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Guidelines for Electronic Practice

The delivery of electronic practice – “Interactive social work practice that is aided by or achieved through technological methods, such as the web, the Internet, social media, electronic chat groups, interactive TV, list serves, cell phones, telephones, faxes, and other emerging technology” [22 TAC §781.102] – is a rapidly expanding area. While the Texas Behavioral Health Executive Council (Council) rules do not prohibit such services, it is important for licensees to be aware of a number of concerns about the delivery of services via remote or electronic means, including the following:

1. The increased potential that a social worker will have limited knowledge of a distant community’s resources in times of crisis.
2. Problems associated with obtaining informed consent.
3. The lack of standards for training social workers in the use of technology as well as the special therapeutic considerations in the use of the medium.
4. The lack of vocal, visual, and other sensory cues.
5. The potential that equipment failures may lead to undue client anxiety.
6. The potential inability of clients, who are unfamiliar with technology, to adequately access and use the technology.
7. The lack of confidentiality and privacy.

It is important to remember that the Social Work Practice Act (the Act) and all other laws affecting the delivery of social work services apply to all social work services delivered anywhere within the state of Texas, regardless of how they are delivered.

Complaints received by the Council regarding electronic practice of social work will be evaluated by the Council on a case-by-case basis, and the following general principles will be applied to any such complaints. However, these guidelines are not intended to conflict with, nor should they be construed to alter requirements for the delivery of social work services that have been established by exempt facilities such as the Veterans Administration.

An individual who is physically located in another state shall be considered to be practicing in Texas and therefore, subject to the Act, if a recipient of services provided by the individual is physically located in the state of Texas. Licensees should also be aware that services they offer to consumers in other states may similarly be regulated by the laws of the state in which the consumers are located.

As stated above, the Council currently includes “other emerging technology” in the definition of “electronic practice” for social workers and Council rule 22 TAC § 781.301(3), concerning The Code of Conduct, states: “A social worker shall only offer those services that are within his or her professional competency, and shall provide services within accepted professional standards of practice, appropriate to the client’s needs.” Council rule 22 TAC §781.323, related to *Technology in Social Work Practice*, states

“When social workers use technology to provide services, they are subject to all rules and statutes, including this chapter and Occupations Code, Chapter 505, as if providing face to face services.”

It is important for licensees considering such services to review the characteristics of the services, the service delivery method, and the provisions for confidentiality to ensure compliance with the Council rules, as well as federal and state law. Licensees should review [all Council rules](#) for enforceable minimum standards of practice. Licensees are also encouraged to review the [“Standards for Technology in Social Work Practice”](#) – published by the National Association of Social Workers (NASW), Association of Social Work Boards (ASWB), Council on Social Work Education (CSWE), and Clinical Social Work Association (CSWA) – and incorporate those best practices where congruent with federal and state law.