

**SOCIAL WORK AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gene Davis**

House Sponsor: \_\_\_\_\_

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**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, or use the title of, social worker if the individual produces certified transcripts from an accredited institution of higher education as described in this 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

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*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) except as provided in Subsection (4), representing oneself as, or using the title of,  
44 the following unless currently licensed in a license classification under this title:

- 45 (a) psychiatrist;
- 46 (b) psychotherapist;
- 47 (c) registered psychiatric mental health nurse specialist;
- 48 (d) mental health therapist;
- 49 (e) clinical social worker;
- 50 (f) certified social worker;
- 51 (g) social worker;
- 52 [~~g~~] (h) marriage and family therapist;
- 53 [~~h~~] (i) clinical mental health counselor;
- 54 [~~i~~] (j) clinical hypnotist;
- 55 [~~j~~] (k) social service worker;
- 56 [~~k~~] (l) substance use disorder counselor;
- 57 [~~l~~] (m) associate clinical mental health counselor; or
- 58 [~~m~~] (n) associate marriage and family therapist.

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

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

65 (b) a master's degree in social work resulting from completion of an education program  
 66 accredited by the Council on Social Work Education or by the Canadian Association of  
 67 Schools of Social Work; or

68 (c) from an education program that contains approved clinical social work  
 69 concentration and practicum in content, as defined by rule under Section 58-1-203, and an  
 70 earned doctorate degree resulting from completion of that program.

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

72 **58-60-205. Qualifications for licensure or certification as a clinical social worker,**  
 73 **certified social worker, social worker, and social service worker.**

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

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

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

77 (c) be of good moral character;

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

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

84 (ii) [~~an earned doctorate~~] a doctorate degree in social work that results from successful  
 85 completion of a clinical concentration and practicum approved by the division and defined by  
 86 rule under Section 58-1-203;

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

90 with the board;

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

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

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

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

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

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

102 (c) be of good moral character;

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

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

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

**Legislative Review Note**  
**as of 2-25-14 1:24 PM**

**Office of Legislative Research and General Counsel**