

California Annual 2010 Social Works Awards Celebration



Beverly J. Buckles, DSW
Social Worker of the Year Award

Dr. Buckles is the dean of the School of Science and Technology and chairperson of the Department of Social Work and Social Ecology at Loma Linda University (LLU). An expert in mental health services, she is co-recipient of the 2003 National Association of Counties Best Practice Award for services to at-risk children in San Bernardino County. In 2006, she received the LLU Centennial Vanguard Award for her work as founder of the University's International Behavioral Health Trauma Team. Since 1995, this team has responded to natural and man-made disasters in more than 30 countries; including the 2005 Tsunami, Hurricane Katrina, earthquakes in Pakistan, China and Haiti, mudslides in Central and South America, California wildfires, and industrial violence. The LLU team has supported the development of national and regional trauma teams in several countries, including the Haitian National Trauma Team in 2004. Dr. Buckles has led three trips to Haiti to implement peer support psychological first aid and resiliency services for adults and children living at one of the largest displaced person camps in Port au Prince. She continues to work with organizations in Haiti to foster empowerment through the creation of education and training programs and micro industry.



NASW Social Work Awardees (center) John Maceri, Barrie Levy and Bev Buckles with Chapter President Mary Kay Oliveri and Chapter Executive Director Janlee Wong. Missing from photo is Art Nelson and Ken Williams.



Barrie Levy, LCSW
Lifetime Achievement Award

Ms. Levy is on the faculty of UCLA's Department of Women's Studies and the UCLA School of Public Policy, Department of Social Welfare. She is also a consultant for the Westside Domestic Violence Network and a psychotherapist in private practice. Ms. Levy is a nationally recognized trainer on domestic and sexual violence and has appeared on more than 15 television shows and written many books and articles, including *Women and Violence*, *Dating Violence: Young Women in Danger*, and *In Love and in Danger*. During her 30-plus year career in this field, she has served in a variety of capacities that

includes serving as a faculty member in social welfare at UCLA; administrator for several programs at the Didi Hirsch Community Mental Health Center; and founder, director and board president of the Southern California Coalition for Battered Women. She also served as the first vice chair of the L.A. County Domestic Violence Council. Ms. Levy was founder of the L.A. Commission on Assaults Against Women (now Peace Over Violence) and since its inception has served as trainer, hot line counselor and administrator. Additionally, over the last 30 years, Ms. Levy served in many capacities while working with Sojourn Services for Battered Women.

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FROM THE PRESIDENT

I Am a Social Worker

By Mary Kay Oliveri, MSW, LCSW, Diplomate in Clinical Social Work



I have met some exceptional individuals over the years that I have been a part of the social work profession, many of them fellow social workers who humble me by the energy and effort they put forth on behalf of those they serve. I have been doing some consulting this fall in the men’s central jail and twin towers for Los Angeles County, Department of Mental Health, Jail Mental Health Staff. This staff is largely comprised of social workers in addition to psychologists, nurses, alcohol and drug counselors, rehabilitation therapists and psychiatrists. In a recent training, we went around the room to introduce ourselves and to talk about the challenges and opportunities of bringing group services and group therapy to the incarcerated mentally ill. Often the men are shackled to tables in an open area during group interactions. I found myself overwhelmed by the dedication and compassion of those who do this work. I was also filled with admiration and a bit of pride when the social workers in the room, unscripted, introduced themselves by name, followed with, “I am a social worker.”

Since the group was largely comprised of social workers, I heard this phrase at least 16 times. It was always followed by some version of, “in order to help the men I serve better, I would like to learn...” Those in the room ranged from very beginning professionals, only months before my students and now my

“A hero is someone who has given his or her life to something bigger than oneself.”

-- Joseph Campbell
(Author and Mythologist, 1904-1987)

colleagues, to those who have been in the field as long as I have, which is a long time. I never cease to be impressed with the way those in our profession stay open to learning. I am less likely to have the experience of being with social workers who openly express strength in their identity as a social worker.

I would hope that we would each be able to express clearly and unequivocally our identity as social workers acting each day on behalf of clients who are in need of social support, resources, human connection, advocacy, and social justice. As we approach the holiday season, I would ask that each of you consider how to give voice to your social work connections in addition to your families and friendships. I think it is once again time to move forward and publically demonstrate what social work is about. And, to advocate for the words, “I am a social worker,” to mean that the individual saying them has a certain education and professional code of ethics, values and action.

After the holidays, I would hope to join with others in the California Chapter of NASW toward taking public action on issues of concern for social workers, like poverty, hunger, violence and justice. I would also like to see us initiate legislation that reflects our profession in these areas and that supports the idea that only individuals with particular training and practice principles can say, “I am a social worker.” ●

“The world is moved along, not only by the mighty shoves of its heroes, but also by the aggregate of the tiny pushes of each honest worker.”

-- Helen Keller (Author and Educator, 1880-1968)

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FROM THE EXECUTIVE DIRECTOR To Grandparent or Not

By Janlee Wong, MSW



Whether LCSWs want to grandparent in or not would depend on the reasons why they would want a second independent practice license.

This is not about having grandkids, but about the provisions in the new licensed professional clinical counselor (LPCC) law that allow LCSWs and MFTs to obtain a second independent practice license. Starting January 1, 2011, LCSWs and MFTs will have six months to apply for LPCC grandparenting. Currently, the Board of Behavioral Sciences (BBS) is requiring LCSWs and MFTs to have education in nine core content areas or get that education in order to qualify. The BBS is also requiring a “gap” exam that will test LCSWs and MFTs on the “differences between the practices” of counseling, clinical social work and marriage family therapy. The California Association of Marriage Family Therapy is fighting is requirement as unnecessary.

Whether LCSWs want to grandparent

in or not would depend on the reasons why they would want a second independent practice license. It would be the same question as why LCSWs would want a MFT license. I think for private practitioners it’s a marketing question. If by getting a second license, could you attract more clients to your private practice? This presupposes that there may be a stigma or misunderstanding of the term LCSW and, that if you have a LPCC, you could get those clients who are wary of social workers or have a negative stereotype of them. This was one of the rationales that LPCCs used in justifying their license. They also used the same argument for the alleged stigma to the term “therapist” or “psychotherapist.”

The real reason for the LPCC license is so they can practice psychotherapy

independently. Since LCSWs and MFTs can do that now, there’s no strong reason for them to have the LPCC as a second license.

Currently, counselors are in schools, rehab counseling, educational counseling, and other jobs that don’t require a license and probably will continue not to require a license since they are not “psychotherapy” jobs. However with the LPCC, counselors can take mental health jobs that are currently restricted to licensed professionals.

I don’t believe this is a way for LCSWs to get “school counselor” jobs in the K-12 system that require a PPS in school counseling. Social workers can get those jobs now if they have a school counseling PPS. School counselor jobs are scarce right now given the severe cuts to the school districts. ●

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Confronting the Hidden Wounds of War

Part I—The Toll among Our Veterans and Its Causes

By Sam Coleman, PhD, MSW

These combined articles originally appeared in the Summer and Autumn 2010 editions of The Maryland Social Worker and are reproduced with the kind permission of the NASW Maryland Chapter. The author has modified Part II to include more information specific to California.

The United States is still deeply involved in two protracted insurgencies, first in Afghanistan since 2001, and Iraq beginning in 2003. The wars have come home, most notably in the numbers of American servicemen and women killed or wounded—easily exceeding 5,400 fatalities¹ and well over 37,400 wounded in action.² Even those returning from war zones with bodies intact, however, are experiencing a host of problems that play havoc with their emotional functioning.

The Grim Statistics

A comprehensive study conducted by the Rand Corporation in 2007 sought to discover prevalence rates of “mental health and cognitive conditions” among troops who had returned from Iraq and Afghanistan. The survey found 11.2 percent of respondents reporting depression or post-traumatic stress disorder (PTSD). Another 12.2 percent reported traumatic brain injury (TBI), and yet another 7.3 percent indicated some combination of both TBI and a mental health condition, for a total estimate exceeding 30 percent.³ America’s veterans are particularly vulnerable to self-destruction: 18 commit suicide every day, on average.⁴ The suicide rates among active duty personnel and returned veterans in recent years



Members of Iraq Veterans Against the War (IVAW) at a planning meeting in St. Louis, Missouri in 2007. IVAW advocates for redirecting military spending to services and resources for returning veterans, and has recently launched “Operation Recovery,” a campaign to protect traumatized troops from being redeployed.

©Photo by Mathieu Grandjean / mathieugrandjean.com

have hit record highs. Between 2005 and 2007, the rate among male veterans between the ages of 18 and 29 spiked up 26 percent.⁵ The Veterans Administration may be understating the extent of the problem, too; in 2008, CBS News documented an attempt in the VA administration to conceal suicide frequency.⁶

The suicide rates among active duty personnel and returned veterans in recent years have hit record highs.

Veterans of our ongoing wars are more prone to pathological behavior as well. A *New York Times* investigation found 121 instances in which an Iraq or Afghanistan veteran killed someone in the United States after returning from war.⁷ Alcohol-related problems have risen among

younger veterans. In one study, combat veterans from Iraq and Afghanistan were 31 percent more likely to take up binge drinking than those without combat experience.⁸ Veterans of the recent wars are more likely to be involved in vehicular accidents; the *Boston Globe* reported last year that Iraq and Afghanistan veterans are 75 percent more likely than civilian counterparts to die in auto accidents. The rate for motorcycles is 148 percent higher.⁹

What’s happening to these people? And where can we, as social workers, provide solutions? ●

The remainder of this article, in two parts, appears on line at <http://www.naswca.org/associations/7989/files/ConfrontingHiddenWounds.pdf>. Part II is subtitled “What We Can Do.”

2010 Social Work Awards

Continued from page 1



Arthur Wayne Nelson, MSW
Lifetime Achievement Award

Mr. Nelson attended Hancock College in Santa Maria and Westmont College in Santa Barbara. While in the military, he served in the 28th Infantry Division in Germany. He received his master's degree from UCLA in 1957, along with a charter membership into the newly formed National Association of Social Workers. His first job was as a social worker for the Santa Barbara County Welfare Department, where he served as an adoptions caseworker, child welfare supervisor, staff training officer and as the director of the department for 15 years. Mr. Nelson taught undergraduate social work courses at the University of California Santa Barbara and Westmont College. He was also involved in community service, which included participating on the boards of directors for the United Way, Salvation Army and American Red Cross. He held leadership positions within the California Chapter of NASW, the Santa Barbara Council of Social Services, and the California County Welfare Directors Association. After retiring, he was appointed to the State Social Services Advisory Board, which submitted policy recommendations to the California Legislature and the State Department of Social Welfare. Mr. Nelson also received a certificate of "Special Congressional Recognition" from Congresswoman Lois Capps.



John Maceri, BA
Public Citizen of the Year Award

Mr. Maceri is the executive director of OPCC, a nonprofit social service agency based in Santa Monica. OPCC provides a wide variety of housing and other services through its ten projects targeting low-income and homeless youth, adults

and families, battered women and their children, at-risk youth, and people living with mental illness. OPCC has an annual operating budget of \$9.2 million, employs a staff of 140, has an active volunteer corps of 700, and serves more than 9,000 individuals and families a year. He served on the board of the Business Alliance of Los Angeles (formerly the Valley Business Alliance) as a member, vice president and two-term president. He currently serves as chair of the Westside Shelter and Hunger Coalition, and as a member of the board of the Santa Monica Chamber of Commerce. Mr. Maceri is also a past vice president of the board for North Valley Caring Services, a nonprofit that provides services to low-income children and families. He is also a former member of the governing board of the Children Affected by AIDS Foundation, a national funder of agencies providing services to children and their families infected and affected by HIV and AIDS.



Ken Williams, BA
Public Citizen of the Year Award

For more than 30 years, Mr. Williams has worked providing services to the poor and homeless in Santa Barbara. He has organized and helped develop numerous programs to address the needs of the poor and homeless of Santa Barbara's local community. These programs have included several homeless shelters, a children's soup kitchen, a mobile medical clinic for the homeless, recovery homes for the addicted, mentally ill, and homeless pregnant women and their children, as well as a child care center for homeless children. He writes feature articles and a regular column for the local media. He is a published author of two novels, *China White* and *Shattered Dreams*, and *A Story of the Streets*. Mr. Williams is an ex-Marine and Vietnam combat veteran. His newest book, a collection of his writings and biography, is titled *There Must Be Honor: A journey through life, death, and war; one man's call for justice and hope.* ●

VOLUNTEER LEADER SPOTLIGHT

Paul Provencio, MSW Region E Alternate Director



I want to start out by thanking my parents, family, friends, and supporters of my life and education. Many people have believed in me in my life's pursuit of growth and development and to them I owe a debt of gratitude.

My experience as a budding social worker begins as a youth in my home town. I was always honored, but very curious, as to why youths would choose me to talk to about their life's experiences. Maybe it was my listening ear or possibly the challenging advice to seek the answer within that drew attention. Later in life, following the advice of trusted adults led me to further explore the tradition of social work. After many jobs in social service related fields, I found myself studying recreational therapy and working for the city of San Diego Department of Disabled Services, and in a residential group home servicing San Diego's child welfare service dependants.

Prior to finishing my bachelor of science at San Diego State University, I knew I wanted to "do" more. I began to explore higher education degrees in marriage and family therapy, alcohol and drug treatment and social work. After listening to presentations by all three programs, I knew that social work was "the one." Social work's broad approach to servicing individuals and families through therapy, advocacy, activism, service and policy all at levels has developed and engrained in me the passion for social work that I had been practicing as a youth. I look forward to furthering my education at the USC School of Social Work, continuing to engage my passion as the alternate director of Region E, and being more involved in service through social work. Namaste. ●

Readers interested in knowing more about Paul or Region E events can e-mail paulprovencio@gmail.com.

CE FAIRS**January CE Fair in Los Angeles**

DATES: January 28-29, 2011
LOCATION: LA Athletic Club, 431 West Seventh Street, Los Angeles, CA 90014
ROOM RESERVATIONS: Call the hotel at (213) 625-2211 and request the NASW rate - \$129 per night.
PARKING: \$4.50 per day/ approximate
REGISTRATION DEADLINE: Monday, January 10, 2011

Human Sexuality (10 Hr)*1-day Pre-license Requirement*

Course: #11-201
 Instructor: M. Harwood, LCSW
 Date: Friday, January 28
 Hours: 8:30am-7:30pm
 Fees: Member \$175
 Non-member \$205

Spousal/Partner Abuse (7 Hr)*1-day Pre & Post License Requirement*

Course: #11-202
 Instructor: M. Harwood, LCSW
 Date: Saturday, January 29
 Hours: 8:30am-4:30pm
 Fees: Member \$135
 Non-member \$165

Substance Dependency (15 Hr)*2-day Pre-license Requirement*

Course: #11-203
 Instructor: G. DiStefano, LCSW
 Dates: Fri. & Sat., Jan. 28 & 29
 Hours: 8:30am-5:00pm
 Fees: Member \$245
 Non-member \$275

Child Abuse (7 Hr)*1-day Pre-license Requirement*

Course: #11-204
 Instructor: R. Liles, LCSW, DSW
 Date: Saturday, January 29
 Hours: 8:30am-4:30pm
 Fees: Member \$135
 Non-member \$165

Advanced Law & Ethics (6 Hr)*BBS Requirement for LCSW & MFT*

Course: #11-205
 Instructor: M. W. Siegel, LCSW
 Date: Friday, January 28
 Hours: 9:00am-4:00pm
 Fees: Member \$115
 Non-member \$145

Clinical Supervision (15 Hr)*BBS Requirement for Supervising ASW*

Course: #11-206
 Instructor: M. Jung, LCSW
 Dates: Fri. & Sat., Jan. 28 & 29
 Hours: 8:30am-5:00pm
 Fees: Member \$245
 Non-member \$275

February CE Fair in Santa Clara

DATES: February 25 & 26, 2011
LOCATION: Embassy Suites, 2885 Lakeside Drive, Santa Clara, CA 95054
ROOM RESERVATIONS: Call the hotel at (408) 496-6400 and request the NASW rate - \$109 per night.
PARKING: No charge
REGISTRATION DEADLINE: Monday, February 7, 2011

Human Sexuality (10 Hr)*1-day Pre-license Requirement*

Course: #11-207
 Instructor: R. Nizzardini, LCSW, JD
 Date: Friday, February 25
 Hours: 8:30am-7:30pm
 Fees: Member \$175
 Non-member \$205

Spousal/Partner Abuse (15 Hr)*2-day Pre & Post License Requirement*

Course: #11-208
 Instructor: G. Merrill, LCSW
 Date: Fri. & Sat., Feb. 25 & 26
 Hours: 8:30am-5:00pm
 Fees: Member \$245
 Non-member \$275

Advanced Law & Ethics (6 Hr)*BBS Requirement for LCSW & MFT*

Course: #11-209
 Instructor: P. Tsui, LCSW, PsyD
 Date: Saturday, February 26
 Hours: 9:00am-4:00pm
 Fees: Member \$115
 Non-member \$145

Substance Dependency (15 Hr)*2-day Pre-license Requirement*

Course: #11-210
 Instructor: G. DiStefano, LCSW
 Dates: Fri. & Sat., Feb. 25 & 26
 Hours: 8:30am-5:00pm
 Fees: Member \$245
 Non-member \$275

Clinical Supervision (15 Hr)*BBS Requirement for Supervising ASW*

Course: #11-211
 Instructor: M. Stern, LCSW
 Dates: Fri. & Sat., Feb. 25 & 26
 Hours: 8:30am-5:00pm
 Fees: Member \$245
 Non-member \$275

Child Abuse (7 Hr)*1-day Pre-license Requirement*

Course: #11-212
 Instructor: J. Robbins, LCSW
 Date: Saturday, Feb. 26
 Hours: 8:30am-4:30pm
 Fees: Member \$135
 Non-member \$165

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Geography of Drug Markets and Child Maltreatment: How Practice Informs Research

By Bridget Freisthler, Ph.D. and Nancy J. Williams, MSW

Often, the research carried out on social welfare problems does not seem to affect what actually takes place in practice. Research seems inaccessible to practitioners; studies are designed and findings interpreted without input from those working in the field. In the case of this study, however, we have been able to use recent research findings combined with practice experience to help understand the findings and suggest clear and practical recommendations for the field.

The Study and Its Findings

The study was designed to enhance understanding of how illicit drug markets in neighborhoods place children at risk for being abused or neglected. We did this by examining drug markets across neighborhoods and over time. We found that referrals for child maltreatment investigations were less likely to occur in places where current drug market activity (as measured by drug possessions and drug sales) was present. However, when we looked at drug sales in the past year for both the neighborhood and nearby neighborhoods, we did find more referrals for child maltreatment. Neighborhoods with more drug possessions and drug sales during the study period had higher numbers of substantiated cases of child maltreatment in the months following. Neighborhoods with more cases of drug possession also had more cases in which children were placed into foster care. We hypothesized that the time lag between drug sales and child maltreatment referrals may: (1) indicate that the surveillance systems designed to protect children may not be very responsive to changing neighborhood conditions; or, (2) show that it takes time for drug sales to reach their users and for the detrimental effects of drug use to appear.

Nancy's Practice Example

Late one afternoon, I received an imme-

diately response, "Doe referral." Typical of these types of referrals, it only referenced an address and a statement that a woman was residing in a tool shed with a newborn child. With such little information, I was left to depend upon my knowledge of the neighborhood area and my assessment skills. Through my ongoing collaboration with local community agencies and local police officers, I was acutely aware that the area had been experiencing a surge in crack-cocaine sales and use.

The main house was not occupied. However, in the backyard I observed a baby blanket hanging from a clothes line. I spoke with an African-American male who led me to an African-American woman and an infant lying down on a dust-covered couch in a poorly ventilated shed. I attempted to engage the woman in conversation; however, her behavior appeared erratic and her statements were evasive, contradictory and illogical. During this time, she wouldn't let me examine the infant. When I pressed her, the woman suddenly picked up the infant and handed him to the same man I had spoken to before. She attempted to block me from leaving the yard with him. I eventually caught up with the man and the infant three blocks away. During this time, the woman disappeared.

The man appeared more coherent and was cooperative. He confirmed that the infant had been residing in the shed with the woman I had spoken to, who was the mother. A quick check of the infant showed signs of severe physical neglect including thin appearance, fungal infection in the mouth, cradle cap, dirty appearance, and a combination of scarring and extensive active diaper rash. The child also presented symptoms similar to crack-exposed newborn infants, including tremors, high-pitched cry and being difficult to console. The child's condition and circumstances in the neighborhood led me

to have the child immediately assessed, including toxicological screening at a children's hospital.

My initial assessment was confirmed. The infant tested positive for metabolites associated with crack cocaine. He was taken into custody. While the mother's extended family was found, the mother was never located again. This real example shows how knowledge of drug activity in a neighborhood can alert a caseworker to assess for specific effects related to a child's well-being.

Recommendations

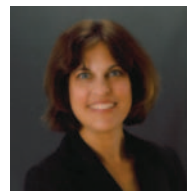
Based on the findings from the study and real examples, we concluded that reducing the time delay between drug market development and referrals for child maltreatment investigations may prevent some child maltreatment from occurring. The referral that Nancy received said nothing about possible drug activity or drug use. It was her firsthand knowledge about local drug activity garnered from relationships with law enforcement that had her on alert. This suggests some natural partnerships, including increased collaboration between law enforcement and child welfare caseworkers. Police could provide child welfare caseworkers with locations of emerging drug markets as they investigate new drug cases in these areas. Further, information on emerging drug market locations would allow caseworkers or other child welfare professionals to target these areas for prevention programming so that subsequent maltreatment does not occur. Finally, publicizing drug activity in local areas or implementing public awareness campaigns encouraging individuals to report suspected child abuse and neglect in neighborhoods where drug market activities are occurring might further prevent maltreatment. ●

Bridget Freisthler is a faculty member in UCLA's Department of Social Welfare. Nancy J. Williams is a former caseworker for the Department of Children and Family Services and a current doctoral student at UCLA. A copy of the full study can be found at <http://resources.prev.org/documents/DrugMarketsandMaltreatment.pdf>.

POLITICAL ACTION

What's Going On With the State Budget?

By Rebecca Gonzales, Director of Government Relations and Political Affairs



In the wee hours of Friday, October 8, the State of California finally passed a state budget! The State's fiscal year began on July 1 and this year broke the all-time record for late budgets.

The final budget compromise did not include the most draconian cuts to health and human services programs such as proposals to eliminate CalWORKs and state-supported childcare and to drastically reduce mental health funding. This year, the Democratic majority drew a line in the sand to protect health and human services programs from major cuts. The final budget did not include any major tax increases, but the legislature is postponing an expected corporate tax cut which will bring in more revenue. The budget is partially "balanced" by increased state and federal revenue projections and the planned sale of certain state properties.

Unfortunately, once the budget was passed, the Governor used his line-item

veto authority to cut almost \$1 billion in spending. These vetoes included funding for Child Welfare Services, which was a major issue for us this year. Other line-item vetoes included \$256 million to CalWORKs Stage 3 child care; \$10 million to community health clinics; \$5 million for the Maternal, Child and Adolescent Health Program; \$52.1 million for the office of AIDS and all state funding for drug treatment under the Offender Treatment program. The Governor also deleted the funding and suspended the mandate for schools under the AB 3632 program, which provides mental health services for special education students. We are presently regrouping and determining how we will restore these funds under a new administration.

Next year, we are certain to face another budget deficit. The economy is still projected to grow at a very slow rate and we can be certain that some of the

revenue assumptions in this budget will not materialize. Despite this, it is a great victory that, in the face of drastically reduced state revenues, that we were able to protect the core structure of our safety net programs. Thank you to all NASW-CA members who lobbied their legislators and the Governor to protect essential programs and services for our most vulnerable populations.

2011 Legislative Idea Submissions

Now that the 2010 legislative session has ended, we will begin to look at possible policy priorities for the 2011 legislative session. If you have an idea that you would like to share with the government relations department, please e-mail rgonzales@naswca.org or call (916) 442-4565, ext. 12. The deadline to submit ideas for the 2011 legislative session is November 15, 2010. ●

Legislative Update

The 2010 legislative year has come to a close and the final outcome of all legislation has been decided. The good news is that the Governor signed our sponsored bill, AB 2167 (Nava), and our cosponsored bill, SB 543 (Leno). He also signed a number of good foster care bills. The bad news is that he vetoed the mental health parity bill, AB 1600 (Beall), and a number of other measures we supported. Below is a list of our priority bills and their final outcomes:

Bills Signed by the Governor

AB 12 (Beall & Bass) California Fostering Connections to Success Act

This two-year bill would ensure that California opts into federal funding that

re-enacts our existing Kin-Gap program to provide transitional support to some foster youth until age 21. As a result, California would use federal funds that would achieve substantial savings from declines in homelessness, teen pregnancy, unemployment, public assistance, and other expensive outcomes for young adults who would otherwise be forced out of foster care at the age of 18.

AB 743 (Portantino) Foster Care: Sibling Placement

This bill requires California to place siblings together when they have been removed from their parents or guardians unless that placement is contrary to their safety or well-being.

AB 1758 (Ammiano) County Wraparound Services Program

This bill removes the pilot status of the "wraparound program," which places a child in the least restrictive environment and can reduce the risk of out-of-home placement by bringing together a team of individuals, agencies, and the community to meet the individualized needs of the child and family. This bill also adds nonrelative extended family members to the list of those eligible for these services.

AB 1905 (Cook) Foster Care: Funding: Placement Approvals

Ensures that payment and approval for relative foster youth caregiver homes will not be compromised due to the untimely completion of the annual reassessment.

Continued on page 11

POLITICAL ACTION

Legislative Update

Continued from page 10

AB 1933 (Brownley) Foster Children: Education

This measure seeks to ensure long-term school stability to foster youth by giving them the right to remain indefinitely in their school of origin, despite any subsequent changes in residential placement. Also allows students that leave foster care to remain in their school of origin for the remainder of the school year.

AB 2167 (Nava) Social Worker Loan Repayment Act (sponsored bill)

Allows California masters level social workers to take the National Exam, administered by the Association of Social Work Boards (ASWB), for licensure. This enables California Licensed Clinical Social Workers (LCSW) to be eligible for the federal National Health Service Corps (NHSC) Loan Repayment program, which pays back student loans for social workers who work in underserved and underserved areas.

AB 2364 (Nava) Unemployment Insurance: Benefits: Good Cause to Leave Work

This bill clarifies existing law to ensure that an employee may leave their employer for good cause in order to protect their family from domestic abuse and violence, thereby qualifying for unemployment benefits

SB 543 (Leno) Mental Health Services for At-risk Youth (co-sponsored bill)

SB 543 removes barriers to providing mental health services to youth by allowing youth aged 12 to 17 to consent to mental health treatment or counseling if the attending professional believes the youth is mature enough to participate intelligently in the services. SB 543 helps ensure that youth do not have to wait until their mental health situations become dire and their safety is compromised by suicide, substance abuse or violence to receive services.

Bills Vetoed by the Governor

AB 1593 (Yamada) Adult Day Health Care Centers

Removes financial barriers to allow the opening of two new, publicly financed, Adult Day Health Centers (ADHCs) at two California Veterans Homes, contingent on the availability of funds appropriated in the annual Budget Act.

AB 1600 (Beall) Health Care Coverage: Mental Health Services (Parity)

Requires health plans and health insurers to cover the diagnosis and medically necessary treatment of a mental illness of a person of any age, including a child, and to include equitable coverage for substance abuse.

AB 1914 (Davis) Public Social Services: Food Stamp Benefits

This bill requires the state to provide emergency food stamp benefits to those waiting for their unemployment benefits or an extension of unemployment benefits.

AB 2047 (Hernandez) Public Postsecondary Education: Admissions Policies

This measure authorizes UC and CSU to consider race, gender, ethnicity, national origin, geographic origin, and household income, along with other relevant factors in undergraduate and graduate admissions.

AB 2706 (Lowenthal) Civil Rights: Homeless Persons

Specifies that a homeless person has the right to be free from violence or intimidation and that he or she can sue for enhanced civil penalties if an act of violence was committed against them because of their status as a homeless individual.

SB 662 (Yee) Domestic Violence: Marriage License Fees

This measure increases fees on marriage licenses for the purposes of funding domestic violence shelters.

SB 1322 (Liu) Food Stamp Employment and Training Program

This bill allows participants in the Food Stamp Employment and Training program to fulfill their work requirement through a public service placement in a public or private nonprofit agency.

In addition, the Governor previously signed SB 2011 (Arambula) to increase the minimum fee paid by a domestic violence probationer. The Legislature also passed SCR 97 (Yee) to create the Asian Pacific American Health Day, SJR 9 (Kehoe) to place California in support of reversing the "Don't Ask, Don't Tell" policy and AJR 19 (Brownley) to put California in support of repealing the federal Defense of Marriage Act. ●

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LEGAL ISSUE



NASW LEGAL ISSUE OF THE MONTH

Preventing and Responding To Electronic Privacy Breaches

Introduction

Concerns about the protection of client privacy are on the rise as health records are increasingly made available in multiple electronic formats. Due to the ease with which large amounts of data can be stored and transmitted in small, portable devices such as laptop computers, handheld and fingertip devices, social workers need to be prepared to respond quickly and appropriately in the event a privacy breach should occur. This *Legal Issue of the Month* article reviews existing and emerging standards for responding to privacy breaches involving social workers' confidential client information contained in electronic systems, including an overview of state laws and federal regulations.

What Is a Privacy Breach?

Health care entities, including private social work practices, should define what constitutes a breach for their staff

when developing security and privacy policies. The Health Information Technology for Economic and Clinical Health Act (HITECH) (2009), which amended the Health Insurance Portability and Accountability Act of 1996 (HIPAA), defines a "breach" as:

[T]he unauthorized acquisition, access, use or disclosure of protected health information, which compromises the security or privacy of such information, except where an unauthorized person to whom such information is disclosed would not reasonably have been able to retain such information (Sec. 13400(1)(A)).

Before a Privacy Breach Occurs

Social workers have high standards for the protection of client privacy, as articulated in the NASW Code of Ethics, NASW practice standards, state social worker licensing laws and regulations, as well as social worker—client privilege laws recognized by the courts.

The HIPAA Security Standards set out the basic requirements for securing clients' protected health information. Each health care entity is expected to engage in a formal review of all electronic systems and devices that are used to handle confidential client information, to assess the potential threats and vulnerabilities to the security of that information, and develop a written plan for addressing areas of risk, and then implement the plan (Morgan & Polowy, 2005). This is recommended for all social work practices, with periodic reviews of potentials vulnerabilities. The regulatory compliance process should include appointing a HIPAA security officer and identifying someone responsible for responding to security breaches. NASW's Legal Defense Fund has made available several articles and booklets that outline the detailed HIPAA security specifications without charge to NASW members at <http://www.socialworkers.org/hipaa/security.asp>.

New HIPAA regulations promulgated in 2009 create a strong incentive for all health care entities to use encryption

continued on page 22

OPINION

Reflections After Six Years of Writing About CCRCs

People Who Have Helped and Inspired Me on My Journey

By Lillian L. Hyatt, MSW, a CCRC resident and AARP Policy Specialist on CCRCs

This *California News* issue marks my seventh year of researching and writing about CCRCs. As I studied this complex and flawed system of caring for seniors who could afford this model of lifelong care, I had many teachers who inspired me to keep learning and writing in order to improve the only real option for middle- and upper-income elderly. While I had people who encouraged me, I also paid a very high price for daring to challenge the CCRC industry. These people did everything

possible to impede my quest in getting the true facts and giving good consumer information. That will be the subject of another column. This column will be devoted to those people I call, "The thin gray line." They are folks who were not fearful or silent in the face of abusive practices and they did the work that encouraged me to continue mine. There were many, but I intend to pay tribute to each and every one.

To view the entire article, please visit www.naswca.org/associations/7989/

files/hyatt1110.pdf. To request a printed copy of this article, please call (800) 538-2565, ext. 42. ●



California News columnist Lillian Hyatt was recently named as an AARP California policy advisor. A policy advisor reviews legislation, regulations and other proposals to promote official AARP policy updated annually and approved by its board of directors.

IN MEMORIAM
Mable King
(1922-2010)



Mable King passed away on August 4, 2010 at the age of 90. She helped many children, families and organizations and also influenced social work students throughout her professional career, as evidenced by letters, recommendations, cards and photos.

Mable received her bachelor's degree from Spelman College in Atlanta, worked for the Veterans Administration Hospital in Tuskegee, AL, and for U.S. Embassies in Israel, Italy and Ghana. She then received her master's degree in social work from Boston University in 1960, and worked at the Metropolitan Hospital. Mable moved to San Francisco and began working in 1962 with the Public Welfare Department, which later became the San Francisco Department of Social Services. After 24 years with the Department, she retired in 1986. The general manager at that time noted that she had performed her duties in Family and Children's Services as a foster home placement worker, adoption home study worker, foster home licensing worker and senior child welfare caseworker with warmth, grace, competence and distinction and had served the county of San Francisco with honor. Over the years, she also traveled to Mexico, Turkey, Lebanon and Egypt. She was as talented seamstress and stenographer, and was fluent in Spanish. She also made contributions to several local charities and to two colleges in Washington, DC and Atlanta, GA.

A memorial service and scattering of her ashes were conducted by the Neptune Society in San Francisco on September 17. Donations in her memory can be sent to Little Brothers-Friends of the Elderly, 909 Hyde Street, Suite 628, San Francisco, California, 94109. ●

2010-2011 NASW-CA Chapter Interns

Every year the chapter accepts BSW and MSW students from Northern California schools of social work as interns in the Sacramento office.



Tina Everhart,
MSW Student
California State University, Sacramento

Tina resides in Grass Valley, CA. She earned a BSW from California State University, Sacramento and is now a second-year MSW student at CSUS. Tina has experience working in juvenile probation and plans to pursue a career in research and policy development.



Laila Annane,
MSW Student
California State University, East Bay

Laila is a first-year MSW student at CSU East Bay. Prior to entering graduate school, she attended California State University, Sacramento, where she earned a BA degree in psychology. She is excited about interning with NASW and hopes to gain new experiences that will prepare her to work in the field of child welfare.



Vreny Palacios,
BSW Student
Pacific Union College

Vreny is in her senior as a BSW student at Pacific Union College. She is thrilled with

the opportunity to intern at NASW. She is enjoying working with the staff and fellow interns and looking forward to being a part of chapter events like Lobby Days and the Annual Conference. She is anticipating a year full of learning more about the social work profession and careers.



Deanna Bennett,
MSW Student
California State University, Sacramento

Deanna is from Berkeley, California. She attended Xavier University of Louisiana in 1996 and, in 1997, she returned to California where she completed her BA in sociology with an emphasis in social services and a minor in African-American studies at California State University, Hayward. Deanna currently is a second-year MSW student at CSU Sacramento. In addition, Deanna has more than ten years of experience working in social services with nonprofit organizations and county government. She plans to pursue a career in policy with an emphasis in cultural competency. ●

Assemblymember Mariko Yamada, MSW, honors the 200th anniversary of Mexican independence with Mexican Legal Affairs Consul Alejandro Alcantara. The event was held in Woodland, California on September 12, 2010.



Jane Addams 150th Birthday Gala

Jane Addams' 150th Birthday Gala was held on September 25, 2010 in Chicago. The evening, hosted by Hull House, celebrated Jane Addams, who entered previously unknown social areas and male-dominated professions, faced untold challenges, and reached exceptional levels of achievement and who was the first American woman to be awarded the Nobel Peace Prize.



NASW interviewed Louise Knight, author of a new biography of Jane Addams on www.socialworkersspeak.org.

2010 Hispanic Heritage Month Celebration!

Hispanic Heritage Month was September 15 through October 15, 2010. To celebrate, NASW has placed profiles of Hispanic social workers from across the nation. Three of the many social workers profiled at www.helpstartshere.org include the following:



Olga Velez Sarabia, MSW, LCSW

Medical Social Worker and Community Organizer, Los Angeles, California.

Member of the Board of Directors, NASW, Washington, DC.



Virginia Rondero Hernandez, PhD, LCSW

Associate Professor, Department of Social Work Education,

California State University, Fresno.



Everardo Alvizo, Jr., MSW

Program Analyst, Special Service for Groups (SSG) Los Angeles, California.


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COUNCILS

WOMEN'S COUNCIL

Modeling Disrespect

By Marilyn Montenegro

"You're lucky that I'm even going to see you today," the social worker said, shaking her finger in the face of the social work intern as her startled client looked on. The student was accompanying the client to an 8:00 a.m. mental health appointment to make sure that all went smoothly.

When the client had not been seen by 10:30, staff from the student's field-work agency began telephone inquiries. It appeared that there had been miscommunication at the mental health agency; not all staff knew about the appointment and when they learned about it, turned their frustration toward the client.

Later the intern reported that after shaking her finger in the student's face, the social worker said that she was "in a meeting" and would "skip her lunch hour" in order to see the client. The student asked what time that might be but

the social worker walked away without responding. The client reassured the intern, saying, "That happens a lot."

In supervision, we discussed the disrespect with which our clients are often treated and wondered why the social worker could not have something like, "I'm so sorry we made this mistake, and even sorrier that I can't see you right now because I am in a meeting. I can see you at 1:00 today if that is convenient or we could schedule another day."

How hard would that have been? ●

The Women's Council will meet Saturday, November 13, 2010 at 10:00 a.m.; the holiday breakfast will be Saturday, December 4, 2010 also at 10:00 a.m. To learn more about the Women's Council, call (800) 538-2565, ext. 57 or e-mail womenscouncil@sbcglobal.net or mujerista@All2Easy.net.

American Red Cross Statewide Council

By Joni Diamond, LCSW

The ARC Council enjoyed sharing a fabulously successful 2010 NASW-CA Annual Conference on October 8 and 9 at the Westin LAX hotel. We promoted American Red Cross volunteer opportunities at our booth in the Exhibition Hall, held our annual statewide meeting, and cosponsored our annual workshop at the conference named, "Change Agents: Voting the Values of Social Work" by Co-chair Vicky Powell, LCSW, MPA.

Our NASWCA/ARC Statewide Council's booth provided an array of Red Cross literature on "being prepared" as an individual, family and as a community. Additionally, brochures on how to become an ARC volunteer in your community were provided. The Council had nearly 60 NASW members sign up in order to "make a difference in our communities when disaster strikes."

Our annual council meeting discussed volunteer opportunities for all social workers from students to retirees and everyone in-between. Attendees were intrigued to learn about the wide array of ways to help out via the ARC. Refreshments were provided while an engaging discussion ensued.

NASWCA/ARC Statewide Council Co-chair Vicky Powell presented an informative and engaging workshop on "Psychological First Aid" (PFA). Attendees learned what PFA is, why PFA, when and where PFA is used, emotional concepts, PFA models, using PFA for yourself, scenarios and much more.

Thank you to the NASW-CA staff and Annual Conference committee for producing such an invigorating and professional workshop. ●

For further information on how you can make a difference via ARC when disaster strikes and to join our council, please contact NASW-CA ARC Statewide Council Co-chairs Joni Diamond, LCSW at jondiamond@prodigy.net or (818) 832-9941, or Vicky Powell, LCSW, MPA at jvpowell1@yahoo.com or (408) 550-9058.

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Highlights of the 2010 NASW-California Annual Conference

October 8 & 9, 2010 • Los Angeles, California



Katrina Rodriguez wins a prize at the Annual Conference.



2010 NASW Lifetime Achievement Awardee Art Nelson (left) and NASW Public Citizen of the Year Ken Williams.



Wendy Uribe (left) and Leslie Giambone, Stars Behavioral Health Group—exhibitors and raffle donors.



Exhibitors Valerie Markarian (left) and Kristen Butler, Novia Solutions.



Exhibitors Lorrin Ortiz (left), Carrie Lew, Diana Pineda, USC.



Sonya Goss, raffle winner of one-year NASW online courses.



Raffle prize winner Danielle Bush.



Raffle prize winner Queen Adupoku.



Raffle prize winner Hillary Marides.



Conference attendees Joe Nunn and Ellen Dunbar.



Former Chapter Presidents Sue Dworak Peck (and National President) and John Coleman (also our photographer).



One of the workshops at the Annual Conference.



Raffle winner Donna Jensen.

Highlights of the 2010 NASW-California Annual Conference • October 8 & 9, 2010 • Los Angeles, California



Frances Caple (right) honors Barbara Solomon on her induction into the Social Work Hall of Distinction



Sally Alonzo Bell (left) honors Delores Rodriguez on her induction into the Social Work Hall of Distinction.



Social Work Hall of Distinction Planning Committee. Left to right: Janlee Wong, Esther Gillies, Joe Nunn, Sue Dworak Peck, Monika White, Colleen Friend, Frances Caple and Jim Kelly.



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REGION REPORTS



REGION A

San Francisco, Marin, Sonoma, Mendocino, Lake, Humboldt, Del Norte

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REGION B

San Mateo, Santa Clara, Santa Cruz, Monterey, San Benito, San Luis Obispo

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Region B Report

By Glenn Thomas, LCSW, BCD

San Luis Obispo rocks! What a great unit. I had the pleasure of attending a recent unit meeting with my wife Cyndy Thomas, CNLI. Also attending the meeting was our Executive Director Janlee Wong, who gave a wonderful CEU presentation on the political landscape and the differing political viewpoints of California's electorate. Marv Gross, Alternate Region B Director, and L. Jeanette Davis helped to run the meeting that attracted dozens of NASW members. Jackie Traynor created a wonderful spread of various foods and I picked up a fluffy pink cake from the Madonna Inn for dessert. Warm thanks for your hospitality.

San Luis Obispo plans to have a retreat for Region B NASW members this spring. So be prepared to come for CEUs and relax in a restful setting. Various activities are in the works with more information to come in the future.

The San Jose unit continues with support for Social Workers in the Library. A volunteer meeting is scheduled to be held on October 18 at 4:30 p.m. This is a unique program for people who want help from a professional social worker in a library setting. The program is a combination of efforts from the School of Social Work at SJSU, the King Library at SJSU, and the San Jose NASW unit.

My plan is to visit all the units this year. San Luis Obispo will be a hard act to follow.



Left to right: A SLO unit member, Cyndy and Glenn Thomas, Marv Gross, Jackie Traynor, L. Jeanette Davis, and Janlee Wong.

San Luis Obispo Unit Report

By Ly-Lan Lofgren, LCSW

Happy Holidays! In December we will meet in the festive Creekside Clubhouse for our annual holiday celebration. We will have music, dancing and great food from 5:30 p.m. to 7:30 p.m. Our contributions this year will go to Morningstar Youth Ranch. We will have a brief discussion of their services. The Creekside Clubhouse is located at 3960 So. Higuera Street in San Luis Obispo. Please call or e-mail your RSVP so that we can plan for food. Our Executive Committee planning meeting for our winter and spring programs will meet in early January. Please plan to come and keep our unit active. We are still actively seeking a unit chair. Please contact Ly-Lan for more information at (805) 762-4398 or LyLanMVLofgren@gmail.com.

REGION C

Alameda, Contra Costa, Napa, Solano

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To find out more about NASW-CA Region C and its meetings, events and activities, join our Yahoo! Group by going to http://groups.yahoo.com/group/NASWCA_RegionC/.

Region C Report

By Sarah Brooks

Earlier this year, Region C conducted a survey to find out what role its members would like NASW to play in our region. The results have been used to inform our planning group as to the types of activities and events it should be planning on behalf of the membership.

When asked about what types of activities members would like to attend, they answered the following: professional development, professional speakers, social justice/action, licensure preparation and job finding. Furthermore, Region C social workers indicated that they would be more likely to attend an event if food is provided, the event is near public transit, there are opportunities to network and socialize with other social workers, and parking is nearby. The ability to obtain CEUs when attending was also of high importance to respondents. The majority stated that they would like to attend a workshop about community organizing, administrative social work, community development, school social work or policy.

Our planning group used all of the aforementioned information to plan for an event held last month that included professional speakers who talked about the upcoming election.

For more information about the results of the survey, please contact Sarah Brooks, Region C director, at NASW_CA_RegionC@yahoo.com. To find out more about what Region C is up to and network with other social workers in our region, consider joining our Yahoo Group! at http://groups.yahoo.com/group/NASWCA_RegionC/ or our Facebook page at <http://www.facebook.com/pages/NASW-Region-C/129624850402761?ref=ts#!/pages/NASW-Region-C/129624850402761?v=info&ref=ts>.

REGION REPORTS

REGION D

Central Valley: Chico, Kern, Fresno, Merced, Sacramento, San Joaquin, Stanislaus; Sierra Foothills: Alpine, Amador, Calaveras, Mariposa, Tuolumne

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REGION E

San Diego, Imperial

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Region E Report

By LaVonna Connelly, MSW

The San Diego State University Social Work Alumni Chapter hosted its first event the last week in September. The event, which was called The Changing Role of Social Workers: Leadership for a Better Tomorrow, featured keynote speaker Dr. Karen S. Haynes, president at California State University San Marcos. NASW-CA Chapter Executive Director Janlee Wong was one of the introductory speakers for the event, who educated the crowd on NASW's role in social work leadership. NASW Region E Director Jen Henry answered questions about NASW and to hand out informational materials about NASW membership and open leadership positions.

SDSU School of Social Work Director Dr. Thom Reilly and SDSU Provost Dr. Nancy A. Marlin were also introductory speakers at this event. President Haynes spoke on her journey from social worker to social transformer,

which was well received by the group of 50 social work students and professionals. The event took place at the new Parma Payne Goodall Alumni Center on the SDSU campus. The SDSU Social Work Alumni Chapter and NASW Region E have participated in several events together and their working relationship is sure to foster a supportive climate for social workers in San Diego and Imperial Valley counties.



Thom Reilly, SDSU School of Social Work director; Nancy Marlin, SDSU Provost; Karen S. Haynes, PhD, president of California State San Marcos; and NASW-CA Executive Director Janlee Wong.

REGION F

San Bernardino/Riverside, Orange County, Palm Desert

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Orange County Unit Chair

Leslie Wind, PhD, LCSW
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Inland Empire Unit Report

Hello from your Inland Empire unit leadership. This fall and winter season are gearing up to be busy, but fun! It was great to see several of you from the Inland Empire at the Annual Conference in Los Angeles this year. We hope to see several of you next time in Northern California!

We were excited to have NASW-CA Director of Legislative Affairs Rebecca Gonzales at our unit meeting on November 1. On the day before the election, she shared how candidates and issues on the ballot will affect our profession and our clients.

We usually meet the first Monday of every month at the IHOP in Redlands (1630 Industrial Park Avenue, 92374-2829). We begin at 6:00 p.m. with dinner (self-pay) and networking, and at 7:00 p.m. for the presentation.

Please contact either co-chair for questions, ideas, concerns, or to be added to our listserv. Call or email Julie Griffin at (909) 238-8795 or jg10172003@yahoo.com or Glenda Gordon at (951) 729-9452 or gal4gsus2009@yahoo.com). We'd love to hear from you as we search for speakers, topics, and projects relevant to your professional needs.

Palm Springs/Desert Cities Unit Report

By Susann Adams

We welcome all social workers throughout the desert cities to join us the first Thursday of each month at our unit meetings that include a free CEU presentation. We have had two inspiring presentations, the first was in September on the Family 2 Family Initiative and positive changes with CPS, and the second in October on the challenging role of hospital social work in mitigating psychosocial barriers to discharge planning. Our November meeting is slated for Thursday, November 7 from 6:00 p.m. to 7:30 p.m. at the Atria Assisted Living Facility at 44300 San Pascual at Catalina Way in Palm Desert. After a brief business meeting we are pleased to announce that Region F Director Cameron Galford, LCSW, will be giving an informative presentation on NASW as well as a firsthand account of the NASW-CA Lobby Days. For more information on our local unit, contact Unit Chair Ed Walsh, MSW, at (760) 831-2959 or ewalsh@naswdesertcities.com.

REGION G

San Fernando Valley, Ventura County, Antelope Valley, Santa Barbara County

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San Fernando Valley Unit Report

By Joni Diamond

Greetings Social Workers! We want to wish everyone happy and healthy holidays! Join us as we welcome 2011 together with a celebration that includes a wine/cheese fondue/chocolate fondue and other scrumptious delicacies! The social and networking event will be on Sunday, January 23, 2011 from 3:00 p.m. to 6:00 p.m. at Joni Diamond's home in Granada Hills. Refreshments are provided by the San Fernando Valley unit. Please bring a wrapped "brand new gift that you are gifting" for our white elephant gift exchange. A brief meeting will take place to update everyone on future activities. Space is limited to the first 50 members who RSVP!

REGION REPORTS

We invite all of you to get involved with the San Fernando Valley Local Unit to plan functions, network and socialize with colleagues! For more information, please contact Rina Levi Shroyer, LCSW, SFVLU Chair at anirlevi@gmail.com or (818) 366-6950, or Joni Diamond, LCSW, SFVLU Adviser at jonidiamond@prodigy.net or (818) 832-9941.

Ventura County Unit Report

By Linda Lipscomb, LCSW

Come and join us for another CEU opportunity on Friday, November 12 at the Foster Library downtown, upstairs room, for a showing of *Precious*. After the film there will be a one-hour discussion about the movie led by Dr. Judy Alexandre. We will be offering two CEUs for the evening for the amazingly low price of \$10 (for the CEUs only). We will start at 6:00 p.m. Please contact Maryellen Benedetto at (805) 644-1831 to reserve a space.

There will be no regularly scheduled meeting in December. We will, instead, get together for a time of fun and relaxation for a holiday party. The date for this gathering will be forthcoming after our October meeting, which will be held on Monday, October 18 at 6:00 p.m. at China Dynasty. November's meeting will be held November 15. You might notice that we are now holding our monthly meetings on the third Monday of the month, in order to accommodate more people. Those of us in the Ventura unit are united in our hope that we can attract more of our eligible MSW colleagues. We would very much like to have new leadership in the coming year from those interested in infusing our group with new energy and new ideas. We hope to see you at a meeting soon at China Dynasty on Johnson near the 101 in Ventura at 6:00 p.m. on the third Monday of the month, except for December.

REGION H

West Los Angeles and Beach Cities

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REGION I

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Visit <http://www.naswca.org/displaycommon.cfm?an=1&subarticlenbr=125>

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Legal Issue

Continued from page 12

software to secure electronic client data (74 Fed. Reg. 42739 (2009)). Use of encryption may be one of the most highly recommended security steps and social workers who ignore the use of this highly available technology may do so at the risk of more onerous reporting requirements and serious consequences should they experience a privacy breach.

What to Do if Your Social Work Practice Experiences a Privacy Breach

A number of immediate steps are recommended in the event that a privacy breach occurs:

- Notify the police of any criminal activity related to the breach and file a report
- Identify the scope of the breach (how many client records, the nature of the client data, etc.)
- Determine whether the breached data were protected by encryption technology
- Prepare an internal breach incident report
- Review the potential for misuse of the information under the circumstances and determine the likelihood of serious harm or misunderstanding due to the breach
- Review your state's consumer notification law
- Review the HIPAA requirements for breach notification and obtain sample notification forms
- Determine what is needed to mitigate the possibility of misuse of the breached data and what changes are needed to prevent a similar breach from occurring in the future
- Prepare and send notifications for clients affected by the breach
- Carry out appropriate employee sanctions
- Prepare notifications for government agencies as required.

State Notification Laws

A majority of states have passed laws requiring notification for breaches involving personal information contained in electronic systems or databases and a generally accepted standard for responding to a privacy breach includes client (or consumer) notification within a particular timeframe (for example, see California Office of Privacy Protection (2009)). According to the National Conference of State Legislatures (NCSL), as of April 2010, only four states, Alabama, Kentucky, New Mexico, and South Dakota, had not passed such requirements (NCSL, 2010). To comply with HIPAA's preemption provisions, when comparing state law requirements and the HIPAA notification requirements, the shortest deadline for giving notice to clients is the one that should be followed, as it affords the highest level of privacy protection for consumers. For example, if a state law gives a business 15 days to give notice and HIPAA allows 60 days, clients should be notified within 15 days. The NCSL maintains an online list of the notification provisions in each state, available at <http://www.ncsl.org/Default.aspx?TabId=13489>.

HIPAA Privacy Breach Notification

When Individual Notice is Not Required

A key consideration in determining whether a breach requires client notification is the potential for actual harm to the client. The HITECH Act created exceptions to individual notice requirements that are consistent with this perspective. HIPAA and HITECH do not require individual notice of breaches that occur to information that is secured with encryption technology, as the potential for it to be misused is much lower than unencrypted data (45 CFR § 164.402, § 164.404; also see, Morgan & Polowy, 2010a). Additionally, good faith, unintentional access by a health care employee or a business associate

of the health care entity does not trigger HIPAA notification requirements, as long as the information was not further disclosed or any inadvertent disclosure was made only to someone within the health care entity who is authorized to access protected health information (45 CFR § 164.402, § 164.404).

Deadlines for Individual Notices

The breach notice rules require a health care entity to notify each individual affected by a breach without unnecessary delay and not later than 60 calendar days of the discovery of the breach. The 60 day time period begins to run from the first day that the breach is discovered by anyone other than the person committing the breach (45 CFR § 164.404).

Form of Breach Notice

NASW has sample breach notification letters available online for members. These include the required regulatory information, but must be tailored to the specific circumstances of a particular breach incident. Notices are to be in writing by first-class mail to the client's last known address (or electronically, if specified as a preference). The regulations provide other procedures to be used when there is insufficient or outdated contact information. Notice may also be provided by telephone if it is a matter of urgency (45 CFR § 164.404(d)). NASW's sample documents are available on the following website at www.socialworkers.org/hipaa/sample.asp. ●



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