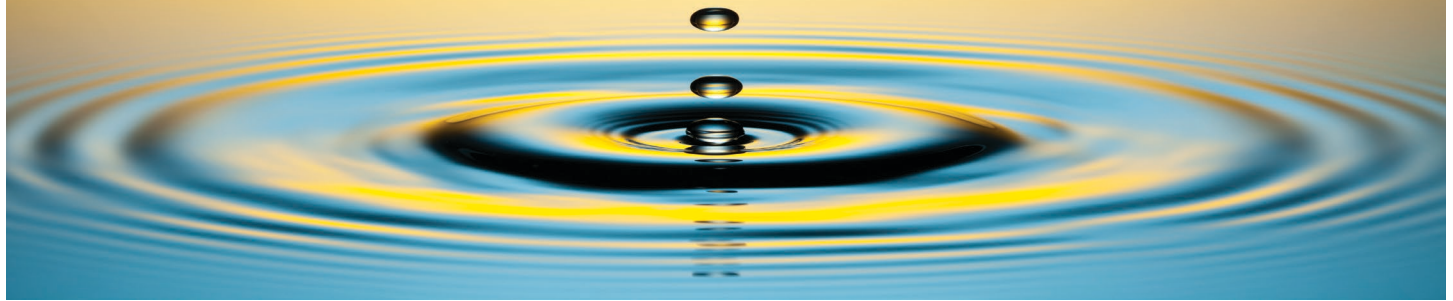


Practice Matters



Practice Matters was created as an educational resource for social workers in Newfoundland and Labrador. It is intended that this resource will generate ethical dialogue and enhance critical thinking on issues that impact social work practice. Practice Matters is provided for general information.

Beyond Borders: Social Work and Interjurisdictional Electronic Practice

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While the use of electronic practice in social work had been steadily increasing throughout the last decade, the COVID 19 pandemic catapulted social work intervention in the virtual space. This has led not only to a greater ability to provide services to clients across regions of our province but across borders to other provinces and countries. The regulation of professions is grounded in provincial legislation. As social work practice moved beyond borders many questions have arisen about how and where services are provided and the regulations which govern professional services. This edition of Practice Matters will explore the topic of interjurisdictional practice and review issues which have arisen for social workers providing services beyond borders.

Technology use in Social Work

Electronic social work services mean the use of computers (including internet, social media, online chat, and email) and other electronic means (such as smartphones and video technology) to (a) provide information to the public (b) deliver social work services to clients (c) communicate with clients (d) manage confidential information and case records (e) store and access information about clients and (f) arrange payment for professional services. (Association of Social Work Boards, 2015).

Newfoundland and Labrador was the first province in Canada to develop standards for technology use which were later used to guide the development of similar standards in other provinces and throughout North America. First developed in 2012 and revised in 2021, this document recognized that social workers were using electronic mediums in practice and provided guidance to support

social workers by increasing awareness of ethical responsibilities. This included proficiency to use the technology, informed consent, conflict of interest, boundaries, and professionalism. When initially launched, regulation of electronic practice was not clear, the document highlighted the responsibility of social workers to be aware of interjurisdictional issues as they evolved.

When a social worker is providing social work services to a client in another province or country, it is generally accepted that the practice is occurring both where the social worker is registered and where the client resides. Therefore, the NLCSW Standards of Practice section 9 Interjurisdictional practice states:

Social workers who provide social work services across jurisdictions must comply with the regulatory requirements in the jurisdiction where the social worker resides and the jurisdiction where the client resides.

The next two sections will discuss interjurisdictional electronic social work practice within and outside of Canada.

Electronic Practice in Canada

Every province in Canada has legislation which governs the practice of social work in that province and have considered how registered social workers in other provinces should be permitted to practice electronically within their provincial borders. However, it is not consistent, the landscape is shifting constantly, and continual attention is required if providing electronic services.

The baseline for a social worker registered in Newfoundland and Labrador to offer services in other Canadian provinces is registration in good standing with NLCSW and the appropriate professional liability insurance. Some provinces will issue an electronic practice approval, some have a separate category of registration for electronic practice and others require full social work registration. All provinces have some requirements and most currently charge a fee. When providing a service to clients in another Canadian province there is a responsibility on the part of the social worker to comply with legislation and other reporting requirements. For example, child or adult protection statutes which are in effect in the other province.

Scenario #1

Alice is registered with NLCSW but is planning to spend a month in Nova Scotia to care for a family member. During this time, she would like to continue to provide services to clients who are residents of NL. What should she consider?

In this case, Alice is registered in NL and providing services to clients in NL. Therefore, she can continue to provide services as she is registered in the same province in which she is practicing. If

she were to start to provide services to clients in Nova Scotia, she would need to contact the Nova Scotia College of Social Workers for direction to determine the type of registration required in this scenario. Current information about providing electronic practice in Nova Scotia if you are registered in another Canadian province can be accessed at <https://nscsw.org/applicants/telepractice/>

Scenario #2

Benny is a registered social worker in NL seeing a client in NL who would like to work on their relationship with a family member who resides in Ontario. The client has asked Benny to include the family member from Ontario in the counselling sessions. Social Work in Ontario is regulated by the Ontario College of Social Workers and Social Service Workers. This regulatory body currently has electronic practice as a category of registration. Benny should review the requirements and contact OCSWSSW prior to working with the family member in Ontario. Information pertaining to requirements can be found at <https://www.ocswssw.org/applicants/practising-electronically-in-ontario/>

Electronic Practice in Other Countries

Social work regulation varies greatly throughout the world from completely unregulated to highly regulated. Some do not permit social work practice from another country; others will permit upon notification of the regulatory body, while others require full registration or only permit electronic practice from other preapproved states or countries. Some will approve based upon the type of intervention being offered. The best advice is always to contact the regulatory body where the client is residing or located to know for sure.

Scenario #3

Jean is a private practitioner in Labrador whose client, Sandy is moving to Dublin Ireland in January. Sandy would very much like to continue to receive counselling from Jean as they settle into life in a new country. Jean is also planning to spend two months in Puerto Rico during the winter. Jean has professional liability insurance through the CASW BMS program and has confirmed that e-services provided anywhere in the world is included. Jean is confident regarding coverage but checks to see if there is anything else to consider.

There are three major factors to consider:

- 1) The insurance policy in this case has a territorial limit meaning that it will protect for services provided anywhere in the world provided that the services are delivered from within Canada and the claim or complaint is filed within Canada. This is interpreted to mean that Jean can't deliver services from Puerto Rico and be covered under this policy. In this case, Jean needs to contact BMS to discuss coverage and the limitations of the

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policy. http://www.casw.bmsgroup.com/downloads/CASW_E-Services-Brochure_2021-2022.pdf

- 2) Jean may be registered with NL but has not checked with the Board of Examiners of Social Work Professionals of Puerto Rico to determine licensure requirements there.
<https://www.estado.pr.gov/en/professional-social-workers/>
- 3) Social work in Ireland is a health and social care profession regulated by CORU. Jean must contact this organization about current regulations governing electronic practice.
<https://www.coru.ie/>

Conclusion

This edition of Practice Matters was intended to heighten awareness around some issues associated with providing social work intervention electronically outside of Newfoundland and Labrador. The status of electronic practice is constantly shifting and is affected by regulatory and policy changes in other provinces and countries. The information presented in this edition of Practice Matters is current as of the date of publication but is not a substitute for contacting the regulatory body and the insurance company for questions.

NLCSW has many additional resources to assist RSWs both with interjurisdictional practice specifically and electronic practice more generally. These include:

NLCSW Standards of Practice for Social Workers in Newfoundland and Labrador 2020
https://nlcsw.ca/sites/default/files/inline-files/Standards_of_Practice_for_Social_Workers_in_NL.pdf

Interjurisdictional Social Work Practice FAQ & Guidance for Social Workers in NL
https://nlcsw.ca/sites/default/files/inline-files/Interjurisdictional_Social_Work_Practice_FAQ_1.pdf

NLCSW Technology Use in Social Work Practice (Explanatory Document) 2021
https://nlcsw.ca/sites/default/files/inline-files/Technology_Use_in_Social_Work_Practice_Explanatory_Document_Revised_2021_1.pdf

Practice Matters, Electronic Social Work Practice June 2020
https://nlcsw.ca/sites/default/files/inline-files/Electronic_Social_Work_Practice.pdf

Ethical Compass, Virtual Care- Key Considerations May 2021
https://nlcsw.ca/sites/default/files/inline-files/Ethical_Compass_Volume_13_May_2021.pdf

Documentation Matters: Tip #3 April 2020: What should I consider pertaining to the documentation of electronic social work services?

https://nlcsw.ca/sites/default/files/inline-files/Documentation_Matters_Tip_3.pdf

Technology Use in Social Work Practice, Continuing Education one hour webinar available at

<https://www.youtube.com/watch?v=nswBIII9b1E>

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Ontario College of Social Workers and Social Service Workers (OCSWSSW) Practising Electronically in Ontario Retrieved December 16, 2021 [Practising Electronically in Ontario - OCSWSSW](#)