



# LAWS OF ALASKA

1988

**Source**

CSHB 526 (Fin)

**Chapter No.**

126

**AN ACT**

Relating to the practice of clinical social work and exempting certain persons from licensure as clinical social workers; and providing for an effective date.

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**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1, LINE 11

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 8, 1988  
Actual Effective Date: July 1, 1988

AN ACT

Relating to the practice of clinical social work and exempting certain persons from licensure as clinical social workers; and providing for an effective date.

\* Section 1. PURPOSE. The purpose of this Act is to protect the public by

(1) setting standards for the education, training, and experience for persons practicing clinical social work; and

(2) promoting high standards of professional performance by those persons licensed to practice clinical social work.

\* Sec. 2. AS 08 is amended by adding a new chapter to read:

CHAPTER 95. CLINICAL SOCIAL WORK.

ARTICLE 1. BOARD OF CLINICAL SOCIAL WORK EXAMINERS.

Sec. 08.95.010. CREATION AND MEMBERSHIP OF THE BOARD. (a)

There is created the Board of Clinical Social Work Examiners composed of five members. Four members must be persons licensed under this chapter, including at least one person who is not an employee of a federal, state, or local government or of a private nonprofit organization that is exempt from federal income tax. One member must be a public member.

(b) Members of the board shall elect a member of the board as chair. The chair serves for a term of one year.

Sec. 08.95.020. BOARD MEETINGS. The board shall hold at least

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1 one meeting each year. The board may hold additional meetings at the  
2 call of the chair or of a majority of the board members.

3 Sec. 08.95.030. DUTIES. The board shall

4 (1) issue licenses to qualified applicants;

5 (2) submit an annual report of its proceedings to the  
6 department;

7 (3) after a hearing, impose disciplinary sanctions on a  
8 person who violates this chapter or the regulations or orders of the  
9 board;

10 (4) adopt regulations requiring that continuing education  
11 requirements be satisfied before a license is renewed;

12 (5) adopt regulations necessary to carry out the purpose of  
13 this chapter.

14 Sec. 08.95.040. CONTINUING EDUCATION REQUIREMENT. (a) The  
15 board shall adopt continuing education requirements for persons li-  
16 censed under this chapter. Continuing education requirements must  
17 include a minimum of 45 hours per biennium of education or training  
18 with a minimum of six hours in substance abuse and six hours in cross-  
19 cultural education emphasizing Alaskan Natives.

20 (b) The board shall appoint three persons licensed under this  
21 chapter to serve as a continuing education committee. The committee  
22 shall advise the board on matters related to continuing education for  
23 clinical social workers. One person appointed to the committee must  
24 be familiar with social problems in the rural areas of the state.

25 ARTICLE 2. LICENSING.

26 Sec. 08.95.100. LICENSE REQUIRED. (a) A person who practices  
27 clinical social work without obtaining a license issued by the board  
28 and without qualifying for an exemption from this chapter is guilty of  
29 a class B misdemeanor.

1 (b) A person who is not licensed as a clinical social worker, or  
2 whose license is suspended or revoked, or whose license has lapsed,  
3 who uses in connection with the person's name the words or letters  
4 "L.C.S.W.," "Licensed Clinical Social Worker," or other letters,  
5 words, or insignia indicating or implying that the person is a li-  
6 censed clinical social worker, or who in any way, orally, or in writ-  
7 ing, directly or by implication, holds out as a licensed clinical  
8 social worker is guilty of a class B misdemeanor.

9 (c) A person not licensed under this chapter may use the title  
0 of "social worker."

1 Sec. 08.95.110. LICENSE TO PRACTICE CLINICAL SOCIAL WORK. The  
2 board shall issue a license to practice clinical social work to a  
3 person who

4 (1) has received a master's degree or a doctoral degree in  
5 social work from a college or university accredited by the Council on  
6 Social Work Education;

7 (2) has completed, within the 10 years before application  
8 for licensure and under the supervision of a licensed clinical social  
9 worker, licensed psychologist, licensed psychiatrist, or, with ap-  
0 proval of the board, a clinical social worker who is exempt from this  
1 chapter under AS 08.95.910, either (A) a minimum of two years of  
2 continuous full-time employment in postgraduate clinical social work;  
3 or (B) a minimum of 3,000 hours of less than full-time employment in a  
4 period of not less than two years in postgraduate clinical social  
5 work; at least 100 hours of supervision required under this paragraph  
6 shall be conducted by a qualified person approved by the board;

7 (3) is in good professional standing and is fit to practice  
8 social work as determined by the board;

9 (4) has provided three professional references to the

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1 board;

2 (5) has satisfactorily completed the examination given by  
3 the board; and

4 (6) has paid required fees.

5 Sec. 08.95.120. LICENSING BY CREDENTIALS. The board shall issue  
6 a license to practice clinical social work without examination if the  
7 applicant

8 (1) holds a current license to practice clinical social  
9 work in another jurisdiction that at the time of original issuance of  
10 the license had requirements for licensure equal to or more stringent  
11 than those of this state;

12 (2) is not the subject of an unresolved complaint or disci-  
13 plinary action before a regulatory authority or a professional social  
14 work association;

15 (3) has not failed the examination for a license to prac-  
16 tice clinical social work in this state;

17 (4) has not had a license to practice clinical social work  
18 revoked or suspended in this state or another jurisdiction;

19 (5) has submitted proof of continued competency satis-  
20 factory to the board; and

21 (6) has paid required fees.

22 Sec. 08.95.130. DISPLAY OF LICENSE. A person licensed under  
23 this chapter shall display the license in a conspicuous place where  
24 the licensee practices.

25 ARTICLE 3. GENERAL PROVISIONS.

26 Sec. 08.95.900. CONFIDENTIALITY OF COMMUNICATION. (a) A li-  
27 censed clinical social worker may not reveal to another person a  
28 communication made to the licensee by a client about a matter concern-  
29 ing which the client has employed the licensee in a professional

1 capacity. This section does not apply to

2 (1) a case conference with other clinical social workers or  
3 with psychologists, psychological associates, physicians, or surgeons;

4 (2) the release of information which the client in writing  
5 authorized the licensee to reveal; or

6 (3) information revealed as part of the discovery of evi-  
7 dence related to a court proceeding or introduced in evidence in a  
8 court proceeding.

9 (b) Notwithstanding (a) of this section, a licensed clinical  
10 social worker shall report incidents of child abuse or neglect as  
11 required by AS 47.17.020.

12 Sec. 08.95.910. EXEMPTIONS. This chapter does not apply to a  
13 person who

14 (1) practices clinical social work as an employee of a  
15 federal, state, or local government or of a private nonprofit orga-  
16 nization that is exempt from federal income tax; or

17 (2) is a qualified member of a recognized profession, other  
18 than clinical social work, and does not represent to the public by  
19 title or description of service as practicing clinical social work.

20 Sec. 08.95.990. DEFINITIONS. In this chapter

1 (1) "board" means the Board of Clinical Social Work Ex-  
2 aminers;

3 (2) "clinical social work" means a service in which a  
4 special knowledge of social resources, human capabilities, and the  
5 part that unconscious motivation plays in determining behavior is  
6 directed, through the application of social work principles and meth-  
7 ods, at helping individuals to achieve more adequate, satisfying, and  
8 productive social adjustments;

9 (3) "clinical social worker" means a person who practices

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1 clinical social work;

2 (4) "department" means the Department of Commerce and  
3 Economic Development;

4 (5) "social work principles and methods" include counseling  
5 and using techniques of applied psychotherapy of a nonmedical nature  
6 to assist in the diagnosis and treatment of mental and emotional  
7 conditions of individuals, families, and groups; providing information  
8 and referral services; providing or arranging for the provision of  
9 social services; explaining and interpreting the psychosocial aspects  
10 in the situations of individuals, families, or groups; helping commu-  
11 nities to organize, provide, or improve social and health services;  
12 and doing research related to social work.

13 \* Sec. 3. AS 08.01.010 is amended by adding a new paragraph to read:

14 (28) Board of Clinical Social Work Examiners (AS 08.95.010).

15 \* Sec. 4. AS 08.02.010(a) is amended to read:

16 (a) An audiologist licensed under AS 08.11, a person licensed in  
17 the state as a chiropractor under AS 08.20, a dentist under AS 08.36,  
18 a medical practitioner or osteopath under AS 08.64, a registered nurse  
19 under AS 08.68, an optometrist under AS 08.72, a registered pharmacist  
20 under AS 08.80, a registered physical therapist or occupational thera-  
21 pist under AS 08.84, [OR] a psychologist under AS 08.86, or a clinical  
22 social worker licensed under AS 08.95, shall use as professional  
23 identification appropriate letters or a title after that person's name  
24 which represents that person's specific field of practice. The let-  
25 ters or title shall appear on all signs, stationery, or other ad-  
26 vertising in which the person offers or displays personal professional  
27 services to the public. In addition, a person engaged in the practice  
28 of medicine or osteopathy under AS 08.64.380(2) or a person engaged in  
29 any manner in the healing arts who diagnoses, treats, tests, or

1 counsels other persons in relation to human health or disease and uses  
2 the letters "M.D." or the title "doctor" or "physician" or another  
3 title that tends to show that the person is willing or qualified to  
4 diagnose, treat, test, or counsel another person, shall clarify the  
5 letters or title by adding the appropriate specialist designation, if  
6 any, such as "dermatologist", "radiologist", "audiologist", "naturo-  
7 path", or the like.

8 \* Sec. 5. AS 08.03.010(c) is amended by adding a new paragraph to read:

9 (21) Board of Clinical Social Work Examiners (AS 08.95.010)

10 -- June 30, 1992.

11 \* Sec. 6. INITIAL APPOINTMENTS TO THE BOARD OF CLINICAL SOCIAL WORK  
12 EXAMINERS. Notwithstanding AS 08.95.010, as enacted by sec. 2 of this Act,  
13 a person is eligible for an initial appointment as a professional member of  
14 the Board of Social Work Examiners, if the person

15 (1) has received a master's degree or a doctoral degree in  
16 social work from a college or university accredited by the Council on  
17 Social Work Education;

18 (2) has completed, within the preceding 10 years, either

19 (A) a minimum of two years of continuous full-time employ-  
20 ment in postgraduate clinical social work; or

21 (B) a minimum of 3,000 hours of less than full-time employ-  
22 ment in postgraduate clinical social work in a period of not less than  
23 two years;

24 (3) is in good professional standing; and

25 (4) has practiced clinical social work in this state within the  
26 year preceding appointment.

27 \* Sec. 7. TRANSITIONAL LICENSURE. (a) Notwithstanding AS 08.95.110,  
28 as enacted by sec. 2 of this Act, the Board of Clinical Social Work Ex-  
29 aminers shall issue a license to practice clinical social work to a person

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1 who

2 (1) applies for a license before July 1, 1989; and

3 (2) satisfies the requirements of AS 08.95.110(1) - (4) and (6).

4 (b) Notwithstanding AS 08.95.110(2) as enacted by sec. 2 of this Act,  
5 the board shall issue a license to practice clinical social work to a  
6 person who applies for licensure under this section without regard to  
7 whether the supervising clinical social worker is licensed in this state.

8 \* Sec. 8. This Act takes effect July 1, 1988.