

SOCIAL WORK AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gene Davis

House Sponsor: Rebecca P. Edwards

LONG TITLE

General Description:

This bill amends provisions of the Mental Health Professional Practice Act.

Highlighted Provisions:

This bill:

- ▶ provides that an individual may represent oneself as a, or use the title of, social worker if the individual possesses certified transcripts from an accredited institution of higher education as described in the bill; and

- ▶ amends the qualifications for licensure as a clinical social worker, certified social worker, and social service worker by adding completion of an education accredited by the Canadian Association of Schools of Social Work.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-60-109, as last amended by Laws of Utah 2012, Chapter 179

58-60-205, as last amended by Laws of Utah 2013, Chapters 16 and 262

Be it enacted by the Legislature of the state of Utah:



28 Section 1. Section **58-60-109** is amended to read:

29 **58-60-109. Unlawful conduct.**

30 As used in this chapter, "unlawful conduct" includes:

31 (1) practice of the following unless licensed in the appropriate classification or
32 exempted from licensure under this title:

- 33 (a) mental health therapy;
- 34 (b) clinical social work;
- 35 (c) certified social work;
- 36 (d) marriage and family therapy;
- 37 (e) clinical mental health counselor;
- 38 (f) practice as a social service worker; or
- 39 (g) substance use disorder counselor;

40 (2) practice of mental health therapy by a licensed psychologist who has not acceptably
41 documented to the division the licensed psychologist's completion of the supervised training in
42 mental health therapy required under Subsection [58-61-304](#)(1)(f); or

43 (3) representing oneself as, or using the title of, the following:

44 (a) unless currently licensed in a license classification under this title:

- 45 [~~(a)~~] (i) psychiatrist;
- 46 [~~(b)~~] (ii) psychotherapist;
- 47 [~~(c)~~] (iii) registered psychiatric mental health nurse specialist;
- 48 [~~(d)~~] (iv) mental health therapist;
- 49 [~~(e)~~] (v) clinical social worker;
- 50 [~~(f)~~] (vi) certified social worker;
- 51 [~~(g)~~] (vii) marriage and family therapist;
- 52 [~~(h)~~] (viii) clinical mental health counselor;
- 53 [~~(i)~~] (ix) clinical hypnotist;
- 54 [~~(j)~~] (x) social service worker;
- 55 [~~(k)~~] (xi) substance use disorder counselor;
- 56 [~~(l)~~] (xii) associate clinical mental health counselor; or
- 57 [~~(m)~~] (xiii) associate marriage and family therapist[-]; or

58 (b) unless currently in possession of the credentials described in Subsection (4), social

59 worker.

60 (4) An individual may represent oneself as a, or use the title of, social worker if the
 61 individual possesses certified transcripts from an accredited institution of higher education,
 62 recognized by the division in collaboration with the Social Work Licensing Board, verifying
 63 satisfactory completion of an education and an earned degree as follows:

64 (a) a bachelor's or master's degree in a social work program accredited by the Council
 65 on Social Work Education or by the Canadian Association of Schools of Social Work; or

66 (b) a doctoral degree that contains a clinical social work concentration and practicum
 67 approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah
 68 Administrative Rulemaking Act, that is consistent with Section [58-1-203](#).

69 Section 2. Section **58-60-205** is amended to read:

70 **58-60-205. Qualifications for licensure or certification as a clinical social worker,**
 71 **certified social worker, and social service worker.**

72 (1) An applicant for licensure as a clinical social worker shall:

73 (a) submit an application on a form provided by the division;

74 (b) pay a fee determined by the department under Section [63J-1-504](#);

75 (c) be of good moral character;

76 (d) produce certified transcripts from an accredited institution of higher education
 77 recognized by the division in collaboration with the board verifying satisfactory completion of
 78 an education and an earned degree as follows:

79 (i) ~~[an earned]~~ a master's degree in a social work ~~[resulting from completion of an~~
 80 ~~education]~~ program accredited by the Council on Social Work Education or by the Canadian
 81 Association of Schools of Social Work; or

82 (ii) ~~[an earned]~~ a doctoral degree ~~[in social work that results from successful~~
 83 ~~completion of a clinical]~~ that contains a clinical social work concentration and practicum
 84 approved by the division ~~[and defined by rule under], by rule, in accordance with Title 63G,~~
 85 Chapter 3, Utah Administrative Rulemaking Act, that is consistent with Section [58-1-203](#);

86 (e) have completed a minimum of 4,000 hours of clinical social work training as
 87 defined by division rule under Section [58-1-203](#) in not less than two years and under the
 88 supervision of a clinical social worker supervisor approved by the division in collaboration
 89 with the board;

90 (f) document successful completion of not less than 1,000 hours of supervised training
91 in mental health therapy obtained after completion of the education requirement in Subsection
92 (1)(d), which training may be included as part of the 4,000 hours of training in Subsection
93 (1)(e), and of which documented evidence demonstrates not less than 100 of the hours were
94 obtained under the direct supervision of a clinical social worker, as defined by rule;

95 (g) have completed a case work, group work, or family treatment course sequence with
96 a clinical practicum in content as defined by rule under Section 58-1-203; and

97 (h) pass the examination requirement established by rule under Section 58-1-203.

98 (2) An applicant for licensure as a certified social worker shall:

99 (a) submit an application on a form provided by the division;

100 (b) pay a fee determined by the department under Section 63J-1-504;

101 (c) be of good moral character;

102 (d) produce certified transcripts from an accredited institution of higher education
103 recognized by the division in collaboration with the ~~[Social Worker Licensing Board]~~ board
104 verifying satisfactory completion of an education and an earned degree as follows:

105 (i) a master's degree in a social work [education] program accredited by the Council on
106 Social Work Education [and an earned master's degree resulting from completion of that
107 program] or by the Canadian Association of Schools of Social Work; or

108 (ii) ~~[an education program]~~ a doctoral degree that contains [approved] a clinical social
109 work concentration and practicum [in content as defined by rule under Section 58-1-203 and an
110 earned doctorate resulting from completion of that program] approved by the division, by rule,
111 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that is
112 consistent with Section 58-1-203; and

113 (e) pass the examination requirement established by rule under Section 58-1-203.

114 (3) (a) An applicant for certification as a certified social worker intern shall meet the
115 requirements of Subsections (2)(a), (b), (c), and (d).

116 (b) Certification under Subsection (3)(a) is limited to the time necessary to pass the
117 examination required under Subsection (2)(e) or six months, whichever occurs first.

118 (c) A certified social worker intern may provide mental health therapy under the
119 general supervision of a clinical social worker.

120 (4) An applicant for licensure as a social service worker shall:

- 121 (a) submit an application on a form provided by the division;
- 122 (b) pay a fee determined by the department under Section 63J-1-504;
- 123 (c) be of good moral character;
- 124 (d) produce certified transcripts from an accredited institution of higher education
- 125 recognized by the division in collaboration with the [~~Social Worker Licensing Board~~] board
- 126 verifying satisfactory completion of an education and an earned degree [~~resulting from~~
- 127 ~~education~~] as follows:
- 128 (i) a bachelor's degree in a social work program accredited by the Council on Social
- 129 Work Education or by the Canadian Association of Schools of Social Work;
- 130 (ii) a master's degree in a field approved by the division in collaboration with the
- 131 [~~social worker~~] board;
- 132 (iii) a bachelor's degree in any field if the applicant:
- 133 (A) has completed at least three semester hours, or the equivalent, in each of the
- 134 following areas:
- 135 (I) social welfare policy;
- 136 (II) human growth and development; and
- 137 (III) social work practice methods, as defined by rule; and
- 138 (B) provides documentation that the applicant has completed at least 2,000 hours of
- 139 qualifying experience under the supervision of a mental health therapist, which experience is
- 140 approved by the division in collaboration with the [~~Social Worker Licensing Board~~] board, and
- 141 which is performed after completion of the requirements to obtain the bachelor's degree
- 142 required under this Subsection (4); or
- 143 (iv) successful completion of the first academic year of a Council on Social Work
- 144 Education approved master's of social work curriculum and practicum; and
- 145 (e) pass the examination requirement established by rule under Section 58-1-203.
- 146 (5) The division shall ensure that the rules for an examination described under
- 147 Subsections (1)(h), (2)(e), and (4)(e) allow additional time to complete the examination if
- 148 requested by an applicant who is:
- 149 (a) a foreign born legal resident of the United States for whom English is a second
- 150 language; or
- 151 (b) an enrolled member of a federally recognized Native American tribe.

Legislative Review Note
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Office of Legislative Research and General Counsel