

Introduced: 1/30/79
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY BARNES AND MUNSON

2 HOUSE BILL NO. 96

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the certification of social work-
7 ers; 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. CERTIFICATION AND PRACTICE.

12 Sec. 08.87.010. CERTIFICATION AS CERTIFIED PROFESSIONAL SOCIAL
13 WORKER. A person is eligible for certification as a certified pro-
14 fessional social worker if he

15 (1) is in good professional standing;

16 (2) holds a doctorate or master's degree 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 (3) has completed two years of social work practice under the
21 supervision of a certified professional social worker or professional
22 social worker, after completion of graduate education;

23 (4) provides references acceptable to the commissioner; and

24 (5) passes the national examination of certified social
25 workers administered by the National Association of Social Workers, or
26 an equivalent examination designated by the commissioner.

27 Sec. 08.87.020. SCOPE OF PRACTICE OF CERTIFIED PROFESSIONAL SOCIAL
28 WORKER. A person certified as a certified professional social worker
29 under this chapter may provide professional services consistent with his

1 individual social work training and experience, and consistent with the
2 professional social work code of ethics. A certified professional
3 social worker may offer professional services either independently or as
4 an employee of a public or private agency.

5 Sec. 08.87.030. CERTIFICATION AS PROFESSIONAL SOCIAL WORKER. A
6 person is entitled to be certified as a professional social worker if he

7 (1) is in good professional standing;

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

12 Sec. 08.87.040. SCOPE OF PRACTICE OF A PROFESSIONAL SOCIAL WORKER.
13 A person certified as a professional social worker under this chapter
14 may provide professional services consistent with his individual social
15 work training and experience, and consistent with the professional
16 social work code of ethics. A professional social worker may offer
17 professional services as an employee of a public or private agency.

18 Sec. 08.87.050. CERTIFICATION BY ENDORSEMENT. A person who is
19 licensed as a social worker by an authority other than this state may be
20 certified as a certified professional social worker or a professional
21 social worker in Alaska if the requirements for his out-of-state license
22 or certificate at the time he was licensed are essentially similar to
23 the requirements of AS 08.87.010 or 08.87.030.

24 Sec. 08.87.060. DENIAL, SUSPENSION, REVOCATION OF CERTIFICATES;
25 CENSURE. The department may deny, suspend, or revoke the certificate of
26 a person who has

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

29 (2) wilfully violated a provision of this chapter or a regu-

1 lation adopted under this chapter.

2 Sec. 08.87.070. EXPIRATION AND RENEWAL OF CERTIFICATE. Certifi-
3 cates expire biennially on a date set by the commissioner and may be
4 renewed by making an application for renewal to the commissioner and by
5 meeting the requirements established in this chapter.

6 Sec. 08.87.080. PRIVILEGED COMMUNICATION. No certified profes-
7 sional social worker, professional social worker, or his employee, may
8 disclose information acquired from persons consulting him in his pro-
9 fessional capacity, except with the written consent of the person. This
10 does not apply to supervisory case conferences and intra-agency commun-
11 ications. A client or patient waives this privilege if he is the
12 plaintiff in a civil action brought against a practitioner certified
13 under this chapter if that practitioner's professional conduct is in
14 issue.

15 ARTICLE 2. PROHIBITIONS AND PENALTIES.

16 Sec. 08.87.090. VIOLATIONS. (a) It is unlawful for a person to

17 (1) fraudulently obtain or furnish a certificate, or certi-
18 ficate renewal or record required by this chapter;

19 (2) use the title "certified professional social worker",
20 "professional social worker", or a title or designation indicating or
21 tending to indicate that he is a certified professional social worker or
22 professional social worker, unless certified under this chapter;

23 (3) wilfully violate a provision of this chapter.

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

27 Sec. 08.87.100. EQUITABLE RELIEF. In addition to other penalties
28 and remedies provided in this chapter, the commissioner may seek equit-
29 able relief to enjoin or restrain a person not certified under this

1 chapter or whose certificate is suspended, revoked, or expired, from
2 violating any of the provisions of this chapter.

3 ARTICLE 3. GENERAL PROVISIONS.

4 Sec. 08.87.110. FEES. The department shall establish reasonable
5 fees for applications, out-of-state endorsements, examinations, and
6 biennial renewal of certificates.

7 Sec. 08.87.120. DEFINITIONS. In this chapter, unless the context
8 otherwise requires,

9 (1) "certified professional social worker" means a person
10 certified under AS 08.87.010;

11 (2) "commissioner" means the commissioner of the Department
12 of Commerce and Economic Development;

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

15 (4) "professional social worker" means a person certified
16 under AS 08.87.030;

17 (5) "social work" means a service or activity which assists
18 individuals or groups to effect changes in behavior, emotional respon-
19 ses, or social conditions and includes

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

22 (B) the use of psychotherapy with individuals, families
23 or groups;

24 (C) assisting in social work problem solving with indi-
25 viduals, families, or groups;

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

1 tained through weekly written or telephone communication as prescribed
2 by regulation of the board.

3 * Sec. 2. This Act takes effect July 1, 1979.
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