

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 987

H.P. 768

House of Representatives, February 20, 2001

**An Act to Change Certain Educational Requirements and Make Title
Changes for Licensed Social Workers.**

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative DESMOND of Mapleton.
Cosponsored by Representatives: BELANGER of Caribou, LAVERRIERE-BOUCHER of Biddeford, LUNDEEN of Mars Hill, MICHAUD of Fort Kent, SHERMAN of Hodgdon, SMITH of Van Buren, Senator: KNEELAND of Aroostook.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 32 MRSA §7001-A, sub-§5-A** is enacted to read:

5 **5-A. Licensed bachelor social worker.** "Licensed bachelor
6 social worker" is a person who has received a license as a
7 bachelor social worker from the board. Except for the provisions
8 of section 7053, subsection 3-A, "licensed bachelor social
9 worker" includes a person who has received a conditional license
10 as a licensed bachelor social worker.

11 **Sec. 2. 32 MRSA §7051, first ¶,** as amended by PL 1985, c. 736,
12 §9, is further amended to read:

13
14 In order to safeguard the life, health and welfare of the
15 people of this State, any person practicing or offering to
16 practice as a certified social worker - independent practice or
17 licensed clinical, licensed master, licensed bachelor or licensed
18 social worker ~~shall-be~~ is required to submit evidence that he
19 that person is qualified to so practice and ~~shall~~ must be
20 licensed as provided in this subchapter.

21 **Sec. 3. 32 MRSA §7053, sub-§3,** as repealed and replaced by PL
22 1989, c. 682, is amended to read:

23 **3. Licensed social worker.** To be qualified to be licensed
24 as a social worker an applicant must be licensed as a social
25 worker on December 31, 2001 and meet one of the following
26 requirements:

27
28 A. The applicant must have received a bachelor's degree in
29 social work or social welfare from an accredited educational
30 institution; demonstrated to the satisfaction of the board
31 adherence to the ethics of the social worker profession; and
32 successfully completed the examination prescribed by the
33 board; or

34
35 B. The applicant must have received a bachelor's degree in
36 a related field from an institution that, at the time the
37 degree was received, did not have a program accredited by
38 the Council on Social Work Education but subsequently
39 offered such a program; demonstrated to the satisfaction of
40 the board adherence to the ethics of the social worker
41 profession; and successfully completed the examination
42 prescribed by the board.

43
44 The board shall issue rules, in accordance with the Maine
45 Administrative Procedure Act, Title 5, chapter 375, by which an
46 individual who has a bachelor's degree that does not qualify
47 under paragraph A or B may be eligible for a license.
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Sec. 4. 32 MRSA §7053, sub-§3-A is enacted to read:

3-A. Licensed bachelor social worker. The board may issue a conditional license or a license to an applicant who meets the requirements set out in this subsection.

A. Requirements for a conditional license for a licensed bachelor social worker include:

(1) Documented proof of a bachelor's degree in social work or social welfare from an institution in candidacy for accreditation from the Council on Social Work Education or a successor organization;

(2) Three letters of professional recommendation written within one year of receipt by the board, 2 of which are provided by licensed social workers from any state;

(3) Evidence of employment in a social service delivery field;

(4) Evidence of an arrangement of consultation to be provided by one of the following:

(a) A licensed bachelor social worker with at least 5 years' experience;

(b) A licensed master social worker;

(c) A licensed clinical social worker; or

(d) A certified social worker - independent practice.

A licensed bachelor social worker employed in a mental health setting must receive consultation from a licensed master social worker, licensed clinical social worker or a certified social worker - independent practice;

(5) Payment of the application and license fee; and

(6) Demonstration to the satisfaction of the board adherence to the ethics of the social worker profession.

B. Requirements for a licensed bachelor social worker include:

2 (1) Documented proof of a bachelor's degree in social
4 work or social welfare from an accredited educational
6 institution. If an applicant provides documented
8 proof of a bachelor's degree in social work or social
10 welfare from a program in candidacy for accreditation
12 with the Council of Social Work Education or a
14 successor organization, then the applicant must provide
16 documented proof of 96 hours of consultation provided
18 by a licensed bachelor social worker with at least 5
20 years' experience, a licensed master social worker, a
22 licensed clinical social worker or a certified social
24 worker - independent practice. This consultation must
26 be concurrent with 3,200 hours of social work
28 employment occurring in a period not less than 2 years
30 but not more than 4 years;

32 (2) An applicant with less than 2 years of social work
34 employment must provide evidence of an arrangement of
36 consultation provided by:

38 (a) A licensed bachelor social worker with at
40 least 5 years' experience;

42 (b) A licensed master social worker;

44 (c) A licensed clinical social worker; or

46 (d) A certified social worker - independent
48 practice;

50 A licensed bachelor social worker employed in a mental
52 health setting must receive consultation from a
54 licensed master social worker, licensed clinical social
56 worker or a certified social worker - independent
58 practice;

60 (3) Documentation of successfully passing the required
62 examination;

64 (4) Three letters of professional recommendation
66 written within one year of receipt by the board of
68 which 2 are provided by social workers licensed in any
70 state. If the applicant is conditionally licensed as a
72 licensed bachelor social worker, one recommendation
74 must be from the consultant to the applicant's
76 conditional license;

78 (5) Evidence of employment in a social service
80 delivery field;

2 (6) Payment of the application and license fee; and

4 (7) Demonstration to the satisfaction of the board
adherence to the ethics of the social worker profession.

6 **Sec. 5. 32 MRSA §7053-A, sub-§1**, as amended by PL 1987, c.
395, Pt. B, §15, is further amended to read:

8 **1. Licensed master social worker.** Any licensed master
10 social worker may:

12 A. Engage in administration, research, consultation, social
planning and teaching related to the functions in this
14 section;

16 B. Perform all the functions of a licensed social worker
and licensed bachelor social worker; and

18 C. Engage in a nonclinical private practice.

20 In addition, a licensed master social worker having met the
22 requirements for licensure as a licensed clinical social worker
prior to January 1, 1987, except for having completed the
24 licensed clinical social worker examination, may engage in the
clinical consultation of licensed master social worker,
26 conditional for the purpose of preparing the licensed master
social worker, conditional for eventual licensed clinical social
28 workers' status or regular licensure. This includes
responsibility for ongoing training and evaluation. The licensed
30 master social worker has an obligation to assess the licensed
master social worker, conditional's competence and ethics and
32 share this assessment with the Board of Social Work Licensure at
the time the licensed master social worker applies for the
34 licensed clinical level.

36 In addition to paragraphs A, B and C, a person holding a
"licensed master social worker, conditional" license may engage
38 in psychosocial evaluation, including diagnosis and treatment of
mental illness and emotional disorders, and provide clinical
40 consultation to licensed social workers, licensed bachelor social
workers, social work students, other professionals practicing
42 related professions and paraprofessionals engaging in related
activities.

44 A "licensed master social worker, conditional" may not engage in
46 private clinical practice, unless permitted under section 7053,
subsection 1, and must receive individual consultation 4 hours a
48 month while practicing social work in a clinical setting.

50 **Sec. 6. 32 MRSA §7053-A, sub-§5** is enacted to read:

2 5. Licensed bachelor social worker. A licensed bachelor
social worker may:

4
6 A. Engage in psychosocial evaluation, excluding the
diagnosis and treatment of mental illness, and conduct basic
8 data gathering of records and specific life issues of
individuals, groups and families, assess this data and
10 formulate and implement a plan to achieve specific goals
related to specific life issues;

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

16 C. Refer clients to other professional services;

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

20 E. Participate in training and education of social work
students from an accredited educational institution or an
22 educational institution in candidacy for accreditation with
the Council on Social Work Education or a successor
24 organization and supervise other licensed bachelor social
26 workers.

28 A licensed bachelor social worker may not engage in the private
practice of social work, diagnose mental illness and emotional
30 disorders or provide psychotherapy. A licensed bachelor social
worker with less than 2 years' experience must receive
32 consultation from either a licensed bachelor social worker with
at least 5 years experience, a licensed master social worker, a
34 licensed clinical social worker or a certified social worker -
independent practice in a manner to be prescribed by the board on
36 a group or individual basis 4 hours a month. A licensed bachelor
social worker employed in a mental health setting must receive
38 consultation from a licensed master social worker, a licensed
clinical social worker or a certified social worker - independent
40 practice.

42 **Sec. 7. 32 MRSA §7054-A, first ¶,** as enacted by PL 1985, c.
736, §14, is amended to read:

44 A person holding a certificate of registration or license
46 under the laws of another state, territory or possession of the
United States, the District of Columbia or of any foreign
country, ~~which that~~ which that is the equivalent of a license as a licensed
48 clinical, licensed master, licensed bachelor or licensed social
worker under this chapter who, in the opinion of the board, meets

2 the requirements of this chapter, based upon verified evidence
may, upon application, be licensed without further examination.

4 **Sec. 8. 32 MRSA §7056, first ¶**, as amended by PL 1985, c. 736,
§16, is further amended to read:

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8 Application for license as a licensed clinical, licensed
master, licensed bachelor or licensed social worker shall must be
10 on a form prescribed and furnished by the board. An application
fee and an examination fee may be established by the board in
12 amounts which that are reasonable and necessary for their
respective purposes. All fees shall must accompany the
14 application.

16 **Sec. 9. 32 MRSA §7056, 2nd ¶**, as amended by PL 1987, c. 113,
§2, is further amended to read:

18 The license fee for a licensed social worker shall or a
licensed bachelor social worker must be established by the board
20 in an amount not to exceed \$70.

22 **Sec. 10. 32 MRSA §7059, sub-§1, ¶¶A, B and D**, as amended by PL
1985, c. 736, §18, are further amended to read:

24
26 A. The practice of fraud or deceit in obtaining a license
under this chapter or in connection with service rendered as
28 a licensed clinical, licensed master, licensed bachelor or
licensed social worker or certified social worker -
independent practice;

30
32 B. Addiction, as confirmed by medical findings, to the use
of alcohol or other drugs, which that has resulted in the
34 licensed clinical, licensed master, licensed bachelor or
licensed social worker or certified social worker -
36 independent practice being unable to perform his
professional duties or perform those duties in a manner
38 which would not endanger the health or safety of the clients
to be served;

40
42 D. Aiding or abetting a person not duly licensed in
representing himself that person as a licensed clinical,
44 licensed master, licensed bachelor or licensed social worker
or certified social worker - independent practice in this
State;

46 **Sec. 11. 32 MRSA §7060**, as amended by PL 1993, c. 659, Pt. A,
48 §8, is further amended by adding at the end a new paragraph to
read:

2 In addition to the other requirements of this section, a
3 licensed bachelor social worker must provide documentation of 96
4 hours of consultation during the first 3,200 hours of social work
5 employment in a period not less than 2 years but not more than 4
6 years.

8 SUMMARY

10 This bill creates the position of licensed bachelor social
11 worker and establishes standards and educational requirements for
12 the position.