

COMMITTEE REPORT  
SENATE

FURTHER:

Date 2/4/94

Mr. President

The Committee on FINANCE considered SB 303

Relating to the practice of social work and establishing the Board of Social Workers Examiners: a/c1

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for \_\_\_\_\_
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairman  
\_\_\_\_\_  
Chairman recommendation

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: May 4, 1984

REQUEST

Bill/Resolution No.: CSSB 303 (Fin)  
Title: An Act relating to the practice of social work

Sponsor: Josephson  
Requestor: Senate Finance  
Date of Request: May 4, 1984

FISCAL DETAIL

Agency Affected: Dept. of Commerce & Economic Dev.  
Program Category Affected: Public Protection

BRU, Program or Subprogram(s) Affected: Division of Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		31.7	33.9	36.3	38.8	41.5
200 TRAVEL		.8				
300 CONTRACTUAL		27.2	29.1	31.2	33.3	35.7
400 SUPPLIES		1.0	1.1	1.1	1.2	1.3
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		60.7	64.1	68.6	73.3	78.5
CAPITAL						
REVENUE		18.8	21.3	23.8	26.3	28.8

FUNDING: (Thousands of Dollars)

GENERAL FUND		60.7	64.1	68.6	73.3	78.5
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Senator John Sackett

Phone: 465-3753

Division: Senate Finance Committee

Date: May 4, 1984

Approved by Commissioner: \_\_\_\_\_

Date: \_\_\_\_\_

Agency: \_\_\_\_\_

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

CSSB 303 FISCAL IMPACT

(NOTE: 7% inflation factor projected for FY '86 through  
FY '89 for operating costs)

100 PERSONAL SERVICES:

1 Licensing Examiner, Range 12A,  
GGU, 12 months, to be located in Juneau \$31,721.83

200 TRAVEL

1 trip to Fairbanks with stop in Anchorage to  
hold regulation hearings at \$450 per trip 450.00

Per diem for regulations specialist to hold  
regulation hearings @ \$80 each day x 2 days in  
each site (Anchorage & Fairbanks) 340.00  
\$ 790.00

300 CONTRACTUAL:

Postage, telephone, printing, publication and operating  
cost: \$3,000.00

Computer terminal use: prorated share @ \$350 per mo.  
\*\*License Examiner use only\*\* 4,200.00

Legal fees: Estimated 2 investigations annually will  
result in disciplinary proceedings: Fees cover all costs  
including hearing officer fees, court costs, court recorder  
costs, appeals cost, witness fees, and all other related costs;  
(Estimated each hearing process cost is \$10,000.00 x 2) 20,000.00  
\$27,200.00

400 COMMODITIES:

Stationery, typewriter ribbons, pens, pencils, and  
other miscellaneous desk top supplies \$1,000.00

TOTAL \$60,711

1.	POSITION TITLE LICENSE EXAMINER I				RANGE/STEP 12 A	BARG. UNIT GGU	FORM 12 PAGE/LINE	COY.	APPROV.	DISAPP.		
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEC.				
3.	CONTINUATION LEVEL				JUSTIFICATION							
4.	TYPE OF EXPENDITURE				<p>This position would be required under CS for Senate Bill No. 303, "An Act relating to the practice of Social Work; and providing for an effective date", to implement the provisions of AS 08.87, to provide necessary support in initial licensing of applicants, establishing license files, computer entry of license data, providing input in formulating regulations authorized in AS 08.87, and all other duties as needed.</p>							
	1		2								3	
	PERSONAL SERVICES											
5.	Salary		23.7									
6.	Benefits		3.9									
7.	Supplemental Benefits		1.4									
8.	Fixed Benefits		2.7									
9.	TOTAL PERSONAL SERVICES		01								31.7	
10.	Travel		02								-0-	
11.	Contractual		03								7.2	
12.	Commodities		04								1.0	
13.	Equipment		05								4.5	
14.	Other										3.6	
15.	TOTAL COST										48.0	
	RECEIPT CODE										FUNDING SOURCE	
16.					Federal Receipts 1002							
17.					G.F. Match 1003		48.0					
18.					General Funds 1004							
19.					I-A Receipts 1005							
20.					Program Receipts 1028							
21.					Other							
FOR BSM USE ONLY												
4A KEY NUMBER												

**13** REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development  
 PROGRAM Consumer Protection  
 BRU Occupational Licensing  
 COMPONENT Administration

Page 1 of 1  
 Revised Date \_\_\_\_\_

**FY 85**

AMENDMENT BY FERGUSON

CSSB 303 (Finance)

Page 8, Line 11

Add a new section to read:

Sec. 4. Sec. 08.87.240. EXEMPTION. Notwithstanding any other provision of law, rural residents from rural communities as defined under AS 44.47.560 are exempt from provisions of this Act until the Board of Social Worker Examiners, in consultation with the Alaska Commission on Post-Secondary Education and the University of Alaska Schools of Social Work, determines that the number of rural college graduates seeking employment as social workers is equal to or greater than the number of available social worker jobs in rural Alaska or July 1, 1989 whichever is later.

Re-number remaining section accordingly.

*Dept. of Comm.*

Cook  
4/30/84

Original sponsor: Josephson

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 303 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the practice of social work; and  
7 providing for an effective date."

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

9 \* Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

10 (24) regulation of social workers under AS 08.87.

11 \* Sec. 2. AS 08 is amended by adding a new chapter to read:

12 CHAPTER 87. SOCIAL WORKERS.

13 ARTICLE 1. REGULATION OF SOCIAL WORKERS.

14 Sec. 08.87.010. POWERS AND DUTIES OF THE DEPARTMENT. (a) The  
15 department shall

16 (1) submit an annual report of its proceedings under this  
17 chapter to the governor, including a statement of money received and  
18 disbursed;

19 (2) establish standards for specialty designations for the  
20 private practice of social work and authorize speciality designations  
21 on registrations issued under this chapter;

22 (3) after a hearing, impose disciplinary sanctions against  
23 a person who violates this chapter, an order of the department, or a  
24 regulation of the department adopted under this chapter.

25 (b) The commissioner of commerce and economic development shall

26 (1) adopt regulations relating to requirements for the  
27 supervision of persons engaged in social work under this chapter who  
28 are not master social workers or clinical social workers;

29 (2) adopt regulations requiring proof of continued

1 competency before a registration is renewed;

2 (3) adopt regulations to carry out the purposes of this  
3 chapter.

4 Sec. 08.87.020. REGISTRATION OF SOCIAL WORKERS. (a) A person  
5 is eligible for registration as a bachelor social worker if the person

6 (1) is in good professional standing and is fit to practice  
7 social work as determined by regulations of the department;

8 (2) provides three references acceptable to the department;

9 (3) has a bachelor's degree from a school of social work  
10 accredited by the Council on Social Work Education.

11 (b) A person is eligible for registration as a master social  
12 worker if the person meets the requirements of (a)(1) and (2) of this  
13 section and has a doctorate or master's degree from a school of social  
14 work accredited by the Council on Social Work Education.

15 (c) A person is eligible for registration as a clinical social  
16 worker if

17 (1) the person meets the requirements under (b) of this  
18 section;

19 (2) the person has completed at least two years of full  
20 time post graduate supervised experience approved by the department in  
21 a field of speciality; and

22 (3) the field of specialty is approved by the department  
23 and the department authorizes the designation of that specialty on the  
24 person's registration.

25 Sec. 08.87.030. SCOPE OF PRACTICE. (a) A person registered as  
26 a bachelor, master, or clinical social worker may provide services  
27 that enhance social functioning for individuals, families, groups, or  
28 communities guided by professional social work ethics, knowledge and  
29 intervention methods. The services provided may include

- 1 (1) identification and evaluation of social problems;  
2 (2) developing statistics and data on social problems;  
3 (3) assisting people and organizations to solve problems  
4 relating to social functioning;  
5 (4) client advocacy;  
6 (5) developing community resources relating to social  
7 services;  
8 (6) planning and administering social services programs.

9 (b) A bachelor social worker may practice only under supervision  
10 in accordance with regulations of the department.

11 (c) A master or clinical social worker may provide

- 12 (1) therapeutic counseling;  
13 (2) consultation regarding social service programs and the  
14 provision of social services.

15 (d) Except as provided in (a) and (b) of this section, a clin-  
16 ical social worker may engage in the private unsupervised practice of  
17 social work only if

18 (1) the registration bearing a designation of speciality is  
19 prominently displayed in the place the clinical social worker engages  
20 in private practice; and

21 (2) the clinical social worker limits the private practice  
22 of social work to the designated specialty.

23 (e) Only a clinical social worker designated to engage in the  
24 speciality field of psychotherapy may practice psychotherapy.

25 Sec. 08.87.040. REGISTRATION RENEWAL REQUIRED. A registration  
26 issued under this chapter shall lapse after four years unless it is  
27 renewed.

28 Sec. 08.87.050. FEES. The following fees are imposed under this  
29 chapter:

- 1 (1) application.....\$ 25
- 2 (2) registration..... 200
- 3 (3) registration renewal..... 200

ARTICLE 2. PROHIBITIONS AND PENALTIES.

5 Sec. 08.87.100. REGISTRATION REQUIRED FOR USE OF TITLE. Unle s  
 6 registered under this chapter, a person may not use the title "social  
 7 worker" or a title, designation, or device indicating or tending to  
 8 indicate that the person is a social worker or practices social work.  
 9 A person may not use the letters "RBSW" as part of a title unless the  
 10 person is registered as a bachelor social worker under this chapter.  
 11 A person may not use the letters "RMSW" as part of a title unless the  
 12 person is registered as a master social worker under this chapter. A  
 13 person may not use the letters "RCSW" unless the person is registered  
 14 as a clinical social worker under this chapter.

15 Sec. 08.87.110. CONFIDENTIALITY OF COMMUNICATIONS. A social  
 16 worker registered under this chapter may not reveal to another person  
 17 a communication made to the social worker by a client about a matter  
 18 concerning which the client has employed the social worker in a pro-  
 19 fessional capacity. This section does not apply if the

20 (1) client provides written consent to the social worker to  
 21 reveal the communication;

22 (2) client is incompetent and the guardian or personal  
 23 representative provides written consent to the social worker to reveal  
 24 the communication;

25 (3) client is dead and a beneficiary of an insurance policy  
 26 on the client's life provides written consent to the social worker to  
 27 reveal the communication;

28 (4) communication discloses that a crime has been committed  
 29 or reveals an intent to commit a crime;

1 (5) client is a minor, the communication discloses that the  
2 client was the victim of a crime or harmful act, and the social worker  
3 reveals the communication only during the course of an official exam-  
4 ination, trial or other proceeding in which the commission of the  
5 crime or harmful act is a subject of inquiry;

6 (6) client brings charges against the social worker and the  
7 social worker reveals the communication only as necessary to defend  
8 the charges.

9 Sec. 08.87.120. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-  
10 TIONS. After a hearing, the department may impose a disciplinary  
11 sanction on a person registered under this chapter when the department  
12 finds that the person

13 (1) secured a registration through deceit, fraud, or inten-  
14 tional misrepresentation;

15 (2) engaged in deceit, fraud, or intentional misrepresenta-  
16 tion in the course of providing professional services or engaging in  
17 professional activities;

18 (3) advertised professional services in a false or mislead-  
19 ing manner;

20 (4) has been convicted of a felony or other crime that  
21 affects the person's ability to continue to practice competently and  
22 safely;

23 (5) intentionally or negligently engaged in or permitted  
24 the performance of social work by others under the person's super-  
25 vision that does not conform to minimum professional standards regard-  
26 less of whether actual injury occurred;

27 (6) failed to comply with this chapter, with a regulation  
28 adopted under this chapter, or with an order of the department;

29 (7) continued to practice after becoming unfit due to

- 1 (A) professional incompetence;
- 2 (B) failure to keep informed of current professional
- 3 practices;
- 4 (C) addiction or severe dependency on alcohol or other
- 5 drugs that impairs the ability to practice safely;
- 6 (D) physical or mental disability;
- 7 (8) engaged in lewd or immoral conduct in connection with
- 8 the delivery of professional service.

9 Sec. 08.87.130. DISCIPLINARY SANCTIONS. (a) When it finds that

10 a person is guilty of an offense under AS 08.87.120, the department

11 may impose the following sanctions singly or in combination:

- 12 (1) permanently revoke a registration;
- 13 (2) suspend a registration for a determinate period of
- 14 time;
- 15 (3) censure a person registered under this chapter;
- 16 (4) issue a letter of reprimand;
- 17 (5) place a person registered under this chapter on proba-
- 18 tionary status and require the person to
- 19 (A) report regularly to the department upon matters
- 20 involving the basis of probation;
- 21 (B) limit practice to those areas prescribed;
- 22 (C) continue professional education until a satisfac-
- 23 tory degree of skill has been attained in those areas determined
- 24 by the department to need improvement;
- 25 (6) impose limitations or conditions on the practice of a
- 26 person registered under this chapter.

27 (b) The department may withdraw probationary status if it finds

28 that the deficiencies that required the sanction have been remedied.

29 (c) The department may summarily suspend a registration before

1 final hearing or during the appeal process if the department finds  
2 that the person registered under this chapter poses a clear and imme-  
3 diate danger to the public health and safety if the person continues  
4 to practice. A person whose registration is suspended under this  
5 section shall be entitled to a hearing by the department no later than  
6 seven days after the effective date of the order. The person may  
7 appeal the suspension after a hearing to a court of competent juris-  
8 diction.

9 (d) The department may reinstate a registration that has been  
10 suspended or revoked if the department finds after a hearing that the  
11 applicant is able to practice with reasonable skill and safety.

12 (e) The department shall seek consistency in the application of  
13 disciplinary sanctions, and significant departure from prior decisions  
14 involving similar situations shall be explained in findings of fact or  
15 orders.

16 Sec. 08.87.140. PENALTY. (a) A person who violates this chap-  
17 ter is guilty of a class B misdemeanor.

18 (b) The department may seek to enjoin or restrain a person from  
19 violating this chapter.

### 20 ARTICLE 3. GENERAL PROVISIONS.

21 Sec. 08.87.200. DEFINITION. In this chapter "department" means  
22 the Department of Commerce and Economic Development.

23 \* Sec. 3. (a) Notwithstanding AS 08.87.020(a) as enacted in sec. 2 of  
24 this Act, a person may apply for and receive an original registration as a  
25 bachelor social worker if the person holds a degree from a school of social  
26 work that is not accredited by the Council on Social Work Education or a  
27 bachelor's, master's, or doctor's degree in a field related to social work  
28 and has been practicing under the title "social worker" for at least 24  
29 consecutive months before July 1, 1987.

1 (b) An application for a registration under this section must be  
2 filed before July 1, 1987. Each registration issued under this section  
3 shall contain a notice that the person

4 (1) has not been determined by regulations of the commissioner  
5 of commerce and economic development to be in good professional standing  
6 and fit to practice social work;

7 (2) has not provided the Department of Commerce and Economic  
8 Development three references acceptable to the department; and

9 (3) does not have a bachelor's degree from a school of social  
10 work accredited by the Council on Social Work Education.

11 \* Sec. 4. This Act takes effect July 1, 1984.  
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STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date:

REQUEST Bill/Resolution No.: <u>SB 303 (Finance)</u> Title: <u>An Act relating to the practice of social work; &amp; providing for an effective date</u> Sponsor: <u>Senator Josephson</u> Requestor: <u>Finance Committee</u> Date of Request: _____	CS for Agency Affected: <u>Commerce &amp; Economic Dev.</u> Program Category Affected: <u>Public Protection</u> BRU, Program or Subprogram(s) Affected: _____ Division of Occupational Licensing	FISCAL DETAIL Agency Affected: <u>Commerce &amp; Economic Dev.</u> Program Category Affected: <u>Public Protection</u> BRU, Program or Subprogram(s) Affected: _____ Division of Occupational Licensing
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
100 PERSONAL SERVICES		31.7	33.9	36.3	38.8	41.5
200 TRAVEL		.8	-0-	-0-	-0-	-0-
300 CONTRACTUAL		27.2	29.1	31.2	33.3	35.7
400 SUPPLIES		1.0	1.1	1.1	1.2	1.3
500 EQUIPMENT		4.5	4.8	5.1	5.5	5.8
600 LAND & STRUCTURES		3.6	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>68.8</b>	<b>68.9</b>	<b>73.7</b>	<b>78.8</b>	<b>84.3</b>
<b>CAPITAL</b>						
<b>REVENUE</b>		<b>18.8</b>	<b>21.3</b>	<b>23.8</b>	<b>26.3</b>	<b>28.8</b>

FUNDING: (Thousands of Dollars)

GENERAL FUND		68.8	68.9	73.7	78.8	84.3
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

POSITIONS:

FULL-TIME		1	1	1	1	1
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: ~~Attach a separate page for analysis~~

Prepared By: Jennifer Strickler, Management Analyst Phone: 465-2144  
 Division: Occupational Licensing Date: 4-20-84

Approved by Commissioner: Richard A. Lyon Date: 4/23/84  
 Agency: Commerce & Economic Development

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
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- Impacted Agency(ies)

12/1/83

CSSB 303 FISCAL IMPACT

(NOTE: 7% inflation factor projected for FY '86 through  
FY '89 for operating costs)

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Legal fees: Estimated 2 investigations annually will  
result in disciplinary proceedings: Fees cover all costs  
including hearing officer fees, court costs, court recorder  
costs, appeals cost, witness fees, and all other related costs;  
(Estimated each hearing process cost is \$10,000.00 x 2) 20,000.00  
\$27,200.00

400 COMMODITIES:

Stationery, typewriter ribbons, pens, pencils, and  
other miscellaneous desk top supplies \$1,000.00

500 EQUIPMENT: (one time costs only)

1 desk, double pedestal, 70"x36" @ 711.50 ea. \$ 711.50  
1 chair, swivel with arms @ 225.42 ea. 225.42  
1 typewriter, IBM Selectric II @ 1242.09 ea. 1,242.09  
1 chair, side, without arms @ 114.60 ea. 114.60  
1 desk calculator 364.66  
1 recorder, Lanier 775.77  
1 file cabinet, 5 drawer, legal w/lock @ 406.91 ea 406.91  
1 table 72" x 36" @ 340.36 ea. 340.36  
1 storage cabinet, 36" x 18" x 78" 283.66  
~~\$4,470.07~~

600 LAND & STRUCTURES:

150 sq. ft. @ \$2.00 per ft. per mo. x 12 mos. ~~3,600.00~~

GRAND TOTAL: \$68,781.90  
60,730.00

1.	POSITION TITLE LICENSE EXAMINER I			RANGE/STEP 12 A	ORG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT	<p>This position would be required under CS for Senate Bill No. 303, "An Act relating to the practice of Social Work; and providing for an effective date", to implement the provisions of AS 08.87, to provide necessary support in initial licensing of applicants, establishing license files, computer entry of license data, providing input in formulating regulations authorized in AS 08.87, and all other duties as needed.</p>				
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**13** REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development  
PROGRAM Consumer Protection  
BRU Occupational Licensing  
COMPONENT Administration

Page 1 of 1  
Revised Date

**FY 85**

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST CS for FISCAL DETAIL  
 Bill/Resolution No.: SB 303 (Finance) Agency Affected: Commerce & Economic Dev.  
 Title: An Act relating to the Program Category Affected: Public Protection  
 practice of social work; & providing for an effective date  
 Sponsor: Senator Josephson BRU, Program or Subprogram(s) Affected:  
 Requestor: Finance Committee Division of Occupational Licensing  
 Date of Request: \_\_\_\_\_

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PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: ~~Attach a separate page for analysis~~

Prepared By: Jennifer Strickler Management Analyst Phone: 465-2144  
 Division: Occupational Licensing Date: 4-20-84

Approved by Commissioner: Richard A. Lyon Date: 4/23/84  
 Agency: Commerce & Economic Development

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\$ 790.00

300 CONTRACTUAL:

Postage, telephone, printing, publication and operating  
cost: \$3,000.00

Computer terminal use: prorated share @ \$350 per mo.  
\*\*License Examiner use only\*\* 4,200.00

Legal fees: Estimated 2 investigations annually will  
result in disciplinary proceedings: Fees cover all costs  
including hearing officer fees, court costs, court recorder  
costs, appeals cost, witness fees, and all other related costs;  
(Estimated each hearing process cost is \$10,000.00 x 2) 20,000.00  
\$27,200.00

400 COMMODITIES:

Stationery, typewriter ribbons, pens, pencils, and  
other miscellaneous desk top supplies \$1,000.00

500 EQUIPMENT: (one time costs only)

1 desk, double pedestal, 70"x36" @ 711.50 ea. \$ 711.50  
1 chair, swivel with arms @ 225.42 ea. 225.42  
1 typewriter, IBM Selectric II @ 1242.09 ea. 1,242.09  
1 chair, side, without arms @ 114.60 ea. 114.60  
1 desk calculator 364.66  
1 recorder, Lanier 775.87  
1 file cabinet, 5 drawer, legal w/lock @ 406.91 ea 406.91  
1 table 72" x 36" @ 340.36 ea. 340.36  
1 storage cabinet, 36" x 18" x 78" 289.66  
\$4,470.07

600 LAND & STRUCTURES:

150 sq. ft. @ \$2.00 per ft. per mo. x 12 mos. 3,600.00

GRAND TOTAL: \$68,781.90

1.	POSITION TITLE LICENSE EXAMINER I				RANGE/STEP 12 A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.		
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.				
3.	CONTINUATION LEVEL				JUSTIFICATION							
4.	TYPE OF EXPENDITURE				<p>This position would be required under CS for Senate Bill No. 303, "An Act relating to the practice of Social Work; and providing for an effective date", to implement the provisions of AS 08.87, to provide necessary support in initial licensing of applicants, establishing license files, computer entry of license data, providing input in formulating regulations authorized in AS 08.87, and all other duties as needed.</p>							
	1		2								3	
	PERSONAL SERVICES											
5.	Salary		23.7									
6.	Benefits		3.9									
7.	Supplemental Benefits		1.4									
8.	Fixed Benefits		2.7									
9.	TOTAL PERSONAL SERVICES		01								31.7	
10.	Travel		02								-0-	
11.	Contractual		03								7.2	
12.	Commodities		04								1.0	
13.	Equipment		05								4.5	
14.	Other										3.6	
15.	TOTAL COST										48.0	
	RECEIPT CODE	FUNDING SOURCE										
16.		Federal Receipts 1002										
17.		G.F. Match 1003		48.0								
18.		General Funds 1004										
19.		I-A Receipts 1005										
20.		Program Receipts 1020										
21.		Other										
FOR BSM USE ONLY												
4A KEY NUMBER												

AGENCY Commerce & Economic Development

PROGRAM Consumer Protection

BRU Occupational Licensing

COMPONENT Administration

**FY 85**

**13 REQUEST FOR NEW POSITION**

Page 1 of 1  
Revised Date

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: May 4, 1984

REQUEST

Bill/Resolution No.: CSSB 303 (Fin)  
Title: An Act relating to the practice of social work

Sponsor: Josephson  
Requestor: Senate Finance  
Date of Request: May 4, 1984

FISCAL DETAIL

Agency Affected: Dept. of Commerce & Economic Dev.  
Program Category Affected: Public Protection

BRU, Program or Subprogram(s) Affected:  
Division of Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		31.7	33.9	36.3	38.8	41.5
200 TRAVEL		.8				
300 CONTRACTUAL		27.2	29.1	31.2	33.3	35.7
400 SUPPLIES		1.0	1.1	1.1	1.2	1.3
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		60.7	64.1	68.6	73.3	78.5
CAPITAL						
REVENUE		18.8	21.3	23.8	26.3	28.8

FUNDING: (Thousands of Dollars)

GENERAL FUND		60.7	64.1	68.6	73.3	78.5
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Senator John Sackett  
Division: Senate Finance Committee

Phone: 465-3753  
Date: May 4, 1984

Approved by Commissioner: \_\_\_\_\_  
Agency: \_\_\_\_\_

Date: \_\_\_\_\_

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

CSSB 303 FISCAL IMPACT

(NOTE: 7% inflation factor projected for FY '86 through  
FY '89 for operating costs)

100 PERSONAL SERVICES:

1 Licensing Examiner, Range 12A,  
GGU, 12 months, to be located in Juneau \$31,721.83

200 TRAVEL

1 trip to Fairbanks with stop in Anchorage to  
hold regulation hearings at \$450 per trip 450.00

Per diem for regulations specialist to hold  
regulation hearings @ \$80 each day x 2 days in  
each site (Anchorage & Fairbanks) 340.00  
\$ 790.00

300 CONTRACTUAL:

Postage, telephone, printing, publication and operating  
cost: \$3,000.00

Computer terminal use: prorated share @ \$350 per mo.  
\*\*License Examiner use only\*\* 4,200.00

Legal fees: Estimated 2 investigations annually will  
result in disciplinary proceedings: Fees cover all costs  
including hearing officer fees, court costs, court recorder  
costs, appeals cost, witness fees, and all other related costs;  
(Estimated each hearing process cost is \$10,000.00 x 2) 20,000.00  
\$27,200.00

400 COMMODITIES:

Stationery, typewriter ribbons, pens, pencils, and  
other miscellaneous desk top supplies \$1,000.00

TOTAL \$60,711

1.	POSITION TITLE LICENSE EXAMINER I				RANGE/STEP 12 A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				<p>This position would be required under CS for Senate Bill No. 303, "An Act relating to the practice of Social Work; and providing for an effective date", to implement the provisions of AS 08.87, to provide necessary support in initial licensing of applicants, establishing license files, computer entry of license data, providing input in formulating regulations authorized in AS 08.87, and all other duties as needed.</p>					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary	23.7								
6.	Benefits	3.9								
7.	Supplemental Benefits	1.4								
8.	Fixed Benefits	2.7								
9.	TOTAL PERSONAL SERVICES	01	31.7							
10.	Travel	02	-0-							
11.	Contractual	03	7.2							
12.	Commodities	04	1.0							
13.	Equipment	05	4.5							
14.	Other		3.6							
15.	TOTAL COST		48.0							
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003		48.0						
18.		General Funds 1004								
19.		I-A Receipts 1005								
20.		Program Receipts 1020								
21.		Other								
FOR BSM USE ONLY										
4A. KEY NUMBER _____										

**13** REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development  
PROGRAM Consumer Protection  
BRU Occupational Licensing  
COMPONENT Administration

**FY 85**

Page 1 of 1  
Revised Date \_\_\_\_\_

Cook  
4/30/84.

Original sponsor: Josephson

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 303 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the practice of social work; and  
7 providing for an effective date."

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

9 \* Section 1. AS 08.01.010 is amended by adding a new paragraph to read:  
10 (24) regulation of social workers under AS 08.87.

11 \* Sec. 2. AS 08 is amended by adding a new chapter to read:  
12 CHAPTER 87. SOCIAL WORKERS.

13 ARTICLE 1. REGULATION OF SOCIAL WORKERS.

14 Sec. 08.87.010. POWERS AND DUTIES OF THE DEPARTMENT. (a) The  
15 department shall

16 (1) submit an annual report of its proceedings under this  
17 chapter to the governor, including a statement of money received and  
18 disbursed;

19 (2) establish standards for specialty designations for the  
20 private practice of social work and authorize speciality designations  
21 on registrations issued under this chapter;

22 (3) after a hearing, impose disciplinary sanctions against  
23 a person who violates this chapter, an order of the department, or a  
24 regulation of the department adopted under this chapter.

25 (b) The commissioner of commerce and economic development shall

26 (1) adopt regulations relating to requirements for the  
27 supervision of persons engaged in social work under this chapter who  
28 are not master social workers or clinical social workers;

29 (2) adopt regulations requiring proof of continued

*3,600.00 from  
 4,7 600*

1 competency before a registration is renewed;

2 (3) adopt regulations to carry out the purposes of this  
 3 chapter.

4 Sec. 08.87.020. REGISTRATION OF SOCIAL WORKERS. (a) A person  
 5 is eligible for registration as a bachelor social worker if the person

6 (1) is in good professional standing and is fit to practice  
 7 social work as determined by regulations of the department;

8 (2) provides three references acceptable to the department;

9 (3) has a bachelor's degree from a school of social work  
 10 accredited by the Council on Social Work Education.

11 (b) A person is eligible for registration as a master social  
 12 worker if the person meets the requirements of (a)(1) and (2) of this  
 13 section and has a doctorate or master's degree from a school of social  
 14 work accredited by the Council on Social Work Education.

15 (c) A person is eligible for registration as a clinical social  
 16 worker if

17 (1) the person meets the requirements under (b) of this  
 18 section;

19 (2) the person has completed at least two years of full  
 20 time post graduate supervised experience approved by the department in  
 21 a field of speciality; and

22 (3) the field of specialty is approved by the department  
 23 and the department authorizes the designation of that specialty on the  
 24 person's registration.

25 Sec. 08.87.030. SCOPE OF PRACTICE. (a) A person registered as  
 26 a bachelor, master, or clinical social worker may provide services  
 27 that enhance social functioning for individuals, families, groups, or  
 28 communities guided by professional social work ethics, knowledge and  
 29 intervention methods. The services provided may include

- 1 (1) identification and evaluation of social problems;  
2 (2) developing statistics and data on social problems;  
3 (3) assisting people and organizations to solve problems  
4 relating to social functioning;  
5 (4) client advocacy;  
6 (5) developing community resources relating to social  
7 services;  
8 (6) planning and administering social services programs.

9 (b) A bachelor social worker may practice only under supervision  
10 in accordance with regulations of the department.

11 (c) A master or clinical social worker may provide

- 12 (1) therapeutic counseling;  
13 (2) consultation regarding social service programs and the  
14 provision of social services.

15 (d) Except as provided in (a) and (b) of this section, a clin-  
16 ical social worker may engage in the private unsupervised practice of  
17 social work only if

18 (1) the registration bearing a designation of speciality is  
19 prominently displayed in the place the clinical social worker engages  
20 in private practice; and

21 (2) the clinical social worker limits the private practice  
22 of social work to the designated specialty.

23 (e) Only a clinical social worker designated to engage in the  
24 speciality field of psychotherapy may practice psychotherapy.

25 Sec. 08.87.040. REGISTRATION RENEWAL REQUIRED. A registration  
26 issued under this chapter shall lapse after four years unless it is  
27 renewed.

28 Sec. 08.87.050. FEES. The following fees are imposed under this  
29 chapter:

- 1 (1) application.....\$ 25
- 2 (2) registration..... 200
- 3 (3) registration renewal..... 200

ARTICLE 2. PROHIBITIONS AND PENALTIES.

5 Sec. 08.87.100. REGISTRATION REQUIRED FOR USE OF TITLE. Unless  
 6 registered under this chapter, a person may not use the title "social  
 7 worker" or a title, designation, or device indicating or tending to  
 8 indicate that the person is a social worker or practices social work.  
 9 A person may not use the letters "RBSW" as part of a title unless the  
 10 person is registered as a bachelor social worker under this chapter.  
 11 A person may not use the letters "RMSW" as part of a title unless the  
 12 person is registered as a master social worker under this chapter. A  
 13 person may not use the letters "RCSW" unless the person is registered  
 14 as a clinical social worker under this chapter.

15 Sec. 08.87.110. CONFIDENTIALITY OF COMMUNICATIONS. A social  
 16 worker registered under this chapter may not reveal to another person  
 17 a communication made to the social worker by a client about a matter  
 18 concerning which the client has employed the social worker in a pro-  
 19 fessional capacity. This section does not apply if the

- 20 (1) client provides written consent to the social worker to  
 21 reveal the communication;
- 22 (2) client is incompetent and the guardian or personal  
 23 representative provides written consent to the social worker to reveal  
 24 the communication;
- 25 (3) client is dead and a beneficiary of an insurance policy  
 26 on the client's life provides written consent to the social worker to  
 27 reveal the communication;
- 28 (4) communication discloses that a crime has been committed  
 29 or reveals an intent to commit a crime;

1 (5) client is a minor, the communication discloses that the  
2 client was the victim of a crime or harmful act, and the social worker  
3 reveals the communication only during the course of an official exam-  
4 ination, trial or other proceeding in which the commission of the  
5 crime or harmful act is a subject of inquiry;

6 (6) client brings charges against the social worker and the  
7 social worker reveals the communication only as necessary to defend  
8 the charges.

9 Sec. 08.87.120. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-  
10 TIONS. After a hearing, the department may impose a disciplinary  
11 sanction on a person registered under this chapter when the department  
12 finds that the person

13 (1) secured a registration through deceit, fraud, or inten-  
14 tional misrepresentation;

15 (2) engaged in deceit, fraud, or intentional misrepresenta-  
16 tion in the course of providing professional services or engaging in  
17 professional activities;

18 (3) advertised professional services in a false or mislead-  
19 ing manner;

20 (4) has been convicted of a felony or other crime that  
21 affects the person's ability to continue to practice competently and  
22 safely;

23 (5) intentionally or negligently engaged in or permitted  
24 the performance of social work by others under the person's super-  
25 vision that does not conform to minimum professional standards regard-  
26 less of whether actual injury occurred;

27 (6) failed to comply with this chapter, with a regulation  
28 adopted under this chapter, or with an order of the department;

29 (7) continued to practice after becoming unfit due to

- 1 (A) professional incompetence;
- 2 (B) failure to keep informed of current professional
- 3 practices;
- 4 (C) addiction or severe dependency on alcohol or other
- 5 drugs that impairs the ability to practice safely;
- 6 (D) physical or mental disability;
- 7 (8) engaged in lewd or immoral conduct in connection with
- 8 the delivery of professional service.

9 Sec. 08.87.130. DISCIPLINARY SANCTIONS. (a) When it finds that

10 a person is guilty of an offense under AS 08.87.120, the department

11 may impose the following sanctions singly or in combination:

- 12 (1) permanently revoke a registration;
- 13 (2) suspend a registration for a determinate period of
- 14 time;
- 15 (3) censure a person registered under this chapter;
- 16 (4) issue a letter of reprimand;
- 17 (5) place a person registered under this chapter on proba-
- 18 tionary status and require the person to
- 19 (A) report regularly to the department upon matters
- 20 involving the basis of probation;
- 21 (B) limit practice to those areas prescribed;
- 22 (C) continue professional education until a satisfac-
- 23 tory degree of skill has been attained in those areas determined
- 24 by the department to need improvement;
- 25 (6) impose limitations or conditions on the practice of a
- 26 person registered under this chapter.

27 (b) The department may withdraw probationary status if it finds

28 that the deficiencies that required the sanction have been remedied.

29 (c) The department may summarily suspend a registration before

1 final hearing or during the appeal process if the department finds  
2 that the person registered under this chapter poses a clear and imme-  
3 diate danger to the public health and safety if the person continues  
4 to practice. A person whose registration is suspended under this  
5 section shall be entitled to a hearing by the department no later than  
6 seven days after the effective date of the order. The person may  
7 appeal the suspension after a hearing to a court of competent juris-  
8 diction.

9 (d) The department may reinstate a registration that has been  
10 suspended or revoked if the department finds after a hearing that the  
11 applicant is able to practice with reasonable skill and safety.

12 (e) The department shall seek consistency in the application of  
13 disciplinary sanctions, and significant departure from prior decisions  
14 involving similar situations shall be explained in findings of fact or  
15 orders.

16 Sec. 08.87.140. PENALTY. (a) A person who violates this chap-  
17 ter is guilty of a class B misdemeanor.

18 (b) The department may seek to enjoin or restrain a person from  
19 violating this chapter.

### 20 ARTICLE 3. GENERAL PROVISIONS.

21 Sec. 08.87.200. DEFINITION. In this chapter "department" means  
22 the Department of Commerce and Economic Development.

23 \* Sec. 3. (a) Notwithstanding AS 08.87.020(a) as enacted in sec. 2 of  
24 this Act, a person may apply for and receive an original registration as a  
25 bachelor social worker if the person holds a degree from a school of social  
26 work that is not accredited by the Council on Social Work Education or a  
27 bachelor's, master's, or doctor's degree in a field related to social work  
28 and has been practicing under the title "social worker" for at least 24  
29 consecutive months before July 1, 1987.

1 (b) An application for a registration under this section must be  
2 filed before July 1, 1987. Each registration issued under this section  
3 shall contain a notice that the person

4 (1) has not been determined by regulations of the commissioner  
5 of commerce and economic development to be in good professional standing  
6 and fit to practice social work;

7 (2) has not provided the Department of Commerce and Economic  
8 Development three references acceptable to the department; and

9 (3) does not have a bachelor's degree from a school of social  
10 work accredited by the Council on Social Work Education.

11 \* Sec. 4. This Act takes effect July 1, 1984.  
12  
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29

Cook  
4/30/84

Original sponsor: Josephson

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 303 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the practice of social work; and  
7 providing for an effective date."

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

9 \* Section 1 AS 08.01.010 is amended by adding a new paragraph to read:

10 (24) regulation of social workers under AS 08.87.

11 \* Sec. 2. AS 08 is amended by adding a new chapter to read:

12 CHAPTER 87. SOCIAL WORKERS.

13 ARTICLE 1. REGULATION OF SOCIAL WORKERS.

14 Sec. 08.87.010. POWERS AND DUTIES OF THE DEPARTMENT. (a) The  
15 department shall

16 (1) submit an annual report of its proceedings under this  
17 chapter to the governor, including a statement of money received and  
18 disbursed;

19 (2) establish standards for specialty designations for the  
20 private practice of social work and authorize speciality designations  
21 on registrations issued under this chapter;

22 (3) after a hearing, impose disciplinary sanctions against  
23 a person who violates this chapter, an order of the department, or a  
24 regulation of the department adopted under this chapter.

25 (b) The commissioner of commerce and economic development shall

26 (1) adopt regulations relating to requirements for the  
27 supervision of persons engaged in social work under this chapter who  
28 are not master social workers or clinical social workers;

29 (2) adopt regulations requiring proof of continued

1 competency before a registration is renewed;

2 (3) adopt regulations to carry out the purposes of this  
3 chapter.

4 Sec. 08.87.020. REGISTRATION OF SOCIAL WORKERS. (a) A person  
5 is eligible for registration as a bachelor social worker if the person

6 (1) is in good professional standing and is fit to practice  
7 social work as determined by regulations of the department;

8 (2) provides three references acceptable to the department;

9 (3) has a bachelor's degree from a school of social work  
10 accredited by the Council on Social Work Education.

11 (b) A person is eligible for registration as a master social  
12 worker if the person meets the requirements of (a)(1) and (2) of this  
13 section and has a doctorate or master's degree from a school of social  
14 work accredited by the Council on Social Work Education.

15 (c) A person is eligible for registration as a clinical social  
16 worker if

17 (1) the person meets the requirements under (b) of this  
18 section;

19 (2) the person has completed at least two years of full  
20 time post graduate supervised experience approved by the department in  
21 a field of speciality; and

22 (3) the field of specialty is approved by the department  
23 and the department authorizes the designation of that specialty on the  
24 person's registration.

25 Sec. 08.87.030. SCOPE OF PRACTICE (a) A person registered as  
26 a bachelor, master, or clinical social worker may provide services  
27 that enhance social functioning for individuals, families, groups, or  
28 communities guided by professional social work ethics, knowledge and  
29 intervention methods. The services provided may include

- (1) identification and evaluation of social problems;
- (2) developing statistics and data on social problems;
- (3) assisting people and organizations to solve problems relating to social functioning;
- (4) client advocacy;
- (5) developing community resources relating to social services;
- (6) planning and administering social services programs.

(b) A bachelor social worker may practice only under supervision in accordance with regulations of the department.

(c) A master or clinical social worker may provide

- (1) therapeutic counseling;
- (2) consultation regarding social service programs and the provision of social services.

(d) Except as provided in (a) and (b) of this section, a clinical social worker may engage in the private unsupervised practice of social work only if

- (1) the registration bearing a designation of speciality is prominently displayed in the place the clinical social worker engages in private practice; and
- (2) the clinical social worker limits the private practice of social work to the designated speciality.

(e) Only a clinical social worker designated to engage in the speciality field of psychotherapy may practice psychotherapy.

Sec. 08.87.040. REGISTRATION RENEWAL REQUIRED. A registration issued under this chapter shall lapse after four years unless it is renewed.

Sec. 08.87.050. FEES. The following fees are imposed under this chapter:

- 1 (1) application.....\$ 25
- 2 (2) registration..... 200
- 3 (3) registration renewal..... 200

ARTICLE 2. PROHIBITIONS AND PENALTIES.

5 Sec. 08.87.100. REGISTRATION REQUIRED FOR USE OF TITLE. Unless  
 6 registered under this chapter, a person may not use the title "social  
 7 worker" or a title, designation, or device indicating or tending to  
 8 indicate that the person is a social worker or practices social work.  
 9 A person may not use the letters "RBSW" as part of a title unless the  
 10 person is registered as a bachelor social worker under this chapter.  
 11 A person may not use the letters "RMSW" as part of a title unless the  
 12 person is registered as a master social worker under this chapter. A  
 13 person may not use the letters "RCSW" unless the person is registered  
 14 as a clinical social worker under this chapter.

15 Sec. 08.87.110. CONFIDENTIALITY OF COMMUNICATIONS. A social  
 16 worker registered under this chapter may not reveal to another person  
 17 a communication made to the social worker by a client about a matter  
 18 concerning which the client has employed the social worker in a pro-  
 19 fessional capacity. This section does not apply if the

20 (1) client provides written consent to the social worker to  
 21 reveal the communication;

22 (2) client is incompetent and the guardian or personal  
 23 representative provides written consent to the social worker to reveal  
 24 the communication;

25 (3) client is dead and a beneficiary of an insurance policy  
 26 on the client's life provides written consent to the social worker to  
 27 reveal the communication;

28 (4) communication discloses that a crime has been committed  
 29 or reveals an intent to commit a crime;

1 (5) client is a minor, the communication discloses that the  
2 client was the victim of a crime or harmful act, and the social worker  
3 reveals the communication only during the course of an official exam-  
4 ination, trial or other proceeding in which the commission of the  
5 crime or harmful act is a subject of inquiry;

6 (6) client brings charges against the social worker and the  
7 social worker reveals the communication only as necessary to defend  
8 the charges.

9 Sec. 08.87.120. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-  
10 TIONS. After a hearing, the department may impose a disciplinary  
11 sanction on a person registered under this chapter when the department  
12 finds that the person

13 (1) secured a registration through deceit, fraud, or inten-  
14 tional misrepresentation;

15 (2) engaged in deceit, fraud, or intentional misrepresenta-  
16 tion in the course of providing professional services or engaging in  
17 professional activities;

18 (3) advertised professional services in a false or mislead-  
19 ing manner;

20 (4) has been convicted of a felony or other crime that  
21 affects the person's ability to continue to practice competently and  
22 safely;

23 (5) intentionally or negligently engaged in or permitted  
24 the performance of social work by others under the person's super-  
25 vision that does not conform to minimum professional standards regard-  
26 less of whether actual injury occurred;

27 (6) failed to comply with this chapter, with a regulation  
28 adopted under this chapter, or with an order of the department;

29 (7) continued to practice after becoming unfit due to

1 (A) professional incompetence;

2 (B) failure to keep informed of current professional  
3 practices;

4 (C) addiction or severe dependency on alcohol or other  
5 drugs that impairs the ability to practice safely;

6 (D) physical or mental disability;

7 (8) engaged in lewd or immoral conduct in connection with  
8 the delivery of professional service.

9 Sec. 08.87.130. DISCIPLINARY SANCTIONS. (a) When it finds that  
10 a person is guilty of an offense under AS 08.87.120, the department  
11 may impose the following sanctions singly or in combination:

12 (1) permanently revoke a registration;

13 (2) suspend a registration for a determinate period of  
14 time;

15 (3) censure a person registered under this chapter;

16 (4) issue a letter of reprimand;

17 (5) place a person registered under this chapter on proba-  
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1 (b) An application for a registration under this section must be  
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Cook  
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2 CS FOR SENATE BILL NO. 303 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

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6 For an Act entitled: "An Act relating to the practice of social work; and  
7 providing for an effective date."

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9 \* Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

10 (24) regulation of social workers under AS 08.87.

11 \* Sec. 2. AS 08 is amended by adding a new chapter to read:

12 CHAPTER 37. SOCIAL WORKERS.

13 ARTICLE 1. REGULATION OF SOCIAL WORKERS.

14 Sec. 08.87.010. POWERS AND DUTIES OF THE DEPARTMENT. (a) The  
15 department shall

16 (1) submit an annual report of its proceedings under this  
17 chapter to the governor, including a statement of money received and  
18 disbursed;

19 (2) establish standards for specialty designations for the  
20 private practice of social work and authorize speciality designations  
21 on registrations issued under this chapter;

22 (3) after a hearing, impose disciplinary sanctions against  
23 a person who violates this chapter, an order of the department, or a  
24 regulation of the department adopted under this chapter.

25 (b) The commissioner of commerce and economic development shall

26 (1) adopt regulations relating to requirements for the  
27 supervision of persons engaged in social work under this chapter who  
28 are not master social workers or clinical social workers;

29 (2) adopt regulations requiring proof of continued

1 competency before a registration is renewed;

2 (3) adopt regulations to carry out the purposes of this  
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7 social work as determined by regulations of the department;

8 (2) provides three references acceptable to the department;

9 (3) has a bachelor's degree from a school of social work  
10 accredited by the Council on Social Work Education.

11 (b) A person is eligible for registration as a master social  
12 worker if the person meets the requirements of (a)(1) and (2) of this  
13 section and has a doctorate or master's degree from a school of social  
14 work accredited by the Council on Social Work Education.

15 (c) A person is eligible for registration as a clinical social  
16 worker if

17 (1) the person meets the requirements under (b) of this  
18 section;

19 (2) the person has completed at least two years of full  
20 time post graduate supervised experience approved by the department in  
21 a field of speciality; and

22 (3) the field of specialty is approved by the department  
23 and the department authorizes the designation of that specialty on the  
24 person's registration.

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27 that enhance social functioning for individuals, families, groups, or  
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- 1 (1) identification and evaluation of social problems;  
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4 relating to social functioning;  
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7 services;  
8 (6) planning and administering social services programs.

9 (b) A bachelor social worker may practice only under supervision  
10 in accordance with regulations of the department.

11 (c) A master or clinical social worker may provide

- 12 (1) therapeutic counseling;  
13 (2) consultation regarding social service programs and the  
14 provision of social services.

15 (d) Except as provided in (a) and (b) of this section, a clin-  
16 ical social worker may engage in the private unsupervised practice of  
17 social work only if

18 (1) the registration bearing a designation of speciality is  
19 prominently displayed in the place the clinical social worker engages  
20 in private practice; and

21 (2) the clinical social worker limits the private practice  
22 of social work to the designated specialty.

23 (e) Only a clinical social worker designated to engage in the  
24 speciality field of psychotherapy may practice psychotherapy.

25 Sec. 08.87.040. REGISTRATION RENEWAL REQUIRED. A registration  
26 issued under this chapter shall lapse after four years unless it is  
27 renewed.

28 Sec. 08.87.050. FEES. The following fees are imposed under this  
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- 1 (1) application.....\$ 25
- 2 (2) registration..... 200
- 3 (3) registration renewal..... 200

ARTICLE 2. PROHIBITIONS AND PENALTIES.

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 7 worker" or a title, designation, or device indicating or tending to  
 8 indicate that the person is a social worker or practices social work.  
 9 A person may not use the letters "RBSW" as part of a title unless the  
 10 person is registered as a bachelor social worker under this chapter.  
 11 A person may not use the letters "RMSW" as part of a title unless the  
 12 person is registered as a master social worker under this chapter. A  
 13 person may not use the letters "RCSW" unless the person is registered  
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 21 reveal the communication;

22 (2) client is incompetent and the guardian or personal  
 23 representative provides written consent to the social worker to reveal  
 24 the communication;

25 (3) client is dead and a beneficiary of an insurance policy  
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 27 reveal the communication;

28 (4) communication discloses that a crime has been committed  
 29 or reveals an intent to commit a crime;

1 (5) client is a minor, the communication discloses that the  
2 client was the victim of a crime or harmful act, and the social worker  
3 reveals the communication only during the course of an official exam-  
4 ination, trial or other proceeding in which the commission of the  
5 crime or harmful act is a subject of inquiry;

6 (6) client brings charges against the social worker and the  
7 social worker reveals the communication only as necessary to defend  
8 the charges.

9 Sec. 08.87.120. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-  
10 TIONS. After a hearing, the department may impose a disciplinary  
11 sanction on a person registered under this chapter when the department  
12 finds that the person

13 (1) secured a registration through deceit, fraud, or inten-  
14 tional misrepresentation;

15 (2) engaged in deceit, fraud, or intentional misrepresenta-  
16 tion in the course of providing professional services or engaging in  
17 professional activities;

18 (3) advertised professional services in a false or mislead-  
19 ing manner;

20 (4) has been convicted of a felony or other crime that  
21 affects the person's ability to continue to practice competently and  
22 safely;

23 (5) intencionally or negligently engaged in or permitted  
24 the performance of social work by others under the person's super-  
25 vision that does not conform to minimum professional standards regard-  
26 less of whether actual injury occurred;

27 (6) failed to comply with this chapter, with a regulation  
28 adopted under this chapter, or with an order of the department;

29 (7) continued to practice after becoming unfit due to

- 1 (A) professional incompetence;
- 2 (B) failure to keep informed of current professional
- 3 practices;
- 4 (C) addiction or severe dependency on alcohol or other
- 5 drugs that impairs the ability to practice safely;
- 6 (D) physical or mental disability;
- 7 (8) engaged in lewd or immoral conduct in connection with
- 8 the delivery of professional service.

9 Sec. 08.87.130. DISCIPLINARY SANCTIONS. (a) When it finds that

10 a person is guilty of an offense under AS 08.87.120, the department

11 may impose the following sanctions singly or in combination:

- 12 (1) permanently revoke a registration;
- 13 (2) suspend a registration for a determinate period of
- 14 time;
- 15 (3) censure a person registered under this chapter;
- 16 (4) issue a letter of reprimand;
- 17 (5) place a person registered under this chapter on proba-
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- 19 (A) report regularly to the department upon matters
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27 bachelor's, master's, or doctor's degree in a field related to social work  
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18 section;

19 (2) the person has completed at least two years of full  
20 time post graduate supervised experience approved by the department in  
21 a field of speciality; and

22 (3) the field of specialty is approved by the department  
23 and the department authorizes the designation of that specialty on the  
24 person's registration.

25 Sec. 08.87.030. SCOPE OF PRACTICE. (a) A person registered as  
26 a bachelor, master, or clinical social worker may provide services  
27 that enhance social functioning for individuals, families, groups, or  
28 communities guided by professional social work ethics, knowledge and  
29 intervention methods. The services provided may include

- 1 (1) identification and evaluation of social problems;  
2 (2) developing statistics and data on social problems;  
3 (3) assisting people and organizations to solve problems  
4 relating to social functioning;  
5 (4) client advocacy;  
6 (5) developing community resources relating to social  
7 services;  
8 (6) planning and administering social services programs.

9 (b) A bachelor social worker may practice only under supervision  
10 in accordance with regulations of the department.

11 (c) A master or clinical social worker may provide

- 12 (1) therapeutic counseling;  
13 (2) consultation regarding social service programs and the  
14 provision of social services.

15 (d) Except as provided in (a) and (b) of this section, a clin-  
16 ical social worker may engage in the private unsupervised practice of  
17 social work only if

18 (1) the registration bearing a designation of speciality is  
19 prominently displayed in the place the clinical social worker engages  
20 in private practice; and

21 (2) the clinical social worker limits the private practice  
22 of social work to the designated specialty.

23 (e) Only a clinical social worker designated to engage in the  
24 speciality field of psychotherapy may practice psychotherapy.

25 Sec. 08.87.040. REGISTRATION RENEWAL REQUIRED. A registration  
26 issued under this chapter shall lapse after four years unless it is  
27 renewed.

28 Sec. 08.87.050. FEES. The following fees are imposed under this  
29 chapter:

- 1 (1) application.....\$ 25
- 2 (2) registration..... 200
- 3 (3) registration renewal..... 200

ARTICLE 2. PROHIBITIONS AND PENALTIES.

5 Sec. 08.87.100. REGISTRATION REQUIRED FOR USE OF TITLE. Unless  
 6 registered under this chapter, a person may not use the title "social  
 7 worker" or a title, designation, or device indicating or tending to  
 8 indicate that the person is a social worker or practices social work.  
 9 A person may not use the letters "RBSW" as part of a title unless the  
 10 person is registered as a bachelor social worker under this chapter.  
 11 A person may not use the letters "RMSW" as part of a title unless the  
 12 person is registered as a master social worker under this chapter. A  
 13 person may not use the letters "RCSW" unless the person is registered  
 14 as a clinical social worker under this chapter.

15 Sec. 08.87.110. CONFIDENTIALITY OF COMMUNICATIONS. A social  
 16 worker registered under this chapter may not reveal to another person  
 17 a communication made to the social worker by a client about a matter  
 18 concerning which the client has employed the social worker in a pro-  
 19 fessional capacity. This section does not apply if the

20 (1) client provides written consent to the social worker to  
 21 reveal the communication;

22 (2) client is incompetent and the guardian or personal  
 23 representative provides written consent to the social worker to reveal  
 24 the communication;

25 (3) client is dead and a beneficiary of an insurance policy  
 26 on the client's life provides written consent to the social worker to  
 27 reveal the communication;

28 (4) communication discloses that a crime has been committed  
 29 or reveals an intent to commit a crime;

1 (5) client is a minor, the communication discloses that the  
2 client was the victim of a crime or harmful act, and the social worker  
3 reveals the communication only during the course of an official exam-  
4 ination, trial or other proceeding in which the commission of the  
5 crime or harmful act is a subject of inquiry;

6 (6) client brings charges against the social worker and the  
7 social worker reveals the communication only as necessary to defend  
8 the charges.

9 Sec. 08.87.120. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-  
10 TIONS. After a hearing, the department may impose a disciplinary  
11 sanction on a person registered under this chapter when the department  
12 finds that the person

13 (1) secured a registration through deceit, fraud, or inten-  
14 tional misrepresentation;

15 (2) engaged in deceit, fraud, or intentional misrepresenta-  
16 tion in the course of providing professional services or engaging in  
17 professional activities;

18 (3) advertised professional services in a false or mislead-  
19 ing manner;

20 (4) has been convicted of a felony or other crime that  
21 affects the person's ability to continue to practice competently and  
22 safely;

23 (5) intentionally or negligently engaged in or permitted  
24 the performance of social work by others under the person's super-  
25 vision that does not conform to minimum professional standards regard-  
26 less of whether actual injury occurred;

27 (6) failed to comply with this chapter, with a regulation  
28 adopted under this chapter, or with an order of the department;

29 (7) continued to practice after becoming unfit due to

(A) professional incompetence;

(B) failure to keep informed of current professional practices;

(C) addiction or severe dependency on alcohol or other drugs that impairs the ability to practice safely;

(D) physical or mental disability;

(8) engaged in lewd or immoral conduct in connection with the delivery of professional service.

Sec. 08.87.130. DISCIPLINARY SANCTIONS. (a) When it finds that a person is guilty of an offense under AS 08.87.120, the department may impose the following sanctions singly or in combination:

(1) permanently revoke a registration;

(2) suspend a registration for a determinate period of time;

(3) censure a person registered under this chapter;

(4) issue a letter of reprimand;

(5) place a person registered under this chapter on probationary status and require the person to

(A) report regularly to the department upon matters involving the basis of probation;

(B) limit practice to those areas prescribed;

(C) continue professional education until a satisfactory degree of skill has been attained in those areas determined by the department to need improvement;

(6) impose limitations or conditions on the practice of a person registered under this chapter.

(b) The department may withdraw probationary status if it finds that the deficiencies that required the sanction have been remedied.

(c) The department may summarily suspend a registration before

1 final hearing or during the appeal process if the department finds  
2 that the person registered under this chapter poses a clear and imme-  
3 diate danger to the public health and safety if the person continues  
4 to practice. A person whose registration is suspended under this  
5 section shall be entitled to a hearing by the department no later than  
6 seven days after the effective date of the order. The person may  
7 appeal the suspension after a hearing to a court of competent juris-  
8 diction.

9 (d) The department may reinstate a registration that has been  
10 suspended or revoked if the department finds after a hearing that the  
11 applicant is able to practice with reasonable skill and safety.

12 (e) The department shall seek consistency in the application of  
13 disciplinary sanctions, and significant departure from prior decisions  
14 involving similar situations shall be explained in findings of fact or  
15 orders.

16 Sec. 08.87.140. PENALTY. (a) A person who violates this chap-  
17 ter is guilty of a class B misdemeanor.

18 (b) The department may seek to enjoin or restrain a person from  
19 violating this chapter.

### 20 ARTICLE 3. GENERAL PROVISIONS.

21 Sec. 08.87.200. DEFINITION. In this chapter "department" means  
22 the Department of Commerce and Economic Development.

23 \* Sec. 3. (a) Notwithstanding AS 08.87.020(a) as enacted in sec. 2 of  
24 this Act, a person may apply for and receive an original registration as a  
25 bachelor social worker if the person holds a degree from a school of social  
26 work that is not accredited by the Council on Social Work Education or a  
27 bachelor's, master's, or doctor's degree in a field related to social work  
28 and has been practicing under the title "social worker" for at least 24  
29 consecutive months before July 1, 1987.

1 (b) An application for a registration under this section must be  
2 filed before July 1, 1987. Each registration issued under this section  
3 shall contain a notice that the person

4 (1) has not been determined by regulations of the commissioner  
5 of commerce and economic development to be in good professional standing  
6 and fit to practice social work;

7 (2) has not provided the Department of Commerce and Economic  
8 Development three references acceptable to the department; and

9 (3) does not have a bachelor's degree from a school of social  
10 work accredited by the Council on Social Work Education.

11 \* Sec. 4. This Act takes effect July 1, 1984.  
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STATE OF ALASKA  
FISCAL NOTE

Revision Date \_\_\_\_\_, 1983

I. REQUEST

Bill/Resolution No.: SB 303  
 Title: "Board of Social Worker Examiners"  
 Sponsor: Senator Josephson  
 Requestor: H.E.S.S. Committee

II. FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.  
 Program Category Affected: Public Prot.  
 BRU, Program of Subprogram(s) Affected:  
 Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
<b>OPERATING</b>						
100 PERSONAL SERVICES	-0-	55.1	58.6	62.3	66.3	70.5
200 TRAVEL	-0-	23.3	24.9	26.6	28.4	30.3
300 CONTRACTUAL	-0-	48.4	34.4	36.8	39.3	42.0
400 COMMODITIES	-0-	1.0	1.0	1.1	1.2	1.3
500 EQUIPMENT	-0-	5.8	0.0	0.0	0.0	0.0
600 LAND & STRUCTURES	-0-	2.7	2.9	3.1	3.3	3.5
700 GRANTS, CLAIMS, ETC	-0-	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	-0-	136.3	121.8	129.9	138.5	147.6
<b>CAPITAL</b>						
<b>REVENUE</b>	-0-	19.6	1.8	1.8	1.8	31.8

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	136.3	121.8	129.9	138.5	147.6
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME	-0-	2	2	2	2	2
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not identified by the sponsor

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Darrell Miller  
 Division: Occupational Licensing  
 Approved by Commissioner: Richard A. Lyon  
 Department: Commerce & Economic Development

Phone: 465-2535  
 Date: June 7, 1983  
 Date: 6/13/83

Distribution:

Original to Legislative Finance  
 Copy to Office of Management and Budget (for Legislature introduced bills)  
 Copy to Department (for Governor introduced bills)  
 Copy to Sponsor  
 Copy to Requestor (if different from Sponsor)

3/8/83

100 PERSONAL SERVICES FY-83 salary schedule with 7% inflation factor projected for FY-85 through FY-88.

1 License Examiner, Range 12, GGU, 12 months	\$ 30,500.00
1 Clerk III, Range 8, GGU, 12 months	24,559.00
	<u>\$ 55,059.00</u>

200 TRAVEL

License Examiner: 4 Board meetings (2 days ea @\$80.00 per day per diem = \$160.00 X 4)	\$ 640.00
Transportation - 4 Board meetings @\$350 ea	1,400.00
Investigator: 2 Board Meetings (2 days ea @ \$80.00 per day per diem = \$160 X 2)	320.00
Transportation - 2 Board meetings @\$350 ea	700.00
Investigative travel: 5 days per diem per month @ \$80.00 per day X 12	4,800.00
Transportation - 1 out of town trip per month @ \$350.00 ea X 12	4,200.00
Board Members: 5 Board members - 4 Board meetings (2 days ea @ \$80.00 per day per diem = \$160.00 X 4 X 5)	3,200.00
Transportation - 4 Board meetings @\$350.00 ea X 5 Board members)	7,000.00
Support Staff: 2 Board meetings (2 days ea @\$80.00 per day per diem = \$160.00 X 2)	320.00
(Regulations) Transportation - 2 Board meetings @\$350 ea	700.00
	<u>\$ 23,280.00</u>

300 CONTRACTUAL

Postage, telephone, printing, publication and operating cost:	\$ 3,000.00
Computer terminal use; prorated share @\$350 per month**	4,200.00
** License Examiner use only**	
Professional Society Organization dues (annually)	400.00
Professional Examination Service fees for licensing examinations (Estimated 150 for FY-84 for initial licensing @\$125.00 ea) (Estimated 20 new applications per year for FY-85 through FY-88 @\$125.00 each = \$2,500.00 per year)	18,750.00
Meeting rooms for Board meetings (4 meetings 2 days ea @\$150.00 per day = 2 X \$150.00 X 4)	1,200.00
Examination sites for Board Licensure Examinations ( 3 examinations conducted annually, 2 days ea @ \$150.00 per day = \$300.00 X 3)	900.00
Legal fees: Estimated 2 investigations annually will result in disciplinary proceedings: Fees cover all costs including hearing officer fees, court costs, court recorder costs, appeals cost, witness fees, and all other related costs; (Estimated each hearing process cost is \$10,000.00 X 2)	20,000.00
	<u>\$ 48,450.00</u>

400 COMMODITIES

Stationery, typewriter ribbons, pens, pencils, and other miscellaneous desk top supplies	\$ 1,000.00
--	-------------

RECEIVED

JUN 13 1983

Josephson,

500 EQUIPMENT (One time cost only- for FY-84)

2 desks, double pedestal, 60"x30" (\$426.92 ea)	\$ 853.84
2 chairs, exec. swivel with arms (\$202.43 ea)	404.86
2 Typewriters, IBM Selectric II (\$1,129.08 ea)	2,258.16
2 typewrite tables (\$94.12 ea)	188.24
2 chairs, side without arms (\$104.19 ea)	208.38
1 desk calculator	331.51
1 recorder, Lanier	705.34
2 book cases (\$137.71 ea)	275.42
2 file cabinets (\$305.65 ea)	611.30
	<hr/>
	\$ 5,837.05

600 LAND & STRUCTURES

2 positions = 150 sq. ft. x \$1.50 x 12 x 2 =	\$ 2,700.00
	<hr/>
TOTAL OPERATING EXPENSE FOR FY-84	<u>\$136,326.05</u>

PROJECTED REVENUE FOR FY-84 THROUGH FY-88

FY-84:	Estimated 150 initial license applications (150 x \$25)	\$ 3,750.00
	Estimated 130 licenses by examination (130 x \$100)	13,000.00
	Estimated 20 licenses issued by credentials (20 x \$50)	1,000.00
	Estimated 25 reexaminations for licensure (25 x \$75)	<u>1,875.00</u>
Total Revenue projected for FY-84		\$19,625.00
FY-85-86 and 87(each year)		
	Estimated 15 new applications annually (15 x \$25)	\$ 375.00
	Estimated 10 licenses issued by examination (10 x \$100)	1,000.00
	Estimated 5 licenses issued by credentials annually (5 x \$50)	250.00
	Estimated 2 reexaminations for licensure annually (2 x \$75)	<u>150.00</u>
Total Revenue projected for each of Fiscal Years 85, 86 and 87:		1,775.00
FY 88:		
	Estimated 150 renewals (150 x \$200)	\$30,000.00
	Estimated 15 new applications (15 x \$25)	375.00
	Estimated 10 licenses issued by examination (10 x \$100)	1,000.00
	Estimated 5 licenses issued by credentials (5 x \$50)	250.00
	Estimated 2 reexamination for licensure (2 x \$75)	<u>150.00</u>
Total Revenue projected for Fiscal Year 88		\$31,775.00

1.	POSITION TITLE License Examiner				RANGE/STEP 12 A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1	2	AMOUNT							
	PERSONAL SERVICES									
5.	Salary		22.7							
6.	Benefits		3.7							
7.	Supplemental Benefits		1.4							
8.	Fixed Benefits		2.7							
9.	TOTAL PERSONAL SERVICES	01		30.5						
10.	Travel	02		2.0						
11.	Contractual	03		5.7						
12.	Commodities	04		.5						
13.	Equipment	05		2.9						
14.	Other			1.4						
15.	TOTAL COST			43.0						
	RECEIPT CODE                      FUNDING SOURCE									
16.				Federal Receipts	1002					
17.				G.F. Match	1003					
18.				General Funds	1004	43.0				
19.				I-A Receipts	1005					
20.				Program Receipts	1028					
21.				Other						
FOR B&M USE ONLY										
4A KEY NUMBER _____										

This position would be required under Senate Bill No. 303, "An Act relating to the practice of social work and establishing the Board of Social Worker Examiners", to implement the provisions of AS 08.87, to provide necessary support to the board of social worker examiners in the organization of the board, initial licensing of applicants, establishing license files, computer entry of license data entry, conducting board meetings (providing administrative support for such meetings) communications with other professional boards, providing budget input to the Division as to board needs for funding, and all other duties as needed.

**13** REQUEST FOR  
NEW POSITION

AGENCY Commerce and Economic Development  
 PROGRAM Consumer Protection  
 BRU Occupational Licensing  
 COMPONENT Licensing

Page 1 of 2  
 Revised Date \_\_\_\_\_

**FY 84**

1.	POSITION TITLE Clerk III				RANGE/STEP 8A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.							
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.									
3.	CONTINUATION LEVEL				JUSTIFICATION												
4.	TYPE OF EXPENDITURE				<p>This position would be required under Senate Bill 303, "An Act relating to the practice of social work and establishing the Board of Social Worker Examiners", to implement the provisions of AS 08.87, to provide necessary clerical support to the board, assist the License Examiner, provide clerical support to the Regulations Specialist, Investigations, and the Division Director in board related matters, Duties would include, but not necessarily limited to, filing, rough typing, preparing license information for entry on the computer, telephone receptionist, assisting with public inquiries relative to licensing, regulations or statute's of the board, assist in assembling statute and regulations for printing, distributing printed materials to the board and the public, copying of documents as needed, and other related duties as assigned.</p>												
5.	PERSONAL SERVICES																
6.	Salary			17.8													
7.	Benefits			3.0													
8.	Supplemental Benefits			1.1													
9.	Fixed Benefits			2.6													
10.	TOTAL PERSONAL SERVICES	01		24.6													
11.	Travel	02		0.0													
12.	Contractual	03		1.5													
13.	Commodities	04		0.5													
14.	Equipment	05		2.9													
15.	Other			1.4													
15.	TOTAL COST			30.9													
16.	RECEIPT CODE	FUNDING SOURCE															
17.		Federal Receipts 1002															
18.		G.F. Match 1003															
19.		General Funds 1004		30.9													
20.		I-A Receipts 1005															
21.		Program Receipts 1028															
21.		Other															
FOR B&M USE ONLY																	
4A KEY NUMBER _____																	

**13** REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development  
PROGRAM Consumer Protection  
BRU Occupational Licensing  
COMPONENT Licensing

Page 2 of 2  
Revised Date \_\_\_\_\_

FY 84

# Alaska State Legislature

OFFICIAL BUSINESS

CHAIRMAN  
RULES COMMITTEE



Senate

JAN FAIKS  
POUCH V  
CAPITOL BUILDING  
JUNEAU, ALASKA 99811

## MEMORANDUM

TO: All Members  
Senate Finance Committee

FROM: Senator Jan Faiks

DATE: May 3, 1984

RE: Senate Bill 303

In doing research for this bill, I spoke with the Governor's office about the Administration's position on this legislation. I was told that the Governor is very concerned about the growing number of boards and commissions, and I was asked to explore optional methods of providing for the functions intended. With this thought in mind, I have drafted this committee substitute to achieve registration without the creation of a new licensing board. Attached is a letter from the Governor.

### Sectional Analysis of CSSB 303 (FIN)

Section 1. Adds social workers to the list of regulated professions.

Section 2. Regulation of Social Workers

#### Powers and Duties of the Department

The Department of Commerce and Economic Development must submit an annual report to the Governor, set standards for specialty designations for the private practice of social work, and impose disciplinary sanctions. The commissioner may adopt regulations for the supervision of social workers and require proof of continuing competency.

#### Registration of Social Workers

Bachelor-must be in good professional standing, provide 3 references, and hold a bachelor's degree in social work from an accredited school.

Master-all of above plus hold a Master's degree or PhD. degree in social work.

Clinical Social Worker-all of above plus complete 2 years of full time post graduate experience in a specialty approved by the Department.

Scope of Practice

Services may include the identification of social problems, assisting people in solving problems, client advocacy, developing community resources and planning social programs.

Bachelor-may practice only under supervision

Master-may provide therapeutic counseling, consultation services regarding social programs.

Clinical-may engage in private practice limited to the designated specialty, may practice psychotherapy.

Registration Renewal

Every 4 years

Fees

Application	\$25
Registration	\$200
Renewal	\$200

Registration Required for Use of Title

Unless registered with the Department under this chapter, a person may not use the title social worker.

Confidentiality of Communications

A social worker may not reveal a communication made to the social worker in a professional capacity unless the confidence falls in one of the 6 exceptions.

Grounds for the Imposition of Disciplinary Sanctions

Discipline may be imposed by the Department for any of 8 listed violations.

Disciplinary Sanctions

These include-suspension of registration, censure, letter of reprimand, probation, or impose limitations on a person's practice.

Penalty

A person violating this chapter is guilty of a class B felony.

Section 3. Grandfather Provisions

Notwithstanding the requirements of this chapter, a person who has practiced as a social worker for 24 consecutive months before July 1, 1987, or a person who has graduated from an unaccredited school may apply for registration prior to July 1, 1987. Any registration issued under this paragraph shall contain a notice on the registration that the person received this registration through grandfather provisions.

March 9, 1984

Address:

Dear Salutation:

I would like to respond to your recent correspondence related to the licensing of social workers in Alaska. I have received several letters from mental health professionals urging my support of SB 303 sponsored by Senator Josephson that establishes a standard of training and conduct for social workers practicing in Alaska. It also creates a new State board for the purposes of licensing and disciplinary action.

From the aspect of consumer protection, the overall concept of licensing social workers in Alaska is something that certainly appears to have merit at this time. However, my concern about the rapid proliferation of State boards, commissions, authorities, councils, and other advisory bodies is something that I have addressed numerous times since I was elected.

We are conducting an extensive research project on all public advisory bodies that currently exist by statute. That review has not been completed. However, preliminary results lead me to believe that Alaska has a history of creating boards and commissions without a great deal of thought given to optional ways of providing the function intended other than for the creation and continued maintenance of a board. I have stated my concern about the growing number of boards and commissions in a policy statement which I have enclosed with this letter.

I have been informed by my staff that this policy has been articulated to your representatives who have discussed this matter with my office, and that an offer of assistance has been made by my staff to explore optional ways of achieving licensure without the creation of a new licensing board at this time.

March 9, 1984

I hope that all options will be explored mutually before SB 303 comes to my desk for signature. In the meantime, I have noted that support has been expressed from persons I hold in high regard for SB 303.

Sincerely,

Bill Sheffield  
Governor

Enclosure

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 2/27/84

REQUEST

Bill/Resolution: No. CSSB 303 (HESS)  
Title: "Board of Social Worker -  
Examiners"

Sponsor: Senator Josephson  
Requestor: HESS Committee  
Date of Request:

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.  
Program Category Affected: Public Protection

BRU, Program or Subprogram(s) Affected:  
Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		57.2	61.2	65.6	70.2	75.1
200 TRAVEL		23.3	24.9	26.6	28.4	30.3
300 CONTRACTUAL		48.5	51.8	55.4	59.2	63.3
400 SUPPLIES		1.0	1.0	1.0	1.0	1.0
500 EQUIPMENT		7.5	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES		2.7	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		140.2	138.9	148.6	158.8	169.7
CAPITAL						
REVENUE		18.8	21.3	23.8	26.3	28.8

FUNDING: (Thousands of Dollars)

GENERAL FUND		140.2	138.9	148.6	158.8	169.7
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		2		2	2	2
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Jennifer Strickler, Mgt Analyst

Division: Occupational Licensing

Phone: 465-2144

Date: 2-27-84

Approved by Commissioner: Richard A. Lyon

Agency: Commerce & Economic Development

Date: 3/5/84

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

CSRR 303 FISCAL IMPACT  
(HES)

(NOTE: 7% inflation factor projected for FY '85 through  
FY '89 for operating costs)

100 PERSONAL SERVICES:

1 Licensing Examiner, Range 12A, GGU, 12 months, to be located in Juneau	\$31,721.83
1 Clerk III, Range BA, GGU, 12 months, to be located in Juneau	25,549.85
	\$57,271.68

200 TRAVEL:

License Examiner:	4 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 4)	\$640.00
	Transportation - 4 board mtgs @ \$350 ea.	1,400.00
Investigator:	2 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 2)	320.00
	Transportation - 2 board mtgs @ \$350 ea.	700.00
	Investigative travel: 5 days per diem per month @ \$80 per day x 12	4,800.00
	Transportation - 1 out of town trip per month @ \$350 ea. x 12	4,200.00
Board Members:	5 board members - 4 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 4 x 5)	3,200.00
	Transportation - 4 board mtgs @ \$350 ea. x 5 board members	7,000.00
Support Staff:	2 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 2)	320.00
	Transportation - 2 board mtgs @ \$350 ea.	700.00
		\$23,280.00

300 CONTRACTUAL:

Postage, telephone, printing, publication and operating cost:	\$3,000.00
Computer terminal use; prorated share @ \$350 per mo. **License Examiner use only**	4,200.00
Professional Society Organization dues (annually)	400.00
Professional Examination Service fees for licensing examinations: (Estimated 150 for FY 85 for initial licensing @ \$125 ea) (Estimated 20 new applications per year for FY 86 - FY 89 @ \$125 ea. = \$2,500.00 per year)	18,750.00

Meeting rooms for board meetings (4 meetings 2 days ea  
@ \$150 per day = 2 x \$150 x 4) 1,200.00

Examination sites for Board Licensure Examinations  
(3 examinations conducted annually, 2 days ea. @ \$150  
per day = \$300 x 3) 900.00

Legal fees: Estimated 2 investigations annually will  
result in disciplinary proceedings: Fees cover all costs  
including hearing officer fees, court costs, court recorder  
costs, appeals cost, witness fees, and all other related costs;  
(Estimated each hearing process cost is \$10,000.00 x 2) 20,000.00  
\$ 48,450.00

400 COMMODITIES:

Stationery, typewriter ribbons, pens, pencils, and  
other miscellaneous desk top supplies \$ 1,000.00

500 EQUIPMENT: (one time costs only)

2 desks, double pedestal, 70"x36" @ 711.50 ea. \$ 1,423.00  
2 chairs, swivel with arms @ 225.42 ea. 450.84  
2 typewriters, IBM Selectric II @ 1242.09 ea. 2,484.18  
2 chairs, side, without arms @ 114.60 ea. 229.20  
1 desk calculator 364.66  
1 recorder, Lanier 775.87  
2 file cabinets, 5 drawer, legal w/lock @ 406.91 ea 813.82  
2 tables 72" x 36" @ 340.36 ea. 680.72  
1 storage cabinet, 36" x 18" x 78" 288.66  
\$ 7,510.95

600 LAND & STRUCTURES:

2 positions = 150 sq. ft. x 1.50 x 12 x 2 2,700.00

GRAND TOTAL \$140,212.63

1.	POSITION TITLE License Examiner I				RANGE/STEP 12 A	BARC. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1	2		3						
	PERSONAL SERVICES									
5.	Salary	23.7								
6.	Benefits	3.9								
7.	Supplemental Benefits	1.5								
8.	Fixed Benefits	2.7								
9.	TOTAL PERSONAL SERVICES	01		31.8						
10.	Travel	02		2.0						
11.	Contractual	03		5.7						
12.	Commodities	04		.5						
13.	Equipment	05		4.5						
14.	Other			1.4						
15.	TOTAL COST			45.9						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		45.9						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B3M USE ONLY										
4A KEY NUMBER _____										

This position would be required under Senate Bill No. 303, "An Act relating to the practice of Social Work and establishing the Board of Social Worker Examiners", to implement the provisions of AS 08.87, to provide necessary support to the board of social worker examiners in the organization of the board, initial licensing of applicants, establishing license files, computer entry of license data, conducting board meetings (providing administrative support for such meetings), communications with other professional boards, providing budget input to the Division as to board needs for funding, and all other duties as needed.

**13** REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development  
PROGRAM Consumer Protection  
BRU Occupational Licensing  
COMPONENT Administration

Page 1 of 2  
Revised Date \_\_\_\_\_

**FY 85**

1.	POSITION TITLE Clerk III				RANGE/STEP 8 A	BARG. UNIT GGU	FORM 12 PAGE/LINE	COV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION ATA	ELECTION DISTRICT ALL	LEG.		

3.	CONTINUATION LEVEL	ADDITION	
4.	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
	PERSONAL SERVICES		
5.	Salary	18.6	
6.	Benefits	3.0	
7.	Supplemental Benefits	1.1	
8.	Fixed Benefits	2.7	
9.	TOTAL PERSONAL SERVICES	01	25.4
10.	Travel	.02	0
11.	Contractual	03	1.5
12.	Commodities	04	0.5
13.	Equipment	05	3.0
14.	Other		1.4
15.	TOTAL COST		31.8

JUSTIFICATION

This position would be required under Senate Bill No. 303, "An Act relating to the practice of social work and establishing the Board of Social Worker Examiners", to implement the provisions of AS 08.87, to provide necessary clerical support to the board, assist the License Examiner, provide clerical support to the Division Director, Management Analyst, Regulations Specialist, Investigations, in board related matters. Duties would include, but not necessarily limited to: filing, rough typing, preparing license information for entry on the computer, telephone receptionist, assisting with public inquiries relative to licensing, regulations or statute's of the board, assist in assembling statute and regulations for printing, distributing printed materials to the board and the public, copying of documents as needed, and other related duties as assigned.

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.		General Funds 1004	31.8
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

FOR BSM USE ONLY  
4A KEY NUMBER \_\_\_\_\_

**13** REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development  
 PROGRAM Consumer Protection  
 BRU Occupational Licensing  
 COMPONENT Administration

**FY 85**

Page 2 of 2  
 Revised Date \_\_\_\_\_

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 2/27/84

REQUEST

Bill/Resolution No.: CSSB 303 (HESS)  
Title: "Board of Social Worker -  
Examiners"

Sponsor: Senator Josephson  
Requestor: HESS Committee  
Date of Request:

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.  
Program Category Affected: Public Protection

BRU, Program or Subprogram(s) Affected:  
Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
<b>OPERATING</b>						
100 PERSONAL SERVICES		57.2	61.2	65.6	70.2	75.1
200 TRAVEL		23.3	24.9	26.6	28.4	30.3
300 CONTRACTUAL		48.5	51.8	55.4	59.2	63.3
400 SUPPLIES		1.0	1.0	1.0	1.0	1.0
500 EQUIPMENT		7.5	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES		2.7	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		140.2	138.9	148.6	158.8	169.7
<b>CAPITAL</b>						
<b>REVENUE</b>		18.8	21.3	23.8	26.3	28.8

FUNDING: (Thousands of Dollars)

GENERAL FUND		140.2	138.9	148.6	158.8	169.7
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Jennifer Strickler, Night Analyst  
Division: Occupational Licensing

Phone: 465-2144

Date: 2-27-84

Approved by Commissioner: Richard A. Lyon  
Agency: Commerce & Economic Development

Date: 3/5/84

Distribution (by Agency preparing fiscal note):

Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

12/1/83

CSRB 203 FISCAL IMPACT  
(1165)

(NOTE: 7% inflation factor projected for FY '85 through  
FY '89 for operating costs)

100 PERSONAL SERVICES:

1 Licensing Examiner, Range 12A, GGU, 12 months, to be located in Juneau	\$31,721.83
1 Clerk III, Range 8A, GGU, 12 months, to be located in Juneau	25,549.85
	\$57,271.68

200 TRAVEL:

License Examiner:	4 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 4)	\$640.00
	Transportation - 4 board mtgs @ \$350 ea.	1,400.00
Investigator:	2 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 2)	320.00
	Transportation - 2 board mtgs @ \$350 ea.	700.00
	Investigative travel: 5 days per diem per month @ \$80 per day x 12	4,800.00
	Transportation - 1 out of town trip per month @ \$350 ea. x 12	4,200.00
Board Members:	5 board members - 4 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 4 x 5)	3,200.00
	Transportation - 4 board mtgs @ \$350 ea. x 5 board members	7,000.00
Support Staff:	2 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 2)	320.00
	Transportation - 2 board mtgs @ \$350 ea.	700.00
		\$23,280.00

300 CONTRACTUAL:

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Computer terminal use; prorated share @ \$350 per mo. **License Examiner use only**	4,200.00
Professional Society Organization dues (annually)	400.00
Professional Examination Service fees for licensing examinations: (Estimated 150 for FY 85 for initial licensing @ \$125 ea) (Estimated 20 new applications per year for FY 86 - FY 89 @ \$125 ea. = \$2,500.00 per year)	18,750.00

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(Estimated each hearing process cost is \$10,000.00 x 2) 20,000.00  
\$ 48,450.00

400 COMMODITIES:

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other miscellaneous desk top supplies \$ 1,000.00

500 EQUIPMENT: (one time costs only)

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2 typewriters, IBM Selectric II @ 1242.09 ea. 2,484.18  
2 chairs, side, without arms @ 114.60 ea. 229.20  
1 desk calculator 364.66  
1 recorder, Lanier 775.87  
2 file cabinets, 5 drawer, legal w/lock @ 406.91 ea 813.82  
2 tables 72" x 36" @ 340.36 ea. 680.72  
1 storage cabinet, 36" x 18" x 78" 288.66  
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GRAND TOTAL \$140,212.63

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2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT					
	1		2		3				
	PERSONAL SERVICES								
5.	Salary	23.7							
6.	Benefits	3.9							
7.	Supplemental Benefits	1.5							
8.	Fixed Benefits	2.7							
9.	TOTAL PERSONAL SERVICES	01		31.8					
10.	Travel	02		2.0					
11.	Contractual	03		5.7					
12.	Commodities	04		.5					
13.	Equipment	05		4.5					
14.	Other			1.4					
15.	TOTAL COST			45.9					
16.	RECEIPT CODE	FUNDING SOURCE							
17.		Federal Receipts 1002							
18.		G.F. Match 1003							
19.		General Funds 1004		45.9					
20.		I-A Receipts 1005							
21.		Program Receipts 1020							
		Other							
FOR B&H USE ONLY									
4A. KEY NUMBER									

This position would be required under Senate Bill No. 303, "An Act relating to the practice of Social Work and establishing the Board of Social Worker Examiners", to implement the provisions of AS 08.87, to provide necessary support to the board of social worker examiners in the organization of the board, initial licensing of applicants, establishing license files, computer entry of license data, conducting board meetings (providing administrative support for such meetings), communications with other professional boards, providing budget input to the Division as to board needs for funding, and all other duties as needed.

**13** REQUEST FOR  
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AGENCY Commerce & Economic Development  
PROGRAM Consumer Protection  
BRU Occupational Licensing  
COMPONENT Administration

Page 1 of 2  
Revised Date \_\_\_\_\_

**FY 85**

1.	POSITION TITLE Clerk III				RANGE/STEP 8 A	DEPT. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>This position would be required under Senate Bill No. 303, "An Act relating to the practice of social work and establishing the Board of Social Worker Examiners", to implement the provisions of AS 08.87, to provide necessary clerical support to the board, assist the License Examiner, provide clerical support to the Division Director, Management Analyst, Regulations Specialist, Investigations, in board related matters. Duties would include, but not necessarily limited to: filing, rough typing, preparing license information for entry on the computer, telephone receptionist, assisting with public inquiries relative to licensing, regulations or statute's of the board, assist in assembling statute and regulations for printing, distributing printed materials to the board and the public, copying of documents as needed, and other related duties as assigned.</p>					
	PERSONAL SERVICES									
5.	Salary		18.6							
6.	Benefits		3.0							
7.	Supplemental Benefits		1.1							
8.	Fixed Benefits		2.7							
9.	TOTAL PERSONAL SERVICES		01	25.4						
10.	Travel		.02	0						
11.	Contractual		03	1.5						
12.	Commodities		04	0.5						
13.	Equipment		05	3.0						
14.	Other			1.4						
15.	TOTAL COST			31.8						
	RECEIPT CODE	FUNDING SOURCE								
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21.		Other								
FOR BSM USE ONLY										
4A. KEY NUMBER _____										

**13** REQUEST FOR  
NEW POSITION

AGENCY Commerce & Economic Development  
PROGRAM Consumer Protection  
BRU Occupational Licensing  
COMPONENT Administration

Page 2 of 2  
Revised Date \_\_\_\_\_

**FY 85**

COMMITTEE REPORT

SENATE

5/27/83

FURTHER: Finance

Date: 2/10/84

Mr. President:

The Committee on HESS has had SB 303

Relating to the practice of social work and establishing the Board of Social Workers Examiners;efd

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for SB 303 Hess  same title  
 new title
- and recommends do pass
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

1 Rick Halford  
Joe Josephson  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Paul Smith  
V. Fisher  
 \_\_\_\_\_  
 \_\_\_\_\_

Joe Josephson  
 CHAIRMAN  
DO PASS



Official Business

# Alaska State Legislature

Senate

Committee on

Health, Education & Social Services

Pouch V  
State Capitol  
Juneau, Alaska 99811

LETTER OF INTENT - CSSB 303  
(Social Workers)

February 10, 1984

Senator Jalmar Kerttula  
President of the Senate

Dear Mr. President:

The Committee on Health, Education and Social Services, to which was referred Senate Bill 303, concerning social workers, recommends that the bill be replaced by the attached Committee Substitute for Senate Bill 303 (HESS), and that the Committee Substitute do pass.

During hearings, representatives of the Division of Family and Youth Services of the Department of Health and Social Services protested that the original bill would have had overly restrictive effects upon the recruitment and retention of persons performing social work services within the government.

Your Committee has considered these objections and notes that Alaska law makes special provisions or exemptions for persons performing the function of psychologists in the government service who would not qualify, to be known as "psychologists" were they in the private sector.

The Committee Substitute is thus patterned after similar language in the provisions of Title 8 pertaining to psychologists. The Committee Substitute thus meets all objections of the Division of Family and Youth Services.

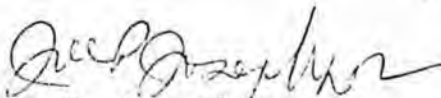
In allowing state workers performing social work functions to be known as "social workers", without meeting the criteria applicable to most social workers in the private sector, your Committee expects that the Division of Personnel of the Department of Administration, as promised to your Committee, will modify the criteria to favor

Letter of Intent - CSSB 773  
February 10, 1984  
Page Two

candidates who have received formal education at the bachelor's or graduate levels in social work. Your Committee notes that academic undergraduate education in social work is now available at two campuses of the University of Alaska.

It is intended that the Division of Family and Youth Services will be taking this step, and others, with a view to make incremental improvements in the academic qualifications of persons rendering social work services in the Department of Health and Social Services.

Respectfully submitted,

  
Joe P. Josephson  
Chairman  
Health, Education and  
Social Services  
Committee

Attachment

Offered: 2/14/84  
Referred: Finance

Original sponsor: Josephson

1 IN THE SENATE  
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BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

OF FOR SENATE BILL NO. 303 (HESS)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTEENTH LEGISLATURE - SECOND SESSION  
A BILL

For an Act entitled: "An Act relating to the practice of social work and establishing the Board of Social Worker Examiners; and providing for an effective date."

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

\* Section 1. PURPOSE. The purpose of this Act is to assure the consumer that persons providing services under the title "social worker" have completed professional social work education, adhere to a code of professional ethics, and are subject to review by the Board of Social Work Examiners.

\* Sec. 2. AS 08.01.010 is amended by adding a new paragraph to read:  
(24) Board of Social Worker Examiners (AS 08.87.010).

\* Sec. 3. AS 08.03.010(c) is amended by adding a new paragraph to read:  
(21) Board of Social Worker Examiners (AS 08.87.010) --  
June 30, 1989.

\* Sec. 4. AS 08 is amended by adding a new chapter to read:

CHAPTER 87. SOCIAL WORKERS.

ARTICLE 1. BOARD OF SOCIAL WORKER EXAMINERS.

Sec. 08.87.010. CREATION AND MEMBERSHIP OF BOARD. There is created a Board of Social Worker Examiners consisting of five members, including at least two master social workers, one of whom is engaged in the private practice of social work, at least one bachelor social worker, and one public member. Professional members shall be licensed under this chapter. To the extent possible members shall be appointed from different geographic regions of the state. A member who has

1 served two successive full terms may not be reappointed until four  
2 years after the expiration of the second term.

3 Sec. 08.87.020. TERM OF OFFICE. Each member of the board serves  
4 for a term of four years and until the member's successor is appointed  
5 and qualified. An appointment to a vacancy is for the unexpired  
6 portion of the term.

7 Sec. 08.87.030. BOARD MEETINGS. The board shall meet at least  
8 two times a year. The board may hold special meetings at the call of  
9 the chairman or of a majority of the board members.

10 Sec. 08.87.040. ELECTION OF OFFICERS. The board shall elect  
11 from among its members a chairman and a secretary to serve for a term  
12 not exceeding two years.

13 Sec. 08.87.050. REMOVAL OF BOARD MEMBERS. The governor may  
14 remove a member of the board for cause. The board may by regulation  
15 provide that unexcused absences from meetings are cause for removal.

16 Sec. 08.87.060. POWERS AND DUTIES OF THE BOARD. (a) The board  
17 shall

18 (1) provide for the examination of eligible applicants for  
19 licenses under this chapter;

20 (2) submit an annual report of its proceedings to the  
21 governor, including a statement of money received and disbursed;

22 (3) establish standards for specialty designations for the  
23 private practice of social work and authorize speciality designations  
24 on licenses issued under this chapter;

25 (4) after a hearing, impose disciplinary sanctions against  
26 a person who violates this chapter, an order of the board, or a regu-  
27 lation of the board;

28 (5) adopt regulations relating to requirements for the  
29 supervision of persons engaged in social work under this chapter who

1 are not master social workers;

2 (6) adopt regulations requiring proof of continued compe-  
3 tency before a license is renewed;

4 (7) adopt regulations to carry out the purposes of this  
5 chapter.

6 ARTICLE 2. LICENSING OF SOCIAL WORKERS.

7 Sec. 08.87.100. LICENSING OF SOCIAL WORKERS. (a) A person is  
8 eligible for a license as a bachelor social worker if the person

9 (1) is in good professional standing and is fit to practice  
10 social work as determined by regulations of the board;

11 (2) has passed the state examination;

12 (3) provides three references acceptable to the board;

13 (4) has a bachelor's degree from a school of social work  
14 accredited by the Council on Social Work Education.

15 (b) A person is eligible for a license as a master social worker  
16 if the person meets the requirements of (a)(1) - (3) of this section  
17 and has a doctorate or master's degree from a school of social work  
18 accredited by the Council on Social Work Education.

19 Sec. 08.87.110. SCOPE OF PRACTICE. (a) A person licensed as a  
20 bachelor or master social worker may provide services that enhance  
21 social functioning for individuals, families, groups, or communities  
22 guided by professional social work ethics, knowledge and intervention  
23 methods. The services provided may include

24 (1) identification and evaluation of social problems;

25 (2) developing statistics and data on social problems;

26 (3) assisting people and organizations to solve problems  
27 relating to social functioning;

28 (4) client advocacy;

29 (5) developing community resources relating to social

1 services;

2 (6) planning and administering social services programs.

3 (b) A bachelor social worker may practice only under supervision  
4 in accordance with regulations of the board.

5 (c) A master social worker may provide

6 (1) therapeutic counseling;

7 (2) consultation regarding social service programs and the  
8 provision of social services.

9 (d) A person may engage in the private unsupervised practice of  
10 social work only if

11 (1) the person is licensed as a master social worker;

12 (2) the person has completed at least two years of post-  
13 graduate supervised experience approved by the board in the field of  
14 speciality in which the person engages as a private practitioner:

15 (3) the board has approved the speciality in which the  
16 person may engage as a private practitioner and authorizes designation  
17 of the speciality on the person's license;

18 (4) the license bearing a designation of speciality is  
19 prominently displayed in the place the person engages in private  
20 practice;

21 (5) the person limits the private practice of social work  
22 to the designated speciality.

23 (e) Only a master social worker designated to engage in the  
24 speciality field of clinical social work may practice psychotherapy.

25 Sec. 08.87.120. LICENSE BY CREDENTIALS. The board may provide  
26 for licensing a person as a bachelor or master social worker without  
27 examination if the person

28 (1) is a graduate of a school of social work accredited by  
29 the Council on Social Work Education;

1           (2) has an active license to practice social work in  
2 another state, territory or country with requirements at the time of  
3 the original licensure that were similar to or higher than those of  
4 this state;

5           (3) is not the subject of an unresolved complaint, review  
6 procedure, or disciplinary proceeding undertaken by a professional  
7 social worker association or regulatory authority;

8           (4) has not failed the examination of this state;

9           (5) has not previously had a license to practice social  
10 work revoked in this or another jurisdiction;

11           (6) submits proof of continued competence as required by  
12 regulation of the board;

13           (7) pays all required fees.

14           Sec. 08.87.130. LICENSE RENEWAL REQUIRED. A license issued  
15 under this chapter shall lapse after four years unless it is renewed.

16           Sec. 08.87.140. FEES. The following fees are imposed under this  
17 chapter:

18	(1) application.....	\$ 25
19	(2) license by examination.....	100
20	(3) license by credentials.....	50
21	(4) license renewal.....	200
22	(5) reexamination.....	75

23           ARTICLE 3. PROHIBITIONS AND PENALTIES.

24           Sec. 08.87.200. LICENSE REQUIRED FOR USE OF TITLE. (a) Unless  
25 licensed under this chapter, a person may not use the title "social  
26 worker" or a title, designation, or device indicating or tending to  
27 indicate that the person is a social worker or practices social work.  
28 A person may not use the letters LBSW as part of a title unless the  
29 person is licensed as a bachelor social worker under this chapter. A

1 person may not use the letters LMSW as part of a title unless the  
2 person is licensed as a master social worker under this chapter.  
3 Except as provided in (b) of this section, a person may not use the  
4 title "social worker trainee".

5 (b) A student in social work pursuing a course of study approved  
6 by the board as qualifying training and experience for a social worker  
7 may use the title "social worker trainee" if that person's activities  
8 constitute a part of that person's supervised course of study.

9 (c) This section does not apply to a person employed by a  
10 governmental unit as a social worker if the

11 (1) employer maintains proper supervision of the social  
12 work activities and professional conduct;

13 (2) person is performing the social work as part of the  
14 duties for which the person was employed; and

15 (3) person does not render or offer to render social work  
16 services to the public for compensation in addition to the salary the  
17 person receives.

18 Sec. 08.87.210. CONFIDENTIALITY OF COMMUNICATIONS. A social  
19 worker licensed under this chapter may not reveal to another person a  
20 communication made to the social worker by a client about a matter  
21 concerning which the client has employed the social worker in a pro-  
22 fessional capacity. This section does not apply if the

23 (1) client provides written consent to the social worker to  
24 reveal the communication;

25 (2) client is incompetent and the guardian or personal  
26 representative provides written consent to the social worker to reveal  
27 the communication;

28 (3) client is dead and a beneficiary of an insurance policy  
29 on the client's life provides written consent to the social worker to

1 reveal the communication;

2 (4) communication discloses that a crime has been committed  
3 or reveals an intent to commit a crime;

4 (5) client is a minor, the communication discloses that the  
5 client was the victim of a crime or harmful act, and the social worker  
6 reveals the communication only during the course of an official exam-  
7 ination, trial or other proceeding in which the commission of the  
8 crime or harmful act is a subject of inquiry;

9 (6) client brings charges against the social worker and the  
10 social worker reveals the communication only as necessary to defend  
11 the charges.

12 Sec. 08.87.220. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-  
13 TIONS. After a hearing, the board may impose a disciplinary sanction  
14 on a person licensed under this chapter when the board finds that the  
15 licensee

16 (1) secured a license through deceit, fraud, or intentional  
17 misrepresentation;

18 (2) engaged in deceit, fraud, or intentional misrepresenta-  
19 tion in the course of providing professional services or engaging in  
20 professional activities;

21 (3) advertised professional services in a false or mislead-  
22 ing manner;

23 (4) has been convicted of a felony or other crime that  
24 affects the licensee's ability to continue to practice competently and  
25 safely;

26 (5) intentionally or negligently engaged in or permitted  
27 the performance of social work by persons under the licensee's super-  
28 vision that does not conform to minimum professional standards regard-  
29 less of whether actual injury occurred;

1           (6) failed to comply with this chapter, with a regulation  
2 adopted under this chapter, or with an order of the board;

3           (7) continued to practice after becoming unfit due to

4           (A) professional incompetence;

5           (B) failure to keep informed of current professional  
6 practices;

7           (C) addiction or severe dependency on alcohol or other  
8 drugs that impairs the ability to practice safely;

9           (L) physical or mental disability;

10          (8) engaged in lewd or immoral conduct in connection with  
11 the delivery of professional service.

12          Sec. 08.87.230. DISCIPLINARY SANCTIONS. (a) When it finds that  
13 a licensee is guilty of an offense under AS 08.87.220, the board may  
14 impose the following sanctions singly or in combination:

15           (1) permanently revoke a license to practice;

16           (2) suspend a license for a determinate period of time;

17           (3) censure a licensee;

18           (4) issue a letter of reprimand;

19           (5) place a licensee on probationary status and require the  
20 licensee to

21           (A) report regularly to the board upon matters involv-  
22 ing the basis of probation;

23           (B) limit practice to those areas prescribed;

24           (C) continue professional education until a satisfac-  
25 tory degree of skill has been attained in those areas determined  
26 by the board to need improvement;

27          (6) impose limitations or conditions on the practice of a  
28 licensee.

29          (b) The board may withdraw probationary status if it finds that

1 the deficiencies that required the sanction have been remedied.

2 (c) The board may summarily suspend a license before final  
3 hearing or during the appeal process if the board finds that the  
4 licensee poses a clear and immediate danger to the public health and  
5 safety if the licensee continues to practice. A person whose license  
6 is suspended under this section shall be entitled to a hearing by the  
7 board no later than seven days after the effective date of the order.  
8 The person may appeal the suspension after a hearing to a court of  
9 competent jurisdiction.

10 (d) The board may reinstate a license that has been suspended or  
11 revoked if the board finds after a hearing that the applicant is able  
12 to practice with reasonable skill and safety.

13 (e) The board shall seek consistency in the application of  
14 disciplinary sanctions, and significant departure from prior decisions  
15 involving similar situations shall be explained in findings of fact or  
16 orders.

17 Sec. 08.87.240. PENALTY. (a) A person who violates this chap-  
18 ter is guilty of a class B misdemeanor.

19 (b) The board may seek to enjoin or restrain a person not li-  
20 censed under this chapter or whose license is suspended, revoked, or  
21 expired from violating this chapter.

22 ARTICLE 4. GENERAL PROVISIONS.

23 Sec. 08.87.300. DEFINITIONS. In this chapter

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

25 (2) "department" means the Department of Commerce and  
26 Economic Development.

27 \* Sec. 5. AS 44.62.330(a) is amended by adding a new paragraph to read:

28 (53) Board of Social Worker Examiners (AS 08.87.010).

29 \* Sec. 6. Within 30 days after the effective date of this Act the

1 governor shall appoint initial members to the Board of Social Worker Exam-  
2 iners. Notwithstanding AS 08.87.010 as enacted in sec. 3 of this Act,  
3 initial members shall consist of three persons that have a doctorate or  
4 master's degree from a school of social work accredited by the Council on  
5 Social Work Education, at least one of whom is engaged in the private  
6 practice of social work, one person with a bachelor's degree from a school  
7 of social work accredited by the Council on Social Work Education, and one  
8 public member. Notwithstanding AS 08.87.020 as enacted in sec. 3 of this  
9 Act, one initial member shall serve a one-year term, one initial member  
10 shall serve a two-year term, one initial member shall serve a three-year  
11 term, one initial member shall serve a four-year term, and one initial  
12 member shall serve a five-year term as determined by the governor.

13 \* Sec. 7. (a) Notwithstanding AS 08.87.100(a) as enacted in sec. 3 of  
14 this Act, a person may apply for and receive an original license as a  
15 bachelor social worker if the person

16 (1) holds a degree from a school of social work that is not  
17 accredited by the Council on Social Work Education or a bachelor's,  
18 master's, or doctor's degree in a field related to social work and has been  
19 practicing under the title "social worker" for at least 24 consecutive  
20 months before July 1, 1987; or

21 (2) meets the requirements of AS 08.87.100(a)(1), (3) and (4).

22 (b) A person who does not meet the requirement under AS 08.87.-  
23 100(a)(2) but otherwise meets the requirements of AS 08.87.100(b) may apply  
24 for and receive an original license as a master social worker.

25 (c) An application for a license under this section must be filed  
26 before July 1, 1987.

27 \* Sec. 8. This Act takes effect July 1, 1984.

Introduced: 5/27/83  
Referred: Health, Education and  
Social Services and Finance

1 IN THE SENATE

BY JOSEPHSON

2

SENATE BILL NO. 303

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the practice of social work and  
7 establishing the Board of Social Worker Examiners;  
8 and providing for an effective date."

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

10 \* Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

11 (24) Board of Social Worker Examiners (AS 08.87.010)

12 \* Sec. 2. AS 08.03.010(c) is amended by adding a new paragraph to read:

13 (21) Board of Social Worker Examiners (AS 08.87.010) --  
14 June 30, 1988.

15 \* Sec. 3. AS 08 is amended by adding a new chapter to read:

16 CHAPTER 87. SOCIAL WORKERS.

17 ARTICLE 1. BOARD OF SOCIAL WORKER EXAMINERS.

18 Sec. 08.87.010. CREATION AND MEMBERSHIP OF BOARD. There is  
19 created a Board of Social Worker Examiners consisting of three master  
20 social workers, at least one of whom is engaged in the private prac-  
21 tice of social work, one bachelor social worker, and one public mem-  
22 ber. Professional members shall be licensed under this chapter. To  
23 the extent possible members shall be appointed from different geo-  
24 graphic regions of the state. A member who has served two successive  
25 full terms may not be reappointed until four years after the expira-  
26 tion of the second term.

27 Sec. 08.87.020. TERM OF OFFICE. Each member of the board serves  
28 for a term of four years and until the member's successor is appointed  
29 and qualified. An appointment to a vacancy is for the unexpired

1 portion of the term.

2 Sec. 08.87.030. BOARD MEETINGS. The board shall meet at least  
3 two times a year. The board may hold special meetings at the call of  
4 the chairman or of a majority of the board members.

5 Sec. 08.87.040. ELECTION OF OFFICERS. The board shall elect  
6 from among its members a chairman and a secretary to serve for a term  
7 not exceeding two years.

8 Sec. 08.87.050. REMOVAL OF BOARD MEMBERS. The governor may  
9 remove a member of the board for cause. The board may by regulation  
10 provide that unexcused absences from meetings are cause for removal.

11 Sec. 08.87.060. POWERS AND DUTIES OF THE BOARD. (a) The board  
12 shall

13 (1) provide for the examination of eligible applicants for  
14 licenses under this chapter;

15 (2) submit an annual report of its proceedings to the  
16 governor, including a statement of money received and disbursed;

17 (3) establish standards for specialty designations for the  
18 private practice of social work and authorize speciality designations  
19 on licenses issued under this chapter;

20 (4) after a hearing, impose disciplinary sanctions against  
21 a person who violates this chapter, an order of the board, or a regu-  
22 lation of the board;

23 (5) adopt regulations relating to requirements for the  
24 supervision of persons engaged in social work under this chapter who  
25 are not master social workers;

26 (6) adopt regulations requiring proof of continued compe-  
27 tency before a license is renewed;

28 (7) adopt regulations to carry out the purposes of this  
29 chapter.

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ARTICLE 2. LICENSING OF SOCIAL WORKERS.

Sec. 08.87.100. LICENSING OF SOCIAL WORKERS. (a) A person is eligible for a license as a bachelor social worker if the person

- (1) is in good professional standing and is fit to practice social work as determined by regulations of the board;
- (2) has passed the state examination;
- (3) provides three references acceptable to the board;
- (4) has a bachelor's degree from a school of social work accredited by the Council on Social Work Education.

(b) A person is eligible for a license as a master social worker if the person meets the requirements of (a)(1) - (3) of this section and has a doctorate or master's degree from a school of social work accredited by the Council on Social Work Education.

Sec. 08.87.110. SCOPE OF PRACTICE. (a) A person licensed as a bachelor or master social worker may provide services that enhance social functioning for individuals, families, groups, or communities guided by professional social work ethics, knowledge and intervention methods. The services provided may include

- (1) identification and evaluation of social problems;
- (2) developing statistics and data on social problems;
- (3) assisting people and organizations to solve problems relating to social functioning;
- (4) client advocacy;
- (5) developing community resources relating to social services;
- (6) planning and administering social services programs.

(b) A bachelor social worker may practice only under supervision in accordance with regulations of the board.

(c) A master social worker may provide

1           (1) therapeutic counseling;  
2           (2) consultation regarding social service programs and the  
3 provision of social services.

4           (d) A person may engage in the private unsupervised practice of  
5 social work only if

6           (1) the person is licensed as a master social worker;  
7           (2) the person has completed at least two years of post-  
8 graduate supervised experience approved by the board in the field of  
9 specialty in which the person engages as a private practitioner;

10           (3) the board has approved the specialty in which the  
11 person may engage as a private practitioner and authorizes designation  
12 of the speciality on the person's license;

13           (4) the license bearing a designation of speciality is  
14 prominently displayed in the place the person engages in private  
15 practice;

16           (5) the person limits the private practice of social work  
17 to the designated specialty.

18           (e) Only a master social worker designated to engage in the  
19 speciality field of clinical social work may practice psychotherapy.

20           Sec. 08.87.120. LICENSE BY CREDENTIALS. The board may provide  
21 for licensing a person as a bachelor or master social worker without  
22 examination if the person

23           (1) is a graduate of a school of social work accredited by  
24 the Council on Social Work Education;

25           (2) has an active license to practice social work in  
26 another state, territory or country with requirements at the time of  
27 the original licensure that were similar to or higher than those of  
28 this state;

29           (3) is not the subject of an unresolved complaint, review

1 procedure, or disciplinary proceeding undertaken by a professional  
2 social worker association or regulatory authority;

3 (4) has not failed the examination of this state;

4 (5) has not previously had a license to practice social  
5 work revoked in this or another jurisdiction;

6 (6) submits proof of continued competence as required by  
7 regulation of the board;

8 (7) pays all required fees.

9 Sec. 08.87.130. LICENSE RENEWAL REQUIRED. A license issued  
10 under this chapter shall lapse after four years unless it is renewed.

11 Sec. 08.87.140. FEES. The following fees are imposed under this  
12 chapter:

13	(1) application.....	\$ 25
14	(2) license by examination.....	100
15	(3) license by credentials.....	50
16	(4) license renewal.....	200
17	(5) reexamination.....	75

18 ARTICLE 3. PROHIBITIONS AND PENALTIES.

19 Sec. 08.87.200. LICENSE REQUIRED. (a) A person may not engage  
20 in the practice of social work unless the person is licensed under  
21 this chapter.

22 (b) Notwithstanding (a) of this section, a person may engage in  
23 social work if the person is a

24 (1) student enrolled in a program of social work that leads  
25 to a degree, engages in social work in the course of completing the  
26 program, and is supervised in accordance with regulations of the  
27 board;

28 (2) new employee on probationary status, is supervised in  
29 accordance with regulations of the board, and has not been engaged in

1 the practice of social work in this state for more than six months;

2 (3) qualified member of another profession and is engaged  
3 in the practice of social work only to the extent required by the  
4 practice of the other profession.

5 (c) Unless licensed under this chapter, a person may not use the  
6 title "social worker" or a title, designation, or device indicating or  
7 tending to indicate that the person is a social worker or practices  
8 social work. A person may not use the letters LBSW as part of a title  
9 unless the person is licensed as a bachelor social worker under this  
10 chapter. A person may not use the letters LMSW as part of a title  
11 unless the person is licensed as a master social worker under this  
12 chapter.

13 Sec. 08.87.210. CONFIDENTIALITY OF COMMUNICATIONS. A social  
14 worker licensed under this chapter may not reveal to another person a  
15 communication made to the social worker by a client about a matter  
16 concerning which the client has employed the social worker in a pro-  
17 fessional capacity. This section does not apply if the

18 (1) client provides written consent to the social worker to  
19 reveal the communication;

20 (2) client is incompetent and the guardian or personal  
21 representative provides written consent to the social worker to reveal  
22 the communication;

23 (3) client is dead and a beneficiary of an insurance policy  
24 on the client's life provides written consent to the social worker to  
25 reveal the communication;

26 (4) communication discloses that a crime has been committed  
27 or reveals an intent to commit a crime;

28 (5) client is a minor, the communication discloses that the  
29 client was the victim of a crime or harmful act, and the social worker

1 reveals the communication only during the course of an official exam-  
2 ination, trial or other proceeding in which the commission of the  
3 crime or harmful act is a subject of inquiry;

4 (6) client brings charges against the social worker and the  
5 social worker reveals the communication only as necessary to defend  
6 the charges.

7 Sec. 08.87.220. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-  
8 TIONS. After a hearing, the board may impose a disciplinary sanction  
9 on a person licensed under this chapter when the board finds that the  
10 licensee

11 (1) secured a license through deceit, fraud, or intentional  
12 misrepresentation;

13 (2) engaged in deceit, fraud, or intentional misrepresenta-  
14 tion in the course of providing professional services or engaging in  
15 professional activities;

16 (3) advertised professional services in a false or mislead-  
17 ing manner;

18 (4) has been convicted of a felony or other crime that  
19 affects the licensee's ability to continue to practice competently and  
20 safely;

21 (5) intentionally or negligently engaged in or permitted  
22 the performance of social work by persons under the licensee's super-  
23 vision that does not conform to minimum professional standards regard-  
24 less of whether actual injury occurred;

25 (6) failed to comply with this chapter, with a regulation  
26 adopted under this chapter, or with an order of the board;

27 (7) continued to practice after becoming unfit due to

28 (A) professional incompetence;

29 (B) failure to keep informed of current professional

1 practices;

2 (C) addiction or severe dependency on alcohol or other  
3 drugs that impairs the ability to practice safely;

4 (D) physical or mental disability;

5 (8) engaged in lewd or immoral conduct in connection with  
6 the delivery of professional service.

7 Sec. 08.87.230. DISCIPLINARY SANCTIONS. (a) When it finds that  
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9 impose the following sanctions singly or in combination:

10 (1) permanently revoke a license to practice;

11 (2) suspend a license for a determinate period of time;

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14 (5) place a licensee on probationary status and require the  
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16 (A) report regularly to the board upon matters involv-  
17 ing the basis of probation;

18 (B) limit practice to those areas prescribed;

19 (C) continue professional education until a satisfac-  
20 tory degree of skill has been attained in those areas determined  
21 by the board to need improvement;

22 (6) impose limitations or conditions on the practice of a  
23 licensee.

24 (b) The board may withdraw probationary status if it finds that  
25 the deficiencies that required the sanction have been remedied.

26 (c) The board may summarily suspend a license before final  
27 hearing or during the appeal process if the board finds that the  
28 licensee poses a clear and immediate danger to the public health and  
29 safety if the licensee continues to practice. A person whose license

1 is suspended under this section shall be entitled to a hearing by the  
2 board no later than seven days after the effective date of the order.  
3 The person may appeal the suspension after a hearing to a court of  
4 competent jurisdiction.

5 (d) The board may reinstate a license that has been suspended or  
6 revoked if the board finds after a hearing that the applicant is able  
7 to practice with reasonable skill and safety.

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9 disciplinary sanctions, and significant departure from prior decisions  
10 involving similar situations shall be explained in findings of fact or  
11 orders.

12 Sec. 08.87.240. PENALTY. (a) A person who violates this chap-  
13 ter is guilty of a class B misdemeanor.

14 (b) The board may seek to enjoin or restrain a person not li-  
15 censed under this chapter or whose license is suspended, revoked, or  
16 expired from violating this chapter.

17 ARTICLE 4. GENERAL PROVISIONS.

18 Sec. 08.87.300. DEFINITIONS. In this chapter

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

20 (2) "department" means the Department of Commerce and  
21 Economic Development.

22 \* Sec. 4. AS 44.62.330(a) is amended by adding a new paragraph to read:

23 (52) Board of Social Worker Examiners (AS 08.87.010).

24 \* Sec. 5. Within 30 days after the effective date of this Act the  
25 governor shall appoint initial members to the Board of Social Worker Exam-  
26 iners. Notwithstanding AS 08.87.010 as enacted in sec. 3 of this Act,  
27 initial members shall consist of three persons that have a doctorate or  
28 master's degree from a school of social work accredited by the Council on  
29 Social Work Education, at least one of whom is engaged in the private

1 practice of social work, one person with a bachelor's degree from a school  
2 of social work accredited by the Council on Social Work Education, and one  
3 public member. Notwithstanding AS 08.87.020 as enacted in sec. 3 of this  
4 Act, one initial member shall serve a one-year term, one initial member  
5 shall serve a two-year term, one initial member shall serve a three-year  
6 term, one initial member shall serve a four-year term, and one initial  
7 member shall serve a five-year term as determined by the governor.

8 \* Sec. 6. A person who meets the requirements under AS 08.87.100(a)(1),  
9 (3) and (4) enacted in sec. 3 of this Act may apply for and receive a  
10 license as a bachelor social worker. A person who has not passed the state  
11 examination under AS 08.87.100(a)(2) but otherwise meets the requirements  
12 of AS 08.87.100(b) may apply for and receive a license as a master social  
13 worker. An application for a license under this section must be filed  
14 before July 1, 1985.

15 \* Sec. 7. This Act takes effect July 1, 1983.