

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
108TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT " B " to COMMITTEE AMENDMENT "A" to
H.P. 1936, L.D. 2016, Bill, "AN ACT Relating to the State
Board of Social Worker Registration."

Amend the Amendment by striking out all of the first
2 paragraphs on page 4 relating to "§7059." and inserting
in their place the following:

'Further amend the Bill in section 3 by striking out all
of that part designated "§7059." and inserting in its place
the following:

§7059. Revocation and reissuance

1. Board revocation. The board shall have the power
in accordance with the Maine Administrative Procedure Act
to revoke the registration of a certified, registered or
associate social worker for:

A. Conviction of a violation of law by any court of
competent jurisdiction which, if committed within this
State, would:

(1) Constitute a Class C crime; or

(2) Be punishable by one year or more of imprisonment.

2. Administrative Court revocation. The board shall
have the power to proceed in the Administrative Court seeking
to revoke the registration of a certified, registered or
associate social worker for any of the following reasons:

A. The practice of fraud or deceit in obtaining a certificate of registration under this chapter or in connection with service rendered as a certified, registered or associate social worker;

B. Addiction, as confirmed by medical findings, to the use of alcohol or other drugs, which has resulted in the certified registered or associate social worker being unable to perform his duties or perform those duties in a manner which would not endanger the health or safety of the clients to be served;

C. A medical finding of mental incompetency;

D. Aiding or abetting a person not duly certified as a certified, registered or associate social worker in representing himself as a certified, registered or associate social worker in this State; or

E. Any gross negligence, incompetency or misconduct in the practice of professional social work.

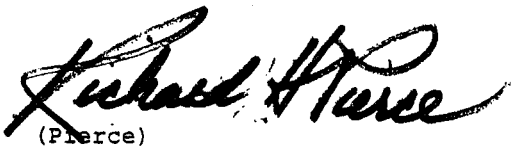
Any person may prefer charges against any certified, registered or associate social worker. Any charges shall be in writing, shall be sworn to by the person making them and shall be filed with the secretary of the board.

The board, for reasons it may deem sufficient, may reissue a certificate of registration as a certified, registered or associate social worker to any person whose certificate of registration has been revoked, provided 4 or more members

of the board vote in favor of that reissuance. A new certificate of registration as a certified, registered or associate social worker, to replace any certificate revoked, lost, destroyed or mutilated, may be issued, subject to the rules and regulations of the board. A charge of \$3 shall be made for that issuance.'

Statement of Fact

The purpose of this amendment is to provide consistency with the Maine Administrative Procedure Act.



(Pierce)

NAME:

COUNTY: Kennebec

Reproduced and distributed pursuant to Senate Rule 11-A.

March 7, 1978

(Filing No. S-520)