

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## SECOND SPECIAL SESSION-2004

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Legislative Document

No. 1931

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H.P. 1431

House of Representatives, March 17, 2004

**An Act To Provide for a Limited Transition Provision for Renewal  
of Certain Social Worker Licenses**

(EMERGENCY)

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Reference to the Committee on Business, Research and Economic Development suggested  
and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative SULLIVAN of Biddeford. (GOVERNOR'S BILL)  
Cosponsored by Representatives: AUSTIN of Gray, BEAUDETTE of Biddeford, SMITH of  
Monmouth.

2           **Emergency preamble. Whereas,** Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

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6           **Whereas,** this legislation authorizes the Department of  
Professional and Financial Regulation, State Board of Social  
Worker Licensure to issue renewal licenses to social workers who  
8 held valid licenses on September 13, 2003, prior to the enactment  
of new license requirements for licenses issued after January 1,  
10 2004; and

12           **Whereas,** if the State Board of Social Worker Licensure is  
not granted additional authority, it will not be feasible for  
14 many social worker licensees to comply with the new requirements  
for licensure within the balance of their current license cycle  
16 and they will therefore be denied an opportunity to continue  
providing a valuable service to the citizens of the State; and

18           **Whereas,** in the judgment of the Legislature, these facts  
20 create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
22 necessary for the preservation of the public peace, health and  
safety; now, therefore,

24           **Be it enacted by the People of the State of Maine as follows:**

26           **Sec. 1. Transition provisions.** Notwithstanding the Maine  
28 Revised Statutes, Title 32, section 7060, subsections 1 and 2,  
the Department of Professional and Financial Regulation, State  
30 Board of Social Worker Licensure is authorized to delay  
application of the new consultation requirements to conditionally  
32 licensed social workers and licensed social workers who held  
valid licenses on September 13, 2003. The new consultation  
34 requirements, which became effective on January 1, 2004, must be  
imposed on these licensees upon their timely application for  
36 renewal. These licensees will be accorded not less than 2 years  
but no more than 4 years to comply with the new consultation  
38 requirements. This transition is not intended to prevent timely  
consideration by the State Board of Social Worker Licensure of  
40 applications for renewal licensure for individuals who have or  
will have completed the required consultation requirements under  
42 Public Law 2003, chapter 429. The transition is intended to  
provide licensed and conditionally licensed social workers who  
44 were validly licensed on September 13, 2003 but who have not  
previously been subject to new consultation requirements to have  
46 the same time period as new licensees to satisfy consultation  
requirements.

48           **Emergency clause.** In view of the emergency cited in the  
50 preamble, this Act takes effect when approved.

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## SUMMARY

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6 Public Law 2003, chapter 429 became effective on September  
13, 2003. The new consultation requirements of that chapter,  
however, became effective on January 1, 2004. To avoid  
8 unfairness to licensees who held valid licenses on September 13,  
2003 but who have not been subject to those consultation  
10 requirements before and who will need a reasonable period of time  
within which to comply with those requirements, this bill  
12 provides for a limited transition to authorize the Department of  
Professional and Financial Regulation, State Board of Social  
14 Worker Licensure to delay application of new consultation  
requirements for those licensees so that all licensees will have  
16 not less than 2 years, the equivalent of one 2-year license  
cycle, but not more than 4 years, the equivalent of 2 2-year  
18 license cycles, to meet the new consultation requirements as  
provided by current law.