



General Assembly

January Session, 2009

Raised Bill No. 6676

LCO No. 4571

04571_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING LICENSURE OF CLINICAL SOCIAL WORKERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-195m of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 As used in subsection (c) of section 19a-14, section 19a-18, sections
4 20-195n to 20-195q, inclusive, sections 2, 6 and 7 of this act and this
5 section:

6 (1) "Licensed clinical social worker" means a person who has been
7 licensed pursuant to this chapter;

8 (2) "Commissioner" means the Commissioner of Public Health;

9 (3) "Department" means the Department of Public Health; [and]

10 (4) "Clinical social work" means the application, by persons trained
11 in social work, of established principles of psychosocial development,
12 behavior, psychopathology, unconscious motivation, interpersonal
13 relationships and environmental stress to the evaluation, assessment,

14 diagnosis and treatment of biopsychosocial dysfunction, disability and
15 impairment, including mental, emotional, behavioral, developmental
16 and addictive disorders, of individuals, couples, families or groups.
17 Clinical social work includes, but is not limited to, counseling,
18 psychotherapy, behavior modification and mental health consultation;

19 (5) "Licensed master social worker" means a person who has been
20 licensed pursuant to this chapter;

21 (6) "Independent practice" means the practice of clinical social work
22 without supervision; and

23 (7) "Under professional supervision" means the practice of clinical
24 social work under the supervision of a licensed mental health, health
25 care, social services or education professional in an individual or
26 group setting.

27 Sec. 2. (NEW) (*Effective October 1, 2009*) (a) An individual licensed as
28 a master social worker pursuant to section 20-195n of the general
29 statutes, as amended by this act, may: (1) Practice clinical social work
30 under professional supervision; and (2) offer a mental health diagnosis
31 provided such diagnosis is offered in consultation with a licensed
32 mental health practitioner who is eligible for independent practice in
33 clinical social work, psychology, psychiatry, advanced practice
34 registered nursing or marital and family therapy. Except as provided
35 in subsection (c) of section 20-195q of the general statutes, as amended
36 by this act, a licensed master social worker may not engage in
37 independent practice.

38 (b) An individual licensed as a clinical social worker pursuant to
39 section 20-195n of the general statutes, as amended by this act, may
40 practice clinical social work. A licensed clinical social worker may
41 perform all functions of a licensed master social worker and, in
42 addition, may engage in independent practice.

43 Sec. 3. Section 20-195n of the general statutes is repealed and the

44 following is substituted in lieu thereof (*Effective October 1, 2009*):

45 (a) No person shall practice clinical social work unless such person
46 has obtained a license pursuant to this section.

47 (b) An applicant for licensure as a licensed master social worker
48 shall: (1) Hold a master's degree from a social work program
49 accredited by the Council on Social Work Education or, if educated
50 outside the United States or its territories, have completed an
51 educational program deemed equivalent by said council; and (2) pass
52 the masters level examination of the Association of Social Work Boards
53 or any other examination prescribed by the commissioner.

54 (c) [Applicants] An applicant for licensure as a clinical social worker
55 shall: (1) Hold a doctorate or master's degree from a social work
56 program accredited by the Council on Social Work Education or, if
57 educated outside the United States or its territories, have completed an
58 educational program deemed equivalent by said council; (2) have three
59 thousand hours post-master's social work experience which shall
60 include not less than one hundred hours of work under professional
61 supervision by a licensed clinical or certified independent social
62 worker; and (3) pass the clinical level examination of the [American]
63 Association of [State] Social Work Boards or any other examination
64 prescribed by the commissioner. On and after October 1, 1995, any
65 person certified as an independent social worker prior to October 1,
66 1995, shall be deemed licensed as a clinical social worker pursuant to
67 this section, except a person certified as an independent social worker
68 on and after October 1, 1990, shall not be deemed licensed as a clinical
69 social worker pursuant to this chapter unless such person has satisfied
70 the requirements of subdivision (3) of this [section] subsection.

71 [(b)] (d) Notwithstanding the provisions of [subsection (a)]
72 subsections (b) and (c) of this section, the commissioner may grant a
73 license by endorsement to an applicant who presents evidence
74 satisfactory to the commissioner that the applicant (1) is licensed or
75 certified as a master social worker or clinical social worker in good

76 standing in another state or jurisdiction whose requirements for
77 practicing in such capacity are substantially similar to or higher than
78 those of this state, and (2) has successfully completed the master or
79 clinical level examination of the Association of Social Work Boards, or
80 its successor organization, or any other examination prescribed by the
81 commissioner. No license shall be issued under this subsection to any
82 applicant against whom professional disciplinary action is pending or
83 who is the subject of an unresolved complaint.

84 Sec. 4. Section 20-195o of the general statutes is repealed and the
85 following is substituted in lieu thereof (*Effective October 1, 2009*):

86 (a) Application for licensure shall be on forms prescribed and
87 furnished by the commissioner. Each applicant shall furnish evidence
88 satisfactory to the commissioner that he has met the requirements of
89 section 20-195n, as amended by this act. The application fee for a
90 clinical social worker shall be two hundred fifty dollars. The
91 application fee for a master social worker shall be one hundred
92 seventy-five dollars.

93 (b) Notwithstanding the provisions of section 20-195n, as amended
94 by this act, concerning examinations, on or before October 1, 2011, the
95 commissioner may issue a license without examination, [prior to
96 January 1, 1998, to any applicant who offers proof to the satisfaction of
97 the commissioner that he met the requirements of subdivisions (1) and
98 (2) of section 20-195n and was an employee of the federal government
99 with not less than three thousand hours postmaster's social work
100 experience prior to October 1, 1986] to any master social worker who
101 demonstrates to the satisfaction of the commissioner that, on or before
102 October 1, 2009, he or she met the licensing requirements for a master
103 social worker as prescribed in section 20-195n, as amended by this act.

104 (c) [(1)] Each person licensed pursuant to this chapter may apply for
105 renewal of such licensure in accordance with the provisions of
106 subsection (e) of section 19a-88. A fee of one hundred fifty dollars shall
107 accompany each renewal application for a licensed master social

108 worker or a licensed clinical social worker. Each such applicant shall
109 furnish evidence satisfactory to the commissioner of having
110 [participated in] satisfied the continuing education requirements
111 prescribed in section 7 of this act. [The commissioner shall adopt
112 regulations in accordance with chapter 54 to (A) define basic
113 requirements for continuing education programs, (B) delineate
114 qualifying programs, (C) establish a system of control and reporting,
115 and (D) provide for waiver of the continuing education requirement
116 for good cause.

117 (2) A person licensed pursuant to this chapter who holds a
118 professional educator certificate that is endorsed for school social work
119 and issued by the State Board of Education pursuant to sections 10-
120 144o to 10-149, inclusive, may satisfy the continuing education
121 requirements contained in regulations adopted pursuant to this section
122 by successfully completing professional development activities
123 pursuant to subsection (l) of section 10-145b, provided the number of
124 continuing education hours completed by such person is equal to the
125 number of hours per registration period required by such regulations.
126 For purposes of this subdivision, "registration period" means the one-
127 year period during which a license has been renewed in accordance
128 with section 19a-88 and is current and valid.]

129 Sec. 5. Section 20-195q of the general statutes is repealed and the
130 following is substituted in lieu thereof (*Effective October 1, 2009*):

131 (a) No persons, except those licensed pursuant to this chapter, shall
132 (1) use the title "licensed master social worker" or any initials
133 associated with such titles, or (2) advertise services under the
134 description of a master social worker as defined in section 20-195m, as
135 amended by this act.

136 [(a)] (b) No persons, except those licensed pursuant to this chapter,
137 shall (1) use the title "licensed clinical social worker" or any initials
138 associated with such titles, or (2) advertise services under the
139 description of a licensed clinical social worker as defined in section 20-

140 195m.

141 [(b)] (c) Nothing in this section shall prohibit: (1) A student enrolled
142 in a doctoral or master's degree program accredited by the Council on
143 Social Work Education from performing such work as is incidental to
144 his course of study, provided such person is designated by a title
145 which clearly indicates his status as a student; (2) a person holding a
146 doctoral or master's degree from a program accredited by the Council
147 on Social Work Education from gaining social work experience under
148 professional supervision, provided such activities are necessary to
149 satisfy the work experience required by section 20-195n and such
150 person is designated as "social work intern", "social work trainee" or
151 other title clearly indicating the status appropriate to his level of
152 training; (3) a person licensed or certified in this state in a field other
153 than clinical social work from practicing within the scope of such
154 license or certification; (4) a person enrolled in an educational program
155 or fulfilling other state requirements leading to licensure or
156 certification in a field other than social work from engaging in work in
157 such other field; [or] (5) a person who is employed or retained as a
158 social work designee, social worker, or social work consultant by a
159 nursing home or rest home licensed under section 19a-490 and who
160 meets the qualifications prescribed by the department in its regulations
161 from performing the duties required of them in accordance with state
162 and federal laws governing those duties; (6) for the period from
163 October 1, 2009, to October 1, 2012, inclusive, a master social worker
164 from engaging in independent practice, provided after October 1, 2012,
165 a master social worker may not engage in independent practice unless
166 such master social worker has obtained licensure as a clinical social
167 worker; (7) a social worker practicing community organization, policy
168 and planning, research or administration that does not include
169 engaging in clinical social work or supervising a social worker
170 engaged in clinical treatment with clients; (8) an employee of the state,
171 who works in a formal clinical social work trainee or internship
172 program, from practicing clinical social work under supervision and
173 without requiring such employee to attain licensure as a master social

174 worker; and (9) individuals with a baccalaureate degree in social work
175 from a Council on Social Work Education accredited program from
176 performing nonclinical social work functions.

177 Sec. 6. (NEW) (*Effective October 1, 2009*) The department may issue a
178 temporary permit to an applicant for licensure as a master social
179 worker who holds a master's degree from a social work educational
180 program, as described in section 20-195n of the general statutes, as
181 amended by this act, but who has not yet taken the licensure
182 examination prescribed in said section. Such temporary permit shall
183 authorize the holder to practice as a master social worker as provided
184 for in section 2 of this act. Such temporary permit shall be valid for a
185 period not to exceed two hundred seventy calendar days after the date
186 of attaining such master's degree and shall not be renewable. Such
187 permit shall become void and shall not be reissued in the event that the
188 applicant fails to pass such examination. The fee for a limited permit
189 shall be fifty dollars.

190 Sec. 7. (NEW) (*Effective October 1, 2010*) (a) On and after October 1,
191 2010, except as otherwise provided in this section, each master social
192 worker and licensed clinical social worker licensed pursuant to the
193 provisions of chapter 383b of the general statutes shall complete a
194 minimum of fifteen hours of continuing education during each
195 registration period. For purposes of this section, "registration period"
196 means the twelve-month period for which a license has been renewed
197 in accordance with section 19a-88 of the general statutes and is current
198 and valid.

199 (b) Continuing education required pursuant to this section shall be
200 related to the practice of social work. Such continuing education shall
201 consist of courses, workshops and conferences offered or approved by
202 the Association of Social Work Boards, the National Association of
203 Social Workers, a school or department of social work accredited by
204 the Council on Social Work Education or an organization that
205 demonstrates to the department that such organization's standards are

206 substantially similar to the organizations identified in this subsection.
207 A licensee's ability to engage in on-line and home study continuing
208 education shall be limited to not more than six hours per registration
209 period. Within the registration period, an initial presentation by a
210 licensee of an original paper, essay or formal lecture in social work to a
211 recognized group of fellow professionals may account for five hours of
212 continuing education hours of the aggregate continuing education
213 requirements prescribed in this section.

214 (c) Each licensee shall obtain a certificate of completion from a
215 provider of the continuing education for all continuing education
216 hours that are successfully completed and shall retain such certificate
217 for a minimum of three years following the license renewal date for
218 which the activity satisfies the continuing education requirement.
219 Upon request by the department, the licensee shall submit such
220 certificate to the department. A licensee who fails to comply with the
221 continuing education requirements prescribed in this section may be
222 subject to disciplinary action pursuant to section 20-195p of the general
223 statutes.

224 (d) A person licensed pursuant to chapter 383b of the general
225 statutes who holds a professional educator certificate that is endorsed
226 for school social work and issued by the State Board of Education
227 pursuant to sections 10-144o to 10-149, inclusive, of the general statutes
228 may satisfy the continuing education requirements contained in this
229 section by successfully completing professional development activities
230 pursuant to subdivision (1) of subsection (l) of section 10-145b of the
231 general statutes, provided the number of continuing education hours
232 completed by such person is equal to the number of hours per
233 registration period required by this section.

234 (e) A licensee applying for the first time for license renewal
235 pursuant to section 20-195o of the general statutes, as amended by this
236 act, is exempt from the continuing education requirements of this
237 section. The department may, for a licensee who has a medical

238 disability or illness, grant a waiver of the continuing education
 239 requirements or may grant the licensee an extension of time in which
 240 to fulfill the requirements, provided the licensee submits to the
 241 department an application for waiver or extension of time on a form
 242 prescribed by the department along with any documentation required
 243 by the department. The department may grant a waiver or extension
 244 not to exceed one registration period, except that the department may
 245 grant additional waivers or extensions if the initial reason for the
 246 waiver or extension continues beyond the period of the waiver or
 247 extension. A waiver of the continuing education requirement may be
 248 granted by the department to a licensee who is not engaged in social
 249 work during a given continuing education registration period,
 250 provided the licensee submits a waiver request prior to the expiration
 251 of the continuing education period, on a form prescribed by the
 252 department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	20-195m
Sec. 2	<i>October 1, 2009</i>	New section
Sec. 3	<i>October 1, 2009</i>	20-195n
Sec. 4	<i>October 1, 2009</i>	20-195o
Sec. 5	<i>October 1, 2009</i>	20-195q
Sec. 6	<i>October 1, 2009</i>	New section
Sec. 7	<i>October 1, 2010</i>	New section

Statement of Purpose:

To establish licensure under the Department of Public Health for master social workers.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]