CLASSIFIED ADS

OFFICE SPACE FOR RENT:
Looking for the right full or part-time therapist to share space with 2 therapists and a dietician. Bayberry Center has 3 offices, a waiting room, kitchen, and is conveniently located near Highways 7 and 101 in Minnetonka. Our windows open and look out on grass, trees, and birds. A wonderful, fun, and healing environment. Call Laura at 952-470-1186

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• social workers can browse job opportunities on the Internet and with the click of their mouse, send you an online resume

Visit the website to sign up and post your position!

For more information call toll-free 1-888-491-8833 or visit www.socialworkers.org
Message from the President

by Laura Boisen, Ph. D., ACSW

What compelling times in which we live! Yes, events and circumstances internationally, nationally and locally may not always be to one’s liking but it is hard to be disengaged in times like these. For those of you whose response to these interesting times is to become more involved, NASW has a deal for you!

At our last NASW Board Meeting, we were fortunate to hear reports from all of the committees that do our social work business in Minnesota - you too can be involved. Thanks to our technological world, you don’t necessarily have to live or travel to the metropolitan area. Depending on the committee, you may be able to be involved through cyber-space or within your region. Committees that do our work and could use your energy and contribution include the:

- Membership and Marketing Committee;
- SPICE (the continuing education committee);
- Mentorship Committee;
- SPAN (Social Policy Committee);
- MN-PACE (Political Action Committee);
- International Committee;
- Veteran’s Project;
- Legacy Scholarship, and;
- Regional Representative Activities.

Come join us! You need only contact the NASW Office or any Board member to get connected. If volunteering on a committee is not possible, there may be other initiatives - some short-term and some long-term - that could use your involvement and expertise. Perhaps your time and energy limits active involvement in the Board, a committee or a specific initiative. How about encouraging support with your co-workers of our professional association by joining? Did you know free CEHs are available on-line via the national website? Let your colleagues know that NASW is involved.

CONTINUED ON PAGE 7

Notes from Alan’s Desktop…

By Alan Ingram, LISW, JD - Executive Director

Winter has now arrived, both on the calendar and with some long-awaited snow to brighten the holiday season. The days will now begin to lengthen as we look forward to winter with its cool scenes, crisp outdoor activities, and then the transition into spring, a kinder, gentler season.

We should also enjoy a kinder, gentler legislative session. Although there is debate about how much is available for additional spending, there is a budget surplus. You all were part of a clear message sent this fall to both federal and state legislators that the status quo is unacceptable. You said you cared more about addressing real problems like the war, healthcare, education, and transportation; and very little about divisive “social” issues like abortion and gay marriage. What about the social issues of affordable physical/mental health care, living wage jobs, racism, and xenophobia, etc? Social workers can help educate policymakers about these issues, but we need to engage those whom we have elected. That means making contact with them.

Very soon, the chapter will have a mechanism on our website to help you do that. We have purchased software that enables the user to directly contact legislators by merely entering a home address. The software also allows the chapter to compose messages that members can use or modify in that engagement. One of our new board members, Jennifer Edwards, is an expert in the use of this system and is helping us set this up for all of you. The chapter’s 2007 Legislative

CONTINUED ON PAGE 11
CONTINUING EDUCATION CALENDAR

2007 Schedule at a Glance

| JAN. 18, 2007 | P.M. Ethics Training - Frederic Reamer DVD |
| JAN. 23, 2007 | Social Workers and Electoral Politics Lunchtime Learning Event - Rep. Larry Hosch (DFL-14B) & Grace Baltich |
| JAN. 24, 2007 | A.M. Ethics Training - Frederick Reamer DVD |
| JAN. 25, 2007 | Rochester Ethics Training - Frederick Reamer DVD |
| JAN. 27 & 28, 2007 | License Exam Review Course |
| FEB. 7, 2007 | Clinical Standards Proposal Lunchtime Learning Event - Panel discussion facilitated by NASW-MN’s President, Laura Boisen, PhD, ACSW |
| FEB. 9, 2007 | Treat the Children Well II - Ann Gearity, PH.D., LICSW |
| FEB. 15, 2007 | P.M. Ethics Training - Frederic Reamer DVD |
| FEB 21, 2007 | A.M. Ethics Training - Frederick Reamer DVD |
| MAR. 9, 2007 | DBT Half-Day Workshop - M.J. Gilbert, LICSW |
| MAR. 21, 2007 | A.M. Ethics Training - Frederick Reamer DVD |
| MAR. 22, 2007 | P.M. Ethics Training - Frederick Reamer DVD |
| APR. | Ethics Training Dates TBA. |
| APR. 2, 2007 | Social Work Day at the Capitol |
| APR. 27, 2007 | The Person of the Therapist in Family Therapy: Spiritual, Political, and Personal Perspectives - Harry Aponte, LICSW, LMFT |
| APR. 28 & 29, 2007 | License Exam Review Course |
| MAY | Ethics Training Dates TBA. |
| JUN. 7 & 8, 2007 | 17th Annual Conference |

** CHECK OUR WEBSITE FOR UP-TO-DATE EVENTS

LICENSE EXAM REVIEW COURSE

Saturday, January 27 (8a.m. - 5 p.m.) & Sunday, January 28 (9 a.m. - 1 p.m.)

This course is designed for all levels of licensure including a breakout session for the basic exam (LSW). This course will reduce test anxiety, sharpen test taking skills, and review the knowledge base of social work. The LERC course includes: test taking pointers, exam content review, written and oral practice questions, a comprehensive manual, and is taught by 3 faculty over 12 hours. CEU’s Available!

REGISTRATION FEES: $170 for NASW or MSCSW members, $195 for non-members. Optional box lunch is available for $7. Snacks and beverages are provided. Register online at www.naswmn.org or call (651) 293-1935 for a brochure and registration form.

Next LERC course will be held April 28 & 29, 2007.

TREAT THE CHILDREN WELL II — Anne Gearity, Phd. LICSW

Science, art ... and the real practice of working with children and adolescents

Friday, February 9, 2007

Registration/Continental breakfast: 8:00 - 8:30 a.m.
Program: 8:30 a.m. to 4:00 p.m./Lunch, beverages, and snacks are provided Continuing Education and Conference Center—St. Paul Campus, University of Minnesota

Children represent a unique and especially challenging population in mental health practice, because of their emerging developmental capacities - and emerging risk to distress and “dis-ease”. There continues to be a growing body or research clarifying brain maturation and responses; at the same time, diagnostic specificity often remains elusive and medication solutions provide insufficient help for many.

This workshop builds on, and adds significantly to our first Treat the Children Well workshop in 2004, also presented by Anne Gearity. Both the science and art of assessment and intervention will be examined. As important are the real practice skills and techniques that assure children served by the mental health system, as well as in applied mental health settings, will receive the best help we can deliver.

This course will examine:
• the experience of being with a child in distress, and the role of the helping adult;
• basic constructs that organize children’s mental health interventions;
• current research that informs practice - including research findings that necessitate new paradigms of intervention;
• the art of beginning a conversation with a child - non-verbal communication, play metaphors, narrative “soliloquies” and hoped-for connections;
• joining as a necessary stance that permits the child’s experience to become known and understood;
• forming alliances with “involved systems” to support treatment outcomes; and
• practice techniques that support exploration, shared knowledge and developmental repair and change.

To register online visit www.naswmn.org or call NASW-MN at 651-293-1935
CALL FOR PROPOSALS!!!
17TH ANNUAL CONFERENCE: JUNE 7 & 8, 2007

MARK YOUR CALENDARS NOW and plan on attending our 17th annual conference on June 7 and 8, 2007. We’re looking forward to getting together with other social workers and engaging in some networking, education, and camaraderie. The Annual Conference Planning Committee is accepting Proposals for Workshops until January 26, 2007. If you would like a workshop submission form call the office at 651-293-1935 or email us at email@naswmn.org.

MARKET YOUR ORGANIZATION AT THE CONFERENCE!!!
You can purchase exhibit space or sponsor the conference held on June 7 & 8, 2007 at the Continuing Education and Conference Center. As a conference exhibitor, you’ll have the chance to visit with approximately 400 social workers from diverse practice settings and have your name listed on the conference program. Call the chapter office at 651-293-1935 or if calling from greater MN 888-293-NASW to get your exhibitor or sponsor packet.

Connie Aligada 2006 Social Worker of the Year

By David Rabb, ACSW

As the recipient of the 2005 Social Worker of the Year Award, it is my extreme pleasure to introduce and recognize this year’s Social Worker of the Year, Connie Aligada.

Connie is a highly experienced and seasoned social worker. You can tell an expert - Michael Angelo, Picasso, Helen Pearlman, Maya Angela - by their capability to make the most complex things simple. They are able to break down a form, concept, or model to its most truest, basic and simplest component.

In many ways, Social Work is not only a science, method, or technique…it’s an art. It’s a calling.

We recognize Connie today, not because of her past titles, positions, roles or responsibilities. No. Today, we recognize her for her uncanny ability to conjure up hope in people during the most desperate, bleak and darkest times. Connie has a way of making situations that are hopeless, hopeful.

It I had the time, and I don’t, I could tell you stories after stories about her work in helping turn things around. Work that ranges from supporting efforts to create women shelters to support and protect…to her efforts to shore up anti-racism initiatives in her church.

As some of you may know, Connie volunteered to go down South this year to work with people who were displaced by Hurricane Katrina and Rita. The hurricanes had not only destroyed communities and homes; they had destroyed many people wills and spirits. In the wake and aftermath of the hurricanes, many people were homeless and hopeless.

Connie’s knowledge, insights, and experience in disaster mental health and crisis management were not enough. In the midst of the pain and suffering, like on a battlefield, Connie had to connect with people at their roots in order to help them move forward - past the anguish, despair, and their troubled waters.

How did she do it? How did she unearth the feelings and sorrow associated with grief and lost in a way that helped transform and encourage people to rebound…to recover?

Connie had mastered the basics…unconditional regards and listening.

Starting where the clients are at, developing trusting relationships even in the most brief encounters. Connie gave of herself, her lovingkindness and parts of her soul in order to help people heal. She allowed the people that she encounter to unravel their personal stories after the storm.

By listening deeply, Connie comforted and energized many souls…the man who she found sitting at a table in a shelter with his back bent and both hands holding up holding up his head.

The woman who was experiencing the one year anniversary of the death of her child that was hit by a school bus the previous year and now had to struggle with the complicated grief of losing her home and livelihood. After speaking with Connie this lady said, “I didn’t know why God kept me alive, but speaking with you, now I do.”

Many, many more stories that were told to her which Connie helped frame and give purpose. She gave people hope.

Ladies and gentleman, my fellow social workers, I am proud to present Connie Aligada, Minnesota Chapter, Social Worker of the Year. •
Greetings NASW Members!

Please join in welcoming Kate Sherva, fellow NASW member and new Program/Office Coordinator for the MN Chapter. She is currently a BSW student at the College of St. Catherine and will be graduating this spring. Kate has held a variety of jobs in the social services field working with mental illness and developmental disabilities. She is currently interning at The Bridge for Runaway Youth, has previously interned at St. Joseph’s Home for Children, and hopes to continue her work with adolescents as a professional social worker. In her little free time that Kate has, she enjoys reading, traveling with her partner, and spending time with her nieces and nephew. Kate is looking forward to serving as an active staff member, contributing to NASW committees, and to meeting all of you!

WELCOME NEW MEMBERS AND TRANSFEREES!

Please visit www.naswmn.org to view a current list of new members and transferees.

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Three tracks are available:
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- Service Provider
- Public Health

For more information call 612-624-4000 or visit www.cce.umn.edu/addictionstudies

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PACE Endorsed Candidates in November - Most Won!

By Tracy Crudo, MSW, MN-PACE Coordinator

PACE (Political Action for Candidate Election) is the political action committee of NASW, dedicated to advancing social workers’ public policy goals by supporting candidates for public office, regardless of party affiliation. The selection process consists of screening candidates for endorsement and a possible campaign contribution.

This year, National PACE endorsed Jim Ramstad, Republican candidate for re-election in the Third Congressional District, Betty McCollum (DFL) in CD4, Patty Wetterling (DFL) in CD6, James Oberstar (DFL) in CD8, and Amy Klobuchar, DFL candidate for the U. S. Senate. All but Wetterling were elected.

MN-PACE also endorsed several candidates for state or county offices in this election cycle, three of whom are social workers. The committee endorsed Rafael Ortega, ACSW, who was re-elected as a Ramsey County Commissioner. Rafael impressed the PACE Committee with his networking and communication skills, as well as his considerable knowledge on a variety of subjects important to the populations we serve.

We endorsed Grace Baltich, MSW, DFL candidate for the Minnesota House of Representatives in District 32A. Grace is a licensed social worker and is a custody evaluator for Wright County. MaryJane Westra, MSW, candidate in District 10A, was also endorsed by MN-PACE and is the director of an adoption agency.

Unfortunately, neither was elected, but the chapter stands ready to support these colleagues in future elections.

Other state legislative endorsements included Don Betzold (Senate District 51), John Benson (House District 43B), Tom Tillberry (HD 51B), and Ron Latz (SD 44) and Yvonne Prettner-Solon (SD 7). Endorsements for statewide constitutional offices were: Mike Hatch for Governor, Rebecca Otto for State Auditor, Lori Swanson for Attorney General, and Mark Ritchie for Secretary of State. The committee also endorsed Gregory Gray, candidate for Hennepin County Commissioner. All but Hatch and Gray were elected.

MN-PACE also supported some of these candidates by organizing members to assist with phone banks to identify voters and get them out to the polls. The chapter’s social policy/action network committee (SPAN) will be visiting with key legislators during the 2007 Session to advance the chapter’s legislative agenda (see insert in this issue of Newsbytes). Visit the chapter’s website at www.naswmn.org to learn more about volunteer opportunities in both social policy and political action.

Meet the new PACE Coordinator

Tracy Crudo, MSW, LGSW, was hired this past fall as the new coordinator for MN-PACE (Political Action for Candidate Election). Until the end of December, Tracy was a policy analyst and program planner for Chisago Co. Human Services, where she coordinated the first ever Chisago County Human Services Legislative Forum, which brought together state and local politicians to hear the concerns of citizens and agency clients. She has just begun her new job as Assistant Director at the Center for Advanced Studies in Child Welfare in the School of Social Work at the University of Minnesota.

Tracy coordinated our endorsement and get-out-the-vote efforts in the November election and looks forward to enhancing the chapter’s capacity for future political action. The PACE committee is confident that her familiarity and comfort in working with legislators and other elected officials will serve its mission well.

Anne Bomstad Miller, previous PACE coordinator, resigned in July upon the birth of her son, Edward. We appreciate her expertise and her contributions to the committee’s work and extend our best wishes to Anne and her family.

RENEW YOUR NASW MEMBERSHIP ONLINE

Now NASW offers members a timesaving, hassle-free way to renew their memberships instantly online. Members simply log on to the NASW website www.socialworkers.org, click on “Member Center”, then click on “Your Personal Data.” At the renewal site there is an online renewal form where members simply fill in dues information. You can select contributions for Political Action for Candidate Election (PACE), the NASW Foundation and the NASW Legal Defense Fund; join or renew membership in specialty practice sections; and subscribe to or renew journal subscriptions. Credit card payment is required for online renewal.
E-Advocacy Veteran’s Project Underway!!!

By Michelle Gray, MSW intern
Hello NASW members! My name is Michelle Gray and I am happy to be fulfilling my MSW field placement with NASW-MN and all of its amazing and hardworking staff, board members, committee members, chapter members and volunteers. Alan Ingram, Executive Director, was gracious to accept me on board and I am thrilled thus far with the projects I am pursuing and the numerous committees I am involved in.

I received my BSW degree at the University of Wisconsin, River Falls in 2001, and immediately took a position with CHOICE, Inc., a day training and habilitation program for adults with disabilities. I maintained my employment with CHOICE, Inc. for five years, prior to being accepted into graduate school this past fall at the University of Minnesota. My experience with direct practice prompted my awareness of public policy and political activism, which ignited my passion to obtain an MSW within the Community Practice (Community Organizing and Advocacy) track at UMN.

My role at NASW includes active involvement in SPAN (Social Policy Action Network), SPICE (Special Projects in Continuing Education), Membership and Marketing, Mentorship and Annual Conference Planning Committees. I have also embarked on a public education/e-advocacy campaign on the NASW-MN website, providing professional social workers with education, support and awareness of issues confronting veterans and their families. I am extremely passionate in advocating for and supporting veterans of war, thus I have developed this link to urge social workers to become culturally and socially competent about the wide array of issues that affect veterans of war and society as a whole! Additionally I believe it is imperative to understand ‘military culture.’ The website will provide monthly highlights that will address significant issues from political advocacy to pertinent mental health issues.

This project hopefully serves as a starting point for social workers whom in the near future may likely become involved personally or professionally with veterans of war; as troops are continually being deployed and sent home. Minnesota communities are expecting 3,000 returning soldiers in March alone! The website is a continual work in progress, thus elaboration of vital issues will continue to be articulated and addressed. Note, the information presented only breaches the surface, thus I suggest even further research or engaging in dialogue with current professionals serving this population, to guide you in your practice or advocacy roles. Please contact me at gray0254@umn.edu or 651-293-1935, if you have a concern or request that you would like me to further examine. To visit this site, please visit naswmn.org and click on the Veteran’s link.

2007 Seminar Series
Thursdays from 8-11:00 a.m.

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<th>Date</th>
<th>Title</th>
<th>Speaker(s)</th>
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<td>Jan. 4 &amp; 11</td>
<td>Attachment and Empathy in Therapy</td>
<td>James Jordan, MD &amp; Yvonne Nobles, Psy.D., LP</td>
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<td>The Relational Perspective</td>
<td>Ginny Vogel, Psy.D., LP</td>
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<td>Narcissistic and Borderline Personality</td>
<td>Jim Theisen, Ph.D., LP</td>
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<td>Countertransference</td>
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<td>Couple Therapy</td>
<td>Mike Wilke, MA, LP</td>
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<td>Working with Seniors</td>
<td>Mary Claire Wahlberg, LICSW</td>
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<td>(Please note: ALL DAY Conference Friday 9:00-4:30)</td>
<td>Bob Neisheim, M.D., Bob</td>
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<td>Mantell, Ph.D, LP &amp; Rachel</td>
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<td>Richardson, LICSW</td>
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<td>Mar 15</td>
<td>Family Therapy</td>
<td>Mike Wilke, MA, LP</td>
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<td>Mar 22 &amp; 29</td>
<td>Psychodynamic &amp; Cognitive Behavioral Therapy Integration</td>
<td>Rachel Richardson, LICSW</td>
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<td>*Apr 5</td>
<td>Historical Cultural &amp; Clinical Considerations in Working with the Latino Population</td>
<td>Emilia Godinez, LICSW</td>
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<tr>
<td>*Apr 19</td>
<td>Historical Cultural &amp; Clinical Considerations in Working with the African American Population</td>
<td>Pamela Henderson, PsyD., LP</td>
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<td>*Apr 26</td>
<td>The Practice of Parenting</td>
<td>Mike Wilke, MA, LP</td>
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<tr>
<td>*May 3</td>
<td>Psychotropic Meds and Psychotherapy</td>
<td>Bob Neisheim, MD</td>
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Hamm Clinic offers a variety of educational opportunities to the professional mental health service community. Opportunities include internships, fellowships, seminars and an annual conference. The seminars, for practicing clinicians, explore underlying emotional processes, the nature of therapeutic relationship and practical approaches to working with human behavior and emotions. Each seminar provides theoretical material and an opportunity to discuss how this material applies to participants’ cases. The column to the right lists the dates and topics for the 2007 seminar series. The cost for seminars noted by * is $40. All other seminars are $80. The Board of Social Work and the Board of Psychology have granted Continuing Education Credit.

Hamm Clinic’s 2007 day-long Spring Conference will be held Friday, April 13. – Martha Stark, M.D., a nationally recognized author, will be presenting on her most recently released book “Modes of Therapeutic Action.” To register for either the conference or the seminars, please call Mary Horner at (651) 224-0614 or for more information, visit our website at www.hammclinic.org. To inquire about fellowship and internship opportunities please contact Pamela Henderson at (651) 224-0614.

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News from the National Board

By Jean Quam, Region X Representative

I just completed my first year on the NASW National Board and Executive Committee. Alan and Laura asked me to share some of my observations/impressions from a national perspective as I begin my second year. I have had an opportunity to meet with the Canadian Association of Social Workers as well as participate in NASW’s Delegate Assembly. When I recently spoke to the Minnesota Chapter Board, I discussed four key issues facing NASW: membership/recruitment, understanding more about the workforce, educating the public about social work, and critically looking at the organizational structure of NASW.

While I had some understanding of the vast array of social work organizations, I was surprised at how fragmented we have become as a profession. If you remember your history, the “birth” of NASW was due to seven organizations that came together in 1955. Two years ago at the Social Work Summit sixty eight leaders from forty-two organizations participated, e.g. National Association of Pediatric Oncology Social Workers, Veteran’s Administration Social Workers, Rural Social Workers, and Council on Social Work Education. We continue to create new organization for specialty interests, while we should be strengthening our national association.

In social work many of us belong to multiple groups both within and outside of NASW that relate to our role as a social worker. I belong to some that are primarily social work organizations such as NASW, the Council on Social Work Education, the National Association of Deans and Directors of Social Work, the society for Social Work Research and some organizations that include social workers such as the Gerontological Society of America and the American Society on Aging.

The latest U.S. Census reported that there were 845,000 people who called themselves social workers. According to the Bureau of Labor statistics there are 477,000 social workers. Over four hundred and fifty BSW programs and 180 MSW programs graduate over 30,000 new social workers each year and yet the number of NASW members remains steady at around 150,000 members.

We need to recruit more social workers of color and younger social workers. While the number of social workers of color is relatively high, we need to find ways to reflect the diversity of the world around us. The median age of NASW members is in the mid-50’s. We need to find a way to make the organization more relevant to social workers just beginning in the profession. A recent group of new MSW graduates told me that one of the best resources that seems to be a secret to social workers is the NASW website, which offers great information and free CEUs.

(see www.naswdc.org)

NASW has released a report “Assuring the Sufficiency of a Frontline Workforce” and four specialty reports on aging, behavioral health, children and families and health that should be read (see http://workforce.socialworkers.org). These reports help us to understand the areas of greatest need for future social workers.

NASW has also invested in several new ads that are being used as a part of its National Public Education Campaign to help the general public understand who social workers are and what they do. You can view the ads and learn more about the campaign by going to http://naswfoundation.org/ImageCampaign/default.asp. Several ads appeared in Oprah magazine this fall.

Lastly, there is ongoing evaluation of the structure of the NASW organization itself. In the 1980s the organization reduced its size from 245 chapters to 56 chapters. Currently there are 29 CDF chapters which receive substantial financial support from NASW in order to operate. Some chapters have combined their efforts. For example, North Dakota and Wyoming share an executive director, and the Virgin Islands Chapter is now operated by the Florida chapter. As we look to the future, there may be a need to reduce the number of chapters and/or create regional chapters in order to provide better services to members.

President’s Pen CONTINUED FROM PAGE 1

legislatively in terms of social work interests. Are they wondering what candidates are supportive of social work values and programs? NASW can shed some light on this year’s candidates. Perhaps they want to know how to reply to dominant-culture messages that have “spun” the truth. Soon, the NASW website can help with talking points that more accurately reflect the whole picture. These are just a few of the benefits of NASW membership.

These are important times for social workers and the values we embrace. Some in our global community are suffering. Poverty persists in the U.S. while social service budgets and the “safety net” continue to be pared. Gains are not being realized except for those seen to be the “most worthy” and who have the most power. NASW is an important contributor to the discussions and activities of our time -nationally and locally.

To maintain systematic social work input into the issues of our time, we must support and strengthen NASW, both nationally and locally. In this issue Jean Quam, Region X Representative, delineates some of the important activities and discussion occurring at the national level of NASW. We in the Minnesota Chapter are also engaged in discussions and related to membership, diversity and budget issues as well as international, national and local issues. Come join us in whatever way you can manage. I invite your participation and support.
WHEN LIFE IS INTERRUPTED, WE HELP OUR PATIENTS LIVE AGAIN.

At Bethesda, we reconnect patients to their lives through science and sensitivity. With devoted, one-on-one care; the latest advancements in technology; and a holistic approach to healing, we help body and soul work together to achieve greater independence.

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Social Work and Record Retention Requirements

By Sherri Morgan, Alison Keller-Micheli, and Carolyn L. Polowy

Introduction
Social workers should keep records to provide better care to their clients, to meet ethical and legal requirements, and for legal defense purposes, if needed. Many social workers lack information about how long they are required to maintain client files. This question often arises when a social worker is retiring, closing a practice, or relocating, or in the event that a social worker dies without specific provision for the disposition of existing records. This Legal Issue of the Month provides information about the various state laws pertaining to record retention. As with most legal questions, a complete answer may require an analysis of several sources of law or review with an attorney.

Background
The NASW Code of Ethics provides that social workers should comply with state law requirements as to the length of time to retain client records. The federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) does not address how long clinicians should retain records, although it addresses the security of records and the procedures for proper disclosure of records to clients and third parties. Therefore, record retention is an issue where state law is the primary guide.

One of the difficulties in providing clear answers to social workers on any state law issue, is the lack of uniformity among the states. Thus, social workers in each state will have to confirm the requirements of their state. To assist social workers in this task, a state-by-state list of applicable laws has been prepared along with a list of state statutes of limitations. These resources are discussed below.

Applicable Sources of Law
As of 2005, nineteen states had record retention provisions that specifically referenced or included social workers. In some instances the record retention requirements apply to health care providers generally and social workers are among the list of included professions (e.g. Connecticut, Maryland). In the State of Washington, where there is a licensing board that includes multiple mental health professions, the record retention provisions are applicable to “counselors,” including social workers.

In other states, the record retention provisions are unique to social workers. For instance, in Colorado, very specific requirements are included in the State Board of Social Workers’ regulations. In another state, Hawai‘i, social workers’ records are expressly excluded from the state medical records law. In other states, such as Kentucky, hospital record keeping requirements specifically include social work records; however, the status of social work records in other practice settings is not addressed. In some states the record retention requirements are included as part of the standards defining unprofessional conduct (e.g. New York, Utah).

For the first group of states, those that reference social workers and record retention, these laws are found among social work licensing statutes or regulations, medical records statutes, and hospital record keeping laws.

In the majority of states, however, social work record retention is not addressed directly. In those states social workers will need to make a reasonable and informed decision about how long to retain clinical records with an understanding that there may not be a clear legal standard. One guideline to follow may be the state medical records provisions, which are available in some form in every state. Although social work is not equivalent with medical practice, enough similarities exist to make a useful comparison.

Another guideline social workers may wish to consider is the effect of statutes of limitation. A statute of limitation specifies the period of time that a plaintiff has to bring a lawsuit such as a malpractice action; therefore, social workers should retain their records for the length of the statute of limitations. In addition, the statue of limitations may not begin to run until the plaintiff learns of, or reasonably should have learned of, the injury; therefore, a social worker should keep records for the period of the statute of limitations plus an additional period. Again, social workers will need to make a reasonable and informed judgment realizing that there is not a precise standard.

Most states have different statutes of limitation for different types of lawsuits and for when a plaintiff/former client is a minor or incompetent. The statute of limitations for medical malpractice claims may be a useful guide; however, the application of medical malpractice laws to claims against social workers should not be presumed without confirmation. The statute of limitation for lawsuits based on breach of contract may be another useful guide for social workers to consider. In the event of a threatened legal action, interested social workers should consult an attorney to determine which statute of limitations governs their situation.

The minimum period of medical record retention provided in any state law is three years, and many states have requirements of ten years. Social workers who provide services to children should be aware that record retention requirements often last until several years after the child reaches the age of majority. In some states the total requirement may last as long as 28 years for clients who were minors or incompetent at the time of treatment (Mississippi).

NASW Resources
Attached to this Legal Issue of the Month article is a pair of charts* that provides a state-by-state list of the applicable laws for clinical record retention, as well as the statutes of limitations in each state for medical malpractice claims and lawsuits based on breach of contract. Two separate tables are provided: one for states with laws that specifically reference social workers, and another for the majority of states that do not reference social work records, but provide medical record retention requirements.

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The Adler Graduate School Announces Its
Spring 2007 Friday Workshop Series for Professional Training and CEUs for Social Workers

The Adler Graduate School, Richfield, MN (intersection of 494 and 12th/Portland), announces its Spring 2007 Friday Workshop Series to provide training and CEUs to area professionals.

These workshops are aimed at counselors, psychologists, marriage and family therapists, social workers, consultants, and teachers. These are excellent workshops at a very reasonable price!

Each workshop is taught by an experienced area professional. Cost is $99.00 per workshop. The Adler Graduate School is an approved provider for continuing education credits by the Minnesota Board of Social Work (CEP-169).

<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>Presenter</th>
<th>CEUs</th>
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<tbody>
<tr>
<td>January 19</td>
<td>Effective Conflict Resolution Strategies: Helping Couples, Families, and Organizations</td>
<td>John Reardon, MA</td>
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<tr>
<td>February 9</td>
<td>Parent Coaching: Empowering Parents and Other Caregivers to Address the Challenging Behavior of Children</td>
<td>Tina Feigal, MS</td>
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<td>February 16</td>
<td>Counseling the Blended Family: Accepting Limitations and Maximizing Gifts</td>
<td>Tom Wright, MTh, LMFT</td>
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<td>March 2</td>
<td>The Basics of Developing and Maintaining Your Private Practice: Legalities, Management, and Marketing</td>
<td>Kelly Beggin, MA, LMFT</td>
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<tr>
<td>March 16</td>
<td>Counseling New Immigrants and Their Families</td>
<td>Marina Bluvshtein, LMFT, LPC, PhD</td>
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<tr>
<td>April 13</td>
<td>Integrative Psychotherapy: Where Body and Soul Transform the Mind</td>
<td>Jean Chagnon, PhD, LP</td>
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<tr>
<td>April 20</td>
<td>Cooling Off the Legal Hot Seat: Case Notes, Courtrooms, and Testimony</td>
<td>Rhonda Brown, JD</td>
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<td>May 4</td>
<td>The Use of Early Recollections as a Discovery Tool in Psychotherapy</td>
<td>Catherine Hedberg, MA, LP</td>
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<td>May 18</td>
<td>Cultivating, Organizing, and Leading Parent Education Groups</td>
<td>Gladys Folkers, MA, LMFT</td>
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<td>June 2</td>
<td>Incorporating Complementary Spiritual Healing Techniques into Psychotherapy</td>
<td>Jere Truer, MA, LICSW</td>
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<tr>
<td>June 16</td>
<td>What’s Beyond Words?</td>
<td>Mary Cayan, MSW, CPCC and Bev Lutz, MBA, MCC</td>
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Go to www.AlfredAdler.edu for workshop descriptions, registration information, and location

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Requirements

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Also worth noting, NASW’s Legal Defense Fund publishes a series of monographs on legal topics for social workers, the Law Note Series. The LDF Law Note, Social Workers and Clinical Notes, addresses the various definitions and uses for clinical notes and records according to court decisions and state and federal statutes and regulations.

Conclusions

A majority of states do not provide specific requirements for the duration of social work record retention. In the absence of specific social work laws, determining how long to maintain social work records may involve an awareness of clinical practice requirements, parallel laws for related professions, and the statute of limitations for lawsuits that may be filed against social workers as a result of their professional activities. Social workers should utilize available resources to make a reasonable and informed decision about retaining records, and consult with professional peers, legal counsel, or their professional liability carrier when necessary. Social workers involved in litigation should be aware that their records and notes may be considered evidence and subject to additional legal protection.

References


Resources


*The charts referenced in this article are available on the chapter's website on the Newsletter page.

Alan’s Desktop

CONTINUED FROM PAGE 1

Agenda is enclosed in this issue; the product of excellent work by our volunteer leaders on the Social Policy Action Network (SPAN), our chapter board, and our MSW student intern, Michelle Gray. Also in this issue is Michelle’s article describing the page she constructed on our website with information and resources for working with returning veterans and their families.

A challenge facing all associations, including NASW, is the aging of our membership (see Jean Quam’s report from the national board in this issue). The “Baby Boomers” are steadily marching toward retirement. The obvious solution is to replenish with younger members. Associations of all kinds report that this is not as easy as it sounds. For many cultural reasons, succeeding generations are less focused on community activities. National NASW and its chapters are resolved to face this generational challenge head-on. Task groups have been formed at all levels to better assess the needs of younger social workers, so we can develop and deliver programs that speak to their needs. Our chapter is small, but thanks to a cadre of bright young stars, we are helping to expand our capacity to address member needs in a digital world.

Gretchen Halverson (formerly on our board and current chair of SPAN), Amber Norcutt (former NASW intern), and Michelle Gray (current MSW intern) are all creative, competent, and eager to push the chapter’s technological envelope on your behalf. Call or email the chapter office and let us know what you need, and we will try to make it happen. I also want to welcome Barbara Bradford and Sarah Ferguson, both of whom have accepted the challenge to lead our Membership and Marketing Committee (M&M) as co-chairs. I am sure they would welcome your suggestions and help with this crucial task.

Finally, I know many of you have been aware of transition in the chapter’s support staff this past year. I want to thank Annette Cole, who has been working part-time as an interim program/office coordinator sin last spring. Very close to completing her BSW degree at CSC/UST, Annette is moving on to pursue a career working with the aging. I have very good news for members, however. We have hired Kate Sherva, who is also completing the BSW degree at St. Kate’s, as our new program/office coordinator. She introduces herself in another article in this issue, but I have to tell you that if she portends the future of our profession, it is a bright future, indeed! Please welcome her to the chapter office by dropping a line to kate@naswmn.org.

Moving? Moved? Change of Name?

1. Go to www.socialworkers.org
2. Click on “Members Login”
3. Click on “Update your member profile”
4. Click “Edit” to update
5. Add or correct your e-mail address and click “Submit”

Or you can call the NASW Membership line at 1-800-638-8799, ext. 254