

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

3941 SHES SB 219 - SB 227 86/2

| | | | | | | | | | | |
|---------------------|---------------------------------|----------------------|-----------|------------|--------------------|--------------------|------------------------|------|---------|---------|
| 1. | POSITION TITLE Sergeant P.S. | | | | RANGE/STEP 78/A | BARG. UNIT PSEA | FORM 12 PAGE/LINE | GOV. | APPROV. | DISAPP. |
| 2. | TYPE OF POSITION PET | STAFF MONTHS 12.0 | RP NUMBER | PCH NUMBER | BRU PRIORITY 14 | LOCATICN Juneau | ELECTION DISTRICT 4 | LEG. | | |
| 3. | CONTINUATION LEVEL | | | | JUSTIFICATION | | | | | |
| 4. | TYPE OF EXPENDITURE | | | | AMOUNT | | | | | |
| | 1 | | | | 3 | | | | | |
| | PERSONAL SERVICES | | | | | | | | | |
| 5. | Salary 78A + 180 hrs. O/T | | 51.60 | | | | | | | |
| 6. | Benefits | | 12.05 | | | | | | | |
| 7. | Supplemental Benefits | | 2.00 | | | | | | | |
| 8. | Fixed Benefits | | 2.02 | | | | | | | |
| 9. | TOTAL PERSONAL SERVICES | | 01 | 69.4 | | | | | | |
| 10. | Travel | | 02 | 3.9 | | | | | | |
| 11. | Contractual | | 03 | 13.9 | | | | | | |
| 12. | Commodities | | 04 | 3.3 | | | | | | |
| 13. | Equipment | | 05 | 19.2 | | | | | | |
| 14. | Other | | | | | | | | | |
| 15. | TOTAL COST | | | 109.7 | | | | | | |
| | | | | | | | | | | |
| | RECEIPT CODE | FUNDING SOURCE | | | | | | | | |
| 16. | | Federal Receipts 100 | | | | | | | | |
| 17. | | G.F. Match 100 | | | | | | | | |
| 18. | | General Funds 100 | | 109.7 | | | | | | |
| 19. | | I-A Receipts 100 | | | | | | | | |
| 20. | | Program Receipts 102 | | | | | | | | |
| 21. | | Other | | | | | | | | |
| | | | | | | | | | | |
| FOR B&M USE ONLY | | | | | | | | | | |
| 4A KEY NUMBER _____ | | | | | | | | | | |

This position will be an investigator who will be part of a special unit dealing with cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases. Current staffing is simply unable to address the number of cases that are coming to light.

This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.

This position will function in "A" Detachment in Juneau.

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
 PROGRAM Administration of Justice
 DIVISION Alaska State Troopers
 COMPONENT Detachments and CJB

FY 86

Page 14 of 18

Revised Date _____

| | | | | | | | | | | |
|---------------------|---------------------------------|-----------------------|-----------|--------------------|--------------------|----------------------|------------------------|------|---------|---------|
| 1. | POSITION TITLE State Trooper | | | RANGE/STEP 77/A | BARG. UNIT PSEA | FORM 12 | PAGE/LINE | GOV. | APPROV. | DISAPP. |
| 2. | TYPE OF POSITION PFT | STAFF MONTHS 12.0 | RP NUMBER | PCN NUMBER | BRU PRIORITY 15 | LOCATION Soldotna | ELECTION DISTRICT 5 | LEG. | | |
| 3. | CONTINUATION LEVEL | | ADDITION | | JUSTIFICATION | | | | | |
| 4. | TYPE OF EXPENDITURE | | | AMOUNT | | | | | | |
| | 1 | | 2 | 3 | | | | | | |
| | PERSONAL SERVICES | | | | | | | | | |
| 5. | Salary 77A + 180 hrs. O/T | | 49,368 | | | | | | | |
| 6. | Benefits | | 12,213 | | | | | | | |
| 7. | Supplemental Benefits | | 2,680 | | | | | | | |
| 8. | Fixed Benefits | | 2,612 | | | | | | | |
| 9. | TOTAL PERSONAL SERVICES | 01 | | 66.9 | | | | | | |
| 10. | Travel | 02 | | 2.0 | | | | | | |
| 11. | Contractual | 03 | | 13.9 | | | | | | |
| 12. | Commodities | 04 | | 3.3 | | | | | | |
| 13. | Equipment | 05 | | 19.2 | | | | | | |
| 14. | Other | | | | | | | | | |
| 15. | TOTAL COST | | | 105.3 | | | | | | |
| | RECEIPT CODE | FUNDING SOURCE | | | | | | | | |
| 16. | | Federal Receipts 1002 | | | | | | | | |
| 17. | | G.F. Match 1003 | | | | | | | | |
| 18. | | General Funds 1004 | | 105.3 | | | | | | |
| 19. | | I-A Receipts 1005 | | | | | | | | |
| 20. | | Program Receipts 1028 | | | | | | | | |
| 21. | | Other | | | | | | | | |
| FOR B&M USE ONLY | | | | | | | | | | |
| 4A KEY NUMBER _____ | | | | | | | | | | |

This position will be an investigator with less experience than a sergeant that will work in close coordination with more senior personnel. It will, however, deal with the same type cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases.

This unit will be organized on a centralized Metro concept primarily responsible for investigating sexual exploitation and intra-family sexual assaults involving juveniles under the age of 17.

This position will function in "C" Detachment in Soldotna.

**REQUEST FOR
NEW POSITION**

AGENCY Department of Public Safety
PROGRAM Administration of Justice
BRU Alaska State Troopers
COMPONENT Detachments and CIB

FY 86

Page 15 of 18
Revised Date _____

| | | | | | | | | | | |
|---------------------|--|-----------------------|-----------|------------|--------------------|----------------------|------------------------|------|---------|---------|
| 1. | POSITION TITLE Clerk Typist II | | | | RANGE/STEP 7/A | BARG. UNIT GGU | FORM 12 PAGE/LINE | GOV. | APPRDV. | DISAPP. |
| 2. | TYPE OF POSITION PFT | STAFF MONTHS 12.0 | RP NUMBER | PCN NUMBER | BRU PRIORITY 16 | LOCATION Soldotna | ELECTION DISTRICT 5 | LEC. | | |
| 3. | CONTINUATION LEVEL | | | | JUSTIFICATION | | | | | |
| 4. | TYPE OF EXPENDITURE | | | | | | | | | |
| | 1 | 2 | 3 | | | | | | | |
| | PERSONAL SERVICES | | | | | | | | | |
| 5. | Salary 7A + 180 hrs. O/T | 21,678 | | | | | | | | |
| 6. | Benefits | 3,915 | | | | | | | | |
| 7. | Supplemental Benefits | 1,329 | | | | | | | | |
| 8. | Fixed Benefits | 2,732 | | | | | | | | |
| 9. | TOTAL PERSONAL SERVICES | 01 | 29.7 | | | | | | | |
| 10. | Travel | 02 | | | | | | | | |
| 11. | Contractual | 03 | 1.2 | | | | | | | |
| 12. | Commodities | 04 | 2.0 | | | | | | | |
| 13. | Equipment | 05 | 2.2 | | | | | | | |
| 14. | Other | | | | | | | | | |
| 15. | TOTAL COST | | 35.1 | | | | | | | |
| | RECEIPT CODE | FUNDING SOURCE | | | | | | | | |
| 16. | | Federal Receipts 1002 | | | | | | | | |
| 17. | | G.F. Match 1003 | | | | | | | | |
| 18. | | General Funds 1004 | | 35.1 | | | | | | |
| 19. | | I-A Receipts 1005 | | | | | | | | |
| 20. | | Program Receipts 1020 | | | | | | | | |
| 21. | | Other | | | | | | | | |
| FOR B&M USE ONLY | | | | | | | | | | |
| 4A KEY NUMBER _____ | | | | | | | | | | |

This position will provide clerical support for the specialized unit dealing with cases involving criminally exploited and missing children. These types of cases require extensive documentation and transcription of lengthy interview tapes. Recent court requirements have developed that result in the necessity of transcribing all interviews fully and making this data available to defense attorneys rather than only limited parts of interviews that are presented as evidence by the prosecution. Additionally, this position will perform all general clerical work including filing, typing and general correspondence. This position will function in "C" Detachment in Soldotna.

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
PROGRAM Administration of Justice
BRU Alaska State Troopers
COMPONENT Detachments and CIB

FY 86

Page 16 of 18

Revised Date _____

| | | | | | | | | | | |
|---------------------|--|-----------------------------|---------------|--------------|----------------------------|---------------------------|-------------------------------|------|---------|---------|
| 1. | POSITION TITLE State Trooper | | | | RANGE/STEP 77/A | BARG. UNIT PSEA | FORM 12 PAGE/LINE | GOV. | APPROV. | DISAPP. |
| 2. | TYPE OF POSITION PFT | STAFF MONTHS 12.0 | RP NUMBER | PCN NUMBER | BRU PRIOR' TY 17 | LOCATION Juneau | ELECTION DISTRICT 4 | LEG. | | |
| 3. | CONTINUATION LEVEL | | | | JUSTIFICATION | | | | | |
| 4. | TYPE OF EXPENDITURE | | | AMOUNT | | | | | | |
| | 1 | 2 | 3 | | | | | | | |
| | PERSONAL SERVICES | | | | | | | | | |
| 5. | Salary 77A + 180 hrs O/T | | 47,640 | | | | | | | |
| 6. | Benefits | | 11,785 | | | | | | | |
| 7. | Supplemental Benefits | | 2,680 | | | | | | | |
| 8. | Fixed Benefits | | 2,612 | | | | | | | |
| 9. | TOTAL PERSONAL SERVICES | 01 | | 64.7 | | | | | | |
| 10. | Travel | 02 | | 2.0 | | | | | | |
| 11. | Contractual | 03 | | 13.9 | | | | | | |
| 12. | Commodities | 04 | | 3.3 | | | | | | |
| 13. | Equipment | 05 | | 19.2 | | | | | | |
| 14. | Other | | | | | | | | | |
| 15. | TOTAL COST | | | 103.1 | | | | | | |
| | RECEIPT CODE | FUNDING SOURCE | | | | | | | | |
| 16. | | Federal Receipts | 1002 | | | | | | | |
| 17. | | G.F. Match | 1003 | | | | | | | |
| 18. | | General Funds | 1004 | 103.1 | | | | | | |
| 19. | | I-A Receipts | 1005 | | | | | | | |
| 20. | | Program Receipts | 1028 | | | | | | | |
| 21. | | Other | | | | | | | | |
| FOR B&M USE ONLY | | | | | | | | | | |
| 4A KEY NUMBER _____ | | | | | | | | | | |

This position will be an investigator with less experience than a sergeant that will work in close coordination with more senior personnel. It will, however, deal with the same type cases involving criminally exploited and missing children. This position will take a proactive approach to these difficult and complex child exploitation cases.

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Page 17 of 18
Revised Date _____

| | | | | | | | | | | |
|---------------------|-----------------------------------|----------------------|-----------|------------|--------------------|--------------------|------------------------|------|---------|---------|
| 1. | POSITION TITLE Clerk Typist II | | | | RANGE/STEP 7/A | BARG. UNIT GGU | FORM 12 PAGE/LINE | GOV. | APPROV. | DISAPP. |
| 2. | TYPE OF POSITION PFT | STAFF MONTHS 12.0 | RP NUMBER | PCN NUMBER | BRU PRIORITY 18 | LOCATION Juneau | ELECTION DISTRICT 4 | LEG. | | |
| 3. | CONTINUATION LEVEL | | | | JUSTIFICATION | | | | | |
| 4. | TYPE OF EXPENDITURE | | | | | | | | | |
| | 1 | 2 | 3 | | | | | | | |
| | PERSONAL SERVICES | | | | | | | | | |
| 5. | Salary 7A + 180 hrs. O/T | 21,114 | | | | | | | | |
| 6. | Benefits | 3,813 | | | | | | | | |
| 7. | Supplemental Benefits | 1,294 | | | | | | | | |
| 8. | Fixed Benefits | 2,732 | | | | | | | | |
| 9. | TOTAL PERSONAL SERVICES | 01 | 29.0 | | | | | | | |
| 10. | Travel | 02 | | | | | | | | |
| 11. | Contractual | 03 | 1.2 | | | | | | | |
| 12. | Commodities | 04 | 2.0 | | | | | | | |
| 13. | Equipment | 05 | 2.2 | | | | | | | |
| 14. | Other | 06 | | | | | | | | |
| 15. | TOTAL COST | | 34.4 | | | | | | | |
| | RECEIPT CODE | FUNDING SOURCE | | | | | | | | |
| 16. | | Federal Receipts | 1002 | | | | | | | |
| 17. | | G.F. Match | 1003 | | | | | | | |
| 18. | | General Funds | 1004 | 34.4 | | | | | | |
| 19. | | I-A Receipts | 1005 | | | | | | | |
| 20. | | Program Receipts | 1026 | | | | | | | |
| 21. | | Other | | | | | | | | |
| FOR B&M USE ONLY | | | | | | | | | | |
| 4A KEY NUMBER _____ | | | | | | | | | | |

This position will provide clerical support for the specialized unit dealing with cases involving criminally exploited and missing children. These types of cases require extensive documentation and transcription of lengthy interview tapes. Recent court requirements have developed that result in the necessity of transcribing all interviews fully and making this data available to defense attorneys rather than only limited parts of interviews that are presented as evidence by the prosecution. Additionally, this position will perform all general clerical work including filing, typing and general correspondence. This position will function in "A" Detachment in Juneau.

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FY 86

Page 18 of 18
Revised Date _____

child abuse

| | | | | | | |
|----|--|--|---------------|---------------|--------------|----|
| 1 | DEPARTMENT OF PUBLIC SAFETY (CONT.) | | | | | 1 |
| 2 | | | APPROPRIATION | APPROPRIATION | FUND SOURCES | 2 |
| 3 | | ALLOCATIONS | ITEMS | GENERAL FUND | OTHER FUNDS | 3 |
| 4 | OF FUNDS BUDGETED FOR RISK MANAGEMENT IN THAT AGENCY. | | | | | 4 |
| 5 | THIS AMOUNT SHOULD NOT BE TRANSFERRED TO THE DIVISION OF | | | | | 5 |
| 6 | RISK MANAGEMENT. | | | | | 6 |
| 7 | TRAINING ACADEMY (14 POSITIONS) | 1,760,300 | | | | 7 |
| 8 | ADMINISTRATIVE SERVICES (52 POSITIONS) | 2,229,600 | | | | 8 |
| 9 | CIVIL AIR PATROL (1 POSITION) | 529,800 | | | | 9 |
| 10 | DATA AND WORD PROCESSING (15 POSITIONS) | 1,674,800 | | | | 10 |
| 11 | IT IS THE INTENT OF THE LEGISLATURE THAT MISSING PERSONS | | | | | 11 |
| 12 | AND CHILD EXPLOITATION SUPPORT SHALL BE A PRIORITY OF | | | | | 12 |
| 13 | THE DEPARTMENT AND SHALL BE IMPLEMENTED THROUGH THE USE | | | | | 13 |
| 14 | OF THE "INQUIRE" PRODUCT IN CONJUNCTION WITH EXISTING | | | | | 14 |
| 15 | DATA PROCESSING RESOURCES. | | | | | 15 |
| 16 | | * * * * * | * * * * * | | | 16 |
| 17 | | * * * * * DEPARTMENT OF TRANSPORTATION/PUBLIC FACILITIES | * * * * * | | | 17 |
| 18 | | * * * * * | * * * * * | | | 18 |
| 19 | STATEWIDE PROGRAMS | | 14,676,900 | 8,647,400 | 6,029,500 | 19 |
| 20 | OFFICE OF THE COMMISSIONER | | | | | 20 |
| 21 | COMMISSIONER'S OFFICE (8 POSITIONS) | -600,700 | | | | 21 |
| 22 | IN RECOGNITION OF THE EXECUTIVE AND LEGISLATIVE INTEREST | | | | | 22 |
| 23 | IN ESTABLISHING A SOUND BASIS FOR DOT&PF CAPITAL PROJECT | | | | | 23 |
| 24 | ACCOUNTING IN THE NEW STATE ACCOUNTING SYSTEM, THE FACT | | | | | 24 |
| 25 | THAT UNPAID AND UNCOLLECTED ITEMS RELATED TO FISCAL 1984 | | | | | 25 |
| 26 | AND BEFORE ARE REFLECTED IN THE ANNUAL FINANCIAL REPORTS | | | | | 26 |
| 27 | AND THE MAGNITUDE OF GENERAL FUND LAPSES IDENTIFIED FROM | | | | | 27 |

1985

| 1 | DEPARTMENT OF PUBLIC SAFETY (CONT.) | | APPROPRIATION | APPROPRIATION | FUND SOURCES | 1 |
|----|--|-------------|---------------|---------------|--------------|----|
| 2 | | | | | | 2 |
| 3 | | ALLOCATIONS | ITEMS | GENERAL FUND | OTHER FUNDS | 3 |
| 4 | COMMUNITY SERVICES (2 POSITIONS) | 136,800 | | | | 4 |
| 5 | JUDICIAL SERVICES (52 POSITIONS) | 3,514,300 | | | | 5 |
| 6 | PRISONER TRANSPORTATION | 750,000 | | | | 6 |
| 7 | SEARCH AND RESCUE | 169,900 | | | | 7 |
| 8 | BUILDING SECURITY (11 POSITIONS) | 538,900 | | | | 8 |
| 9 | VILLAGE PUBLIC SAFETY OFFICER PROGRAM | | 7,040,100 | 7,040,100 | | 9 |
| 10 | CONTRACTS | 5,208,500 | | | | 10 |
| 11 | SUPPORT (12 POSITIONS) | 1,571,600 | | | | 11 |
| 12 | IT IS THE INTENT OF THE LEGISLATURE THAT THE VPSO | | | | | 12 |
| 13 | PROGRAM HAVE ONE OVERSITE TROOPER FOR EVERY TWELVE | | | | | 13 |
| 14 | VPSO'S. IN CONTRACT SERVICE AREAS WHERE THERE ARE LESS | | | | | 14 |
| 15 | THAN 12 VPSO'S THE DEPARTMENT SHALL CONTINUE OVERSITE | | | | | 15 |
| 16 | RESPONSIBILITIES WITH EXISTING TROOPER PERSONNEL. | | | | | 16 |
| 17 | ADMINISTRATOR (3 POSITIONS) | 260,000 | | | | 17 |
| 18 | ALASKA POLICE STANDARDS COUNCIL (3 POSITIONS) | | 349,000 | 349,000 | | 18 |
| 19 | VIOLENT CRIMES COMPENSATION BOARD (3 POSITIONS) | | 732,700 | 732,700 | | 19 |
| 20 | DOMESTIC VIOLENCE AND SEXUAL ASSAULT (3 POSITIONS) | | 4,875,500 | 4,775,500 | 100,000 | 20 |
| 21 | THE SUM OF \$235,900 IS APPROPRIATED TO THE DOMESTIC | | | | | 21 |
| 22 | VIOLENCE COUNCIL IN THE CONTRACTUAL LINE TO PROVIDE A | | | | | 22 |
| 23 | TRAINING PROGRAM ON THE PREVENTION, INTERVENTION, | | | | | 23 |
| 24 | INVESTIGATION, AND TREATMENT OF SEXUAL AND PHYSICAL | | | | | 24 |
| 25 | ABUSE OF MINORS. | | | | | 25 |

| 1 | DEPARTMENT OF ADMINISTRATION (CONT.) | | | | 1 | |
|----|--|-------------|---------------|----------------------------|-------------|----|
| 2 | | | APPROPRIATION | APPROPRIATION FUND SOURCES | 2 | |
| 3 | | ALLOCATIONS | ITEMS | GENERAL FUND | OTHER FUNDS | 3 |
| 4 | LABOR RELATIONS (15 POSITIONS) | 954,200 | | | | 4 |
| 5 | FINANCE (43 POSITIONS) | 1,882,500 | | | | 5 |
| 6 | GENERAL SERVICES | | | | | 6 |
| 7 | PURCHASING (21 POSITIONS) | 1,473,200 | | | | 7 |
| 8 | IT IS THE INTENT OF THE LEGISLATURE THAT THE DIVISION OF | | | | | 8 |
| 9 | GENERAL SERVICES AND SUPPLY'S ACTIVITIES WHICH ARE | | | | | 9 |
| 10 | CURRENTLY CONDUCTED AND BASED IN ANCHORAGE SHALL | | | | | 10 |
| 11 | CONTINUE TO BE CONDUCTED AND BASED IN ANCHORAGE | | | | | 11 |
| 12 | THROUGHOUT FY86. | | | | | 12 |
| 13 | PROPERTY MANAGEMENT (11 POSITIONS) | 496,300 | | | | 13 |
| 14 | CENTRAL DUPLICATING AND MAIL (37 POSITIONS) | 2,280,000 | | | | 14 |
| 15 | ARCHIVES (17 POSITIONS) | 904,600 | | | | 15 |
| 16 | RETIREMENT & BENEFITS (55 POSITIONS) | 5,816,000 | | | | 16 |
| 17 | EQUAL EMPLOYMENT OPPORTUNITY (12 POSITIONS) | 623,400 | | | | 17 |
| 18 | LABOR RELATIONS AGENCY | 87,000 | | | | 18 |
| 19 | RAILROAD LABOR RELATIONS AGENCY | 85,000 | | | | 19 |
| 20 | ALASKA PUBLIC OFFICES COMMISSION (11 POSITIONS) | | 519,700 | 519,700 | | 20 |
| 21 | RISK MANAGEMENT (8 POSITIONS) | | 15,327,800 | | 15,327,800 | 21 |
| 22 | INFORMATION RESOURCE MANAGEMENT (134 POSITIONS) | | 16,496,100 | 11,766,800 | 4,729,300 | 22 |
| 23 | IT IS THE INTENT OF THE LEGISLATURE THAT MISSING PERSONS | | | | | 23 |
| 24 | AND CHILD EXPLOITATION SUPPORT SHALL BE A PRIORITY OF | | | | | 24 |
| 25 | THE DEPARTMENT OF PUBLIC SAFETY AND SHALL BE IMPLEMENTED | | | | | 25 |
| 26 | THROUGH THE UTILIZATION OF THE "INQUIRE" PRODUCT IN | | | | | 26 |
| 27 | CONJUNCTION WITH EXISTING DATA PROCESSING RESOURCES. IT | | | | | 27 |

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HESS 4-9-85 1:36pm



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

10/31/89
Date

S B

2 2 6

Senate Health, Education and Social Services Committee

Legislation Checklist

Bill number: SB 226

Sponsor: P. FISCHER

Date referred to committee: 3/12/85

Synopsis completed:

Fiscal note:

Further referrals: JUDICIARY

CONTACTS:

AG's Ofc. 3460 Lisa Nelson

DOE 2800 STEVE HOLF ~~answer questions~~

DOA 279-754 Anna Fabe - Public Defender / Bob Stokes ^{is fiscal note}

Drafter 3867 Keith Lutz - Legal Services

Bill Moffett - Sr. P. Feather

586-9702 Don McKinnon, School Administrators

452-2000 Dr. Ken Buralgo, Phil Wright - no problem w/ bill - no
travelling problem

586-1083 Bob Green, School Boards.

**COMMITTEE REPORT
SENATE**

FURTHER: JUDICIARY

5/12/85

Date 5/12/85

Mr. President

The Committee on WESS considered SB 226
violation of compulsory education laws.

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 SB 226
- new title
- same title and recommends same
- 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

Walter H. ...
Chairman

L. ...
Chairman recommendation

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

APR 17 1985

Revision Date: _____

REQUEST

Bill/Resolution No.: SB-226
Title: ...compulsory education...

FISCAL DETAIL

Agency Affected: Education
Program Category Affected: _____

Sponsor: Fischer, Paul
Requestor: Senate HESS
Date of Request: 4-16-85

BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

| | FY 85 | FY 86 | FY 87 | FY 88 | FY 89 | FY 90 |
|------------------------|-------|-------|-------|-------|-------|-------|
| OPERATING | | | | | | |
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 SUPPLIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS | | | | | | |
| 800 MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | | 0 | 0 | 0 | 0 | 0 |

| | | | | | | |
|----------------|--|--|--|--|--|--|
| CAPITAL | | | | | | |
|----------------|--|--|--|--|--|--|

| | | | | | | |
|----------------|--|--|--|--|--|--|
| REVENUE | | | | | | |
|----------------|--|--|--|--|--|--|

FUNDING: (Thousands of Dollars)

| | | | | | | |
|---------------|--|---|---|---|---|---|
| GENERAL FUND | | 0 | 0 | 0 | 0 | 0 |
| FEDERAL FUNDS | | | | | | |
| OTHER | | | | | | |
| TOTAL | | | | | | |

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: Attach a separate page if necessary

The bill has no fiscal impact on this Department.

Prepared By: Steve Hole Phone: 2800
Division: Commissioner's Office Date: 4-16-85
Approved by Commissioner: Harold Reynolds, Jr. Date: 4-16-85
Agency: Education

Distribution (by Agency preparing fiscal note):

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

7/1/84

FEB 27 1985

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

148 North Binkley Street • Soldotna, AK 99669 • Phone 907/262-5846



February 21, 1985

*Edie -
check out.
draft response*

Senator Bettye Farhenkamp
Chairman
Health Education and Social Services
Pouch V
Juneau, Alaska 99811

Re: Student Attendance Laws
Alaska Statutes, Title 14, Education, Chapter 30. Pupils,
Article 1. Compulsory Education, paragraphs 020. Violation

Dear Senator Farhenkamp:

Student truancy is an increasing problem here. As our student population increases at a 7% annual rate, there has been an even greater increase in the number of students who do not attend school regularly.

Several years ago, we worked out a procedure with the District Attorney to appropriately carry out the steps required before we turn matters over to his office.

All administrators carry out building level counseling and disciplinary procedures in all truancy cases. Emphasis is given to procedures that keep students in class rather than suspending them for not coming to school.

Students with 10 or more days of unexcused absence are referred to my office and I initiate a series of three formal parent contacts that inform them of their rights and responsibilities, offer assistance, inform them of alternatives to regular school attendance, and, finally, indicate that they will be referred to the District Attorney's office if student truancy continues.

After students have been truant for 20 or more days, I request permission for the School Board, as required by current law, to make and file a report with the District Attorney who represents the branch of government empowered to take further action.

At this point, the issue has been transferred to the judicial arena and further delays occur as the case is processed, calendared and heard.

And, at this point, the wording of the law cited above renders both the school district and the District Attorney's office powerless to act whenever parents or their attorneys arrange delays that extend beyond the end of the school year because -

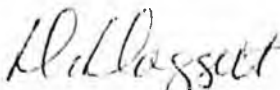
"In any event, at the expiration of the school year, the person shall be released and discharged from all penalties provided by this section." from Sec. 14.30.020. See attached.

At the present, state law only requires students to attend school from age 7 to 16 or nine years of a 13 year K-12 system. Current truancy law makes it impossible to really require parents to have their children in school for the nine years.

I request your assistance in modifying the existing law by deleting the sentence noted above. This action would permit school districts, through the District Attorney's office, to enforce the law from year to year.

Please contact me if I can provide you with assistance or information.

Cordially,


Dr. Dennis Daggett
Associate Superintendent
Instructional Services

encl

cc: Shannon Turner
Thomas Wardell
District Principals

DD/set

STATE OF ALASKA

DEPARTMENT OF LAW

CRIMINAL DIVISION/THIRD JUDICIAL DISTRICT
OFFICE OF THE DISTRICT ATTORNEY

BILL SHEFFIELD, GOVERNOR

REPLY TO:

- 1031 WEST 4th AVENUE, SUITE 520
ANCHORAGE, ALASKA 99501
PHONE: (907) 277-8622
- P.O. BOX 3070
DILLINGHAM, ALASKA 99576
PHONE: (907) 842-2482
- 145 MAIN STREET LOOP, ROOM 201
KENAI, ALASKA 99611
PHONE: (907) 283-3131
- 326 CENTER AVE, SUITE 205
KODIAK, ALASKA 99615
PHONE: (907) 486-5744
- 809 S. CHUGACH ST.
PALMER, ALASKA 99645
PHONE: (907) 745-5027
- P.O. BOX 671
VALDEZ, ALASKA 99686
PHONE: (907) 835-2462

February 8, 1985

Dr. Dennis Daggett
Associate Superintendent
Instructional Services
Box 1200
Soldotna, Alaska 99669

Re: Tony Hansen
Johnny Colwell



Dear Dr. Daggett,

On May 24, 1984, we received your letter regarding the above students and a complaint alleging failure to educate a child was filed June 26, 1984. Because of difficulty in serving a summons, Mrs. Hanson was not arraigned until November 28, 1984. Her trial was set for February 11, 1985.

The public defender has indicated they would seek to have the case dismissed because of the wording of the statute which seems to relieve the parent of responsibility at the end of each school year. I have dismissed the case because I do not believe we could convince the court of any other interpretation of that statute.

Hopefully, we can begin these cases earlier in the school year so that we could get to trial (or whatever disposition is appropriate) before the statute creates a problem. Perhaps the statute should be changed.

If you have any questions, please call.

Very truly yours,

A handwritten signature in cursive script that reads "Shannon D. Turner".

Shannon D. Turner
Assistant District Attorney

SDT:11

SB 226: RELATING TO THE VIOLATION OF COMPULSORY EDUCATION LAWS.

** SB 226 DELETES A LINE IN STATUTE WHICH RELIEVES A PARENT AT THE END OF THE SCHOOL YEAR OF ALL CHARGES BROUGHT AGAINST THEM FOR VIOLATING THE COMPULSORY EDUCATION LAWS.

** PARENTS ARE RESPONSIBLE FOR THEIR CHILD'S TRUANCY. WHEN THE COMPULSORY EDUCATION LAWS ARE VIOLATED AND CORRECTIVE MEASURES ESTABLISHED BY THE SCHOOL DISTRICT HAVE NOT PROVEN EFFECTIVE, THEN PARENTS/GUARDIANS BECOME LIABLE.

** THE ATTORNEY GENERAL'S OFFICE IS OFFERING AN OPTION OF TWO AMENDMENTS. THE FIRST WOULD REPEAL THE SECTION AND REENACT IT BY STATING THAT A PERSON VIOLATING THE COMPULSORY ED LAWS IS FOUND GUILTY OF A CLASS B MISDEMEANOR. THE SECOND AMENDMENT WOULD REPEAL THE SECTION AND REENACT IT BY STATING THAT A PERSON VIOLATING THE COMPULSORY ED LAWS IS FOUND GUILTY OF A VIOLATION. AS THE LAW IS CURRENTLY WRITTEN, A PERSON IS FOUND GUILTY OF A MIX BETWEEN VIOLATION AND MISDEMEANOR.

** CLASS B MISDEMEANORS WOULD SERVE NO MORE THAN 90 DAYS IN JAIL AND PAY NO MORE THAN \$1,000. VIOLATORS WOULD PAY UP TO \$300.00 IN FINE WITH NO JAIL SENTENCE OR TRIAL PROCEEDINGS. ANY OR ALL PARTS OF EITHER SENTENCE CAN BE SUSPENDED BY THE COURT.

DRAFT
Law

DEPARTMENT OF LAW
PROPOSED COMMITTEE SUBSTITUTE
FOR SB 226

For an Act entitled: "An Act relating to the violation of compulsory
education laws."

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

* Section 1. AS 14.30.020 is repealed and reenacted to read:

Sec. 14.30.020. PENALTY. A person violating AS 14.30.010 is
guilty of a violation as defined in AS 11.81 and as punishable under
AS 12.55. Each day of unlawful absence constitutes a separate
offense.

DRAFT
Law

DEPARTMENT OF LAW
PROPOSED COMMITTEE SUBSTITUTE
FOR SB 226

For an Act entitled: "An Act relating to the violation of compulsory
education laws."

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

* Section 1. AS 14.30.020 is repealed and reenacted to read:

Sec. 14.30.020. PENALTY. A person violating AS 14.30.010 is
guilty of a class B misdemeanor. Each day of unlawful absence
constitutes a separate offense.

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Alaska State Legislature

Senator Paul A. Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-9269 H



State Senate

While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-3791

April 5, 1985

To: Bettye Fahrenkamp, Chair
HESS Committee

Subject: Senate Bill 226 (Violation of Compulsory Attendance Laws)

Dear Bettye,

I hope you will consider an early calendaring of SB 226 for a hearing before the HESS Committee. It seeks to correct a minor, but none the less important, defect in our present truancy statutes. Apparently, prosecutors and school officials are having difficulty bringing offenders actually to trial. I don't believe the matter will require too much of the committee's time.

Perhaps you might contact me about this at your convenience. I'd also like a chance to chat with you regarding SB 119 (Capital Punishment) as soon as possible.

Cordially,

A handwritten signature in cursive script that reads "Paul".

Paul

PAF:wmm

~~SECRET~~

Alaska State Legislature

Senator Paul A. Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-9269 H



While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-3791

State Senate

March 14, 1985

Memorandum: Senate Bill 226 (An act relating to the violation of compulsory education laws.)

To: Senator Bettye Fahrenkamp, Chair
Health, Education & Social Services Committee

From: Senator Paul Fischer *PF*

I would appreciate your scheduling a hearing on this legislation at your earliest convenience.

The bill would eliminate one sentence as follows: "in any event, at the expiration of the school year, the person shall be released and discharged from all penalties provided by this section."

This sentence is evidently being interpreted as relieving a parent of responsibility for their child's truancy at the end of each school year. Not only does the provision 'wash the slate' of any penalty imposed, but it is being misused to cause dismissal of cases unless actually brought to trial before the end of the final school term.

Local school and law enforcement personnel have strongly urged remedial action and I believe this problem merits our serious consideration.

Thank you.

*Edie - go ahead & get feel for bill from:
check w/ Ken Bunnley, Sch Supt - 46x
DOE*

*Let me know - if no concerns, let's talk to
BF about scheduling.
+ draft response to attached.*

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907.465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

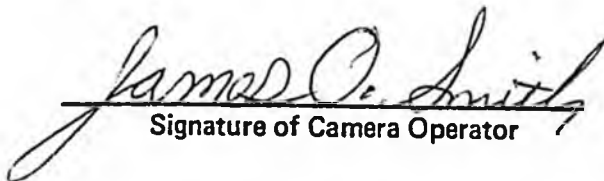
AESS 4-23-85 3:13pm



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

S B

2 2 7

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 1/27/86

REQUEST

Bill/Resolution No.: CSSB 227 (Finance)
Title: Practice of Social Work & estab. a Board of Social Work Examiners

Sponsor: Senator Fahrenkamp
Requestor: _____
Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.
BRU: Occupational Licensing

Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

| OPERATING | FY 86 | FY 87 | FY 88 | FY 89 | FY 90 | FY 91 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | 33.1 | 34.8 | 36.5 | 38.3 | 40.2 |
| TRAVEL | | 2.3 | 2.4 | 2.5 | 2.7 | 2.8 |
| CONTRACTUAL | | 4.8 | 5.0 | 5.3 | 5.6 | 5.8 |
| SUPPLIES | | 1.0 | 1.1 | 1.1 | 1.2 | 1.2 |
| EQUIPMENT | | 3.6 | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | | 44.8 | 43.3 | 45.4 | 47.8 | 50.0 |

| | | | | | | |
|---------|--|--|--|--|--|--|
| CAPITAL | | | | | | |
|---------|--|--|--|--|--|--|

| | | | | | | |
|---------|--|------|-----|------|-----|------|
| REVENUE | | 87.5 | 6.3 | 81.3 | 6.3 | 91.3 |
|---------|--|------|-----|------|-----|------|

FUNDING : (Thousands of Dollars)

| | | | | | | |
|---------------|--|------|------|------|------|------|
| GENERAL FUND | | 44.8 | 43.3 | 45.4 | 47.8 | 50.0 |
| FEDERAL FUNDS | | | | | | |
| OTHER | | | | | | |
| TOTAL | | 44.8 | 43.3 | 45.4 | 47.8 | 50.0 |

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

The bill creates a Board of Social Work Examiners to implement the licensing of all practitioners utilizing the title "social worker". Three categories of licenses are established; the bachelor, master and independent. The bill also authorizes the Board to designate a nationally recognized specialty area of practice for independent social workers. (See attached for further analysis.)

Prepared by: Jennifer Strickler, Mgnt. Analyst Phone: 465-2144
Division: Occupational Licensing Date: Jan. 27, 1986

Approved by Commissioner: Loren H. Lounsbury Date: 1/27/86
Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note) :

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 227 (Finance)

The fiscal note is reduced from previous notes as a result of reductions in the number of meetings and exam costs based on an estimated number of exam applicants during the initial implementation stages of the bill.

PERSONAL SERVICES:

Request: 1 Licensing Examiner I, Range 12A, GGU, 12 months, to be located
in Juneau \$33,145.82

The primary concern of this agency is that current responsibilities prohibit new licensing functions from being assumed without additional support staff. While it is possible that approximately half of the Licensing Examiner's time may be required to manage the function of licensing social workers, it is necessary that a full time position be requested since inquiries from the general public are not geared toward 'part-time' services in licensing. Staff availability to respond to the public during normal State working hours is crucial to this agency. The lack of available staff support would cause additional burden to the workload of the present staff.

TRAVEL:

Travel costs were based on one meeting in Anchorage, assuming appointed members are from Anchorage, Fairbanks, Juneau, Kenai and Nome, in accordance with Sec. 08.87.010 which require that members be appointed from 'different geographic regions' of the State.

CONTRACTUAL SERVICES:

The State Teleconference Network has increased charges to \$50 per site, per hour. The teleconference network is also unavailable to boards during the legislative session. Therefore, the Alascom teleconference system would be utilized. Costs for an additional full-day teleconference meeting and a special one-hour teleconference meeting are included. The request also includes funding for public notices required by AS 44.62, printing, postage, and telephone service. Costs to cover contracting for use of licensing examinations are also included based on 20 exam candidates upon effective date of the bill.

COMMODITIES:

This funding will cover stationery and other miscellaneous desk supplies required to support the function.

EQUIPMENT: (One time costs only)

These costs are to purchase equipment for the Licensing Examiner I position.

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 227 (Finance)

PROJECTED REVENUES:

| | | |
|--------|--|----------------------------|
| FY 87: | Based on the number of practitioners identified, it is anticipated that 350 practitioners will be seeking initial licensure. 350 x \$250 | \$ 87.5 |
| FY 88: | Based on the assumption that there will be at least 25 new applicants. 25 x \$250 This will make a total of 375 licensees. | 6.3 |
| FY 89: | Projections for this fiscal year are based on the assumption that all licenses will be renewed. Based on 375 licensees x \$200 (renewal fee) In addition, another 25 new licensees to make a total of 400 licensees. 25 x \$250 | 75.0 <u>6.3</u> 81.3 |
| FY 90: | Based on an estimate of 25 new licensees, this would make a total of 425 licensees. | 6.3 |
| FY 91: | Assuming this will also be a renewal year, and based on 425 licensees x \$200 renewal fee. In addition, another 25 new licensees, to make a total of 450 licensees. | 85.0 <u>6.3</u> 91.3 |

Mavisita Schneider

FEB 8 1985

SOCIAL WORK LICENSING REPORT

2-3-85

ESTIMATE OF NUMBER OF SOCIAL WORKERS ELIGIBLE
FOR LICENSING

Total Number of NASW Members as of 10/31/85 226
Total number of NASW members not eligible
or exempted.

(1) Students (BSW and MSW) 20

Number of NASW members that potentially
might not choose to be licensed.

(1) Unemployed 11
(2) Retired 2
(3) Associates 5

Total number of NASW members impacted by
licensure.

high estimate 206
Low estimate 188

Over 50% of social workers that belong to NASW have MSW's and are
certified by ACSW (Academy of Certified Social Workers).

Total number of social workers employed by DFYS 138*

Number of DFYS social workers that are NASW members.
We estimate from a 1982 report that approximately 20-26%
of DFYS workers belong to NASW (projecting a 15% increase
from 1982).

DFYS NASW members 36
DFYS non-members 102

Number of social workers employed by private non-profit
agencies, in private practice, etc. that are non-NASW members.

Estimate 25-50

TOTAL SOCIAL WORKERS ELIGIBLE FOR LICENSURE - UNDUPLICATED COUNT

Low estimate 315
High estimate 358

WHY LICENSE SOCIAL WORKERS?

1. Licensing will enable the public to identify those social workers who have met minimum standards required for licensing. Presently, anyone can use the title of "social worker", even if they have no training or experience whatsoever. With licensing, the public will have the assurance that anyone representing themselves as a social worker will have the required professional preparation, regardless of the setting in which they practice.
2. Licensing will ensure an enforceable code of professional conduct. Licensure would provide consumers with easy access to investigative and adjudicative procedures through a regulatory body, supported by effective penalties for offending practitioners. The National Association of Social Workers believes that one of the most important reasons for enacting State licensure is the accountability it provides to the public.
3. Since a majority of states do have licensing of social workers, an Alaskan license would assure that uniform standards of social work practice exist from state to state. This will better serve the consumer, and allow reciprocity to the licensed professional.
4. Licensing will ensure that social workers are screened and evaluated carefully in terms of specific standards before they are allowed to have an independent practice.
5. Insurance reimbursement is possible. If a social worker is licensed, insurance companies have a standard for recognition and payment of this important health benefit to their subscribers. This will assist the consumer who uses both public and private services of social workers. A large percentage of mental health services are provided by unlicensed social workers in this State. The cost of these services are not retrievable by the public agencies who employ them. Many "denied claims" are now being written off at State expense because of the lack of a State social work license.
6. Licensing of social workers will provide consumers lower cost mental health services. A recent Defense Department Champus insurance report indicated "that in the majority of states the comparative prevailing fee profiles for social workers' psychotherapy sessions are lower than those for psychiatrists. DOD reports that no quality of care problems have arisen". The Champus insurance program for dependents of military personnel (a substantial population of Alaska) estimates that it saved over \$253,000 between December 1980 and March 1982 through its experimental reimbursement of clinical social workers.
7. Licensing social workers will ensure privileged communications between the professional social worker and their client. Confidentiality is at this time not regulated.
8. Licensing will assist consumers in locating qualified social work services. It will provide referral sources a clear understanding of specialization, education, and experience of a particular social worker. It is important to understand that the great majority of clients receiving social work services have no choice about who is to be their social worker. Where they have a choice, such as when seeking private therapy or family counseling, the consumer has no guidelines to judge the competence of the worker.

9. The provision of competent social work services requires professional education. Experience shows that the only way to ensure that persons giving services are capable, is to establish minimum standards for practice. Such regulation is essential for the public, as well as for the profession.
10. Legislation to license social workers needs to recognize clinically trained social workers as equally qualified to the other mental health professionals identified by law as competent in the evaluation of the mentally disturbed for purposes of commitment. The only non-licensed profession now included in Alaska's mental health commitment law is social work. Without regulating the practice of social work, there is concern in the profession that Alaskans could be subject to the improper use of State-given sanction.

Additional Notes

-Approximately 300-350 social workers in the State of Alaska would be licensed under legislation proposed by the Alaska Chapter, National Association of Social Workers

-Licensing fees collected from at least the above referenced numbers of individuals would more than off-set the costs of the Social Work Licensing Board needing to be established as part of the licensing law.

Alaska State Legislature

BETTYE FAHRENKAMP, Chairman
ARLISS STURGULEWSKI, Vice Chairman
JOE JOSEPHSON
PAUL FISCHER
EDNA ARMSTRONG-DE VRIES



Superseded

POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

Senate Committee on Health, Education and Social Services

April 15, 1985

BILL ANALYSIS

CS SB 227 (HESS), An Act relating to the practice of social work and establishing the Board of Social Work Examiners.

Section 08.87.010 Board Make-up

The Board would be composed of 2 master social workers (MSW), 1 independent social worker (ISW), 1 bachelor social worker (BSW), and 1 public member. The Board would meet twice a year.

Section 08.87.070 Duties of the Board

Duties would include: examinations, setting standards for specialty designations, setting supervision standards, and establishing disciplinary sanctions.

Section 08.87.100 Licensing

| <u>Bachelor's (LBSW)</u> | <u>Master's (LMSW)</u> | <u>Independent (LISW)</u> |
|--|--------------------------------|--|
| Good professional standing | Same | Same |
| Passed state examination | Same | Same |
| 3 references | Same | Same |
| Bachelor's degree in social work from school with program accredited by Council on Social Work Education | Master's degree in social work | Master's degree in social work |
| Supervision may be required by regulation of the Board | None | Must have completed at least 24 months of supervised post graduate experience approved by the board. |

Section 08.87.110 Scope of Practice

"Enhance, protect, or restore people's capacity for social functioning."

Section 08.87.110(b) Practice of Psychotherapy

Limited to independent social workers with a clinical specialty or a master social worker (MSW) supervised in a clinical setting.

Section 08.87.110(c) Autonomous Practice

Limited to licensed independent social workers who have Board approval.

Section 08.87.120 License by Credentials

No exam would be required for social workers who hold an active license in another jurisdiction.

Section 08.87.130 License Renewal

Required every 24 months. No continuing education requirement, but Board may adopt regulations requiring proof of continued competency (08.87.060(a)(b)).

Section 08.87.140 Fees

Intended to cover the Board's operational and administrative costs.

Section 08.87.200 Use of Title

Use of "social worker" title limited to licensed social workers. However, students enrolled in accredited program may use "social worker student" title; unlicensed state employees may use "associate social worker" title when operating under the supervision of a licensed social worker.

Section 08.87.210 Confidentiality

Required except under certain conditions (including written consent, death, criminal acts, and court proceedings).

Section 08.87.220-.240 Sanctions and Penalties

Board may impose disciplinary sanctions as outlined in the bill. Class B misdemeanor (maximum 90 day sentence) for violation of the act.

Section 7

Grandfather Clause

For 24 months following enactment of the bill, licenses will be awarded without exam to applicants who meet the eligibility requirements of AS 08.87.100 or who have a related degree and have been practicing for 24 consecutive months prior to application. Licenses will also be awarded to non-degreed persons who pass the exam and have been practicing for two years under a person eligible to be licensed. Application must be made prior to July 1, 1987.

file SB 227



**NATIONAL ASSOCIATION OF
SOCIAL WORKERS**

March 17, 1986

The Honorable Max Gruenberg, Jr.
The Honorable Nilo Koponen
Alaska State Legislature
Co-Chairs, House HESS
P.O. Box V
Juneau, Alaska 99811

Dear Sirs:

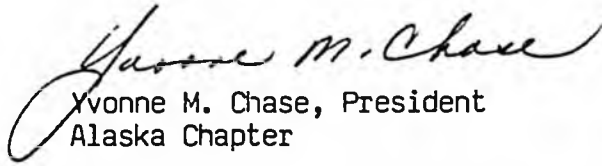
The Alaska Chapter of the National Association of Social Workers has discussed the concerns raised in the recent hearing of CSSB 227 before your Committee, and wishes to propose the following amendments to the Bill.

1. Page 4, line 6: propose the addition of wording that indicates that nothing in the Chapter shall be construed to regulate any title other than "social worker."
2. Page 5, line 27: propose deleting the words "or practice of social work."
3. Page 6: propose deletion of subsection C, lines 11-15.
4. Page 11: subsection C, propose deletion of lines 2-4.
5. Page 11: line 15, propose deletion of words "or practice of social work."

In addition to the above amendments, the Chapter also proposes that language be drafted which would exempt Native non-profit corporations from all provisions of this Act, and that this language be inserted wherever it is appropriate in the Bill.

Thank you for consideration of the above amendments. We appreciate your continued support on the licensing of social workers.

Sincerely,



Yvonne M. Chase, President
Alaska Chapter

cc: Senator Bettye Fahrenkamp
Representative Albert Adams
Barbara Dale, Special Assistant to the Governor, Boards and Commissions
Peter Froelich, Assistant Attorney General, Department of Law
Michael Price, Director, Division of Family and Youth Services
Alaska Native Non-Profit Corporations
Julie Kitka, AFN

House HESS Committee

Testimony of Representative Marco A. Pignalberi

CSHB 424 (L&C)

March 6, 1986

18.28 regional or local health organization
1) rec'd \$ fed. gov for community
health aide program



The bills before you all have a common purpose; i.e. ensure public protection by setting standards and licensure requirements for various kinds of counselors.

My bill, HB 424, is the best approach, not because of any conceptual superiority, but only because it is more comprehensive and deals with 3 related occupations instead of one. Therefore, it protects a greater number of people under its umbrella than a bill which covers only one occupation.

I have no problem with including the substance provisions of SB 227 within HB 424. In fact we've tried to do that. The social workers were behind HB 424 in the earlier stages. Their reasons for backing out and going with a separate bill simply do not make sense to me. I hope this committee will try to make sense of their objections and merge the interests of all three occupations into a single committee substitute.

To the extent HB 424 has serious flaws, they are found in the section dealing with social workers. Indeed, the flaws are common to HB 424, SB 227, and HB 317. They have to do with the "elitist-like" result of licensing only certain practitioners who meet prescribed standards while excluding others who perform as worthy a role, but do not meet those standards. This is a problem especially in rural areas.

I have attempted to cure this defect with the amendments, distributed here, which would exempt practitioners who work in communities of less than 5000 people, or, who work for an organization that qualifies under AS 18.28, the Community Health Aide Statute. The result of the amendments would be to

leave the status quo for the communities and organizations that are covered by the amendment. I recognize that this may not wholly solve the problems that will be further explicated by Dr. Jim Morris when he testifies. But my amendments are offered in a spirit of compromise.

If the committee wants to pass the social worker licensing bill, which I do not recommend, then I would urge you to delete all the social worker provisions from HB 424 and pass it in addition to the social worker bill.

Finally, there is one technical defect in SB 227. Legal Services has provided a memo which indicates a title defect in the bill. Namely, the content of the bill would change Alaska Rule of Evidence #504, concerning therapist-patient privilege. Under Uniform Rule 39, a bill title must include the Rule of Court that it changes. Furthermore, a bill that amends a court rule requires a two-thirds vote for passage. Via telephone, one hour ago, I was told that the intent is not to change the rule, but some change of language is recommended. Assistant Attorney General Froelich will address this also.

Summarily, Mr. Chairman, I think that none of the bills are without defect. HB 424 has the least. SB 227 has the most. I have no objection to including the guts of HB 424 in HB 317. That title can be changed here. SB 227's title cannot be changed in the House. The marriage and family therapists, professional counselors, a lot of social workers, and a lot of common sense urges you to adopt a combined board bill.

A M E N D M E N T

Offered in the HOUSE

By Pignalberi

TO: CSHB 424(L&C)

Page 18, line 14, following "chapter" insert "(1)"

Page 18, line 16, delete "(1)" and insert "(A)"

Page 18, line 17, delete "(2)" and insert "(B)"

Page 18, line 18, delete "(3)" and insert "(C)"

Page 18, line 19, delete "(4)" and insert "(D)"

Page 18, line 20, delete "(5)" and insert "(E)"

Page 18, line 26, delete "." and insert ";"

Page 18, following line 26, insert new paragraphs to read:

- "(2) in a community of less than 5,000 persons; or
- (3) for a regional or local health organization that receives a grant under AS 18.28."

Page 19, following line 6, insert a new paragraph to read:

- "(4) 'community' means a municipality or an unincorporated group of individuals residing in the same geographic area as a social unit;"



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 8, 1985

Ms. Yvonne Chase, MSW
President, Alaska Chapter
National Association of
Social Workers
4020 Folker
Anchorage, AK 99508

Dear Ms. Chase:

It was a pleasure to meet with you and other members of the Executive Committee of the Alaska Chapter of the National Association of Social Workers recently in Anchorage.

As I said in our meeting, I am basically in favor of the State licensing social workers, but I am not sure how to accomplish this in the most efficient and cost-effective manner.

I am appreciative of the time you spent with my Special Staff Assistant, Carol Derfner, to discuss this issue in more depth. It is my understanding that the discussion was constructive and that further discussion will take place that will explore the possibilities of consolidating a licensure program encompassing several behavioral science professionals, as well as social workers. I am informed that your organization has offered assistance in this matter during the interim period between legislative sessions.

I am sure that my Administration's cautious approach to increasing State licensure of professions and occupations is frustrating to you personally. However, while you certainly made a number of excellent points in your presentation, please understand that there are a number of proposals and bills currently being discussed that would increase the State's involvement in the licensing and regulation of occupations and professions. We are looking at these critically to ascertain actual public need, administrative considerations, and cost to the State. We are also looking at the hidden costs of the consumer of regulated occupations when the numbers, mobility, and activities of professionals are limited by State regulations or law.

April 8, 1985

Our State government is substantially involved in occupational licensing. One out of every five Alaskans is licensed by the State to practice professions or trades through the Division of Occupational Licensing in the Department of Commerce and Economic Development. Many other professions, such as teaching and law enforcement, are licensed through other State departments. It has become very costly to administer all these licensing programs with very little of the expense being borne by the licensees themselves. Another area we are concerned with is the proliferation of boards, commissions, and advisory committees over the past decade. We are encouraging consolidation of these bodies rather than increased specialization.

In the meantime, I am aware of your need to continue advocating House Bill 317 and Senate Bill 227. It is my hope, that by working together, we can have a licensing program encompassing social workers in place in the near future that meets your needs, as well as those of a State government that is experiencing severe budgetary constraints.

Sincerely,



Bill Sheffield
Governor

cc: Senator Bettye Fahrenkamp
Senator Fred Zharoff
Representative Niilo Koponen
Representative Max Gruenberg
Representative Mike Navarre

Commissioner John R. Pugh
Department of Health and
Social Services

Commissioner Loren Lounsbury
Department of Commerce and
Economic Development

Sandra

CSSB 227 (Fin) RELATING TO THE PRACTICE OF SOCIAL WORK AND ESTABLISHING THE BOARD OF SOCIAL WORK EXAMINERS.

Changes from CSSB 227 (HESS):

page 1, line 28

Clarifies that the public member of the board may not hold a financial interest in the social work profession. This is consistent with other licensing statutes.

page 2, line 8

Specifies that the board must meet at least once a year, rather than twice as in the HESS bill. Under departmental policy, additional meetings can be called in emergency situations or if the work load requires.

page 2, line 25

Clarifies that the board may adopt nationally recognized specialty designations for the private practice of social work and authorize the designations on licenses.

p. 4, line 28 [may] shall - per Halford

page 5, line 18

Requires that licenses be renewed biennially on a date set by the department. The HESS bill called for renewal 24 months after issuance which would have created an administrative burden of constantly being in a renewal cycle.

page 5, line 20

Fees will be established by the department with the approval of the board, and will be adjusted to meet the actual costs of the licensing function. This is consistent with other licensing statutes.

page 10, line 18

The 5 board members will serve staggered terms, with one member serving one year, one serving two years, one serving three years, and two serving four years. The HESS bill had one member serving a five year term, which was inconsistent with other licensing statutes.

page 11, line 18

Effective date has been changed from 7/1/85 to 7/1/86. The grandparenting dates have also been adjusted forward one year to coincide with the effective date.

prepared by Senate HESS, 1/24/86

Pass Senate
19-1

Sackett

passed Sen by
overwhelming
margin

Social services unit due for changes

By DAN JOLING
Staff Writer

Sweeping changes in how the Division of Family and Youth Services does business, including a rewrite of its intake procedures manual, will be in place starting early next year, the head of the division said Thursday.

Division director Michael Price said in a phone interview from Juneau that the division will complete a rewrite of its intake procedures manual this week. Social workers around the state who are involved with intake, the first contact with a child and its family after a report of battering, neglect or sexual abuse, will undergo "intensive" training with the new manual early next year.

The Division of Family and Youth Services is the agency charged with investigating reports of child and adult abuse. It has been the subject of

three legislative audits in two years and at least one ombudsman's investigation following complaints about its actions.

Agency officials have repeatedly said its work has been hampered by a lack of social workers and clerical staff. Nine additional staff members were hired with emergency funds this summer by order of Gov. Bill Sheffield, partly in response to a state ombudsman's report.

Sheffield will announce his 1985-86 budget recommendation today and may ask the Legislature for at least 25 more employees in the division.

A Division of Legislative Audit report released in September focused on intake procedures, the initial contact between a social worker and a family after the division receives a child abuse report. The audit said insufficient management direction re-

sulted in children not consistently receiving services specified in law and some parents finding that their rights were ignored.

In his response to the audit, Health and Social Services Commissioner John Pugh said the division was preparing a management plan incorporating that audit's recommendations, plus those from previous audits, investigations by the ombudsman and administrative hearings.

Besides rewriting its intake procedures manual, retraining social workers in intake procedures and adding staff, the division has planned the following changes, according to Price:

- A public information campaign will begin in early 1985, in which the division will run advertisements about how to recognize child abuse. The campaign will include publication of a

(See FAMILY, page 3)

FDN M 12-14-84

FAMILY . . .

(Continued from page 1)

centralized "Zenith" number which Alaskans can call to report cases of suspected child abuse 24 hours per day.

"The goal is to inform the public about the seriousness of child abuse," Price said.

- The agency is attempting to raise standards within the state personnel system for the hiring social workers.

Price said his division is working with the Department of Administration to give more weight to social worker applicants who have master's or bachelor's degrees in social work.

- The agency is developing a new statewide management information system.

Price said changing how the division collects and sorts information on its cases is a major part of its response to the various audits and reports.

"It's probably the key building block in the revitalization of our system," Price said.

The new management information will assess where the highest caseloads are and rank cases by their seriousness. For example, Price said, a social worker with 50 sexual abuse cases is under a much heavier workload than a social worker with 50 neglect cases. The change in reporting

will allow the division to determine the status of cases and document where additional staff is needed, Price said.

The management information system will also cut down on paperwork, he said. Price said social workers now spend 30 to 60 percent of their time on clerical duties, which may be somewhat alleviated with the hiring of additional clerical employees.

The new management information system will also help by storing client information in computer files rather than case files. Price said it could shrink the "paperwork" requirements by 50 percent.

- The division has prepared a pamphlet outlining parents' rights which can be handed out after an intake worker has obtained emergency custody of a child. Price said the pamphlet is about to go to the printer.

Price took issue with a statement last week by Rep. Bob Bettisworth, R-Fairbanks, chairman of the Legislative Budget and Audit Committee, who said caseworkers inflate their caseload figures.

"We have no indication of that. I don't know where he gets his information," Price said. "He hasn't shared that with us. I'd be interested in hearing where he received that information."

what can be done "out legislature" requiring occurrence?

POSITION PAPER

Superseded

SENATE BILL NO. 227

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."

This bill would establish a Board of Social Work Examiners which would set standards for specialty designations of Social Workers, provide for examination of eligible participants, adopt regulations for supervision of persons engaged in social work who are not Master Social Workers, and impose disciplinary sanctions. The bill would require that a person be licensed to use the title "Social Worker." The bill regulates confidentiality and the disclosure of information. The bill allows for a two year grandfathering of some persons currently employed as social workers.

The Department of Health and Social Services supports efforts to increase professional standards for social workers. The department is currently seeking to increase the number of M.S.W. and B.S.W. employees engaged in agency social work, by taking administrative actions which encourage the hiring of these degreed professionals. In addition, the department believes that professional standards for social workers in the private sector would increase public confidence. However, the bill presents a number of complicated issues that have not been resolved quickly in other states. These areas require special scrutiny and analysis. This position paper first addresses three major issues, followed by a sectional analysis.

I. MAJOR DEPARTMENTAL ISSUES

A. Effect on Current State Employees:

There are currently 147 state social workers affected by the bill: 135 line and supervisory workers with the Division of Family and Youth Services, six with the Department of Administration at Pioneer homes, five with the Department of Corrections, and one with the Office of Alcoholism and Drug Abuse.

A survey of staff qualifications for Division of Family and Youth Services' employees shows that of 113 state-employed social workers responding, 2 have Ph.D.s, 29 have M.S.W. degrees, 12 have related master's degrees, 10 have B.S.W. degrees, 37 have related bachelor's degrees, 14 have degrees in other areas, and 11 have no college degree (this group of 11 represents the agency's paraprofessionals). The department believes that experienced state workers without social work degrees should be allowed to continue with the state.

The bill does allow for a limited license for "social workers" who do not meet all of the licensing standards, but who have degrees in social work or related fields and 24 months experience prior to July 1, 1987. However, the bill only allows this "grandfather" group to obtain an

SENATE BILL NO. 227
PAGE 2

"original license" valid for two years (Section 7(a), pages 10-11). The department urges an amendment to allow already established state social workers to continue practice with the right to renew their licenses, subject to the disciplinary oversight of the new Social Work Board (as well as supervision by the department and "oversight" by the courts and the ombudsman). The language of the department's proposed amendment is included in the sectional bill analysis later in this paper.

B. Effect on State Hiring Practices, Including Local Hire and Affirmative Action Goals:

After the enactment of the bill, the department would be required to hire licensed social workers. It may be difficult to fill all social work positions, whether public or private, with licensed social workers, especially in rural areas. Also, the bill's strict educational requirements for licensure may impede the state's long-term goals of employing paraprofessional employees and developing a career ladder for them. The department often hires Alaska Native "Social Services Associates" who may eventually become social workers. The bill would probably prevent these persons from advancing beyond the paraprofessional level unless they leave their communities for further education.

There is currently no M.S.W. program in the State of Alaska. However, the Department of Health and Social Services is negotiating with two out-of-state universities to provide for a supervised field placement program in Alaska. The need to go out of state for the master's degree creates a hardship for Alaskans and especially limits the participation of low income persons and Natives in the social work field. (The development of an M.S.W. program through the University of Alaska would be very costly for the number of potential students.) Perhaps with further study this bill could include a method for non-degreed persons to "work up" to a level where they can be licensed as social workers based on experience and examination. (For example, AS 08.08.207 allows persons to become attorneys by clerking and examination.)

C. Effect of Licensing Which Defines Allowable "Tasks"

In Section 4 of the bill, Section 08.87.110, dealing with the scope of practice, the department urges the amendment of this section to delete any listing of services as part of a definition of the scope of practice of social work. The department and a representative from the Attorney General's office, in recent discussions with the National Association of Social Workers, have received advice that many other states find it more practical to define the practice of social work in "goals-related" language, rather than with a list of services or tasks which may be performed by social workers. Statutes with task lists may restrict the practice of some of these tasks by other, unlicensed persons, or create unnecessary battles between related professionals. The department suggests that the beginning language in 08.87.110(a), which describes

SENATE BILL NO. 227
PAGE 3

the goals of social work, could probably stand alone. Therefore, the department urges the deletion of lines 10-23 of this section, (page 4) starting on line 10 with the words "the services provided may include ..."

The department expects to receive a new suggested uniform licensure act from the National Association of Social Workers some time late the week of April 8th. As soon as this language is received we will share it with the committees and the bill sponsors.

Section 08.87.110, the Scope of Practice section, ties in with the license for title section, Section 08.87.200 (page 6). The department feels that although that it is important to license the title "social worker," the interaction between Sections 110 and Sections 200 may hamper many other persons from performing valuable services for fear of violating this licensing statute. Again, when the department receives language from N.A.S.W. we will present specific amendment language to the committees and sponsors.

II. SECTIONAL ANALYSIS

A. Supervision

In addition to the concerns mentioned above, the department wishes to note other problem areas, section by section.

The bill, at 08.87.070(5), states that the licensing board must promulgate regulations determining how non-master social workers would be supervised. At this time the department cannot know how these supervision standards would relate to the department's supervisory structures. Although the department can attempt to deal with this issue when regulations are proposed in the future, clarification in the bill would be better.

B. Confidentiality

Section 08.87.210, which states when a social worker may disclose client information, needs another subsection, as follows:

- (9) communication discloses information that the licensee is obligated by other state or federal statute or regulations to report.

The addition of such a subsection makes it clear that a social worker may make statutorily required reports, such as the reports of harm to a child or an adult required by Title 47.

C. Powers of the Board

At Section 08.87.230, which defines disciplinary sanctions, the department suggests that page 8, line 25 be amended by deleting the words "guilty of an offense under" and substituting the words "has committed a violation of." Terminology such as "guilty" and "offense" does not seem appropriate in a license disciplinary hearing, which is an administrative, civil proceeding. In Section 08.87.240, the penalty section of the bill, the department urges clarification of subsection (a) which creates a Class B misdemeanor. The present language states that "a person who violates this chapter" has committed a crime. This criminal provision should state what specific activity is made criminal, whether it is only practice without a license or, as an extreme example, whether it would be a crime for a social worker to breach confidentiality under 08.87.210.

The department also urges that Subsection (b) of 08.87.240 be set out as a separate section, as the Board's right to seek a civil injunction would be better placed separately from the criminal penalty provisions of the bill. Also, the department urges the amendment of 08.87.240 as follows, to clarify that the Board is not empowered to issue injunctive type orders:

- (b) The Board may apply to the Superior Court for an order enjoining [MAY SEEK TO ENJOIN OR RESTRAIN] a person not licensed under this chapter or whose license is suspended, revoked or expired from violating this chapter.

D. "Grandfathering"

The details of the waiver or "grandfathering" for present social workers are contained in Section 7 of the bill. The department urges that Section 7(a), specifically page 10, lines 26 and 27, be amended to read

... this act, a person may apply for and receive an original license, and subsequent license renewals, as a bachelor social worker if the person ...

The department urges the same change in the master social work language at Section 7(b), page 11, line 7.

In Subsection 7(a)(1), page 11, line 1, the department urges a definition of what is "a field related to social work" so that present social workers affected by the bill can know with certainty whether or not their degrees are considered as "related." Examples of degree fields which could be considered to be "related" to social work are: psychology, counselling and early childhood development. Much employee anxiety about the bill and much pressure on the first Social Work Board would be relieved by legislative determination of what related degrees would qualify for the "grandfather" licensing.

III. FINANCIAL IMPACT

The bill would require the state to bear the cost of creating a new board. It may be more efficient to expand the responsibility of the existing board of Psychologists and Psychiatrists to include social workers, and other therapists and counselors. The Division of Occupational Licensing obviously needs to be consulted to evaluate additional costs attached to the bill. The fees for licensing are costly and may financially impact non-profit contractors who, through their staff social workers, provide services to the state.

IV. RECOMMENDATION

The department supports the licensure of social workers in both the public and private sector as an additional method to monitor quality and to protect the public, although the department believes accommodation should be made for persons currently employed as social workers. There are many questions remaining about how to implement a licensing system in the social services area, questions that would benefit from further research and discussion.

RECOMMENDED:

Michael L. Price
Michael L. Price, Director
Division of Family
and Youth Services

DATE:

April 15, 1985

APPROVED:

John R. Pugh
John R. Pugh, Commissioner
Department of Health
and Social Services

DATE:

4-16-85

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB No. 227
 Title: An Act relating to the practice of social work
 Sponsor: Sen. Fahrenkamp
 Requestor: _____
 Date of Request: 3/12/85

FISCAL DETAIL

Agency Affected: Health and Social Services
 Program Category Affected: Social Services
 BRU, Program or Subprogram(s) Affected: Social Services BRU

EXPENDITURES/REVENUES: (Thousands of Dollars)

| | FY 85 | FY 86 | FY 87 | FY 88 | FY 89 | FY 90 |
|------------------------|-------|-------|-------|-------|-------|-------|
| OPERATING | | | | | | |
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 SUPPLIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS | | | | | | |
| 800 MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | | -0- | -0- | -0- | -0- | -0- |

| | | | | | | |
|----------------|--|-----|-----|-----|-----|-----|
| CAPITAL | | -0- | -0- | -0- | -0- | -0- |
|----------------|--|-----|-----|-----|-----|-----|

| | | | | | | |
|----------------|--|-----|-----|-----|-----|-----|
| REVENUE | | -0- | -0- | -0- | -0- | -0- |
|----------------|--|-----|-----|-----|-----|-----|

FUNDING: (Thousands of Dollars)

| | | | | | | |
|---------------|--|-----|-----|-----|-----|-----|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER | | | | | | |
| TOTAL | | -0- | -0- | -0- | -0- | -0- |

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

N/A

Prepared By: Michael L. Price *Michael L. Price* Phone: 465-3170
 Division: Family and Youth Services Date: 3/29/85

Approved by Commissioner: J. R. Pugh *J. R. Pugh* Date: 4-16-85 *JCC*
 Agency: HEALTH & SOCIAL SERVICES

Distribution (by Agency preparing fiscal note):

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

State Comparison of Laws Regulating Social Work

July 1983

TABLE I *Year of Enactment, Type, and Administration of State Statute*
TABLE II *Levels of Practice Regulated and Renewal Periods*
TABLE III *Exclusions, Privileged Communication, and Other Features*
TABLE IV *Continuing Education Provisions*
MAP

*National Association of Social Workers, Inc.
7981 Eastern Avenue
Silver Spring, MD 20910*

*For information: Myles Johnson, ACSW
Staff Associate*

TABLE I—Year of Enactment, Type, and Administration

| State (In Order of Enactment) | Year of Enactment | | Type ¹ | Name of State Regulatory Agency | Location Within State Government | Number of Board Members | |
|-------------------------------|-------------------|--------------------|-------------------|--|---|-------------------------|-----------------|
| | First | Amended | | | | Total | SW |
| 1. Puerto Rico | 1934 | 1940 | L | Board of Examiners of Social Workers ² | Independent Board | 7 | 7 |
| 2. California | 1945 | 1981 ^{2a} | R | Board of Behavioral Science Examiners | Department of Consumer Affairs | 11 | 2 ³ |
| | 1968 | 1973 | L | | | | |
| 3. Rhode Island | 1961 | | R | Board of Registration of Social Workers | Department of Social Welfare | 5 | 4 |
| 4. Oklahoma | 1965 | 1980 | L | State Board of Licensed Social Workers | Independent Board | 5 | 4 |
| 5. New York | 1965 | | R | State Board for Social Work | The State Education Department | 10 ²¹ | 9 |
| 6. Virginia | 1966 | 1975 ¹⁰ | L | Virginia Board of Social Workers ¹⁰ | Dept. of Health Regulatory Boards | 5 | 5 |
| 7. Illinois | 1967 | | R | Social Workers Examining Committee | Dept. of Registrations & Education | 7 | 7 ⁶ |
| 8. South Carolina | 1968 | | R | State Board of Social Worker Registration | Independent Board | 7 | 7 |
| 9. Maine | 1969 | 1978 | R/L | State Board of Social Worker Registration | Dept. of Business Regulation | 8 | 7 |
| 10. Michigan | 1972 | 1975 | R | State Board of Examiners of Social Work | Dept. of Licensing & Regulation | 7 | 5 ⁷ |
| 11. Louisiana | 1972 | | L ⁸ | State Bd of Bd Certified Social Work Examiners | Dept. of Health & Human Resources | 5 | 5 |
| 12. Utah | 1972 | 1977 | L | Board of Social Work Examiners | Department of Registration | 5 | 5 ⁷ |
| 13. Kansas | 1974 | 1980 | L | Behavioral Sciences Regulatory Board ²⁴ | Independent Board | 7 | 2 |
| 14. Kentucky | 1974 | 1976 | L | State Board of Examiners of Social Work | Div. of Occup. & Prof., Dept. of Finance | 7 | 6 ⁹ |
| 15. Arkansas | 1975 | 1981 | L | Social Work Licensing Board | Independent Board | 7 | 6 ¹² |
| 16. South Dakota | 1975 | | L | Board of Social Work Examiners | Dept. of Commerce & Consumer Affairs | 5 | 4 ¹³ |
| 17. Maryland | 1975 | 1983 ²⁷ | R | State Board of Social Work Examiners | Dept. of Health & Mental Hygiene | 5 | 4 ¹⁴ |
| 18. Colorado | 1975 | 1981 ²⁸ | R/L ¹¹ | Board of Social Work Examiners | Dept. of Regulatory Agencies | 7 | 3 ¹⁵ |
| 19. Idaho | 1976 | | L | State Board of Social Work Examiners | Dept. of Self-Governing Agencies | 5 | 5 ¹⁶ |
| 20. Delaware | 1976 | | L | State Board of Social Work Examiners | Independent Board | 5 | 3 ¹⁸ |
| 21. Alabama | 1977 | | L | Alabama Board of Examiners in Social Work | Independent Board | 7 | 7 ¹⁹ |
| 22. Oregon | 1977 | 1979 | R | State Board of Clinical Social Workers | Dept. of Human Resources, Health Division | 7 ²⁵ | 4 |
| 23. Massachusetts | 1977 | | L | Board of Registration of Social Workers | Independent Board | 7 | 4 ²² |
| 24. Tennessee | 1980 | | R | Advisory Council—Board of Certification | State Licensing Board for Healing Arts | — | — ²³ |
| 25. Texas | 1981 | 1983 ²⁹ | R | Council for Social Work Certification | Texas Board of Human Resources | 9 ²⁴ | 6 |
| 26. Florida | 1981 | | R | No Board | Department of Professional Regulation | — | — |
| 27. Montana | 1983 | | R | State Board of Social Work Examiners | Independent Board | 5 | 4 ³⁰ |
| 28. North Dakota | 1983 | | L | Board of Social Work Examiners | Independent Board | 6 | 4 ³¹ |
| 29. North Carolina | 1983 | | R | Certification Board for Social Work | Independent Board | 7 | 4 ³² |
| 30. New Hampshire | 1983 | | R | Board of Examiners of Psychologists | Independent Board | 7 | 1 ³³ |
| 31. Virgin Islands | 1983 | | R | Board of Social Work Licensure | Independent Board | 5 | 4 |

TABLE I—YEAR OF ENACTMENT, TYPE, AND ADMINISTRATION

- 'R = Registration or certification title; L = License to practice
- ¹1940 also established a College of Social Workers of Puerto Rico, comprised of all social workers licensed in Puerto Rico. (P.R.)
- ²Two Clinical Social Workers; (Two Registered Social Workers) Cal.
- ³Two Licensed Social Workers; Two Lic. Social Work Associates; one public member. (Okla.)
- ⁴Four with MSW Degrees; three with undergraduate degrees. (Ill.)
- ⁵The Board shall have at least two Certified Social Workers; one Social Worker and one Social Worker Technician. (Mich.)
- ⁶Law actually grants "right to practice and use the title" but prohibits only misuse of title. (La.)
- ⁷Two each Certified Social Workers, Social Worker and persons licensed for independent practice. (Ky.)
- ⁸Legislature dismantled Board of Behavioral Science Examiners in 1983 (Va.)
- ⁹Act establishes registration of MSW or BA + 2 years level and licensure of other levels. (Colo.)
- ¹⁰Three Certified Social Workers; Two Master Social Workers;; One Social Worker; One public member.(Ark.)
- ¹¹Two certified Social Workers; one Social Worker, one Social Work Associate. (S.D.)
- ¹²Appointments of one person required from each of the three lists from Md. Chapter, and Metro D.C. Chapter, NASW; (Md.)
- ¹³Requires at least one member engaged in "Direct services" and one member in "education, training, or research in Social Work." (Colo.)
- ¹⁴Three Certified Social Workers; Two Social Workers. (Idaho)
- ¹⁵Three Licensed Clinical Social Workers; one 'general public' member. (Del.)
- ¹⁶Four licensed Certified Social Workers; Two licensed Graduate S.W.; One licensed Bachelor S.W. (Ala.)
- ¹⁷Three clinical social workers; one public citizen; one consumer of clinical services. (Ore.)
- ¹⁸Law prohibits "not less than seven" CSW and requires one consumer representative. Ten persons currently appointed. (N.Y.)
- ¹⁹Four social workers, representing each of the licensed levels, three persons to represent the general public. (Mass.)
- ²⁰Advisory Council: three Master Social Workers. (Tenn.)
- ²¹Board regulates both Psychologists & Social Workers: Two Certified Psychologists; Two Social Workers; Three Members of general public. (Kansas)
- ²²Four Clinical Social Workers; two public members; one consumer member. (Ore.)
- ²³Three Certified Social Workers; Three Social Workers or Social Work Associates; Three public members. (Tex.)
- ²⁴Sunset review reenactment expanded coverage to public employees (Md.)
- ²⁵Act amended to end RSW registration level in 1983. No new registrations issued. (Cal.)
- ²⁶Re-enactment following "Sunset review."
- ²⁷One each social worker member employed in private practice, state social service agency, medical or social welfare field, and social work education. (Mont.)
- ²⁸Two Licensed Social Workers and Two Certified Social Workers (N.D.)
- ²⁹Two Certified Social Workers and Two Certified Clinical Social Workers (N.C.)
- ³⁰A single Certified Clinical Social Worker is added to an existing state board of psychologists (N.H.)

TABLE II—LEVELS OF PRACTICE REGULATED

¹Act provides eligibility for either of BA + 2 years post graduate study (MSW), BA + 1 year post graduate study + 2 years experience, or BA with Social Work major (BSW) + 3 years of experience. (P.R.)

²1972 amendments provide eligibility for MSW, BSW + 3 years of experience, BA + 5 years experience, and 1 year Social Work Master's study + 1 year other MA study—2 years experience. (Cal.)

³One year of experience must be in a hospital, clinic, or agency and providing psychotherapy. (Cal.)

⁴Master's or equivalent degree in Social Work. (N.Y.)

⁵Or membership in NASW on May 29, 1968. (effective date of Act). (S.C.)

⁶Legal resident or employed in the state (Mich.) (Kansas).

⁷Or has the equivalent of 4,000 hours of voluntary service. (Mich.)

⁸Or has the equivalence of 2,000 hours of voluntary service, was previously certified, or has AA in Social Work. (Mich.)

⁹Only Certified Social Workers may practice independently. (Md.)

¹⁰Only LSW-11 with 4 years experience may practice independently, other two levels have title protection only. (Colo.)

¹¹Employment not required if person has an accredited BSW or MSW, or was previously certified. (Mich.)

¹²BA in "related fields. . . approved by the board" recognized. (Idaho).

¹³Includes specialty license as "Clinical Social Worker." (Utah).

¹⁴Previous titles continued temporarily. (Va.)

¹⁵Experience required in 2 years full time or 3 years part time; 4 years full time or 5 years part time for specialty license. (Ala.)

¹⁶For six years from May 23, 1977, an LBSW may be granted applicant with BA and two years of full time continuous employment as a social worker. (Ala.)

¹⁷Renewal requires one to have been "actively engaged" in practice during registration period. (Ore.)

¹⁸Applicant must submit evidence of qualification to practice independently. (Maine.)

¹⁹Period for renewal to be set by Board. (Mass.)

²⁰Dept. to establish procedures including "the number of years of acceptable Social Work experience." (Tex.)

²¹The SWA certificate was open for application for two years only ending August 1983. (Tex.)

²²The MSW must have "a major emphasis or specialty in direct patient or health care services," and be CSWE accredited. Doctoral degree need not be CSWE accredited. (Fla.)

²³Exam to be "prepared by dept. or State professional organization." (Fla.)

²⁴MSW or "doctorate" required plus 3,000 hours in psychotherapy, in past 5 yrs. Three references also required (Mont.)

²⁵"2 years or 3,000 hours of post-masters supervised, paid clinical experience." (N.H.)

²⁶The Certified Clinical S.W. requires the CMSW license; the Certified S.W. Manager requires a CSW license (N.C.)

TABLE II—Levels of Practice Regulated—Renewal Periods

| | Title | Initials | Education | Experience Required | Current Employment Required | Exam Required | Renewal Period |
|---------------|------------------------------------|---------------------|-------------------|-------------------------|-----------------------------|-------------------|----------------|
| ALABAMA | Independent Practice | | MSW | + 2 ¹⁷ | | YES | 2 years |
| | Certified Social Worker | LCSW | MSW | + 2 yrs. | | YES | |
| | Graduate Social Worker | LGSW | MSW | | NO | YES | |
| | Bachelor Social Worker | LBSW | BSW | " | NO | YES | |
| ARKANSAS | Licensed Certified Social Worker | LCSW | MSW | + 2 years | | YES | 2 years |
| | Licensed Master Social Worker | LMSW | MSW | | NO | YES | |
| | Licensed Social Worker | LSW | BSW | | | YES | |
| CALIFORNIA | Licensed Clinical Social Worker | LCSW | MSW | + 2 years ³ | NO | YES | Annual |
| COLORADO | Licensed Social Worker II | LSWII ¹¹ | MSW | + 5 years | | YES | 2 years |
| | Licensed Social Worker | LSWI | MSW | + 2 years | NO | YES | |
| | Registered Social Worker | RSW | MSW or BA | + 2 years | | NO | |
| DELAWARE | Licensed Clinical Social Worker | LCSW | MSW | + 2 years | NO | YES | 2 years |
| FLORIDA | Clinical Social Worker | LCSW | MSW | + 3 years ²⁴ | NO | YES ²¹ | 2 years |
| IDAHO | Independent Practice | — | MSW | + 2 years | | NO | Annual |
| | Certified Social Worker | CSW | MSW | | NO | YES | |
| | Social Worker | SW | BSW ¹¹ | | | YES | |
| ILLINOIS | Certified Social Worker | CSW | MSW | | NO | YES | 2 years |
| | Social Worker | SW | BA | + 2 years | YES | YES | |
| KANSAS | "Specialties" | | MSW | + 2 years | | YES | 2 years |
| | Master Social Worker | MSW | MSW | | YES ⁶ | YES | |
| | Baccalaureate Social Worker | BSW | BSW | | | YES | |
| KENTUCKY | Independent Practice | | MSW | + 2 years | | YES | 3 years |
| | Certified Social Worker | CSW | MSW | | NO | YES | |
| | Social Worker | SW | BSW | | | YES | |
| LOUISIANA | Board Certified Social Worker | BCSW | MSW | + 2 years | NO | YES | Annual |
| MAINE | Independent Practice | | MSQ | + 2 years | | YES ¹³ | 2 years |
| | Certified Social Worker | CSW | MSW | | | YES | |
| | Registered Social Worker | RSW | BSW | | NO | YES | |
| | Associate Social Worker | ASW | BA or | + 2 years 6 years | | YES | |
| MARYLAND | Independent Practice | | MSW | + 2 years | | YES | 2 years |
| | Certified Social Worker | CSW ¹⁰ | MSW | + 2 years | | YES | |
| | Graduate Social Worker | GSW | MSW | | NO | YES | |
| | Social Work Associate | SWA | BSW | | | YES | |
| MASSACHUSETTS | Independent Clinical Social Worker | ICSW | MSW | + 3 years | | YES | " |
| | Certified Social Worker | CSW | MSW | | | YES | |
| | Social Worker | SW | BSW or BA | + 2 years | NO | YES | |
| | Social Work Associate | ASW | AA/BA | | | YES | |
| MICHIGAN | Certified Social Worker | CSW | MSW | + 2 years | NO ⁸ | NO | Annual |
| | Social Worker | SW | MSW or BA | + 2 years | YES ^{8 13} | NO | Annual |
| | Social Worker Technician | SWT. | 2 yr. BA or | 1 year | YES ^{8 4} | NO | |

TABLE II—Levels of Practice Regulated—Renewal Periods—Continued

| | Title | Initials | Education | Experience Required | Current Employment Required | Exam Required | Renewal Period |
|----------------|--------------------------------------|----------|---------------------|-----------------------|-----------------------------|---------------|----------------------|
| MONTANA | Licensed Social Worker | LSW | MSW | +2 ¹⁶ | NO | YES | 2 years |
| NEW HAMPSHIRE | Certified Clinical Social Worker | CCSW | MSW | +2 ¹⁷ | NO | NO | — |
| NEW YORK | Certified Social Worker | CSW | MSW ⁴ | | NO | YES | 2 years |
| NORTH CAROLINA | Certified Social Worker | CSW | BSW | | NO | YES | 2 years |
| | Certified Master Social Worker | CMSW | MSW | | NO | YES | |
| | Certified Clinical Social Worker | CCSW | MSW | +2 ¹⁸ | NO | YES | |
| | Certified Social Work Manager | CSWM | BSW | +2 ¹⁸ | NO | YES | |
| NORTH DAKOTA | Licensed Social Worker | LSW | BSW | | NO | YES | 2 years |
| | Licensed Certified Social Worker | LCSW | MSW | | NO | YES | |
| | Independent Practice | | MSW | +3 | NO | NO | |
| OKLAHOMA | Independent Licensed Social Worker | LSW | MSW | +2 years | NO | YES | Annual |
| | Licensed Social Work Associate | LSWA | BSW | +2 years | NO | YES | |
| OREGON | Registered Clinical Social Worker | RCSW | MSW | +2 years | NO ¹⁹ | NO | Annual ¹⁹ |
| PUERTO RICO | Social Worker | | BA-MSW ¹ | +2 years | NO | NO | None |
| RHODE ISLAND | Registered Social Worker | RSW | MSW | | NO | NO | Annual |
| SOUTH CAROLINA | Registered Social Worker | RSW | MSW ⁴ | | NO | NO | Annual |
| SOUTH DAKOTA | Independent Practice | CSW-PIP | MSW | +2 years | | YES | 2 years |
| | Certified Social Worker | CSW | MSW | | | YES | |
| | Social Worker | SW | BSW | | NO | YES | |
| | Social Work Associate | SWA | AA-BA | | | YES | |
| TENNESSEE | Independent Practice | — | MSW | +5 years | NO | NO | Annual |
| | Master Social Worker | MSW | MSW | | NO | NO | Annual |
| TEXAS | Private Practice | | CSW | +Exper. ²¹ | | NO | Annual |
| | Certified Social Worker | CSW | MSW | | NO | YES | Annual |
| | Social Worker | SW | BSW | | | YES | Annual |
| | Social Work Associate ²³ | SWA | HS/BA | +SW exp. | | YES | Annual |
| UTAH | Independent Practice ¹³ | — | MSW | + years | | YES | Annual |
| | Certified Social Worker | CSW | MSW | | NO | YES | |
| | Social Service Worker | SSW | BSW | | | YES | Annual |
| | Social Service Aide | SSA | | | | | |
| VIRGIN ISLANDS | Social Work Associate | SWA | AA/BA | | NO | | |
| | Social Worker | SW | BSW or BA | +2 | NO | | |
| | Certified Social Worker | CSW | MSW | | NO | NO | |
| | Certified Independent Social Worker | CISW | MSW | +2 | NO | | 2 years |
| VIRGINIA | Clinical Social Worker ¹⁴ | CSW | MSW | +3 years | NO | YES | |
| | Social Worker | SW | MSW | +3 years | | YES | 2 years |

TABLE III—Exclusions, Privileged Communication, and Other Features

| | EXCLUDED GROUPS | | | Privileged Communi- cations | Reciprocity | FEES | | PENALTY | |
|----------------|---------------------|--------------------------------|----------|-----------------------------------|------------------|-------------------|-------------|------------------------------------|----------------------|
| | Public Employees | Private Agency Employees | Students | | | Initial | Renewal | Fine | Imprisonment |
| ALABAMA | YES | NO | YES | NO | YES | Min \$50 | Min \$25 | None | None |
| ARKANSAS | NO | NO | YES | YES | NO | 1 | 1 | \$100-500 | |
| CALIFORNIA | YES | YES | NO | YES | NO | \$5-10 | \$3-11 | 3 | |
| COLORADO | NO | NO | NO | YES | YES | \$10-50 | \$2.50-\$20 | "Class 3 Misdemeanor" | |
| DELAWARE | YES | YES | NO | YES | YES | 3 | 2 | "Class A Misdemeanor" | |
| FLORIDA | YES | NO | YES | NO | YES | Max \$250 | Max \$150 | Misdemeanor 1st degree | |
| IDAHO | NO | NO | YES | YES | YES | \$50 | \$50 | "Misdemeanor | |
| ILLINOIS | NO | NO | YES | YES | YES | \$25 | \$10 | \$50-500 | And or 1-6 month |
| KANSAS | NO | NO | NO | NO | YES | \$10-50 | \$10-50 | "Class C Misdemeanor" ³ | |
| KENTUCKY | YES | NO ³ | NO | YES | YES | Max \$30 | Max \$30 | "Class B Misdemeanor" | |
| LOUISIANA | YES | YES | YES | YES | YES | \$50 | \$20 | \$100-500 or 6 months max | |
| MAINE | YES | NO ⁴ | NO | YES | YES | 4 | 4 | \$50-500 | |
| MARYLAND | YES | NO | YES | NO | YES | Max \$50 | Max \$50 | Max \$500 | And or 90 day max. |
| MASSACHUSETTS | YES | NO | YES | YES | YES | 2 | 2 | Max \$500 | Max 3 mos |
| MICHIGAN | NO ⁴ | NO | NO | YES | YES | \$25 ⁵ | \$15 | 3 | |
| MONTANA | YES | YES ¹¹ | YES | YES | YES | 7 | 7 | Max \$500 | Not to exceed 6 mos. |
| NEW HAMPSHIRE | YES | YES ¹¹ | YES | YES | YES | 7 | 7 | Misdemeanor | |
| NEW YORK | NO | NO | NO | YES | YES ¹ | \$110 | \$30 | "Class A Misdemeanor" | |
| NORTH CAROLINA | YES ¹² | NO | NO | YES | YES | Max \$150 | Max \$15 | Max \$200 | Not to exceed 6 mos. |
| NORTH DAKOTA | NO | NO | YES | NO | YES | Max \$100 | Max \$20 | Class B Misdemeanor | |
| OKLAHOMA | NO | NO | NO | YES | NO | Max \$75 | Max \$50 | \$100-500 | |
| OREGON | YES | YES | YES | NO | NO | Max \$50 | Max \$40 | "Class C Misdemeanor" | |
| PUERTO RICO | NO | NO | YES | NO | NO | \$3 | 15 | 3 | |
| RHODE ISLAND | NO | NO | NO | NO | NO | \$5 | \$1 | \$300—1st Off. \$500 Subseq | And or 1 year |
| SOUTH CAROLINA | NO | NO | NO | NO | NO | \$10 ⁶ | \$5 | Min \$100 or Min 30 days | |
| SOUTH DAKOTA | NO | NO | YES | YES | NO | 7 | 2 | Max \$500 | And or 30 day max |
| TENNESSEE | NO | NO | NO | NO | NO | \$50 | \$50 | Misdemeanor \$50 max. fine | |
| TEXAS | NO | NO | NO | NO | NO | 2 | 2 | 10 | None |
| UTAH | NO | NO | NO | NO | YES | \$25 ⁶ | 3 | 7 | |
| VIRGIN ISLANDS | NO | NO | YES | YES | NO | 7 | 2 | \$100-500 | None |
| VIRGINIA | YES | YES | YES | YES | YES | \$175 | \$60 | \$50-500 | |

TABLE III—EXCLUSIONS

A "YES" indicates group is exempted from coverage of act, under "EXCLUDED GROUPS" only.

¹Authority to waive qualifying requirements given to Board. (N.Y.)

²Authority to set fees given to Board. (Ark., S.D., Del., Mass., Tex., Mont., V.I.)

³Specifics not included in chapter on social work regulations. (Utah, Calif., P.R., Mich.)

⁴Excludes "School Social Worker" title use in Dept. of Education. (Mich.)

⁵Excludes persons employed in church-operated or affiliated agencies. (Ky.)

⁶\$25 for CSW and SW; \$7.50 for Social Service Aide. (Utah)

⁷S.W. Technician; \$15 initial fee, \$10 renewal. (Mich.)

⁸Fees vary according to licensure level. (Maine)

⁹Excludes a person employed by a hospital accredited by the Joint Commission on the Accreditation of Hospitals (JCAH) who is practicing independently. (Maine)

¹⁰Attorney General is authorized to file a civil suit for "injunctive relief or to recover the civil penalty." (Tex.)

¹¹Employees in an "educational research or charitable institution" are not prohibited from the duties or use of titles of their position. (Mont.)

¹²The act specifically prohibits making a certificate or an examination of this act a requirements for any position. (N.C.)

TABLE IV—Continuing Education Provisions

The authorizing provisions included in the legislation are listed below, for states that have acts which specify some form of continuing education requirement for the renewal of a license or certificate. Specific regulations should be obtained from the respective boards.

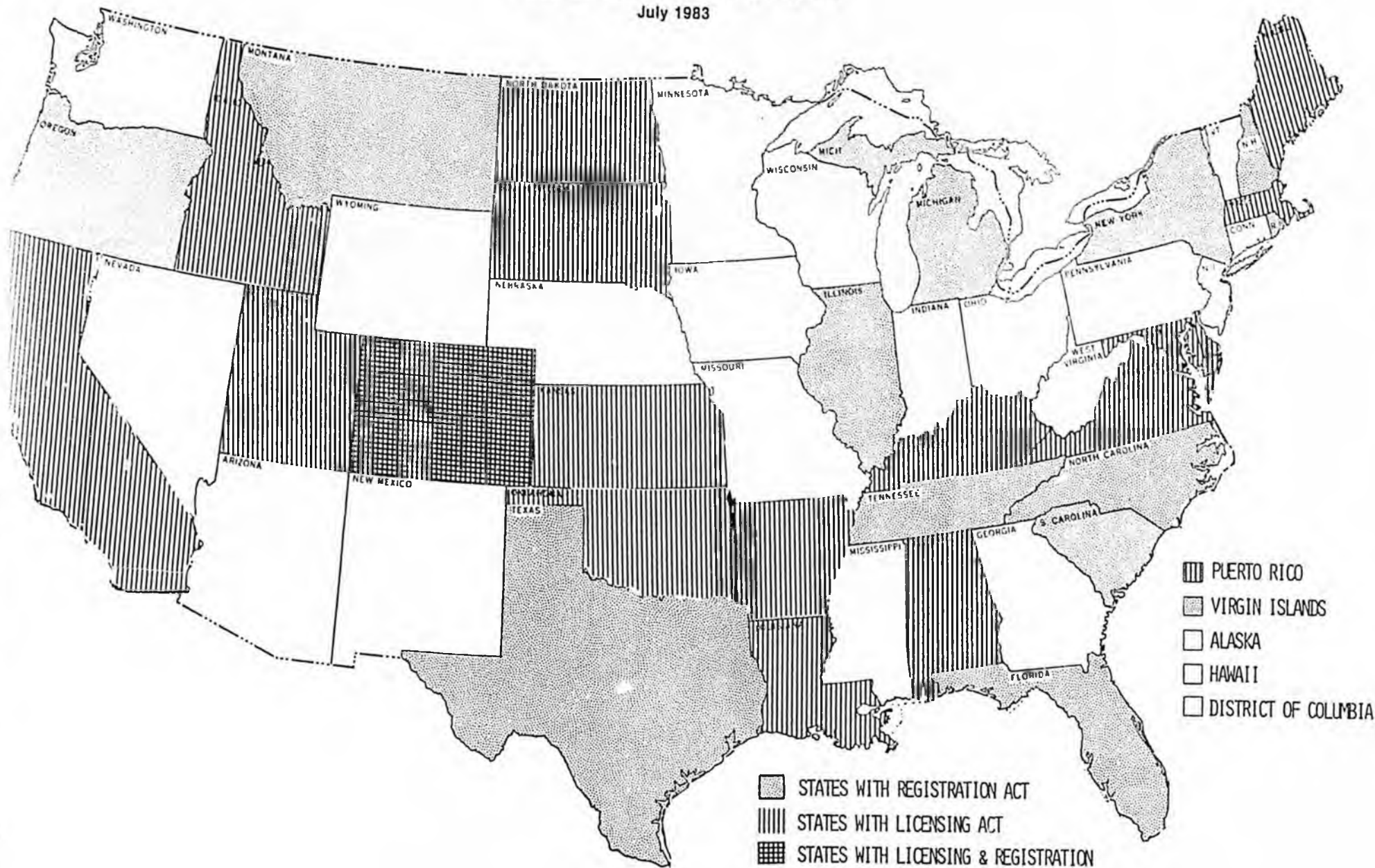
| | | | |
|-----------------|---|----------------------|---|
| ALABAMA | <p><i>Section 12.11</i> At the time of license renewal each applicant shall present satisfactory evidence that in the period since the license was issued, such applicant has completed the continuing education requirements specified by the Board. At the time of license renewal, the Board may, in its discretion, waive the continuing education requirement upon a showing by an applicant that prolonged illness or other extenuating circumstances prevented completion of such requirement. A waiver shall not be granted to any applicant twice in succession.</p> | KANSAS | <p><i>Section 23(b)</i> Except as otherwise provided in KSA 75-5356, as amended, a license may be renewed by the payment of the renewal fee set forth in this act and the execution and submission of a signed statement, on a form to be provided by the board, attesting that the applicant's license has been neither revoked nor currently suspended and that applicant has met the requirements for continuing education established by the board.</p> |
| ARKANSAS | <p><i>Section 10(d)</i> At the time of license renewal, each applicant shall present satisfactory evidence that in the period since the license was issued, he has completed the continuing education requirements as required by the Board.</p> | KENTUCKY | <p><i>Section 335, 130(4)</i> The board may, at its discretion, require continuing education as a condition of license renewal. (Enact. Acts 1974, ch. 279 & 13.)</p> |
| COLORADO | <p><i>Section 12-63.5-111</i> Every person seeking a renewal of a certificate shall show evidence to the board that he has been engaged in at least fourteen classroom clock hours of continuing education under the sponsorship of an accredited school or a program approved by the board. The board has the authority to revise the criteria so that time, content, and appropriateness of continuing education activities may be kept current, effective, and relevant. Any revision of criteria regarding time, content, or appropriateness of continuing education must be made known by inclusion in the annual notice of renewal of licensure and registration.</p> | MAINE | <p><i>Section 7060</i> . . . Every 2nd renewal shall be contingent upon evidence of participation in a continuing professional education course or program as approved by the Board.</p> |
| DELAWARE | <p><i>Section 378</i> At the time of the license renewal each applicant shall present satisfactory evidence that in the period since the license was issued, he or she has completed continuing education requirements as developed and specified by the Board.</p> | MARYLAND | <p><i>Section 848(E)</i> At the time of renewal, the board may require the licensee to produce evidence of keeping abreast of new developments in the applicant's area of specialization in the field of social work. This requirement shall be standardized for all licensees within each category and within each specialization.</p> |
| FLORIDA | <p><i>Section 490.007(2)</i> Each applicant for renewal shall present satisfactory evidence that in the period since the license was issued, the applicant has completed continuing education requirements set by rule of the department or, in the case of psychologists, by rule of the board. Not more than 25 hours of continuing education per year shall be required.</p> | MASSACHUSETTS | <p><i>Section 136</i> At the time of license renewal, each applicant shall present satisfactory evidence that in the period since the license was issued, he has completed the continuing education requirements specified by the board.</p> |
| | | MONTANA | <p><i>Section 9(2)</i> Application for renewal must be made upon a form provided by the department. A renewal license must be issued upon payment of a renewal fee set by the board and upon submitting proof of completion of continuing education requirements.</p> |

TABLE IV—Continuing Education Provisions—Continued

| | | | |
|----------------|--|----------------|---|
| NORTH CAROLINA | <p><i>Section 90B-9(b)</i> All certificates issued hereunder shall be renewed at the times and in the manner provided by this section. At least 45 days prior to expiration of each certificate, the Board shall mail a notice for certificate renewal to the person certified for the current certification period. Prior to the expiration date, the applicant must return the notice properly completed, together with a renewal fee established by the Board and evidence of completion of the continuing education requirements established by the Board under G.S. 90B-6(g), upon receipt of which the Board shall issue to the person to be certified the renewed certificate for the period stated on the certificate.</p> | TEXAS | <p><i>Section 50.023(b)</i> The department shall notify each person certified of the date of the expiration of a certificate or order of recognition issued to him, the amount of the fee for renewal, and the continuing education provisions that are required for its renewal for one year. The notice shall be mailed by United States mail to the person certified at least 30 days in advance of the date of the expiration of the certificate or order of recognition.</p> |
| NORTH DAKOTA | <p><i>Section 12(5)</i> At the time of renewal the board shall require each applicant to present satisfactory evidence that the applicant has completed the continuing education requirements specified by the board</p> | UTAH | <p><i>Section 58-35-8</i> At the time of license renewal the social work licensure board may require a licensee to produce evidence of having upgraded themselves in their area of practice or expertise. This requirement may be satisfied through professional learning or practice.</p> |
| OKLAHOMA | <p>Section 8.B on independent practice requires that the licensee "3. Shall continue to meet continuing education requirements set by the Board." (Effective after October 1, 1980).</p> | VIRGINIA | <p><i>Regulations—Section IV-B</i> Renewal applications may contain questionnaires on continuing education, inspection of practices, and other related professional matters. The continuation of a license is contingent upon the completion of these questionnaires.</p> |
| SOUTH DAKOTA | <p><i>Section 25</i> Attendance at post graduate work as may be prescribed by the board, is a further requirement for renewal of said license. In no instance may the board require a greater number of hours of annual continuing education study than are available at courses approved by the board and held within the state. The board shall be allowed to waive the continuing education requirement in case of certified illness or undue hardship.</p> | VIRGIN ISLANDS | <p><i>Section 520 Duties of the Board</i> (b) Promulgate rules and regulations that set standards for professional practice and continuing education requirements for certified independent social workers, certified social workers, social workers, and social work associates.</p> |

STATES WITH ACTS REGULATING SOCIAL WORK

July 1983



Alaska State Legislature

BETTYE FAHRENKAMP, Chairman
ARLISS STURGULEWSKI, Vice Chairman
JOE JOSEPHSON
PAUL FISCHER
EDNA ARMSTRONG-DE VRIES



POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

Senate Committee on Health, Education and Social Services

M E M O R A N D U M

TO: Members, Senate Committee on Health, Education and Social Services

FROM: Committee Staff

RE: Committee Meeting, April 17, 1985

DATE: April 16, 1985

On Wednesday, April 17, at 5:00 pm in the Beltz Room, the Senate Committee on Health, Education and Social Services will hear SB 227, An Act relating to the practice of social work and establishing the board of social work examiners.

SB 227 would establish a five member board to set standards for licensure of social workers. The bill is intended to increase professional standards for social workers in both the public and private sector, and provide a mechanism to monitor quality and protect the public.

Similar legislation has been considered in past years. Concerns have centered around the bill's applicability to currently practicing social workers, particularly state employees; the costs of Board operation; and attracting licensed professionals to rural areas of the state. Proposed CS SB 227 (HESS):

- 1) "grandfathers" in existing social workers, without examination if a degree is held, and with examination if the social worker holds no degree,
- 2) establishes fees at a level intended to cover the costs of Board operation, and
- 3) provides for unlicensed social workers to practice as "associates" when providing services to the state or a political subdivision of the state.

*Encourage degree of professionalization
provide oversight
allow for reciprocity
recognize it's a profession*

+ consumer protection - enable public to identify social workers who've met minimum ed. & experience standards. Now anyone can use title, even if no training.

The Alaska Chapter of the National Association of Social Workers (NASW) estimates that there are 315 social workers eligible for licensing in the state; approximately 147 of these are state employees. Current statute does not address the practice of social work, and use of the title is available to all persons regardless of training or experience. Under current Department of Health and Social Services hiring procedures, a degree in social work is not required for employment as a state social worker. As of September 1983, 31 other states regulate the practice of social work.

A sectional analysis of the bill is attached.

Superseded

CSSB 227 (HESS): An Act relating to the practice of social work and establishing the Board of Social Worker Examiners; and providing for an effective date.

The Department of Commerce and Economic Development opposes CSSB 227 which creates an additional five-member board to implement the licensing of social workers.

Although the intent of the bill is consumer protection, the implementation of the bill would create an unnecessary additional layer of licensure titled "independent social workers," who are essentially "master social workers" practicing in a specialty field. The department's position is that the importance of licensing is to insure that licensed social workers are qualified and competent. The department is not interested in establishing and regulating additional categories based upon education beyond that required for basic licensure.

The bill also provides for a "Confidentiality of Communications" clause which, as written, could hinder the enforcement unit from investigating complaints of unethical practice by licensees.

Because the purpose of licensure in Alaska is to protect the consuming public from fraud, incompetency and unethical practitioners, any provision for a grandfather period should be limited to a year and should certainly not exceed the two years proposed on the bill.

Harry O. Treager

Harry O. Treager, Director

Date: 11/21/85

Loren H. Lounsbury

Loren H. Lounsbury, Commissioner

Date: 11/21/85

When shopping for a therapist,

look for the license

Finding a qualified therapist in Anchorage is no easy matter. There is a confusing array of services offered by practitioners who have a wide range of training and approaches.

As a consumer of health services, you can't be expected to evaluate the credentials of health service practitioners. However, the state can legally act in the public interest by licensing professional health practice.

If your therapist is a psychologist or a clinical social worker, here are 10 reasons why he or she should be licensed:

- This assures that when you engage a therapist, that person has had high levels of education, training and supervised

experience. Licensed providers have been screened and evaluated carefully in terms of specific standards before they are allowed independently to provide services to you. The license also assures you that those standards are uniform from state to state, so if you are in therapy when you move, it is very likely the therapy can continue without major disruption.

- It provides a requirement that your therapist must continue his/her education and stay up to date on recent developments.

- It ensures privileged communications between you and your therapist (confidentiality).

- It discourages the use of fads and untested or experi-



dr. ken mueller

mental forms of therapy:

- Insurance reimbursement is possible. If your therapist is licensed, your insurance company has a standard for recognition and payment of this important health benefit to its subscribers.

- It ensures an enforceable code of professional conduct. The license can be denied, suspended or revoked to counter a threat to the public welfare.

- It assures you that your therapist is a member of a profession that will police itself. For example, the ethical standards of psychologists are stricter than any other set of standards regarding independent practice.

- It demonstrates respectability and accountability. Your therapist voluntarily applies for licensure. By so doing, he/she is making an effort to upgrade the quality of professional services. Your therapist should also be active with a state association. Submitting to peer review is an act of good faith.

- It provides an opportunity

for you to press for redress of grievances without costly litigation.

- It helps consumers identify reputable therapists. Licensure makes qualified therapists more accessible by making it easier to find them. According to Will Bukland of the American Psychological Association, this results in increased competition in economic terms among professionals licensed in the same category, resulting in stability of fees and lower costs.

When licensing boards are under public review, grievances often emerge about their performance. Of course, the value of licensure to you, as a potential consumer of such services, clearly outweighs the problems that occasionally re-

sult from board performance. The bath water may need changing, but the baby is worth saving.

Clinical social workers are presently working toward a licensure bill so they can more effectively police themselves. This should directly benefit those who turn to them for help.

Licensure isn't a guarantee that you and your therapist will work effectively together, but it does increase the probability of a positive outcome by assuring that your therapist has met rigorous standards.

Dr. Mueller is an Anchorage psychologist.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Superseded

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSB 227 (HSS)
 Title: Practice of Social Work & Estab. Board of Social Work Examiners
 Sponsor: Sen. Fahrenkamp
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Econ. Dev.
 Program Category Affected: Consumer Protection
 BRU, Program or Subprogram(s) Affected: Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

| | FY 85 | FY 86 | FY 87 | FY 88 | FY 89 | FY 90 |
|------------------------|-------|-------|-------|-------|-------|-------|
| OPERATING | | | | | | |
| 100 PERSONAL SERVICES | | 33.1 | 34.8 | 36.5 | 38.3 | 40.2 |
| 200 TRAVEL | | 5.4 | 5.7 | 6.0 | 6.3 | 6.6 |
| 300 CONTRACTUAL | | 19.4 | 20.4 | 21.4 | 22.5 | 23.6 |
| 400 SUPPLIES | | 1.0 | 1.1 | 1.1 | 1.2 | 1.2 |
| 500 EQUIPMENT | | 3.6 | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS | | | | | | |
| 800 MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | | 62.5 | 62.0 | 65.0 | 68.3 | 71.6 |

| | | | | | | |
|----------------|--|--|--|--|--|--|
| CAPITAL | | | | | | |
|----------------|--|--|--|--|--|--|

| | | | | | | |
|----------------|--|------|-----|------|-----|------|
| REVENUE | | 78.8 | 2.3 | 67.3 | 2.3 | 71.3 |
|----------------|--|------|-----|------|-----|------|

FUNDING: (Thousands of Dollars)

fluctuates 'cause 2-yr. license

| | | | | | | |
|---------------|--|------|------|------|------|------|
| GENERAL FUND | | 62.5 | 62.0 | 65.0 | 68.3 | 71.6 |
| FEDERAL FUNDS | | | | | | |
| OTHER | | | | | | |
| TOTAL | | 62.5 | 62.0 | 65.0 | 68.3 | 71.6 |

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

The bill creates a Board of Social Work Examiners and implements licensing of all social work practitioners in the State. The bill establishes three licensing categories, and unlimited "specialties" left to the discretion of the board. (See attached for further analysis.)

Prepared By: Jennifer Strickler, Mgnt Analyst Phone: 465-2144

Division: Occupational Licensing Date: April 23 1985

Approved by Commissioner: Loren H. Lounsbury Date: 4/24/85

Agency: Commerce & Economic Development

Distribution (by Agency preparing fiscal note):

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

.Analysis, continued

·CSSB_22Z_FISCAL_IMPACT

(NOTE: 5% inflation factor projected for FY '87 through
FY '90 for operating costs)

100__PERSONAL SERVICES:

1 Licensing Examiner, Range 12A,
GGU, 12 months, to be located in Juneau \$33,145.82

200__TRAVEL:

NOTE: Travel costs were based on five (5) members from different
geographic regions in the State as required in the bill. The areas
used in in these calculations were: Anchorage, Fairbanks, Juneau,
Kenai, Nome. Also, the bill mandates a minimum of two meetings a
year and special meetings at the call of the Chairman or a majority
of the board members if meetings are conducted over the State
teleconference network. Therefore, two (2) meetings are included in
this fiscal note and costs to hold one additional meeting by use of
the State teleconference network.

Anchorage meeting

| | |
|--|-------------|
| Anchorage, transportation | -0- |
| Per diem at \$80 per day x 2 days | 160.00 |
| Fairbanks, transportation | 212.00 |
| Per diem at \$80 per day x 2 days | 160.00 |
| Juneau, transportation at \$352 x 2 (board member & licensing examiner) | 704.00 |
| Per diem at \$80 per day x 2 days x 2 | 320.00 |
| Kenai, transportation | 64.00 |
| Per diem at \$80 per day x 2 days | 160.00 |
| Nome, transportation | 406.00 |
| Per diem at \$80 per day x 2 days | 160.00 |
| | <hr/> |
| | \$ 2,346.00 |

Juneau meeting

| | |
|--|-------------|
| Juneau, transportation | -0- |
| Per diem at \$80 per day x 2 days | 160.00 |
| Anchorage, transportation | 352.00 |
| Per diem at \$80 per day x 2 days | 160.00 |
| Fairbanks, transportation | 564.00 |
| Per diem at \$80 per day x 3* days *(one extra day to travel) | 240.00 |
| Kenai, transportation | 416.00 |
| Per diem at \$80 per day x 3* days *(one extra day to travel) | 240.00 |
| Nome, transportation | 664.00 |
| Per diem at \$80 per day x 3* days *(one extra day to travel) | 240.00 |
| | <hr/> |
| | \$ 3,036.00 |

300 CONTRACTUAL SERVICES:

State Teleconference Network (third board meeting)

\$50.00 minimum charge for use of the network, plus
 \$30.00 to attach the Kenai member, and
 \$30.00 to attach the Nome member 110.00

(NOTE: Costs of the Juneau, Anchorage and Fairbanks sites
 are free, provided the network is used during regular
 State business hours. The \$30 fee per site is also
 applicable up to a maximum of three hours.)

Postage, telephone, printing, publications
 and other operating costs 3,000.00

Computer terminal use, at \$45 per month
 (Licensing Examiner use only) 540.00

Professional Examination Service fees for
 licensing examinations:
 Estimated 315 examinees in FY '86 for initial
 licensing at \$50 each 15,750.00

Note: 315 social workers were identified by
 this agency.

\$ 19,400.00

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" x 36" 747.08
 1 chair, swivel with arms 257.69
 1 typewriter, IBM Selectric II 1,340.19
 1 chair, side without arms 120.33
 1 desk calculator 382.89
 1 file cabinet, 5 drawer legal with lock 426.63
 1 table 72" x 36" 357.38

\$ 3,632.19

GRAND TOTAL: \$ 62,560.01

Projected Revenues

FY 86:

Based on the number of practitioners identified, it is anticipated that 315 practitioners will be seeking initial licensure by examination.

315 x \$250 (application & exam fee)

\$ 78.8

FY 87:

Based on the assumption that there will be at least 10 new applicants (5 by examination, and 5 by credentials)

This will make a total of 325 licensees.

2.3

FY 88:

Section 08.87.130 of the bill mandates that licenses will lapse after 24 months unless it is renewed. Licenses will be issued upon completion and approval of an application. If Section 08.87.130 remains as stated, each license will be required to renew 24 months from the date of issue, thus causing administrative complications in monitoring the duration period of each license issued. To avoid such administrative difficulties, we would prefer all licenses to expire in a specific year embedded in statutes, and on a date determined by the department.

Projections for this fiscal year is based on the assumption that all licenses will be valid for a two-year period and will be renewed during this year.

Based on 325 licensees x \$200 (renewal fee) =
In addition, another 10 new licensees to make
a total of 335 practitioners.

65.0

2.3

67.3

FY 89:

Based on an estimate of 10 new licensees, 5 by examination and 5 by credentials =

This would make a total of 345 licensees.

2.3

FY 90:

Assuming this will also be a renewal year, and based on 345 licensees x \$200 renewal fee =

In addition, another 10 new licensees, to make
a total of 355 licensees =

69.0

2.3

71.3

| | | | | | | | | | | |
|------------------|---|-----------------------|-----------|------------|-------------------|-------------------|-------------------|------|---------|--------|
| 1. | POSITION TITLE Licensing Examiner I (Juneau) | | | | RANGE/STEP 12A | BARG. UNIT GGU | PAGE/LINE | COV. | APPROV. | DISAP. |
| 2. | TYPE OF POSITION PFT | STAFF MONTHS 12 | RP NUMBER | PCN NUMBER | BRU PRIORITY | LOCATION AWA | ELECTION DISTRICT | LEG. | | |
| 3. | CONTINUATION LEVEL | | | | JUSTIFICATION | | | | | |
| 4. | Type of Expenditure | | | | AMOUNT | | | | | |
| | 1 | 2 | | | 3 | | | | | |
| | PERSONAL SERVICES | | | | | | | | | |
| 5. | Salary | 24.9 | | | | | | | | |
| 6. | Benefits | 4.0 | | | | | | | | |
| 7. | Supplemental Benefits | 1.5 | | | | | | | | |
| 8. | Fixed Benefits | 2.7 | | | | | | | | |
| 9. | TOTAL PERSONAL SERVICES | 01 | | | 33.1 | | | | | |
| 10. | Travel | 02 | | | .5 | | | | | |
| 11. | Contractual | 03 | | | 3.5 | | | | | |
| 12. | Commodities | 04 | | | 1.0 | | | | | |
| 13. | Equipment | 05 | | | 3.6 | | | | | |
| 14. | Other | | | | | | | | | |
| 15. | TOTAL COST | | | | 41.7 | | | | | |
| | RECEIPT CODE | FUNDING SOURCE | | | | | | | | |
| 16. | | Federal Receipts 1002 | | | | | | | | |
| 17. | | C.F. Match 1003 | | | | | | | | |
| 18. | | General Funds 1004 | | 41.7 | | | | | | |
| 19. | | I-A Receipts 1005 | | | | | | | | |
| 20. | | Program Receipts 1028 | | | | | | | | |
| 21. | | Other | | | | | | | | |
| FOR BSM USE ONLY | | | | | | | | | | |
| KEY NUMBER _____ | | | | | | | | | | |

This position is necessary to assist in the implementation of the provisions of CSSB 227. The position would assist the Board in establishing necessary files, prepare application forms for printing, publish notices of meetings and exams, prepare travel authorizations for board members, arrange for meeting rooms and exams, and perform other administrative duties as needed.

REQUEST FOR
NEW POSITION

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

Page 1 of 1
 Revised Date _____

FY 86

Sandra Schubert - 3834

file social
work

Based on 2 meetings per year, 2 days each and
5 member board from:

Fairbanks
2- Anchorage
Sitka
Juneau

Meeting held in Anchorage = \$1,444⁰⁰
" " " Juneau = 2,620⁰⁰
\$4,064⁰⁰

58.0 + 4.3 + 2.5 = 64.8 - .5 = 64.3
(Div. cost) (Pd. TvI + Pd) (Contractual)

64.3 ÷ 315 (Licensees) = \$204¹³

All other costs are based on FY '84 expenses.

Compromise - DHS, DIV Occ Lic
Hurdle - Gov's office

Offered: 4/22/85
Referred: Finance

Original sponsor: Fahrenkamp by request

Shana Harmann, Jw
H 789-5862
W 586-3479

Fails - note on license if "grandfathered" in

1 IN THE SENATE
2 CS FOR SENATE BILL NO. 227 (HESS)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH 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 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. PURPOSE. The purpose of this Act is to assure the consu-
11 mer that persons providing services under the title "social worker" have
12 completed professional social work education or training, adhere to a code
13 of professional ethics, and are subject to licensure by the Board of Social
14 Work Examiners.
15 * Sec. 2. AS 08.01.010 is amended by adding a new paragraph to read:
16 (25) Board of Social Worker Examiners (AS 08.87.010).
17 * Sec. 3. AS 08.03.010(c) is amended by adding a new paragraph to read:
18 (21) Board of Social Worker Examiners (AS 08.87.010) --
19 June 30, 1989.
20 * Sec. 4. AS 08 is amended by adding a new chapter to read:
21 CHAPTER 87. SOCIAL WORKERS.
22 ARTICLE 1. BOARD OF SOCIAL WORKER EXAMINERS.
23 Sec. 08.87.010. CREATION AND MEMBERSHIP OF BOARD. There is
24 created a Board of Social Worker Examiners consisting of five members,
25 including three licensed master social workers, one of whom is li-
26 censed as an independent social worker, one licensed bachelor social
27 worker, and one public member. The public member may not be licensed
28 as a social worker or employed by a licensed social worker. To the
29 extent possible members shall be appointed from different geographic

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 regions of the state. A member who has served two successive full
2 terms may not be reappointed until four years after the expiration of
3 the second term.

4 Sec. 08.87.020. TERM OF OFFICE. Each member of the board serves
5 for a term of four years and until the member's successor is appointed
6 and qualified. An appointment to a vacancy is for the unexpired 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 chair or of a majority of the board members if the meetings are
10 conducted over the state teleconference network.

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

14 Sec. 08.87.050. REMOVAL OF BOARD MEMBERS. The governor may
15 remove a member of the board for cause. Unexcused absences from
16 meetings are cause for removal as determined by the board.

17 Sec. 08.87.060. PER DIEM AND TRAVEL. Board members receive no
18 compensation but are entitled to per diem and travel expenses author-
19 ized for members of boards and commissions under AS 39.20.180.

20 Sec. 08.87.070. POWERS AND DUTIES OF THE BOARD. The board shall

21 (1) provide for the examination of eligible applicants for
22 licenses under this chapter;

23 (2) submit an annual report of its proceedings to the
24 governor, including recommended changes to this chapter and a state-
25 ment of money received and disbursed;

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

29 (4) after a hearing, impose disciplinary sanctions against

1 a person who violates this chapter, an order of the board, or a regu-
2 lation of the board;

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

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

8 (7) adopt regulations to carry out the purposes of this
9 chapter.

10 Sec. 08.87.080. ADMINISTRATIVE PROCEDURES. The Administrative
11 Procedure Act (AG 44.62) applies to regulations and proceedings under
12 this chapter.

13 ARTICLE 2. LICENSING OF SOCIAL WORKERS.

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

17 (1) is in good professional standing and is fit to practice
18 social work as determined under regulations of the board;

19 (2) has satisfactorily completed the state examination for
20 the license;

21 (3) provides three professional references to the board;

22 (4) has a bachelor's degree in social work from a school
23 with a social work program accredited by the Council on Social Work
24 Education.

25 (b) A person is eligible for a license as a master social worker
26 (LMSW) if the person meets the requirements of (a)(1) - (3) of this
27 section and has a master's degree in social work from a school with a
28 social work program accredited by the Council on Social Work Educa-
29 tion.

1 (c) A person is eligible for a license as an independent social
2 worker (LISW) if the person meets the requirements of (a)(1) - (3) of
3 this section, has a master's degree in social work from a school with
4 a social work program accredited by the Council on Social Work Educa-
5 tion, and has completed at least 24 months of supervised post-graduate
6 experience approved by the board in the field of specialty in which
7 the person intends to engage as a private practitioner.

8 Sec. 08.87.110. SCOPE OF PRACTICE. (a) A person licensed as a
9 bachelor, master, or independent social worker may provide services
10 that enhance, protect, or restore people's capacity for social func-
11 tioning whether impaired by physical, environmental, or emotional
12 factors, guided by professional social work ethics, knowledge and
13 intervention methods.

14 (b) A social worker may practice psychotherapy only if the
15 social worker is licensed as an independent social worker with a
16 clinical specialty or as a master social worker and is employed and
17 supervised in a clinical setting.

18 (c) A social worker may practice social work autonomously only
19 if

20 (1) the person is licensed as an independent social worker;
21 (2) the board has approved the specialty in which the
22 person may engage as a private practitioner and authorizes designation
23 of the speciality on the person's license;

24 (3) the license bearing a designation of speciality is
25 prominently displayed in the place the person engages in private
26 practice; and

27 (4) the person limits the private practice of social work
28 to the designated specialty.

29 Sec. 08.87.120. LICENSE BY CREDENTIALS. The board may provide

1 for licensing a person as a bachelor, master or independent social
2 worker without examination if the person

3 (1) holds a degree in social work from a school with a
4 social work program accredited by the Council on Social Work Educa-
5 tion;

6 (2) has an active license to practice social work in an-
7 other licensing jurisdiction with requirements at the time of the
8 original licensure that were similar to or higher than those of this
9 state;

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

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

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

16 (6) submits proof of continued competence as required by
17 regulation of the board; and

18 (7) pays all required fees.

19 Sec. 08.87.130. LICENSE RENEWAL REQUIRED. A license issued
20 under this chapter lapses after 24 months unless it is renewed.

21 Sec. 08.87.140. FEES. The following fees are imposed under this
22 chapter:

- 23 (1) application.....\$ 100
24 (2) initial license by examination..... 150
25 (3) license by credentials..... 100
26 (4) license renewal..... 200
27 (5) reexamination..... 150

28 ARTICLE 3. PROHIBITIONS AND PENALTIES.

29 Sec. 08.87.200. LICENSE REQUIRED FOR USE OF TITLE. (a) Unless