In November 2015, ASWB’s Delegate Assembly approved a bylaws change increasing the size of the Board of Directors and the Nominating Committee. One year later, the first 11-member Board was elected and sworn in at the end of the 2016 annual meeting in San Diego, California. To prepare for and ease the adjustment, the 2016 Board spent time during a retreat last August to identify and articulate Board culture. At its first meeting, the 2017 Board engaged in team-building exercises, including a “speed-dating” dinner, which allowed members to get to know one another.

From January 27 to 29, all Board members attended the Federation of Associations of Regulatory Boards (FARB) Forum for training and development, followed by a half-day ASWB Board orientation. Discussions focused on our collective views of leadership and governance, our legal roles and responsibilities to the association, a review of finances, and discussion about ASWB’s Foundation. ASWB CEO Mary Jo Monahan effectively led the group in an activity to clarify the fiduciary, strategic, and governance perspectives Board members will employ to conduct Board business.

Our most difficult task was scheduled at the end of two long days. The new Board was challenged to work collaboratively to plan goals and objectives for this year, which will serve as the basis for the Board’s self-evaluation in November. The process was intended to engage everyone and share ownership in the product. To remind Board members that our work will provide the foundation for progress we will realize in November, I presented a packet of seeds and a watering can magnet to each Board member. All were encouraged to use their tools and the KEY mnemonic (Keep Educating Yourself) learned during the FARB Forum in their role as leaders of the association.

One goal for the Board is to approve presidential appointments to committees and task forces, which took place at the January Board meeting. Board members provide support by serving as liaisons, offering a governance perspective to assist committees and task forces accomplish their charges. Board members are also serving in leadership roles on a number of task forces this year, including the Mobility Task Force and the Membership Structure Task Force, which are discussed here because of their importance to membership.


**Mobility Task Force**

The Mobility Task Force tops the priority list, as the Board, operations staff, and our members are being asked to view every effort through the lens of mobility. The task force’s agenda this year is to formulate a plan that will be voted on at the 2017 Annual Meeting of the Delegate Assembly for implementation in 2018. Dorinda Noble and I will continue as co-chairs. Kim Madsen of California has accepted an appointment to join the task force. Other members who were appointed in previous years continue to serve. ASWB staff include CEO Mary Jo Monahan; Jennifer Henkel, director of member services; Dave Ryczko, member services senior manager; and Jill Armm, executive services coordinator. Dale Atkinson, ASWB’s legal counsel, serves as a consultant to the task force.

**Membership Structure Task Force**

Another very important task force established this year is the Membership Structure Task Force, which is charged with the following:

- Review past reports on this topic
- Survey other organizations for their best practices
- Survey current member board members

Director at Large Richard Silver of Québec was appointed chair. Task force members include Janice James of Kentucky, President-Elect Tim Brown of Texas, Director at Large Robert Payne of Idaho, and Treasurer Mel Harrington of South Dakota. Chief Operating Officer Dwight Hymans will serve as staff to the task force. Their purpose is to review the current ASWB membership structure, including dues/fees, levels of membership, and benefits to members. Members will work collaboratively using electronic meetings and face to face meetings when possible. They will bring a progress report to the November 16, 2017, meeting of the Board of Directors. It was reported at the Delegate Assembly that a Board decision to reduce membership dues was postponed until the work of this task force is completed.

**A busy year ahead**

This is going to be a very busy year for the association, and all are encouraged to Be Ready. I can confirm, after working with the members, that the new Board IS Ready!
Keeping the exams valid, reliable, and defensible

The Exam Development department may be a staff of only three, but with support from ASWB volunteers, they accomplish quite a lot.

The ASWB examination development program is central to ASWB’s operations and one of the most important services that ASWB offers to our members and the profession of social work. The examinations and examination-related products typically represent 80 to 90 percent of the association’s revenues. More importantly, member jurisdictions rely on the examinations as one of the crucial determinants of minimum competence to safely practice social work.

The Exam Development department staff, led by Director Lavina Harless, LCSW, oversees the creation and maintenance of the ASWB examinations, from development of individual test questions, also called items, to the establishment of test forms, to ongoing monitoring of scored item performance. Additionally, the department is responsible for managing the practice analysis process upon which the examinations are built, as well as for responding to ongoing examination-related needs of the association and examination candidates—everything ranging from responding to candidate and board questions to supporting the development of the practice examinations and the ASWB Guide to the Social Work Examinations.

Brittany Haney, Lavina Harless, and Angie Overstreet
The other two members of the exam development team are Brittany Haney, examination development coordinator, and Angie Overstreet, examination development specialist. Overstreet, hired in 2016, manages much of the workflow associated with item writers, item development consultants, and the association’s item database. Haney, who has been with the department for three years, oversees moving items through the development process. Her responsibilities range from coordinating the association’s form review process to conducting careful evaluations of the ASWB item banks. The staff also work as a team when duties overlap and on major initiatives such as the practice analysis. “Angie and Brittany have become integral parts of this program and are always ready to learn more and take on new challenges,” Harless said.

The work of the Examination Development department can be broken down into activities that provide an outline of the department’s basic areas of oversight. In order to accomplish all that they do, Exam Development’s three-person staff relies heavily on the hard work of a variety of volunteers, paid consultants, and contracted entities.

**Item creation and vetting**

In order to keep the ASWB examination program well stocked with reliable items, the association relies on a process involving a network of 100 to 110 paid item writers, thorough review and editing by Item Development Consultants (IDCs), and final review by the ASWB Examination Committee. The department oversees all trainings, manages workflow of items, conducts all Examination Committee meetings, and coordinates all follow up.

**Test form creation; ongoing monitoring**

Test forms are assembled regularly, consisting of 150 scored items and 20 pretest items. Once assembled, the forms are reviewed by volunteer subject matter experts (emeritus Examination Committee members) who meet specifically for this purpose. The form review process allows a final opportunity for expert review of items before they appear online. After forms are approved and put online for use, all items are monitored for statistical performance. The Examination Development department oversees all elements of this process and works with testing vendor Pearson VUE to develop and review statistical analyses on each of the exam items.

**Coordination of practice analyses**

The practice analysis that ASWB conducts every five to seven years is fundamental to the ongoing viability of the ASWB examination program. The Examination Development department oversees this nearly two-year process, which begins with a North American survey of social work practice and concludes with the establishment of new blueprints for each of the ASWB social work examinations. In 2015, ASWB began its sixth and most extensive practice analysis, sampling from the largest pool to date and including both early career and more experienced social workers.

The Exam Development department works closely with an outside psychometric vendor throughout the process.

Here are a few key facts about the various processes overseen by the Exam Development team.

**Item writing**

A cohort of 18–22 new writers are trained each year as needed

**Item development consultants (IDCs)** are paired with writers and work individually with each

“Raw” items approved by IDCs are added to pools of items for Examination Committee review

**Form creation**

All items must perform successfully as non-scored pretest items before they are included as a scored item

Ongoing item monitoring allows identification of poorly performing items; these items are returned to the Examination Committee for further review

**Practice analysis**

The practice analysis requires the establishment of a volunteer Practice Analysis Task Force, a Practice Analysis Oversight Committee, and a passing score study panel who determine the raw passing score for anchor exams that are used to benchmark all future exams under the new blueprints—all activities and meetings that are managed by Exam Development

Reclassification of items, reorganization of content areas, and management of how these items are linked to the ASWB Knowledge, Skills, and Abilities (KSA) statements are coordinated by Exam Development
Ongoing support, consultation, and oversight

It is important that the ASWB examination program be well understood by candidates, member boards, and ASWB staff. It is also important that the underlying systems that support various activities are attended to in ways that protect the association’s investment in its examination program. To that end, the Exam Development department engages in activities as needed to clarify how the exams work and why they are important, and oversees contractual relationships with outside vendors. Activities have included:

- Managing the creation of all ASWB practice exams; overseeing development of rationales for practice exam items
- Providing content for the *ASWB Guide to the Social Work Exams*; providing content for the Exam Candidate Handbook
- Answering candidate questions and concerns about the content and scoring of the ASWB examinations
- Providing information and/or responding to member board questions about the examinations
- Presenting at ASWB’s Education Conference and Annual Meeting of the Delegate Assembly, at Administrators Forums that take place at the two annual ASWB meetings, and at member board meetings when requested
- Managing contractual obligations of Pearson VUE (testing vendor) and HumRRO (psychometric and practice analysis consultant)
- Presenting at industry conferences; authoring white papers about best practices in examination development

Managing contracts with other outside vendors—most recently with DataMojo to create a new custom item development database

In 2017, the Exam Development department will oversee the final phase of the practice analysis, which includes the passing score study that will take place in May and readying the new exams to go online in January 2018. The department will also be busy updating the online practice exams and other exam materials to have them available for candidates in the late fall. Meanwhile, other exam development activities will continue as usual, including item writing and item review by the Exam Committee and form reviewers. In carrying out its many initiatives, the Exam Development staff will continue to work closely with the many volunteers, paid consultants, and other subject matter experts involved in the program. “We have a fantastic network of social workers who not only understand the hows and whys of the ASWB examination, but who are truly dedicated to the public protection mission of the association,” Harless said. “Every opportunity I have to work with them makes me proud to be a member of the social work profession.”
From virtual to reality

DAVID HAMILTON, executive secretary of the New York State Board for Social Work, appeared via Skype at ASWB’s 2017 Annual Meeting of the Delegate Assembly to accept the Glenda McDonald Board Administrator Award in November. CARMEN COLLADO, board chair, took the award back to New York and presented it to DAVID in January. DAVID writes: “CARMEN shared with me some of the conversations she had with our colleagues at the meeting and reiterated the State Board’s appreciation of my work. This is truly a one-of-a-kind honor and I am humbled and honored by the ASWB Board’s selection.”

Award of excellence

MARK HILLENBRAND of Iowa was awarded the 2016 Social Worker of Excellence Award by the National Association of Social Workers Iowa Chapter, a part of the NASW-Heartland association, for his work to raise awareness of the resilience and strength of people living with chronic illness. The project, including a research component, used a theater group to tell the stories of members of a support group led by MARK. “This award means a lot to me,” said MARK, “and more importantly it authenticates the voice of the people that I helped tell their stories.”

Meeting of the (CEO) minds

MARY JO MONAHAN represented ASWB at the February meeting of the health care regulatory CEOS, who have been meeting regularly since 2014 to explore issues of common interest. Also attending were CEOs from the Federation of State Medical Boards, the National Council of State Boards of Nursing, the National Association of Boards of Pharmacy, the Federation of State Boards of Physical Therapy, the Association of State and Provincial Boards of Psychology, and the National Board for Certification in Occupational Therapy. Topics included ways to collaborate and share information among the different health care regulatory boards and with the national organizations representing these professions, practice mobility models and the potential impact of federal and state legislation on their implementation, and ways to advance the public protection mission of state regulators for the health care professions.

Tribute to service

In December, the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec recognized CLAUDE LEBLOND on 16 years as president of the Order. CLAUDE’s daughter ÉMILIE, also a social worker, gave a personal tribute, and a letter from ASWB recognizing CLAUDE’s service to this association was read during the ceremony. Deputy Prime Minister Lise Thériault presented CLAUDE with the medal of the National Assembly. See photos.
DORINDA NOBLE of Texas recently returned from a tour of Egypt, which she writes, “was phenomenal! One of the most breathtaking events I experienced was going to Khan el-Khalili Market, a sprawling outdoor marketplace in Old Cairo with tiny warrens of streets. … The market was exceptionally vibrant and alive with people, all bargaining enthusiastically for their wares, in all sorts of native dress.” DORINDA’s travels included visiting Cairo, a city that made “driving in NYC look like a cakewalk”; and Luxor, “home of 70 percent of the world’s antiquities”; Aswan, Abu Simbel, and Lake Nasser. “I would love to learn more about this fascinating culture,” DORINDA wrote. “As the Egyptians say: ‘Insha’allah,’” which means ‘God willing’ or ‘In God’s Time’, I shall return.”

DONNA DeANGELIS recently returned from a tour of Iran that included Yazd, a desert city built on underground wells, where she and DENNIS visited the Towers of Silence, “the burial ground for Zoroastrians, which was the religion of Persia before the invasion of the Arabs in the 700s AD.” (top picture) DONNA writes: “My greatest takeaway is the friendliness and hospitality of the people. Everywhere we went people were warm and welcoming and excited to hear we were from America. As we entered the carpet museum warm, fresh bread was delivered to the two men working there. First thing they did was offer some to us before taking it themselves. Then they offered us more because we liked it! Almost everyone speaks good English. It is taught in school. We saw young people holding hands in public and using selfie sticks. There was no overt evidence of repression. We moved around freely with our guide and driver.” She noted that the rug merchant, pictured with them at bottom, is “smiling because we bought four rugs!”

Ancient clothing style accessorized with modern cell phones in Khan el-Khalili Market.

DORINDA with her Egyptian boyfriend (a short romance—about 5 minutes at the Saqqara Step Pyramid, the oldest pyramid in Egypt).

DORINDA with her Egyptian boyfriend (a short romance—about 5 minutes at the Saqqara Step Pyramid, the oldest pyramid in Egypt).
Your board in action

A summary of the work of ASWB’s Board of Directors at its January 28 and January 29, 2017, meetings in San Antonio, Texas.

The ASWB Board of Directors met in person on Saturday and Sunday, January 28 and 29, at the Omni La Mansion del Rio in San Antonio, Texas, in conjunction with the Federation of Associations of Regulatory Boards (FARB) Forum. Here is a recap of the activities of the Board at those meetings.

Recap of the Board Orientation on Saturday, January 28

The Board met for a half-day orientation that included reviewing legal responsibilities, an overview of ASWB finances and discussion of Board members’ fiduciary responsibilities, a review of ASWB’s strategic initiatives, and a work session during which the Board developed its governance goals for 2017.

Recap of the Board meeting on Sunday, January 29

The Board reconvened for a full-day business meeting.

Treasurer’s report: Board members received the Treasurer’s report and accepted financial statements through November 30, 2016, and reviewed statements from ASWB’s short-term and long-term investment accounts through November 30, 2016. Board members also received a white paper about long-term capital projects and related financial needs of the association.

Executive session: The Board entered executive session to discuss the building report.

Strategic discussions: Board members participated in strategic discussions about the following subjects.

Committee appointments and assignments of ASWB Board of Directors. The Board reviewed and approved the 2017 committee appointment list and committee charges and received liaison assignments.

Annual Meeting of the Delegate Assembly evaluations and discussion. The evaluation comments focused on diversity of election results, length of Administrators Forum, and voting results. In its discussion about diversity, the Board noted that although the results of the election may not have reflected diversity, the slate of candidates put forward by the Nominating Committee was diverse. The Board further noted that as an elected committee, the Nominating Committee acts independently to develop the slate of candidates for election. The Board discussed whether voting results should be openly shared, which may add another layer of anxiety to the election process. The question was raised whether voting results could be made available to the
candidates but not publicized. A request was made for talking points to be developed to assist Board members when discussing the exam with members and the public. A suggestion was made to include clarification during the examination technical report of what may and may not be discussed outside executive session.

**Review and adjustment of strategy:** The Board reviewed and approved the 2017 CEO and operational goals; approved the 2017 Board Governance goals developed during the Board orientation on January 28; reviewed and approved the agenda for the 2017 Education Conference and the funding of up to five ASWB member board members and up to five member board staff to attend the conference; and received an update about the Path to Licensure Institute application and selection process.

**Executive session:** The Board entered executive session to discuss exam issues and ratified the decisions made in session.

**Policy updates:** The Board reviewed and approved updates to the ASWB Policy Manual and approved an exam use policy exception request from a member jurisdiction.

**Approval of minutes:** The Board approved the minutes of the 2016 Annual Meeting of the Delegate Assembly.

**Confirmation of decisions made in email meetings:** The Board confirmed the decisions made in email meetings conducted on November 21, 2016.

**Consent agenda:** Reports approved via consent agenda included: Leadership reports of the President and the CEO and the Chief Operating Officer’s report.

**Committee, Task Force, and Meeting reports:** The Board received reports about ASWB participation at the CSWE Roundtable in December.

**Board Meeting Evaluation.** The Board conducted a self-evaluation of the meeting.

**Recap of the Foundation Board Meeting**

Immediately following the Board of Directors meeting on January 29, the Board reconvened to hold a board meeting of the American Foundation for Research and Consumer Education in Social Work Regulation (the Foundation). The Foundation is ASWB’s 501(c)(3) organization that sponsors a grant program for research on topics relevant to social work regulation, consumer protection, and related areas. The Foundation Board of Directors comprises the members of ASWB’s Board of Directors.

**Approval of minutes:** The Foundation Board approved the minutes of the August 6, 2016, meeting held at the Sheraton New Orleans hotel in New Orleans, Louisiana.

**Review of the Foundation Review Committee purpose and charge:** The Foundation Board approved the 2017 charge for the Foundation Review Committee.

**Financial report:** The Foundation Board received the Foundation financial statement of revenues and expenditures as of December 31, 2016.

**2017 funding and RFP timeframe:** The Foundation Board discussed the funding to be allocated for 2017 research projects and established the timeframe for the application process.

**Review of reports from current grant recipients:** The Foundation Board received a report on research activities submitted by a grant recipient from Governors State University reporting on activities conducted from September 1, 2016, through December 31. The recipient received a one-month extension, to March 1, 2017, to complete the data analysis and write the research paper.
Off and running

More than 50 volunteers will be serving on committees and task forces in 2017

ASWB relies heavily on volunteers to support the work of the organization. Members of ASWB committees are appointed each year by the ASWB president, except for the Nominating Committee and the Board, whose members are elected. Charges for committees and task forces were approved at the January Board of Directors meeting in San Antonio, Texas. Committee appointments also were approved, but confirmations had not yet been received from all at time of publication. Committee lists will appear online as soon as all members are confirmed.

What are the committees charged to do?

**Bylaws and Resolutions Committee**

This committee facilitates the process of changes to ASWB bylaws, resolutions, and policies on an ongoing basis. The committee also can draft its own proposals for bylaws amendments for consideration and approval by the delegate assembly. The 2017 charge calls for a review of the definition of Member Board Staff to determine if its meaning is clear.

**Continuing Competence Committee**

The Continuing Competence Committee’s ongoing charge is to research and develop best practices related to continuing competence in social work regulation. The charge for 2017 includes working with the REAL (Regulatory Education and Leadership) Committee to develop content and expertise for the 2018 education conference and working with the Mobility Task Force to provide guidance on continuing education and continuing competence requirements in support of the Mobility initiative. The committee also has an ongoing charge to consult with ASWB staff to provide guidance on ASWB’s continuing education approval programs, including ACE and New Jersey CE course approval.

**Examination Committee**

The ASWB Examination Committee is responsible for reviewing and approving test questions in ways that protect the validity and legal defensibility of the examination. Committee appointments occur in November each year for the upcoming year. Exam Committee members must be experienced item writers.
Finance Committee

On an ongoing basis, the Finance Committee advises the Board of Directors on the use of the association’s assets and the development of revenue sources. The 2017 charge includes reviewing and discussing some of the upcoming decisions related to the new headquarters building in Culpeper, Virginia, and reviewing and discussing the financial impact of some of the future capital projects envisioned.

Regulation and Standards Committee (RAS)

The RAS Committee reviews the Model Social Work Practice Act on an ongoing basis and makes proposals for updating the resource so that it continues to reflect best regulatory practices for social work boards and legislatures. The committee also monitors the policies related to the operation and maintenance of the Public Protection Database (PPD). The committee’s 2017 charge includes all of the following: reviewing the structure and purpose of the PPD in support of the Mobility initiative; helping the Mobility Task Force develop and implement a plan for social work mobility and license portability; reviewing and updating the Association of Social Work Boards Guidebook for Social Work Disciplinary Actions; and exploring the possibility of creating a Canadian supplement to the Model Social Work Practice Act.

REAL (Regulation Education and Leadership) Committee

This committee develops programs and educational offerings for the annual education conference and develops the conference theme in consultation with the Board of Directors. The 2017 committee will begin its work to plan the 2018 education conference during this year’s education conference. The charge for the 2017 committee includes identifying opportunities for encouraging attendance by social work regulators, professionals, educators, and continuing education providers for all or parts of the annual education conference.

Learn more and get involved.

To learn more about ASWB’s committees, visit ASWB’s members website. “I encourage members to let our Volunteer Engagement and Outreach department know about their interest in committee service,” said ASWB CEO Mary Jo Monahan. “Although the committees have been formed for 2017, we keep interest forms on file for future consideration. Service on committees is an excellent way to begin gaining leadership experience with ASWB.” The committee interest form is available online.

2018 nomination process now open

Recommendations are now being accepted by the ASWB Nominating Committee for positions on the 2018 Board of Directors and the 2018 Nominating Committee. The submission deadline is July 3, 2017.

Positions to be slated by the Nominating Committee for the 2017 election are as follows:

Board of Directors

Treasurer

1 Director at Large, licensed social worker
1 Director at Large, public member
1 Director at Large, open (licensed social worker, public member, or member board staff)

2018 Nominating Committee

Two seats

For more information about the positions to be slated or to recommend someone visit ASWB’s website.
In an effort to review the past and apply it to the present (and future), please consider the following.

Over the course of at least eight professional visits, a client who was a graduate student confided to a psychologist on multiple occasions his intent to kill his former girlfriend when she returned home from spending the summer outside the country. The client did not reference his former girlfriend by name, but apparently her identity was known. The client and girlfriend had gone on several dates, and eventually the relationship ended on her request. The client fell into an emotional crisis resulting in his consultations with the psychologist, a state employee in a state medical center. The psychologist advised the client that if the threats continued, the psychologist would seek to have him hospitalized. After this warning, the treatments ceased.

The psychologist consulted with a supervisor, a psychiatrist, and they jointly wrote a letter to the college campus police. Three police officers took the client into custody. He denied making any death threats and also said that he would stay away from his former girlfriend. The police, satisfied by his rational behavior, released him.

The psychiatrist asked that the letter to the police be returned and then ordered its destruction along with all therapy notes related to the client.

The client continued to stalk his former girlfriend (victim) and eventually confronted her in her home. He followed through on his threats and killed her. Thereafter, he called the police and was arrested and charged with murder. The client was convicted of second-degree murder and sentenced to prison. He served five years in prison and was released upon a successful appeal of his conviction.

After the client’s release from prison, the victim’s parents (Plaintiffs) each filed a separate civil lawsuit against the therapists, the university, and the police officers (collectively referred to as Defendants). The Plaintiffs alleged four counts, of which the court dismissed two. The two that were not dismissed are summarized as follows:

- The Defendants failed to “detain a dangerous patient” under California law.
- The Defendants failed to warn the Plaintiffs of impending danger. (The Plaintiffs acknowledged the therapists’...
notification to the police but argued that the therapists failed to exercise reasonable care to protect the victim by not notifying them of the threats.)

The Defendants filed procedural motions to dismiss the case, arguing multiple defenses including immunity based on the fact that the Defendants were state employees and that there was no duty to warn obligation on the part of the therapists. The lower court granted the motions of the Defendants and dismissed the case. The Plaintiffs appealed the matter to the California Supreme Court.

The Supreme Court quickly disposed of the police officer defendants, as the Plaintiffs pleaded no special relationship between the victim and the police that would impose a duty. Thus, the police officers were dismissed from the litigation. The court also disposed of the allegations addressing negligence on the part of the therapists in failing to confine the client under state law. California law affords public entities and their employees absolute immunity in determining whether or not to confine a person for mental illness. The court next turned its attention to the duty to warn obligation on the part of the therapists, however, akin to a patient and doctor or psychotherapist relationship. The court cited previous case law recognizing a duty to warn that involved a special relationship between the defendant and both the client and the victim. The court, however, determined that the imposition of a duty should not be constricted to such situations. Noting cases from other jurisdictions, the court determined that a single relationship between a doctor and patient is sufficient to support a “duty to exercise reasonable care to protect others against dangers emanating from the patient’s illness.” For example, a doctor may be liable to persons infected by a patient if the doctor negligently fails to diagnose a disease or, having diagnosed the illness, fails to warn the patient’s family members.

Based upon numerous cases cited throughout multiple jurisdictions, the court concluded that “there now seems to be sufficient authority to support the conclusion that by entering into a doctor-patient relationship the therapist becomes sufficiently involved to assume some responsibility for the safety, not only of the patient himself, but also of any third person whom the doctor knows to be threatened by the patient.” Amicus curie filings by the American Psychiatric Association and others argued that the unpredictability of violent acts and the fact that predictions are more often wrong than right dictates a narrow holding that does not encompass such third parties. In rejecting these arguments, the court held that the “risk that unnecessary warnings may be given is a reasonable price to pay for the lives of possible victims that may be saved.”

Addressing the necessity of candid discussions and the need for confidentiality and privilege, the court weighed the protections of health care professionals against the public interest in safety against violent assaults. It noted that the California legislature has already undertaken the difficult task of balancing the countervailing concerns. Indeed, specific evidentiary codes cite an exception to the psychotherapist-patient privilege when the therapist has “reasonable cause to believe that a patient is in such mental or emotional condition as to be dangerous to himself or to the person or property of another and that disclosure of the communication is necessary to prevent the threatened danger.”

Having now recognized a duty to warn, the court reviewed the application of immunity principles under the circumstances. As public employees, the therapists fall under the statutes that provide that a public employee is not liable for an injury resulting from his act or omission where the act was the result of the exercise of discretion. Noting that virtually every act of a public employee involves some element of discretion, the court cited previous case law that differentiated between discretionary policy decisions, which enjoy immunity, and ministerial administrative acts that do not. Following such previous judicial rulings, the court held that a duty to warn under these circumstances was “at the lowest ministerial rung of an official action” and that the therapists were not entitled to immunity.
As a result, the court concluded that the Plaintiffs could amend their complaint and allege a cause of action against the therapists to assert that the client “presented a serious danger of violence to the [victim], or pursuant to the standards of the profession should have so determined, but nevertheless failed to exercise reasonable care to protect her from that danger.”

Since this 1976 ruling, the California legislature has amended state law to require that all therapists have a duty to protect intended victims through direct warnings, notification to law enforcement, or taking whatever steps might be needed to prevent harm. Many other states have also enacted laws that address the duty to warn (or as noted by California, the duty to protect), leading to an ongoing debate about client confidentiality and relevant duties to others.

Readers are encouraged to understand the implications of these potentially countervailing interests and apply applicable law to such important decisions.

Tarasoff v. Regents of University of California, 17 Cal. 3d 425, 551 P. 2d 334 (CA 1976)
ASWB offers funding for research into social work regulation

Applications to the Association’s Foundation are being accepted until May 5, 2017

ASWB’s Foundation, the American Foundation for Research and Consumer Education in Social Work Regulation, is now accepting grant applications from social work faculty, students, members, and staff of regulatory boards in the U.S. and Canada. These applications are for the 2017 grant cycle and must be submitted by May 5, 2017. Grant awards will be made in August 2017.

“The research projects that the Foundation has funded in the past have given us new perspectives and real data to examine social work regulation,” says ASWB Chief Operating Officer Dwight Hymans. “We are pleased to be able to offer additional funding opportunities to advance the understanding of—and the knowledge base in—this important area of the social work profession.”

The American Foundation for Research and Consumer Education in Social Work Regulation is a 501(c)(3) organization funded by ASWB that supports efforts to explore the ways in which professional social work regulation affects the profession and the public it serves.

The Foundation sponsors a grant program for research on a wide range of topics relevant to social work professional regulation, including consumer protection, professional continuing education, social work supervision, complaints against licensees, and related areas.

Learn more and request an application packet: www.aswb.org/foundation
Advancing the plan for mobility

“What will ASWB’s mobility implementation plan look like when it is rolled out at the 2017 Delegate Assembly? Members of the Mobility Task Force met in person in February to begin laying out the elements of the plan using an organizing infrastructure known as the collective impact model to guide their efforts.

Led by co-chair and ASWB President M. Jenise Comer of Missouri, task force members discussed whether the proposed plan for expediting the process of obtaining licenses in multiple jurisdictions was sufficient or if it needed to address license portability, which would enable licensees to practice electronically in multiple jurisdictions using their current license. The consensus was to proceed with the plan as proposed, noting that mobility was the first step along a continuum that will include portability for electronic practice in the future.

Task members next broke into teams to flesh out sections of the collective impact model by developing strategies and activities in three areas: common progress measures, mutually reinforcing activities, and communications.

“Millennials don’t have the geographic paradigm [of jurisdictional boundaries]. ...They challenge the way we think.”
—Mobility Task Force member Mark Hillenbrand, Iowa

Mobility Task Force members (from left): Joan Cloonan (ID), Carmen Collado (NY), co-chair M. Jenise Comer (MO), Lisa Crockwell (NL), Mark Hillenbrand (IA), Jim Akin (NASW-FL), Fran Franklin (DE), Florence Huffman (KY), Ellen Burkenpemper (MO), and Harold Dean (AR). Not shown: Co-chair Dorinda Noble (TX) and Kim Madsen (CA).
Defining activities and strategies in these areas will help the Mobility Readiness Teams at the jurisdictional level in their outreach to legislators, practitioners, educators, the public, and other stakeholders. The task force also discussed the next steps for engaging the Mobility Readiness Teams and the anticipated timeline.

The draft implementation plan will be shared first at ASWB’s 2017 Education Conference in Henderson, Nevada, in April, in order to get additional feedback from membership. The plan will be presented during the Board Member Exchange and the Administrators Forum and will include a demonstration of the prototype software that is being developed in support of the plan.

Members are encouraged to visit www.MovingSocialWork.org to get updates on the progress of the mobility initiative, find out what social workers are saying about their experiences getting licensed in multiple jurisdictions or transferring their license, and add their personal statement of support.

### Mobility Readiness Teams

During the Mobility Task Force report presented at the 2016 Annual Meeting of the Delegate Assembly, co-chairs Dorinda Noble of Texas and M. Jenise Comer of Missouri discussed how member boards could form and use Mobility Readiness Teams to disseminate information quickly to stakeholders in their jurisdictions. Based on a snowflake model of organization, Mobility Readiness Teams are designed to be led by the member board and include representation from practitioners (NASW chapter executive director or designee) and educators (a CSWE member or a faculty member from one of the local schools of social work). When members were surveyed during the presentation about their readiness to form a team, the majority surveyed indicated that they were ready but needed partners (45.6%). Members were assured that their efforts to form Mobility Readiness Teams would be supported.

**How do you imagine your jurisdiction developing a Mobility Readiness Team? (choose one)**

1. We already created our MRT
2. Regulators, educators, and practitioners are positively connected and ready to commit to an MRT
3. I am ready, but I don’t have any partners
4. It’s too hot in my jurisdiction to create a snowflake and keep it from melting

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<thead>
<tr>
<th>Option</th>
<th>Percentage</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>We already created our MRT</td>
<td>5.9%</td>
<td>4</td>
</tr>
<tr>
<td>Regulators, educators, and practitioners are positively connected and ready to commit to an MRT</td>
<td>27.9%</td>
<td>19</td>
</tr>
<tr>
<td>I am ready, but I don’t have any partners</td>
<td>45.6%</td>
<td>31</td>
</tr>
<tr>
<td>It’s too hot in my jurisdiction to create a snowflake and keep it from melting</td>
<td>20.6%</td>
<td>14</td>
</tr>
</tbody>
</table>

**TOTAL: 68**
Analyzing practice, implementing results

With the finish line in sight for the 2017 practice analysis, ASWB’s exam development team implements a new item development system

ASWB’s analysis of the practice of social work is the cornerstone of the social work licensing exam program. Every five to seven years, ASWB works with psychometricians to conduct a major survey of social workers from throughout the U.S. and Canada. The current analysis broke records for ASWB, with more surveys sent and a higher number of responses than any previous analysis. The data gathered has been analyzed and the technical report is nearly complete.

“This analysis will be the association’s most extensive to date,” says examination development director Lavina Harless, LCSW. “We are working from our largest-ever sample size, and the process is incorporating responses from both early-career social workers and more experienced social workers.” Drawing on expertise of psychometricians at the consulting firm HumRRO, this practice analysis also added an oversight committee, a group of social workers familiar with the examination program who helped translate the work of the practice analysis task force to the ASWB exams.

Now that the practice analysis research is done, ASWB will be publishing the technical report and the revised blueprints this spring. ASWB expects to implement the new licensing exams in early 2018.

Meanwhile, lots of work remains to be done. Exam questions—items in the parlance of exam development—needed to be reclassified to match the new blueprints. Next is the passing score study, an intense meeting of 60 volunteers who will help identify the pass points on the exams. Even that step, which will take place in May, is exceeding expectations, with hundreds of applications from social workers for the 60 available positions in the study.

A new online practice test reflecting the new blueprints will also be released this year in advance of the new examinations. Subject matter experts (social workers participating in the exam development process) will need to review content for the revised practice test and draft rationales for each question. The ASWB Guide to the Social Work Exams will need to be updated to reflect the new content.

Meanwhile the current exams, which are administered nearly every day at test centers all over the world, require ongoing care and feeding. Item writers trained by ASWB are still writing new items. Exam development consultants continue to review new items. The exam committee will meet and approve items for pretest later in the year. Volunteer subject matter
experts will review the new forms that go online quarterly.

“The job of exam development is to recognize what’s working,” says Harless, “and keep things running smoothly, but always to be scanning for potential improvements.” One improvement just implemented is a proprietary database system for item development. Working with a consulting firm to develop the software, ASWB’s exam development department piloted the new system last year with teams working on the Bachelors exam.

Questions will go directly into the database from the item writers, examination development consultants can use the system to review items and provide feedback to the writers, and exam committee members will use the system to review items during their meetings. The new system, called ITEMS, streamlines the process of item development, from initial submission until a question is approved for pretesting, while providing extensive security measures to keep the items confidential.

“Activities like our item writer training program and our examination committee meetings remain strong,” says Harless. The new software system gives ASWB’s exam development program “a technical infrastructure that is state-of-the-art,” she says.