

Original sponsors: Barnes and Munson

Offered: 3/27/79
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

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CS FOR HOUSE BILL NO. 96

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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ELEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to the licensing of social workers;

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and providing for an effective date."

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

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

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CHAPTER 87. SOCIAL WORKERS.

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ARTICLE 1. LICENSING AND PRACTICE.

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Sec. 08.87.010. LICENSING AS LICENSED PROFESSIONAL SOCIAL WORKER.

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A person is eligible to obtain a license as a licensed professional
social worker if he

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(1) is in good professional standing;

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(2) holds a doctorate or master's degree from a school of

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social work accredited by the Council on Social Work Education, or a

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foreign school whose program meets the accrediting standards of the

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Council on Social Work Education;

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(3) has completed two years of social work practice;

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(4) provides references acceptable to the commissioner; and

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(5) passes the national examination of certified social

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workers administered by the National Association of Social Workers.

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Sec. 08.87.020. SCOPE OF PRACTICE OF LICENSED PROFESSIONAL SOCIAL

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WORKER. A person who is licensed as a licensed professional social

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worker under this chapter may provide professional services consistent

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with his individual social work training and experience, and consistent

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with the professional social work code of ethics. A licensed profes-

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sional social worker may offer professional services either independently

1 or as an employee of a public or private agency.

2 Sec. 08.87.030. LICENSING AS PROFESSIONAL SOCIAL WORKER. A person
3 is entitled to be licensed as a professional social worker if he

4 (1) is in good professional standing;

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

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

15 Sec. 08.87.050. LICENSE BY ENDORSEMENT. A person who is licensed
16 as a social worker by an authority other than this state may be licensed
17 as a licensed professional social worker or a professional social worker
18 in Alaska if the requirements for his out-of-state license or certifi-
19 cate at the time he was licensed are essentially similar to the require-
20 ments of AS 08.87.010 or 08.87.030.

21 Sec. 08.87.060. DENIAL, SUSPENSION, REVOCATION OF LICENSES;
22 CENSURE. The department may deny, suspend, or revoke the license of a
23 person who has

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

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

28 Sec. 08.87.070. EXPIRATION AND RENEWAL OF LICENSE. Licenses
29 expire biennially on a date set by the commissioner and may be renewed

1 by making an application for renewal to the commissioner and by meeting
2 the requirements established in this chapter.

3 Sec. 08.87.080. PRIVILEGED COMMUNICATION. A licensed professional
4 social worker, professional social worker, or his employee, may not
5 disclose information acquired from persons consulting him in his pro-
6 fessional capacity, except with the written consent of the person. This
7 does not apply to supervisory case conferences and intra-agency commun-
8 ications. A client or patient waives this privilege if he is the plain-
9 tiff in a civil action brought against a practitioner licensed under
10 this chapter if that practitioner's professional conduct is in issue.
11 However, waiver of the privilege extends only to the parties to the
12 civil action and only to the issues involved in the civil action which
13 relate to the practitioner's professional conduct.

14 ARTICLE 2. PROHIBITIONS AND PENALTIES.

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

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

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

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

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

26 Sec. 08.87.100. EQUITABLE RELIEF. In addition to other penalties
27 and remedies provided in this chapter, the commissioner may seek equit-
28 able relief to enjoin or restrain a person not licensed under this
29 chapter or whose license is suspended, revoked, or expired, from vio-

1 lating any of the provisions of this chapter.

2 ARTICLE 3. GENERAL PROVISIONS.

3 Sec. 08.87.110. ADMINISTRATION. The department shall establish
4 reasonable fees for applications, out-of-state endorsements, examina-
5 tions, and biennial renewal of licenses. The department may adopt
6 regulations to carry out the purposes of this chapter.

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

9 (1) "commissioner" means the commissioner of the Department
10 of Commerce and Economic Development;

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

13 (3) "licensed professional social worker" means a person
14 licensed under AS 08.87.010;

15 (4) "professional social worker" means a person licensed
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 * Sec. 2. This Act takes effect July 1, 1979.
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