

"An Act relating to the licensing of social workers; and providing for an effective date."

COMMITTEE REPORT

4/1/75

HOUSE

JUDICIARY (waived 7/4)
FINANCE

Mr. Speaker:

Date March 25, 1976

The Committee on HESS has had HB 367

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(X) recommends it BE REPLACED WITH CS FOR HB 367 AND THAT

CS FOR it ~~DO PASS~~ *be reported out with end*

() "and" recommends it BE REFERRED TO THE _____

COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

①	<u>Helen Bennett</u>	<u>Do Pass</u>	_____
	<u>Susan Sullivan</u>	<u>Do Pass</u>	_____
	_____	_____	_____
	_____	_____	_____

Members NOT concurring in the Majority report:

②	<u>Charles H. ...</u>	recommends: <u>Do Not Pass</u>
	<u>Kathryn Osterback</u>	recommends: " " "
	<u>Alvin Osterback</u>	recommends: " " "

③	<u>Bernie ...</u>	recommends: <u>Not Pass</u>
	<u>Sullivan</u>	_____

Chairman

"An Act relating to the licensing of social workers; effective date."

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(a)

4/15/76

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COMMITTEE

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Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Original Sponsor: H. Beirne

Offered: 4/12/76
Referred: Judiciary and
Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 367

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. 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 social
15 workers, one person who is not a social worker and who represents the
16 rural areas of the state. Members are appointed by the governor. The
17 governor may appoint members from a list of persons which may be submit-
18 ted by the Alaska Chapter, National Association of Social Workers.

19 Sec. 08.87.020. TERM OF OFFICE; COMPENSATION. (a) Board members
20 serve staggered terms of two years. On the first board two members
21 serve one-year terms and three members, including the representative of
22 the rural area of the state, serve two-year terms. The social workers
23 on the first board shall meet the requirements of secs. 60 and 80 of
24 this chapter.

25 (b) Board members serve voluntarily except that members are en-
26 titled to travel expenses and per diem as allowed by law for other
27 boards.

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

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

3 Sec. 08.87.050. DUTIES AND POWERS OF THE BOARD. The board shall

4 (1) adopt regulations to carry out the purposes of this
5 chapter;

6 (2) establish a code of professional ethics which follows the
7 guidelines of the National Professional Social Work Code of Ethics
8 promulgated by the National Association of Social Workers;

9 (3) establish continuing education programs and requirements;

10 (4) establish, in consultation with the department, applica-
11 tion fees, out-of-state endorsement fees, examination fees, and biennial
12 renewal fees in consultation with the department;

13 (5) conduct hearings and keep records and minutes necessary
14 for carrying out the purposes of this chapter in an orderly manner.

15 ARTICLE 2. LICENSURE AND PRACTICE.

16 Sec. 08.87.060. LICENSURE AS CERTIFIED SOCIAL WORKER. A person is
17 eligible for licensure as a certified social worker if he or she

18 (1) is in good professional standing;

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

23 (3) has completed two years of social work under the super-
24 vision of a certified social worker or social worker, subsequent to
25 completion of graduate education;

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

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

1 Sec. 08.87.070. SCOPE OF PRACTICE OF CERTIFIED SOCIAL WORKER. A
2 person licensed as a certified social worker under this chapter may
3 provide professional services consistent with his or her individual
4 social work training and experience, and consistent with the profes-
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6 professional services either independently or as an employee of a public
7 or private agency.

8 Sec. 08.87.080. LICENSURE AS SOCIAL WORKER. A person is entitled
9 to be licensed as a social worker if he or she

10 (1) is in good professional standing;

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12 social work accredited by the Council on Social Work Education; or a
13 foreign school whose program meets the accrediting standards of the
14 Council on Social Work Education.

15 Sec. 08.87.090. SCOPE OF PRACTICE OF SOCIAL WORKER. A person
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17 services consistent with his or her individual social work training and
18 experience, and consistent with the professional social work code of
19 ethics. A social worker may offer professional services as an employee
20 of a public or private agency.

21 Sec. 08.87.100. LICENSE BY ENDORSEMENT. A person who is licensed
22 as a social worker by an authority other than the State of Alaska may be
23 licensed as a certified social worker or a social worker in Alaska if
24 the requirements for his or her out-of-state license or certificate at
25 the time he was licensed are essentially similar to the requirements of
26 secs. 60 or 80 of this chapter.

27 Sec. 08.87.110. CURRENT PRACTITIONERS. The board shall, upon
28 application, grant a license as a social worker or to a person who has a
29 bachelor's degree and is employed as a social worker in the state on the

1 effective date of this Act, if the applicant has paid the appropriate
2 fees and applied for a license under this section within one year of the
3 effective date of this Act.

4 Sec. 08.87.120. DENIAL, SUSPENSION, REVOCATION OF LICENSES;
5 CENSURE. The board may deny, suspend, or revoke the license of a person
6 or may censure a person who has

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

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

11 Sec. 08.87.130. EXPIRATION AND RENEWAL OF LICENSE. Licenses ex-
12 pire biennially on a date set by the department and may be renewed by
13 making an application for renewal to the department and meeting other
14 requirements established by the board under sec. 50 of this chapter.

15 Sec. 08.87.140. PRIVILEGED COMMUNICATION. No licensed certified
16 social worker, or social worker, or his employee may disclose informa-
17 tion acquired from persons consulting him in his professional capacity,
18 except with the written consent of the person. This does not apply to
19 supervisory case conferences and intra-agency communications. A client
20 or patient waives this privilege if he is the plaintiff in a civil
21 action brought against a practitioner licensed under this chapter if
22 that practitioner's professional conduct is in issue.

23 ARTICLE 3. PROHIBITIONS AND PENALTIES.

24 Sec. 08.87.150. VIOLATIONS. (a) It is unlawful for a person to

25 (1) fraudulently obtain or furnish a license, or license re-
26 newal or record required by this chapter;

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

1 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. 08.87.160. 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 licensed under this chapter or
10 whose license is suspended, revoked, or expired, from violating any of
11 the provisions of this chapter.

12 ARTICLE 4. GENERAL PROVISION.

13 Sec. 08.87.170. 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. 08.87.180. DEFINITIONS. In this chapter, unless the context
17 otherwise requires,

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

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

21 (3) "social work experience" means at least 30 hours of
22 compensated employment per week in the practice of social work;

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

29 (5) "social work" means a service or activity which assists

1 individuals or groups to effect changes in behavior, emotional responses
2 or social conditions; and includes

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

5 (B) the use of psychotherapy with individuals, families
6 or groups;

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

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

10 (21) Board of Social Worker Examiners.

11 * Sec. 4. This Act takes effect July 1, 1976.
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Introduced: 4/1/75
Referred: Health, Education &
Social Services, Judiciary and
Finance

1 IN THE HOUSE

BY BEIRNE

2 HOUSE BILL NO. 367

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

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7 and providing for an effective date."

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

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10 CHAPTER 87. SOCIAL WORKERS.

11 ARTICLE 1. BOARD OF SOCIAL WORK EXAMINERS.

12 Sec. 08.87.010. CREATION AND MEMBERSHIP OF BOARD OF SOCIAL WORK
13 EXAMINERS. There is created a Board of Social Work Examiners, consisting
14 of not less than one certified social worker, one social worker, and one
15 social work associate, and those members at large as the governor con-
16 siderers necessary.

17 Sec. 08.87.020. TERM OF OFFICE. The three initial appointments to
18 the board shall be made for terms of two, three, and four years respec-
19 tively; thereafter all terms shall be for three years. All board members
20 serve at the pleasure of the governor.

21 Sec. 08.87.030. QUALIFICATIONS OF BOARD MEMBERS. All members of
22 the board shall meet the requirements for licensing under this chapter.

23 Sec. 08.87.040. ELECTION OF OFFICERS. The board shall annually
24 elect a chairman, secretary, and other officers it may require.

25 Sec. 08.87.050. MEETINGS. The board shall meet at least once a
26 year.

27 Sec. 08.87.060. QUORUM. A majority of the board constitutes a
28 quorum.

29 Sec. 08.87.070. DUTIES OF THE BOARD. The board shall

1 (1) adopt regulations necessary to make this chapter effective and, when necessary, additions to or changes in regulations by a
2 quorum vote by mail; when changes are proposed in the regulations by
3 mail, the changes proposed and the votes on them shall be entered in the
4 minutes of the next meeting;

5 (2) recommend standards of professional practice for certified
6 social workers, social workers and social work associates to the
7 state regulatory agency;

8 (3) establish license fees;

9 (4) establish standards of practice;

10 (5) establish continuing education programs and requirements;

11 (6) provide for all other matters, whether similar to (1) -
12 (5) of this section or not, affecting in any way the organization and
13 functioning of the board.

14
15 Sec. 08.87.080. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE
16 ACT. The board shall comply with the Administrative Procedure Act
17 (AS 44.62).

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19 Sec. 08.87.085. EXPENSES. Members of the board are entitled to
20 the per diem and travel expenses allowed by law.

21 ARTICLE 2. EXAMINATION AND LICENSING.

22 Sec. 08.87.090. LICENSE REQUIRED. A person practicing or
23 offering to practice social work shall submit evidence that he is
24 qualified to practice, and shall be licensed under this chapter.

25 Sec. 08.87.100. QUALIFICATIONS FOR CERTIFIED SOCIAL WORKER APPLI-
26 CANTS. An applicant for a certified social worker license shall submit
27 to the board, on forms and in a manner prescribed by the board, written
28 evidence that the applicant is of good moral character, and has a
29 doctorate or master's degree from a school of social work accredited by
the council on social work education. Applicants are exempted from the

1 academic qualifications of this section until January 1, 1976.

2 Sec. 08.87.110. QUALIFICATIONS FOR SOCIAL WORKER APPLICANTS.

3 An applicant for a social worker license shall submit to the board, on
4 forms and in a manner prescribed by the board, written evidence that the
5 applicant is of good moral character. Additionally, the applicant shall
6 present evidence that he has a baccalaureate degree in a social work or
7 social welfare program from a college or university accredited by the
8 council on social work education or that he has a baccalaureate degree
9 and two years of experience in social work. Applicants are exempted
10 from the academic qualifications of this section until January 1, 1976.

11 Sec. 08.87.120. QUALIFICATIONS FOR SOCIAL WORK ASSOCIATE APPLI-
12 CANTS. An applicant for a social work associate license shall submit to
13 the board, on forms and in a manner prescribed by the board, written
14 evidence that the applicant is of good moral character. Additionally,
15 the applicant shall present evidence that he has a baccalaureate degree
16 in a nonsocial work field or an associate of arts degree, or its equiva-
17 lent, in a program from a junior college, college or university approved
18 by the board. Applicants are exempted from the academic qualifications
19 of this section until January 1, 1976.

20 Sec. 08.87.130. LICENSE BY EXAMINATION. The applicant shall pass
21 a written examination in the subjects which the board prescribes. The
22 board shall issue a license to an applicant who passes the examination
23 if the qualifications outlined in secs. 100, 110 and 120 of this chapter
24 are also met. The board shall conduct examinations annually and as
25 often as it considers necessary. Until January 1, 1976, applicants
26 shall be exempted from the requirement of an examination if the board
27 is satisfied that at the time of application the applicant has for the
28 previous two years engaged in the practice for which the examination
29 would otherwise be required.

1 Sec. 08.87.140. LICENSE BY ENDORSEMENT. The board may issue a
2 license by endorsement to practice social work to an applicant who is
3 licensed under the laws of another state that imposes substantially the
4 same requirements as this chapter, has passed an examination similar to
5 that for which exemption is sought, and meets the requirements of sec.
6 100, 110 or 120 of this chapter.

7 Sec. 08.87.150. LICENSE RENEWAL. Licenses shall be renewed
8 biennially under regulations promulgated by the department.

9 Sec. 08.87.155. FEES. Each application fee, renewal fee, biennial
10 and out-of-state license fee is \$50.

11 Sec. 08.87.160. GROUNDS FOR DENIAL, SUSPENSION OR REVOCATION. The
12 board, after compliance with the Administrative Procedure Act (AS 44.62),
13 may deny, suspend, or revoke the license of a person who

14 (1) has obtained or attempted to obtain a license to practice
15 under this chapter by fraud or deceit;

16 (2) has been convicted of a felony;

17 (3) has been convicted of a crime involving moral turpitude;

18 (4) is habitually intoxicated or is addicted to the use of
19 narcotics;

20 (5) is guilty, in the opinion of the board, of negligence
21 which has resulted in serious injury to a client;

22 (6) is guilty of unprofessional conduct;

23 (7) has wilfully or repeatedly violated any of the provisions
24 of this chapter.

25 ARTICLE 3. UNLAWFUL ACTS.

26 Sec. 08.87.170. VIOLATIONS. It is a misdemeanor for a person to

27 (1) sell or fraudulently obtain or furnish, or aid or abet in
28 the selling or fraudulent obtaining or furnishing of, a license, license
29 renewal or record required by this chapter;

1 (2) practice social work under cover of a diploma, license,
2 or record illegally or fraudulently obtained or signed or issued unlaw-
3 fully or by fraudulent representation;

4 (3) practice or offer to practice social work without a
5 license;

6 (4) use in connection with his name a designation tending to
7 imply that he is licensed under this chapter unless he is licensed;

8 (5) practice during the time his license is lapsed, suspended
9 or revoked; or

10 (6) knowingly violate any provision of this chapter.

11 Sec. 08.87.180. PUNISHMENT FOR MISDEMEANOR. A person who violates
12 sec. 170 of this chapter is punishable by imprisonment for not less than
13 10 days nor more than one year, or by a fine of not less than \$10 nor
14 more than \$500, or by both.

15 Sec. 08.87.190. UNLICENSED PRACTICE A PUBLIC NUISANCE. The
16 practice of social work for compensation by a person who is not licensed
17 or whose license is suspended, revoked, or expired, is declared to be
18 inimical to the public welfare and to constitute a public nuisance.

19 Sec. 08.87.200. APPLICATION FOR INJUNCTION. The board may apply
20 for an injunction in a competent court to enjoin a person not licensed
21 or whose license is suspended, revoked, or expired, from practicing
22 social work. The court may issue a temporary injunction enjoining the
23 defendant from practicing social work.

24 Sec. 08.87.210. ISSUANCE OF INJUNCTION. If it is established that
25 the defendant has been or is practicing social work without a license or
26 has been or is practicing social work after his license has been sus-
27 pended or revoked or has expired, the court may enjoin the defendant
28 from further practice.

29 Sec. 08.87.220. REMEDY NOT EXCLUSIVE. If a person violates an

1 injunction issued under this section, he may be punished for contempt of
2 court. The injunction proceeding is in addition to other penalties and
3 remedies provided in this chapter.

4 ARTICLE 4. GENERAL PROVISIONS.

5 Sec. 08.87.230. EXCEPTIONS TO THIS CHAPTER. This chapter does not
6 apply to

7 (1) a qualified social worker licensed in another state
8 employed by the United States government or a bureau, agency or division
9 of the United States government while in the discharge of his official
10 duties;

11 (2) the practice of social work by a student

12 (A) enrolled in a program accredited by the board; or

13 (B) working under the direct supervision of a certified
14 social worker or social worker licensed under this chapter;

15 (3) the practice of a profession licensed under state law; or

16 (4) the practice of a profession if the person does not hold
17 himself out to the public by title or description of service as being
18 engaged in social work.

19 Sec. 08.87.240. PRIVILEGED COMMUNICATIONS. (a) No licensed
20 certified social worker, social worker, or social work associate or his
21 employee may disclose information he has acquired from persons consult-
22 ing him in his professional capacity except with the written consent of
23 the person or, in the case of disability, of his own personal represen-
24 tative or other person authorized to sue on his behalf.

25 (b) A client waives the privilege by bringing charges against the
26 licensed certified social worker, the social worker, or the social work
27 associate.

28 Sec. 08.87.250. DEFINITIONS. As used in this chapter unless the
29 context otherwise dictates,

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

(2) "social work" includes but is not limited to a service or activity performed for compensation, designed to promote the welfare of the community and the individual through counseling services, health clinics, and similar services and activities.

* Sec. 2. This Act takes effect on July 1, 1975.

Original Sponsor: H. Beirne

Offered: 4/12/76
Referred: Judiciary and
Finance

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

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

23 (3) has completed two years of social work under the super-
24 vision of a certified social worker or social worker, subsequent to
25 completion of graduate education;

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29 that he is a certified social worker or social worker unless licensed by

1 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. 08.87.160. 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 licensed under this chapter or
10 whose license is suspended, revoked, or expired, from violating any of
11 the provisions of this chapter.

12 ARTICLE 4. GENERAL PROVISION.

13 Sec. 08.87.170. 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. 08.87.180. DEFINITIONS. In this chapter, unless the context
17 otherwise requires,

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

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

21 (3) "social work experience" means at least 30 hours of
22 compensated employment per week in the practice of social work;

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

29 (5) "social work" means a service or activity which assists

1 individuals or groups to effect changes in behavior, emotional responses
2 or social conditions; and includes

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

5 (B) the use of psychotherapy with individuals, families
6 or groups;

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

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

10 (21) Board of Social Worker Examiners.

11 * Sec. 4. This Act takes effect July 1, 1976.
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696
Done

Introduced: 4/1/75
Referred: Health, Education &
Social Services, Judiciary and
Finance

1 IN THE HOUSE

BY BEIRNE

2 HOUSE BILL NO. 367

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST 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 WORK EXAMINERS.

12 Sec. 08.87.010. CREATION AND MEMBERSHIP OF BOARD OF SOCIAL WORK
13 EXAMINERS. There is created a Board of Social Work Examiners, consisting
14 of not less than one certified social worker, one social worker, and one
15 social work associate, and those members at large as the governor con-
16 siders necessary.

17 Sec. 08.87.020. TERM OF OFFICE. The three initial appointments to
18 the board shall be made for terms of two, three, and four years respec-
19 tively; thereafter all terms shall be for three years. All board members
20 serve at the pleasure of the governor.

21 Sec. 08.87.030. QUALIFICATIONS OF BOARD MEMBERS. All members of
22 the board shall meet the requirements for licensing under this chapter.

23 Sec. 08.87.040. ELECTION OF OFFICERS. The board shall annually
24 elect a chairman, secretary, and other officers it may require.

25 Sec. 08.87.050. MEETINGS. The board shall meet at least once a
26 year.

27 Sec. 08.87.060. QUORUM. A majority of the board constitutes a
28 quorum.

29 Sec. 08.87.070. DUTIES OF THE BOARD. The board shall

COMMITTEE COPY

1 (1) adopt regulations necessary to make this chapter effec-
2 tive and, when necessary, additions to or changes in regulations by a
3 quorum vote by mail; when changes are proposed in the regulations by
4 mail, the changes proposed and the votes on them shall be entered in the
5 minutes of the next meeting;

6 (2) recommend standards of professional practice for certi-
7 fied social workers, social workers and social work associates to the
8 state regulatory agency;

9 (3) establish license fees;

10 (4) establish standards of practice;

11 (5) establish continuing education programs and requirements;

12 (6) provide for all other matters, whether similar to (1) -
13 (5) of this section or not, affecting in any way the organization and
14 functioning of the board.

15 Sec. 08.87.080. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE
16 ACT. The board shall comply with the Administrative Procedure Act
17 (AS 44.62).

18 Sec. 08.87.085. EXPENSES. Members of the board are entitled to
19 the per diem and travel expenses allowed by law.

20 ARTICLE 2. EXAMINATION AND LICENSING.

21 Sec. 08.87.090. LICENSE REQUIRED. A person practicing or
22 offering to practice social work shall submit evidence that he is
23 qualified to practice, and shall be licensed under this chapter.

24 Sec. 08.87.100. QUALIFICATIONS FOR CERTIFIED SOCIAL WORKER APPLI-
25 CANTS. An applicant for a certified social worker license shall submit
26 to the board, on forms and in a manner prescribed by the board, written
27 evidence that the applicant is of good moral character, and has a
28 doctorate or master's degree from a school of social work accredited by
29 the council on social work education. Applicants are exempted from the

1 academic qualifications of this section until January 1, 1976.

2 Sec. 08.87.110. QUALIFICATIONS FOR SOCIAL WORKER APPLICANTS.

3 An applicant for a social worker license shall submit to the board, on
4 forms and in a manner prescribed by the board, written evidence that the
5 applicant is of good moral character. Additionally, the applicant shall
6 present evidence that he has a baccalaureate degree in a social work or
7 social welfare program from a college or university accredited by the
8 council on social work education or that he has a baccalaureate degree
9 and two years of experience in social work. Applicants are exempted
10 from the academic qualifications of this section until January 1, 1976.

11 Sec. 08.87.120. QUALIFICATIONS FOR SOCIAL WORK ASSOCIATE APPLI-

12 CANTS. An applicant for a social work associate license shall submit to
13 the board, on forms and in a manner prescribed by the board, written
14 evidence that the applicant is of good moral character. Additionally,
15 the applicant shall present evidence that he has a baccalaureate degree
16 in a nonsocial work field or an associate of arts degree, or its equiva-
17 lent, in a program from a junior college, college or university approved
18 by the board. Applicants are exempted from the academic qualifications
19 of this section until January 1, 1976.

20 Sec. 08.87.130. LICENSE BY EXAMINATION. The applicant shall pass
21 a written examination in the subjects which the board prescribes. The
22 board shall issue a license to an applicant who passes the examination
23 if the qualifications outlined in secs. 100, 110 and 120 of this chapter
24 are also met. The board shall conduct examinations annually and as
25 often as it considers necessary. Until January 1, 1976, applicants
26 shall be exempted from the requirement of an examination if the board
27 is satisfied that at the time of application the applicant has for the
28 previous two years engaged in the practice for which the examination
29 would otherwise be required.

1 Sec. 08.87.140. LICENSE BY ENDORSEMENT. The board may issue a
2 license by endorsement to practice social work to an applicant who is
3 licensed under the laws of another state that imposes substantially the
4 same requirements as this chapter, has passed an examination similar to
5 that for which exemption is sought, and meets the requirements of sec.
6 100, 110 or 120 of this chapter.

7 Sec. 08.87.150. LICENSE RENEWAL. Licenses shall be renewed
8 biennially under regulations promulgated by the department.

9 Sec. 08.87.155. FEES. Each application fee, renewal fee, biennial
10 and out-of-state license fee is \$50.

11 Sec. 08.87.160. GROUNDS FOR DENIAL, SUSPENSION OR REVOCATION. The
12 board, after compliance with the Administrative Procedure Act (AS 44.62),
13 may deny, suspend, or revoke the license of a person who

14 (1) has obtained or attempted to obtain a license to practice
15 under this chapter by fraud or deceit;

16 (2) has been convicted of a felony;

17 (3) has been convicted of a crime involving moral turpitude;

18 (4) is habitually intoxicated or is addicted to the use of
19 narcotics;

20 (5) is guilty, in the opinion of the board, of negligence
21 which has resulted in serious injury to a client;

22 (6) is guilty of unprofessional conduct;

23 (7) has wilfully or repeatedly violated any of the provisions
24 of this chapter.

25 ARTICLE 3. UNLAWFUL ACTS.

26 Sec. 08.87.170. VIOLATIONS. It is a misdemeanor for a person to

27 (1) sell or fraudulently obtain or furnish, or aid or abet in
28 the selling; or fraudulent obtaining or furnishing of, a license, license
29 renewal or record required by this chapter;

1 (2) practice social work under cover of a diploma, license,
2 or record illegally or fraudulently obtained or signed or issued unlaw-
3 fully or by fraudulent representation;

4 (3) practice or offer to practice social work without a
5 license;

6 (4) use in connection with his name a designation tending to
7 imply that he is licensed under this chapter unless he is licensed;

8 (5) practice during the time his license is lapsed, suspended
9 or revoked; or

10 (6) knowingly violate any provision of this chapter.

11 Sec. 08.87.180. PUNISHMENT FOR MISDEMEANOR. A person who violates
12 sec. 170 of this chapter is punishable by imprisonment for not less than
13 10 days nor more than one year, or by a fine of not less than \$10 nor
14 more than \$500, or by both.

15 Sec. 08.87.190. UNLICENSED PRACTICE A PUBLIC NUISANCE. The
16 practice of social work for compensation by a person who is not licensed,
17 or whose license is suspended, revoked, or expired, is declared to be
18 inimical to the public welfare and to constitute a public nuisance.

19 Sec. 08.87.200. APPLICATION FOR INJUNCTION. The board may apply
20 for an injunction in a competent court to enjoin a person not licensed
21 or whose license is suspended, revoked, or expired, from practicing
22 social work. The court may issue a temporary injunction enjoining the
23 defendant from practicing social work.

24 Sec. 08.87.210. ISSUANCE OF INJUNCTION. If it is established that
25 the defendant has been or is practicing social work without a license or
26 has been or is practicing social work after his license has been sus-
27 pended or revoked or has expired, the court may enjoin the defendant
28 from further practice.

29 Sec. 08.87.220. REMEDY NOT EXCLUSIVE. If a person violates an

1 injunction issued under this section, he may be punished for contempt of
2 court. The injunction proceeding is in addition to other penalties and
3 remedies provided in this chapter.

4 ARTICLE 4. GENERAL PROVISIONS.

5 Sec. 08.87.230. EXCEPTIONS TO THIS CHAPTER. This chapter does not
6 apply to

7 (1) a qualified social worker licensed in another state
8 employed by the United States government or a bureau, agency or division
9 of the United States government while in the discharge of his official
10 duties;

11 (2) the practice of social work by a student

12 (A) enrolled in a program accredited by the board; or

13 (B) working under the direct supervision of a certified

14 social worker or social worker licensed under this chapter;

15 (3) the practice of a profession licensed under state law; or

16 (4) the practice of a profession if the person does not hold
17 himself out to the public by title or description of service as being
18 engaged in social work.

19 Sec. 08.87.240. PRIVILEGED COMMUNICATIONS. (a) No licensed
20 certified social worker, social worker, or social work associate or his
21 employee may disclose information he has acquired from persons consult-
22 ing him in his professional capacity except with the written consent of
23 the person or, in the case of disability, of his own personal represen-
24 tative or other person authorized to sue on his behalf.

25 (b) A client waives the privilege by bringing charges against the
26 licensed certified social worker, the social worker, or the social work
27 associate.

28 Sec. 08.87.250. DEFINITIONS. As used in this chapter unless the
29 context otherwise dictates,

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

2 (2) "social work" includes but is not limited to a service or
3 activity performed for compensation, designed to promote the welfare of
4 the community and the individual through counseling services, health
5 clinics, and similar services and activities.

6 * Sec. 2. This Act takes effect on July 1, 1975.
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ALASKA STATE LEGISLATURE

NINTH Legislature FIRST Session

HOUSE BILL NO. ...367..

By BLIRNE

"An Act relating to the licensing of social workers; and providing for an effective date."

Licen. social workers

Introduced in the House ... 4/1/..., 19..75

HISTORY IN THE HOUSE

19 75

Apr 1

Read first time and referred to Committee on Health, Education & Social Services, Judiciary and Finance
Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

Chapter No-