

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
SECOND REGULAR SESSION

(Filing No. H-1107)

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

Amend the Bill in section 3 in that part designated
"§7001." by inserting after the first paragraph (same in L.D.)
the following:

'1. Accredited educational institution. An "accredited
educational institution" is an institution accredited by the
Council on Social Work Education.'

Further amend the Bill in section 3 in that part designated
"§7001." by renumbering subsections 1 to 4 to be subsections
2 to 5.

Further amend the Bill in section 3 in that part designated
"§7001." by striking out all of subsections 5 and 6 and inserting in
their place the following:

'6. Psycho-social evaluation. "Psycho-social evaluation"
as used in this chapter means the determination and examination
by social workers of the social situation of an individual or
group related to inter and intra personal stress, family background,
family interaction, living arrangements and socio-economic
problems and treatment evaluation, plans and goals.

7. Registered social worker. A "registered social worker"
is a person who has received a certificate of registration as a
registered social worker from the board.

8. Social work. "Social work" means engaging in psycho-social evaluation and therapy to effect a change in the feelings, attitudes and behavior of a client, whether an individual, group or community, in response to a social situation.'

Further amend the Bill in section 3 by striking out all of that part designated "§7003." and inserting in its place the following:

'§7003. Exemptions

Nothing in this chapter shall prevent any person from engaging in the practice of social work so long as he does not represent himself as or use the titles of "certified social worker," "registered social worker" or "associate social worker," except as provided in subchapter III.

← after April 1, 1979, no person shall engage in the independent practice of social work, as defined in section 7001, without being licensed to do so, unless:

Employment by state or federal governmental agency.

1. /The person is employed by a state or federal governmental agency and is acting in his capacity as an employee of the agency.

2. Employment by a hospital. The person is employed by a hospital licensed under Title 22, chapter 405, which meets the standards of the Joint Commission on Accreditation of Hospitals for the provision of social services by hospitals and that person is engaging in the independent practice of social work on behalf of that hospital.

Further amend the Bill in section 3 in that part designated "§7005." in the 10th line (7th line in L.D.) by striking out the underlined words "at issue" and inserting in their place the underlined words 'an issue'

Further amend the Bill in section 3 in that part designated "§7005." in the last line (same in L.D.) by inserting after and before the punctuation the underlined word "law"/the following: 'and nothing in this section shall modify or affect the provisions of Title 22, section 3856-A'

Further amend the Bill in section 3 in that part designated "§7026." by striking out all of the 5th underlined sentence and inserting in its place the following: 'Any vacancies occurring on the board shall be filled on a basis to insure that, within 3 years of the effective date of this chapter, the board shall be composed as follows: Four certified social workers, 2 registered social workers, one associate social worker and one consumer.'

Further amend the Bill in section 3 in that part designated "§7027." in the 3rd line (2nd line of L.D.) by inserting after the underlined words "character and" the underlined punctuation and words ', except for the consumer member,'

Further amend the Bill in section 3 in that part designated "§7054." by striking out all of the first underlined paragraph.

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

'3. Addiction. 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.'

Further amend the Bill in section 3 in that part designated "§7060." in the first paragraph by striking out all of the last 2 underlined sentences and inserting in their place the following:
'Any person who fails to renew his license within 90 days following the expiration date shall be required to take an examination.'

Further amend the Bill in section 3 in that part designated "§7060." by striking out all of the 3rd paragraph and inserting in its place the following:

'The board shall provide by regulation that a person registered under this chapter may, upon written request, be placed in an inactive status. Reasons for granting inactive status shall include, but not be limited to, changes in occupation, residence and health. The payment of fees shall be suspended during the term of inactive status. A person may be reinstated to active status by notifying the commissioner and by paying the fees for the year of reinstatement.'

Further amend the Bill in section 3 in that part designated "§7061." in the first paragraph by striking out all of the last underlined sentence and inserting in its place the following: 'The expenditures of the board shall not in any year exceed the amount of money remaining in the fund.'

Statement of Fact

The purpose of this amendment is to:

1. Define "accredited educational institution" as those institutions which are accredited by the Council on Social Work Education; ← → social work and social worker;
2. Increase the number of certified social workers on the board to 4 and reduce the number of associate social workers from 2 to one;
3. Exempt the consumer member of the board from the requirement that board members have 5 years' experience in social work;
4. Delete the exemption from members of the Armed Forces, which no longer is applicable;
5. Provide that before a social worker may be disciplined for addiction to drugs or alcohol that that addiction be confirmed by medical findings;
6. Amend the provisions allowing members to select inactive status in order to avoid paying dues;
7. Clarify the language clarifying the board to limit its expenditures to the amount of money in its fund;

8. Provide that the prohibition against independent practice not apply to those who are employed by Federal and State Government or by hospitals which are accredited by the Joint Commission on Accreditation of Hospitals;

9. More specifically define the practice of social work and to define "psycho-social evaluation;"

10. Clarify the scope of privileged communications; and

11. Remove the penalty for failure to renew his license and substituting a 90-day grace period with reexamination required thereafter.

Reported by the Majority of the Committee on Business Legislation.

Reproduced and distributed under the direction of the Clerk
of the House.
3/3/78

(Filing No. H-1107)