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850

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

*Wick Cate - yes  
2/16/82*

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 850 "An Act relating to the licensing  
Title of clinical social workers; and providing for an effective date.  
Requested by Carney Date 2-16-82

II. FISCAL DETAIL

Agency Affected Department of Commerce & Economic Development  
Program Category Affected Public Protection  
BRU, Program, Or Subprogram(s) Affected Regulation & Licensing of professions; admin  
(Note: If more than one budget component is affected, separate line-item invest., &  
amounts and funding for each component in the analysis section.) boards.

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		27.9	27.9	27.9	27.9	27.9
200 TRAVEL		0.6	0.4	10.3	11.3	12.4
300 CONTRACTUAL		10.4	11.3	12.3	13.4	15.6
400 COMMODITIES		5	5	5	5	5
500 EQUIPMENT		2.8	0	0	0	0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		<b>50.1</b>	<b>49.1</b>	<b>51.0</b>	<b>53.1</b>	<b>55.4</b>

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		50.1	49.1	51.0	53.1	55.4
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		1				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

PERSONAL SERVICES - FY '82 salary schedule plus benefits.  
1 Licensing Examiner, range 12, gen. govt., 12 mos. 27.9

TRAVEL - 10% inflation factor projected.

Board of Clinical Social Workers - 76.5 members. Travel and per diem for 4 meetings annually to conduct board business, regulation projects and administer examinations. Anticipate meetings in Anchorage, Fairbanks, Southeast, Kodiak or Nome; 2 days each. 6.6

Travel and per diem for dept. staff; 1 regulations specialist, and 1 management analyst to attend at least 2 meetings per year. 2.0

Total 8.6

IV. DATE March 19, 1982

PREPARED BY Majorie Odland  
AGENCY Division of Occupational Licensing  
PHONE 465-2333

Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)  
33-001 (Rev. 12/81)

CONTRACTUAL

Duplicating and mailing costs of applications and statute booklets; registration and renewal forms; publication costs for proposed regulations and meetings; general operating and computer costs . 7.0

Rental Space - 1 licensing examiner.  
60 sq. ft X \$1.70 X 12 mos. 1.2

Professional examination service costs 1.5  
National Association dues 5

Hearings - licensing/disciplinary hearings. Costs estimated from past Guide Board hearings held in December 1981. Anticipate 3 hearings per year. In estimating one day hearings, the following costs are considered:

• Average 6 hour days:

Hearing officer @ \$75/hr	450.00
Court Reporter @ \$25/hr	150.00
10 exhibits, \$.45 ea.	4.50
3 witnesses, 1/2 day ea., @ \$12.50/day	37.50
1 expert witness, 2 hours, @ \$150/hr	300.00
Transcript. avg. 210 pages @ \$4.50/page	945.00
	<hr/>
	1,887.00
	X3
	<hr/>
	\$5,661.00

Other costs such as transportation of witnesses, taking of depositions and other special handling, can increase cost of hearings.

COMMODITIES

General supplies needed by licensing examiner such as tapes for meetings, file folders, paper etc. .6

EQUIPMENT - one time cost in FY'83.

1 desk, double pedestal 60" x 30"	425.92
1 chair, posture without arms (contour)	170.57
1 typewriter, correcting selectric, dual pitch	1,028.81
1 typewriter table	181.92
1 credenza, 90" x 62"	470.90
1 side chair	95.15
2 file cabinets, 4 drawer legal	505.20
	<hr/>
	\$2,799.48

LANGDON PSYCHIATRIC CORPORATION  
A PROFESSIONAL CORPORATION

PSYCHIATRY

ARON S. WOLF, M.D., F.A.P.S.  
JAMES WOODS, M.D.  
EDDY BURMAN, M.D.

CLINICAL PSYCHOLOGY

JAMES WOODS, M.D.  
EDDY BURMAN, M.D.

PSYCHIATRIC SOCIAL WORK

ROBERT J. NELSON, M.S.W., A.C.S.W.  
WALTER COOK, M.S.W., A.C.S.W.  
DONALD WATSON, M.S.W., A.C.S.W.  
WENDY JONES, M.A.  
ELIZABETH THOMPSON, M.S.W., A.C.S.W.

READING THERAPY

ROBERT WILSON, M.D.

Anchorage Office  
4001 Dale Street  
Anchorage, Alaska 99504  
(907) 279-0461

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Wasilla Village Center  
Suite 202  
Wasilla, Alaska 99687  
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P. O. Box 540  
(907) 376-2447

March 26, 1982

The Honorable Mike Beirne, M.D., Chairman  
House Committee on Health, Education and Social Services  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Dr. Beirne:

I am writing to urge your support for House Bill #850, pertaining to licensure of clinical social workers.

Both as a practicing psychiatrist in Alaska, and as president of the corporation for the Langdon Psychiatric Clinic, I am in a position to recognize the importance of setting standards through licensure for clinical social workers, who carry important responsibility for service to disturbed people.

We believe that social workers doing psychotherapy, such as the social work members of our own Clinic staff, need to have the professional training and supervised experience specified in House Bill #850. These standards have been recognized by licensure by a number of other states, which I feel Alaska should join.

Currently health insurance carriers will not reimburse for services by social workers unless they are licensed or registered, and this is important to psychiatric service agencies, both private and public, such as the Community Mental Health Centers in Alaska. We believe that licensure of clinical social workers would make psychiatric services more widely available, through at least partly resolving payment problems, as well as relieving budget problems of psychiatric agencies.

Hoping that you will take this step toward better mental health services for Alaska citizens, I am

Sincerely yours,

  
Aron S. Wolf, M.D.

cc: Terry Martin ✓  
Betty Cato ✓  
Sally Smith ✓  
Hugh Malone ✓

March 26, 1982

The Honorable Mike Bairne, M.D., Chairman  
House Committee on Health, Education & Social Services  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Dr. Bairne:

I am writing to urge your support for passage of House Bill 1850, which would establish licensure of clinical social workers.

As a clinical social worker of many years' experience, both in Alaska and Outside, in direct service, supervision, administration, teaching, consultation, I am convinced that it is to the advantage of Alaska citizens in need of psychotherapeutic services to have state definition, through a licensure statute, of the standards necessary for persons who are to practice here as clinical social workers. A number of other states have established such licensure, and I feel Alaska should do so.

At the present time health insurance carriers will not reimburse for services by social workers unless they are licensed or registered, and this is a matter of importance to psychiatric agencies and personnel, whether private or public, such as Community Mental Health Centers in Alaska. Licensure of clinical social workers in this state could make psychotherapeutic services more widely available, through in part at least resolving payment problems, and so helping to relieve budget problems of psychiatric agencies.

I hope that you will take this step toward improved mental health services for Alaska citizens.

cc:

Terry Martin  
Betty Cole  
Lally Smith  
Hugh Malone

Sincerely,

*Elizabeth M. Robinson*

Elizabeth M. Robinson  
2041 Cliffside Drive  
Anchorage, AK 99501

POSITION PAPER

HOUSE BILL NO. 850

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

This Bill provides for the licensing of clinical social workers and the creation of a Board of Clinical Social Worker Examiners. In addition, it provides for privileged communication and defines the scope of practice. The Department of Health and Social Services supports the concept of licensing clinical social workers.

The Department has one recommendation with respect to this Bill. Page 4, Lines 16-21, Section 08.87.080(3) addresses exemptions to privileged communication when the client is a minor. This section, however, does not provide for mandatory reporting of harm as a result of child abuse and neglect. Under AS 47.17.020 of the Child Protection Act, social workers are listed among those professionals required to report. This Bill, by definition, distinguishes between clinical social workers and other social work professionals. Given the scope of clinical social work practice as defined in the Bill, clinical social workers should be required to report harm as a result of child abuse and neglect.

RECOMMENDATION:

The Department recommends that Section 08.87.080 be amended to comply with the Child Protection Act.

In conclusion, the Department supports passage of this Bill and recommends that consideration be given to our proposed amendment.

RECOMMENDED BY:

*John R. Pugh*  
John R. Pugh, Director  
Division of Family and  
Youth Services

DATE:

3/17/82

APPROVED BY:

*Helen D. Beifne*  
Helen D. Beifne  
Commissioner

DATE:

3-21-82

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. House Bill No. 850  
 Title "An Act relating to the licensing of clinical social workers;....."  
 Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL  
 Agency Affected Department of Health and Social Services  
 Program Category Affected \_\_\_\_\_  
 BRU, Program, Or Subprogram(s) Affected \_\_\_\_\_  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		-0-	-0-	-0-	-0-	-0-
200 TRAVEL		-0-	-0-	-0-	-0-	-0-
300 CONTRACTUAL		-0-	-0-	-0-	-0-	-0-
400 COMMODITIES		-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT		-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES		-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.		-0-	-0-	-0-	-0-	-0-
TOTAL		-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS		-0-	-0-	-0-	-0-	-0-
OTHER (Specify Source)		-0-	-0-	-0-	-0-	-0-
		-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME		-0-	-0-	-0-	-0-	-0-
PART TIME		-0-	-0-	-0-	-0-	-0-
TEMPORARY		-0-	-0-	-0-	-0-	-0-
		-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

House Bill No. 850 has no fiscal impact on the Department of Health and Social Services.

IV. DATE 3/8/82 PREPARED BY John R. Pugh John R. Pugh, Director  
 AGENCY Division of Family and Youth Services  
 Original: Legislative Finance PHONE 465-3170  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 33-001 (Rev. 12/81)

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TWELFTH LEGISLATURE

FISCAL NOTE

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FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME		1	1	1	1	1
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

PERSONAL SERVICES - FY'82 salary schedule plus benefits.

1 Licensing Examiner, range 12, gen.govt., 12 mos. 27.9

TRAVEL - 10% inflation factor projected.

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Travel and per diem for dept. staff; 1 regulations specialist, and 1 management analyst to attend at least 2 meetings per year. 2.0

Total 8.5

IV. DATE March 19, 1982

PREPARED BY Majorie Odland

AGENCY Division of Occupational Licensing

Original: Legislative Finance

PHONE 465-2575

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

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1 typewriter table	101.92
1 credenza, 90" x 62"	470.90
1 side chair	95.15
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	<hr/>
	\$2,799.48

TESTIMONY OF HARRY D. TREAGER

BEFORE THE HOUSE HESS COMMITTEE

MARCH 22, 1982

THANK YOU FOR THE OPPORTUNITY TO COMMENT ON HB 850, "AN ACT RELATING TO THE LICENSING OF CLINICAL SOCIAL WORKERS..." THE DEPARTMENT HAS REVIEWED THE PROPOSED LEGISLATION AND WOULD LIKE TO MAKE THE FOLLOWING OBSERVATIONS FOR THE CONSIDERATION OF THE COMMITTEE.

FIRST, WHILE THE DEPARTMENT HAS NO OBJECTION TO THE LICENSING OF CLINICAL SOCIAL WORKERS, WE DO QUESTION WHETHER REGULATION OF THE SCOPE OF PRACTICE OF CLINICAL SOCIAL WORKERS IS NECESSARY IN ADDITION TO REGULATION OF THE TITLE ITSELF. THE DEPARTMENT BELIEVES THAT THE BENEFICIAL EFFECTS OF LICENSURE FOR THE PUBLIC SHOULD RESULT FROM TITLE PROTECTION ALONE AND THAT PROHIBITION OF UNLICENSED PRACTICE MAY NOT NECESSARILY AFFORD ANY ADDITIONAL PUBLIC PROTECTION.

THE PRINCIPAL PUBLIC BENEFITS THAT WE ANTICIPATE FROM LICENSURE ARE:

1. BETTER ACCESS TO THIRD PARTY REIMBURSEMENT;
2. REASONABLE ASSURANCE FOR THE PUBLIC THAT A LICENSED PRACTITIONER IS QUALIFIED AND HAS NOT ENGAGED IN UNETHICAL AND IRRESPONSIBLE ACTIVITIES, AND

3. THE DISCOURAGING OF CHARLETONS FROM PRACTICING THE ENABLING OF THE PROFESSION TO BETTER POLICE ITSELF AND THE PROVISION OF CERTAIN LEGAL GUARANTEES FOR THE PUBLIC (E.G. CONFIDENTIALITY).

THE DEPARTMENT FEELS THAT TITLE PROTECTION ITSELF IS SUFFICIENT TO BRING ABOUT THESE BENEFICIAL EFFECTS AND THE PROHIBITION OF UNLICENSED PRACTICE MAY ONLY CONFUSE ISSUES. FOR EXAMPLE, WOULD AN UNLICENSED STATE SOCIAL WORKER BE VIOLATING THE PROPOSED STATUTES IF HE OR SHE WERE PROVIDING DIRECT PREVENTATIVE SERVICES TO A CLIENT? THE ANSWER APPEARS TO BE YES. A SIMILAR CONCERN IS THAT THERE APPEAR TO BE NO CLEAR LINES DISTINGUISHING THE SCOPE OF PRACTICE OF CLINICAL SOCIAL WORKERS FROM OTHER MENTAL HEALTH PRACTITIONERS (BOTH PROFESSIONAL AND PARAPROFESSIONAL).

IF PRACTICE IS TO BE RESTRICTED THROUGH THIS LEGISLATION, THEN THERE IS PROBABLY A NEED TO BETTER DEFINE THE PRINCIPAL EXEMPTION "QUALIFIED MEMBER OF ANOTHER PROFESSION." THERE IS PROBABLY ALSO A NEED TO BETTER DEFINE THE ACTUAL SCOPE OF PRACTICE WHICH IN ITS PRESENT FORM GIVES CLINICAL SOCIAL WORKERS THE RIGHT TO PRACTICE MEDICINE.

AS 08.87.010 PLACES NO LIMIT ON THE NUMBER OF REAPPOINTMENTS OF BOARD MEMBERS. WHILE THERE IS NO DOUBT THAT THE CONTINUOUS REAPPOINTMENT OF AN EFFECTIVE MEMBER CAN BE EXTREMELY BENEFICIAL, IT IS GENERALLY CONSIDERED BETTER PRACTICE TO LIMIT THE NUMBER OF CONSECUTIVE TERMS TO 2. THIS IS ESPECIALLY SO WHEN INDIVIDUAL TERMS ARE FOR 5 YEARS. PERHAPS 3 YEAR TERMS WOULD BE MORE REASONABLE.

AS 08.87.020(5) REQUIRES THE BOARD TO PREPARE AND ADMINISTER AN EXAMINATION AND AS 08.87.030(4) REQUIRES AN APPLICANT TO PASS SUCH AN EXAMINATION IN ORDER TO BE ELIGIBLE FOR LICENSURE. IT IS NOT CLEAR WHY SUCH AN EXAMINATION IS NECESSARY GIVEN THE OTHER PROPOSED EDUCATION AND EXPERIENCE REQUIREMENTS. THE DEPARTMENT WOULD URGE THAT THE CLEAR NEED FOR AN EXAMINATION BE ESTABLISHED BEFORE IT IS MADE A STATUTORY REQUIREMENT FOR LICENSURE. EXAMINATIONS ARE COSTLY AND TIME CONSUMING FOR THE APPLICANT, THE BOARD AND THE DIVISION OF OCCUPATIONAL LICENSING. AS A GENERAL RULE, A GOOD OBJECTIVE EXAMINATION IS DIFFICULT TO DEVELOP AND ADMINISTER BY A BOARD OF THIS NATURE. IN FAIRNESS TO BOTH THE BOARD AND APPLICANTS, ADDITIONAL RESOURCES MAY BE NEEDED FOR ASSISTANCE IN THE DEVELOPMENT OF PROPER EXAMINATION BY AN APPROPRIATELY QUALIFIED INDIVIDUAL OR ORGANIZATION.

WHILE WE DO RAISE THIS ISSUE AS A CONCERN BASED ON SIMILAR EXPERIENCES ELSEWHERE, WE MUST NOTE THAT WE HAVE NOT RESEARCHED THIS ISSUE WITH RESPECT TO THE SOCIAL WORK PROFESSION PER SE. WE SHOULD ALSO NOTE THAT OUR PRELIMINARY RESEARCH INDICATES THAT ALL TWENTY-ONE STATES THAT LICENSE SOCIAL WORKERS AT THE LEVEL PROPOSED IN THE PRESENT BILL REQUIRE SOME FORM OF EXAMINATION AS A CONDITION FOR LICENSURE.

AS 08.87.030(1) AND (5). THE DEPARTMENT WOULD RECOMMEND THAT THE PHRASES "GOOD PROFESSIONAL STANDING" AND "ACCEPTABLE TO THE BOARD" BE FURTHER DEFINED IN EITHER STATUTE OR REGULATION TO AVOID CONFUSION AND INCONSISTENCES. TERMS SUCH AS "GOOD PROFESSIONAL STANDING" AND "MORAL TURPITUDE" (SEE AS 08.87.060(2)) ARE GENERALLY CONSIDERED BY LEGISLATIVE AUDITORS, INVESTIGATORS AND THE COURTS TO BE TOO VAGUE AND GENERAL TO BE ENFORCEABLE UNLESS THEY ARE FURTHER QUALIFIED IN STATUTE OR REGULATIONS. SIMILARLY, OBJECTIVE STANDARDS SHOULD BE DEVELOPED BY THE BOARD WITH RESPECT TO WHAT IS AND IS NOT ACCEPTABLE IN TERMS OF LETTERS OF REFERENCE. THIS IS NECESSARY TO ASSURE FAIRNESS AND CONSISTENCY IN THE EVALUATION OF APPLICANTS.

AS 08.87.060(4) MAY GIVE THE IMPRESSION THAT NEGLIGENCE IS PERMISSIBLE IF IT RESULTS IN NO INJURY OR ONLY MINOR INJURY TO A CLIENT. PERHAPS BETTER WORDING WOULD BE DESIRABLE HERE.

AS 08.87.070 CALLS FOR THE RENEWAL OF LICENSES EVERY TWO YEARS. UNLESS NECESSARY FOR REASONS NOT PRESENTLY APPARENT TO US, THE DEPARTMENT WOULD RECOMMEND A FOUR-YEAR RENEWAL CYCLE IN THE INTEREST OF EFFECTIVE UTILIZATION OF STAFF AND MINIMAL BUREAUCRATIC INFRINGEMENT UPON THE LIVES OF THE LICENSEES.

CLEARER AND MORE COMPREHENSIVE WORDING REGARDING THE APPLICABILITY OF THE ADMINISTRATIVE PROCEDURES ACT SHOULD REPLACE THE PROPOSED WORDING IN AS 08.87.020(1). ALTERNATE WORDING SHOULD READ:

THE BOARD SHALL COMPLY WITH THE ADMINISTRATIVE PROCEDURES ACT (AS 44.62) BOTH AS TO ENACTMENT OF REGULATIONS AND ADJUDICATIONS.

AS 44.62.330 SHOULD ALSO BE AMENDED TO INCLUDE SPECIFIC REFERENCE TO CLINICAL SOCIAL WORKERS.

IN CLOSING, THE DEPARTMENT WOULD LIKE TO NOTE THAT WHILE IT DOES NOT OBJECT TO THE PRESENT APPROACH TO LICENSING CLINICAL SOCIAL WORKERS, IT DOES FEEL THAT MORE COMPREHENSIVE MEANS EXIST TO ACHIEVE THE SAME ENDS. AT PRESENT, THE STATE CONTROLS BOTH TITLE AND PRACTICE FOR PSYCHOLOGISTS AND PSYCHOLOGICAL ASSOCIATES. TO THE PROPOSED REGULATION OF SOCIAL WORKERS ONE MIGHT LEGITIMATELY ADD OTHER MENTAL HEALTH PROFESSIONALS SUCH AS MARRIAGE AND FAMILY COUNSELORS. IF THE PURPOSE OF

LICENSURE IS TO PROTECT AND BENEFIT THE PUBLIC IN THE WAYS LISTED ABOVE, THEN IT WOULD PROBABLY BE MORE EFFECTIVE TO LICENSE ALL APPROPRIATELY QUALIFIED PROFESSIONAL MENTAL HEALTH PRACTITIONERS THROUGH A CONSISTENT AND COORDINATED SYSTEM STANDARDS ADMINISTERED BY A SINGLE BOARD. SUCH AN APPROACH WOULD PROBABLY ALSO WORK TO REDUCE THE RISK OF THE LICENSURE PROCESS BEING USED FOR ENHANCEMENT OF THE PROFESSION RATHER THAN THE PROTECTION AND BENEFIT OF THE PUBLIC.

Introduced: 2/16/82  
Referred: Health, Education &  
Social Services, Judiciary and  
Finance

1 IN THE HOUSE

BY CARNEY

2 HOUSE BILL NO. 850

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the licensing of clinical social  
7 workers; 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. CLINICAL SOCIAL WORKERS, — *Sato & people.*

11 ARTICLE 1. BOARD OF CLINICAL SOCIAL WORKER EXAMINERS.

12 Sec. 08.87.010. BOARD OF CLINICAL SOCIAL WORKER EXAMINERS. (a)

13 There is created a Board of Clinical Social Worker Examiners.

14 (b) The board consists of five members appointed by the governor.

15 Three of the board members shall be clinical social workers eligible for  
16 licensing under this chapter. All board members shall be citizens of  
17 the United States and residents of the state.

18 (c) The board members serve at the pleasure of the governor for  
19 five-year terms. Each board member shall hold office for the term of  
20 his appointment and until his successor is appointed and qualified. A  
21 board member is qualified for ~~appointment~~ *one consecutive term.*  
22 shall be filled in the same manner as the original appointment but only  
23 for the unexpired term.

24 (d) Board members serve without compensation, but are entitled to  
25 travel and per diem expenses as provided in AS 19.20.180.

26 Sec. 08.87.020. DUTIES OF THE BOARD. The board shall

27 (1) adopt regulations in accordance with the Administrative  
28 Procedure Act (AS 44.62) to administer and carry out the provisions of  
29 this chapter;

1 (2) establish a code of professional ethics based on nation-  
2 ally accepted standards in social work;

3 (3) establish, in consultation with the department, applica-  
4 tion fees, examination fees, credential review fees, out-of-state en-  
5 dorsement fees, initial license fees, and biennial renewal fees;

6 (4) conduct hearings and keep records and minutes necessary  
7 for carrying out the purpose of this chapter in an orderly manner;

8 (5) prepare and administer an examination;

9 (6) annually publish a list of the names and addresses of all  
10 persons licensed under this chapter.

11 ARTICLE 2. LICENSURE AND PRACTICE.

12 Sec. 08.87.030. LICENSURE AS CLINICAL SOCIAL WORKER. A person is  
13 eligible for licensure as a clinical social worker if the person

14 (1) is in good professional standing; - *defunct?*

15 (2) holds a master's or doctoral degree in social work from a  
16 graduate school of social work accredited or recognized by the Council  
17 on Social Work Education;

18 (3) has had two years or 3,000 hours of post-master's degree  
19 supervised clinical social work practice under supervision as determined  
20 to be appropriate by the board in review of the applicant's qualifica-  
21 tions;

22 (4) has passed an examination prepared by the board; and

23 (5) provides three references acceptable to the board.

24 Sec. 08.87.040. SCOPE OF PRACTICE OF CLINICAL SOCIAL WORKER. A  
25 clinical social worker may provide direct diagnostic, preventative,  
26 psychotherapeutic, and treatment services to individuals, families, and  
27 groups whose functioning is threatened or affected by social and psycho-  
28 logical stress or health impairment.

29 Sec. 08.87.050. LICENSURE BY ENDORSEMENT. A person who is

1 licensed as a social worker by an authority other than the state may be  
2 licensed as a clinical social worker in the state if the board deter-  
3 mines that the person's requirements for the out-of-state license or  
4 certificate at the time the individual was licensed are similar to the  
5 requirements of AS 08.87.030 or the National Association of Social  
6 Workers.

7 Sec. 08.87.060. DENIAL, SUSPENSION, OR REVOCATION OF LICENSE. The  
8 board may deny, suspend, or revoke the license of a person who

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

11 (2) has been convicted of a felony involving moral turpitude;

12 (3) is habitually intoxicated or is addicted to the use of  
13 depressant, hallucinogenic, narcotic, or stimulant drugs;

14 (4) is found by the board to have been negligent, resulting  
15 in serious injury to a client;

16 (5) has wilfully or repeatedly violated a provision of this  
17 chapter.

18 Sec. 08.87.070. EXPIRATION AND RENEWAL OF LICENSE. A license  
19 issued under this chapter expires <sup>shall - new education.</sup> two years after it is issued unless  
20 the board establishes a biennial date when all licenses issued under  
21 this chapter expire. A license may be renewed by making an application  
22 for renewal to the board and by meeting the requirements of this chap-  
23 ter.

24 Sec. 08.87.075. PROBATIONARY PRACTICE FOR NEW EMPLOYEE. A person  
25 exempt from the licensing provisions of this chapter under AS 08.87.110  
26 may practice for a period not to exceed six months under the direct  
27 supervision of a clinical social worker licensed under this chapter. As  
28 used in this section, direct supervision includes at least one hour a  
29 week of personal consultation with a supervisor who is licensed as a

1 clinical social worker under this chapter. If geographical distance  
2 precludes personal weekly consultation between a person and his super-  
3 visor, supervision may be maintained through weekly written or telephone  
4 communication as prescribed by regulation of the board.

5 **Sec. 08.87.080. PRIVILEGED COMMUNICATION.** A clinical social  
6 worker licensed under this chapter may not disclose information acquired  
7 from a client if that information was necessary to enable the clinical  
8 social worker to render professional services to the client, except

9 (1) with the written consent of the client, the client's  
10 personal representative or other person authorized to sue on behalf of  
11 the client, or the beneficiary of an insurance policy on the client's  
12 life, health, or physical condition;

13 (2) that a clinical social worker licensed under this chapter  
14 is not required to treat as confidential communications that reveal the  
15 contemplation or execution of a crime or harmful act;

16 (3) when the client is a minor under 18 years of age and the  
17 information acquired by the clinical social worker indicates that the  
18 minor was the victim of a crime or harmful act, the clinical social  
19 worker may testify at an examination, trial, or other proceeding in  
20 which the commission of the crime or harmful act is the subject of the  
21 inquiry;

22 (4) when the client commences a legal proceeding against the  
23 clinical social worker.

24 **ARTICLE 3. PROHIBITIONS AND PENALTIES.**

25 **Sec. 08.87.090. LICENSE REQUIRED.** A person may not engage in the  
26 practice of clinical social work unless the person is licensed under  
27 this chapter or is exempt from the requirements of this chapter under  
28 AS 08.87.110.

29 **Sec. 08.87.100. VIOLATIONS.** It is unlawful for a person to

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

3 (2) aid and abet a person not licensed under this chapter;

4 (3) use the title "clinical social worker" or a title or  
5 designation indicating or tending to indicate that the person is a  
6 clinical social worker, if the person is not licensed under this chap-  
7 ter; or

8 (4) wilfully violate a provision of this chapter.

9 Sec. 08.87.110. EXEMPTIONS. The following persons are exempt from  
10 the licensing provisions of this chapter:

11 (1) a qualified member of another profession if he does not  
12 hold himself out to the public by title or description of service as  
13 being engaged in clinical social work practice;

14 (2) a person newly employed on probationary status as a  
15 clinical social worker.

16 Sec. 08.87.120. PUNISHMENT FOR MISDEMEANOR. A person who violates  
17 a provision of this chapter is guilty of a class A misdemeanor.

18 Sec. 08.87.130. EQUITABLE RELIEF. The board may bring an action  
19 in the superior court to enjoin or restrain a violation of the provi-  
20 sions of this chapter.

21 Sec. 08.87.140. DEFINITIONS. In this chapter

22 (1) "board" means the Board of Clinical Social Worker Exami-  
23 ners;

24 (2) "department" means the Department of Commerce and Economic  
25 Development;

26 (3) "psychotherapeutic" means the use of psychoanalytic and  
27 social methods within a professional relationship to assist a person or  
28 persons to achieve a better psychosocial adaptation; forms of psycho-  
29 therapy include but are not restricted to individual psychotherapy.

Sec. 6. This act takes effect July 1, 1987.

Requirements of MS 87.01

Therefore, all new applicants for a license must meet the licensing requirements of MS 87.01. This provision to effective will one year after the effective date of this act. Licensed clinical social workers and shall be issued a license under this act. Board of Clinical Social Worker Examiners is meeting the requirements for a license of the National Association of Social Workers is controlled by the person in, or is eligible to be, registered by the register of clinical social workers.

Sec. 3. TEMPORAL EXEMPTION FROM EXAMINATION REQUIREMENTS. A person

(1) who shall serve a term of two years;

(2) who shall serve a term of two years; and

(3) who shall serve a term of two years;

eligible to be licensed as clinical social workers

(a) Of the three board members first appointed who are licensed as

(1) one shall serve a term of two years;

(2) one shall serve a term of two years; and

as all-time social workers

(b) Of the two members who are not licensed or eligible to be licensed

Board of Clinical Social Worker Examiners first appointed under MS 87.010.

EXAMINERS. (a) The governor shall designate the terms of the members of the

Sec. 6. APPOINTMENT OF FIRST MEMBERS OF BOARD OF CLINICAL SOCIAL WORKER

-- June 20, 1985.

(21) Board of Clinical Social Worker Examiners (MS 87.010)

Sec. 3. AS 87.010(a) is amended by adding a new paragraph to read:

(2a) Board of Clinical Social Worker Examiners.

Sec. 2. AS 87.010 is amended by adding a new paragraph to read:

conjoint marital therapy, family therapy, and group psychotherapy.