

Introduced: 2/13/76
Referred: Health, Education
and Social Services

1 IN THE SENATE

BY RODEY

2 SENATE BILL NO. 645

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. CREATION AND MEMBERSHIP OF BOARD OF SOCIAL WORKER
13 EXAMINERS. There is created a Board of Social Worker Examiners consist-
14 ing of two certified social workers, one social worker, one social worker
15 associate, and one lay person. Members shall be selected by the governor
16 from a list of persons which shall be submitted by the Alaska Chapter,
17 National Association of Social Workers.

18 Sec. 08.87.020. TERM OF OFFICE. The initial appointments to the
19 board shall be staggered so that the lay member is appointed for three
20 years, one certified social worker and a social worker for two years,
21 and the other certified social worker and the social worker associate
22 for one year. Board members appointed initially exclusive of the lay
23 person shall meet the qualifications and examination requirements for
24 licensure enumerated in secs. 50, 70 and 90 of this chapter. Appoint-
25 ments made upon the expiration of the initial appointments shall be for
26 three years.

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

29 Sec. 08.87.040. DUTIES AND POWERS OF THE BOARD. The board shall

1 (1) adopt regulations to carry out the purposes of this
2 chapter, including regulations which

3 (A) delimit the scope of professional activities which
4 may be undertaken by persons licensed by secs. 50, 70 and 90 of
5 this chapter;

6 (B) establish a standard of care for persons licensed
7 under this chapter; and

8 (C) establish a code of professional ethics which is
9 modeled on, or adopts by reference, the National Professional
10 Social Work Code of Ethics promulgated by the National Association
11 of Social Workers;

12 (2) subject to the procedure outlined in AS 44.62, the board
13 may add, amend, or repeal regulations through the mail by a majority
14 vote of a quorum of the board; the addition, amendment, or repeal of
15 regulations so adopted shall be recorded in the minutes of the board at
16 its next meeting;

17 (3) establish continuing education programs and requirements;

18 (4) set application fees, out-of-state endorsement fees,
19 biennial renewal fees in consultation with the department.

20 ARTICLE 2. EXAMINATION AND LICENSING.

21 Sec. 08.87.050. ENTITLEMENT TO LICENSURE AS A CERTIFIED SOCIAL
22 WORKER. A person is entitled to be licensed as a certified social
23 worker if that person

24 (1) is in good professional standing;

25 (2) holds a doctorate or master's degree from a school of
26 social work accredited by the Council on Social Work Education;

27 (3) has completed two full years of social work experience
28 subsequent to completion of graduate education;

29 (4) provides references acceptable to the board;

1 (5) passes the national examination for certified social
2 workers administered by the National Association of Social Workers.

3 Sec. 08.87.060. SCOPE OF PRACTICE OF CERTIFIED SOCIAL WORKER. A
4 person licensed as a certified social worker under this chapter may
5 undertake to provide those professional services authorized by regula-
6 tions promulgated by the board under sec. 40 of this chapter.

7 Sec. 08.87.070. ENTITLEMENT TO LICENSURE AS SOCIAL WORKER. A
8 person is entitled to be licensed as a social worker if that person

9 (1) is in good professional standing;

10 (2) holds a master's degree in social work from a school of
11 social work accredited by the Council on Social Work Education.

12 Sec. 08.87.080. SCOPE OF PRACTICE OF SOCIAL WORKER. A person
13 licensed as a social worker under this chapter may undertake to provide
14 those professional services authorized by regulations promulgated by
15 the board under sec. 40 of this chapter.

16 Sec. 08.87.090. ENTITLEMENT TO LICENSURE AS A SOCIAL WORKER
17 ASSOCIATE. A person is entitled to be licensed as a social worker
18 associate if that person

19 (1) is in good professional standing; and

20 (2) either holds a baccalaureate degree in social work from
21 a college or university accredited by the Council on Social Work Educa-
22 tion; or

23 (3) holds a baccalaureate degree from an accredited college
24 or university and has completed two years social work experience
25 under supervision.

26 Sec. 08.87.100. SCOPE OF PRACTICE OF SOCIAL WORKER ASSOCIATE.
27 A person licensed as a social worker associate under this chapter may
28 undertake to provide those professional services authorized by regula-
29 tions promulgated by the board under sec. 40 of this chapter, but only

1 under the supervision of a certified social worker or social worker
2 licensed under this chapter.

3 Sec. 08.87.110. REQUIRED CONTINUING EDUCATION OF SOCIAL WORKER
4 ASSOCIATE. The board shall require by regulation that a social worker
5 associate undertake additional education in the field of social work
6 as the board determines is appropriate as a qualification for biennial
7 renewal of a license as a social worker associate; the board may also
8 establish additional requirements for renewal of the license of a social
9 worker associate whose baccalaureate degree is not in social work.

10 Sec. 08.87.120. OUT-OF-STATE LICENSE. A person who is licensed
11 as a social worker by an authority other than Alaska is entitled to be
12 licensed as a certified social worker, a social worker, or a social
13 worker associate in Alaska if the examination and qualification require-
14 ments for that person's out-of-state license or certificate at the time
15 he was licensed were essentially similar to the examination and quali-
16 fication requirements enumerated in secs. 50, 70 and 90 of this chapter.

17 Sec. 08.87.130. GROUNDS FOR DENIAL, SUSPENSION, OR REVOCATION.
18 The board may deny, suspend, or revoke the license of a person who has

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

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

23 Sec. 08.87.140. INCLUSION OF CURRENT PRACTITIONERS. The board
24 shall grant, upon application, a license as a social work associate
25 to a person who in good faith is practicing social work and representing
26 himself as a social worker on the effective date of this Act. A person
27 granted a license as a social worker associate under this section must
28 maintain continued social work employment acceptable to the board in
29 order to receive biennial renewal of his license.

1 Sec. 08.87.150. PRIVILEGED COMMUNICATIONS. No licensed certified
2 social worker, social worker, or social worker associate or his employee
3 may disclose information acquired from persons consulting him in his
4 professional capacity except with the written consent of the person.
5 A client or patient waives this privilege if he is the plaintiff in a
6 civil action brought against a practitioner licensed under this chapter
7 if that practitioner's professional conduct is in issue.

8 ARTICLE 3. PROHIBITIONS AND PENALTIES.

9 Sec. 08.87.160. VIOLATIONS. (a) It is unlawful for a person to

10 (1) fraudulently obtain or furnish a license, license renewal
11 or record required by this chapter;

12 (2) practice social work, offer to practice social work, or
13 represent to the public that he is a social worker or that he practices
14 social work unless he is licensed under this chapter;

15 (3) use the title "social worker" or a title, designation,
16 or device indicating or tending to indicate that he is a social worker
17 or practices social work;

18 (4) wilfully violate a provision of this chapter or a regula-
19 tion adopted under this chapter.

20 (b) The provisions of (a)(2) and (3) of this section do not apply
21 to

22 (1) a qualified social worker licensed in another state
23 employed by the United States government or a bureau, agency, or divi-
24 sion of the United States government while in the discharge of his
25 official duties;

26 (2) the practice of social work by a student working under
27 the direct supervision of a certified social worker or social worker
28 licensed under this chapter;

29 (3) the practice of a profession licensed under this title.

1 (c) A person who violates this section is guilty of a mis-
2 demeanor.

3 Sec. 08.87.170. EQUITABLE RELIEF. In addition to other penalties
4 and remedies provided in this chapter, the board may seek equitable
5 relief to enjoin or restrain a person not licensed under this chapter
6 or whose license is suspended, revoked, or expired, from violating
7 sec. 160(a)(2) or (3) of this chapter.

8 ARTICLE 4. GENERAL PROVISIONS.

9 Sec. 08.87.180. DEFINITIONS. In this chapter, unless the context
10 otherwise requires,

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

12 (2) "department" means the Department of Commerce;

13 (3) "social work experience" means at least 30 hours of
14 paid employment a week in the practice of social work;

15 (4) "supervision" means at least one hour a week of personal
16 consultation with a supervisor conducted as prescribed by the board by
17 regulation; if geographical distance precludes weekly personal consul-
18 tation between the person supervised and his supervisor, supervision
19 may be maintained through weekly written and telephone communication
20 as prescribed by the board by regulation;

21 (5) "social work" means a service or activity which assists
22 individuals or groups to effect changes in behavior, emotional responses,
23 or social conditions; and includes

24 (A) explaining and interpreting psycho-social aspects
25 of life experiences or problem situations to individuals, families,
26 or groups;

27 (B) the use of psychotherapy with individuals, families,
28 or groups;

29 (C) assisting in psycho-social problem solving and

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conflict management with individuals, families, or groups.

* Sec. 2. This Act takes effect July 1, 1976.

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