

SOCIAL WORKER LICENSING AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marsha Judkins

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill amends provisions of the Social Worker Licensing Act.

Highlighted Provisions:

This bill:

- ▶ removes an examination requirement for licensure as a certified social worker or social service worker;
- ▶ repeals provisions creating and related to the position of certified social worker intern; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53E-3-524, as enacted by Laws of Utah 2022, Chapter 329

58-60-204, as last amended by Laws of Utah 2003, Chapter 201

58-60-205, as last amended by Laws of Utah 2022, Chapters 345, 466

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

Section 1. Section **53E-3-524** is amended to read:

- 29 **53E-3-524. Newcomer student and foreign exchange student transcript**
30 **repository.**
- 31 (1) As used in this section:
- 32 (a) "Newcomer student" means a student who:
- 33 (i) is three through 21 years old;
- 34 (ii) was not born in any state; and
- 35 (iii) has not attended one or more schools in one or more states for more than three full
36 academic years.
- 37 (b) "Qualified social service provider" means a social service provider that works
38 directly with a student's family.
- 39 (c) "Repository" means the online transcript repository described in Subsection (2).
- 40 (d) "Social service provider" means:
- 41 (i) one of the following professionals, licensed to practice under Section [58-60-205](#):
- 42 (A) a clinical social worker;
- 43 (B) a certified social worker; or
- 44 ~~[(C) a certified social worker intern; or]~~
- 45 ~~[(D)]~~ (C) a social service worker; or
- 46 (ii) staff employed to provide direct support to a professional described in Subsection
47 (1)(d)(i).
- 48 (e) "State" means:
- 49 (i) a state of the United States;
- 50 (ii) the District of Columbia; or
- 51 (iii) the Commonwealth of Puerto Rico.
- 52 (f) "Student" means an individual who is enrolled in:
- 53 (i) a public school within the state of Utah; and
- 54 (ii) any grade from kindergarten through grade 12.
- 55 (g) (i) "Transcript" means documentation of a newcomer student's or foreign exchange

56 student's prior educational experience.

57 (ii) "Transcript" includes oral representations about prior educational experience that a
58 school or an LEA documents.

59 (2) On or before July 1, 2024, the state board shall establish and maintain, as part of
60 the Utah school information management system described in Section 53E-3-518, an online
61 repository for transcripts.

62 (3) The state board shall:

63 (a) ensure that the repository provides a central location for:

64 (i) an LEA to upload transcripts; and

65 (ii) LEAs and qualified service providers to share information regarding transcripts,
66 including:

67 (A) best practices for linguistic interpretation;

68 (B) interpretation of educational experiences; and

69 (C) placement of newcomer students;

70 (b) ensure that use of the repository:

71 (i) is voluntary; and

72 (ii) complies with all state and federal student privacy requirements, including:

73 (A) Title 53E, Chapter 9, Student Privacy and Data Protection; and

74 (B) the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g;

75 (c) provide the repository at no cost to LEAs;

76 (d) provide access to the repository to qualified social service providers;

77 (e) establish appropriate access protocols in coordination with LEAs and qualified
78 social service providers; and

79 (f) annually, before the school enrollment period begins, provide notice of the
80 repository to interested parties that the state board designates in state board rule.

81 (4) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah
82 Administrative Rulemaking Act, to implement this section, including rules:

- 83 (a) establishing procedures:
- 84 (i) to protect student data related to the repository in compliance with Title 53E,
- 85 Chapter 9, Student Privacy and Data Protection; and
- 86 (ii) for the use of the repository by the state board, LEAs, and qualified social service
- 87 providers;
- 88 (b) requiring repository users to enter into a data sharing agreement; and
- 89 (c) designating the interested parties described in Subsection (3)(f).

90 Section 2. Section **58-60-204** is amended to read:

91 **58-60-204. License classifications.**

92 The division shall issue licenses and certifications to individuals qualified under this

93 part in the classifications:

- 94 (1) clinical social worker;
- 95 (2) certified social worker; and
- 96 [~~(3) certified social worker intern; and~~]
- 97 [~~(4)~~] (3) social service worker.

98 Section 3. Section **58-60-205** is amended to read:

99 **58-60-205. Qualifications for licensure or certification as a clinical social worker,**

100 **certified social worker, and social service worker.**

- 101 (1) An applicant for licensure as a clinical social worker shall:
- 102 (a) submit an application on a form provided by the division;
- 103 (b) pay a fee determined by the department under Section [63J-1-504](#);
- 104 (c) produce certified transcripts from an accredited institution of higher education
- 105 recognized by the division in collaboration with the board verifying satisfactory completion of
- 106 an education and an earned degree as follows:
- 107 (i) a master's degree in a social work program accredited by the Council on Social
- 108 Work Education or by the Canadian Association of Schools of Social Work; or
- 109 (ii) a doctoral degree that contains a clinical social work concentration and practicum

110 approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah
111 Administrative Rulemaking Act, that is consistent with Section 58-1-203;
112 (d) have completed a minimum of 3,000 hours of clinical social work training as
113 defined by division rule under Section 58-1-203:
114 (i) in not less than two years;
115 (ii) under the supervision of a supervisor approved by the division in collaboration with
116 the board who is a:
117 (A) clinical mental health counselor;
118 (B) psychiatrist;
119 (C) psychologist;
120 (D) registered psychiatric mental health nurse practitioner;
121 (E) marriage and family therapist; or
122 (F) clinical social worker; and
123 (iii) including a minimum of two hours of training in suicide prevention via a course
124 that the division designates as approved;
125 (e) document successful completion of not less than 1,000 hours of supervised training
126 in mental health therapy obtained after completion of the education requirement in Subsection
127 (1)(c), which training may be included as part of the 3,000 hours of training in Subsection
128 (1)(d), and of which documented evidence demonstrates not less than 100 of the hours were
129 obtained under the direct supervision, as defined by rule, of a supervisor described in
130 Subsection (1)(d)(ii);
131 (f) have completed a case work, group work, or family treatment course sequence with
132 a clinical practicum in content as defined by rule under Section 58-1-203;
133 (g) pass the examination requirement established by rule under Section 58-1-203; and
134 (h) if the applicant is applying to participate in the Counseling Compact under Chapter
135 60a, Counseling Compact, consent to a criminal background check in accordance with Section
136 58-60-103.1 and any requirements established by division rule made in accordance with Title

137 63G, Chapter 3, Utah Administrative Rulemaking Act.

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

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

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

141 (c) produce certified transcripts from an accredited institution of higher education

142 recognized by the division in collaboration with the board verifying satisfactory completion of
143 an education and an earned degree as follows:

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

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

149 [~~(d) pass the examination requirement established by rule under Section 58-1-203.~~]

150 [~~(3) (a) An applicant for certification as a certified social worker intern shall meet the
151 requirements of Subsections (2)(a), (b), and (c).~~]

152 [~~(b) Certification under Subsection (3)(a) is limited to the time necessary to pass the
153 examination required under Subsection (2)(d) or six months, whichever occurs first.~~]

154 [~~(c) A certified social worker intern may provide mental health therapy under the
155 general supervision, as defined by rule, of a supervisor described in Subsection (1)(d)(ii).~~]

156 [~~(4)~~] (3) An applicant for licensure as a social service worker shall:

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

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

159 (c) produce certified transcripts from an accredited institution of higher education

160 recognized by the division in collaboration with the board verifying satisfactory completion of
161 an education and an earned degree as follows:

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

- 164 (ii) a master's degree in a field approved by the division in collaboration with the
165 board;
- 166 (iii) a bachelor's degree in any field if the applicant:
- 167 (A) has completed at least three semester hours, or the equivalent, in each of the
168 following areas:
- 169 (I) social welfare policy;
- 170 (II) human growth and development; and
- 171 (III) social work practice methods, as defined by rule; and
- 172 (B) provides documentation that the applicant has completed at least 2,000 hours of
173 qualifying experience under the supervision of a mental health therapist, which experience is
174 approved by the division in collaboration with the board, and which is performed after
175 completion of the requirements to obtain the bachelor's degree required under this Subsection
176 (4); or
- 177 (iv) successful completion of the first academic year of a Council on Social Work
178 Education approved master's of social work curriculum and practicum[~~;~~and].
- 179 [~~(d)~~ pass the examination requirement established by rule under Section ~~58-1-203.~~]
- 180 [~~(5)~~ (4) The division shall ensure that the rules for an examination described under
181 [~~Subsections (1)(g), (2)(d), and (4)(d)~~ Subsection (1)(g) allow additional time to complete the
182 examination if requested by an applicant who is:
- 183 (a) a foreign born legal resident of the United States for whom English is a second
184 language; or
- 185 (b) an enrolled member of a federally recognized Native American tribe.