

**BEHAVIORAL SCIENCES REGULATORY BOARD
SOCIAL WORK ADVISORY COMMITTEE**

April 24th, 2023

DRAFT MINUTES

I. Call to Order. The meeting was called to order by Co-Chair Cynthia Schendel at 10:00am

Social Work Advisory Committee Members. Advisory Committee members present by Zoom included: Andrea Perdomo-Morales, Cynthia Schendel, Sarah Berens, Angi Heller-Workman, Jane Holzrichter, Catherine Rech, Eric Schoenecker, Mike Gillett, and Cristin Stice. Donna Hoener-Queal, Lee-Ann Gingery, Mary Gill, and Robin Unruh were absent.

BSRB Staff. Staff members present by Zoom included David Fye, Leslie Allen, and Sami Barksdale.

Guests. None

II. Agenda Approval. Jane Holzrichter moved to approve the agenda as written. Angi Heller-Workman seconded. The motion passed.

III. Minutes Approval. Cynthia Schendel moved to approve the minutes from the Advisory Committee meeting on December 20th, 2022. Sarah Berens and Eric Schoenecker seconded. The motion passed.

IV. Executive Director's Report. The Executive Director for the BSRB, reported on agency updates, activities at past BSRB Board meetings, and many legislative updates. The Executive Director provided an update on the social work multi-state compact draft language and provided a short update after attending a mid-year conference by the Association of Social Work Boards (ASWB). Advisory Committee members requested a summary of other information from the ASWB mid-year meeting. The Executive Director answered several questions from Advisory Committee members on items in legislation as well as a proviso added by the Legislature on the agency's budget for FY 2024 and FY 2025. Advisory Committee members expressed concerns regarding legislative changes to the requirements for clinical social workers and the creation of new community-based licenses in the language of HB 2340 (which has now been included in the Conference Committee Report for SB 131).

V. Old Business

A. Finalize Recommended Changes to Unprofessional Conduct Regulation K.A.R 102-2-7. Advisory Committee members previously discussed recommended changes to K.A.R. 102-2-7 and continued discussing proposed changes:

- i. K.A.R. 102-2-7(z).** Advisory Committee members discussed whether the timeframe regarding sexual advances should remain 24 months or to adopt another standard. Advisory Committee members expressed support for prohibiting sexual contact within 24 months, but to add language that if sexual contact occurred after that point, it would be the responsibility of the practitioner to demonstrate that the former client was not being exploited, coerced, or manipulated intentionally or unintentionally. Cynthia Schendel noted she would

work on draft language for this item with the Executive Director and provide it to the members of the Advisory Committee for the next meeting.

ii. **New Items Concerning Social Media.** The Executive Director noted a previous Professional Counseling Advisory Committee had considered three possible recommendations related to social media and the Social Work Advisory Committee had requested to revisit those potential recommendations.

1. **Social Media #1.** By consensus, the Advisory Committee recommended adding new language: *“practicing inappropriate boundaries with clients with regards to use of social media, including but not limited to, using a personal profile to connect or communicate with clients on any social media platform.”*
2. **Social Media #2.** By consensus, the Advisory Committee recommended adding the following language: *“Disclosing confidential information through social media.”*
3. **Social Media #3.** By consensus, the Advisory Committee recommended adding the following language: *“If engaged in distance-counseling, failing to fulfill these requirements: (A) informing the client of risks and benefits of distance counseling; (B) disclosing the possibility of technology failure and providing alternative methods of service; (C) detailing emergency procedures to follow when the counsel is unavailable; and (D) taking appropriate steps to encrypt or ensure the security of confidential client information or any activity which protects confidential client information from risk of privacy breach.”*

iii. **Other Items.** The Advisory Committees discussed other possible unprofessional conduct language concerning text messaging, but no recommendations were reached. The Advisory Committee agreed to revisit this topic at a future meeting.

B. Discussion on Possible Regulation for Care of Clients in Crisis. Due to time constraints, the Advisory Committee will revisit this topic at a future meeting.

VI. New Business

A. Discussion on Changes to Clinical Training Plans in K.A.R. 102-2-8. The Executive Director noted the Board recently discussed what items would constitute a change necessary to be reported when making amendments to approved clinical training plans. Advisory Committee members were asked to consider what changes should be explicitly added to regulation to increase clarity on this matter. Also, Advisory Committee members were asked to review the language that failure to submit an amendment with the change within 45 days of making the change will mean that hours accrued after that time will not be counted and whether an alternative should be recommended in place of that process.

B. Review of Continuing Education Regulations. The Executive Director noted that K.A.R. 102-2-4a (Continuing Education) and K.A.R. 102-2-5 (Documentation for Continuing Education) should be reviewed by Advisory Committee members prior to the next meeting, with members ready to discuss any updates or other modifications to the regulations.

C. Discussion on Meetings for 2023. Due to the number of items on the Advisory Committee's agenda and the number of recent developments, the Executive Director suggested the next Advisory Committee meeting last three hours. The Advisory Committee members agreed.

VII. Next Meeting: Monday, June 19th, 2023, from 9am until 12pm (noon).

VIII. Adjournment Andrea Perdomo-Morales moved to adjourn meeting. Mike Gillett seconded. The motion passed.

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