



General Assembly

Substitute Bill No. 5286

February Session, 2010

* HB05286APP 041310 *

AN ACT CONCERNING LICENSURE OF MASTER AND 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 Section 20-195m of the general statutes is repealed and the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, 2010*):

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

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

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

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

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

35 Sec. 2. (NEW) (*Effective October 1, 2010*) (a) An individual licensed as
36 a master social worker pursuant to section 20-195n of the general
37 statutes, as amended by this act, may: (1) Practice clinical social work
38 under professional supervision; and (2) offer a mental health diagnosis
39 provided such diagnosis is offered in consultation with a physician
40 licensed pursuant to chapter 370 of the general statutes, an advanced
41 practice registered nurse licensed pursuant to chapter 378 of the
42 general statutes, a psychologist licensed pursuant to chapter 383 of the
43 general statutes, a marital and family therapist licensed pursuant to
44 chapter 383a of the general statutes, a professional counselor licensed
45 pursuant to chapter 383c of the general statutes or a clinical social
46 worker licensed pursuant to chapter 383b of the general statutes.
47 Except as provided in subsection (c) of section 20-195q of the general
48 statutes, as amended by this act, a licensed master social worker may
49 not engage in independent practice.

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

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

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

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

66 (c) [Applicants] An applicant for licensure as a clinical social worker
67 shall: (1) Hold a doctorate or master's degree from a social work
68 program accredited by the Council on Social Work Education or, if
69 educated outside the United States or its territories, have completed an
70 educational program deemed equivalent by [said] the council; (2) have
71 three thousand hours post-master's social work experience which shall
72 include not less than one hundred hours of work under professional
73 supervision by a licensed clinical or certified independent social
74 worker, provided on and after October 1, 2011, such hours completed
75 in this state shall be as a licensed master social worker; and (3) pass the
76 clinical level examination of the [American] Association of [State]
77 Social Work Boards or any other examination prescribed by the
78 commissioner. On and after October 1, 1995, any person certified as an
79 independent social worker prior to October 1, 1995, shall be deemed
80 licensed as a clinical social worker pursuant to this section, except a
81 person certified as an independent social worker on and after October

82 1, 1990, shall not be deemed licensed as a clinical social worker
83 pursuant to this chapter unless such person has satisfied the
84 requirements of subdivision (3) of this [section] subsection.

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

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

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

113 (a) Application for licensure shall be on forms prescribed and

114 furnished by the commissioner. Each applicant shall furnish evidence
115 satisfactory to the commissioner that he or she has met the
116 requirements of section 20-195n, as amended by this act. The
117 application fee for a clinical social worker license shall be three
118 hundred fifteen dollars. The application fee for a master social worker
119 license shall be two hundred twenty dollars.

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

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

146 [(2) A person licensed pursuant to this chapter who holds a

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

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

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

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

171 [(b)] (c) Nothing in this section shall prohibit: (1) A student enrolled
172 in a doctoral or master's degree program accredited by the Council on
173 Social Work Education from performing such work as is incidental to
174 his course of study, provided such person is designated by a title
175 which clearly indicates his status as a student; (2) a person holding a
176 doctoral or master's degree from a program accredited by the Council
177 on Social Work Education from gaining social work experience under
178 professional supervision, provided such activities are necessary to

179 satisfy the work experience required by section 20-195n, as amended
180 by this act, and such person is designated as "social work intern",
181 "social work trainee" or other title clearly indicating the status
182 appropriate to his level of training; (3) a person licensed or certified in
183 this state in a field other than clinical social work from practicing
184 within the scope of such license or certification; (4) a person enrolled in
185 an educational program or fulfilling other state requirements leading
186 to licensure or certification in a field other than social work from
187 engaging in work in such other field; [or] (5) a person who is employed
188 or retained as a social work designee, social worker, or social work
189 consultant by a nursing home or rest home licensed under section 19a-
190 490 and who meets the qualifications prescribed by the department in
191 its regulations from performing the duties required of them in
192 accordance with state and federal laws governing those duties; (6) for
193 the period from October 1, 2010, to October 1, 2013, inclusive, a master
194 social worker from engaging in independent practice; (7) a social
195 worker from practicing community organization, policy and planning,
196 research or administration that does not include engaging in clinical
197 social work or supervising a social worker engaged in clinical
198 treatment with clients; and (8) individuals with a baccalaureate degree
199 in social work from a Council on Social Work Education accredited
200 program from performing nonclinical social work functions.

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

213 a temporary permit shall be fifty dollars.

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

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

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

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

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

275 (f) Any licensee granted a waiver of the continuing education
276 requirements pursuant to the provisions of subsection (e) of this
277 section shall be required to complete seven hours of continuing
278 education not later than six months from the date on which such
279 licensee returned to active practice. In addition, such licensee shall

280 comply with the certificate of completion requirements prescribed in
281 subsection (c) of this section.

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

289 Sec. 8. Subsection (c) of section 19a-14 of the 2010 supplement to the
290 general statutes is repealed and the following is substituted in lieu
291 thereof (*Effective October 1, 2010*):

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

294 (1) Speech and language pathologist and audiologist;

295 (2) Hearing instrument specialist;

296 (3) Nursing home administrator;

297 (4) Sanitarian;

298 (5) Subsurface sewage system installer or cleaner;

299 (6) Marital and family therapist;

300 (7) Nurse-midwife;

301 (8) Licensed clinical social worker;

302 (9) Respiratory care practitioner;

303 (10) Asbestos contractor and asbestos consultant;

304 (11) Massage therapist;

- 305 (12) Registered nurse's aide;
- 306 (13) Radiographer;
- 307 (14) Dental hygienist;
- 308 (15) Dietitian-Nutritionist;
- 309 (16) Asbestos abatement worker;
- 310 (17) Asbestos abatement site supervisor;
- 311 (18) Licensed or certified alcohol and drug counselor;
- 312 (19) Professional counselor;
- 313 (20) Acupuncturist;
- 314 (21) Occupational therapist and occupational therapist assistant;
- 315 (22) Lead abatement contractor, lead consultant contractor, lead
316 consultant, lead abatement supervisor, lead abatement worker,
317 inspector and planner-project designer;
- 318 (23) Emergency medical technician, advanced emergency medical
319 technician, emergency medical responder and emergency medical
320 services instructor;
- 321 (24) Paramedic;
- 322 (25) Athletic trainer;
- 323 (26) Perfusionist; [and]
- 324 (27) Master social worker subject to the provisions of section 9 of
325 this act; and
- 326 ~~[(27)]~~ (28) On and after July 1, 2011, a radiologist assistant, subject to
327 the provisions of section 20-74tt.

328 The department shall assume all powers and duties normally vested

329 with a board in administering regulatory jurisdiction over such
330 professions. The uniform provisions of this chapter and chapters 368v,
331 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a
332 and 400c, including, but not limited to, standards for entry and
333 renewal; grounds for professional discipline; receiving and processing
334 complaints; and disciplinary sanctions, shall apply, except as otherwise
335 provided by law, to the professions listed in this subsection.

336 Sec. 9. (NEW) (*Effective October 1, 2010*) The Department of Public
337 Health shall only be required to implement the provisions of chapter
338 383b of the general statutes as relate to the licensure of master social
339 workers, if appropriations are available for such implementation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	20-195m
Sec. 2	<i>October 1, 2010</i>	New section
Sec. 3	<i>October 1, 2010</i>	20-195n
Sec. 4	<i>October 1, 2010</i>	20-195o
Sec. 5	<i>October 1, 2010</i>	20-195q
Sec. 6	<i>October 1, 2010</i>	New section
Sec. 7	<i>October 1, 2010</i>	New section
Sec. 8	<i>October 1, 2010</i>	19a-14(c)
Sec. 9	<i>October 1, 2010</i>	New section

PH *Joint Favorable Subst.*

APP *Joint Favorable*