



# *Ohio Counselor, Social Worker & Marriage and Family Therapist Board*

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## **Budget Testimony before the House Finance Subcommittee on Health and Human Services**

**February 15, 2023**

Chairwoman Carruthers, Ranking Member Liston, and Members of the House Finance Subcommittee on Health and Human Services I am Brian Carnahan, Executive Director of the Counselor, Social Worker, and Marriage and Family Therapist Board.

Thank you on behalf of the Counselor, Social Worker, and Marriage and Family Therapist Board (CSWMFT Board) for providing me with the opportunity to provide testimony and address any questions you may have.

### **Overview of Board:**

The CSWMFT Board responsible for protecting the citizens of the State of Ohio from unqualified and incompetent Counselors, Social Workers and Marriage and Family Therapists. The Board accomplishes this mission through a 15-member board composed of licensed professionals and public members. The Board Member establish the requirements for minimal competency for entry into three separate but related licensed professions numbering over 40,000 licensees and registrants. Licensees of this Board are an important part of the systems that deliver social services and behavioral healthcare to Ohioans. Board licensees are working in a broad range of settings including schools, hospitals, nursing homes, mental health agencies, and private practice settings.

CSWMFT establishes and enforces practice standards and codes of conduct. The Board has the statutory authority to grant licenses and registrations; it oversees the administration of professional examinations through vendor partners. To ensure appropriate continuing competence, the Board pre-approves continuing education programs and providers necessary for meeting continuing education requirements. The Board investigates violations of the laws and rules governing the practice of Counseling, Social Work, and Marriage and Family Therapy. If a licensee or registrant

is found to have violated the laws and rules, appropriate action is taken by the Board to address the violation and ensure the public is protected.

A staff of fourteen full time employees supports the Board. All staff provide customer service. Inquiries involving ethics questions and requests for application and renewal assistance remain high. Tools such as the Board website and communicating through social media have been helpful, but do not address enough of the requests for assistance. Inquiries have been driven by growth in the professions licensed, out of state applications, the increasing complexity of the issues faced by licensees, and an evolving set of expectations regarding the speed and extent of customer service. These situations can involve significant staff time to navigate.

In FY 22 and FY 23 the Board accomplished the following:

- Adopted rule changes in March 2022. Flexibility was added regarding sources of continuing education.
- In June 2022, changes to the teletherapy and Marriage and Family Therapist supervision rules went into effect. The changes included making permanent flexibility in the application of the teletherapy rule, as well as an option for MFTs to earn hours of supervision under an LISW-S or LPCC-S.
- Worked with stakeholders on a statutory change to allow for an extension of Trainee status for Trainees who have graduated but not yet passed the exam.
- Updated eLicense so that social work exam approvals could be automated. Uploads of the exam results was also automated.
- Responded to a SB 255 review of the Board by the General Assembly.
- Staff transitioned the Board ethics training to a free, online webinar. Moving this training online ensures all licensees have access to ethics training from the Board.
- Added an extensive Ethics FAQ page to the Board's website.
- Reduced submissions by limiting the requirement for out of state licensees to provide a license verification from their "home state" board. CSWMFT staff conduct an online license look up.
- Revised the Board's new Board Member training to ensure new Board Members are prepared to fully engage in their responsibilities as Board Members.
- Staff continued to develop their skills through trainings in investigative interview techniques and sexual violations, as well as Lean Camo belt training.

The Board is focusing on the following goals, many of which will continue into the next biennium:

- Reviewing the process for submitting supervision hours for independent licensure applications, including revisions to the instructions and changes to eLicense.
- Adding more automation to the process of issuing license verifications.
- Serving on the Counselor Compact Commission and assisting with the startup of the Compact.
- Monitoring the drafting of the Social Work Compact.
- Reviewing the Board's continuing education approval process.
- Identifying additional changes to license applications to decrease processing time and reduce costs for applicants.
- Increasing the number of persons trained by the Board via online courses. The Board would like to build on the success of its ethics training by developing courses regarding supervision and licensure renewal.

### **Complaints and Licensure Changes**

Complaints have grown in recent years. We think the online complaint form available as part of the eLicense system has expanded access to the complaint process, largely driving the growth in complaints. In FY 23 we are on track to open 600 cases resulting from over 980 complaints. Not all complaints result in a case as the Board may not have authority to investigate or the complaint may be about a professional licensed by another Board. Complaints and resulting cases in FY 2018 through FY 2022 have increased annually, as shown below:

- 2022: 928/544
- 2021: 730/446
- 2020: 685/476
- 2019: 653/472

The Board is committed to thoroughly reviewing and investigating all complaints, while also working closely with licensees and stakeholders to ensure they have the necessary knowledge and training to avoid violating the laws and rules. The Board has exhausted technology related solutions. Investigations require a trained investigator. Owing to the increase in complaints, the Board's proposed budget includes funds to hire one additional investigator.

Over the next biennium, the Board expects to adapt to and excel in the changing environment of licensure. The Counseling Compact was signed into law in June 2022. The compact will enable

persons licensed in a Compact state to obtain Compact privileges in other Compact states. The Board expects to invest in eLicense changes to accommodate the Compact. In addition, staff resources will be used to establish the Compact and communicate with Ohio and out of state licensees.

During the summer of 2022 the first draft of a Social Work Compact was released. Given the support for compacts in Ohio, we would anticipate joining this compact. Like the Counseling Compact, this will involve an investment of staff and Board Member time as well as enhancements to eLicense.

Recently passed the reciprocity legislation will likely increase applications from persons seeking to provide services in Ohio. The Board is already experiencing an increase in out of state applications, with out of state applications increasing from 8.7% of persons licensed in CY 2019 to projected 16% in CY 2022. This suggests a strong demand for licenses by out of state professionals.

In addition to enhancements to eLicense, the licensure related challenges described above may, in the near future, require the Board to hire additional staff depending on the increase in volume of new applications, renewals, and service requests. Additionally, the Board would like to explore other IT options that could help respond to customer service requests while giving staff time to process applications and complete investigations.

**Recommended Budget:**

In the 2024-2025 biennium, the Board's proposed budget reflects projected increases in costs related to personnel, IT, and other operating charges. Costs associated with the eLicense system also continue to increase. The Board supports alternative funding models, for example, funding eLicense from the Occupational Licensing Fund. This solution would assist with ongoing maintenance costs. To limit increased spending the Board will continue to use Teams for investigative meetings to reduce travel costs and limit other discretionary spending, which is already a small percentage of the Board's expenditures, when possible.

The Board's revenues result from licensing and renewal fees; revenue is sufficient to cover operating costs. The Board does not receive any general revenue funds.

The proposed budget recommends funding of \$1,967,897 in fiscal year 2024 and funding of \$2,039,897 in fiscal year 2025. The proposed funding for this biennium will allow the Board to continue its critical public protection work. As noted earlier in my testimony, the Board continues to experience a heavy caseload of complaints, some of which can be complicated to investigate, requiring significant staff and Board Member time. Additionally, customer service demands are quite significant.

The proposed budget bill includes a proposed change to Ohio Revised Code 4757.03 to remove the requirement that the Board include two Licensed Social Workers (LSW), and instead require that at least one person was, at the time of initial appointment, an LSW. The requirement for two LSWs on the Board made sense when the Board was first established. However, with the growth of the profession, it is a barrier to the recruitment of Board members and limits options for selecting investigative liaisons from the Board.

Thank you for the opportunity to provide testimony. I look forward to addressing your questions regarding the Board's critical public protection role.