

Original Sponsor: H. Beirne

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Referred: Judiciary and
Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 367

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the licensing of social workers;
7 and providing for an effective date."

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

9 * Section 1. AS 08 is amended by adding a new chapter to read:

10 CHAPTER 87. SOCIAL WORKERS.

11 ARTICLE 1. BOARD OF SOCIAL WORKER EXAMINERS.

12 Sec. 08.87.010. ESTABLISHMENT, MEMBERSHIP AND APPOINTMENT TO BOARD
13 OF SOCIAL WORKER EXAMINERS. There is established the Board of Social
14 Worker Examiners consisting of two certified social workers, two social
15 workers, one person who is not a social worker and who represents the
16 rural areas of the state. Members are appointed by the governor. The
17 governor may appoint members from a list of persons which may be submit-
18 ted by the Alaska Chapter, National Association of Social Workers.

19 Sec. 08.87.020. TERM OF OFFICE; COMPENSATION. (a) Board members
20 serve staggered terms of two years. On the first board two members
21 serve one-year terms and three members, including the representative of
22 the rural area of the state, serve two-year terms. The social workers
23 on the first board shall meet the requirements of secs. 60 and 80 of
24 this chapter.

25 (b) Board members serve voluntarily except that members are en-
26 titled to travel expenses and per diem as allowed by law for other
27 boards.

28 Sec. 08.87.030. ELECTION OF OFFICERS. The board shall annually
29 elect a chairman, secretary, and other officers it requires.

1 Sec. 08.87.040. QUORUM. A majority of the members of the board
2 constitutes a quorum.

3 Sec. 08.87.050. DUTIES AND POWERS OF THE BOARD. The board shall

4 (1) adopt regulations to carry out the purposes of this
5 chapter;

6 (2) establish a code of professional ethics which follows the
7 guidelines of the National Professional Social Work Code of Ethics
8 promulgated by the National Association of Social Workers;

9 (3) establish continuing education programs and requirements;

10 (4) establish, in consultation with the department, applica-
11 tion fees, out-of-state endorsement fees, examination fees, and biennial
12 renewal fees in consultation with the department;

13 (5) conduct hearings and keep records and minutes necessary
14 for carrying out the purposes of this chapter in an orderly manner.

15 ARTICLE 2. LICENSURE AND PRACTICE.

16 Sec. 08.87.060. LICENSURE AS CERTIFIED SOCIAL WORKER. A person is
17 eligible for licensure as a certified social worker if he or she

18 (1) is in good professional standing;

19 (2) holds a doctorate or master's degree from a school of
20 social work accredited by the Council on Social Work Education, or a
21 foreign school whose program meets the accrediting standards of the
22 Council on Social Work Education;

23 (3) has completed two years of social work under the super-
24 vision of a certified social worker or social worker, subsequent to
25 completion of graduate education;

26 (4) provides references acceptable to the board; and

27 (5) passes the national examination of certified social
28 workers administered by the National Association of Social Workers, or
29 an equivalent examination designated by the board.

1 Sec. 08.87.070. SCOPE OF PRACTICE OF CERTIFIED SOCIAL WORKER. A
2 person licensed as a certified social worker under this chapter may
3 provide professional services consistent with his or her individual
4 social work training and experience, and consistent with the profes-
5 sional social work code of ethics. A certified social worker may offer
6 professional services either independently or as an employee of a public
7 or private agency.

8 Sec. 08.87.080. LICENSURE AS SOCIAL WORKER. A person is entitled
9 to be licensed as a social worker if he or she

10 (1) is in good professional standing;

11 (2) holds a master's degree in social work from a school of
12 social work accredited by the Council on Social Work Education; or a
13 foreign school whose program meets the accrediting standards of the
14 Council on Social Work Education.

15 Sec. 08.87.090. SCOPE OF PRACTICE OF SOCIAL WORKER. A person
16 licensed as a social worker under this chapter may provide professional
17 services consistent with his or her individual social work training and
18 experience, and consistent with the professional social work code of
19 ethics. A social worker may offer professional services as an employee
20 of a public or private agency.

21 Sec. 08.87.100. LICENSE BY ENDORSEMENT. A person who is licensed
22 as a social worker by an authority other than the State of Alaska may be
23 licensed as a certified social worker or a social worker in Alaska if
24 the requirements for his or her out-of-state license or certificate at
25 the time he was licensed are essentially similar to the requirements of
26 secs. 60 or 80 of this chapter.

27 Sec. 08.87.110. CURRENT PRACTITIONERS. The board shall, upon
28 application, grant a license as a social worker or to a person who has a
29 bachelor's degree and is employed as a social worker in the state on the

1 effective date of this Act, if the applicant has paid the appropriate
2 fees and applied for a license under this section within one year of the
3 effective date of this Act.

4 Sec. 08.87.120. DENIAL, SUSPENSION, REVOCATION OF LICENSES;
5 CENSURE. The board may deny, suspend, or revoke the license of a person
6 or may censure a person who has

7 (1) obtained or attempted to obtain a license under this
8 chapter by fraud or deceit; or

9 (2) wilfully violated a provision of this chapter or a regu-
10 lation adopted under this chapter.

11 Sec. 08.87.130. EXPIRATION AND RENEWAL OF LICENSE. Licenses ex-
12 pire biennially on a date set by the department and may be renewed by
13 making an application for renewal to the department and meeting other
14 requirements established by the board under sec. 50 of this chapter.

15 Sec. 08.87.140. PRIVILEGED COMMUNICATION. No licensed certified
16 social worker, or social worker, or his employee may disclose informa-
17 tion acquired from persons consulting him in his professional capacity,
18 except with the written consent of the person. This does not apply to
19 supervisory case conferences and intra-agency communications. A client
20 or patient waives this privilege if he is the plaintiff in a civil
21 action brought against a practitioner licensed under this chapter if
22 that practitioner's professional conduct is in issue.

23 ARTICLE 3. PROHIBITIONS AND PENALTIES.

24 Sec. 08.87.150. VIOLATIONS. (a) It is unlawful for a person to

25 (1) fraudulently obtain or furnish a license, or license re-
26 newal or record required by this chapter;

27 (2) use the title "certified social worker" or "social
28 worker", or a title or designation indicating or tending to indicate
29 that he is a certified social worker or social worker unless licensed by

1 this chapter;

2 (3) wilfully violate a provision of this chapter or a regu-
3 lation adopted under this chapter.

4 (b) A person who violates this section is guilty of a misdemeanor,
5 and upon conviction is punishable by a fine of \$500, or by imprisonment
6 for one year, or by both.

7 Sec. 08.87.160. EQUITABLE RELIEF. In addition to other penalties
8 and remedies provided in this chapter, the board may seek equitable re-
9 lief to enjoin or restrain a person not licensed under this chapter or
10 whose license is suspended, revoked, or expired, from violating any of
11 the provisions of this chapter.

12 ARTICLE 4. GENERAL PROVISION.

13 Sec. 08.87.170. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.
14 The board shall adopt regulations and conduct hearings in accordance
15 with the Administrative Procedure Act (AS 44.62).

16 Sec. 08.87.180. DEFINITIONS. In this chapter, unless the context
17 otherwise requires,

18 (1) "board" means the Board of Social Worker Examiners;

19 (2) "department" means the Department of Commerce and Eco-
20 nomic Development;

21 (3) "social work experience" means at least 30 hours of
22 compensated employment per week in the practice of social work;

23 (4) "supervision" means at least one hour a week of personal
24 consultation with a supervisor conducted as prescribed by the board by
25 regulation; if geographical distance precludes personal weekly consul-
26 tation between a person and his supervisor, supervision may be main-
27 tained through weekly written or telephone communication as prescribed
28 by regulation of the board;

29 (5) "social work" means a service or activity which assists

1 individuals or groups to effect changes in behavior, emotional responses
2 or social conditions; and includes

3 (A) explaining and interpreting the social work aspects
4 of problem situations to individuals, families, or groups;

5 (B) the use of psychotherapy with individuals, families
6 or groups;

7 (C) assisting in social work problem solving with indi-
8 viduals, families, or groups.

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

10 (21) Board of Social Worker Examiners.

11 * Sec. 4. This Act takes effect July 1, 1976.
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