



General Assembly

Amendment

January Session, 2009

LCO No. 8840

HB0667608840HDO

Offered by:

REP. RITTER, 38th Dist.

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To: Subst. House Bill No. 6676

File No. 869

Cal. No. 560

"AN ACT CONCERNING LICENSURE OF CLINICAL SOCIAL WORKERS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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 Section 20-195m of the general statutes is repealed and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

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

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

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

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

12 (4) "Clinical social work" means the application, by persons trained
13 in social work, of established principles of psychosocial development,
14 behavior, psychopathology, unconscious motivation, interpersonal
15 relationships and environmental stress to the evaluation, assessment,
16 diagnosis and treatment of biopsychosocial dysfunction, disability and
17 impairment, including mental, emotional, behavioral, developmental
18 and addictive disorders, of individuals, couples, families or groups.
19 Clinical social work includes, but is not limited to, counseling,
20 psychotherapy, behavior modification and mental health consultation;

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

23 (6) "Independent practice" means the practice of clinical social work
24 without supervision;

25 (7) "Under professional supervision" means the practice of clinical
26 social work under the supervision of a physician licensed pursuant to
27 chapter 370, an advanced practice registered nurse or registered nurse
28 licensed pursuant to chapter 378, a psychologist licensed pursuant to
29 chapter 383, a marital and family therapist licensed pursuant to
30 chapter 383a, a clinical social worker licensed pursuant to chapter
31 383b, or a professional counselor licensed pursuant to chapter 383c;
32 and

33 (8) "Professional supervision" means face-to-face consultation
34 between one supervisor, described in subdivision (7) of this section,
35 and one person receiving supervision that consists of not less than a
36 monthly review, a written evaluation and assessment by the
37 supervisor of such person's practice of clinical social work.

38 Sec. 2. (NEW) (*Effective October 1, 2009*) (a) An individual licensed as
39 a master social worker pursuant to section 20-195n of the general
40 statutes, as amended by this act, may: (1) Practice clinical social work
41 under professional supervision; and (2) offer a mental health diagnosis
42 provided such diagnosis is offered in consultation with a physician
43 licensed pursuant to chapter 370 of the general statutes, an advanced

44 practice registered nurse licensed pursuant to chapter 378 of the
45 general statutes, a psychologist licensed pursuant to chapter 383 of the
46 general statutes, a marital and family therapist licensed pursuant to
47 chapter 383a of the general statutes or a clinical social worker licensed
48 pursuant to chapter 383b of the general statutes. Except as provided in
49 subsection (c) of section 20-195q of the general statutes, as amended by
50 this act, a licensed master social worker may not engage in
51 independent practice.

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

57 Sec. 3. Section 20-195n of the general statutes is repealed and the
58 following is substituted in lieu thereof (*Effective October 1, 2009*):

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

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

68 (c) [Applicants] An applicant for licensure as a clinical social worker
69 shall: (1) Hold a doctorate or master's degree from a social work
70 program accredited by the Council on Social Work Education or, if
71 educated outside the United States or its territories, have completed an
72 educational program deemed equivalent by said council; (2) have three
73 thousand hours post-master's social work experience which shall
74 include not less than one hundred hours of work under professional
75 supervision by a licensed clinical or certified independent social

76 worker, provided on and after October 1, 2010, such hours completed
77 in this state shall be as a licensed master social worker; and (3) pass the
78 clinical level examination of the [American] Association of [State]
79 Social Work Boards or any other examination prescribed by the
80 commissioner. On and after October 1, 1995, any person certified as an
81 independent social worker prior to October 1, 1995, shall be deemed
82 licensed as a clinical social worker pursuant to this section, except a
83 person certified as an independent social worker on and after October
84 1, 1990, shall not be deemed licensed as a clinical social worker
85 pursuant to this chapter unless such person has satisfied the
86 requirements of subdivision (3) of this [section] subsection.

87 [(b)] (d) Notwithstanding the provisions of subsection [(a)] (b) of
88 this section, the commissioner may grant a license by endorsement to
89 an applicant who presents evidence satisfactory to the commissioner
90 that the applicant (1) is licensed or certified as a master social worker
91 or clinical social worker in good standing in another state or
92 jurisdiction whose requirements for practicing in such capacity are
93 substantially similar to or higher than those of this state, and (2) has
94 successfully completed the [clinical] master level examination of the
95 Association of Social Work Boards, or its successor organization, or
96 any other examination prescribed by the commissioner. No license
97 shall be issued under this subsection to any applicant against whom
98 professional disciplinary action is pending or who is the subject of an
99 unresolved complaint.

100 (e) Notwithstanding the provisions of subsection (c) of this section,
101 the commissioner may grant a license by endorsement to an applicant
102 who presents evidence satisfactory to the commissioner that the
103 applicant is (1) licensed or certified as a clinical social worker in good
104 standing in another state or jurisdiction whose requirements for
105 practicing in such capacity are substantially similar to or higher than
106 those of this state, and (2) has successfully completed the clinical level
107 examination of the Association of Social Work Boards, or its successor
108 organization, or any other examination prescribed by the
109 commissioner. No license shall be issued under this subsection to any

110 applicant against whom professional disciplinary action is pending or
111 who is the subject of an unresolved complaint.

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

114 (a) Application for licensure shall be on forms prescribed and
115 furnished by the commissioner. Each applicant shall furnish evidence
116 satisfactory to the commissioner that he has met the requirements of
117 section 20-195n, as amended by this act. The application fee for a
118 clinical social worker shall be two hundred fifty dollars. The
119 application fee for a master social worker shall be one hundred
120 seventy-five dollars.

121 (b) Notwithstanding the provisions of section 20-195n, as amended
122 by this act, concerning examinations, the commissioner may issue a
123 license without examination, [prior to January 1, 1998, to any applicant
124 who offers proof to the satisfaction of the commissioner that he met the
125 requirements of subdivisions (1) and (2) of section 20-195n and was an
126 employee of the federal government with not less than three thousand
127 hours postmaster's social work experience prior to October 1, 1986] to
128 any master social worker applicant who demonstrates to the
129 satisfaction of the commissioner that, on or before October 1, 2009, he
130 or she met the licensing requirements for a master social worker as
131 prescribed in section 20-195n, as amended by this act.

132 (c) [(1)] Each person licensed pursuant to this chapter may apply for
133 renewal of such licensure in accordance with the provisions of
134 subsection (e) of section 19a-88. A fee of one hundred fifty dollars shall
135 accompany each renewal application for a licensed master social
136 worker or a licensed clinical social worker. Each such applicant shall
137 furnish evidence satisfactory to the commissioner of having
138 [participated in] satisfied the continuing education requirements
139 prescribed in section 7 of this act. [The commissioner shall adopt
140 regulations in accordance with chapter 54 to (A) define basic
141 requirements for continuing education programs, (B) delineate

142 qualifying programs, (C) establish a system of control and reporting,
143 and (D) provide for waiver of the continuing education requirement
144 for good cause.

145 (2) A person licensed pursuant to this chapter who holds a
146 professional educator certificate that is endorsed for school social work
147 and issued by the State Board of Education pursuant to sections 10-
148 144o to 10-149, inclusive, may satisfy the continuing education
149 requirements contained in regulations adopted pursuant to this section
150 by successfully completing professional development activities
151 pursuant to subsection (l) of section 10-145b, provided the number of
152 continuing education hours completed by such person is equal to the
153 number of hours per registration period required by such regulations.
154 For purposes of this subdivision, "registration period" means the one-
155 year period during which a license has been renewed in accordance
156 with section 19a-88 and is current and valid.]

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

159 (a) No person shall (1) use the title "licensed master social worker"
160 or any initials associated with such title, or (2) advertise services under
161 the description of a licensed master social worker, as defined in section
162 20-195m, as amended by this act, unless such person is licensed as a
163 master social worker pursuant to this chapter.

164 [(a)] (b) No [persons, except those licensed pursuant to this chapter,]
165 person shall (1) use the title "licensed clinical social worker" or any
166 initials associated with such [titles] title, or (2) advertise services under
167 the description of a licensed clinical social worker, as defined in section
168 20-195m, as amended by this act, unless such person is licensed as a
169 clinical social worker pursuant to this chapter.

170 [(b)] (c) Nothing in this section shall prohibit: (1) A student enrolled
171 in a doctoral or master's degree program accredited by the Council on
172 Social Work Education from performing such work as is incidental to
173 his course of study, provided such person is designated by a title

174 which clearly indicates his status as a student; (2) a person holding a
175 doctoral or master's degree from a program accredited by the Council
176 on Social Work Education from gaining social work experience under
177 professional supervision, provided such activities are necessary to
178 satisfy the work experience required by section 20-195n, as amended
179 by this act, and such person is designated as "social work intern",
180 "social work trainee" or other title clearly indicating the status
181 appropriate to his level of training; (3) a person licensed or certified in
182 this state in a field other than clinical social work from practicing
183 within the scope of such license or certification; (4) a person enrolled in
184 an educational program or fulfilling other state requirements leading
185 to licensure or certification in a field other than social work from
186 engaging in work in such other field; [or] (5) a person who is employed
187 or retained as a social work designee, social worker, or social work
188 consultant by a nursing home or rest home licensed under section 19a-
189 490 and who meets the qualifications prescribed by the department in
190 its regulations from performing the duties required of them in
191 accordance with state and federal laws governing those duties; (6) for
192 the period from October 1, 2009, to October 1, 2012, inclusive, a master
193 social worker from engaging in independent practice, provided after
194 October 1, 2012, a master social worker may not engage in
195 independent practice unless such master social worker has obtained
196 licensure as a clinical social worker; (7) a social worker practicing
197 community organization, policy and planning, research or
198 administration that does not include engaging in clinical social work or
199 supervising a social worker engaged in clinical treatment with clients;
200 (8) an employee of the state, who works in a formal clinical social work
201 trainee or internship program, from practicing clinical social work
202 under supervision and without requiring such employee to attain
203 licensure as a master social worker; and (9) individuals with a
204 baccalaureate degree in social work from a Council on Social Work
205 Education accredited program from performing nonclinical social
206 work functions.

207 Sec. 6. (NEW) (*Effective October 1, 2009*) The department may issue a

208 temporary permit to an applicant for licensure as a master social
209 worker who holds a master's degree from a social work educational
210 program, as described in section 20-195n of the general statutes, as
211 amended by this act, but who has not yet taken the licensure
212 examination prescribed in said section 20-195n. Such temporary permit
213 shall authorize the holder to practice as a master social worker as
214 provided for in section 2 of this act. Such temporary permit shall be
215 valid for a period not to exceed one hundred twenty calendar days
216 after the date of attaining such master's degree and shall not be
217 renewable. Such permit shall become void and shall not be reissued in
218 the event that the applicant fails to pass such examination. The fee for
219 a temporary permit shall be fifty dollars.

220 Sec. 7. (NEW) (*Effective October 1, 2009*) (a) Except as otherwise
221 provided in this section, each clinical social worker, licensed pursuant
222 to the provisions of chapter 383b of the general statutes, and, on and
223 after October 1, 2010, each master social worker licensed pursuant to
224 said chapter 383b shall complete a minimum of fifteen hours of
225 continuing education during each registration period. For purposes of
226 this section, "registration period" means the twelve-month period for
227 which a license has been renewed in accordance with section 19a-88 of
228 the general statutes and is current and valid.

229 (b) Continuing education required pursuant to this section shall be
230 related to the practice of social work. Such continuing education shall
231 consist of courses, workshops and conferences offered or approved by
232 the Association of Social Work Boards, the National Association of
233 Social Workers, a school or department of social work accredited by
234 the Council on Social Work Education. A licensee's ability to engage in
235 on-line and home study continuing education shall be limited to not
236 more than six hours per registration period. Within the registration
237 period, an initial presentation by a licensee of an original paper, essay
238 or formal lecture in social work to a recognized group of fellow
239 professionals may account for five hours of continuing education
240 hours of the aggregate continuing education requirements prescribed
241 in this section.

242 (c) Each licensee shall obtain a certificate of completion from a
243 provider of the continuing education for all continuing education
244 hours that are successfully completed and shall retain such certificate
245 for a minimum of three years following the license renewal date for
246 which the activity satisfies the continuing education requirement.
247 Upon request by the department, the licensee shall submit such
248 certificate to the department. A licensee who fails to comply with the
249 continuing education requirements prescribed in this section may be
250 subject to disciplinary action pursuant to section 20-195p of the general
251 statutes.

252 (d) A person licensed pursuant to chapter 383b of the general
253 statutes who holds a professional educator certificate that is endorsed
254 for school social work and issued by the State Board of Education
255 pursuant to sections 10-144o to 10-149, inclusive, of the general statutes
256 may satisfy the continuing education requirements contained in this
257 section by successfully completing professional development activities
258 pursuant to subdivision (1) of subsection (l) of section 10-145b of the
259 general statutes, provided the number of continuing education hours
260 completed by such person is equal to the number of hours per
261 registration period required by this section.

262 (e) A licensee applying for the first time for license renewal
263 pursuant to section 20-195o of the general statutes, as amended by this
264 act, shall be exempt from the continuing education requirements of
265 this section. The department may, for a licensee who has a medical
266 disability or illness, grant a waiver of the continuing education
267 requirements or may grant such licensee an extension of time in which
268 to fulfill the requirements, provided the licensee submits to the
269 department an application for waiver or extension of time on a form
270 prescribed by the department along with any documentation required
271 by the department. The department may grant a waiver or extension
272 not to exceed one registration period, except that the department may
273 grant additional waivers or extensions if the initial reason for the
274 waiver or extension continues beyond the period of the waiver or
275 extension. A waiver of the continuing education requirement may be

276 granted by the department to a licensee who is not engaged in social
277 work during a given continuing education registration period,
278 provided the licensee submits a waiver request prior to the expiration
279 of the continuing education period, on a form prescribed by the
280 department.

281 (f) Any licensee granted a waiver of the continuing education
282 requirements pursuant to the provisions of subsection (e) of this
283 section shall be required to complete seven hours of continuing
284 education not later than six months from the date on which such
285 licensee returned to active practice. In addition, such licensee shall
286 comply with the certificate of completion requirements prescribed in
287 subsection (c) of this section.

288 (g) Any licensee whose license has become void pursuant to the
289 provisions of subsection (f) of section 19a-88 of the general statutes,
290 who applies to the department for reinstatement of such license, shall
291 submit with such application evidence documenting that such
292 applicant has successfully completed seven hours of continuing
293 education within the one-year period immediately preceding the date
294 of application for reinstatement.

295 Sec. 8. Subsection (c) of section 19a-14 of the general statutes is
296 repealed and the following is substituted in lieu thereof (*Effective*
297 *October 1, 2009*):

298 (c) No board shall exist for the following professions that are
299 licensed or otherwise regulated by the Department of Public Health:

300 (1) Speech and language pathologist and audiologist;

301 (2) Hearing instrument specialist;

302 (3) Nursing home administrator;

303 (4) Sanitarian;

304 (5) Subsurface sewage system installer or cleaner;

- 305 (6) Marital and family therapist;
- 306 (7) Nurse-midwife;
- 307 (8) Licensed clinical social worker;
- 308 (9) Respiratory care practitioner;
- 309 (10) Asbestos contractor and asbestos consultant;
- 310 (11) Massage therapist;
- 311 (12) Registered nurse's aide;
- 312 (13) Radiographer;
- 313 (14) Dental hygienist;
- 314 (15) Dietitian-Nutritionist;
- 315 (16) Asbestos abatement worker;
- 316 (17) Asbestos abatement site supervisor;
- 317 (18) Licensed or certified alcohol and drug counselor;
- 318 (19) Professional counselor;
- 319 (20) Acupuncturist;
- 320 (21) Occupational therapist and occupational therapist assistant;
- 321 (22) Lead abatement contractor, lead consultant contractor, lead
322 consultant, lead abatement supervisor, lead abatement worker,
323 inspector and planner-project designer;
- 324 (23) Emergency medical technician, emergency medical technician-
325 intermediate, medical response technician and emergency medical
326 services instructor;
- 327 (24) Paramedic;

328 (25) Athletic trainer; [and]

329 (26) Perfusionist; and

330 (27) Master social worker, subject to the provisions of section 9 of
 331 this act.

332 The department shall assume all powers and duties normally vested
 333 with a board in administering regulatory jurisdiction over such
 334 professions. The uniform provisions of this chapter and chapters 368v,
 335 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a
 336 and 400c, including, but not limited to, standards for entry and
 337 renewal; grounds for professional discipline; receiving and processing
 338 complaints; and disciplinary sanctions, shall apply, except as otherwise
 339 provided by law, to the professions listed in this subsection.

340 Sec. 9. (NEW) (*Effective October 1, 2009*) The Department of Public
 341 Health shall only be required to implement the provisions of chapter
 342 383b of the general statutes as relate to the licensure of master social
 343 workers, if appropriations are available."

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, 2009</i>	New section
Sec. 8	<i>October 1, 2009</i>	19a-14(c)
Sec. 9	<i>October 1, 2009</i>	New section