

## 56 N.J.R. 603(a)

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### RULE ADOPTIONS

#### Reporter

56 N.J.R. 603(a)

*NJ - New Jersey Register > 2024 > APRIL > APRIL 15, 2024 > RULE ADOPTIONS > LAW AND PUBLIC SAFETY -- DIVISION OF CONSUMER AFFAIRS*

#### Agency

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LAW AND PUBLIC SAFETY > DIVISION OF CONSUMER AFFAIRS > STATE BOARD OF SOCIAL WORK EXAMINERS

#### Administrative Code Citation

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Adopted Amendments: N.J.A.C. 13:44G-6.3, 6.4, and 6.7

#### Text

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**Content Areas for Continuing Education Credit; Sources of Continuing Education Credits and Credit-Hour Calculations; Board Recognition of Continuing Education Approval Entities**

Proposed: June 5, 2023, at 55 N.J.R. 1140(a).

Adopted: December 13, 2023, by the State Board of Social Work Examiners, Maureen Braun Scalera, MSW, LCSW, Chair.

Filed: March 20, 2024, as R.2024 d.034, **without change**.

Authority: N.J.S.A. 45:15BB-11.

Effective Date: April 15, 2024.

Expiration Date: June 13, 2029.

**Summary** of Public Comments and Agency Responses:

The official comment period ended August 4, 2023. The Board of Social Work Examiners (Board) received comments from the following individuals:

1. Douglas Behan, DSW, LCSW, Director of Continuing Education, Associate Professor of Professional Practice, School of Social Work Rutgers, The State University of New Jersey
2. Danya Sharp, LCSW
3. Shirley Tung, LCSW
4. Janet R. Faust, Ph.D., LCSW
5. Scott Giacomucci, DSW, LCSW, BCD, CGP, FAAETS, TEP, Director, Founder & Owner of Phoenix Center for Experiential Trauma Therapy
6. Alisa Kamis-Brinda, LCSW, LCADC, Owner of Serenity Solutions, LLC
7. Jonathan Lebolt, Ph.D., LCSW, Faculty at Center for the Study of Psychotherapy & Psychoanalysis of New Jersey
8. Casey McCollum, MSW, LCSW
9. Paul D. Kreisinger, LCSW, LLC
10. Meg Costa, Masters Student Intern
11. Sarah Aleman, MSW, LCSW, Director of Behavioral Health at Zufall Health
12. Ned G. Hanover, LCSW
13. Ann Fink, Ph.D., LSW
14. Alex Thompson, LCSW
15. Sharon Levine, Senior Director of Governmental Affairs and Communications at the Arc of New Jersey
16. Dr. Israel Martinez, LCSW, Certified Sex Therapist, Published Author, Lecturer
17. Amy Sadeghi
18. Jeff Feldman, MSW, LSW, Director of Advocacy & Communications at the New Jersey Chapter of National Association of Social Workers
19. Susan Saunders, LCSW
20. Francis Regis Bulman, MSW, LCSW
21. Laura Romero, LCSW

22. Jacob Pirogovsky, LSW

1. COMMENT: The vast majority of the commenters support the amendments at N.J.A.C. 13:44G-6.3, 6.4, and 6.7. They support increasing the number and scope of continuing education credits recognized by the amendments. The commenters believe that the amendments are in keeping with continuing education requirements in other states. Many of the commenters contend that the proposed amendments will reduce the cost of satisfying the continuing education requirements and allow licensees to complete continuing education that is relevant to their areas of practice.

RESPONSE: The Board thanks the commenters for their support.

2. COMMENT: A commenter recommends that the Board permit licensees to take continuing education courses approved by the New York Board of Social Work Examiners and other state boards.

RESPONSE: N.J.A.C. 13:44G-6.4(c)13 permits licensees to take continuing education courses approved by boards that license social work practice in other states. This would include courses approved by the New York Board of Social Work Examiners.

3. COMMENT: N.J.A.C. 13:44G-6.4 recognizes programs or courses approved by boards that license social workers in other states for continuing education credit in New Jersey. Two commenters recommend that this rule be amended so that, if a provider of continuing education is approved by another state board, any program or course offered by that provider would be recognized by the Board. One of the commenters points out that Pennsylvania approves providers of continuing education.

RESPONSE: The Board believes that the only entities that should be recognized to approve providers of continuing education courses are those that are specifically focused on social work practice and that have standards for such approval that the Board is confident are focused on social work practices. The Board does not have sufficient familiarity with all of the providers approved by other state boards, and while it is confident that courses approved by state boards that regulate social work practice are sufficiently focused on social work, there are no guarantees that all courses offered by those providers are sufficiently focused on social work practices. The Board will not amend N.J.A.C. 13:44G-6.4, as the commenters requested.

4. COMMENT: A commenter contends that four years ago, the Board recognized clinical courses that are no longer recognized for continuing education credits. The commenter points to Emotionally

Focused Therapy, EMDR training, and Gottman Couples training as courses that used to be recognized.

RESPONSE: The Board is not aware of any changes that occurred four years ago regarding the recognition of clinical courses. If a course meets the requirements at N.J.A.C. 13:44G-6.3 and 6.4, a licensee or certificant may complete those courses in order to satisfy continuing education requirements.

5. COMMENT: A commenter is concerned with the proposed amendments at N.J.A.C. 13:44G-6.4(c)7. The previous version of this regulation recognized continuing education programs offered at a regionally accredited institution. The amended version recognizes programs offered at academic institutions accredited by a regional accrediting body recognized by the United States Department of Education, Office of Postsecondary Education. The commenter contends that the amended regulation does not recognize non-profit organizations that are regionally accredited and provide education in specialized areas.

RESPONSE: The Board has never considered non-profit organizations to be accredited institutions that could offer continuing education programs, pursuant to N.J.A.C. 13:44G-6.4(c)7. The proposed amendments to the rule did not change this standard and the Board will continue to consider academic institutions as the only type of accredited [page=604] institution capable of satisfying the requirements to provide continuing education programs, pursuant to N.J.A.C. 13:44G-6.4(c)7.

6. COMMENT: A commenter is concerned that the proposed amendments at N.J.A.C. 13:44G-6.4(c)7 are overly broad and will recognize courses that are not focused on a clearly defined social work mission and expertise. The commenter is concerned that the amended regulation will allow any non-social work accredited academic institution, such as a geology department or engineering school, to provide social work continuing education courses. The commenter recommends that N.J.A.C. 13:44G-6.4(c)7 be amended to require that an academic institution be accredited, or in candidacy for accreditation, by the Council on Social Work Education (CSWE).

RESPONSE: A continuing education course will only be acceptable pursuant to N.J.A.C. 13:44G-6.4(c)7, if it meets the requirements at N.J.A.C. 13:44G-6.3, which requires that a program or course be directly related to social work practice. A course or program does not have to be provided by an institution accredited by the CSWE, but the course or program cannot be unrelated to social work.

7. COMMENT: A commenter asks if the proposed amendments at N.J.A.C. 13:44G-6.4(c) mean that only the Association of Social Work Boards

(ASWB), National Association of Social Workers (NASW), and state chapters of NASW can approve providers of continuing education. The commenter points out that any other entity recognized pursuant to N.J.A.C. 13:44G-6.4(c) may only approve individual courses or programs. The commenter supports retaining this distinction, particularly with regard to N.J.A.C. 13:44G-6.4(c)13 and 14, which recognize programs or courses approved by boards that license social work practice in other states and programs or courses related to the practice of social work that are recognized or approved by other New Jersey mental health licensing boards.

RESPONSE: The commenter is correct, the only entities the Board presently recognizes as able to approve continuing education providers are the ASWB, NASW, and state chapters of NASW.

8. COMMENT: A commenter points out that existing N.J.A.C. 13:44G-6.7 establishes that a Board-recognized continuing education approval entity may only approve individual programs and courses and not providers. The commenter recommends that N.J.A.C. 13:44G-6.7 be amended so that such approval entities may approve not only individual programs, but also other providers of courses and programs. The commenter points out that the proposed amendments at N.J.A.C. 13:44G-6.4(c)2 and 4 allow the ASWB, NASW, and state chapters of the NASW to approve continuing education providers.

RESPONSE: As discussed in the Response to Comment 7, the Board believes that the only entities that should be recognized to approve providers of continuing education courses are those that are specifically focused on social work practice and that have standards for such approval that the Board is confident are focused on social work practice (for example, NASW, ASWB, and state chapters of the NASW). The Board is not confident that other approval entities will have the oversight of providers to ensure that the courses offered by those providers are sufficiently focused on social work practices and will not amend N.J.A.C. 13:44G-6.7, as the commenter recommends.

#### **Federal Standards Statement**

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the adopted amendments.

**Full text** of the adoption follows:

SUBCHAPTER 6. CONTINUING EDUCATION

13:44G-6.3 Content areas for continuing education credit

(a)-(c) (No change.)

13:44G-6.4 Sources of continuing education credits and credit-hour calculations

(a)-(b) (No change.)

(c) As of November 19, 2012, a licensee or certificate holder may obtain continuing education hours only from the following sources:

1. (No change.)

2. Attendance at programs or courses offered by providers approved by the Association of Social Work Boards (ASWB): one credit for each hour of attendance;

3. Attendance at programs or courses offered by the National Association of Social Workers (NASW) or state chapters of the NASW: one credit for each hour of attendance;

4. Attendance at programs or courses offered by providers approved by the National Association of Social Workers (NASW) or state chapters of the NASW: one credit for each hour of attendance;

Recodify existing 3.-4. as 5.-6. (No change in text.)

7. Attendance at continuing education programs offered by an academic institution accredited by a regional accrediting body recognized by the United States Department of Education, Office of Postsecondary Education: one credit for each hour of attendance;

Recodify existing 6.-16. as 8.-18. (No change in text.)

(d) Continuing education programs, courses, coursework, or training recognized at (c) above shall meet the requirements at N.J.A.C. 13:44G-6.2 and 6.3.

13:44G-6.7 Board recognition of continuing education approval entities

(a) An entity that wishes to obtain Board recognition as an entity that may approve continuing education courses shall submit the approval entity applicant fee set forth at N.J.A.C. 13:44G-4.1(a)16i and apply to the Board for such recognition, in writing, indicating that it:

1.-9. (No change.)

10. Maintains records as to continuing education course approvals and denials;

11. Responds to applications for continuing education course approval within 90 days of receipt of a request; and

12. Issues approvals for continuing education courses that are effective only for the biennial licensure renewal period during which the approvals are issued.

(b) Board recognition shall be valid for two years, except for the first Board recognition issued to an entity, which shall be valid until the end of the biennial licensure renewal period during which it is issued. An entity shall reapply for Board recognition by submitting the information required pursuant to (a) above by February 1 of every even numbered year.

(c)-(d) (No change.)

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