and handled by the Board.
- Section C. III. C. 2. a. [Applicants seeking reinstatement of their license must] *submit to the Board a completed application for reinstatement on forms obtained from the Board (available on the Board's website), with all supporting documents attached, including a criminal history records information check and Mississippi Sex Offender Registry check acceptable to the Board.*

(continued from page 4 – overview)

- Section C. IV. C. 3. 4. 5. and 6. These sections were revised to clarify the process of supervision for candidates seeking licensure as an LMFT.
- Section C. IV. C. 7. *For post graduate supervision begun with a supervisor prior to May 1, 2007, the individual providing clinical supervision must have been, at the time the supervision took place, a licensed marriage and family therapist, licensed psychologist, licensed certified social worker, licensed professional counselor, clinical nurse specialist, or psychiatrist with 5 years experience in his/her discipline and training in marriage and family therapy as determined by the Board Discipline Specific Committee. **These individuals must have completed the application process for licensure by September 30, 2010. After September 30, 2010 these applicants must meet current standards prescribed in Section IV.C.8 .***
- Section C. IV. F. 1. c. and f. These sections were modified to include the criminal history record information check and Sexual Offender Registry check for those applying for licensure by endorsement.
- Section C. VII. Significant changes were made throughout this section to clarify the continuing education requirements for LMFTs and to address issues presented by the PEER Committee report. LMFTs are **strongly** encouraged to review the new regulations regarding continuing education.
- Section C. VII. J. 1. [This section was altered in accordance with recommendations of the PEER Committee] *Random Audit of Continuing Education Documents: The Board will annually audit or cause to be audited a minimum of twenty percent (20%) of the continuing education reports accompanying the renewal applications. Licensees whose reports are audited will be required to provide a copy of the official documentation of their continuing education activities. If a licensee fails to provide the Board in a timely manner (not to exceed thirty {30} days following the time they are notified of the audit) with official documentation of the total hours listed on their renewal application, the license will be suspended following written notification from the Board and will remain suspended pending further Board action.*

As MSBOE board members and fellow LMFTs we stress the importance of being knowledgeable regarding these Rules and Regulations. The MBOE has diligently worked to update and expand the information contained on the Board's website. Please take a moment or two to check this out at [www.swmft.ms.gov](http://www.swmft.ms.gov).

### **Why do Boards Require Continuing Education for LMFTs?**

**Charles West, LMFT, and W. Jeff Hinton, LMFT**

Licensing boards are tasked with the responsibility of making sure licensees remain competent in the provision of therapy services to the public. There are several ways to address this responsibility, including testing/retesting of licensees, oral interviews with licensing boards, and requiring specific plans from licensees regarding maintaining their scope of practice. The Mississippi Legislature and the Mississippi Board of Examiners adopted the most common method, requiring participation in continuing education activities.

The primary objectives of continuing education are to:

- maintain and improve the quality of professional services provided to the public;

(continued from page 5- continuing education for LMFTs)

- maintain and improve the therapist's knowledge of current research, techniques, and practice;
- provide resources to improve skill and competence in marriage and family therapy;
- provide opportunities to network and share information with other marriage and family therapy professionals;
- help professionals to stay abreast of changes in the regulatory practices for their discipline; and
- assist professionals to avoid ethical pitfalls, further protecting the public.

A licensee may only report credit for continuing education programs or activities approved by the MFT Continuing Education Committee of the Board. Approved programs will be listed on the Continuing Education Offering for MFTs page on the Board's website. Continuing education hours must be relevant to the practice of marriage and family therapy as determined by the Board.

The continuing education offerings for each discipline (social workers and marriage and family therapists) are approved independently. Licensees should NOT assume that an approved offering for one discipline is also approved for the other discipline. The MBOE website maintains separate lists of approved continuing education offerings for social workers and marriage and family therapists.

**MAMFT Chapter Meetings Provide Continuing Education Opportunities for LMFTs**  
**Heath A. Grames, Ph.D.**

Currently, LMFTs are required to complete 35 hours of approved continuing education related to the practice of marriage and family therapy biennially. In order to assist LMFTs in obtaining required CEUs, the Mississippi Association for Marriage and Family Therapy recently began offering continuing education opportunities at regional chapter meetings. Each chapter has the opportunity to schedule continuing education events in conjunction with chapter meetings.

The Hattiesburg Chapter of MAMFT recently planned a continuing education session titled "Boundaries: Who Needs Them" to offer free of charge to chapter members. If you are interested in participating in future MAMFT chapter continuing education opportunities, please contact your chapter representative for further information.

The following list contains the contact information for MAMFT chapter representatives.

Delta Chapter	Randy Weeks	662-455-5465
Gulf Coast Chapter	Myrtis Austin	601-437-5653
Hattiesburg Chapter	Heath Grames	601-266-6434
Jackson Chapter	Pete Bishop	601-278-6789
North Mississippi Chapter	David Anthony	662-841-9111

**CONTINUING EDUCATION OFFERINGS FOR MARRIAGE AND FAMILY THERAPISTS**

The following programs have been reviewed and approved by the Mississippi Association of Marriage and Family Therapy (MAMFT) CE Certification Committee. With this approval, the programs meet continuing education requirements for renewal of your MFT license as required by the Mississippi Board of Examiners for Social Workers and Marriage and Family Therapists.

This list is provided as a courtesy to licensees and may be updated on this website once monthly. If you have any questions or concerns about a program, please contact that sponsoring organization at the number provided on this list.

Date(s)	Topic	Location	Sponsor	Phone Number	C. E. Hours
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Various Dates	Marital Therapy: A Research Based Approach(Video Workshop)	Jackson, MS	Samaritan Counseling Services	601-292-4627	14
5/22/09	Pine Grove Spring Conference	Hattiesburg, MS	Pine Grove Behavioral Health	Samuel Rosa 601-228-4915	5

## CONTINUING EDUCATION OFFERINGS FOR SOCIAL WORKERS

The following programs have been reviewed and approved by MS Chapter, NASW CE Certification Committee. With this approval, the programs meet continuing education (CE) requirement of the MS Board of Examiners for Social Workers pursuant to Section IX-E. of the rules and regulations.

For further information about specific programs, please contact the sponsoring organizations at the telephone number provided on this list. This page is offered as a courtesy only, The Board will not be held responsible for any problems that arise from the cancellation or attendance of the following programs.

Date	Topic	Location	Sponsored By	Phone Number	SWUS
TBA	Art of Psychotherapy for Children & Adults Pt 2	Jackson, MS	Center for Professional Training	601.613.5250	.72 SWU
TBA	Pain Assessment & Management	TBA	Deaconess Homecare	601.268.1842	.12 SWU
TBA	What Social Workers Should Know about Medicaid Qualification	TBA	Wilder Elder Law Center	228.872.3123	2 CE Credits
09/17-18/2009	"End of Life Nursing Education Consortium Training"	Jackson, MS	St Dominic-Jackson Memorial Hospital Education Services	601.200.6920	.81 per day or 1.62 total
08/14/2009	Healthy Workplace: Communication Difference in the Workplace Ethical Issues, Boundaries & Workplace Communication	Meridian, MS	Community Seventh-day Adventist & Adventist Health Systems	601.527.2693	.49 SWU
07/17//2009	Ethics in Action	Memphis, TN	Health ED	800.839.4584	.72 SWU
07/16/2009	Ethics In Action	Little Rock, AR	Health ED	800.839.4584	.72 SWU
07/15-17/2009	MS Conference on Child Welfare	Natchez, MS	Southern Christian Services for Children & Youth & MS DHS	601.354.0983	1.44 SWU
07/14-15/2009	Trauma-Focused Cognitive Behavioral Therapy Learning Collaborative III	Hattiesburg, MS	Department of Mental Health	601.355.8634	12.5 Contact Hours
06/26/2009	Damaged Heart-Trusting Heart Addictions as Disorders of Intimacy	Tupelo, MS	NCADD	662.841.0403	5 Contact Hours
05/28/2009	Anxiety Disorders: Research, Diagnosis, & Treatment	New Orleans, LA	Cross Country Education	800.397.0180	.72 SWU
05/28/2009	Attachment & Emotional Regulation Brain-Based Interventions across the Lifespan	Waco, TX	Cross Country Education	800.397.0180	.72 SWU
05/27/2009	Attachment & Emotional Regulation Brain-Based Interventions across the Lifespan	Dallas, TX	Cross Country Education	800.397.0180	.72 SWU
05/27/2009	Anxiety Disorders: Research, Diagnosis, & Treatment	Jackson, MS	Cross Country Education	800.397.0180	.72 SWU
05/27/2009	How to Start a Non-Profit	Vicksburg, MS	Professional Associates, Inc	601.933.0087	.39 SWU
05/27/2009	Logic Models	Vicksburg, MS	Professional Associates, Inc	601.933.0087	.42 SWU
05/26/2009	Anxiety Disorders:	Alexandria, LA	Cross Country Education	800.397.0180	.72 SWU

	Research, Diagnosis, & Treatment				
05/26/2009	Attachment & Emotional Regulation Brain-Based Interventions across the Lifespan	Shreveport, LA	Cross Country Education	800.397.0180	.72 SWU
05/26/2009	Grantwriting Made Easy	Vicksburg, MS	Professional Associates, Inc	601.933.0087	.81 SWU

**SUMMARY OF BOARD DISCIPLINARY ACTIONS**

The following licenses have been revoked or suspended by the Board since July 1, 1997.

**REVOKED/SUSPENDED**

<b>Name</b>	<b>License Number</b>	<b>Date of Action</b>	<b>Sanction</b>
Catherine Jean Pacher	C1386	09/11/98	Revoked
Marguearite E. Whiting	W4415	12/11/98	Revoked
Monica Hubbard Porter	M3025	12/07/07	Revoked

\*\*\*\* All fees paid to the Board must be in the form of a cashier's check or money order\*\*\*\*

**Mississippi**

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