

Original sponsor: Rodey

Offered: 4/14/77
Referred: Judiciary

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR 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 professional social
15 workers, two professional social workers, and one lay person. Members
16 are appointed by the governor. The governor shall consider for
17 appointment, but need not appoint, persons nominated by the Alaska
18 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;

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

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

18 ARTICLE 2. CERTIFICATION AND PRACTICE.

19 Sec. 08.87.060. CERTIFICATION AS CERTIFIED PROFESSIONAL SOCIAL
20 WORKER. A person is eligible for certification as a certified pro-
21 fessional social worker if he

22 (1) is in good professional standing;

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

27 (3) has completed two years of social work practice under the
28 supervision of a certified professional social worker or professional
29 social worker, after completion of graduate education;

- 1 (4) provides references acceptable to the board; and
2 (5) passes the national examination of certified social
3 workers administered by the National Association of Social Workers, or
4 an equivalent examination designated by the board.

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

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

- 14 (1) is in good professional standing;
15 (2) holds a master's degree in social work from a school of
16 social work accredited by the Council on Social Work Education; or a
17 foreign school whose program meets the accrediting standards of the
18 Council on Social Work Education.

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

25 Sec. 08.87.100. CERTIFICATION BY ENDORSEMENT. A person who is
26 licensed as a social worker by an authority other than the State of
27 Alaska may be certified as a certified professional social worker or a
28 professional social worker in Alaska if the requirements for his out-of-
29 state license or certificate at the time he was licensed are essentially

1 similar to the requirements of sec. 60 or 80 of this chapter.

2 Sec. 08.87.110. DENIAL, SUSPENSION, REVOCATION OF CERTIFICATES;
3 CENSURE. The board may deny, suspend, or revoke the certificate of a
4 person or may censure a person who has

5 (1) obtained or attempted to obtain a certificate under this
6 chapter by fraud or deceit; or

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

9 Sec. 08.87.120. EXPIRATION AND RENEWAL OF CERTIFICATE. Cer-
10 tificates expire biennially on a date set by the department and may be
11 renewed by making an application for renewal to the department and by
12 meeting the requirements established by the board under sec. 50(a)(2)
13 of this chapter.

14 Sec. 08.87.130. PRIVILEGED COMMUNICATION. No certified pro-
15 fessional social worker, professional social worker, or his employee,
16 may disclose information acquired from persons consulting him in his
17 professional capacity, except with the written consent of the person.
18 This does not apply to supervisory case conferences and intra-agency
19 communications. A client or patient waives this privilege if he is the
20 plaintiff in a civil action brought against a practitioner certified
21 under this chapter if that practitioner's professional conduct is in
22 issue.

23 ARTICLE 3. PROHIBITIONS AND PENALTIES.

24 Sec. 08.87.140. VIOLATIONS. (a) It is unlawful for a person to

25 (1) fraudulently obtain or furnish a certificate, or
26 certificate renewal or record required by this chapter;

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

1 or professional social worker, unless certified by 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. 08.87.150. 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 certified under this chapter or
10 whose certificate is suspended, revoked, or expired, from violating any
11 of the provisions of this chapter.

12 ARTICLE 4. GENERAL PROVISION.

13 Sec. 08.87.160. 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. 08.87.170. DEFINITIONS. In this chapter, unless the context
17 otherwise requires,

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

19 (2) "certified professional social worker" means a person
20 certified under sec. 60 of this chapter;

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

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

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

1 by regulation of the board;

2 (6) "social work" means a service or activity which assists
3 individuals or groups to effect changes in behavior, emotional responses,
4 or social conditions; and includes

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

7 (B) the use of psychotherapy with individuals, families
8 or groups;

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

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

12 (21) Board of Social Worker Examiners.

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