

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1578

H.P. 1135

House of Representatives, May 9, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative HIGGINS of Scarborough.

STATE OF MAINE

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

An Act Concerning School Social Workers.

(AFTER DEADLINE)

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

3 Sec. 1. 20-A MRSA §4008, sub-§1, ¶A, as enacted by PL 1981, c.
693, §§5 and 8, is amended to read:

5
7 A. "Client" means a person who has actively sought or is in
the process of seeking professional help from a school
counselor or school social worker.

9
11 Sec. 2. 20-A MRSA §4008, sub-§1, ¶C is enacted to read:

13 C. "School social worker" means a person who is employed as
a school social worker in a school setting and who:

15 (1) Is licensed as a social worker by the State Board
of Social Worker Licensure; or

17
19 (2) Possesses a bachelor's degree and has been granted
a conditional license from the State Board of Social
Worker Licensure.

21
23 Sec. 3. 20-A MRSA §4008, sub-§2, as amended by PL 1983, c.
485, §21, is further amended to read:

25 2. Privileged communication. A school counselor or school
27 social worker may not be required, except as provided by this
section, to divulge or release information gathered during a
29 counseling relation with a client or with the parent, guardian or
a person or agency having legal custody of a minor client. A
31 counseling relation and the information resulting from it shall
be kept confidential consistent with the professional obligations
33 of the counselor or social worker.

35 **STATEMENT OF FACT**

37 Presently, school counselors are granted the privilege of
confidentiality concerning professional contact with clients.
39 Since the relationship between school social workers, children
and their families does not vary significantly from that of
41 school counselors, this bill extends the privilege of
confidentiality to school social workers.