

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1250

S.P. 465

In Senate, April 19, 1989

Reference to the Committee on Business Legislation suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

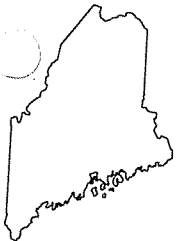
Presented by Senator BUSTIN of Kennebec.

Cosponsored by Representative DAGGETT of Augusta and Representative NORTON of Winthrop.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act Relating to Licensing of State Social Workers.



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

3 **Sec. 1. 32 MRSA §7053-A, sub-§4,** as enacted by PL 1985, c.
736, §12, is amended to read:

5 **4. Licensed social worker.** A licensed social worker may:

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9 A. Engage in psychosocial evaluation, excluding the
11 diagnosis and treatment of mental illness, and conduct basic
13 data gathering of records and specific life issues of
individuals, groups and families, assess this data and
formulate and implement a plan to achieve specific goals
related to specific life issues;

15 B. Serve as an advocate for clients or groups of clients
17 for the purpose of achieving specific goals relating to
specific life issues;

19 C. Refer clients to other professional services;

21 D. Plan, manage, direct or coordinate social services; and

23 E. Participate in training and education ~~of~~ of social work
25 students from an accredited institution and supervise other
licensed social workers.

27 A licensed social worker shall not engage in the private practice
29 of social work, diagnose mental illness and emotional disorders
or provide psychotherapy. A licensed social worker with less than
31 2 years' experience must receive consultation from either a
licensed master social worker, a licensed clinical social worker
33 or a certified social worker-independent practice in a manner to
be prescribed by the board on a group or individual basis 4 hours
35 a month. Licensed social workers in health care facilities
licensed by the Department of Human Services shall receive
37 consultation on a quarterly basis in a manner prescribed by the
department. The department staff giving consultation to
39 intermediate care facilities must be on the master or clinical
level by January 1, 1993.

41 Notwithstanding the provisions of this subsection, licensed
43 social workers employed by the Department of Human Services shall
receive consultation in a manner to be prescribed by the
45 department.

47 State agencies employing social workers shall be responsible for
49 providing the consultation, supervision, education, training,
leave time without loss of pay or benefits and license fees
necessary for those social workers to maintain their licenses.

51 **Sec. 2. 32 MRSA §7054-A, 5th ¶,** as amended by PL 1987, c. 537,
is further amended to read:

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Any person not eligible for licensure on the effective date of this section, but who is employed in a position in which representation is made to the public as a social worker or the title of social worker is used, shall be entitled to licensure without examination as a "licensed social worker" as long as an application, made pursuant to section 7056, is received by the board by February 1, 1988. Any person who meets the requirements of this paragraph for licensure as a social worker as determined by the board, and who demonstrates to the board that the person did not submit an application under this paragraph by February 1, 1988, due to the person's good faith failure to understand or know of the requirements of this paragraph, may be licensed by the board under this paragraph if the person makes the required application by February 1, 1990.

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STATEMENT OF FACT

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The social worker licensing law requires as a condition of licensure that social workers be supervised for a specified period by an individual holding a masters degree in social work. There has been some confusion about the State's responsibilities to provide supervision for its own social workers and about which state positions are covered by the law. This bill requires the State to provide the necessary supervision and assistance in meeting other license requirements. The bill further extends by 2 years the period under which experienced social workers can apply for licensure without examination.