

NASW NYS Western Division Steering Committee Minutes for 02/12/22

Members Present: Cheryl Eberl, Sylvia Gold, Jessie Grossman, Cheryl Mills, Ellen Silver

NASW NYS sponsored webinar 02/10/22 Legal & Ethical Issues for Social Workers & Psychotherapists

Updates on Legislation being advocated for by NASW NYS, AGR Committee for current legislative session

NYS Education Department, Office of Professions NASW NYS working on issues pertaining to member complaints and difficulties with obtaining Social Work Licensure

Western Division Resource Guide

Safeguarding our Professional Titles

Shooting/Stabbing incident at McKinley High School, Buffalo, NY 02/09/22. Do we want to respond to the community about this event?

NASW NYS sponsored webinar 02/10/22. Legal & Ethical Issues for Social Workers & Psychotherapists: Ellen stated she attended this webinar and thought it was excellent and encouraged us to listen to it. She stated it was recorded. She stated the presenter was Bruce Hillowe, JD, Ph.D. from Garden City, NY. The description of the webinar stated to review the essential legal and background provision of psychotherapy by LMSW, LCSW, LCSW-R in NYS. Private practitioners provided templates for record keeping, informed consent, HIPPA, notice of private practice, authorization for release of patient information, the form for denial of access to patient information, risk management, termination letters and professional will.

Ellen stated there are a lot of gray areas with HIPPA. She stated that informed consent for children must be obtained by both parents or legal guardian(s) of the child. She stated Dr. Hillowe informed attendees that they should be keeping their records of clients for 10 years. She stated there are a lot of "gray" areas with telehealth. An example: if you are seeing a college student and she/he goes home out of state, you can't do telehealth with them when he/she is out of state. Ellen stated there is not a good definition of why a client can't be seen due to geographic distance provided it is within the state. Ellen stated the federal extension for telehealth ends and prior CMS rules go back into effect so that means the first visit with the client must be in person.

The recent federal No Surprises Act is impacting private practitioners as we discussed in last month's meeting. Cheryl M. stated NASW National Chapter with several organizations sent a letter to the Secretary of Health and Human Services advocating that social workers and other

psychotherapists be exempt from this act.

Updates on Legislation being advocated for by NASW NYS & AGR Committee for the current legislative session: Cheryl M. stated the AGR Committee voted and approved the following proposed legislation that the Committee and NYS Chapter will be advocating for: Informed Risk of C Section, A2175 SS2736, PACE (Program of All inclusive Care for Elderly), A7903 S6664. Lack of consistency in the program throughout the state. The bill would allow enrollees to utilize their Medicare and Medicaid benefits to cover the cost of this care. Telehealth Parity, A6256 S5505. Support quality of care dictated by providers and patients. Also, reimbursement parity for providers (social workers) and End of Predatory Court Fees, A2348B S3979C. Gives judges the freedom to assess one's ability to pay before assigning a fee. Eliminates mandatory minimums for judges to impose. Makes the state more effective in how the criminal justice system operates and creates more social justice.

NYS Education Department, Office of Professions, NASW NYS working on issues pertaining to member complaints regarding difficulties and inconsistency of information provided by staff of the Office of Professions regarding status of information provided by prospective individuals toward the status of their licensing process. Cheryl M. stated Samantha Fletcher, NASW NYS Executive Director shared this information at the 02/08/22 AGR Meeting. Ms. Fletcher stated the Chapter has received multiple complaints from members regarding the Office of Professions and difficulties they are having with the licensure process. She stated members complained of getting inconsistent information from Office of Professions staff. Members feel Customer Service at the Office of Professions is poor. Ms. Fletcher stated she is advocating for a dedicated person for Social Work at the help desk at the Office of Professions. She stated she did a very thorough investigation of every state law pertaining to Social Work Licensure. She stated "Licensed Masters Social Worker," "Licensed Clinical Social Worker" are protected titles but "Social Worker" is not protected. For the LMSW there are time constraints. One must complete 2,000 hours of diagnosis, treatment etc. within 6 years. She stated this is challenging for those who are working part-time and is recommending the 6 year requirement be extended to 9 years or removed. She stated supervisors are required to report hours to the state board. Ms. Fletcher is requesting these hours be reported to the Social Work Board. She stated the pandemic has created further difficulties with some supervisors refusing to sign off on hours because they are no longer with the agency where the prospective licensee received supervision from them. For the LCSW-R a total of 2,400 hours of supervision by a qualified supervisor and must have a minimum of 400 hours per year. Per Ms. Fletcher, she is requesting interstate reciprocity. She stated she is compiling a report on all of the above and is sending it to the Commissioner of Education and the Governor's office. She stated training needs to be done on the "good moral" clause and wants to start training social workers and social work students in this.

Ms. Fletcher spoke about the status of getting the Veterans Mental Health Training Initiative Grant as a budget line item. She stated things are getting very close and it is looking more and

more likely this will occur. She stated there are several groups involved in this initiative including the Veterans Advisory Board, New York State Psychiatric Association, Medical Society and NASW NYS. The Dwyer Program is part of the grant and is a peer support program. She stated when a member of the peer support group becomes symptomatic they want to be able to do a "warm hand off" to a professional i.e. Social Worker who is trained to handle mental health issues. She stated historically each group has received an equal amount from the grant. This time NASW NYS is asking for \$ 250,00. The other groups will receive \$ 150,000. She stated the other groups are fine with this. She stated the Advocacy part of the NASW NYS website has been retooled and direct links are provided to the Governor's State of the State address, the governor's proposed budget, as well as, links to the NYS Senate and Assembly.

Western Division Resource Directory: Sylvia stated Shakira has made it possible to view members who have entered their information into the resource directory. She thanked Shakira for doing so. Cheryl M. stated she noticed at least one member who is in the directory has a down state address. She expressed concern that this member might be trying to get "business" in this telehealth environment, which would be taking away from private practice Social Workers in the division. Discussion ensued regarding we created this for the division. We agreed that it should be kept to members of the division only. Jesse stated she would email Shakira regarding this. Also, members commented that they are getting reminders of the steering committee meetings and it is easier now to register for the steering committee and clinical meetings through the Western Division web page.

Safeguarding our Professional Titles: We discussed how other mental health providers can infringe on our "territory" as the professional title of Social Worker is not protected. So other people can call themselves Social Workers without having the Social Work credentials. Also, this can be misleading to the public and results in a lack of understanding.

Recent Shooting/stabbing Incident at McKinley High School in Buffalo, NY 02/09/22. Do we want to respond to the community about this event? Jesse stated she doesn't know if they have a social worker and wonders what kind of mental health services are available. Decision made to hold off on further discussion as we were running short on time. Cheryl M. stated she will do some online research to see what she can find out about what mental health services are available to students in the Buffalo City School District.

Next Meetings: Clinical: 03/01/22 at 6:00 p.m. virtual. Steering: 03/12/22 at 10:00 a.m. virtual.