**Texas State Board of Social Worker Examiners**
Board Meeting Agenda for
Friday, April 22, 2022, 8:30 a.m.

The April 22, 2022 meeting of the Texas State Board of Social Worker Examiners will be held by videoconference call, as authorized under Texas Government Code section 551.127. One or more board members may appear at the scheduled meeting via videoconference call, but the presiding member will be physically present at 333 Guadalupe St., Ste. 3-900, Room 910, Austin, Texas 78701. This location will be open to the public, but seating is limited to first come, first served. Due to health and safety concerns, as well as the size of the available meeting room, public seating will be limited to four (4) individuals.

In lieu of attending in person, members of the public are encouraged to access and participate virtually in this meeting by entering the URL address **https://us02web.zoom.us/j/88122727518** into their web browser. Telephone access numbers and additional videoconference call access information can be found in the attached addendum. An electronic copy of the agenda and meeting materials will be made available at www.bhec.texas.gov prior to the meeting. A recording of the meeting will be made available on the Texas Behavioral Health Executive Council's YouTube channel after the meeting is adjourned. To obtain a copy of the recording, please contact the Council's public information officer at Open.Records@bhec.texas.gov.

For members of the public wishing to give public comment, after the meeting convenes and once the public comment item is reached on the agenda, the presiding member will allow those who are attending in person to give public comment first and then ask those joining by computer to use the "raise hand" feature to indicate who would like to make a public comment. Those individuals who raise their hand will then be unmuted to give public comment. Once all of the individuals with raised hands have been given an opportunity to make public comment, the individuals appearing by telephone will be unmuted and asked whether they would like to make a public comment. Please note that public comment is not intended for a discussion or a question-and-answer session with the board members. Additionally, when making a public comment, please identify yourself and whether you are speaking individually or on behalf of an organization. All public comments will be limited to 3 minutes, unless otherwise directed by the presiding officer. In lieu of providing public comment during the meeting, you may submit written public comments via email to General@bhec.texas.gov in advance of the meeting. Please use the email subject line "Public Comment for (enter date of meeting here) Meeting" to ensure your comments are identified as such and directed accordingly. Only those written public comments received by 5 p.m. on the last business day prior to the meeting will be submitted to the board members for their consideration. No written comments received will be read aloud during the meeting.

Please note that the board may request input during the meeting from any interested parties or members of the public during its discussion of an agenda item.

If you are planning to attend this meeting and need auxiliary aids, services or materials in an alternate format, please contact the Council at least 5 working days before the meeting date. Phone: (512) 305-7700, E-MAIL: General@bhec.texas.gov, TTY/RELAY TEXAS: 711 or 1-800-RELAY TX.

The board may go into Executive Session to deliberate any item listed on this agenda if authorized under Texas Open Meetings Act, Government Code, Ch. 551.

The board may discuss and take action concerning any matter on the agenda and in a different order from what it appears herein.

**SW BOARD MEETING AGENDA FOR FRIDAY, APRIL 22, 2022, 8:30 A.M.**
(Brumley, Andrade, Graham, Morris, Mosier, Ramsbacher, Rodgers, Saenz-Davila, Swords)

1. Call meeting to order.
2. Approval of minutes of the January 7, 2022, Board meeting.

3. Board review and possible action regarding appeals of application for licensure denials, including Samantha Ungos, Bruce Ybarra.
4. Board review and possible action regarding agreed orders to be executed by the Board.
5. Board review and possible action regarding contested cases from the State Office of Administrative Hearings (SOAH).
6. Report of agreed orders executed by the Council's Executive Director.
7. Report of cases dismissed by the Council's Executive Director.
8. Status report of quarterly enforcement case activities.
9. Report of compliance with agreed orders.
10. Discussion and possible action to re-elect or replace Vice Chair Martha Mosier, LCSW-S, per Texas Administrative Code §781.207 *Elections*.
11. Report from Committee Chairs:
    A. Report from Ethics Committee Chair Mr. Brumley.
    B. Report from Licensing Standards and Qualification Committee Chair Ms. Mosier.
    C. Report from Professional Development Committee Chair Mr. Brumley.
    D. Report from Rules Committee Chair Ms. Mosier.
12. Discussion and possible action concerning potential changes in Title 22 of the Texas Administrative Code as recommended by the Rules Committee on March 25, 2022:
    A. §781.304 *Relationships with Clients*: to remove redundant language that currently stated in §781.310 *Billing and Financial Relationships*.
    B. §§781.401 and 781.406 *Qualifications for Licensure* and *Required Documentation of Qualifications for Licensure*: to remove the requirements that supervised experience must be obtained within five years immediately preceding the date application is received.
    C. §§781.803 *Severity Levels* and 781.805 *Schedule of Sanctions*: to clarify and simplify the guide by combining Level Two and Level Three into a single level for suspension of a license for any amount of time and to increase the possible administrative penalty to the maximum amount allowed by law.
13. Discussion and possible action regarding Association of Social Work Boards (ASWB) exams in Spanish.
14. Discussion concerning reported limited opportunities for LMSWs to accrue post-license, supervised experience hours.
15. Discussion and possible action regarding jurisprudence exam:
    A. Board review and possible action concerning the quarterly summary from the Texas State Board of Social Worker Examiners' Jurisprudence Exam vendor.
    B. Discussion and possible action related to changes in the Board's Jurisprudence Exam.
16. Report from the Board Chair concerning current challenges and accomplishments; lawsuits; interaction with stakeholders, state officials, and staff; committee appointments and functions; workload of Board members; conferences; and general information regarding the routine functioning of the Board.
17. Report from the Board's Delegates to the Texas Behavioral Health Executive Council regarding the activities of the Executive Council, including
    A. The Council's rulemaking actions taken at its February 1, 2022 meeting.
    B. Other Council updates.
18. Report from the Board Administrator concerning operations, organization, and staffing; workload processing and statistical information; status of rulemaking; customer service accomplishments,

inquiries, and challenges; media, legislative, and stakeholder contacts and concerns; special projects; and general information regarding the routine functioning of the program.

19. Discussion and possible action regarding future priorities and activities of the Board.
20. Public Comment.
21. Announcements and comments not requiring Board action, such as statements regarding conferences and other recent or upcoming events.
22. Adjournment.

CONTACT: Sarah Faszholz, Board Administrator
Texas State Board of Social Worker Examiners
general@bhec.texas.gov

**Addendum: Additional Videoconference and Telephone Conference Call Information**

When: Apr 22, 2022 08:30 AM Central Time (US and Canada)
Topic: Texas State Board of Social Worker Examiners April 22, 2022 Meeting

Please click the link below to join the webinar:

**https://us02web.zoom.us/j/88122727518**

Or One tap mobile :

US: +13462487799,,88122727518# or +12532158782,,88122727518#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592

Webinar ID: 881 2272 7518

International numbers available: https://us02web.zoom.us/u/kfcnoXTRN

**COMPLAINT NO. 1072-16-0063**

| | | |
|---|---|---|
| **IN THE MATTER OF** | § | **BEFORE THE TEXAS BEHAVIORAL** |
| | § | **HEALTH EXECUTIVE COUNCIL** |
| | § | |
| | § | **THE TEXAS STATE BOARD** |
| | § | **OF SOCIAL WORKER** |
| **JIMMY GIDDINGS** | § | **EXAMINERS** |

# AGREED ORDER

Pursuant to the authority under §507.305 of the Texas Occupations Code, §2001.056 of the Government Code, and 22 Texas Administrative Code §884.12(e), the Executive Director for the Texas Behavioral Health Executive Council ("Council") hereby approves, ratifies, and enters this Agreed Order with the following Findings of Fact, Conclusions of Law, and Order of the Council, which have been approved and accepted by Jimmy Giddings ("Respondent") and which constitutes a full settlement and compromise of the complaint currently pending against Respondent before the Council in the above-referenced and numbered matter.

## FINDINGS OF FACT

1. Respondent is licensed as a baccalaureate social worker (#21994) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.

2. On or about March 17, 2016 through February 19, 2019, Respondent failed to notify the Board of an address change within 30 days of changing his address.

3. On or about March 17, 2016 through October 1, 2019, Respondent failed to respond to the Board's requests for information.

## CONCLUSIONS OF LAW

1. Respondent voluntarily received a license from the Council and, therefore, is bound by the provisions of Chapters 505 and 507 of the Texas Occupations Code and the Rules of the Council, 22 Texas Administrative Code Parts 34 and 41.

2. Violation of the Council's Rules is unprofessional conduct and constitutes grounds for the imposition of sanctions under §§505.451, 507.301, and 507.351 of the Texas Occupations Code.

3. Based on the above Findings of Fact, the Council finds that Respondent violated Council Rules 882.32(a) and 884.55.

## ORDER

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. Respondent's license is hereby REPRIMANDED.

2. Respondent, within thirty (30) days of the date this order is ratified, shall complete and submit proof of completion of six (6) hours of professional development relating to professional ethics and six (6) hours of professional development related to record keeping. This professional development is in addition to the professional development hours required for license renewal. Respondent will pay all costs of the coursework.

## WARNING

**RESPONDENT'S FAILURE TO COMPLY WITH ONE OR MORE TERMS OF THIS ORDER MAY CONSTITUTE A VIOLATION OF 22 TEXAS ADMINISTRATIVE CODE §884.55 REQUIRING FURTHER DISCIPLINARY ACTION.**

## WAIVERS

On the underlying investigative file, Respondent has waived his or her right to an informal settlement conference, a formal hearing before an Administrative Law Judge at the State Office of Administrative Hearings (SOAH), and judicial review pursuant to Texas Government Code Chapter 2001, in exchange for the conditions set out in this Agreed Order.

THE RESPONDENT, BY SIGNING THIS ORDER, AGREES TO ITS TERMS, ACKNOWLEDGES UNDERSTANDING OF THE FORMAL NOTICES, FINDINGS OF FACT, AND CONCLUSIONS OF LAW SET FORTH HEREIN AND COVENANTS TO SATISFACTORILY COMPLY WITH THE MANDATES OF THIS ORDER IN A TIMELY MANNER. RESPONDENT FURTHER ACKNOWLEDGES AND AGREES THAT HE OR SHE HAS AGREED TO THIS ORDER UPON THE ADVICE AND CONSENT OF COUNSEL, OR THAT HE OR SHE HAS HAD THE OPPORTUNITY TO HAVE THIS ORDER REVIEWED BY COUNSEL OF HIS OR HER CHOICE.

FOR THE RESPONDENT:

Jimmy Giddings
Baccalaureate Social Worker
License # 21994

DATE SIGNED: 11/29/21

FOR THE STAFF OF THE COUNCIL:

Brian Clark
Texas Bar No. 24099457
Staff Attorney
Texas Behavioral Health Executive Council
333 Guadalupe, Ste. 3-900
Austin, Texas 78701

DATE SIGNED: 12/8/21

APPROVED, RATIFIED, AND ENTERED THIS 9th DAY OF December, 2021.

Darrel Spinks
Executive Director
Texas Behavioral Health Executive Council

COMPLAINT NOS. 1072-19-0131 AND 1072-19-0140

T.B.H.E.C.
2020 JAN 21 P 3: 04

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|---|---|---|
| IN THE MATTER OF | § | BEFORE THE TEXAS BEHAVIORAL |
| | § | HEALTH EXECUTIVE COUNCIL |
| | § | |
| | § | THE TEXAS STATE BOARD |
| | § | OF SOCIAL WORKER |
| LUIS SORIANO-HIDALGO | § | EXAMINERS |

## AGREED ORDER

Pursuant to the authority under §507.305 of the Texas Occupations Code, §2001.056 of the Government Code, and 22 Texas Administrative Code §884.12(e), the Executive Director for the Texas Behavioral Health Executive Council ("Council") hereby approves, ratifies, and enters this Agreed Order with the following Findings of Fact, Conclusions of Law, and Order of the Council, which have been approved and accepted by Luis Soriano-Hildago ("Respondent") and which constitutes a full settlement and compromise of the complaint currently pending against Respondent before the Council in the above-referenced and numbered matter.

## FINDINGS OF FACT

1. Respondent is licensed as a social worker (#28808) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.

2. On or about August 22, 2018, the Respondent met with a client and completed an assessment and evaluation. The Respondent never met with the client again and did not make a referral for counseling services.

3. On or about July 8, 2019, the Respondent used excessive force with a minor client.

4. On or about July 8, 2019, the Respondent failed to document his interactions with the client.

5. From on or about August 22, 2018 to on or about November 22, 2019, the Respondent used the name "Luis Soriano." The Respondent's license and written response to the allegations showed that he identified himself as "Luis Soriano-Hidalgo."

## CONCLUSIONS OF LAW

1. Respondent voluntarily received a license from the Council and, therefore, is bound by the provisions of Chapters 505 and 507 of the Texas Occupations Code and the Rules of the Council, 22 Texas Administrative Code Parts 34 and 41.

2. Violation of the Council's Rules is unprofessional conduct and constitutes grounds for the imposition of sanctions under §§505.451, 507.301, and 507.351 of the Texas Occupations

Code.

3. Based on the above Findings of Fact, the Council finds that Respondent violated Council Rules 781.203(2), 781.201(a)(3)(8), 781.204(e),(j),(o), and (q), 781.204(f), 781.209(1), 781.204(h), and 781.216(a).

## ORDER

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. Respondent's license is SUSPENDED for a period of two (2) years from the effective date of this order. However, eighteen (18) months of the suspension shall be PROBATED, so long as Respondent complies with all state and federal statutes and regulations pertaining to the practice of social work. Although the probated suspension ordered herein will result in Respondent's license being restricted, Respondent shall take all steps necessary to renew and maintain Respondent's license while this order is in effect. Respondent's license shall remain on restricted status until all terms of this order have been satisfactorily completed.

2. Respondent shall be required to practice under the supervision of a practice monitor during the eighteen (18) months of probated suspension. Respondent shall, within fourteen (14) days of the date the probated suspension begins, submit to the Council or its designee for approval the name and qualifications of a social worker who has agreed to serve as a practice monitor. The practice monitor shall (1) be a Texas-licensed social worker with no record of disciplinary actions; (2) have no business, professional, personal, or other relationship with Respondent that would interfere with the practice monitor's function or duties; and (3) possess specialized knowledge, education and experience in the same field of practice as that of Respondent.

Once approved, the practice monitor shall submit to the Council or its designee a monitoring contract and plan by which Respondent's practice shall be monitored for compliance with ethical and legal practice standards, as well as the terms of this Order. Monitoring shall consist of at least one (1) hour of individual face-to-face meetings every week. The Respondent shall provide the practice monitor with a copy of this Order and access to Respondent's records. Respondent shall execute a release authorizing the practice monitor to divulge any information the Council or its designee may request.

It shall be Respondent's responsibility to assure the practice monitor submits written reports to the Council or its designee on a quarterly basis verifying that monitoring has taken place and providing an evaluation of Respondent's performance. At the Council's discretion, if any of these reports provides sufficient concern, the Council may impose further monitoring requirements and/or take other appropriate actions to ensure the safety of the public.

In the event Respondent's monitor indicates that Respondent is fit to practice social work

but makes recommendations concerning reasonable steps Respondent must or should take to enhance or maintain Respondent's fitness to practice social work, Respondent shall comply with any and all recommendations made by Respondent's monitor. If Respondent refuses or fails to follow the recommendations, Respondent agrees that Respondent's license shall be SUSPENDED, without further hearings, informal settlement procedures, or any right of appeal for judicial review; pending further review of Respondent by the Council, or its designee.

If the monitor concludes there is sufficient concern or need to impose further requirements, restrictions, and/or take other appropriate actions to ensure the safety of the public the Council, or its designee, may do so at its own discretion. In the event Respondent refuses or fails to follow the additional requirements or restrictions imposed by the Council, or its designee, Respondent agrees that Respondent's license shall be SUSPENDED, without further hearings, informal settlement procedures, or any right of appeal for judicial review; pending further review of Respondent by the Council, or its designee.

If the practice monitor cannot continue the monitoring engagement, Respondent shall get approval from the Council or its designee for a new practice monitor. If no new practice monitor is approved, Respondent shall not practice until a new practice monitor has been approved. If Respondent does not have at least one (1) hour of individual face-to-face supervision every week Respondent's license shall be SUSPENDED, without further hearings, informal settlement procedures, or any right of appeal for judicial review, until supervision resumes and the practice monitor submits a report attesting to Respondent's fitness to provide social work services in safe and competent manner. During any period of suspension, non-practice, or non-supervision by a practice monitor, the one (1) year practice monitoring time period shall be tolled and shall not apply to the reduction of this required one (1) year practice monitoring time period. Respondent shall pay all costs associated with this practice monitoring requirement. RESPONDENT AGREES THAT ANY FAILURE TO COMPLY WITH THE PRACTICE MONITORING REQUIREMENTS, OR ANY OTHER TERM IN THIS ORDER, SHALL CONSTITUTE IMMEDIATE GROUNDS FOR REVOCATION OF RESPONDENT'S LICENSE.

## WARNING

**RESPONDENT'S FAILURE TO COMPLY WITH ONE OR MORE TERMS OF THIS ORDER MAY CONSTITUTE A VIOLATION OF 22 TEXAS ADMINISTRATIVE CODE §884.55 REQUIRING FURTHER DISCIPLINARY ACTION.**

## WAIVERS

On the underlying investigative file, Respondent has waived his or her right to an informal settlement conference, a formal hearing before an Administrative Law Judge at the State Office of Administrative Hearings (SOAH), and judicial review pursuant to Texas Government Code Chapter 2001, in exchange for the conditions set out in this Agreed Order.

THE RESPONDENT, BY SIGNING THIS ORDER, AGREES TO ITS TERMS, ACKNOWLEDGES UNDERSTANDING OF THE FORMAL NOTICES, FINDINGS OF FACT, AND CONCLUSIONS OF LAW SET FORTH HEREIN AND COVENANTS TO SATISFACTORILY COMPLY WITH THE MANDATES OF THIS ORDER IN A TIMELY MANNER. RESPONDENT FURTHER ACKNOWLEDGES AND AGREES THAT HE OR SHE HAS AGREED TO THIS ORDER UPON THE ADVICE AND CONSENT OF COUNSEL, OR THAT HE OR SHE HAS HAD THE OPPORTUNITY TO HAVE THIS ORDER REVIEWED BY COUNSEL OF HIS OR HER CHOICE.

FOR THE RESPONDENT:

Luis Soriano-Hidalgo
Licensed Clinical Social Worker
License # 28808

DATE SIGNED: 1/17/2022

FOR THE STAFF OF THE COUNCIL:

Brian Clark
Texas Bar No. 24099457
Staff Attorney
Texas Behavioral Health Executive Council
333 Guadalupe, Ste. 3-900
Austin, Texas 78701

DATE SIGNED: 1/25/22

APPROVED, RATIFIED, AND ENTERED THIS 25th DAY OF January, 2022.

Darrel Spinks
Executive Director
Texas Behavioral Health Executive Council

COMPLAINT NO. 1072-19-0146

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|---|---|---|
| IN THE MATTER OF | § | BEFORE THE TEXAS BEHAVIORAL |
| | § | HEALTH EXECUTIVE COUNCIL |
| | § | |
| | § | THE TEXAS STATE BOARD |
| | § | OF SOCIAL WORKER |
| MARGARET MILARDO-WARD | § | EXAMINERS |

## AGREED ORDER

Pursuant to the authority under §507.305 of the Texas Occupations Code, §2001.056 of the Government Code, and 22 Texas Administrative Code §884.12(e), the Executive Director for the Texas Behavioral Health Executive Council ("Council") hereby approves, ratifies, and enters this Agreed Order with the following Findings of Fact, Conclusions of Law, and Order of the Council, which have been approved and accepted by Margaret Milardo-Ward ("Respondent") and which constitutes a full settlement and compromise of the complaint currently pending against Respondent before the Council in the above-referenced and numbered matter.

## FINDINGS OF FACT

1. Respondent is licensed as a social worker (#53686) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.

2. On or about July 25, 2019, Respondent self-reported a violation to the Board. Respondent later submitted twenty-two and half hours of continuing education in supervision, professional boundaries and ethics taken voluntarily as a result of this incident. Respondent later used nine of these hours for licensure renewal purposes.

3. Respondent entered into a dual relationship with her Supervisee. For approximately four months, they formed a business to lease office space to other mental health professionals.

## CONCLUSIONS OF LAW

1. Respondent voluntarily received a license from the Council and, therefore, is bound by the provisions of Chapters 505 and 507 of the Texas Occupations Code and the Rules of the Council, 22 Texas Administrative Code Parts 34 and 41.

2. Violation of the Council's Rules is unprofessional conduct and constitutes grounds for the imposition of sanctions under §§505.451(1), 507.301, and 507.351 of the Texas Occupations Code.

3. Based on the above Findings of Fact, the Council finds that Respondent violated Council Rule 781.404(b)(10)(L).

4. This Agreed Order is a Settlement Agreement under the Texas Rules of Evidence and is not admissible for the purposes of civil litigation. By entering into this Agreed Order, Respondent does not admit the foregoing Findings of Fact or Conclusions of Law, but agrees to resolve this matter to avoid the expense and uncertainty of further proceedings.

## ORDER

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. Respondent is assessed and shall pay, within thirty (30) days of the date this order is ratified, an administrative penalty in the total amount of $1,000.00; of which $900.00 represents administrative costs and $100.00 represents administrative penalty.

2. Respondent's license is hereby REPRIMANDED.

## WARNING

**RESPONDENT'S FAILURE TO COMPLY WITH ONE OR MORE TERMS OF THIS ORDER MAY CONSTITUTE A VIOLATION OF 22 TEXAS ADMINISTRATIVE CODE §884.55 REQUIRING FURTHER DISCIPLINARY ACTION.**

## WAIVERS

On the underlying investigative file, Respondent has waived his or her right to an informal settlement conference, a formal hearing before an Administrative Law Judge at the State Office of Administrative Hearings (SOAH), and judicial review pursuant to Texas Government Code Chapter 2001, in exchange for the conditions set out in this Agreed Order.

THE RESPONDENT, BY SIGNING THIS ORDER, AGREES TO ITS TERMS, ACKNOWLEDGES UNDERSTANDING OF THE FORMAL NOTICES, FINDINGS OF FACT, AND CONCLUSIONS OF LAW SET FORTH HEREIN AND COVENANTS TO SATISFACTORILY COMPLY WITH THE MANDATES OF THIS ORDER IN A TIMELY MANNER. RESPONDENT FURTHER ACKNOWLEDGES AND AGREES THAT HE OR SHE HAS AGREED TO THIS ORDER UPON THE ADVICE AND CONSENT OF COUNSEL, OR THAT HE OR SHE HAS HAD THE OPPORTUNITY TO HAVE THIS ORDER REVIEWED BY COUNSEL OF HIS OR HER CHOICE.

FOR THE RESPONDENT:

Margaret Milardo-Ward
Licensed Clinical Social Worker
License # 64672

DATE SIGNED: Nov 17, 2021

FOR THE STAFF OF THE COUNCIL:

Brian Clark
Texas Bar No. 24099457
Staff Attorney
Texas Behavioral Health Executive Council
333 Guadalupe, Ste. 3-900
Austin, Texas 78701

DATE SIGNED: 11/22/21

APPROVED, RATIFIED, AND ENTERED THIS 23rd DAY OF November, 2021.

Darrel Spinks
Executive Director
Texas Behavioral Health Executive Council

Texas State Board of Social Worker Examiners
Board Meeting – April 22, 2022
FY 2022 Second Quarter – Cases Dismissed by Executive Director

## 33 Cases Dismissed by Staff

1. **1072-16-0038** – Standard of Care.....Warning Letter
2. **1072-17-0090** – Standard of Care.....Warning Letter
3. **1072-17-0117** – Standard of Care.....Insufficient Evidence
4. **1072-17-0117** – Standard of Care.....Insufficient Evidence
5. **1072-18-0132** – Standard of Care.....Warning Letter
6. **1072-18-0168** – Standard of Care.....Insufficient Evidence
7. **1072-19-0002** – Unprofessional Conduct.....Insufficient Evidence
8. **1072-19-0011** – Standard of Care.....Insufficient Evidence
9. **1072-19-0014** – Standard of Care.....Insufficient Evidence
10. **1072-19-0025** – Standard of Care.....Warning Letter
11. **1072-19-0026** – Standard of Care.....Warning Letter
12. **1072-19-0033** – Standard of Care.....Insufficient Evidence
13. **1072-19-0042** – Fraud.....Insufficient Evidence
14. **1072-19-0048** – Sexual Misconduct.....Insufficient Evidence
15. **1072-19-0060** – Criminal History.....Warning Letter
16. **1072-19-0068** – Standard of Care.....Insufficient Evidence
17. **1072-19-0084** – Standard of Care.....Lack of Jurisdiction
18. **1072-19-0122** – Standard of Care.....Insufficient Evidence
19. **1072-20-0023** – Sexual Misconduct.....Insufficient Evidence
20. **1072-20-0024** – Standard of Care.....Insufficient Evidence
21. **1072-20-0050** – Criminal History.....Insufficient Evidence
22. **1072-20-0053** – Criminal History.....Insufficient Evidence
23. **1072-20-0067** – Unprofessional Conduct.....Insufficient Evidence
24. **1072-20-0079** – Child Custody.....Insufficient Evidence
25. **1072-20-0080** – Unprofessional Conduct.....Insufficient Evidence
26. **1072-20-0088** – Criminal History.....Insufficient Evidence
27. **1072-20-0093** – Standard of Care.....Insufficient Evidence
28. **1072-20-0112** – Standard of Care.....Insufficient Evidence
29. **2021-00203** – Standard of Care.....Warning Letter
30. **2022-00137** – Not Related to Licensed Activity .....Lack of Jurisdiction
31. **2022-00138** – Not Related to Licensed Activity .....Lack of Jurisdiction
32. **2022-00188** – Not Related to Licensed Activity .....Lack of Jurisdiction
33. **2022-00189** – Not Related to Licensed Activity .....Lack of Jurisdiction

| **STATUS REPORT**<br>**2nd Quarter** | **2Q FY22**<br>**Dec 1, 2021**<br>**to**<br>**Feb 28, 2022** | 1Q FY22<br>Sep 1, 2021<br>to<br>Nov 30, 2021 | 4Q FY21<br>Jun 1, 2021<br>to<br>Aug 31, 2021 | 3Q FY21<br>Mar 1, 2021<br>to<br>May 31, 2021 |
|---|---|---|---|---|
| Number of Pending Complaints | **594** | 579 | 634 | 811 |
| Pending Complaints per Member Board | **TSBEPC-291**<br>**TSBSWE-171**<br>**TSBEMFT-54**<br>**TSBEP-78** | TSBEPC-266<br>TSBSWE-191<br>TSBEMFT-54<br>TSBEP-68 | TSBEPC-283<br>TSBSWE- 229<br>TSBEMFT-59<br>TSBEP-63 | TSBEPC-399<br>TSBSWE- 258<br>TSBEMFT-82<br>TSBEP-72 |
| Number of New Complaints Received | **105** | 148 | 128 | 86 |
| Pending Priority 1 Cases (Imminent Physical Harm) | **4**<br>**TSBEPC-2**<br>**TSBSWE-1**<br>**TSBEMFT-1**<br>**TSBEP-0** | 6<br>TSBEPC-2<br>TSBSWE-3<br>TSBEMFT-1<br>TSBEP-0 | 18 | 19 |
| Pending Priority 2 Cases (Sexual Misconduct) | **50**<br>**TSBEPC-25**<br>**TSBSWE-24**<br>**TSBEMFT-1**<br>**TSBEP-3** | 52<br>TSBEPC-24<br>TSBSWE-24<br>TSBEMFT-2<br>TSBEP-2 | 57 | 75 |
| Pending Priority 3 Cases (Applicants) | **15**<br>**TSBEPC-4**<br>**TSBSWE-8**<br>**TSBEMFT-1**<br>**TSBEP-2** | 11<br>TSBEPC-1<br>TSBSWE-6<br>TSBEMFT-2<br>TSBEP-2 | 11 | 15 |
| Cases Resolved this Quarter | **89** | 197 | 308 | 636 |
| Agreed Orders Signed | **9** | 15 | 53 | 57 |
| Cases Dismissed by Staff | **80** | 182 | 255 | 579 |
| Cases Dismissed by member Boards | **0** | 0 | 0 | 0 |
| Cases Reviewed at an ISC this Quarter | **3** | 19 | 24 | 40 |
| **Pending Cases by Fiscal Year** | | | | |
| FY2015 0 going to SOAH | **1** | 2 | **5** | 8 |
| FY2016 0 going to SOAH | **3** | 5 | **11** | 14 |
| FY2017 1 going to SOAH | **8** | 11 | **21** | 33 |
| FY2018 3 going to SOAH | **6** | 8 | **16** | 41 |
| FY2019 1 going to SOAH | **35** | 56 | **81** | 197 |
| FY2020 0 going to SOAH | **167** | 199 | **263** | 317 |
| FY2021 4 going to SOAH | **153** | 163 | **227** | 190 |
| FY2022 0 going to SOAH | **221** | 135 | | |
| **Total** | **594** | 579 | **634** | 811 |

Rule: 781.304. Relationships with Clients.

Action: Proposed Amendment

Comment: The proposed amendment removes duplicative language that is currently stated in §781.310, pertaining to billing and financial relationships.

§781.304. Relationships with Clients.

(a) A social worker shall inform in writing a prospective client about the nature of the professional relationship, which can include but is not limited to office procedures, after-hours coverage, services provided, fees, and arrangements for payment.

(b) The social worker shall not give or receive a commission, rebate, or any other form of remuneration for referring clients. ~~A licensee shall not intentionally or knowingly offer to pay or agree to accept any remuneration directly or indirectly, overtly or covertly, in cash or in kind, to or from any person, firm, association of persons, partnership, corporation, or entity for securing or soliciting clients or patronage for or from any health care professional. In accordance with the provisions of the Act, §505.451, a licensee is subject to disciplinary action if the licensee directly or indirectly offers to pay or agrees to accept remuneration to or from any person for securing or soliciting a client or patronage. Payment of credentialing or other fees to insurance companies or other third party payers to be part of an approved provider list shall not be considered as a violation of this chapter.~~

(c) A social worker shall not enter into a business relationship with a client. This rule does not prohibit a professional social work relationship with a client, as described in this subchapter.

(d) A social worker shall not engage in activities that seek to primarily meet the social worker's personal needs or personal gain instead of the needs of the client.

(e) A social worker shall be responsible for setting and maintaining professional boundaries.

(f) A social worker shall keep accurate records of services to include, but not be limited to, dates of services, types of services, progress or case notes and billing information for a minimum of seven years after the date of termination of services for an adult client or five years beyond the age of 18 years of age for a minor, whichever is greater.

(g) A social worker shall bill clients or third parties for only those services actually rendered or as agreed to by mutual written understanding.

(h) A licensee shall not make any false, misleading, deceptive, fraudulent or exaggerated claim or statement about the effectiveness of the licensee's services; the licensee's qualifications, capabilities, background, training, experience, education, professional affiliations, fees, products, or publications; the type, effectiveness, qualifications, and products or services offered by an organization or agency; or the practice or field of social work.

(i) If the licensee learns that false, misleading, deceptive, fraudulent or exaggerated statements about the services, qualifications, or products have been made, the licensee shall take reasonable steps to correct the inappropriate claims, prevent their reoccurrence, and report the incident to the Council.

(j) A licensee shall provide social work intervention only in the context of a professional relationship.

(k) Electronic practice may be used judiciously as part of the social work process and the supervision process. Social workers engaging in electronic practice, providing services to clients located in the State of Texas, must be licensed in Texas and adhere to provisions of this chapter.

(l) The licensee shall not provide social work services or intervention to previous or current family members; personal friends; educational or business associates; or individuals whose welfare might be jeopardized by a dual or multiple relationship.

(m) The licensee shall not accept from or give to a client any gift with a value in excess of $25. If the licensee's employer prohibits giving or receiving gifts, the licensee shall comply with the employer's policy.

(n) The licensee or relatives to the fourth degree of consanguinity or affinity of the licensee may not intentionally borrow or lend money or items of value to clients or relatives to the fourth degree of consanguinity or affinity of clients.

(o) The licensee shall take reasonable precautions to protect individuals from physical or emotional harm resulting from interaction within individual and group settings.

(p) A licensee shall not promote the licensee's personal or business activities that are unrelated to the current professional relationship.

(q) A licensee shall set and maintain professional boundaries, avoiding dual or multiple relationships with clients. If a dual or multiple relationship develops, the social worker is responsible for ensuring the client is safe.

(r) A licensee may not enter into a non-professional relationship with a client's family member or any person having a personal or professional relationship with the client, if the licensee knows or reasonably should have known such a relationship could be detrimental to the client.

Rule: 781. 401. Qualifications for Licensure.

Action: Proposed Amendment

Comment: The proposed amendment removes the requirements that supervised experience must be obtained within five years immediately preceding the date of application for specialty recognition.

§781.401. Qualifications for Licensure.

(a) Licensure. The following education and experience is required for licensure as designated. If an applicant for a license has held a substantially equivalent license in good standing in another jurisdiction for one year immediately preceding the date of application, the applicant will be deemed to have met the experience requirement under this chapter.

(1) Licensed Clinical Social Worker (LCSW).

(A) Has been conferred a master's degree in social work from a CSWE-accredited social work program, or a doctoral degree in social work from an accredited institution of higher learning acceptable to the Council, and has documentation in the form of a university transcript of successfully completing a field placement in social work.

(B) Has had 3000 hours of supervised professional clinical experience over a period of 24 to 48 months, or its equivalent if the experience was completed in another jurisdiction. Hours accrued in non-clinical settings may be used to satisfy the requirements of this rule if the applicant works at least 4 hours per week providing clinical social work as defined in §781.102 of this title (relating to Definitions).

(C) Has had a minimum of 100 hours of supervision, over the course of the 3000 hours of supervised experience, with a Council approved supervisor. If the social worker completed supervision in another jurisdiction, the social worker shall have the supervision verified by the regulatory authority in the other jurisdiction. If such verification is impossible, the social worker may request that the Council accept alternate verification of supervision.

(D) Has passed the Clinical examination administered nationally by ASWB.

(2) Licensed Master Social Worker (LMSW).

(A) Has been conferred a master's degree in social work from a CSWE-accredited social work program, or a doctoral degree in social work from an accredited university acceptable to the Council, and has documentation in the form of a university transcript of successfully completing a field placement in social work.

(B) Has passed the Master's examination administered nationally by ASWB.

(3) Licensed Baccalaureate Social Worker (LBSW).

(A) Has been conferred a baccalaureate degree in social work from a CSWE accredited social work program.

(B) Has passed the Bachelors examination administered nationally by ASWB.

(b) Specialty Recognition. The following education and experience is required for Independent Non-clinical Practice specialty recognitions.

(1) Is currently licensed in the State of Texas as an LBSW or LMSW.

(2) While fully licensed as a social worker has had 3000 hours of supervised full-time social work experience over a minimum two-year period, but within a maximum five-year period or its equivalent if the experience was completed in another state. Supervised professional experience must comply with §781.404 of this title and all other applicable laws and rules.

(3) Has had a minimum of 100 hours of supervision, over the course of the 3000 hours of experience, with a Council-approved supervisor. ~~Supervised experience must have occurred within the 5 calendar years immediately preceding the date of application for IPR specialty recognition.~~ If supervision was completed in another jurisdiction, the social worker shall have the supervision verified by the regulatory authority in the other jurisdiction. If such verification is impossible, the social worker may request that the Council accept alternate verification.

(c) Applicants for a license must complete the Council's jurisprudence examination and submit proof of completion at the time of application.

Rule: 781.406. Required Documentation of Qualifications for Licensure.

Action: Proposed Amendment

Comment: The proposed amendment removes the requirements that supervised experience must be obtained within five years immediately preceding the date of application.

§781.406. Required Documentation of Qualifications for Licensure.

(a) Application form. An applicant for licensure must submit a completed official application form with all requested information.

(b) Education verification.

(1) The applicant's education must be documented by official college transcripts from social work educational units accredited by CSWE.

(2) Degrees for licensure as an LBSW or LMSW must be from programs accredited or in candidacy for accreditation by CSWE.

(c) Experience verification.

(1) An applicant's experience for licensure or for specialty recognition must meet the requirements of §781.401 of this title (relating to Qualifications for Licensure), §781.402 of this title (relating to Clinical Supervision for LCSW and Non-Clinical Supervision for Independent Practice Recognition), and §781.404 of this title (relating to Recognition as a Council-approved Supervisor and the Supervision Process). The applicant must document the names and addresses of supervisors; beginning and ending dates of supervision; job description; and average number of hours of social work activity per week. The applicant must further document the appropriate supervision plan and verification form for each practice location.

(2) The applicant's experience must have been in a position providing social work services, under the supervision of a qualified supervisor, with written evaluations to demonstrate satisfactory performance.

~~(3) Supervised experience must have occurred within the five calendar years immediately preceding the date of an initial or upgrade application.~~

(3)~~(4)~~ The applicant must maintain and upon request, provide to the Council documentation of employment status, pay vouchers, or supervisory evaluations.

Rule: 781.803. Severity Level and Sanction Guide.

Action: Proposed Amended Rule

Comment: This amended rule is proposed to make the rule clearer and simplifying the guide by combining levels 2 and 3 into a suspension for any amount of time. Additionally, the maximum penalty amount for each level is raised to $5000 to align with Occupations Code Section 507.352.

§781.803. Severity Levels. The following are severity levels for the schedule of sanctions.

(1) Level One--Revocation of license. These violations evidence the licensee's intentional or gross misconduct, cause or pose a high degree of harm to the public, and/or require severe punishment to deter the licensee, or other licensees. The fact that a license is ordered revoked does not necessarily mean the licensee can never regain licensure. The Council may also impose an administrative penalty of not less than $250 or more than $5,000 for each Level One violation. Each day a violation continues or occurs is a separate violation for the purpose of imposing a financial penalty.

(2) Level Two--~~Extended~~ suspension of license. These violations involve less misconduct, harm, or need for deterrence than Level One violations, but require suspension of licensure for a period of time ~~not less than one year~~. The Council may also impose an administrative penalty of not less than $250 or more than $5,000 ~~$4,000~~ for each Level Two violation. Each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty.

~~(3) Level Three--Moderate suspension of license. These violations involve less misconduct, harm, or need for deterrence than Level Two violations, but require suspension of licensure for some period of time. The Council may also impose an administrative penalty of not less than $250 or more than $3,000 for each Level Three violation. Each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty.~~

(4) Level Three ~~Four~~--Probated suspension of license. These violations do not involve enough harm, misconduct, or need for deterrence to warrant suspension of licensure, yet are severe enough to warrant monitoring of the licensee to ensure future compliance. The Council may also impose an administrative penalty of not less than $250 or more than $5,000 ~~$2,000~~ for each Level Three ~~Four~~ violation. Each day a violation continues or

occurs is a separate violation for the purpose of imposing a penalty.

(5) Level Four ~~Five~~--Reprimand. These violations involve minor misconduct not directly involving the health, safety or welfare of the particular member of the public at issue. The Council may also impose an administrative penalty of not less than $250 or more than $5,000 ~~$1,000~~ for each Level Four ~~Five~~ violation. Each day a violation continues or occurs is a separate violation for the purpose of imposing a penalty.

Rule: 781.805. Schedule of Sanctions.

Action: Proposed New Rule

Comment: This new rule has been proposed to make the schedule of sanction easier to use. Amendments to §§781.404 and 781.803 are also being proposed, so corresponding amendments to this rule have been made to align with those proposed changes. There are no additional substantive changes to the schedule being proposed.

§781.805. Schedule of Sanctions. The following standard sanctions shall apply to violations of the Act and these rules.

DISCIPLINARY ACTIONS (reported to the National Practitioner Databank)

| Rule | Level 1: Revocation (Admin Penalty: not less than $250; no more than $5,000 per day) | Level 2: Suspension (Admin Penalty: not less than $250; no more than $5,000 per day) | Level 3: Probated Suspension (Admin Penalty: not less than $250; no more than $5,000 per day) | Level 4: Reprimand (Administrative Penalty: not less than $250; no more than $5,000 per day) |
|---|---|---|---|---|
| 781.301(1) | | | X | |
| 781.301(2) | | | | X |
| 781.301(3) | | | X | |
| 781.301(5) | | | | X |
| 781.301(6) | | | | X |
| 781.301(7) | | | | X |
| 781.301(8) | | | | X |
| 781.301(9) | X | | | |
| 781.301(10) | | X | | |
| 781.301(11) | | | X | |
| 781.301(12) | | | | X |
| 781.301(13) | | | | X |
| 781.302(d), (e), and (g)-(i) | | | X | |
| 781.303(1) | | | | X |
| 781.303(2) | | | | X |
| 781.303(3) | | | | X |
| 781.303(4) | | | X | |
| 781.303(5) | X | | | |
| 781.303(6) | X | | | |

| | | | | |
|---|---|---|---|---|
| 781.303(7) | | | | X |
| 781.303(8) | | | X | |
| 781.303(9) | | | | X |
| 781.304(a) | | | | X |
| 781.304(b) | | X | | |
| 781.304(c) | | | X | |
| 781.304(d) and (p) | | | | X |
| 781.304(e), (l), and (q) | | | | X |
| 781.304(f) | | | | X |
| 781.304(g) | | | | X |
| 781.304(h) | | | | X |
| 781.304(i) | | | | X |
| 781.304(j) | | | X | |
| 781.304(m) | | | | X |
| 781.304(n) | | | X | |
| 781.304(o) | | | | X |
| 781.305(b) and (c) | X | | | |
| 781.305(g)(1)-(4) | | | X | |
| 781.306(a) and (b) | | | | X |
| 781.307(a) | | | | X |
| 781.307(b) | | | | X |
| 781.307(c) | | | X | |
| 781.308 | | X | | |
| 781.309(1) and (4) | | | | X |
| 781.309(2) | | | X | |
| 781.309(3) | | | | X |
| 781.309(5) | | | | X |
| 781.309(6) | | | | X |
| 781.310(a) and (b) | | X | | |
| 781.310(c) and (e) | | | X | |
| 781.310(d) | | | | X |
| 781.311(b) and (g) | | | | X |
| 781.311(c) and (d) | | | | X |
| 781.311(e) | | | | X |
| 781.311(f)(1-4) | | | X | |
| 781.312(b) | | | | X |
| 781.313(b) | | | | X |
| 781.316(a), (c), and (d) | | | | X |

| | | | | |
|---|---|---|---|---|
| 781.317(a) | | | | X |
| 781.317(b) | | | X | |
| 781.320(e) | | | X | |
| 781.321(d) | | | X | |
| 781.321(ff) | | | X | |
| 781.322(f) | | | X | |
| 781.322(g) | | X | | |
| 781.322(h)(1) and (2) | | | | X |
| 781.322(i) | | | X | |
| 781.404(b)(1) | | | X | |
| 781.404(b)(7) | | X | | |
| 781.404(b)(8)(A) | | | | X |
| 781.404(b)(8)(C) | | | | X |
| 781.404(b)(8)(E) and (L) | | | | X |
| 781.404(b)(8)(F) | | | | X |
| 781.404(b)(8)(H) | | | X | |
| 781.404(b)(8)(J) | | X | | |
| 781.404(b)(8)(K) | | | | X |
| 781.404(b)(8)(M) | | X | | |
| 781.404(b)(8)(N) and (O) | X | | | |
| 781.404(b)(8)(P) | | | | X |
| 781.404(b)(9)(G) | | | | X |
| 781.404(b)(10)(B) | | | X | |

Statement received from ASWB during BHEC staff meeting
with Dwight Hymans and Jennifer Henkel on March 30, 2022

The important issues to understand, discuss, and explore regarding the development of ASWB social work licensing exams in languages other than English:

**What are ASWB's plans for offering the social work licensing exams in languages other than English?**

The licensing exams are currently available only in English. ASWB is exploring making the exam available in languages other than English as part of the organization's commitment to diversity, equity, inclusion, and justice as stated in its Strategic Framework 2022–2023.

Part of this exploration must include consideration of competing priorities. It is important that clients and client systems have access to social workers who do their important work in languages other than English.

It is important to understand that offering the exams in languages other than English is much more complicated than simply translating the existing exams. Significant time and expense will be required to develop the exam in any language other than English to ensure that each version meets psychometric standards of validity, reliability, and legal defensibility. Additional time and expense is also required to develop supporting examination preparation and registration materials and hire and/or train staff to communicate with applicants in their primary language. ASWB is taking these considerations into account as it explores this question.

ASWB is translating the practice analysis, reenvisioned as the Social Work Census and aiming to survey more social workers than ever before, into French and Spanish. ASWB wants to learn more about the populations that choose those languages to participate in the census as we develop the next iteration of the social work licensing exams. We also plan to ask social workers to indicate on the survey the language they primarily use in daily practice. ASWB is asking member boards and stakeholders to spread the word about participating in the census because we want as many social workers as possible to be counted.

18. Summary of Council's Activities

A. The Council's rulemaking actions taken at its February 1, 2022 meeting:

1. Adopted rules, affecting Title 22 of the Texas Administrative Code (22 TAC), were published in the February 18, 2022 *Texas Register* and became **effective February 27, 2022**, including:
   - §781.206 *Board Minutes* with preamble, which includes reasoned justification for the rule;
   - §781.401 *Qualifications for Licensure* with preamble;
   - §781.404 *Recognition as a Council-approved Supervisor and the Supervision Process* with preamble;
   - §781.406 *Required Documentation of Qualifications for Licensure* with preamble;
   - §781.412 *Examination Requirement* with preamble;
   - §881.33 *Family Leave Pool* with preamble;
   - §882.21 *License Statuses* with preamble;
   - §882.37 *COVID-19 Vaccine Passports Prohibited* with preamble;
   - §882.60 *Special Provisions Applying to Military Service Members, Veterans and Spouses* with preamble;
   - §882.61 *Special Licensing Provisions for Military Spouses* with preamble;
   - §882.70 *Emergency Temporary License* with preamble;
   - §884.4 *Special Requirements for Complaints Alleging Violations Related to Court-ordered Therapy or Parenting Facilitator Services* with preamble; and
   - §885.1 *Executive Council Fees* with preamble.

   *Consolidated Rulebooks*, available from the Statutes and Rules webpage, were updated March 9, 2022 to include the above-listed newly adopted rules.

2. Proposed rules, affecting 22 TAC, were approved for publication. A copy of the proposed rules is in the Council's February 1, 2022 Agenda and Public Meeting Materials.pdf, available from the Council's Meeting Dates, Agendas, and Minutes webpage. Staff is working through procedures and preparing the following rules for publication in *Texas Register* with call for public comment. Staff will post notice on the Board News webpage when the proposed rules have been published, and staff will send an email message to those who subscribe to Email Updates.
   - §781.404 *Recognition as a Council-approved Supervisor and the Supervision Process*: to remove requirement for maintaining and renewing a licensee's supervisor status because similar requirements have been added to new §781.501 *Requirements for Continuing Education*.
   - §781.501 *Requirements for Continuing Education*: to consolidate all continuing education requirements into single section; to require all licensees to complete three hours of cultural diversity or competency each renewal period; to provide one hour of ethics credit to all licensees who complete the jurisprudence exam during the renewal period; to allow all licensees to claim one hour of self-study; and to increase supervisors' requirement to six hours of continuing education in supervision each renewal period.
   - §§781.508 – 781.510, and 781.514 *Hour Requirements for Continuing Education*, *Types of Acceptable Continuing Education*, *Activities Unacceptable as Continuing Education*, and *Credit Hours Granted*: to repeal provisions moved to new §781.501 *Requirements for Continuing Education*.

- §781.805 *Schedule of Sanctions*: to align with proposed changes to §781.404 *Recognition as a Council-approved Supervisor and the Supervision Process*.
- §882.2 *General Application File Requirements*: to reflect BHEC's ability to receive digitally certified self-query reports from the National Practitioner Databank (NPDB) as upload with application, forwarded by email to NPDB@bhec.texas.gov, or uploaded as a document via the Email-Us webform on the Contact Us webpage.
- §882.22 *Reinstatement of a License*: to reflect BHEC's ability to receive digitally certified self-query reports from NPDB; and to clarify that only a full license can be reinstated, and a transitory license used to obtain required experience for full licensure cannot.
- §884.20 *Disciplinary Guidelines and General Schedule of Sanctions* to correct typographical error in (a)(4).

B. Other Council updates include but may not be limited to:

1. The Council hosted "Insights Over the Lunch Hour: An Opportunity to Visit with Executive Staff" on February 28, 2022.
2. The Council's 2023-27 Strategic Planning Survey closed on February 15, 2022.
3. The Council's "Report on Customer Service for 2021" has been posted on its Forms and Publications webpage.

**From:** Association of Social Work Boards <info@aswb.org>
**Sent:** Thursday, March 31, 2022 9:30 AM
**Subject:** Update on examination performance data release initiative

Dear ASWB members,

Last November, ASWB's Board of Directors unanimously approved a motion to gather, analyze, and release examination performance data broken down by demographic group for our member jurisdictions as well as schools of social work. Since that time, ASWB staff and our consultants have been working to implement this important information-sharing initiative, and we want to provide an update on timing and next steps to our members.

As part of the Strategic Framework 2022–2023 strategy *Engage with stakeholders to educate and increase transparency around the licensing exam*, ASWB continues to work toward the goal of sharing exam performance information for the first time. The ASWB team is engaging with the trusted team at Human Resources Research Organization to gather, analyze, and report on exam pass rate data by demographic group.

We anticipate providing pass rate data to members and the public in late summer. This will include national and jurisdictional data, broken down by race/ethnicity, age, gender, and English as a second language arrangements.

Schools of social work will receive exam performance data by demographic group and by exam content area.

Because of the focus on this work, ASWB is delaying distribution of annual overall, state, and school (if requested) summary reports that members typically receive each spring. As noted above, that data will be included in the expanded report to members planned for later this year. Please contact **Tanya Carpenter** if you need information.

We believe releasing this data is an important step in the social work profession's larger discussion about diversity, equity, and inclusion. ASWB intends to use the results of the data-sharing initiative to inform our overall exam program. We remain committed to creating an annual process for releasing exam performance information. In addition, we are engaging in more research studies to better understand the preparation factors that could affect test-taker success on the exam.

Lavina Harless, MSW, LCSW
Senior Director of Examination Services

Association of Social Work Boards | 17126 Mountain Run Vista Ct., Culpeper, VA 22701

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