



**Substitute House Bill No. 5286**

**Public Act No. 10-38**

**AN ACT CONCERNING LICENSURE OF MASTER AND CLINICAL SOCIAL WORKERS.**

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

Section 1. Section 20-195m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

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

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

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

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

(4) "Clinical social work" means the application, by persons trained in social work, of established principles of psychosocial development, behavior, psychopathology, unconscious motivation, interpersonal relationships and environmental stress to the evaluation, assessment, diagnosis and treatment of biopsychosocial dysfunction, disability and impairment, including mental, emotional, behavioral, developmental

**Substitute House Bill No. 5286**

and addictive disorders, of individuals, couples, families or groups. Clinical social work includes, but is not limited to, counseling, psychotherapy, behavior modification and mental health consultation;

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

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

(7) "Under professional supervision" means the practice of clinical social work under the supervision of a physician licensed pursuant to chapter 370, an advanced practice registered nurse licensed pursuant to chapter 378, a psychologist licensed pursuant to chapter 383, a marital and family therapist licensed pursuant to chapter 383a, a clinical social worker licensed pursuant to this chapter or a professional counselor licensed pursuant to chapter 383c; and

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

Sec. 2. (NEW) (*Effective October 1, 2010*) (a) An individual licensed as a master social worker pursuant to section 20-195n of the general statutes, as amended by this act, may: (1) Practice clinical social work under professional supervision; and (2) offer a mental health diagnosis provided such diagnosis is offered in consultation with a physician licensed pursuant to chapter 370 of the general statutes, an advanced practice registered nurse licensed pursuant to chapter 378 of the general statutes, a psychologist licensed pursuant to chapter 383 of the general statutes, a marital and family therapist licensed pursuant to chapter 383a of the general statutes, a professional counselor licensed

**Substitute House Bill No. 5286**

pursuant to chapter 383c of the general statutes or a clinical social worker licensed pursuant to chapter 383b of the general statutes. Except as provided in subsection (c) of section 20-195q of the general statutes, as amended by this act, a licensed master social worker may not engage in independent practice.

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

Sec. 3. Section 20-195n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

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

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

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

***Substitute House Bill No. 5286***

worker, provided on and after October 1, 2011, such hours completed in this state shall be as a licensed master social worker; and (3) pass the clinical level examination of the [American] Association of [State] Social Work Boards or any other examination prescribed by the commissioner. On and after October 1, 1995, any person certified as an independent social worker prior to October 1, 1995, shall be deemed licensed as a clinical social worker pursuant to this section, except a person certified as an independent social worker on and after October 1, 1990, shall not be deemed licensed as a clinical social worker pursuant to this chapter unless such person has satisfied the requirements of subdivision (3) of this [section] subsection.

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

(e) Notwithstanding the provisions of subsection (c) of this section, the commissioner may grant a license by endorsement to an applicant who presents evidence satisfactory to the commissioner that the applicant (1) is licensed or certified as a clinical social worker in good standing in another state or jurisdiction whose requirements for practicing in such capacity are substantially similar to or higher than those of this state, and (2) has successfully completed the clinical level

**Substitute House Bill No. 5286**

examination of the Association of Social Work Boards, or its successor organization, or any other examination prescribed by the commissioner. No license shall be issued under this subsection to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

Sec. 4. Section 20-195o of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

(a) Application for licensure shall be on forms prescribed and furnished by the commissioner. Each applicant shall furnish evidence satisfactory to the commissioner that he or she has met the requirements of section 20-195n, as amended by this act. The application fee for a clinical social worker license shall be three hundred fifteen dollars. The application fee for a master social worker license shall be two hundred twenty dollars.

(b) Notwithstanding the provisions of section 20-195n, as amended by this act, concerning examinations, on or before October 1, 2012, the commissioner may issue a license without examination, [prior to January 1, 1998, to any applicant who offers proof to the satisfaction of the commissioner that he met the requirements of subdivisions (1) and (2) of section 20-195n and was an employee of the federal government with not less than three thousand hours postmaster's social work experience prior to October 1, 1986] to any master social worker applicant who demonstrates to the satisfaction of the commissioner that, on or before October 1, 2010, he or she held a master's degree from a social work program accredited by the Council on Social Work Education or, if educated outside the United States or its territories, completed an educational program deemed equivalent by the council.

(c) [(1)] Each person licensed pursuant to this chapter may apply for renewal of such licensure in accordance with the provisions of

**Substitute House Bill No. 5286**

subsection (e) of section 19a-88. A fee of one hundred ninety dollars shall accompany each renewal application for a licensed master social worker or a licensed clinical social worker. Each such applicant shall furnish evidence satisfactory to the commissioner of having [participated in] satisfied the continuing education requirements prescribed in section 7 of this act. [The commissioner shall adopt regulations in accordance with chapter 54 to (A) define basic requirements for continuing education programs, (B) delineate qualifying programs, (C) establish a system of control and reporting, and (D) provide for waiver of the continuing education requirement for good cause.]

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

Sec. 5. Section 20-195q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

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

**Substitute House Bill No. 5286**

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

~~[(b)] (c)~~ Nothing in this section shall prohibit: (1) A student enrolled in a doctoral or master's degree program accredited by the Council on Social Work Education from performing such work as is incidental to his course of study, provided such person is designated by a title which clearly indicates his status as a student; (2) a person holding a doctoral or master's degree from a program accredited by the Council on Social Work Education from gaining social work experience under professional supervision, provided such activities are necessary to satisfy the work experience required by section 20-195n, as amended by this act, and such person is designated as "social work intern", "social work trainee" or other title clearly indicating the status appropriate to his level of training; (3) a person licensed or certified in this state in a field other than clinical social work from practicing within the scope of such license or certification; (4) a person enrolled in an educational program or fulfilling other state requirements leading to licensure or certification in a field other than social work from engaging in work in such other field; ~~[or]~~ (5) a person who is employed or retained as a social work designee, social worker, or social work consultant by a nursing home or rest home licensed under section 19a-490 and who meets the qualifications prescribed by the department in its regulations from performing the duties required of them in accordance with state and federal laws governing those duties; (6) for the period from October 1, 2010, to October 1, 2013, inclusive, a master social worker from engaging in independent practice; (7) a social worker from practicing community organization, policy and planning, research or administration that does not include engaging in clinical

**Substitute House Bill No. 5286**

social work or supervising a social worker engaged in clinical treatment with clients; and (8) individuals with a baccalaureate degree in social work from a Council on Social Work Education accredited program from performing nonclinical social work functions.

Sec. 6. (NEW) (*Effective October 1, 2010*) The department may issue a temporary permit to an applicant for licensure as a master social worker who holds a master's degree from a social work educational program, as described in section 20-195n of the general statutes, as amended by this act, but who has not yet taken the licensure examination prescribed in said section 20-195n. Such temporary permit shall authorize the holder to practice as a master social worker as provided for in section 2 of this act. Such temporary permit shall be valid for a period not to exceed one hundred twenty calendar days after the date of attaining such master's degree and shall not be renewable. Such permit shall become void and shall not be reissued in the event that the applicant fails to pass such examination. The fee for a temporary permit shall be fifty dollars.

Sec. 7. (NEW) (*Effective October 1, 2010*) (a) Except as otherwise provided in this section, each clinical social worker, licensed pursuant to the provisions of chapter 383b of the general statutes, and, on and after October 1, 2011, each master social worker licensed pursuant to said chapter 383b shall complete a minimum of fifteen hours of continuing education during each registration period. For purposes of this section, "registration period" means the twelve-month period for which a license has been renewed in accordance with section 19a-88 of the general statutes and is current and valid.

(b) Continuing education required pursuant to this section shall be related to the practice of social work. Such continuing education shall consist of courses, workshops and conferences offered or approved by the Association of Social Work Boards, the National Association of Social Workers or a school or department of social work accredited by

***Substitute House Bill No. 5286***

the Council on Social Work Education. A licensee's ability to engage in on-line and home study continuing education shall be limited to not more than six hours per registration period. Within the registration period, an initial presentation by a licensee of an original paper, essay or formal lecture in social work to a recognized group of fellow professionals may account for five hours of continuing education hours of the aggregate continuing education requirements prescribed in this section.

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

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

(e) A licensee applying for the first time for license renewal pursuant to section 20-195o of the general statutes, as amended by this act, shall be exempt from the continuing education requirements of

***Substitute House Bill No. 5286***

this section. The department may, for a licensee who has a medical disability or illness, grant a waiver of the continuing education requirements or may grant such licensee an extension of time in which to fulfill the requirements, provided the licensee submits to the department an application for waiver or extension of time on a form prescribed by the department along with any documentation required by the department. The department may grant a waiver or extension not to exceed one registration period, except that the department may grant additional waivers or extensions if the initial reason for the waiver or extension continues beyond the period of the waiver or extension. A waiver of the continuing education requirement may be granted by the department to a licensee who is not engaged in social work during a given continuing education registration period, provided the licensee submits a waiver request prior to the expiration of the continuing education period, on a form prescribed by the department.

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

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

Sec. 8. Subsection (c) of section 19a-14 of the 2010 supplement to the

**Substitute House Bill No. 5286**

general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

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

- (1) Speech and language pathologist and audiologist;
- (2) Hearing instrument specialist;
- (3) Nursing home administrator;
- (4) Sanitarian;
- (5) Subsurface sewage system installer or cleaner;
- (6) Marital and family therapist;
- (7) Nurse-midwife;
- (8) Licensed clinical social worker;
- (9) Respiratory care practitioner;
- (10) Asbestos contractor and asbestos consultant;
- (11) Massage therapist;
- (12) Registered nurse's aide;
- (13) Radiographer;
- (14) Dental hygienist;
- (15) Dietitian-Nutritionist;
- (16) Asbestos abatement worker;
- (17) Asbestos abatement site supervisor;

**Substitute House Bill No. 5286**

(18) Licensed or certified alcohol and drug counselor;

(19) Professional counselor;

(20) Acupuncturist;

(21) Occupational therapist and occupational therapist assistant;

(22) Lead abatement contractor, lead consultant contractor, lead consultant, lead abatement supervisor, lead abatement worker, inspector and planner-project designer;

(23) Emergency medical technician, advanced emergency medical technician, emergency medical responder and emergency medical services instructor;

(24) Paramedic;

(25) Athletic trainer;

(26) Perfusionist; [and]

(27) Master social worker subject to the provisions of section 9 of this act; and

[(27)] (28) On and after July 1, 2011, a radiologist assistant, subject to the provisions of section 20-74tt.

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

***Substitute House Bill No. 5286***

Sec. 9. (NEW) (*Effective October 1, 2010*) The Department of Public Health shall only be required to implement the provisions of chapter 383b of the general statutes as relate to the licensure of master social workers, if appropriations are available for such implementation.

Vetoed May 21, 2010