

Understanding and responding to regulatory trends

Calm waters or tidal wave? Regulatory evolution as predicted through a historical lens

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Regulatory trend	Reasons for the trend	Suggested responses to the trend
Establishment of codes of conduct for regulators	<ul style="list-style-type: none"> • Need for effective action when a member acts inappropriately 	<ul style="list-style-type: none"> • Identify the knowledge, skills, and abilities of an excellent regulator
Increased bureaucratic oversight of regulators	<ul style="list-style-type: none"> • Ensuring regulators are fulfilling their function of protecting the public 	<ul style="list-style-type: none"> • Strengthen relationships with government stakeholders
Increased transparency of regulators' work	<ul style="list-style-type: none"> • Pressure from news media and public 	<ul style="list-style-type: none"> • Share information about licensees' status and policies regarding entry to practice • Seek public input
Decrease in licensees as members of regulatory bodies, resulting in higher proportions of public members and board consolidation	<ul style="list-style-type: none"> • Concern about professional interest overshadowing public interest 	<ul style="list-style-type: none"> • Review board composition and governance practices • Anticipate change
Scrutiny of occupational regulation	<ul style="list-style-type: none"> • Legal decisions • Media attention • Academic studies 	<ul style="list-style-type: none"> • Serve as an information source • Let people see the board in action • Use the collective voice of organizations like ASWB
Federal legislation superseding state laws	<ul style="list-style-type: none"> • Need to ease mobility, especially for military families and veterans 	<ul style="list-style-type: none"> • Work toward provisions that ease mobility • Understand that the 10th Amendment is not likely to be changed
Loss of board's ability to deny licensure based on criminal conviction	<ul style="list-style-type: none"> • Ensuring a fair opportunity for licensure 	<ul style="list-style-type: none"> • Assess moral character basis for license approval • Use the conduct that led to the conviction as a basis
Challenges to government involvement in regulation	<ul style="list-style-type: none"> • Arguments that regulation is a barrier to economic growth, access to the profession, and access to services • Assertion that private sector certification and buyer beware are adequate • Legislators' need to use the "least restrictive means" 	<ul style="list-style-type: none"> • Embrace regulatory change and seek to influence inevitable changes to ensure public protection • Advocate for vulnerable social work service recipients who do not have the means to pursue private or civil remedies when misconduct has occurred

