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Dear State Board Members,

As many of you know, NASW-PA is the largest professional membership association representing the social work profession with over 6,100 members. Because of the size of our membership, we have 6 full-time staff and one part-time staff person including four masters level social workers. In addition to having a large membership, NASW-PA travels to most of the Commonwealth's 41 accredited social work programs annually. Due to our visibility and our staff resources, we get a large volume of calls from licensed social workers, licensed clinical social workers, and other professionals as well. The volume of calls and emails we receive allow us to determine the current issues facing the profession in the Commonwealth. We are generally happy to answer questions and address the situations on an individual basis, however, currently there are a few issues that we feel are necessary to elevate to the board's attention.

Since the Commonwealth does not have practice protection, most individuals who hold licenses are required to do so by their employer. This means failure to effectively renew can result in job loss. Additionally, many LCSWs provide supervision to LSWs, and without renewal of their LCSWs some supervisors have suspended supervision until they receive their renewed LCSW. As ethical social workers, some have transferred all of their cases to other professionals to avoid being out of compliance with the regulations of "practicing without a license." This move on their part shows character, a deep commitment to the profession, and respect for our regulations. These are critical issues impacting real people and their ability to provide often life saving mental health services. To that end, I respectfully request your consideration to a few critical issues related to licensure renewal that have been raised by our members.

1. Renewal Software Failure

We are being notified by many of our members that there have been problems with renewing their licenses. As I am sure you are aware, this is critical for these people to practice in their profession. One of the issues seems to be with the use of Firefox and Safari. When people use the Firefox browser option, as they are instructed to do from the PA State Board's website, it fails.

Our members are stating that the staff at the board office are reporting awareness of the problems. Yet, they are still recommending the same avenues for completing the renewal. In addition, there seems to be a glitch in the payment system and payments are not being received even when being sent. When members have called to follow-up on the problem they are being told things like "it has to be in here somewhere in a stack of papers," "we had a water main break and I can't account for anything that came in that day." The member had sent her renewal via certified letter that had been signed for by the office and was still missing. This was her second attempt and she has documentation proving both were sent successfully.

Safari Renewal Issue:

The State Board website is clear that Safari from Macintosh will not serve as a successful avenue for individuals looking to renew, however, the system will still let you renew with this software, and the system just does not produce a receipt. It does let you advance your application and appear to renew. Ideally, the software would simply not function so that the user was clear that this software application was not an option.

2. CE Certificates: Clock Hour vs. CE Hour

Last fall NASW-PA launched an on-line CE institute to help members meet their continuing education requirements. It is a new system and we have spent this year getting it operational largely using content that has been approved by ASWB from other providers. Upon renewing licenses some professionals have stated they are having difficulty receiving their license as a result of NASW-PA online CE certificates. When we determine how many CE's to offer for each workshop we consulted regulations section 47.31 definition of "*Clock hour* - Fifty to sixty minutes of instruction or participation in an approved course or program."

Based on a legal interpretation of what constituted an hour, the hours of CEs were set within the system and both number of CE's and exact times were printed on to the certificate. In-person workshops often take breaks, as the rule is a 10 minute break for every 50 minutes of content. On-line it does not matter how many breaks you take, you still have the same amount of content to listen to before the workshop is complete and a certificate can be printed. This means 2 hours and 38 minutes of content is just that, not any less. In comparison, I have been to other in-person workshops (not NASW sponsored) were it is a stretch to say it lasted 2 ½ hours, but still a 3 CE certificate was printed.

At NASW-PA, we pride ourselves for being ridiculously adherent to the regulations. Our members often laugh at us when we suggest that we will guard the door and make it clear that you must be in the room (not the hallway) to get your workshop credits. It is very upsetting to us to have our on-line CE certificates questioned given how seriously we take and adhere to the regulations.

This renewal cycle seems to have been more complicated for our members than previous cycles. To that end, we ask you not to penalize individual professionals for what appears to be some systemic breakdowns. We would advocate that individuals, who can prove they renewed prior to February 28, 2011 at midnight, have their licenses renewed without penalty or fee so they may continue to provide valuable services to their community, clients, and colleagues.

Scope of Practice Concern

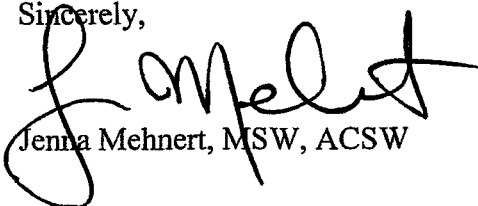
There is one additional pressing issue that I wish to bring to your attention related to scope of practice for all the licenses currently issued by this board. The autism insurance mandate in 2008 created a new behavioral specialist license to allow individuals who wanted to provide behavioral treatment services to children with autism a license they could earn to be eligible for reimbursement. It was NASW-PA's understanding that this license was being created for those who wanted to work with ASD children but who could not be licensed or whose traditional license (such as OTs) did not include the behavioral specialist functions in their scope of practice.

NASW-PA was recently informed that some leadership at the Department of Public Welfare read the new pending regulations for the Behavioral Specialist license to mean that any professional working with ASD children would have to earn this license to be reimbursed by private insurance. Keep in mind the new license has no exam or continuing education requirements attached to it and allows a huge array of educational degrees. The license was created to allow for payment, but it has infringed on the territory of master level mental health providers and now appears to be claiming to be the only qualified group to provide behavioral treatment planning and services the population of autistic children.

The hearing to finalize these regulations is on May 19th and NASW-PA is very concerned about the impact on all four groups of licensed professionals if greater clarification is not provided by the Board of Medicine, the Department of Insurance or the Department of Public Welfare. It appears appropriate for the members of the state board to be aware of this pending issue. To that end, I have attached a copy of the correspondence that NASW-PA sent to the Secretaries of Welfare and Insurance.

Thank you for the consideration given to all of the issues that I have raised in this rather lengthy letter. I know that are all committed to the effective regulating of these three critical professions.

Sincerely,



Jenna Mehnert, MSW, ACSW