

## MINNESOTA BOARD OF SOCIAL WORK BOARD MEMBER POSITION DESCRIPTION

### I. MISSION STATEMENT

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“To ensure to the residents of Minnesota quality social work services by establishing and enforcing professional standards.” – Board of Social Work Strategic Plan, September 1994.

### II. POSITION PURPOSE

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Board members volunteer to serve a critical role in setting and enforcing standards for licensing, ethical practice, and continuing competency. The Board of Social Work is an executive branch agency of the State of Minnesota. As a state agency, the Minnesota Board of Social Work’s mission and primary responsibility is to protect the public by regulating the practice of social work, through ensuring that all persons licensed as social workers meet a minimum set of standards, and are qualified, professional, ethical, and accountable. The Board also investigates and resolves complaints against licensed social workers and their practice.

The Board operates according to laws that are passed by the state legislature:

- Minnesota Statutes, Sections 148E.001 through 148E.290, and Sections 148D.061 through 148D.063, Social Work Practice Act, which creates the Board and establishes the requirements that applicants and licensees must meet
- Minnesota Statutes, Chapter 214 which governs Boards, is charged with regulating certain occupations in Minnesota
- Minnesota Statutes, Chapter 13, Government Data Practices Act, which identifies public, private and confidential data
- Minnesota Statutes, Chapter 13D, Open Meeting Law, which governs meetings of public bodies
- Board Members must also comply with the Board’s Bylaws

### III. CLIENTELE SERVED

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The public, members of the regulated professions, Board staff, professional associations and organizations, the Board’s Advisory Committee, Social Work Programs in Higher Educational Institutions, representatives of the Office of the Attorney General, and Office of Administrative Hearings, Legal Counsel for Applicants and Licensees, Governor and Governor’s Staff, Legislators and Legislative Staff, other state, federal and national entities.

#### IV. DUTIES OF THE BOARD

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The Board's duties under law, include licensing and regulating the practice of social work in Minnesota by:

- establishing the qualifications and procedures for individuals to be licensed as social workers
- establishing standards of practice for social workers
- holding examinations or contracting with the Association of Social Work Boards or a similar examination body designated by the Board to hold examinations to assess applicants' qualifications
- issuing licenses to qualified individuals
- taking disciplinary, adversarial, corrective, or other action when an individual violates the requirements in statute
- assessing fees, and
- educating social workers and the public on the requirements of the Board

#### V. QUALIFICATIONS OF BOARD MEMBERS

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Interested individuals who meet Board qualification requirements and are interested in serving on the Board must submit applications to the Minnesota Secretary of State Office. Board members are appointed by the Governor and consist of both 5 public and 10 licensed professional members. The licensed members must have been engaged in the practice of social work in Minnesota for at least one year during the ten years preceding their appointments.

The ten social worker members must include at least:

- three licensed social workers
- two licensed independent clinical social workers, and
- two licensed graduate social workers or licensed independent social workers

Five of the social worker members must be engaged at the time of their appointment in the practice of social work in Minnesota in the following settings:

- one must be in either a county or state agency
- one must be in an elementary, middle, or secondary school
- one must be in a health care setting
- one must be in a private setting
- one must be an educator engaged in regular teaching duties at an accredited program of social work

[Minnesota Statutes, section 214.02](#) defines a public member as "a person who is not, or never was, a member of the profession or occupation being licensed or regulated or the spouse of any such person, or a person who does not have or has never had, a material financial interest in either the providing of the professional service being licensed or regulated or an activity directly related to the profession or occupation being licensed or regulated."

Residency and diversity qualifications must also be met. At the time of appointment, at least five members must be members of (1) communities of color, or (2) an underrepresented community, as

defined in MS 148E.010, subdivision 20; and at least six must reside outside of the 11-county metropolitan area.

## **VI. BOARD COMMITTEES**

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The Board has standing committees and ad hoc committees, which are created to address issues specified by the Board. Committee members and committee Chairs are appointed by the chair of the Board. The Board's standing committees include:

### **1. AD HOC COMMITTEES**

Upon majority vote of the members present at a meeting, the Board may create ad hoc committees to address issues specified by the Board. An ad hoc committee consists of the members appointed by the chair of the Board. The chair of the Board shall appoint one Board member to serve as chair. The committee shall review the issues specified by the Board and, as appropriate, make recommendations to the Board. The Chair shall make recommendations to the board as to when the work of an ad hoc committee is completed.

### **2. ADVISORY COMMITTEE**

The Advisory Committee consists of representatives of the social work associations and at least one member of the Board. The committee shall review and inform the Board on professional and policy issues affecting the profession and facilitate effective communication between the Board and the professional organizations representing its licensees, and, as appropriate, make recommendations to the Board. The Advisory Committee is not intended to provide an oversight function for the Board.

### **3. APPLICATION REVIEW COMMITTEE**

The Applications Review Committee consists of board members with clinical and non-clinical expertise appointed by the chair of the Board. The Applications Review Committee will review licensure applications for which precedent decisions do not yet exist including unusual or complex applications to ensure applications meet licensure eligibility requirements to the satisfaction of the Board, and as appropriate, make recommendations to the Board.

### **4. COMMUNICATION EDUCATION AND OUTREACH COMMITTEE**

The Communication Education and Outreach Committee consist of the members appointed by the chair of the Board. The Executive Director will designate staff to serve on the committee. The committee shall increase the awareness of the Board as a regulatory agency and its mission, determine target audiences and tailor education, outreach and relationship building accordingly. The committee will strive to create a coordinated, consistent public education campaign utilizing all appropriate forms of communication medium. As appropriate, the committee may make recommendations to the Board.

### **5. COMPLIANCE COMMITTEE AND COMPLIANCE PANELS**

The Compliance Committee reviews policy issues relating to regulatory compliance and, as appropriate, makes recommendations to the Board. The Compliance Panels meet in closed session to review investigations of complaints and, as appropriate, may dismiss complaints, take adverse action, or make

recommendations to the Board for disciplinary action. The Board has two Compliance Panels, Panel A which typically meets the day preceding the board meetings, and Panel B, which meets in non-board meeting months. The Compliance Committee meets as needed.

## 6. EXECUTIVE COMMITTEE

The Executive Committee is comprised of the Board chair, vice-chair, secretary-treasurer, and previous Board chair in an ex-officio non-voting capacity. The Executive Committee meets between regularly scheduled Board meetings to address matters identified by the chair and, as appropriate, make recommendations to the Board. The committee conducts annual performance reviews of the Board's Executive Director and makes recommendations to the Board on amendments to the bylaws. The Executive Committee meets as needed.

## 7. FINANCE COMMITTEE

The Finance Committee is chaired by the secretary-treasurer of the Board and reviews policy issues relating to budget and finance and, as appropriate, makes recommendations to the Board. The Finance Committee normally meets in the evening on the day preceding Board meetings, which meets every other month.

## 8. LEADERSHIP AND DEVELOPMENT COMMITTEE

At the second-to-the-last regular Board meeting in odd calendar years, the Leadership and Development Committee shall bring forward a slate of officers. The Leadership and Development Committee shall report its nominees at the Board's second to the last regular meeting in odd calendar years, including at least one member to be a candidate for the position of chair during the following two year term, at least one member to be a candidate for the position of vice-chair during the following two year term, and at least one member to be a candidate for the position of secretary-treasurer for the following two year term, at which time the Board's officers will be elected in accordance with Part 3, Section B.

The Leadership and Development Committee will also: assist with the coordination of onboarding and offboarding new board members, including appointing members to mentor new board members; assist with the coordination of committee interest in July of each year; serve to develop and implement strategies to inform the citizens of the state about opportunities to serve as a member of the Board; and carry out additional duties as identified by the Executive Committee and Board.

## 9. LEGISLATION AND RULES COMMITTEE

The Legislation and Rules Committee reviews policy issues relating to legislation and, as appropriate, makes recommendations to the Board. The Legislation and Rules Committee meets as needed.

## VII. TIME COMMITMENT

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The terms of the members shall be four years with the terms ending on the first Monday in January.

The Board holds regular, full-day business meetings every other month, on a Friday. Board meeting dates are scheduled more than a year in advance. Board members are expected to serve on at least one committee. Term limits apply to membership on committees, ad hoc committees, and liaison

appointments, not to exceed the term of appointment by the Governor. Term limits will facilitate rotation and opportunity for all board members. Committee meeting times are scheduled to accommodate the committee members and promote operational efficiencies. Board and committee meetings will require preparation time and active participation by members.

Board members represent the Board to professional organizations and the public at large, when designated. Board members are expected to attend at least one conference or training session during each term they serve on the Board. Board members are reimbursed for expenses incurred in carrying out Board business and paid a per diem of \$75.00 per day.

## **VIII. CODE OF CONDUCT**

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The Board expects of itself and its members ethical and businesslike conduct. This commitment includes proper use of authority and appropriate decorum in group and individual behavior when acting as Board members.

Board members must represent unconflicted loyalty to the interests of the residents of Minnesota. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other boards or staffs. This accountability supersedes the personal interest of any member acting as an individual consumer of the Board's services. Board members will comply with all pertinent state laws and regulations that are applicable to public officials.

Board members must affirm the Board Member Responsibility and Accountability Oath of office and ensure commitment to public protection through excellence in social work regulation. The Oath ensures adherence to standards to assure the public that the Board and its individual members uphold a high level of integrity and ethical standards and includes principles which provide the foundation for assuring public trust in the regulation of social work practice in Minnesota.

Board members must agree to the policy of the State of Minnesota's MN.IT Services and Health Licensing Boards (HLB), including the Minnesota Board of Social Work (BOSW), to ensure the integrity of computerized information resources by protecting them from unauthorized access, modification, destruction, or disclosure, and to ensure the physical security of these resources by signing a Portable Computing and Remote Access Acceptable Use Policy.

No individual Board member, officer or committee (except the Executive Committee) has authority over the executive director. The executive director is authorized to make all decisions, take all actions and develop all activities that are true to the Board's policies. Board members shall comply with the Model Code of Conduct adopted by the Federation of Associations of Regulatory Boards (FARB).

## **IX. COMPENSATION**

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The Board shall comply with Minnesota Statutes and policy which govern Board Member compensation. Minnesota Statutes, section 214.09 subdivision 3, compensation, states:

Members of the boards may be compensated at the rate of \$75 a day effective July 1, 2014, spent on board activities, when authorized by the board, plus expenses in the same manner and amount as authorized by the commissioner's plan adopted under section 43A.18, subdivision 2. Members, who, as

a result of time spent attending board meetings, incur child-care expenses that would not otherwise have been incurred, may be reimbursed for those expenses upon board authorization.

Members who are state employees or employees of the political subdivisions of the state must not receive the daily payment for activities that occur during working hours for which they are also compensated by the state or political subdivision. However, a state or political subdivision employee may receive the daily payment if the employee uses vacation time or compensatory time accumulated in accordance with a collective bargaining agreement or compensation plan for board activity. Members who are state employees or employees of the political subdivisions of the state may receive the expenses provided for in this subdivision unless the expenses are reimbursed by another source. Members who are state employees or employees of political subdivisions of the state may be reimbursed for child-care expenses only for time spent on board activities that are outside their working hours.

The board has adopted internal standards prescribing what constitutes a day spent on board activities for purposes of making daily payments under this subdivision.

## **X. IMMUNITY**

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Board members, board employees, and persons engaged on behalf of the Board are immune from civil liability for any actions, transactions, or publications in the lawful execution of or relating to their duties pursuant to Minnesota Statutes, Sections 148E.040.

## **XI. REMOVALS; VACANCIES**

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A member may be removed by the appointing authority at any time (1) for cause, after notice and hearing, or (2) after missing three consecutive meetings.