

Idaho Board of Social Work Examiners

Board/Commission Members:

- Robert Payne, LCSW, Hailey - Chair
- Dr. Donna Lynn Hatch, PhD, LCSW, Twin Falls
- Dr. Eleanor P. Downey, PhD, LMSW, Lewiston
- Dr. Joan M. Cloonan, PhD, JD, Garden City – Public Member
- Lynnet R. Keeley, LSW, Coeur d'Alene
- Virginia K. Dickman, LSWI, Meridian

Board/Commission Composition: The Board consists of six (6) members: three (3) master social workers; two (2) social workers; and one (1) public member. Board members serve a term of five (5) years. [Idaho Code § 54-3203](#).

Operating costs per licensee: \$77.43. This number represents the dollar amount required annually to serve each applicant or licensee based on the average number of licensees and the average expenditures since 2014. This includes all administrative, fiscal, legal and investigative services.

Total number of licensees in Idaho on May 19, 2018: **3,991**.

For the Idaho Board of Social Work Examiners, the **shortest time** from complete application to issuing a license was **same day**. The **longest time** from complete application to issuing a license was **20 days**. Of all licenses, **91.8 percent** were issued the same day. **Average time** from complete application to issuing a license was **0.4 days**. The Board issued **449 licenses** between May 19, 2017 and May 19, 2018; of those, **86** were licensed by endorsement (already licensed in another jurisdiction).

Note: All Board meetings are subject to Idaho's Open Meeting Law. The law requires a minimum of five (5) calendar days' notice for regular meetings, and a forty-eight (48) hour notice for the agenda. Special meetings require twenty-four (24) hour meeting and agenda notice. [Idaho Code § 74-204](#).

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A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

		Statute Title 54, Chapter 32	Rule IDAPA 24.14.01	*Policy	Application	Basis to Deny Issuance or Renewal	Fees
Social Worker	Issuance for Initial License	I.C. § 54-3206	24.14.01.075 24.14.01.200	*	Application Professional Experience Reference	I.C. § 54-3211 I.C. § 67-2614	Application Fee: \$70 Endorsement Fee: \$90
	Renewal Requirements	I.C. § 54-3209	21.14.01.351	*		I.C. § 54-3211	Renewal: \$80 Reinstatement current year: \$35
Social Worker - Independent	Issuance for Initial License	I.C. § 54-3206 I.C. § 54-3207	21.14.01.075 21.14.01.200 21.14.01.210.02	*	Application	I.C. § 54-3211	Application Fee: \$70 Endorsement Fee: \$90
	Renewal Requirements	I.C. § 54-3209	21.14.01.351	*		I.C. § 54-3211	Renewal: \$80 Reinstatement Fee current year: \$35

**All of the Board's requirements for licensure and renewal are in statute or rule. The Board does not have any requirements in policy.*

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		Statute Title 54, Chapter 32	Rule IDAPA 24.14.01	<i>*Policy</i>	Application	Basis to Deny Issuance or Renewal	Fees
Master Social Worker	Issuance for Initial License	I.C. § 54-3206	24.14.01.075 24.14.01.200	*	Application Professional Experience Reference	I.C. § 54-3211	Application Fee: \$70 Endorsement Fee: \$90
	Renewal Requirements	I.C. § 54-3209	21.14.01.351	*		I.C. § 54-3211	Renewal: \$80 Reinstatement Fee current year: \$35
Master Social Worker - Independent	Issuance for Initial License	I.C. § 54-3206 I.C. § 54-3207	21.14.01.075 21.14.01.200 21.14.01.210.02	*	Application	I.C. § 54-3211	Application Fee: \$70 Endorsement Fee: \$90
	Renewal Requirements	I.C. § 54-3209	21.14.01.351	*		I.C. § 54-3211	Renewal: \$80 Reinstatement current year: \$35

**All of the Board's requirements for licensure and renewal are in statute or rule. The Board does not have any requirements in policy.*

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		Statute Title 54, Chapter 32	Rule IDAPA 24.14.01	*Policy	Application	Basis to Deny Issuance or Renewal	Fees
Clinical Social Worker	Issuance for Initial License	I.C. § 54-3206	24.14.01.075 24.14.01.200	*	Application Professional Experience Reference Licensed Master Social Worker qualified for Licensed Clinical Social Worker: Application	I.C. § 54-3211	Application Fee: \$90 Endorsement Fee: \$90 Certification Fee: \$10
	Renewal Requirements	I.C. § 54-3209	21.14.01.351	*		I.C. § 54-3211	Renewal: \$90 Reinstatement current year: \$35
Inactive Licenses	Issuance for Inactive Licenses	I.C. § 54-3209 I.C. § 54-3204	24.14.01.225	*		I.C. § 54-3211	Inactive License: \$40; \$45

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B. Applications and Renewals Denied, May 19, 2017-May 19, 2018

Refusal to Issue Initial License [Total Number: 6]

	Statutory Basis	Summary of Factual Basis
1	Idaho Code § 54-3206(3)	Applicant failed to meet the educational qualification required for licensure.
2	Idaho Code § 54-3206(3)	Applicant failed to meet the educational qualification required for licensure.
3	Idaho Code § 54-3206(3)	Applicant failed to meet the educational qualification required for licensure.
4	Idaho Code § 54-3206(3)	Applicant failed to meet the educational qualification required for licensure.
5	Idaho Code § 54-3206(3)	Applicant failed to meet the educational qualification required for licensure.
6	Idaho Code § 54-3206(3)	Applicant failed to meet the educational qualification required for licensure.

Refusal to Renew License [Total Number: 0]

	Statutory Basis	Summary of Factual Basis
	None	

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C. Disciplinary Actions for the Past Five (5) Years**

The Idaho Board of Social Work Examiners received **311 complaints** from Fiscal Year 2013 through May 19, 2018. During this time frame, **171 complaints were closed** by the Board with no disciplinary action; **90 resulted in disciplinary action**; **9 were pending legal review**; **38 remained under investigation**; and **3 were pending Board review**.

***The detail provided below is only for disciplinary action closed between May 19, 2017 and May 19, 2018. Cases are not always closed within the same fiscal year they are opened, and sometimes multiple complaints are included in one disciplinary action. The Board's full [disciplinary action](#) information is available online.*

Case No	Date of Final Action	Action Taken	Statutory Basis	Summary of Factual Basis
SWO-2016-8	1/23/2018	Consent Order	I.C. §§ 54-3211(3), (4) and (8)	Respondent represented herself and acted as a licensed social worker while her license was suspended.
SWO-2016-17	10/24/2017	Final Order	I.C. §§ 54-3211(1) and (6) ; IDAPA 24.14.01.450.01.e, f, g and h ; .450.02.b and j ; and .450.05	Respondent engaged in behavior that posed a risk of exploiting clients and negatively compromising receipt of available services and potential harm to the clients. Respondent also was also criminally charged in three separate instances.
SWO-2017-11	7/25/2017	Consent Order	I.C. §§ 54-3211(3) and (6) , and IDAPA 24.14.01.450.01.b	Respondent willfully submitted misleading billings on two clients.
SWO-2017-15	7/25/2017	Consent Order	I.C. §§ 54-3211(1) and (6) ; and IDAPA 24.14.01.450.01.g, c, and d	Respondent obtained pain medications from clients; provided social work services to clients while impaired by drugs and failed to keep appointments; improperly stole money from a client from a joint bank account; and was charged with and pled guilty to two DUIs and reckless driving.

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Case No	Date of Final Action	Action Taken	Statutory Basis	Summary of Factual Basis
SWO-2017-17	7/25/2-17	Consent Order	I.C. §§ 54-3211(1) and (6) ; IDAPA 24.14.01.450.01.i ; .450.02.b ; and .450.05	Respondent had sexual relations with an inmate from the prison where she worked. Respondent pled guilty to a misdemeanor count of battery.
SWO-2017-18	2/21/2018	Final Order	I.C. § 54-3211(7)	Respondent was disciplined by the State of Arizona.
SWO-2017-19	10/24/2017	Consent Order	I.C. §§ 54-3211(5), (6) and (9) ; and 54-3214(1) and (2) ; IDAPA 24.14.01.450.01.g and h ; and .450.05	Respondent practiced social work on an expired license; failed to document boundaries and appropriate use of text messages with clients; and admitted to taking a trip, sharing motel rooms, once sharing a bed, and engaging in friendly kissing with a client.
SWO-2017-20	1/23/2018	Consent Order	I.C. § 54-3211(6) and IDAPA 24.14.01.450.01.h	Respondent engaged in an intimate sexual relationship with a woman he was supervising for her practicum.
SWO-2018-1	4/24/2018	Consent Order	I.C. §§ 54-3211(3) and (5) and 54-3214	Respondent continued to practice social work while her license was expired on three different occasions, and Respondent failed to disclose a misdemeanor conviction for filing a false 911 report.
SWO-2018-4	4/24/2018	Final Order	I.C. § 54-3211(1)	Respondent was convicted of felony possession of a financial transaction card.
SWO-2018-13	1/23/2018	Settlement Order	I.C. § 54-3204 ; IDAPA 24.14.01.351.01.j ;	Respondent failed to document continuing education required for renewal.
SWO-2018-18	4/24/2018	Settlement Order	I.C. § 54-3204 ; IDAPA 24.14.01.351.01.j .	Respondent failed to document continuing education required for renewal.
SWO-2018-19	4/24/2018	Final Order	I.C. § 54-3211(6) and 24.14.01.450.01.i .	Respondent had a romantic relationship with a client.
SWO-2018-21	4/24/2018	Settlement Order	I.C. § 54-3204 ; IDAPA 24.14.01.351.01.j .	Respondent failed to document continuing education required for renewal.

D. Changes or Attempted Changes in Last Five (5) Years to Eliminate Barriers to Entry

Law and Rule

Session	Legislation or Rule	Summary
2013	Docket 24.1401.1201	<p>These rule changes accomplished the following while still ensuring public protection:</p> <ol style="list-style-type: none"> 1. Candidates for examination who can satisfy the Board that they will be graduating at the end of the spring, summer or fall terms of any given year, may qualify for examination immediately preceding the date of graduation. 2. Allows applicants moving to Idaho from other states (jurisdictions) to use supervision hours accumulated in other states (jurisdictions) toward meeting requirements in Idaho. 3. In response to concerns from licensees and supervisors, the Board clarified practice and supervision qualifications and eliminated unnecessary and confusing language. 4. It also provided a benefit to licensees by allowing the Board to extend the timeframe to obtain supervised work experience beyond five (5) years, which allows more people to get licensed as a clinical social worker. <p>Impact: This change accelerates employability by as much as a month. It allows applicants to take the exam prior to graduation. Upon passage of the exam and receipt of transcripts, the applicant will be issued a license. In addition it clarified the rules regarding supervision and reduced the time and cost for an applicant to get licensed as a clinical social worker.</p>
2014	Docket 24.1401.1301	<p>This rule change allowed experience obtained in another state (jurisdiction) to qualify for supervisor registration, which permitted social workers moving to Idaho from other states to immediately qualify as a supervisor.</p> <p>Impact: This eliminated a barrier for employers and employees. Prior to this change, individuals hired from out of state could not supervise unless they had experience in Idaho.</p>

Law and Rule (continued)

Session	Legislation or Rule	Summary
2014	House Bill 355	<p>This bill allowed the Board of Social Work Examiners to establish by rule the standards and requirements for the use of communication and technology in the practice of social work. The Board worked with the Board of Counselors and Marriage and Family Therapists, and the Board of Psychologist Examiners on the issue of Telehealth.</p> <p>Impact: The work of these Boards was later folded into the Council convened pursuant to House Concurrent Resolution 46, which passed during the 2015 Legislative Session. That Council proposed, and the Legislature passed, the Idaho Telehealth Access Act.</p>
2015	Docket 24.1401.1401	<p>The State Board of Social Work Examiners operates on dedicated funds from fees paid by its licensees and applicants. In response to complaints from the public, the Board’s expenses had been exceeding its revenues. As a result the Board increased fees as follows:</p> <ol style="list-style-type: none"> 1. Initial application fee from \$60 to \$70. 2. Endorsement fee from \$60 to \$90. 3. Annual Renewal fee for Clinical Social Worker from \$70 to \$90. 4. Annual renewal fee for Social Worker and Masters Social Worker from \$60 to \$80. 5. Annual renewal fee for Inactive Clinical Social Worker from \$35 to \$45. 6. Annual renewal fee for Inactive Social Worker and Inactive Masters Social Worker from \$30 to \$40. <p>Impact: This change helps balance the Board’s annual budget while maintaining the services necessary to protect the health and safety of the public.</p>

Additional Barriers Eliminated/Opportunities Provided

Date	Barriers/ Opportunities	Summary
2017	Implemented Idaho Code for military service and added it to the Board's website	<p>The Board added to its website the following laws for military/veterans/spouses:</p> <p>I.C. § 67-2620 The Board may accept military training and experience toward qualification for licensure. The law states that professional and occupational licensing boards may accept military education, training, and experience toward meeting the qualifications for a license, certification or registration. Boards may also expedite applications, including military spouse applications.</p> <p>I.C. § 67-2602A If a licensee already holds an active Idaho license and is on active duty in the United States Armed Forces, that license will remain in good standing without the necessity of renewal up to six (6) months following discharge from active duty. The license will not be cancelled, suspended or revoked.</p>
2015	I.C. § 67-2614	<p>Set the reinstatement fee to \$35 and eliminated the requirement that, in addition to the reinstatement fee, the licensee had to include payment of the license fees for all of the years the license had been expired. It also clarified the continuing education required to reinstate.</p> <p>Impact: Those whose licenses expired within the last five (5) years had to pay licensure fees for each year they were expired. Anyone whose license had been expired for more than five (5) years would have to apply as a new applicant. This law change reduced barriers to reentry in two ways. For those whose licenses have been expired for less than five (5) years, it eliminated the requirement to pay licensure fees for each year the license was expired. For those whose licenses have been expired for more than five (5) years, it allows the Board to consider education, supervised practice, examination or practice in another jurisdiction in determining the person's competency.</p>

Additional Barriers Eliminated/Opportunities Provided (Continued)

Date	Barrier/ Opportunity	Summary
2005	Expanded opportunity for supervision Docket 24-1401-0401	<p>The Idaho Board of Social Work Examiners allows other mental health professionals to provide supervision for the hours needed by social worker licensees seeking a clinical social work license. Fifty (50) percent of the required supervision may be acquired through a supervisor from a mental health professional other than a clinical social worker.</p> <p>Impact: Allows more opportunities to acquire the supervision necessary to obtain licensure. This was particularly important for rural applicants where other professions could provide qualifying supervision.</p>
2002	Portability House Bill 406	<p>Idaho updated its licensure act to include portions of national model laws and rules that it felt were appropriate for Idaho. Since that time the Board has continued to update its laws and rules in response to changes in the national standards related to ensuring applicants are minimally qualified before issuing a license.</p> <p>Impact: Adopting sections of the model laws and rules from the Association of Social Work Boards (ASWB) facilitates mobility into the State of Idaho as well as for Idahoans who wish to become licensed in another state. The Board further protects the public by creating well-understood expectations and an efficient pathway to licensure in Idaho.</p>
Ongoing		<p>The Board continually:</p> <ol style="list-style-type: none"> 1. Reviews and revises its forms and processes to ensure they are easily understandable for applicants and licensees in order to minimize delays. 2. Updates its Frequently Asked Questions (FAQ) page. 3. Participates at a national level to work on facilitating mobility and portability.
Ongoing	Examination of uniformity in sanctions	The Board is working with the Board of Counselors and Marriage and Family Therapists, and the Board of Psychologist Examiners to examine uniformity in sanctions.

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E. Assessment of Public Interest

The preeminent responsibility of the Board of Social Work Examiners is to ensure the health, safety, and welfare of the public, and to verify that those who are licensed as professional social workers meet the minimum qualifications. The public expects qualified, competent social workers who recognize that the profession assists individuals, groups, families, organizations and communities to enhance and restore their capacity for functioning in society. This includes responding to complaints about licensees.

The purpose of the social work profession is to improve the well-being of all people and assist them in acquiring the necessary resources to fully participate in society. The practice of the profession is helping individuals, groups, families and communities enhance or restore their capacity for functioning in society. The professional social worker is interacting with people who are often the most vulnerable among us.

Some examples of adults and children seeking social work services include: victims of violence; those with health care needs; end-of-life care; people with disabilities; individuals with mental illness; the elderly in need of protection; individuals and families involved in the juvenile and adult justice system; children in foster care; and families seeking to adopt. As part of its charge of protecting the public, the Board responds to complaints such as exploitation of vulnerable clients, not maintaining professional boundaries, and failing to use established and recognized best practices. The Board ensures that licensed social workers maintain current training and education, without which, the consequences may lead to serious harm or even death.

The Board recognizes the increasing demand for social workers by employers in the State of Idaho. The Board has worked with the Association of Social Work Boards to remove barriers that limit portability of licenses. Idaho's perspective in this process was ensured by the participation of the Board's public member, Dr. Joan Cloonan, on the ASWB National Portability Taskforce. Based on this work, state Boards will be proposing rules to assist with portability. (See Section F, Recommendations 1 and 3)

F. Recommendations for Improvement, Modification, or Elimination of Requirements

Recommendation 1: Examine law and rule changes regarding endorsement, and propose changes such as the following:

- Allow applicants the opportunity to use the Association of Social Work Board's registry as a primary source for required documents (license from another state, transcripts) to enhance mobility.
- Provide a pathway for applicants who have been actively practicing in another state (jurisdiction) but were not required to take the national exam at the time of initial licensure.
- Change the licensee designation that Idaho uses (LSW) to a uniform national designation (LBSW) to assist with portability.

Recommendation 2: Explore creating online tools to assist with the application process.

Recommendation 3: Assess the need for a provisional license to facilitate mobility.

Recommendation 4: Continue the evaluation of laws, rules and processes begun by this Executive Order that maintain public protection but do not impose unnecessary barriers to licensure.

Summary of Objectives

The Licensing Freedom Act asked that all of Idaho's professional licensing entities critically look at their processes, laws and rules. The goal is to document the elimination of barriers and make recommendations for future changes that improve, modify or eliminate laws and rules governing professional licensure. In response, the Idaho Board of Social Work Examiners respectfully submits the above report and summarizes with a checklist to ensure all of the objectives were met:

- ✓ Objectives of Executive Order
 - ✓ Protect the public. (*I.C. [§ 54-3201](#)*)
 - ✓ Portability of licensure. (*Endorsement I.C. [§ 54-3208](#)*)
 - ✓ Eliminate barriers to entry to work. (*Docket [24.1401.1201](#) reduces time and cost for licensees to get-to-work; [House Bill 406](#), passed in 2002, expands portability).*)
 - ✓ Do away with unnecessary regulation. (*Docket [24-1401-0401](#) eliminated restrictions by allowing those with experience in other states (jurisdictions) to qualify for supervisor registration).*)
 - ✓ Modernize licensure and regulatory requirements. (*[House Bill 406](#) accomplished modernization through updating language allowing licensees ease of portability by adopting language consistent with Association of Social Work Boards (ASWB), conforming to national standards).*)
- ✓ Comprehensive Review - consider some of the issues raised in the background material, such as,
 - ✓ Telework – Idaho recently passed laws related to telehealth but other occupations may be facing similar issues regarding telework. (*[Title 54, Chapter 57](#)*)
 - ✓ Distance/Online Learning/Testing – distance/online education and testing are increasingly available and may influence the resources that applicants or licensees can access to obtain education, continuing education or to test. (*[IDAPA 351](#) allows for Continuing Education and clinical supervisor training.*)
 - ✓ Criminal History – What barriers or additional obstacles do applicants/licensees face who have a criminal conviction? Do our laws consider the relevance or proximity in time of a conviction to the individuals applying for licensure or for those currently in practice? (*I.C. [§ 54-3211](#)*)
 - ✓ Early Examination – Applicants may take the exam before graduation to ensure the shortest time possible between graduation and getting to work. (*[IDAPA 350.04](#)*)
 - ✓ CE Hardship – Is there an allowance for extenuating circumstances? (*Waiver, [IDAPA 24.1401.351.01.a](#)*)

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- ✓ Temporary Permits – Are there opportunities to work while minimum requirements are being met? (*Early examination IDAPA [24.1401.350.01](#)*)