

NASW News



Fall/Winter 2012

Membership Matters!

NASW Malpractice Insurance has Changed: What You Need to Know

American Professional Agency (APA) is no longer authorized or endorsed to administer the NASW-endorsed Member Professional Liability Program.

NASW Assurance Services (NASW ASI) recently unveiled an enhanced Professional Liability Insurance Program. This is the only program endorsed by NASW, and it offers many new and attractive benefits for NASW members:

- Significant new discounts: 5% for applying online or by phone and 10% for attending a CEU risk management training that is sponsored by NASW ASI and NASW.
- Access to insurance licensed customer services representatives at CPH and Associates, our new NASW-endorsed program administrator. CPH offers expanded hours of operation, including convenient evening and Saturday hours.
- State-of-the-art website services equipped to handle individual quotes, online enrollment, and real-time certificate of insurance downloads.
- The "A" rated financial stability and backing from Lloyd's, London. With more than 300 years of experience, Lloyd's, London has grown to become the world's specialist insurance market in 200 nations, with an unparalleled reputation in the industry.
- Access to knowledgeable legal counsel on a Risk Management Helpline.
- Expanded policy limits, benefits, and coverage for you, at very competitive group rates.
- Coverage features that are uniquely appropriate for social work practitioners, such as subpoena coverage and student practicum coverage.
- \$35,000 Licensing Board Defense Coverage automatically included, increased from \$5,000.
- Free, retroactive coverage dating back to the initiation of your current NASW claims-made policy upon acceptance - all of the above program benefits and enhancements are included, and more.

Perhaps most importantly, **only members enrolled in our NASW-endorsed Professional Liability Program are protected by a dedicated advocacy team working on your behalf.** No other liability insurance program has the oversight provided by NASW ASI, NASW's wholly-owned subsidiary. NASW ASI serves as your program manager, working with experienced partners like CPH and Associates and Lloyd's, London to provide you with the best product and service offerings possible. For more than 40 years, we have managed professional liability insurance for NASW members.

The new program will better serve NASW members by:

- Controlling the administrative costs to keep your premiums low.
- Customizing benefits to stay current with the needs of our profession.
- Advocating on your behalf if you're unfairly denied access to coverage or renewal.
- Managing the insurance partnership and making sure your voice is represented.

This is insurance by and for social workers. Instead of working on behalf of corporate shareholders, NASW ASI works to serve you and the social work community.

CPH and Associates is now NASW's new Professional Liability Program administrator. They'll provide NASW members with excellent customer service and will handle your policy application, coverage continuation, and administrative services. With over 25 years of experience, CPH specializes in providing liability insurance customer service for social workers and mental health professionals.

American Professional Agency (APA) is no longer authorized or endorsed to administer the NASW-endorsed Member Professional Liability Program.

You may have received letters from our old insurance administrator, American Professional Agency (APA), concerning our enhanced professional liability program. We are sure you have some questions and concerns.

Please refer to the next page for answers to your questions about the letter sent to policyholders from our former insurance administrator, American Professional Agency, Inc.



APA may try to contact you about renewing with their program. Please be advised that their program **is not supported by NASW**, nor is any other professional liability insurance company program. If you renew through APA, we will no longer be able to advocate on your behalf and keep your premium costs low. Additionally, the enhanced benefits described above are only available through our NASW-endorsed program with Lloyd's, London backing, and administered by CPH and Associates.

Whether you are ready to continue your liability coverage with NASW's improved and enhanced Program or you're interested in enrolling in this outstanding liability coverage for the first time, you can take advantage of the new discounts and have confidence that NASW ASI and its capable Program partners will make the process incredibly easy.

For up-to-the moment information about the enhanced NASW members-only Professional Liability Program, to apply or continue NASW-endorsed coverage, or to obtain answers to frequently asked questions, please visit www.naswassurance.org or call NASW Member Services at 800-742-4089 (M - F, 9:00 am - 9:00 pm EST).

ANSWERS TO YOUR QUESTIONS ABOUT NASW'S LIABILITY INSURANCE PROGRAM

1. I have received TWO letters from American Professional Agency (APA) that have me confused and concerned. How can a NASW member make a decision about the right professional liability insurance policy?

Our purpose is to represent social work values and that includes advocating for NASW members with professional liability insurance. Here's the proof: our enhanced NASW-endorsed program is now less expensive, has considerably more benefits, and is easier to obtain.

Insurance companies like American Home Assurance (a subsidiary of AIG) and insurance agents such as APA focus primarily on creating profits for corporate shareholders and their owners.

2. Why is NASW making changes to its program after so many years?

The NASW Insurance Trust, which became NASW Assurance Services, faithfully and effectively managed its partner companies across all of its insurance programs for over 40 years, including, eventually, the NASW professional liability insurance (PLI) program.

Then, in 2008, we established the NASW Insurance Company to ensure better control of the liability insurance program and to expand advocacy for insured members. This also helped us understand where expenses could be reduced and benefits could be added and expanded.

In 2009, AIG, through which the professional liability insurance was provided to our members, came very close to bankruptcy – saved only by a ***\$184 billion federal government bailout***. Concerned about the security of the program, NASW Assurance Services reviewed the program and decided that major improvements could be made to benefit NASW members. And that's exactly what NASW Assurance Services did when it developed the enhanced NASW-endorsed program.

3. Does NASW Assurance Services have enough experience in managing insurance programs?

Yes, NASW Assurance Services has substantial experience in managing insurance programs, and has been managing the professional liability insurance program's partners, including APA, for many years. In addition to professional liability, we manage auto, home, life, disability, and accident insurance programs.

We made major improvements to the PLI program including a reduced premium for part-time practice, offering tail coverage at no cost to retired members, advocating for members whose coverage was dropped, and taking out unnecessary questions from applications, to name a few.

NASW Assurance Services is a licensed insurance agency for casualty, life, property, variable life and variable annuity insurance products, and it employs licensed insurance professionals.

NASW Assurance Services' new program partners also bring a wealth of experience:

-CPH and Associates, our new program administrator, has over 25 years of experience and specializes in serving social workers and mental health professionals.

-Lloyd's, London, with over 300 years of experience, provides financial backing to assure the program's financial stability.

-Western Litigation, a litigation and risk management company, provides legal defense, claims management, and our Risk Management Helpline.

For more information call 855-385-2160 or www.assurance.org/pli/professionals

ANSWERS TO YOUR QUESTIONS ABOUT NASW'S LIABILITY INSURANCE PROGRAM

4. What is the NASW RRG? Is it subject to government regulation?

A Risk Retention Group (RRG) is a liability insurance company *owned by its members* – so it doesn't need to cater to the needs of Wall Street investors. It is *not* self-insurance.

The NASW RRG *is* subject to government regulation; it is an insurance company authorized by federal law. The NASW RRG meets all of the regulatory requirements of insurance regulators, just like any other insurance company. The NASW RRG is registered in all 50 states.

RRGs have been in place for over 25 years and were authorized by an act of Congress. In fact, there are hundreds of RRGs providing liability coverage to doctors, lawyers, educators, and other professionals.

5. Does the NASW RRG have sufficient assets to pay potential claims?

Yes, the NASW RRG was required to have sufficient capital before it could be authorized to write insurance by the regulators that oversee it. These requirements apply to all insurance companies, not just the ones that APA represents.

The NASW RRG is also extensively reinsured by Lloyd's, London, known worldwide for its excellence in insurance and rated "A" for its financial security and stability, with assets in excess of \$123 billion

6. Should I be concerned that the NASW RRG isn't protected by state guarantee funds?

No, there is no need for concern. Because the NASW RRG is a federally authorized program, it is exempt from state guarantee funds. The program sets aside all of the necessary monies to pay all potential future claims and has capital above and beyond those requirements.

NASW RRG also has strong, stable backing from Lloyd's, London, known for its 324-year track record of paying every valid policyholder claim. Lloyd's, London is bound by contract to this program.

Even when insurance policies are covered by state guarantee funds, policyholders who find themselves under those limited guarantees wouldn't necessarily be made whole if their insurance company failed. **States have per-policyholder caps on state guarantee funds.** So the backing of Lloyd's, London is very important since its ability to pay claims extends beyond the state guarantee funds.

7. Why did NASW and NASW Assurance Services choose a Risk Retention Group (RRG) for its liability insurance?

The RRG allows us to be transparent to insured members. The governing board is made up of social workers who will ensure that costs are reasonable and benefits continually address the unique needs of the social work profession. They will also make sure that you are treated fairly.

The RRG doesn't invest in risky ventures which caused some major insurance companies such as AIG to get into financial trouble.

While our competition focuses on creating profits that they keep, our program pays expenses and then invests in initiatives that benefit NASW members and advance the profession.

8. Why is NASW Assurance Services no longer working with APA?

At 20%, APA's annual commission was already higher than the average industry commission. Earlier this year, APA requested a 50% increase in its commission – to 30% – which would have meant commissions of \$4,700,000. Then, APA suddenly terminated its relationship with NASW Assurance Services in order to offer the program on its own, without any oversight by NASW Assurance Services.

ANSWERS TO YOUR QUESTIONS ABOUT NASW'S LIABILITY INSURANCE PROGRAM

By comparison, the new program administrator, CPH and Associates, will receive a commission of about one-half of what APA was getting to administer the program. This will save the program over a million dollars, resulting in better benefits and premium savings.

CPH and Associates also offers NASW members greatly improved customer service, with personal service from knowledgeable, insurance licensed representatives, as well as a state-of-the-art, 24-hour online system, and expanded service hours including several weeknights and Saturdays.

Why should NASW members pay so much more for less service and fewer benefits?

9. What about the amount that NASW Assurance Services received from APA?

NASW Assurance Services did not receive *any* underwriting profit from APA. It received an allowance of \$389,353 from APA, which it used solely for promoting the program and educating NASW members about it.

In contrast, APA received 20% every year in commissions directly from the insurance company AIG – more than \$3,100,000 last year alone. And, APA didn't pay out any claims or premium taxes from this amount.

10. Did APA have anything to do with the stability of prices in the Professional Liability Insurance program?

We believe the major reasons NASW members haven't seen an increase in their premiums for 16 years are NASW Assurance Services' advocacy on their behalf and its management of the program's partners.

Need an example? Simply compare the NASW program with *other* APA-administered programs that don't benefit from NASW Assurance Services' oversight. The annual premium for APA's first year policy for mental health counselors is \$96. Contrast that with a \$67 premium for the NASW program – a difference of over 40% for the same level of claims-made coverage (\$1 million/\$3 million).

Additionally, NASW's knowledge of social work, combined with NASW Assurance Services' risk management expertise, provides one-of-a-kind expert education to help members identify the reasons for malpractice and provide management tools to avoid it.

11. Why does the APA program have fewer exclusions than the NASW-endorsed program?

For every benefit provided in a professional liability insurance program, there is also a limit or exclusion. Because our NASW-endorsed program now has more new benefits, we also have a corresponding number of new exclusions.

APA's program has fewer exclusions because it has fewer benefits to begin with.

NASW Assurance Services built the enhanced NASW-Endorsed Professional Liability Insurance Program on the foundation of the previous PLI program, but made it much better by adding new benefits, improved customer service, more discounts, and reduced premium costs. In the meantime, you can find a wealth of program information on the NASW Assurance Services' website (www.assurance.org/pli/professionals). Or, you can talk to a licensed insurance agent who can address your specific situation and provide you with more details by calling 855-385-2160.

For more information call 855-385-2160 or www.assurance.org/pli/professionals

TOM MULDER LUNCH AND LECTURE

The second annual Tom Mulder Memorial Lunch and Lecture, sponsored by NASW Utah Chapter, was held at the College of Social Work at the University of Utah on October 5th. This year's workshop, facilitated by Yvonne Paul, MSW and Bri Blanchard from the Utah Pride Center focused on advocacy that impacts LGBTQ youth. The workshop emphasized the LGBTQ experience for youth and conditions that enhance mental health outcomes.



The Tom Mulder Memorial Lecture Series is an annual workshop and networking lunch focusing on LGBTQ-related issues. The lecture provides three approved continuing education units, and is a free service to our members.

The workshop included a screening of the short film, *Becoming Me*, which focuses on gender non-conforming youth and their families, and the process of transitional understanding, love and advocacy.

The workshop also provided an overview of findings from the Family Acceptance Project, the risks faced by LGBTQ youth and how the accepting behaviors of families drastically reduce risks and improve overall well-being of LGBTQ youth.

The workshop concluded with a summary of various institutions including faith based, home and school settings and child welfare systems where advocacy and education are paramount to enhancing youth outcomes.

The Tom Mulder Memorial Lunch and Lecture is a free workshop and networking opportunity for NASW members.

NASW would like to thank the following individuals for their support of this year's Tom Mulder Memorial Lunch and Lecture:

Don Austin, LCSW and Brett Clifford
Diane Bernard, PhD, MSW, MA
Elise Hutchings, ACSW, LCSW
Gary K. Clark
Anna G. Larson, SSW
NASW staff and volunteers

All donations to the Tom Mulder Memorial Fund are tax deductible.

The Tom Mulder Memorial Fund was established in honor of Utah artist, Tom Mulder (1938-2008). In addition to being an accomplished artist, Mr. Mulder was a generous humanitarian committed to promoting awareness, acceptance and tolerance. This fund was created by NASW, Utah Chapter through the NASW Foundation in 2011 to increase the accessibility of educational events that increase understanding and awareness of LGBT-related issues.



FREE TRIAL PREMIUM LISTING for NASW MEMBERS

HelpPro has developed a social work finder in conjunction with NASW

Free Three-Month Trial Premium Listing in the HelpPRO Therapist Finder and the National Social Worker Finder for members of the National Association of Social Workers who are new to HelpPRO. No credit card is required.

Go to <http://www.helppro.com/NASW.aspx> and list your practice. At the end, on the payment page, **type the letters "NASW" into the promotion code box** and click on the APPLY button to get your free trial.

Interested but no time to list? call 800-652-0155.
For more information, go to <http://www.helppro.com/>

Utah Chapter Snapshot: what's happening in the Utah Chapter

International Visit

NASW's executive director, Emily Bleyl met with and presented to an international delegation from Russia, visiting Utah as guests of the U.S. government, to examine successful transitions from the child welfare system. The meeting was facilitated by the Utah Council for Citizen Diplomacy through a partnership with the U.S. State Department to promote global understanding and respect.

Mentorship Program

NASW is continuing to recruit for its newly created mentorship program. We need more recruits!! The mentorship program will pair an early career social worker with a more experienced social workers with similar professional interests. If you are interested in participating as a mentor or a mentee, please fill out and send us the application form, which is available on our website www.utnasw.org

Partnerships

NASW has developed a partnership with ESI Management, hosts of the *Critical Issues Facing Children and Adolescents* and *Generations* conferences. This fall, NASW hosted the ethics track at the Critical Issues Facing Children and Adolescents conference, last spring NASW hosted an ethics track and lunch for NASW members at *Generations*. Our partnership benefits NASW members! NASW members who registered for the FULL Critical Issues conference and are eligible for a 10% discount on the *Generations* conference being held in spring 2013. If you are a member of NASW (and were a member at the time you registered for the Critical Issues conference) you should have received a discount card. If you did not, please contact the NASW office.

Scholarship and Award Recipients

The *Elise Kasteler Hutchings NASW Annual Award* was given to graduating MSW student Jenna Christensen, at the Spring Awards Banquet. The *Elise Kasteler Hutchings Scholarship for Leadership in NASW* was awarded to Melissa Meeks, a second year MSW Student. This award and scholarship recognize outstanding social work students at the University of Utah who demonstrate academic aptitude, innovation and leadership in NASW at its intersection with social work practice. Both the scholarship and award were established by longtime NASW member, current NASW president, NASW Pioneer® and University of Utah Alumnae, Elise Hutchings, LCSW, ACSW.

Keeping Kids Safe Campaign Endorsement

The NASW Board of Directors recently endorsed the Keeping Kids Safe Campaign and Report. The campaign consolidates research that captures the systemic intersections of the considerations for LGBTQ youth in our child welfare system, homeless youth and youth who are most vulnerable for suicide attempts; and makes specific recommendations to strengthen the child welfare system and build capacity for providers of intersecting agencies. For a copy of the report contact Yvonne Paul at the Utah Pride Center keepingkidssafe@utahpridecenter.org.

Remote Therapy Legislation

NASW is currently working with several other mental health professional associations, the Division of Substance Abuse and Mental Health and the Division of Occupational and Professional Licensing (DOPL) to develop regulatory language regarding telemental health practice in Utah. The proposal will include regulatory language for electronically mediated mental health practice as well as electronically mediated supervision for CSW's. The proposal is being drafted in bill form under the sponsorship of Representative Ronda Rudd Menlove and will be considered during the next legislative session.

-

Mirean Coleman, LICSW, CT

Clinical social workers should prepare for three major practice changes which will significantly impact the way in which clinical social workers practice and seek reimbursement for mental health services they perform. Occurring in 2013, the changes are in the areas of coding, diagnosing, and measurement and include the following:

- **The psychiatric Current Procedural Terminology (CPT) codes are expected to change January 1, 2013.** Clinical social workers use CPT codes to identify services/procedures performed when seeking reimbursement. Changes will include replacement of the current outpatient individual, interactive, and residential care CPT psychotherapy codes. As information is disseminated about the new codes, NASW will inform its members of the new codes, and develop training and technical assistance to assist its members in adapting to the new coding changes.

The Centers for Medicare and Medicaid Services (CMS) has announced the Physician Quality Reporting System (PQRS) will subject clinical social workers and other health care professionals who are Medicare providers to a 1.5 percent penalty fee in 2015 if they do not use measures when performing services to Medicare patients during the year of 2013. PQRS is a program promoting the reporting of measures to determine quality services. To avoid this penalty in 2015, clinical social workers must begin using clinical measures developed by PQRS in 2013. A list of measures and instructions on how to use measures with Medicare patients is available online at the PQRS Web site at the following link: <http://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/PQRS/index.html?redirect=/pqrs>

- **The fifth edition of the Diagnostic Statistical Manual of Mental Health Disorders (DSM-5) is expected to be released in May 2013.** The DSM is a classification of mental health disorders com-

monly used by clinical social workers when conducting a diagnostic assessment. Clinical social workers may find changes which include new, deleted, or expanded diagnostic criteria and coding for mental health diagnoses. NASW will provide additional information about the DSM-5 as it becomes available and assist members in transitioning to the DSM-5 through trainings and technical assistance.

The 2013 transition from the International Classification of Diseases, 9th Edition, Clinical Modification (ICD-9th-CM) to the International Classification of Diseases, 10th Edition, Clinical Modification (ICD-10th-CM), has been delayed until October 2014 to allow the health care industry additional time to prepare for it. The ICD is a set of codes used to identify and report medical diagnoses. Clinical social workers should also begin preparing for this major change.

Preparation

Preparation for coding, diagnosing, and measurement changes include the following:

- Updating electronic systems, billing statements, and other forms
- Communicating with third-party payers about their specific requirements regarding these changes
- Enrolling in training to become familiar with the new changes and how to implement them in practice.

NASW has provided advocacy for its members in the development of changes in CPT psychiatric coding, measure development for clinical social workers in the PQRS and DSM-5. As stated above, NASW will be available to provide technical assistance to members as these changes are implemented.

Additional information about the 2013 changes is available online at the DSM-5 Web site: <http://www.dsm5.org/Pages/Default.aspx>, and the American Medical Association Web site at: <http://www.ama-assn.org/ama/pub/physician-resources/solutions-managing-your-practice/coding-billing-insurance/cpt/cpt-changes-workshops.page>. Information about the 2014 transition to the ICD-10-CM is available online at <http://www.cms.gov/Medicare/Coding/ICD10/>

Upcoming NASW CEU's Near You

Free for NASW Members!

The Utah Chapter is divided geographically into five branches. If you have questions about which branch you belong to, contact our office at (801) 583-8855. Meetings offer free continuing education credits for members, and are held in each branch on a regular basis.

Northern Branch: Contains everything north of Salt Lake County
Please check our website for updates.

Salt Lake Branch: Composed of the Salt Lake Valley |
Meetings are held at the Department of Human Services
1385 South State Street Salt Lake City

December 14th: 11 AM-1PM Military Sexual Trauma: Research & Practice Issues, Breeze Hannaford, LCSW

Utah County/Central Utah Branch: Contains the middle section of the state-- Utah County to the north, Vernal to the east, and Richfield to the south
Meetings are held the 3rd Wednesday of each month, 10:00 AM-12:00 PM
Utah County Courthouse, 3rd Floor Ballroom,
51 S. University Ave. Provo

November: THIS WORKSHOP IS FULL

December: No meeting scheduled. Happy Holidays

January: Trauma Re-enactment in Couples and Across Generations Gray Otis, PhD, LCPC

February: Conscious Breathing Techniques and Meditation Becky Johnson

March: Neuroscience and Trauma Diana Hoffman LCPC

April: Play Therapy John Burr, LCSW

Cedar City Branch: Beaver area to just below Cedar City
Meetings are held the 3rd Tuesday of each month, 11:30 -1:00
Location: Garden House Restaurant
164 S. 100 W.
Cedar City

St. George Branch: South of Cedar City to St. George
Dixie State College School of Nursing
Russell Taylor Health Svcs. Bldg
1526 Medical Center Drive, Room 158 St. George

December 5, 2012

11:30 AM-1:00 PM

Topic: Meaning Making with Patients--The Role of Chaplaincy in Spiritual Care

NASW Members can also access these FREE online/homestudy ceu's:

- Three credit ethics online course
www.utnasw.org
- NASW Lunchtime Series
www.socialworkers.org
- Treating the Invisible Wounds of War online trainings
www.utnasw.org

CEU Requirements for Licensed Social Workers in Utah

The next licensing cycle runs October 1, 2012-September 30, 2014

SSW's: 20 ceu's every two years; 10 of the 20 ceu's can be online or homestudy

CSW's: NO CEU REQUIREMENT

LCSW's: 40 ceu's every two years; 15 of the 40 ceu's can be online or homestudy

-Ten ceu's can be carried over to the next licensing cycle.

-Both SSW's and LCSW's must have three ceu's in ethics.

Other CEU Options

By visiting www.utnasw.org, you can:

-Check out all NASW approved workshops across Utah Click on **Continuing Education >> Upcoming NASW Approved Workshops**.

-Access our online courses —we offer a free for NASW members 3 ceu ethics online course and military related courses through our partnership with Army OneSource. Earn up to 11 free ceu's!

-Get the latest on our Tom Mulder Memorial Lecture Series. A free 3 ceu lecture for members hosted by NASW in the Fall. If you missed our October 5th lunch and lecture, join us next fall!

-NASW hosts both a Fall and Spring Professional Education Series. Discounts for NASW members.



Social Work Policy Institute *The Social Work Policy Institute examines issues that relate to the work of social workers, including how to serve people who have multiple or complex needs and how public agencies and other structures deliver health and human services.*

SWPI Convenes First Critical Conversation – Social Work in Health and Behavioral Health Care: Visioning The Future This period of change and uncertainty in health and behavioral care service delivery is an opportune time to highlight the essential and varied roles that social workers play in achieving better health outcomes and improved psychosocial well-being for individuals, families and communities. *Social Work in Health and Behavioral Health Care: Visioning the Future* brought together representatives from federal agencies, foundations, national organizations, service providers, front-line practice, research and education to further articulate a vision for social work in the increasingly complex health and behavioral health care service delivery arena and to make recommendations to achieve this vision.

Social Work Child Welfare Congressional Fellow Selected Social worker Freny Dessai was selected from among a competitive group of applicants for the newly created Social Work Child Welfare Congressional Fellowship, administered through the NASW Foundation's Social Work Policy Institute. Dessai's fellowship is with the Senate Finance Committee and she will be working with Diedra Henry-Spires, professional staff member on Senate Finance, whose portfolio includes child welfare programs funded through the Social Security Act — those services funded through Title IV-B and Title IV-E of the Social Security Act — along with issues such as unemployment insurance and Temporary Assistance to Needy Families. Dessai earned her MSW at the University of California, Berkeley, and worked for Alameda County Social Services as a child welfare worker in the Permanent Youth Connections Unit. <http://www.socialworkpolicy.org/>

Common Ethics FAQ's

Q: I am an SSW, do I need to complete continuing education?

A: Yes, In Utah, SSW's must complete 20 hours every two years. SSW's can take up to 10 online or homestudy ceu's.

Q: Do I need to complete an ethics course? How often?

A: Yes, in Utah, both SSW's and LCSW's must complete 3 ceu's in ethics every two years.

Q: I am a CSW, do I need to complete continuing education?

A: No, since a CSW is considered a temporary transitional license, a CSW is not required to complete continuing education.

Q: Can I roll credits from one licensing cycle to the next?

A: Yes, you can roll up to ten credits into the next licensing cycle.

Q: Can I hire a supervisor?

A: No, Utah law explicitly prohibits hiring of a supervisor UNLESS the supervisor is being paid by your employer.

Q: Can I engage in supervision via video-conference?

A: Currently, you must participate in "face to face" supervision with a supervisor. This means that supervision cannot be electronically mediated and must be face to face. However, the law is under review and may change in the next year.

Q: I am a therapist working with a minor client. Can I provide a custody/visitation recommendation?

A: No, in Utah, it is considered unprofessional conduct to provide both the therapy and a custody recommendation for a minor client.

Q. An attorney serves a psychotherapist with a subpoena to appear at a deposition and produce the records of a client. Is the therapist required to release such records to the attorney?

A. No. A therapist cannot release records to an attorney without a release from the client. A subpoena is an order to appear in court, it does not constitute permission to release confidential information. You may need to claim privilege on behalf of your client and block the subpoena until there is an order by the court (judicial order) regarding the legal requirement to provide information. Even if a formal, signed judicial order (not a subpoena from an attorney) is produced, social workers should request that the court limit the order as narrowly as possible and maintain the records under seal, unavailable for public inspection.

Q. How long are therapists required to keep client records?

A. The short answer is ten years for an adult client and five years past the age of majority (18 years in Utah) for a minor child. However, NASW does recommend that at a minimum, a summary of treatment should be retained indefinitely.

Record Storage. Every social worker shall keep and store client records in a secure place and in a manner that both assures that only authorized persons have access to the records and protects the confidentiality of the client.

Record Disposal. Every social worker shall dispose of client records in a manner or by a process that destroys or obliterates all client identifying data.

Q: How are client records protected in the event of a social worker's death?

A: It is considered best practice for social workers to prepare a will that includes a plan for disposition or transfer of clients records. This will can provide for an executor or trustee who will maintain record for a certain amount of time.

Q: How many supervisees can a supervisor supervise?

A: A supervisor may supervise up to three CSW's. However, the restriction only applies to CSW's not SSW's or students, so an LCSW could technically supervise up to 3 CSW's, 1 SSW and a student.

NASW ethics consultation is an NASW member benefit. Please feel free to call us at 801-583-8855

NASW, Utah Chapter is deeply saddened by the passing of our long time friend and member, Jay Harker. Jay was a devoted social worker and educator and served in various capacities on the NASW board of directors, including Professional Standards Chair. He was patient, kind, knowledgeable and helpful to fellow social workers, colleagues and students. NASW, Utah Chapter staff and board of directors would like to extend our deepest condolences to Jay's family.

NASW, Utah Chapter
University of Utah College of Social Work
395 South 1500 East
Salt Lake City, Utah 84112

Non-Profit Organization U.S. Postage
PAID
Permit No. 291
Salt Lake City, UT



National Association of Social Workers, Utah Chapter

National Association of Social Workers
Utah Chapter

University of Utah College of Social Work
395 South 1500 East
Salt Lake City, Utah 84112

Phone: 801.583.8855
Fax: 801-583-6218
naswemail@yahoo.com

Membership Matters!

We're on the web!

www.utnasw.org

FACEBOOK/NATIONAL
ASSOCIATION OF SOCIAL
WORKERS, UTAH CHAPTER

NASW Staff and Board of Directors

2012-2013 Board of Directors

Elise Hutchings, ACSW, LCSW
Pat Berckman, LCSW
Kimball Weaver, LCSW
Jenna Christensen, MSW
Jesse Ellis, CSW
Don Austin, LCSW
Nancy Card, LCSW
Jania Sommers, LCSW
Marilee Vanwagenen, LCSW
Don Garner, JD, LCSW
Rosemary Niedzwicki, LCSW
Melissa Meeks
Brett Bartruff
Laurny McKay
Jeff Scott/Brett Dustin
Felicia Bainbridge

President
Vice President
Treasurer
Secretary
Professional Standards Chair
National Delegate
Northern Utah Representative
Salt Lake Representative
Utah County Representative
Cedar City Representative
St. George Representative
Statewide MSW Representative/UU
Statewide BSW Representative/WSU
UU BSW Representative
UU MSW Representative
BYU MSW Representative

Chapter Staff

Emily Bleyl, LCSW Executive Director
Bethany Gull Communications Director
Fred Barton, EA Controller
Rod Julander, PhD Lobbyist