

Introduced: 3/28/77  
Referred: Health, Education &  
Social Services and Judiciary

1 IN THE SENATE

BY RODEY

2 CS SENATE BILL NO. 288

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the certification 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 pro-  
15 fessional social workers, and one lay person representing the rural areas  
16 of the state. Members are appointed by the governor. The governor  
17 shall consider for appointment, but need not appoint, persons nominated  
18 by the Alaska Chapter, National Association of Social Workers.

19 Sec. 08.87.020. TERM OF OFFICE; COMPENSATION. (a) The initial  
20 appointments to the board shall be staggered so that the lay member and  
21 two other members are appointed for two years, and the other two members  
22 for one year. Board members appointed initially exclusive of the lay  
23 member shall meet the qualifications and examination requirements of  
24 secs. 60 and 80 of this chapter. Appointments made on the expiration  
25 of the initial appointments shall be made for two years.

26 (b) Members of the board receive no salary, but are entitled to  
27 per diem, reimbursement for travel and child care costs consequent to  
28 service on the board, and other expenses authorized by law.

29 Sec. 08.87.030. ELECTION OF OFFICERS. The board shall annually

1 elect a chairman, secretary, and other officers it requires.

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

4 Sec. 08.87.050. DUTIES AND POWERS OF THE BOARD. (a) The board  
5 shall adopt regulations to carry out the purposes of this chapter, in-  
6 cluding regulations which

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

10 (2) specify requirements for biennial renewal of certificates  
11 issued under this chapter, including a specification of the program of  
12 continuing education required of social workers under sec. 150(b) of  
13 this chapter.

14 (3) establish application fees, out-of-state endorsement  
15 fees, examination fees, and biennial renewal fees in consultation with  
16 the department.

17 (b) The board shall conduct hearings and keep records and minutes  
18 necessary for carrying out the purposes of this chapter in an orderly  
19 manner.

20 ARTICLE 2. CERTIFICATION AND PRACTICE.

21 Sec. 08.87.060. CERTIFICATION AS CERTIFIED SOCIAL WORKER. A  
22 person is eligible for certification as a certified social worker if he

23 (1) is in good professional standing;

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

28 (3) has completed two years of social work under the super-  
29 vision of a certified social worker or professional social worker, after

1 completion of graduate education;

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

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

6 Sec. 08.87.070. SCOPE OF PRACTICE OF CERTIFIED SOCIAL WORKER. A  
7 person certified as a certified social worker under this chapter may  
8 provide professional services consistent with his individual social work  
9 training and experience, and consistent with the professional social  
10 work code of ethics. A certified social worker may offer professional  
11 services either independently or as an employee of a public or private  
12 agency.

13 Sec. 08.87.080. CERTIFICATION AS PROFESSIONAL SOCIAL WORKER. A  
14 person is entitled to be certified as a professional social worker if he

15 (1) is in good professional standing;

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

20 Sec. 08.87.090. SCOPE OF PRACTICE OF A PROFESSIONAL SOCIAL WORKER.  
21 A person certified as a professional social worker under this chapter  
22 may provide professional services consistent with his individual social  
23 work training and experience, and consistent with the professional  
24 social work code of ethics. A professional social worker may offer  
25 professional services as an employee of a public or private agency.

26 Sec. 08.87.100. ENTITLEMENT TO CERTIFICATION AS A SOCIAL WORKER.  
27 A person is entitled to be certified as a social worker if that person

28 (1) is in good professional standing; and

29 (2) either holds a baccalaureate degree in social work from a

1 college or university accredited by the Council on Social Work Educa-  
2 tion;

3 (3) holds a baccalaureate degree from an accredited college  
4 or university and has completed two years of social work experience  
5 under supervision; or

6 (4) has training and experience adequate for effective per-  
7 formance of certain tasks, specified by the board, in social work.

8 Sec. 08.87.110. SCOPE OF PRACTICE OF SOCIAL WORKER. A person  
9 certified as a social worker under this chapter may provide professional  
10 services consistent with his individual social work training and exper-  
11 ience and consistent with the professional social work code of ethics,  
12 but only under the supervision of a certified social worker or pro-  
13 fessional social worker certified under this chapter.

14 Sec. 08.87.120. CERTIFICATION BY ENDORSEMENT. A person who is  
15 licensed as a social worker by an authority other than the State of  
16 Alaska may be certified as a certified social worker, professional  
17 social worker, or a social worker in Alaska if the requirements for his  
18 out-of-state license or certificate at the time he was licensed are  
19 essentially similar to the requirements of sec. 60 or 80 of this chapter.

20 Sec. 08.87.130. CURRENT PRACTITIONERS. The board shall, upon  
21 application, grant a certificate as a social worker to a person who has  
22 a bachelor's degree and is employed as a social worker in the state on  
23 the effective date of this Act, if the applicant has paid the appropri-  
24 ate fees and applied for a certificate under this section within one  
25 year of the effective date of this Act.

26 Sec. 08.87.140. DENIAL, SUSPENSION, REVOCATION OF CERTIFICATES;  
27 CENSURE. The board may deny, suspend, or revoke the certificate of a  
28 person or may censure a person who has

29 (1) obtained or attempted to obtain a certificate under this

1 chapter by fraud or deceit; or

2 (2) wilfully violated a provision of this chapter or a  
3 regulation adopted under this chapter.

4 Sec. 08.87.150. EXPIRATION AND RENEWAL OF CERTIFICATE. (a) Cer-  
5 tificates expire biennially on a date set by the department and may be  
6 renewed by making an application for renewal to the department and by  
7 meeting the requirements established under (b) of this section and other  
8 requirements established by the board under sec. 50 of this chapter.

9 (b) A person certified as a social worker is required to undertake  
10 additional courses of instruction or training in social work specified  
11 by the board in order to be eligible for biennial renewal of certifi-  
12 cation. If a person certified as a social worker holds a baccalaureate  
13 degree in a field other than social work, that person is also required,  
14 in order to be eligible for biennial renewal of certification to make  
15 progress satisfactory to the board toward the completion of those under-  
16 graduate courses of instruction in social work in which that person is  
17 deficient.

18 Sec. 08.87.160. PRIVILEGED COMMUNICATION. No certified social  
19 worker, professional social worker or social worker, or his employee,  
20 may disclose information acquired from persons consulting him in his  
21 professional capacity, except with the written consent of the person.  
22 This does not apply to supervisory case conferences and intra-agency  
23 communications. A client or patient waives this privilege if he is the  
24 plaintiff in a civil action brought against a practitioner certified  
25 under this chapter if that practitioner's professional conduct is in  
26 issue.

27 ARTICLE 3. PROHIBITIONS AND PENALTIES.

28 Sec. 08.87.170. VIOLATIONS. (a) It is unlawful for a person to  
29 (1) fraudulently obtain or furnish a certificate, or

1 certificate renewal or record required by this chapter;

2 (2) use the title "certified social worker", "professional  
3 social worker" or "social worker" or a title or designation indicating  
4 or tending to indicate that he is a certified social worker, profes-  
5 sional social worker, or social worker unless certified by this chapter;

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

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

11 Sec. 08.87.180. EQUITABLE RELIEF. In addition to other penalties  
12 and remedies provided in this chapter, the board may seek equitable re-  
13 lief to enjoin or restrain a person not certified under this chapter or  
14 whose certificate is suspended, revoked, or expired, from violating any  
15 of the provisions of this chapter.

16 ARTICLE 4. GENERAL PROVISION.

17 Sec. 08.87.190. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.  
18 The board shall adopt regulations and conduct hearings in accordance  
19 with the Administrative Procedure Act (AS 44.62).

20 Sec. 08.87.200. DEFINITIONS. In this chapter, unless the context  
21 otherwise requires,

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

23 (2) "certified social worker" means a person certified under  
24 sec. 60 of this chapter;

25 (3) "department" means the Department of Commerce and Eco-  
26 nomic Development;

27 (4) "professional social worker" means a person certified  
28 under sec. 80 of this chapter;

29 (5) "social work experience" means at least 30 hours of

1 compensated employment per week in the practice of social work;

2 (6) "social worker" means a person certified under sec. 100  
3 of this chapter;

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

10 (8) "social work" means a service or activity which assists  
11 individuals or groups to effect changes in behavior, emotional responses,  
12 or social conditions; and includes

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

15 (B) the use of psychotherapy with individuals, families  
16 or groups;

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

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

20 (21) Board of Social Worker Examiners.

21 \* Sec. 4. This Act takes effect July 1, 1977.